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Session Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

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THE 2003 LEGISLATURE CONVENES

BUDGET DEFICIT ANNOUNCED, NEW MEMBER PROFILES

HF1-HF48

WARASHA-GOODHUE

OLSON

SUERBURNE - WRIGHT

ANDERSON

Session Weekly

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On the cover: Tim Johnson from the Chief Clerk's Office added 43 new names to one of the voting boards in the House Chamber Jan. 3 in preparation of the opening of the 2003 legislative session.

—Photo by: Tom Olmscheid

A warm welcome

Opening session a time for all members to celebrate with family, friends before concentrating on balancing the state budget

By JEFF JONES

Though a projected budget shortfall loomed large over Minnesota legislators preparing to be sworn in Jan. 7, nevertheless, the opening session of the House of Representatives was filled with excitement and expectation. Spouses, children, and proud parents filled the House chamber to be part of a day of ceremony and celebration for the 133 new and returning House members. The session opened with the Land of Lakes Choirboys singing *America the Beautiful*. Secretary of State Mary Kiffmeyer called the 83rd Legislative Session to order.

The House was one member short when the session began because Rep. Dan McElroy (R-Burnsville) resigned his seat Jan. 6 to become the commissioner of the state Department of Finance.

And the weather couldn't have been more cooperative for members and their families to travel from all corners of the state. Of the seven state legislatures gaveled into session Jan. 7—from Rhode Island to Mississippi—Minnesota's enjoyed the warmest temperature. The unseasonably warm weather reached 53 degrees in St. Paul by the close of the first day's session. Even Jackson, Miss., saw a high of only 49.

Amidst a flurry of camera flashes from media and family members, Minnesota State Supreme Court Chief Justice Kathleen Blatz

swore in the 43 new and 90 returning members of the House. Before doing so, Blatz recalled her own 15 years in the House and told new members they will be making many lasting memories along the way.

The House then set to work choosing officers for the session.

Rep. Alice Seagren (R-Bloomington) nominated Rep. Steve Sviggum (R-Kenyon) to be Speaker of the House—the position he has held since Republicans took control of the chamber in 1999. Touting Sviggum's "patience and persistence" through the last four years of tripartisan government, Seagren said, "I can think of no finer man to be Speaker of the House."

Rep. Dan Dorman (R-Albert Lea), who owns a tire business, seconded the nomination by comparing Sviggum's leadership to a wheel weight. "The wheel weight keeps that tire and wheel assembly going smoothly down the road and that is what the speaker does for us, he keeps us on track and running smoothly because there's a lot of pulls and tugs and vibrations that could be caused."

On the other side of the aisle, Rep. Gene Pelowski, Jr. (DFL-Winona) nominated Rep. Matt Entenza (DFL-St. Paul) for the speaker's chair, a move

seconded by Rep. Alice Hausman (DFL-St. Paul). DFL members elected Entenza House Minority

Leader in November, replacing Rep. Tom Pugh (DFL-South St. Paul).

After ascending to the speaker's chair by an 81 to 51 vote, Sviggum spoke about a spirit of bipartisanship. He said differences between the parties "are very tiny matters when compared to the strength that lies within us to be able to solve the problems and address the opportunities that are before us." Referring to the upcoming budget debate, he said, "we know there are going to be some tough choices to make, we have to make the choices to protect



PHOTO BY ANDREW VON BANK

Rep. Steve Sviggum is sworn-in as Speaker of the House by Minnesota State Supreme Court Chief Justice Kathleen Blatz during opening day ceremonies Jan. 7.

To our readers:

Welcome to the 83rd Legislative Session of the Minnesota House of Representatives. The award-winning *Session Weekly* begins its 20th year of publication with this issue.

You may notice a few changes to the look of *Session Weekly*, but the content will remain the same, and we will continue our dedication to providing nonpartisan information about the House in a timely and accurate manner.

Primarily, we have changed the paper stock in an effort to answer the ongoing budget concerns affecting all areas of state government. While the legislators are working to cut the budget and reduce the projected deficit, House of Representatives staff have been searching for ways to provide the same level of service while trimming costs.

While this issue begins a new year for the Legislature and *Session Weekly*, we are bidding a fond farewell to our permanent writer, David Maeda, who has been with House Public Information Services since October 1999. David has developed an expertise in covering tax policy and finance issues, as well as both state and local government concerns.

David will be moving on to a position with Hennepin County and we wish him well. Not only will we miss his writing and researching abilities, but his wit, perspective, and work ethic were a true asset to the office, and ultimately *Session Weekly* readers.

You may also notice more updates in *Session Weekly* regarding the Senate status of proposals also traveling through the House. While our writers will not be covering Senate hearings, we will provide short status updates as a service to readers. We know that many of you also read *Senate Briefly*, which will not be published in paper form this session.

We hope you continue to enjoy *Session Weekly* and the easy-to-understand writing style we use. Your comments and suggestions are always welcome. Contact House Public Information Services at (651) 296-2146 or 1-800-657-3550.

—MICHELLE KIBIGER

people, families, and taxpayers rather than protecting government."

The House also unanimously re-elected Edward A. Burdick as its chief clerk, a job he has held for 37 years. Rep. Irv Anderson (DFL-Int'l Falls) said Burdick's 62 years working for the House make him "more than an employee. He is the memory of this House."

Though the first day's session was largely ceremonial and full of procedural roll-call votes, friends and family in the chamber were impressed. "It went a lot quicker than I thought it would," said Tina Marie Lesch, wife of freshman Rep. John Lesch (DFL-St. Paul). Lesch was also joined by his parents, grandparents, and 2-year-old daughter, Alice, who, Tina Marie said, "slept through the whole thing."


Though no bills were considered on day one, interest groups and lobbyists were already visible in the Capitol corridors.

Among them were members of the Million Mom March, a group advocating gun control and opposed to concealed carry legislation that is expected to come before the Legislature this session. Dressed in pink and holding red roses, group members lined a stairway most members use as they ascend to their chambers on the second floor. "We're welcoming them back, thanking them for their support and letting them know we're still watching," said Mary Heller, president of the group's St. Paul chapter.

Also present in force was Capitol Security. In addition to a full complement of guards and troopers, six Special Response Team members were on hand to provide security for the opening session. While no problems were encountered, Capt. Tom Fraser, director of Capitol Complex Security Executive Protection Unit said, "I wanted to make sure the public in general - and the legislators in particular - knew what we're capable of providing if we need to."

Of the 43 new House members elected in November, 30 are Republicans and 13 are DFLers, helping to give Republicans a 30-seat majority - a gain of 26 seats from the beginning of last session. That margin dropped by one on Jan. 6 with McElroy's resignation. A special election to fill the District 40A seat is scheduled for Feb. 3.

Both Gov. Tim Pawlenty and McElroy bring legislative experience to the task of working with both the House and Senate to remedy the projected budget shortfalls. The state's general fund has a projected deficit of \$356 million for the current fiscal year, and \$4.2 billion for fiscal years 2004-2005.

House leaders have already begun to fore-shadow which proposals may be considered in balancing the budget - including state aid to local governments. 



Deficit woes

1992 task force studied budget process following deficits in the early 1990s

Staggering budget deficits are not new to the State of Minnesota. In fact, five shortfalls occurred during the 11 biennia between 1980 and 2001.

But a decade has passed since the Legislature faced a negative general fund balance anywhere close to the projected \$4.2 billion for fiscal years 2004-05.

Gov. Tim Pawlenty and legislators alike are looking at creative solutions to a serious problem, just as then-Gov. Arne Carlson did when weaker-than-expected economic growth in the late 1980s created a \$2 billion deficit in 1991.

To better anticipate budgetary ups and downs, Carlson selected key private sector business and financial leaders and charged them with reviewing state fiscal information and planning practices. The group was named the Commission on Long-term Financial Management Reform.

The commission's February 1992 report focused on "structural balance," or preventing ongoing expenditures from surpassing ongoing revenues - and doing so not only in the proposed biennium, but in the following two biennia.

"It is increasingly obvious that fundamental changes in Minnesota's financial management policies and procedures must be adopted to secure the state's fiscal future," said Duane Kullberg, chair of the commission, in the report's introduction. Kullberg was chairman and retired chief executive officer of Arthur Andersen and Co.

He continued, "Financial crises and short-term shocks to the system must not be allowed to determine the state's program priorities. Financial planning and management reform, that is linked to a long-term strategic framework, is necessary to introduce greater stability."

The study recommended:

- Developing and enforcing a long-term financial plan that is linked to an overall strategic framework;

- Increasing management flexibility, responsibility and accountability in budgeting, including contingency planning to address economic uncertainties; and

- Examining state and local fiscal responsibilities to ensure proper accountability, responsibility, and fiscal prudence.

As a result, in 1994 a new law required that financial forecasts prepared in the first year of a biennium address that biennium and the next. And those prepared during

the second fiscal year must cover the current two-year budget cycle, as well as the following two biennia.

In addition, the budget reserve target was set at 5 percent of expenditures, according to the Department of Finance.

The state's economic situation improved and budgets commencing in 1994 contained healthy surpluses.



Gov. Arne Carlson

Gov. Carlson was not the first governor to appoint a citizen commission for help during a fiscal crisis.

In 1982 then-Gov. Al Quie formed a blue-ribbon task force to analyze state spending.

At the time the 1982-83 biennium budget shortfall was 16.8 percent of enacted spending. The problem was one of many woes during the 1980s that caused Minnesota to lose its high bonding rate.

Short-term borrowing helped close the gap between 1982 and 1985. Borrowing to meet daily government activities was at its highest of \$850 million in March 1982, according to the Department of Finance.

The task force recommended creating a budget reserve and requiring state budget forecasts to cover two biennia, or four years.

Changes followed the task force's report. The first budget reserve was created in 1983, under the leadership of then-Gov. Rudy Perpich.

Matters have since come full circle with the forecasted deficit for the upcoming biennium.

(M. BRYANT)

★ RECREATION

Trail management disparity

Snowmobile trails are being managed well by the state, but trails for dirt bikes, four-wheelers, and other off-road vehicles are not, according to a report released Jan. 8.

Prepared by the Office of the Legislative Auditor, the 118-page report examined how the Department of Natural Resources (DNR) handles trail design, planning and management, and off-highway vehicle enforcement. The report was ordered in April 2002 by the Legislative Audit Commission.

Brad Moore, acting DNR commissioner, said the report will help the DNR manage off-road vehicle use.

It's true that the DNR lacks sufficient information for overall trail planning, said Dennis Asumussen, department director of trails and waterways. He said the last study on recreational trends and habits was done in the late 1970s.

"We need to know better who's in the forest, and what they're doing, and what their needs are," he said.

State money accounts for the four off-highway vehicle groups are adequate, according to the report, and could be tapped for planning and enforcement. The accounts together held \$13.9 million at the end of fiscal year 2002. The money is derived from gas tax allocations and vehicle registration receipts.

The report recommends that the Legislature order new studies to better determine off-highway vehicle gas tax allocations because existing studies do not reflect current gasoline use. For example, snowmobile allocations are based on the 1996-97 winter, which had the most snow in the past decade.

Also, the report found that the state spends more time enforcing snowmobile laws than laws governing other off-highway vehicles. However, the non-snowmobile off-highway vehicles typically have greater potential environmental impact from year-round use, according to the report.

Rep. Mark Holsten (R-Stillwater) said it is difficult for conservation officers to monitor all-terrain vehicle use as thoroughly because there are far fewer designated trails designated for them.

"It's lack of a trail system that has led to enforcement problems," he added.

Minnesota has 19,000 miles of snowmobile trails and 950 miles of off-highway vehicle trails. Many operators use undesignated trails in managed parks.

TWO GENERATIONS



PHOTO BY TOM OLMSCHIED

Rep. Katie Sieben, *right*, is joined in opening day ceremonies by her father, Mike Sieben, a member of the House from 1973-1982. Her uncle, Harry Sieben, Jr. was Speaker of the House from 1981-1984.

The report may be discussed further in the various Senate and House committees.

A separate task force report examining non-snowmobile off-highway vehicle use is expected in late January.

Editor's Note: The following stories summarize the action taken by the Legislature during the 2002 Special Session, held Sept. 19. The session, called to address flood relief for counties throughout Greater Minnesota, lasted a few hours and produced three laws: one governing flood relief and two dealing with tax issues. We are providing the summaries as a service to *Session Weekly* readers who may not have received an update regarding the House action.

★ GREATER MINNESOTA

Flood relief package approved

After a soaking summer, it was a brighter fall for some Minnesotans as a flood relief package was approved by the Legislature during a Sept. 19 special session.

The nearly \$32 million package will provide relief for 19 counties damaged by severe storms and heavy rains last June. Sixteen of those counties are in the northwest portion of the state, plus McLeod and Wright in central Minnesota and Goodhue in the southeast portion of the state. The new law effective Sept. 21, 2002 is similar to the legislation passed during the 1997 special session that brought aid to communities in the Red River basin.

"This sends a message that the state is committed to providing assistance," said Rep. Maxine Penas (R-Badger), the law's House sponsor. "It gives people hope."

Among the hardest hit areas was Roseau, where Penas said 80 percent of the homes were damaged or destroyed, along with 100 businesses, affecting 1,800 families.

Of the funding, \$29.4 million is in new appropriations and \$2.35 million is from the reallocation of funds. More than \$16 million of new monies are from additional bonding, and \$10.1 million is from the cancellation of general fund money appropriated in 2000 for road construction. The remainder comes from trunk highway funds (\$2 million) and fuel contaminated property assistance (\$1 million).

The largest chunk of state funding is \$8.3 million to match the federal emergency funds. "This includes all of the state and local share," Penas said. Under the program the federal government provides 75 percent aid, and state and local governments provide 25 percent. Usually such aid requires a 10 percent local contribution.

For businesses, \$6 million of relief was authorized, half of which comes from the state's general fund for grants or loans to businesses adversely affected by the flood, and \$1 million was directed for cleanup of buildings where the damage can be related to petroleum contamination. Additionally, businesses in a tax increment financing district may request to have their net tax capacity adjusted for the first taxes payable year.

Of the reallocations, \$350,000 is designated for flood replacement aid and \$2 million in bonding for flood mitigation.

An amendment that would have provided assistance for Jackson, Nobles, and Rock counties in southwest Minnesota, where farmers anticipate losing millions of dollars as a result of drought conditions, was not approved.

Sen. LeRoy Stumpf (DFL-Thief River Falls) was the Senate sponsor.

2002 Special Session: HF1*/SF1/CH1

TAXES

Charitable deduction changes

Legislators approved a measure during a Sept. 19 special session that redefines the threshold of deduction for charitable contributions on income taxes paid after Dec. 31, 2001.

The new law allows affected taxpayers to deduct contributions of more than 1.3 percent of their federal adjusted gross income. The law addressed a concern about a court's ruling on the way taxpayers calculate the state's alternative minimum tax.

The tax was originally created to ensure that individuals who capitalize on certain available tax deductions, which theoretically may erase all income tax burden, still pay some tax.

Charitable contributions qualify as one type of deduction taxpayers may make from their income tax obligations. A Minnesota Supreme Court ruling, which removed the tax deductibility of charitable contributions made by Minnesotans who are required to pay the state's alternative minimum tax, raised concerns that contributions made to nonprofit organizations could be significantly reduced if taxpayers are no longer allowed to deduct them.

Rep. Ron Abrams (R-Minnetonka), the new law's House sponsor, said it is a temporary solution that addresses concerns raised by the court decision, adding that the issue would likely be addressed further in the 2003 session. "This is a one-year solution to a very bad problem," he said.

In Minnesota, taxpayers first calculate their regular tax liability and then determine whether they owe the alternative minimum tax. If the alternative minimum tax is higher

than the regular tax, the taxpayer pays the difference between the two amounts.

Previously the state's alternative minimum taxpayers were allowed to deduct charitable contributions made only to Minnesota-based charities. But a case brought before the state tax court ultimately led to the Supreme Court ruling that no charitable donations, regardless of where the charity is located, could be deducted in calculating the state alternative minimum tax.

The Supreme Court ruled the prior law was unconstitutional under federal commerce laws because it discriminated between charities.

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

2002 Special Session: HF2*/SF2/CH2

Gravel tax

A new law passed during a Sept. 19 special session clarifies a sales tax exemption on the delivery of aggregate materials and concrete block.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the law clarifies the legislative intent of a provision of the 2002 omnibus tax law. The measure specifies that the delivery of aggregate materials and concrete block by a third party is subject to the sales tax if it would be subject to the tax were delivered by the seller.

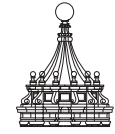
Abrams said the 2002 provision had little or no cost associated with it, but since adjournment of the 2002 regular session, the Department of Revenue had interpreted the definition more broadly than intended.

The new law was effective retroactive to June 30, 2002.

Sen. Ann Rest (DFL-New Hope), the Senate sponsor, said the Revenue Department had

indicated to her that there were no collections related to the provision since June 2002, and therefore no refunds were owed.

2002 Special Session: HF3*/SF3/CH3



NOTES

2 minutes for.....

Gov. Tim Pawlenty's inaugural activities included a Jan. 9 hockey game between a team he led and one led by former Gov. Wendell Anderson.

That game prompted a question within the House DFL caucus on the opening day when Rep. Phyllis Kahn (DFL-Mpls) playfully asked Rep. Tom Pugh (DFL-St. Paul) why he was playing on a Republican team against a Democratic team.

"Governor Pawlenty called me with a distinct problem with respect to this hockey game in that he has 20 right wings," Pugh said. After the laughter subsided, Pugh continued, "He needed someone to patrol the left side of the rink so he called some of his friends from South St. Paul to do that."

Pugh also said that the rivalry between South St. Paul and St. Paul Johnson high schools is "deeper than anything Democrats and Republicans could ever hope for."

Pawlenty went to South St. Paul and Anderson is a Johnson graduate.

Pugh took a shot at himself and other participants. "If you see highlights on television and it seems like it is in slow-motion, that'll be the actual speed."



PHOTO BY TOM OLMSCHIED

Reps. Lyle Koenen, *left*, and Keith Ellison, *right*, are sworn into the House of Representatives by Minnesota State Supreme Court Chief Justice Kathleen Blatz Jan. 7. Koenen is joined by sons Levi, *left*, and Isaac.



PHOTO BY ANDREW VON BANK

Reps., *from left*, Chris DeLaForest, Paul Kohls, Joe Hoppe, and Lynn Wardlow take the oath of office during the first day of the 2003 session on Jan. 7.

Exceeding expectations

Lawmakers face \$4.5 billion projected deficit through fiscal year 2005 as they prepare to set state budget

By MICHELLE KIBIGER

In the midst of preparing for a new legislative session with 43 new House members, lawmakers were greeted with the news they were hoping wasn't true: the projected budget deficit had gotten bigger.

The state Department of Finance released its November budget forecast on Dec. 4 with the grim news that the state faces a projected deficit of \$4.56 billion at the close of the 2005 fiscal year. That figure includes a \$356 million deficit for the fiscal year that closes June 30, 2003 – a problem that lawmakers must address early in the 2003 legislative session.

National Conference of State Legislatures, shows that 31 states reported budget gaps during the early months of fiscal year 2003. In addition, 33 states are forecasting revenues below previous projections. Cumulatively, the 50 states are anticipating a deficit of \$17.5 billion at the close of fiscal year 2003.

During the forecast presentation, Stinson said economists are also concerned that the problems in state economies may ultimately drag on the national economy and slow its turnaround.

The Minnesota Constitution does not allow the state to borrow beyond the end of a biennium (two-year cycle) to accommodate its

- A weak stock market, still reeling from the after affects of the 2001 terrorist attacks;
- Minnesota's economy, which was hit harder by the 2001 recession than the national economy and has been slow to rebound following the Sept. 11 attacks; and
- Higher than projected health and human services spending, exacerbated by the state's economic situation.

Stinson and finance officials noted that while they expect the economic situation to improve, it will not improve fast enough to make a difference in the short term.

"This is not a problem that we will grow out of," Stinson said.

More than 75 percent of the state's general fund revenues comes from two places – income taxes and sales taxes – two areas that took severe hits during the recent economic downturn. Specifically, income taxes relating to capital gains are down \$5 billion since 2001. That represents more than a 50 percent drop in capital gains revenue – blamed on the abrupt decline in the stock market. That market crash caused individuals to claim losses rather than the significant income experienced in the late 1990s and the first two years of this decade.

However, the forecast predicts that revenues will increase in the 2004-05 biennium. The problem is they will not increase enough to cover projected spending, thereby causing a projected deficit.

"This is not a pessimistic economic forecast," Stinson said. There will be growth, he added, but it will occur from a much lower base.

The estimated \$4.2 billion shortfall for fiscal years 2004-05 represents about 14 percent of the general fund budget for the biennium. The February 2002 forecast anticipated a shortfall of \$3.2 billion for the biennium.

How the forecast works

Economic forecasting can be a very complicated and time-consuming exercise. However, when broken down into its pieces, forecasts merely project how the state's budget will balance for a given two-year spending cycle.

First, the Legislature sets the budget for a two-year period or biennium. Then economic forecasters will take the budget and determine generally how much revenue will be raised and how much of that revenue will be spent on



PHOTO BY TOM OLMSCHIED

Anne Barry, acting finance commissioner, uses a graph to illustrate a \$450 million revenue shortfall during the Dec. 6 release of the November Forecast.

The only consolation: Minnesota is not alone in its budget woes.

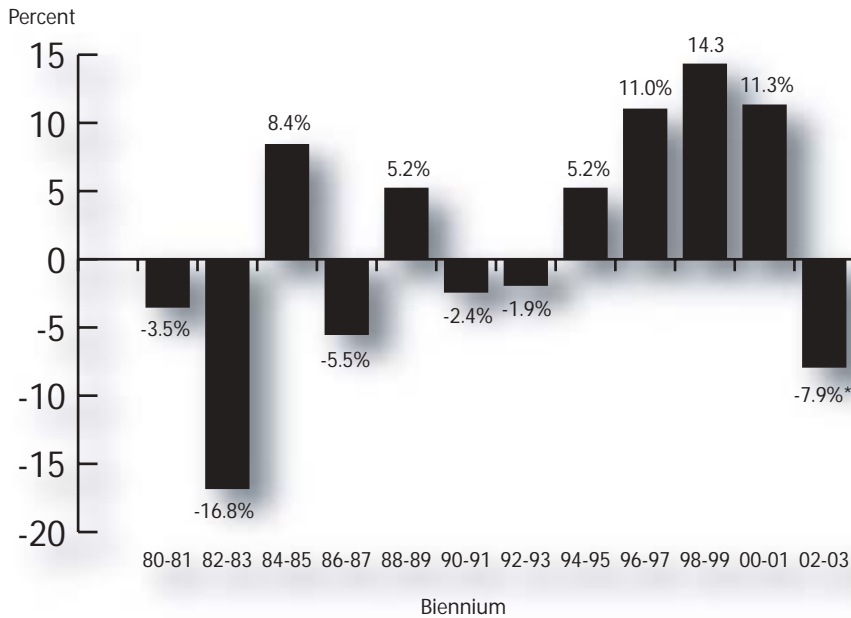
"This is not a problem that's limited to Minnesota," said Tom Stinson, state economist. "Almost every state is having some financial problems."

A report, released in November 2002 by the

operating budget. As a result, the Legislature must act to ensure the budget will balance when the fiscal year closes at midnight June 30.

As for projections in 2004-2005, for which lawmakers will budget this session, finance officials blame the projected deficit on several key factors:

Surplus/Shortfalls as a Percent of Enacted Spending



* Based on the February 2002 forecast.
Source: Minnesota Department of Finance

various programs.

Unlike a household budget, which is typically based on a set salary, the state's budget fluctuates to some degree according to the money people pay in taxes. If people are out of work or otherwise not bringing in as much income, they don't generate as much income tax or contribute as much sales tax to the economy. Other factors, such as corporate taxes and other fees, also contribute to revenue collected by the state.

Simply put, the forecast compares anticipated revenues to anticipated spending and determines the difference. When revenues do not exceed expenditures, finance officials

project a deficit.

Officials must then balance the state budget – either by raising more revenue or by cutting expenditures.

In forecasting, economic officials will take the overall economic situation in the nation and the state into consideration. This is particularly important as it relates to the stock market, business climate, and unemployment. For one, the November forecast did not consider any economic impacts a war with Iraq might have.

The forecast no longer accounts for inflation in budget estimates. A new law in 2002 prohibited finance officials from including

inflation in expenditure estimates for future years.

Balancing the budget


Lawmakers will likely begin work on eliminating the debt for the current fiscal year as soon as they convene the 2003 Legislature. In addition, the primary focus of the 2003 session will be setting the 2004-05 budget.

Minnesota is an executive budget state, which means the Legislature waits for the governor to propose a state budget and builds from that. The Legislature may accept all or part of the governor's budget and augment it with its own priorities.

Although Gov. Tim Pawlenty has not formally offered any specific budget initiatives yet, he has repeatedly reiterated his campaign promise to balance the state's budget without raising taxes. Pawlenty has suggested examining the state's local government aid system, which accounts for about 10 percent of the state budget. He has until mid-February to submit his budget to the Legislature.

Finance officials are also looking at executive branch options for balancing the budget. All reserve accounts are being examined, officials said.

"We're looking under every rock for everything that's out there," said Acting Finance Commissioner Anne Barry at the December press conference.

In addition, Barry said, state law allows the governor to "unallot" or cut spending at any time when there is an estimate that revenues will not exceed expenditures in a given fiscal year. 

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Running the show

Sviggun re-elected House speaker, Olson joins Abrams and Boudreau as speaker pro tempore

For the third straight biennium, Rep. Steve Sviggun (R-Kenyon) will preside over the Minnesota House of Representatives.

Sviggun was elected Speaker of the House when members convened for the 83rd session Jan. 7, defeating House Minority Leader Matt Entenza (DFL-St. Paul) 81 to 51.



Rep. Steve Sviggun

Considered by some to be the second most-powerful position in state government behind the governor, the speaker appoints House committee chairs, vice chairs, and names members of both parties to committees. The speaker also refers proposed legislation to standing committees and appoints conference committee members, and designates a person to fulfill the duties of the legislative office until members elect a successor.

In the chamber, the speaker controls floor debates, preserves order and decorum and can order the House lobby or galleries cleared due to improper conduct or other disturbances.



Rep. Ron Abrams

Sviggun, a farmer, educator, and coach, was first elected to the House in 1978. He is a member of the Ways and Means and Rules and Legislative Administration committees. Prior to being elected speaker, Sviggun was the House Minority Leader for three biennial sessions.

Reps. Ron Abrams (R-Minnetonka), Lynda Boudreau (R-Faribault), and Mark Olson (R-Big Lake) have each been appointed speaker pro tempore to preside over the House in the speaker's absence.

Abrams and Boudreau have served as speakers pro tempore since 1999.

Now in his eighth term, Abrams is chair of the House Taxes Committee. The attorney is also a member of the Local Government and Metropolitan Affairs



Rep. Lynda Boudreau

and the Rules and Legislative Administration committees.

Boudreau, a realtor, is serving her fifth term. She chairs the House Health and Human Services Policy Committee and is also a member of the Health and Human Services Finance, Governmental Operations and Veterans Affairs Policy, and Rules and Legislative Administration committees.



Rep. Mark Olson

Appointed speaker pro tempore for the first time, Olson, a carpenter and homebuilder, is serving his sixth term. He's vice chair of the House Education Policy Committee and serves on the Capital Investment, Environment and Natural Resources Policy, and Transportation Policy committees. He also co-chaired a task force examining joint procedures governing both the House and Senate with new Senate Majority Leader John Hottinger (DFL-Mankato) during the 2001-2002 session.

(T. LONERGAN)

Editor's Note: Watch for profiles of new House majority and minority leadership in the upcoming issues of Session Weekly.

Ventura's interim Senate appointment not first instance in Minnesota

When a small plane went down near Eveleth on Oct. 25, 2002 killing U.S. Sen. Paul Wellstone and seven others, it set off a chain reaction that did not stop until U.S. Sen. Norm Coleman was sworn into office Jan. 7.

During that time then Gov. Jesse Ventura named Dean Barkley, director of Minnesota Planning, as the interim replacement for the late senator.

Legally, it is up to the governor to determine whether he or she will appoint a replacement when a member of Congress dies while in office or is otherwise unable to complete his or her term. Though it is the governor's responsibility, there is no requirement that the governor make an interim appointment. When the late-Congressman Bruce Vento died a few weeks before the end of his term in 2000, Ventura left the seat unfilled until a new member of Congress was elected that November.

Wellstone's death occurred so closely to a general election which complicated the

situation, but it's not the first time a governor's appointment has stirred a little controversy.

After six years of leading the state, DFL Gov. Wendell Anderson was named to the U.S. Senate in late 1976 to replace Walter Mondale, who was elected vice president under Jimmy Carter. Anderson technically resigned as governor, thereby promoting Lt. Gov. Rudy Perpich to Minnesota's top post.

"Wendell made a gallant display of searching border to border for the most qualified and gifted Democrat to succeed Mondale. He then concluded that it was Wendell Anderson," columnist Jim Klobuchar wrote in the Feb. 1, 1990 *Minneapolis Star Tribune*. "To no one's shock, Rudy's first conscious act as governor was to put Wendell Anderson in the Senate."

Anderson served two years in Washington D.C., losing his 1978 re-election bid to Rudy Boschwitz. Six years later he failed to garner his party's endorsement for the seat.

Ken Rudin, National Public Radio's political editor, wrote in a 1999 *Washington Post* column that Anderson was the ninth governor since 1933 to resign and then be appointed to the U.S. Senate, and that "only one was able to win a subsequent election on his own." He reasoned that in Anderson's case "voters resented his self-appointment to the Senate and dumped him at the first opportunity."

Conversely, Anderson reportedly thought his popularity would be stronger than the antipathy voters had with his appointment.

In their 1999 book, *Minnesota Politics and Government*, authors Daniel Elezar, Virginia Gray, and Wy Spano wrote that "Anderson's self-appointment to the U.S. Senate and his subsequent rejection by Minnesota voters represents one of the tragic miscalculations in Minnesota political history."

(M. Cook)

A big change

New House membership represents a wider gap between parties, largest freshman class in nearly 30 years

By MIKE COOK

The 2003 House of Representatives will have a look that has not been seen in St. Paul for quite some time.

In November voters gave the Republicans a larger majority than the eight-seat advantage they had when the House adjourned last May. The gap is now 81-52 with one open seat, due to the resignation of Rep. Dan McElroy (R-Burnsville) who was appointed as the state's finance commissioner. A special election for his seat is scheduled for Feb. 3.

Only four times since 1950 have the Republicans held a margin larger than the current one: 1951, 1953, 1967, and 1969. Conversely, at its height the DFL had a 74-seat majority to begin the 1975 and 1977 biennia before the House became evenly divided in 1979 — a 37-seat swing. Ten years ago the DFL held a 39-seat advantage.

Rep. Steve Sviggum (R-Kenyon) will remain Speaker of the House for the third consecutive biennial session of the Legislature, and Rep. Erik Paulsen (R-Eden Prairie) is the new majority leader, replacing Gov. Tim Pawlenty. Now in his fifth term, Paulsen chaired the House Redistricting Committee during the 2001-2002 session.

Across the aisle, fellow fifth-term Rep. Matt Entenza (DFL-St. Paul) is the new minority leader. Entenza may be best known as the House sponsor of the 2002 law that created a do-not-call list for telemarketers. He replaces Rep. Tom Pugh (DFL-South St. Paul), who stepped down after four years as minority leader, but remains in the House for his eighth term.

Almost one-third of the House members, 43, are freshmen, more than in both 1999 and 2001 combined. They are the largest freshman class since 52 newcomers were present in January 1975. At that time, 74.6 percent of incumbents who ran were re-elected compared to 90 percent this time around.

Thirty-three incumbents did not seek re-election in 2002. Ten incumbents were defeated in their quest for re-election. However, five of those lost in a head-to-head battle with another

representative when redistricting paired them in the same district. No new members have previously served terms in the House.

A trio of legislators are beginning their 16th term: Rep. Irv Anderson (DFL-Int'l Falls), Rep. Lyndon Carlson (DFL-Robbinsdale) and Rep. Phyllis Kahn (DFL-Mpls).

Among the new members is Rep. Cy Thao (DFL-St. Paul), the first Hmong person to serve in the House. Rep. Keith Ellison (DFL-Mpls) brings the number of African-American members in the House to two, along with second-term Rep. Neva Walker (DFL-Mpls). Ellison replaces Rep. Greg Gray (DFL-Mpls), also African American and a former legislator who left the House in 2002 for an unsuccessful campaign for state auditor.

The first-term representatives represent a variety of backgrounds and with interesting life experiences. For example, Rep. Kent Eken (DFL-Twin Valley) lives on a fourth generation family farm, Rep. Frank Hornstein (DFL-Mpls) enjoys doing political impersonations, Rep. Peter Adolphson (R-Minnetonka) was in "Top Gun," and Rep. Stephanie Olsen (R-Brooklyn Park) is a national baton twirling champion.

Other members have family connections to the House. Rep. Aaron Peterson (DFL-Madison) is the son of former Rep. Doug Peterson, who resigned following the 2002 session to serve as the head of a farm organization, and the grandson of Rep. Harry Peterson, who served 30 years ago. Rep. Katie Sieben (DFL-Newport) is the niece of former House Speaker Harry Sieben Jr., and her father,

Mike Sieben, also served in the House. And Eken's father, Rep. Willis Eken, served in the House during the 1970s and 1980s, including four years as majority leader. Of the freshman legislators, 35 are men, bringing the grand total of male House members to 102, an increase of three from two years prior. The 31 women now serving is the lowest since 29 served in 1991.

However, the influx of new legislators has not too significantly lowered the average age of House members. The average age of a House member is 47.4, a one-year drop from two years ago. That is the lowest since 1991 when the average age was 47.

Nine members are age 30 or younger, the highest number in more than a decade. Sieben

is the youngest female representative at age 25 and Rep. Brad Finstad (R-New Ulm) the youngest male at age 26. Conversely, the number of members age 71 or greater remains at three, the same as the previous four biennia.

All but three House mem-

bers have some college in their background. Of those, 47 have a graduate degree, 15 have done some graduate work, 48 have a four-year undergraduate degree, 14 attended some college, and six have attended technical college.

For the third straight biennium, business is the most common occupation with 22 members listing that as their primary occupation, but it shares that distinction with educators — there are 22 of them, as well. Representing the diverse occupations in the House, 21 members are listed as "other," which includes such things as contractors, community organizers, and property managers.

The number of farmers in the House continues to dwindle as five members make their living off the land. Twenty members were farmers in 1991, followed by 16, 14, 11, nine, and eight in subsequent biennia. 🌾



PHOTO BY KRISTINE LARSEN

Rep. Paul Thissen was one of many freshman members who spent part of Jan. 6 unpacking boxes in their new office, one day before being sworn into the House. The House has 43 first-time legislators.

2003 House Profile

Membership					
	2003	2001	1999	1997	1995
DFL	52	65	63	70	71
R	81	69	71	64	63
Men	102	99	99	95	102
Women	31	35	35	39	32

Current Term					
	2003	2001	1999	1997	1995
1	43	18	20	22	26
2	17	20	24	29	29
3	15	22	25	25	16
4	16	22	20	14	11
5	11	17	10	7	20
6	9	8	5	14	7
7	5	4	10	6	4
8	3	7	4	3	2
9	4	3	3	1	3
10	2	2	1	3	5
11	1	1	2	3	3
12	1	1	3	2	6
13	1	3	2	4	1
14	2	2	4	-	-
Other	3(16)	4(15)	1(22)	1(21)	1(20)

Age					
	2003**	2001*	1999	1997	1995
21-30	9	5	6	5	6
31-40	31	27	23	27	24
41-50	35	42	51	45	51
51-60	44	41	38	43	34
61-70	9	12	13	11	16
over 71	3	3	3	3	3
Average age	47.4	48.4	48.7	48.3	47.9

* Ages not available for 4 members

** Ages not available for 2 members

Education					
	2003	2001	1999	1997	1995
High School	3	3	4	5	5
Technical College	6	5	6	10	11
Some College	14	19	23	20	24
4-yr. Undergraduate Degree	47	44	39	40	41
Some Graduate work	15	13	13	16	14
Graduate Degree	48	50	49	43	37
No listing	-	-	-	-	2

Occupation					
	2003	2001	1999	1997	1995
Business	22	23	24	21	20
Educator	22	20	19	22	20
Attorney	16	15	17	17	18
Legislator	10	15	14	18	19
Consultant	7	6	6	6	6
Government	7	2	2	3	3
Real Estate	7	3	3	2	2
Farming	5	8	9	11	14
Retired	5	4	4	3	3
Communications	4	3	4	4	3
Trades	4	3	3	2	4
Homemaker	3	4	5	5	3
Other	21	28	24	20	19

Note: numbers have been adjusted to reflect the resignation of Rep. Dan McElroy, effective Jan. 6.

Square one

Freshman legislators learn the ropes, make acquaintances at biennial orientation retreat

By DAVID MAEDA

Starting any new job can be stressful enough but when the job description includes representing the people of the state, the challenge can be all the more daunting.

Fortunately for newly elected House members, there exists an orientation program helping ease the transition and preparing members for what to expect.

Rep. Kathy Tingelstad (R-Andover), who for the second straight time led the program with Rep. Margaret Anderson Kelliher (DFL-Mpls), said the program helps prepare new members for the fast pace of the legislative session from day one.

"The goal of the freshman orientation was to basically introduce them to the people and resources that they need to be effective," Tingelstad said.

The program also offers an opportunity to develop friendships with other freshman representatives from throughout the state.

"I think what having a comprehensive first-term orientation does is it helps bring back the human relationships into this process and that is so important. To get to know each other in a relaxed way helps build relationships," Kelliher said.

As an ice-breaking exercise the program included a "Getting to Know You" game, in which each new member listed a trivia fact about themselves and the other members had to find out which fun fact corresponded with which member.

Thus members learned that Rep. Tony

Cornish (R-Good Thunder) is the uncle of former first lady Terry Ventura, Rep. Paul Thissen (DFL-Mpls) has attended 15 Bruce Springsteen concerts, and the great-great-great-grandfather of Rep. Karen Klinzing (R-Woodbury) was a delegate to the first Minnesota Territorial Convention.

Kelliher said the variety of backgrounds and life experiences was a good reminder that the state truly does have a citizen Legislature, reflecting the diverse makeup of the state's different regions.

"They were a raucous and rowdy bunch with a wide variety of backgrounds. That made it fun," she said.

In addition to the unusually large size of the group, Tingelstad noticed a difference between this year's freshman compared with the Class of 2000.

"This group has more children that are younger, school-aged kids," she said. "That kind of gives them a different perspective."

Much of the retreat focused on the actual legislative process. Presentations included the bill enactment process, legislative rules and procedures, the role of staff, the committee system and information on the budget process.

As if learning the nuts and bolts of the law-making process wasn't a challenge in itself, the November budget forecast was announced in the middle of the three-day program. It was then the freshman members learned of the larger than expected \$4.56 billion deficit.

Both Tingelstad and Kelliher said the connections would bring support during the more difficult parts of the session.

"I think it's important when we welcome people into the House of Representatives that there's a bipartisan atmosphere," Kelliher said. "Although we are a political institution we also work as colleagues so a really important part of that is to get to know each other."

Rep. Cy Thao (DFL-St. Paul) said one of the most valuable parts of the orientation program

was being able to make friends on both sides of the aisle. Among the friendships he developed in the orientation program was with Rep. Dan Severson (R-Sauk Rapids).

"We got along well. When it comes to political philosophy we're very different ends. We were

able to sit down and listen to each other and debate without yelling at each other, which is a good thing to have," Thao said.

"It was neat to be with both Republicans and Democrats and have the chance of getting to know each other before the partisan battles begin," Severson said. "I think it will pay big dividends when we get on the floor."



PHOTO BY ANDREW VON BANK

Rep. Frank Hornstein gives newly elected House members a light-hearted impression of former Gov. Jesse Ventura during new member orientation.

Meet the newly elected 2003 House members

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(952) 934-0330
Business: Hopkins
1311 S. Fifth St. 55343
(952) 936-9490
Born: 9/7/57. **Married:** spouse Kristin, 4 children. **Occupation:** Business. **Education:** BA, business, Gustavus Adolphus College; MBA, finance, National University, San Diego, Calif.. **Elected:** 2002. **Term:** 1st.

Anderson, Jeff (R) 27B
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Home: Austin
*710 Eighth Ave. N.W. 55912
(507) 434-3269
Business: Austin
303 Third St. N.W. 55912
(507) 433-0400, ext. 0352
Married: spouse Heidi, 4 children.
Occupation: Teacher. **Education:** BS, education, Minnesota State University, Mankato. **Elected:** 2002. **Term:** 1st.

Atkins, Joe (DFL) 39B
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2463 - 78th St. E. 55076
(651) 451-3837
***Business:** South St. Paul
222 W. Grand Ave., #100 55075
(651) 451-6411
Born: 10/6/65. **Married:** spouse Julia, 3 children. **Occupation:** Attorney. **Education:** BA, political science, University of Minnesota-Twin Cities; JD, William Mitchell College of Law. **Elected:** 2002. **Term:** 1st.



Beard, Michael (R) **35A**
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Home: Shakopee
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Business: Edina
 7317 Cahill Road
 Suite 201 55439 (952) 562-1234
Born: 7/22/53. **Married:** spouse Karen, 4 children. **Occupation:** Business. **Education:** Bible missions, Bethany College of Missions in Bloomington; entrepreneurial classes, University of St. Thomas. **Elected:** 2002. **Term:** 1st.



DeLaForest, Chris (R) **49A**
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Born: 8/28/69. **Married:** spouse Karen, 1 child. **Occupation:** Attorney. **Education:** BA, political science, St. John's University, Collegeville; JD, law, University of Minnesota. **Elected:** 2002. **Term:** 1st.



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 P.O. Box 69 55328
Born: 9/24/51. **Single:** 5 children. **Occupation:** Business. **Education:** BS, business education, Minnesota State University, Mankato; BS, business administration, Minnesota State University, Mankato. **Elected:** 2002. **Term:** 1st.



Demmer, Randy (R) **29A**
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Business: Hayfield
 Computer Edge, Inc.
 P.O.Box 47, 10 Center Ave. N. 55940 (507) 477-3636
Born: 1/3/57. **Married:** spouse Kathy, 3 children. **Occupation:** Consultant. **Education:** BABA, agricultural business administration, University of Minnesota. **Elected:** 2002. **Term:** 1st.



Brod, Laura (R) **25A**
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Business: New Prague
 111 W. Main St. 56071
Born: 12/11/71. **Married:** husband Wade, 2 children. **Occupation:** Small Business Owner. **Education:** BA, geography, University of Minnesota-Twin Cities; MA, urban and regional studies, Minnesota State University, Mankato. **Elected:** 2002. **Term:** 1st.



Dill, David (DFL) **6A**
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 *423 Bear Island 55725 (218) 993-2252
Business: Orr
 P.O. Box 293 55771 (218) 757-3288
Born: 7/7/55. **Married:** spouse Tucky, 1 child. **Occupation:** City Administrator/Commercial Pilot. **Elected:** 2002. **Term:** 1st.



Cornish, Tony (R) **24B**
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Business: same
Single: 3 children. **Occupation:** Conservation Officer. **Elected:** 2002. **Term:** 1st.



Eken, Kent (DFL) **2A**
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Business: same
Born: 12/12/63. **Married:** spouse Lori, 3 children. **Occupation:** Teacher. **Education:** BA, political science/education, Concordia College, Moorhead; MA, history, St. Cloud State University. **Elected:** 2002. **Term:** 1st.



Cox, Ray (R) **25B**
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 P.O. Box 652 55057 (507) 645-8975
Born: 6/26/51. **Married:** spouse Ellen, 3 children. **Occupation:** Trades. **Education:** BA, biology, St. Olaf College. **Elected:** 2002. **Term:** 1st.



Ellison, Keith (DFL) **58B**
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Home: Minneapolis
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Business: Minneapolis
 2000 Plymouth Ave. N. 55411 (612) 529-3322
Born: 8/4/63. **Married:** spouse Kim, 4 children. **Occupation:** Attorney. **Education:** BA, economics, Wayne State University, Detroit, Michigan; JD, law, University of Minnesota Law School. **Elected:** 2002. **Term:** 1st.



Finstad, Brad (R) **21B**
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 *614 North Payne 56073 (507) 354-4431
Business: same (507) 381-6575
Born: 5/30/76. **Married:** spouse Jaclyn. **Occupation:** Agriculture Consultant. **Education:** BS, agricultural education, University of Minnesota. **Elected:** 2002. **Term:** 1st.



Koenen, Lyle (DFL) **20B**
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Born: 6/16/56. **Married:** spouse Sandy, 4 children. **Occupation:** Farmer. **Education:** AA, agriculture, Willmar Technical College. **Elected:** 2002. **Term:** 1st.



Heidgerken, Bud (R) **13A**
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 *316 Second Ave. N.E.
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Business: same (320) 836-2105
Born: 9/27/43. **Married:** spouse Ann Blommel, 4 children. **Occupation:** Business. **Education:** BS, English, BS, history, social studies, and political science, St. Cloud State University. **Elected:** 2002. **Term:** 1st.



Kohls, Paul (R) **34A**
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Business: Minneapolis
 333 S. Seventh St.
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Born: 4/15/74. **Married:** spouse Kelly, 1 child. **Occupation:** Attorney. **Education:** BA, political science, University of St. Thomas; JD, law, University of Minnesota. **Elected:** 2002. **Term:** 1st.



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Business: Edina
 3600 Minnesota Drive
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Born: 12/13/64. **Married:** spouse Deanne, 2 children. **Occupation:** Communications. **Education:** BA, history, St. John's University. **Elected:** 2002. **Term:** 1st.



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 901 S. Eighth St. 56562 (218) 299-3455
Born: 8/27/44. **Married:** spouse Ruthie, 2 children. **Occupation:** Vice President for Student Affairs, Dean of Students. **Education:** BA, psychology and history-political science, Concordia College; MS, guidance and counseling, North Dakota State University. **Elected:** 2002. **Term:** 1st.



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Born: 9/27/59. **Married:** spouse Marcia Zimmerman, 3 children. **Occupation:** Community Organizer. **Education:** BA, environmental studies, Macalester College; MA, urban and environmental policy, Tufts University, Massachusetts. **Elected:** 2002. **Term:** 1st.



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Business: Minneapolis
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Born: 8/9/63. **Married:** spouse Julia, 2 children. **Occupation:** Attorney. **Education:** BA, political science, University of Wisconsin-Madison; JD, law, Harvard Law School. **Elected:** 2002. **Term:** 1st.



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Business: Bloomington
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Born: 9/28/70. **Married:** spouse William, 2 children. **Occupation:** Teacher. **Education:** BS, sociology, University of Wisconsin-Madison; BS, political science, University of Wisconsin-Madison; BS, secondary education, University of Wisconsin-Madison. **Elected:** 2002. **Term:** 1st.



Lesch, John (DFL) **66A**
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Born: 1/15/73. **Married:** spouse Tina Marie, 1 child. **Occupation:** Prosecutor. **Education:** BA, philosophy and psychology, Saint Louis University; JD, law, Hamline University School of Law. **Elected:** 2002. **Term:** 1st.



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Business: Bagley
 121 Central St. E.,
 P.O. Box V 56621 (218) 694-6250
Born: 6/4/50. **Married:** spouse Colleen, 3 children. **Occupation:**
 Small Business Owner. **Education:** BS, elementary education,
 Bemidji State University. **Elected:** 2002. **Term:** 1st.



Nelson, Michael (DFL) **46A**
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 *7441 Hampshire Ave. N. 55428 (763) 561-2795
Born: 6/2/54. **Married:** spouse Kathleen, 3 children.
Occupation: Trades. **Education:** carpentry, Hennepin
 Technical College. **Elected:** 2002. **Term:** 1st.



Magnus, Doug (R) **22A**
515 State Office Building (651) 296-5505
E-mail: rep.doug.magnus@house.mn
Home: Slayton
 *865 U.S. Hwy 59 56172 (507) 836-8613
Married: spouse Brenda, 2 children. **Occupation:** Farmer.
Education: BS, animal science, South Dakota State University.
Elected: 2002. **Term:** 1st.



Nelson, Peter (R) **17B**
433 State Office Building (651) 296-5377
E-mail: rep.peter.nelson@house.mn
Home: Lindstrom
 *13426 Third Ave. N., Box 744 55045 (651) 213-6621
Business: same (651) 257-1128
Born: 6/24/48. **Married:** spouse Debra, 2 children. **Occupation:**
 Owner, meat processing and sales business. **Elected:** 2002.
Term: 1st



McNamara, Denny (R) **57B**
577 State Office Building (651) 296-3135
E-mail: rep.denny.mcnamara@house.mn
Home: Hastings
 *700 Sixth St. W. 55033 (651) 437-2597
Business: Hastings
 9045 - 180th St. E. 55033 (651) 437-9463
Born: 9/29/52. **Married:** spouse Lynne, 2 children. **Occupation:**
 Landscape Contractor. **Education:** BS, business administration,
 University of Minnesota. **Elected:** 2002. **Term:** 1st.



Olsen, Stephanie (R) **47B**
***531 State Office Building** (651) 296-4280
E-mail: rep.stephanie.olsen@house.mn
Home: Brooklyn Park
 4632 Marigold Ave. N. 55443 (763) 315-4982
Born: 11/27/67. **Married:** spouse Troy. **Occupation:** Teacher/
 Education Researcher. **Education:** BS, social studies/secondary
 education, St. Cloud State University. **Elected:** 2002. **Term:** 1st.



Meslow, Doug (R) **53B**
377 State Office Building (651) 296-5363
E-mail: rep.doug.meslow@house.mn
Home: White Bear Lake
 *Business: White Bear Lake
 2125 Second St. 55110 (651) 426-1533
Born: 7/25/59. **Married:** spouse Jenny, 2 children. **Occupation:**
 Attorney. **Education:** BA, political science, St. Olaf College; JD,
 University of Minnesota Law School. **Elected:** 2002. **Term:** 1st.



Osterman, Lynne (R) **45A**
***431 State Office Building** (651) 296-4176
E-mail: rep.lynne.osterman@house.mn
Home: New Hope
 8593 48th Ave. N. 55428 (763) 536-0499
Born: 12/12/62. **Married:** spouse Ron, 2 children. **Occupation:**
 Communications/Project Manager. **Education:** BS, speech
 communications/mass communications, St. Cloud State
 University. **Elected:** 2002. **Term:** 1st.



Nelson, Carla (R) **30A**
571 State Office Building (651) 296-0573
E-mail: rep.carla.nelson@house.mn
Home: Rochester
 *931 S.W. 22nd Ave. 55902 (507) 288-2159
Born: 5/22/57. **Married:** spouse Terry, 3 children. **Occupation:**
 Teacher. **Education:** BSE, education, Drake University, Des
 Moines, Iowa; MA, education, University of Minnesota. **Elected:**
 2002. **Term:** 1st.



Peterson, Aaron (DFL) **20A**
***313 State Office Building** (651) 296-4228
E-mail: rep.aaron.peterson@house.mn
Home: Madison
 Route 3, Box 90 56256 (320) 226-1737
Business: same
Born: 9/25/70. Single. **Occupation:** Land-use Consultant.
Education: BS, geology and watershed science, Colorado State
 University; MPA, natural resources policy, Evans School of Public
 Affairs, University of Washington-Seattle. **Elected:** 2002.
Term: 1st.



Samuelson, Char (R) **50B**
423 State Office Building (651) 296-0141
E-mail: rep.char.samuelson@house.mn
Home: New Brighton
 *230 - 23rd Ave. N.W. 55112 (651) 636-5331
Business: St. Paul
 Health Services Innovations
 2489 Rice St.,
 Suite 121 55113 (651) 481-9095
Married: spouse Gerald, 2 children. **Occupation:** Healthcare
 Consultant. **Education:** BA, human services, Metropolitan State
 University; MA, religious leadership, United Theological Seminary,
 New Brighton. **Elected:** 2002. **Term:** 1st.



Strachan, Steve (R) **36B**
345 State Office Building (651) 296-1069
E-mail: rep.steve.strachan@house.mn
Home: Farmington
 *19179 Echo Lane 55024 (651) 463-4523
Business: Lakeville
 20110 Holyoke Ave. W. 55044 (952) 985-4826
Born: 1/26/65. **Married:** spouse Susan. **Occupation:** Police
 Sergeant. **Education:** BS, sociology, University of Minnesota;
 MA, public administration, Minnesota State University,
 Mankato. **Elected:** 2002. **Term:** 1st.



Severson, Dan (R) **14A**
389 State Office Building (651) 296-7808
E-mail: rep.dan.severson@house.mn
Home: Sauk Rapids
 *1025 Water Ave. 56379 (320) 230-2353
Business: same
Married: spouse Cathy Jo, 2 children. **Occupation:** Substitute Teacher/
 Business Owner. **Education:** BA, physics, St. Cloud State University;
 graduate classes in transportation. **Elected:** 2002. **Term:** 1st.



Thao, Cy (DFL) **65A**
215 State Office Building (651) 296-5158
E-mail: rep.cy.thao@house.mn
Home: St. Paul
 *990 Aurora Ave. 55104 (651) 646-0397
Business: St. Paul
 995 University Ave. #12 55104
Born: 3/2/72. **Married:** spouse Lee Vang, 1 child. **Occupation:**
 Artist. **Education:** BA, political science, University of Minnesota-
 Morris; BA, studio art, University of Minnesota-Morris. **Elected:**
 2002. **Term:** 1st.



Sieben, Katie (DFL) **57A**
***211 State Office Building** (651) 296-4342
E-mail: rep.katie.sieben@house.mn
Home: Newport
 1625 Wild Ridge Ct. S. 55055 (651) 458-3194
Born: 3/23/77. **Single.** **Occupation:** Legislator. **Education:** BA,
 history and government, Colorado College. **Elected:** 2002.
Term: 1st.



Thissen, Paul (DFL) **63A**
301 State Office Building (651) 296-5375
E-mail: rep.paul.thissen@house.mn
Home: Minneapolis
 *1219 W. 51st St. 55419 (612) 824-6697
Born: 12/10/66. **Married:** spouse Karen Wilson,
 2 children. **Occupation:** Attorney. **Education:** AB, Harvard
 University; JD, University of Chicago. **Elected:** 2002. **Term:** 1st.



Simpson, Dean (R) **10B**
473 State Office Building (651) 296-4293
E-mail: rep.dean.simpson@house.mn
Home: New York Mills
 *312 Polaris Parkway 56567 (218) 385-3015
Business: New York Mills
 113 Miller St., P.O. Box 10 56567 (218) 346-6750
Born: 9/7/50. **Married:** spouse Kathy, 4 children. **Occupation:**
 Business. **Education:** vocational/technical studies. **Elected:**
 2002. **Term:** 1st.



Urdahl, Dean (R) **18B**
521 State Office Building (651) 296-4344
E-mail: rep.dean.urdahl@house.mn
Home: Grove City
 *54880 - 253rd St. 56243 (320) 857-2600
Business: New London
 101 Fourth Ave. S.W. 56273 (320) 354-2252
Born: 8/18/49. **Married:** spouse Karen, 3 children. **Occupation:**
 Teacher. **Education:** BS, social studies, St. Cloud State University.
Elected: 2002. **Term:** 1st.



Soderstrom, Judy (R) **8B**
439 State Office Building (651) 296-0518
E-mail: rep.judy.soderstrom@house.mn
Home: Mora
 *514 E. Forest Ave., P.O. Box 105 55051.... (320) 679-2187
Business: same (320) 679-2187
Born: 4/9/42. **Married:** spouse Ronald, 3 children. **Occupation:**
 Real Estate. **Elected:** 2002. **Term:** 1st.



Wardlow, Lynn (R) **38B**
491 State Office Building (651) 296-4128
E-mail: rep.lynn.wardlow@house.mn
Home: Eagan
 *4317 Lodgepole Dr. 55122 (651) 454-7825
Born: 11/11/43. **Married:** spouse Sheryl, 2 children. **Occupation:**
 Retired Teacher. **Education:** BS, physical education, Augustana
 College, Sioux Falls, S.D.; MS, mathematics, Minnesota State
 University, Mankato. **Elected:** 2002. **Term:** 1st.

Real-world experience

Hoppe brings telecommunications, commerce, and transportation background to new role as legislator

By MICHELLE KIBIGER

It wasn't just one thing that made Rep. Joe Hoppe (R-Chaska) decide to run for the House of Representatives. But a number of conversations with members of his community and particularly retiring House member Tom Workman (R-Chanhassen) helped encourage him to give it a try.



Rep. Joe Hoppe

Workman's support, Hoppe says, was very important to his candidacy.

And while Hoppe says he will be very interested in transportation issues, like Workman was during his tenure, he also brings a number of other experiences to the job – including employment in commerce and the telecommunications industry, and an interest in the outdoors and preserving natural resources.

Specifically, he most recently worked for a telecommunications company, which handled both transmission of data applications, such as dedicated private lines, and long-distance services. He also spent time working with freight companies where his responsibilities included managing shipping between the Canadian headquarters and the large companies throughout Minnesota.

His philosophy: rein in spending to keep the budget in balance, allow consumers choice in the services they receive, and create an environment that will encourage business development and sustain that commerce throughout the state.

Hoppe says one of his strengths as a legislator will be how he brings real world experience to various facets of policymaking.

"It's important to have normal people from everyday life represent the state and represent the district, and then go back to normal life," Hoppe said.

Like many suburban Twin Cities residents, Hoppe understands what it's like to commute along the I-494 corridor and the congestion many drivers face on the roads each day. He also says he's concerned about the traffic trav-

eling through his district on U.S. Highway 212.

In addition, he says he'll be interested in natural resources issues, such as clean air and water, and preserving the wild spaces in the state.

Hoppe will serve on the House Environment and Natural Resources policy and finance committees, Rules and Legislative Administration, and the Regulated Industries Committee.

A solid educational system and good schools

are among other priorities for Hoppe's district, an area populated in large part by growing families.

Hoppe plans to stay connected with constituents in his district by meeting regularly with groups and helping educate the public about the role state government plays in people's daily lives. He said the budget crisis provides an opportunity to shed light on how things work. Constituents are holding elected officials to a higher standard, as well.

"I think people ... want the state to (pay attention to) things a little bit more during an economic time like this. When times are good and there are rebate checks, people don't look as closely," he said.

The campaign was good preparation for the upcoming session, Hoppe said. Not only did it help him to acquire a good understanding of his constituents' interests, it helped him develop a good rapport with them – regardless of their political affiliation.

"Being a candidate was an enormous amount of work," Hoppe said. "But I got to meet a lot of people I would have never met. It was fun. ... You learn you have to keep in contact with a lot of people."

Tom Furlong, newly elected mayor of Chanhassen, said Hoppe's people skills will be an asset to him as a legislator. So will his broad experiences in issues Furlong said are important to the people in the district, which is less rural since redistricting following the 2000 census.

"He's a man of good character, and I think that's important," Furlong said. "He's looking to do what's right and not necessarily what's politically expedient."

Furlong, also an acquaintance of Workman's, said the two are comparable in their commitment to serve the district and their constituents.

"I think we're going to be very well served by (having) Joe in the Legislature," Furlong said. "And I think we're going to be very proud

*"Being a candidate was an enormous amount of work,
But I got to meet a lot of people I would have never met.
It was fun. ... You learn you have to keep in
contact with a lot of people."*

— Rep. Joe Hoppe

of him."

Hoppe said that although he knows his role as legislator will take away some of his time with his wife Deanne, 5-year-old daughter Elizabeth, and 3-year-old son Michael, he hopes they'll appreciate his work when they're older.

"Hopefully they'll look back on this in five years or 10 years and say, 'Hey, my dad was a state representative,' and he did the best job he could."

DISTRICT 34B

2002 population: 36,696
Largest city: Chanhassen
Counties: Carver, Hennepin
Location: southwest Twin Cities suburbs
Top concern: "I really want (Highway) 212 to get done. That's really going to help the people in Chaska and points west."

— Rep. Joe Hoppe

Past to present

Lanning brings decades of local government and higher education experience to St. Paul

By MIKE COOK

Being elected to the House is a case of what goes around comes around for Rep. Morrie Lanning (R-Moorhead). He replaces Kevin



Rep. Morrie Lanning

Goodno, a student of Lanning's in college who later won the dean's former seat on the Moorhead City Council.

"It's great to be able to leave the House and know that you have left the district in good hands," Goodno said.

Lanning learned that Goodno might step down, so when it happened last May Lanning quickly entered the race. "I had some time to ponder a run, but if his resignation had come as a complete surprise, I'm not sure I would have been ready to announce the next day."

A trip to St. Paul seemed unlikely less than a year earlier.

In August 2001 Lanning said he would not seek re-election as Moorhead's mayor after serving 22 years, and six years on the city council, but did not rule out a political return at some point. "If anybody had asked me what positions I would run for this would not have been on the list, in part because I thought Kevin would be here indefinitely."

After talking with his wife, Ruthie, and noting that his children are "out of the nest," Lanning made the run. Ruthie, a retired teacher, will stay with her husband in St. Paul. "Not wanting to be separated might have kept me from doing this," he said.

Lanning said his 28 years of city government experience would benefit his constituents.

"I've seen firsthand the effect that good and bad policy at the state and federal level can have on a local level," he said. "We have to balance budgets and we're forced to deal with unfunded mandates."

He tells of a dispute Moorhead had with the state Pollution Control Agency and the Environmental Protection Agency regarding

compliance with water quality standards that the city found to be out-of-date. The city prevailed, saving its residents \$29 million while still improving water quality at less cost.

As a legislator Lanning wants to hear cost-saving ideas. "I'm asking local units of

to take care of those that really can't take care of themselves. I'm talking about seniors who have no assets and who haven't played games in transferring assets to their kids in order to have taxpayers pay their nursing home bills, I'm talking about the disabled who can't work due to no reason of their own ... the folks who really in large part depend on government support."

As an administrator at Concordia College Lanning sees firsthand the effects of reduced financial support for higher education.

He said financial support has barely kept

"I've seen firsthand the effect that good and bad policy at the state and federal level can have on a local level. We have to balance budgets and we're forced to deal with unfunded mandates."

— Rep. Morrie Lanning

government, educational institutions, any entities that depend on state support and are likely going to get cut to tell us what we're doing to drive up their costs. In that way cities can in effect tell the state 'You're cutting our revenue and why don't you help us cut our costs by getting rid of these things that are unfunded and unnecessary.'"

"That experience of dealing with people and dealing with difficult situations will definitely help him as a legislator," Goodno said.

Lanning lists the budget deficit as his top priority, saying, "Nothing is off the table." He did not take a no new taxes pledge, but said raising them would be a last resort after all spending has been reviewed. "I've been telling people there is no way any part of the budget can go unscathed."

In Moorhead, property tax wealth per capita is one-half the state average and local government aid accounts for more than 50 percent of the budget. "As a border community (relying on property taxes) would not only kill any potential for growth it would cause people and jobs to move to the other side of the river."

To save money Lanning said the state must make sure that those with the ability to pay do so instead of relying on government support. "We must do that so we have enough money

pace with inflation in the last four or five years whereas other parts of the state budget have increased as much as 30 percent.

"In higher education you not only need to keep pace with inflation but you have to keep making programmatic improvements. The technology demands of the educated workforce are such that you can't stand still else you're going backwards. That costs more than just inflation. It's not like other parts of the budget where the status quo is not necessarily a problem."

DISTRICT 9A

2002 population: 36,798

Largest city: Moorhead

County: Clay

Location: northwest Minnesota

Top concern: "We need to find ways to cut costs and expenses and reduce spending while still protecting those things that are really critical such as education funding, local government aid, and a safety net for the people that are most vulnerable."

— Rep. Morrie Lanning

Change through participation

Former Senate intern and House candidate, Thao brings a lifetime of experience to his new position

By DAVID MAEDA

While Rep. Cy Thao (DFL-St. Paul) recently gave a tour of an upstairs bedroom turned into a small art studio in his house in the Frogtown neighborhood of St. Paul, his wife Lee Vang quietly got their 1-year-old daughter, Cyanne, ready for the day ahead.



Rep. Cy Thao

Examples of Thao's award winning artwork adorn the walls throughout the century old house-many of the paintings depicting the experiences of Hmong people as well as personal memories of the artist. The oil paintings are rich in color and visuals-using every bit of the canvas to help tell their stories.

And much of the work may never have come to be if Thao had experienced something different while a college intern with the Minnesota Senate 10 years ago.

Thao left his internship feeling disillusioned with the wheeling and dealing lawmaking process. He said that seeing the behind the scenes compromises necessary in building consensus squelched any further interest in a possible political career at the Capitol.

Instead he turned his energy to his art. Two years ago he was awarded a \$40,000 Bush Artist Fellowship, and he has spent much time since working on a 50-piece collection depicting the migration of the Hmong people. The collection was recently displayed at the University of Wisconsin-La Crosse.

But the desire to help the community at large never left him. He has remained active as a community organizer and ran for a House seat in 2000 as a member of the Independence Party. The University of Minnesota-Morris graduate said his life experience helped teach him the best way to affect change is to be a participant in the process.

"I'm at an age where I'm comfortable enough to say I'm willing to work within the system to change the system," Thao said. "That wasn't the case 10 years ago. I just wanted to

change the system without knowing what I wanted to change. I just wanted change."

Thus a decade after his first exposure to the lawmaking process Thao finds himself a newly elected member anxious to work with others to improve the state. He said being an immigrant helped him learn firsthand how state government works - and sometimes doesn't-for poorer people.

Thao was born in Laos in 1972. His family left the war-torn country for a refugee camp in Thailand when he was 2. They came to the

ways became the head of the household as both of his parents took on multiple jobs. His father now owns a clothing store in St. Paul.

"Another piece of why I'm so interested in being a part of the state Legislature is to be in a position to help decide what direction we want to take those (welfare) programs in," Thao said.

He said one of the priorities for his district is economic development and renovating run-down homes and businesses. He said such a renovation not only helps spur the neighborhood economy but also helps reduce crime.

"For anything to change, you have to be at the forefront and be in a position to be able to make decisions," he said. "So I want to be in a position to maybe help make other peoples' lives better."

Sen. Mee Moua (DFL-St. Paul) said Thao's

"For anything to change, you have to be at the forefront and be in a position to be able to make decisions. So I want to be in a position to maybe help make other peoples' lives better."

— Rep. Cy Thao

United States six years later. Thao said his father was reluctant to come to America at first, preferring instead to see if the situation in Laos would stabilize enough for the family to return home.

Like many newcomers to the Twin Cities, Thao's first impressions included shock at the cold weather. When his family arrived in March fresh from the tropical Thailand climate he was dressed in a T-shirt, shorts and sandals.

Thao said his parents struggled to make it in their new country having to find the time to learn English in addition to working long hours at minimum wage jobs just to make ends meet. He said without the state's welfare programs his family would have had a difficult time surviving.

But he said his father decided after a few years in the new country that the only way his family could succeed was to become self-supporting.

"I remember we had a meeting and my father sat us down and said, 'OK we're going to lose our benefits, our health benefits, everything. We're going to get off welfare.'"

A teenager at the time, Thao said he in many

background as a community activist will serve him well in the Legislature.

"Cy is very outspoken and assertive. He doesn't hesitate to stand up and speak his mind," Moua said. "He has a very likable personality and the ability to defuse animosity, particularly face to face."

DISTRICT 65A

2002 population: 36,610

Largest city: St. Paul

County: Ramsey

Location: Twin Cities

Top concern: "I know a lot of poor people who want to work but are sort of stuck in a trap. If we are going to cut benefits I want to see more programs to help them find jobs — adult education programs — making sure they learn enough English to get jobs. I want to see more of that versus just cutting."

— Rep. Cy Thao

2002 state fair poll results

More than 7,200 fairgoers sound off

The House Public Information Services office again conducted an unofficial poll of state fairgoers at the House of Representatives booth in the Education Building at the Minnesota State Fair. A total of 7,201 fairgoers participated in the poll, which is an informal, unscientific survey on a number of issues that have been discussed in prior legislative sessions and may be topics of discussion again.

Here's a look at the questions and the results.

1. Should the state require public and charter school students to recite the Pledge of Allegiance at least once per week?

Yes	49.3%	(3,554)
No	42.9%	(3,088)
Undecided/No Opinion	7.0%	(505)
Left blank/vote not tallied	—, —	(54)

2. Should the state invest in commuter rail systems (different from local, light-rail transit) such as the Northstar Corridor line and others?

Yes	64.1%	(4,615)
No	25.2%	(1,814)
Undecided/ No Opinion	9.9%	(713)
Left blank/vote not tallied	—, —	(59)

3. A proposal during the 2002 session would have proposed an amendment to the state constitution to dedicate three-sixteenths of 1 percent of sales tax receipts to the environment. Do you support a constitutionally dedicated funding source for the environment?

Yes	61.3%	(4,418)
No	29.8%	(2,147)
Undecided/No Opinion	8.1%	(583)
Left blank/vote not tallied	—, —	(53)

4. Should the state's tobacco endowment funds be used to help balance the state's budget during times when officials are projecting a deficit?

Yes	35.1%	(2,529)
No	55.8%	(4,020)
Undecided/No opinion	8.3%	(597)
Left blank/vote not tallied	—, —	(55)

5. During the 2002 session, legislators passed a new law allowing the sale and use of novelty fireworks, such as sparklers, snakes, and glowworms. The law specifies that only people older than 18 may purchase fireworks. Do you support making fireworks legal in Minnesota?

Yes	50.1%	(3,610)
No	43.9%	(3,158)
Undecided/No Opinion	5.5%	(398)
Left blank/vote not tallied	—, —	(35)



PHOTO BY TOM OLMSCHIED

A group of citizens takes the 2002 state fair poll at the House of Representatives booth.

5a. Would you support legalizing additional kinds of fireworks in the state?

Yes	37.2%	(2,677)
No	55.5%	(3,999)
Undecided/No Opinion	5.7%	(411)
Left blank/vote not tallied	1.6%	(114)

6. Should Minnesota adopt an initiative and referendum process whereby voters adopt laws or amend the constitution directly on the general election ballot, without first getting legislative approval?

Yes	40.0%	(2,880)
No	45.5%	(3,280)
Undecided/No Opinion	13.1%	(943)
Left blank/vote not tallied	1.4%	(98)

7. A bill was heard in 2002 to create a task force to study the form, style, and design of the state flag. Do you think the state flag needs to be changed?

Yes	7.7%	(554)
No	82.8%	(5,966)
Undecided/ No Opinion	8.4%	(611)
Left blank/vote not tallied	1.0%	(70)

8. Legislators proposed an increase in the state's gas tax for transportation and transit during the 2002 session, but they were unable to reach an agreement on transportation funding. Do you support increasing the gas tax to fund road and transit projects?

Yes	54.2%	(3,903)
No	40.0%	(2,880)
Undecided/ No Opinion	4.8%	(348)
Left blank/vote not tallied	1.0%	(70)

9. Do you support tax breaks or other funding assistance for individuals (contractors, property owners, etc.) to encourage the construction of affordable housing?

Yes	57.6%	(4,159)
No	31.6%	(2,273)
Undecided/ No Opinion	9.9%	(710)
Left blank/vote not tallied	—, —	(59)

10. Should auto glass replacement companies be allowed to offer free gifts and other incentives for using their services?

Yes	42.5%	(3,060)
No	45.5%	(3,278)
Undecided/ No Opinion	11.1%	(796)
Left blank/vote not tallied	—, —	(67)

11. Should Minnesota's constitutional officers (considered full-time positions) be required to disclose their outside income?

Yes	67.7%	(4,877)
No	23.1%	(1,669)
Undecided/ No Opinion	7.9%	(569)
Left blank/vote not tallied	1.2%	(86)

11a. Should legislators (considered part-time positions) be required to disclose their outside income?

Yes	57.7%	(4,154)
No	33.4%	(2,407)
Undecided/ No Opinion	8.1%	(584)
Left blank/vote not tallied	—, —	(56)

(All percentages are rounded off to the nearest one-tenth. Percent total votes left blank or not tallied are included for those above 1 percent.)

2003 Minnesota House of Representatives Members

District/Member/Party			Phone (651) 296-	District/Member/Party			Phone (651) 296-
District/Member/Party	Room*			District/Member/Party	Room*		
48B Abeler, Jim (R)	369	1729		9A Lanning, Morrie (R)	593	5515	
43B Abrams, Ron (R)	585	9934		63B Larson, Dan (DFL)	287	7158	
42A Adolphson, Peter (R)	597	3964		44B Latz, Ron (DFL)	225	7026	
19A Anderson, Bruce (R)	437	5063		40B Lenczewski, Ann (DFL)	237	4218	
3A Anderson, Irv (DFL)	321	4936		66A Lesch, John (DFL)	223	4224	
27B Anderson, Jeff (R)	583	4193		1B Lieder, Bernie (DFL)	323	5091	
39B Atkins, Joe (DFL)	221	4192		2B Lindgren, Doug (R)	523	4265	
35A Beard, Michael (R)	451	8872		32A Lindner, Arlon (R)	417	7806	
51B Bernardy, Connie (DFL)	337	5510		56A Lipman, Eric (R)	567	4244	
59A Biernat, Len (DFL)	303	4219		22A Magnus, Doug (R)	515	5505	
12B Blaine, Greg (R)	387	4247		67A Mahoney, Tim (DFL)	289	4277	
19B Borrell, Dick (R)	393	4336		65B Mariani, Carlos (DFL)	203	9714	
26B Boudreau, Lynda (R)	559	8237		9B Marquart, Paul (DFL)	311	6829	
29B Bradley, Fran (R)	563	9249		57B McNamara, Denny (R)	577	3135	
25A Brod, Laura (R)	581	4229		53B Meslow, Doug (R)	377	5363	
35B Buesgens, Mark (R)	445	5185		58A Mullery, Joe (DFL)	209	4262	
45B Carlson, Lyndon (DFL)	283	4255		6B Murphy, Mary (DFL)	343	2676	
61A Clark, Karen (DFL)	307	0294		30A Nelson, Carla (R)	571	0573	
24B Cornish, Tony (R)	487	4240		46A Nelson, Michael (DFL)	231	3751	
25B Cox, Ray (R)	413	7065		17B Nelson, Peter (R)	433	5377	
31B Davids, Gregory (R)	379	9278		10A Nornes, Bud (R)	471	4946	
62A Davnie, Jim (DFL)	241	0173		47B Olsen, Stephanie (R)	531	4280	
49A DeLaForest, Chris (R)	503	4231		16B Olson, Mark (R)	501	4237	
29A Demmer, Randy (R)	371	9236		15B Opatz, Joe (DFL)	277	6612	
28A Dempsey, Jerry (R)	575	8635		45A Osterman, Lynne (R)	431	4176	
6A Dill, David (DFL)	315	2190		11B Otremba, Mary Ellen (DFL)	247	3201	
27A Dorman, Dan (R)	579	8216		37B Ozment, Dennis (R)	479	4306	
23B Dorn, John (DFL)	201	3248		42B Paulsen, Erik (R)	459	7449	
17A Eastlund, Rob (R)	449	5364		64B Paymar, Michael (DFL)	253	4199	
2A Eken, Kent (DFL)	329	9918		31A Pelowski, Gene (DFL)	295	8637	
58B Ellison, Keith (DFL)	229	8659		1A Penas, Maxine (R)	553	9635	
64A Entenza, Matt (DFL)	267	8799		20A Peterson, Aaron (DFL)	313	4228	
41A Erhardt, Ron (R)	591	4363		39A Pugh, Thomas (DFL)	273	6828	
16A Erickson, Sondra (R)	407	6746		44A Rhodes, Jim (R)	443	9889	
21B Finstad, Brad (R)	353	9303		5A Rukavina, Tom (DFL)	279	0170	
4A Fuller, Doug (R)	525	5516		26A Ruth, Connie (R)	415	5368	
37A Gerlach, Chris (R)	533	5506		50B Samuelson, Char (R)	423	0141	
50A Goodwin, Barbara (DFL)	331	4331		41B Seagren, Alice (R)	477	7803	
54A Greiling, Mindy (DFL)	259	5387		21A Selfert, Marty (R)	357	5374	
24A Gunther, Bob (R)	485	3240		5B Sertich, Anthony (DFL)	233	0172	
47A Haas, Bill (R)	569	5513		14A Severson, Dan (R)	389	7808	
48A Hackbarth, Tom (R)	409	2439		57A Sieben, Katie (DFL)	211	4342	
22B Harder, Elaine (R)	509	5373		10B Simpson, Dean (R)	473	4293	
66B Hausman, Alice (DFL)	245	3824		55B Slawik, Nora (DFL)	317	7807	
13A Heidgerken, Bud (R)	359	4317		33A Smith, Steve (R)	545	9188	
46B Hilstrom, Debra (DFL)	239	3709		8B Soderstrom, Judy (R)	439	0518	
8A Hilty, Bill (DFL)	207	4308		3B Solberg, Loren (DFL)	309	2365	
36A Holberg, Mary Liz (R)	349	6926		32B Stanek, Rich (R)	543	5502	
52B Holsten, Mark (R)	381	3018		14B Stang, Doug (R)	375	4373	
34B Hoppe, Joe (R)	537	5066		36B Strachan, Steve (R)	345	1069	
60B Hornstein, Frank (DFL)	227	9281		28B Sviggum, Steve (R)	463	2273	
4B Howes, Larry (R)	351	2451		23A Swenson, Howard (R)	517	8634	
7A Huntley, Thomas (DFL)	335	2228		33B Sykora, Barb (R)	403	4315	
54B Jacobson, Carl (R)	429	7153		65A Thao, Cy (DFL)	215	5158	
7B Jaros, Mike (DFL)	291	4246		63A Thissen, Paul (DFL)	301	5375	
43A Johnson, Jeff (R)	401	5511		49B Tingelstad, Kathy (R)	507	5369	
67B Johnson, Sheldon (DFL)	243	4201		18B Urdahl, Dean (R)	521	4344	
13B Juhnke, Al (DFL)	281	6206		52A Vandever, Ray (R)	529	4124	
59B Kahn, Phyllis (DFL)	255	4257		62B Wagenius, Jean (DFL)	251	4200	
60A Kelliher, Margaret Anderson (DFL)	261	0171		61B Walker, Neva (DFL)	213	7152	
18A Kielkucki, Tony (R)	367	1534		12A Walz, Dale (R)	527	4333	
56B Klinzing, Karen (R)	539	1147		38B Wardlow, Lynn (R)	491	4128	
15A Knoblach, Jim (R)	453	6316		55A Wasiluk, Scott (DFL)	217	1188	
20B Koenen, Lyle (DFL)	327	4346		51A Westerberg, Andrew (R)	549	4226	
34A Kohls, Paul (R)	421	4282		11A Westrom, Torrey (R)	557	4929	
53A Krinkie, Philip (R)	365	2907		38A Wilkin, Tim (R)	551	3533	
30B Kuisle, William (R)	565	4378		40A vacant**			

Note: Room numbers are subject to change.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155
List as of Jan. 9, 2003

**Rep. Dan McElroy resigned Jan. 6. A special election will be held Feb. 3 to fill the seat.

2003 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	301 Cap.	8881	39 Metzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	151 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	317 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	129 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Ranum, Jane (DFL)	120 Cap.	7-8061
42 Hann, David (R)	G-27 SOB	1749	53 Reiter, Mady (R)	132D SOB	1253
58 Higgins, Linda (DFL)	328 Cap.	9246	45 Rest, Ann (DFL)	205 Cap.	2889
23 Hottinger, John (DFL)	208 Cap.	6153	35 Robling, Claire (R)	143 SOB	4123
13 Johnson, Dean (DFL)	121 Cap.	3826	24 Rosen, Julie (R)	G-23 SOB	5713
49 Johnson, Debbie (R)	135 SOB	3219	4 Ruud, Carrie (R)	109 SOB	4913
48 Jungbauer, Michael (R)	115 SOB	3733	11 Sams, Dallas (DFL)	328 Cap.	7-8063
44 Kelley, Steve (DFL)	205 Cap.	7-8065	3 Saxhaug, Tom (DFL)	124 Cap.	4136
31 Kierlin, Bob (R)	127 SOB	5649	46 Scheid, Linda (DFL)	303 Cap.	8869
30 Kiscaden, Sheila (IP)	G-15 SOB	4848	29 Senjem, David (R)	G-17 SOB	3903
15 Kleis, Dave (R)	G-25 SOB	6455	2 Skoe, Rod (DFL)	124 Cap.	4196
37 Knutson, David (R)	133 SOB	4120	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettnier (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	149 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	226 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

*Capitol or State Office Building, St. Paul, MN 55155

For phone numbers, contact Senate Information at 651-296-0504

Minnesota House and Senate Membership

1 A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Jim Knoblach-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	29 A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	43 A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	57 A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
2 A Rep. Kent Eken-(DFL) B Rep. Doug Lindgren-(R) Sen. Rod Skoe-(DFL)	16 A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	30 A Rep. Carla Nelson-(R) B Rep. William Kuisle-(R) Sen. Sheila M. Kiscaden-(IP)	44 A Rep. Jim Rhodes-(R) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	58 A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
3 A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	17 A Rep. Rob Eastlund-(R) B Rep. Peter (Pete) Nelson-(R) Sen. Sean R. Nienow-(R)	31 A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	45 A Rep. Lynne Osterman-(R) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	59 A Rep. Len Biernat-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A Rep. Doug Fuller-(R) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	18 A Rep. Tony Kielucki-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	32 A Rep. Arlon Lindner-(R) B Rep. Rich Stanek-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	60 A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Holstein-(DFL) Sen. D. Scott Dibble-(DFL)
5 A Rep. Tom Rukavina-(DFL) B Rep. Anthony (Tony) Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A Rep. Bruce Anderson-(R) B Rep. Dick Borrelli-(R) Sen. Mark Ourada-(R)	33 A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	47 A Rep. Bill Haas-(R) B Rep. Stephanie Olsen-(R) Sen. Leo Foley-(DFL)	61 A Rep. Karen Clark-(DFL) B Rep. Frank Holstein-(DFL) Sen. Linda Berglin-(DFL)
6 A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	20 A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenig-(DFL) Sen. Gary Kubly-(DFL)	34 A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	48 A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	62 A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
7 A Rep. Thomas Huntley-(DFL) B Rep. Mike Jarak-(DFL) Sen. Yvonne Prettnier Solon-(DFL)	21 A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	35 A Rep. Michael Beard-(R) B Rep. Mark Buegens-(R) Sen. Claire A. Rosling-(R)	49 A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	63 A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Ranum-(DFL)
8 A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	22 A Rep. Doug Magnus-(R) B Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A Rep. Mary Liz Holberg-(R) B Rep. Steve Strachan-(R) Sen. Pat Pariseau-(R)	50 A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	64 A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A Rep. Howard Swenson-(R) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	37 A Rep. Chris Gerlach-(R) B Rep. Dennis Ozment-(R) Sen. David L. Knutson-(R)	51 A Rep. Andrew Westerberg-(R) B Rep. Connie Bernady-(DFL) Sen. Don Betzold-(DFL)	65 A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
10 A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	38 A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	52 A Rep. Ray Vandever-(R) B Rep. Mark Holsten-(R) Sen. Michele Bachmann-(R)	66 A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	39 A Rep. Thomas W. Pugh-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzen-(DFL)	53 A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A Rep. Dale Walz-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	26 A Rep. Connie Ruth-(R) B Rep. Lynda Boudreau-(R) Sen. Dick Day-(R)	40 A vacant B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	54 A Rep. Mindy Greiling-(DFL) B Rep. Carl Jacobson-(R) Sen. John Marty-(DFL)	List as of Jan. 9, 2003 This document can be made available in alternative formats for people with disabilities by calling the House at (651) 296-2146 voice, (651) 296-0504 TTY or the Senate at (651) 296-0250 TTY
13 A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	27 A Rep. Dan Dorman-(R) B Rep. Jeff Anderson-(R) Sen. Dan Sparks-(DFL)	41 A Rep. Ron Erhardt-(R) B Rep. Alice Seagren-(R) Sen. Geoff Michel-(R)	55 A Rep. Scott Wasiluk-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
14 A Rep. Daniel Severson-(R) B Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	42 A Rep. Peter Adolphson-(R) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	56 A Rep. Eric Lipman-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

Thursday, Jan. 9

HF1—Staneek (R)

Transportation Policy

Anti-terrorism; drivers' license information regulation provided, and federal laws and regulations adopted.

HF2—Kielkucki (R)

Education Policy

Profile of Learning repealed and replaced; and legislative review of proposed academic standards in language arts, mathematics, science, and history required.

HF3—Magnus (R)

Jobs & Economic Development Finance

Tax-free property zones established, exemptions provided for individuals and businesses, state aid and repayment of tax benefits provided, and money appropriated.

HF4—Westerberg (R)

Transportation Finance

Trunk highway improvement bonds issued, and money appropriated.

HF5—Bradley (R)

Health & Human Services Policy

Prescription drug program established and money appropriated.

HF6—Anderson, B. (R)

Education Policy

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

HF7—Staneek (R)

Judiciary Policy & Finance

Public safety officer death benefit paid to officer's estate if there is no eligible spouse or dependent.

HF8—Seifert (R)

Education Policy

Profile of Learning implementation prohibited, and rules repealed.

HF9—Lipman (R)

Health and Human Services Policy

Abortion; state funds use prohibited for abortion services, and constitutional amendment proposed.

HF10—Mullery (DFL)

Commerce, Jobs & Economic Policy

Voluntary paid parental leave provided, and money appropriated.

HF11—Mullery (DFL)

Taxes

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

HF12—Mullery (DFL)

Taxes

Minneapolis library and planetarium construction materials sales tax exemption provided.

HF13—Mullery (DFL)

Commerce, Jobs & Economic Development

Automotive insurance discrimination based on location within the metropolitan area prohibited.

HF14—Mullery (DFL)

Health & Human Services Policy

Health maintenance organization medical directors required, liability for treatment and policies established, and utilization review provisions and requirements modified.

HF15—Mullery (DFL)

Health & Human Services Policy

MinnesotaCare eligibility requirements modified for persons with continuation coverage.

HF16—Mullery (DFL)

Health & Human Services Policy

Medically necessary care definition established for health plans.

HF17—Mullery (DFL)

Health & Human Services Policy

Minnesota Family Investment Program auto lease program established, and money appropriated.

HF18—Kuisle (R)

Transportation Policy

Trunk highway improvement bonds issued, and money appropriated.

HF19—Mullery (DFL)

Health & Human Services Finance

Southeast Asian Collaborative in Hennepin County transitional employment project funding provided, and money appropriated.

HF20—Mullery (DFL)

Health & Human Services Finance

Nontraditional career assistance training programs funding provided, and money appropriated.

HF21—Mullery (DFL)

Health & Human Services Finance

Southeast Asian Collaborative transitional employment training project federal TANF funds provided.

HF22—Mullery (DFL)

Judiciary Policy & Finance

Dangerous and repeat felony offender sentencing practices modified.

HF23—Mullery (DFL)

Judiciary Policy & Finance

Judges authorized to set conditions of release that protect public safety.

HF24—Erhardt (R)

Judiciary Policy & Finance

Anti-terrorism; drivers' license expiration provided for persons lawfully in the United States for specified periods.

HF25—Mullery (DFL)

Judiciary Policy & Finance

Criminal penalties enhanced for certain crimes committed on a transit vehicle or at a bus stop.

HF26—Mullery (DFL)

Judiciary Policy & Finance

City attorneys authorized to prosecute contributing to the delinquency of a minor, criminal penalties increased, and aggravating factor directed to the sentencing guidelines commission.

HF27—Anderson, I. (DFL)

Environment & Natural Resources Finance

Forestry division relocation to International Falls funding provided, and money appropriated.

HF28—Mullery (DFL)

Judiciary Policy & Finance

Fighting animal possession prohibited and penalties provided.

HF29—Bradley (R)

Health & Human Services Policy

MinnesotaCare provider taxes repealed, pass-through of savings required, and cigarette and tobacco tax increases provided.

HF30—Lipman (R)

Local Government & Metropolitan Affairs

Comprehensive planning local control reestablished, metropolitan council review of local plans repealed, and conforming changes provided.

HF31—Anderson, I. (DFL)

Governmental Operations & Veterans Affairs Policy

Lawful gambling purpose definition modified to include certain tax expenditures by fraternal organizations.

HF32—Anderson, I. (DFL)

Environment & Natural Resources Policy

Lake of the Woods County land exchange required.

HF33—Mullery (DFL)

Judiciary Policy and Finance

Prostitution; solicitation, inducement, and promotion of prostitution involving minors subject to increased violent crime penalties for repeat offenders.

HF34—Kielkucki (R)

Local Government & Metropolitan Affairs

Local governments prohibited from requiring those who enter into contracts with the city to provide employee benefits.

HF35—Anderson, I. (DFL)

Regulated Industries

Telephone call toll charges prohibited for calls within a school district.

HF36—Howes (R)

Environment & Natural Resources Policy
Cass county purchase of surplus state land authorized.

HF37—Beard (R)**Education Policy**

Profile of learning repealed and replaced; and legislative review of proposed academic standards in language arts, mathematics, science, and history required.

HF38—Mullery (DFL)**Judiciary Policy & Finance**

Burglary trials consolidated in certain circumstances.

HF39—Howes (R)**Environment & Natural Resources Policy**

Cass county land conveyance authorized.

HF40—Lipman (R)**Governmental Operations &****Veterans Affairs Policy**

Judicial appointment by governor provided, and constitutional amendment provided.

HF41—Juhnke (DFL)**Local Government & Metropolitan Affairs**

Kandiyohi County authorized to act as a city to establish an economic development authority, joint exercise of powers with city of Willmar permitted, and special taxing district established as a political subdivision of the state.

HF42—Lipman (R)**Governmental Operations &****Veterans Affairs Policy**

Public funds use to promote or defeat a ballot measure prohibited.

HF43—Solberg (DFL)**Governmental Operations &****Veterans Affairs Policy**

Strategic and long-range planning office abolished.

HF44—Mullery (DFL)**Judiciary Policy & Finance**

Gang loitering criminal penalties provided.

HF45—Haas (R)**Environment & Natural Resources Policy**

Mille Lacs Lake fishing management committee established and appointments provided.

HF46—Entenza (DFL)**Judiciary Policy & Finance**

Public safety officers' benefit account for death benefits and continued health insurance coverage allocation increased, and money appropriated.

HF47—Mullery (DFL)**Judiciary Policy & Finance**

Consecutive sentences authorized for certain repeat offenders.

HF48—Mullery (DFL)**Judiciary Policy & Finance**

Probation; standards provided for geographic restrictions on offenders on probation and supervised release.



No sure thing

Vermont Legislature allowed to choose governors when popular vote falls short of majority

James Douglas was set to move from the state treasurer's office to the governor's mansion after garnering the top vote total in the state's Nov. 5 election.

Instead, the Vermont Republican had to wait two months to officially become the head of state.

The Vermont Constitution says that if no candidate in the gubernatorial, lieutenant governor, or state treasurer elections receives at least 50 percent of the popular vote, the state legislature will use a private ballot to choose the governor. It did that Jan. 9, choosing Douglas as governor and Brian Dubie as lieutenant governor.

Douglas received 44.9 percent of the November vote, 2.5 percent more than Doug Racine, who urged the legislature to elect Douglas. Dubie earned 41.2 percent of the vote compared to 32.1 percent and 24.8 percent for his closest challengers. Jeb Spaulding won the state treasurer's race with 57.2 percent of the vote.

The practice of appointment had previously been used 26 times since 1778 in the lieutenant governor's race, 21 in the race for governor, and 18 in the state treasurer contest. In the past 100 years, the Legislature had chosen three governors — the last time in 1986 — five lieutenant governors, and two treasurers.

Former Gov. Howard Dean nearly had his 2000 election go before the Legislature, but he garnered 50.4 percent of the vote, his lowest total since taking office in 1991. He now plans to seek the 2004 Democratic Party nomination for president.

Dean previously urged the Legislature to begin the process of amending the constitution because more third-party candidates are entering the political mix since Vermont offers public funding to candidates for the state's top two positions.

Yet voters are not calling for a change in the process.

A poll conducted for *The Rutland Herald* on Oct. 23-24, 2002 found that 48 percent of the 600 respondents said that whomever receives the most votes should be declared the winner and 38 percent opposed that notion. A majority (59 percent) also think the Legislature should elect the candidate who received the most votes, and 61 percent said the vote should be public, while 27 percent think the vote should remain private.

If the process were in place in Minnesota, both Gov. Tim Pawlenty and former Gov. Jesse Ventura would have had to be selected by the Legislature, since they received 44 percent and 37 percent of the vote respectively.

(M. Cook)

Schedule is subject to change.
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House committee schedules are also available on the Web site at
<http://ww3.house.leg.state.mn.us/comm/scheduleall.asp>

MONDAY, January 13

12:30 PM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Introduction of members and committee staff.

Consideration of procedures and rules.

Overview of Minnesota Department of Health.
Overview of Minnesota Veterans Homes Board.

Higher Education Finance

Room: 200 State Office Building

Chair: Rep. Doug Stang

Agenda: University of Minnesota overview.

Witness: Christine Maziar, executive vice president and provost, University of Minnesota.

Minnesota State Colleges and Universities (MnSCU) overview.

Witness: James McCormick, chancellor, Minnesota State Colleges and Universities.

Higher Education Services Office (HESO) Overview.

Witness: Robert Poch, Director, HESO.

3 PM

THE HOUSE MEETS IN SESSION

TUESDAY, January 14

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: Review of metro transportation projects.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Introductions of members and staff.

***There may be additions to the agenda.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Budget process overview by Jim Reinholdz, house fiscal analyst.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: Committee introductions and committee roles.

Brief overview of federal No Child Left Behind Act.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Introduction and overview of education finance presented by Tim Strom, house research analyst, and Greg Crowe, house fiscal analyst.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Introduction of members and staff.

Presentation by House Research tax staff.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Introductions and organizational meeting.

12:30 PM

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: To be announced.

Commerce, Jobs, and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: Introductions and House Research overview.

2:30 PM

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Mark Holsten

Agenda: Introductions and organizational meeting.

State Government Finance

Room: 500S State Office Building

Chair: Rep. Bill Haas

Agenda: Committee introduction and fiscal year 2003 budget discussion.

WEDNESDAY, January 15

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Review of Greater Minnesota transportation projects.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Legislative Commission on Minnesota Resources (LCMR) overview by John Velin, director of LCMR.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Introduction and overview of education finance.

THURSDAY, January 16

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Education Policy

Room: Basement Hearing Room

Chair: Rep. Barb Sykora

Agenda: To be determined.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: To be announced.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Introduction and overview of education finance.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Presentation by Department of Revenue.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Board of Water & Soil Resources (BWSR) agency introduction and program overview: Doug Thomas, assistant director, BWSR; Steve Woods, assistant director, BWSR; Ron Harnack, executive director, BWSR.

12:30 PM

Commerce, Jobs, and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: Department overviews; Department of Labor and Industry; Department of Trade and Economic Development.

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: Fiscal year 2003 budget shortfall - Minnesota Department of Agriculture to testify.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: To be announced.

15 minutes after session.

State Government Finance

Room: 500S State Office Building

Chair: Rep. Bill Haas

Agenda: Continuation of budget discussion.

FRIDAY, January 17

No meetings scheduled.

OPENING DAY LESSON



PHOTO BY ANDREW VON BANK

Rep. Joe Hoppe shows his 5-year-old daughter, Elizabeth, how the voting buttons work during the first day of the 2003 session.

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Reflections

An important role for any citizen in the United States, age 18 years and older, is to vote for candidates they feel will well represent them in government at the state or national level. Exercising the right to vote is one of the fundamental democratic principles by which the country was founded to ensure that individual freedoms remain intact.

Minnesota has always been in the forefront of establishing rules that protect the rights of individuals — from joining the Union as a free state; legislating the rights for blacks and others to vote in 1868, two years before the U.S. Constitution's 15th Amendment was ratified for all citizens to be able to vote. Minnesota was also the first to allow its citizens to register to vote on Election Day.

Records show that voting is so important because there are times throughout history when every vote could mean a candidate wins or loses. This is true for both state and federal officeholders.

For example, in 1839, Marcus "Landslide" Morton was elected governor of Massachusetts by one vote. He won by the same margin three years later. In 1868, President Andrew Johnson was not removed from office because the U.S. Senate was one vote shy of a two-thirds majority to impeach him. Rutherford B. Hayes was elected president in 1876 by one vote through a congressionally appointed commission. His opponent, Samuel Tilden, won the popular vote, but

was one vote shy in the electoral college.

Thomas Jefferson lost the U.S. presidency to John Adams in 1796 by three electoral votes. Four years later, in 1800, he won the presidency by one vote after a 36-ballot deadlock in the Senate to break a 73-73 electoral vote tie with his opponent, Aaron Burr.

Closer to home, former St. Paul Councilman Bill Wilson won a 1989 recount by one vote over Roy Garza. Wilson later became the head of the city's governing body. Even in the most recent statewide election, recount results were so close in Senate District 27 that a five-vote win was not ruled

valid by a judge until the day before the legislative session began, giving Sen. Dan Sparks (DFL-Austin) the win over incumbent Sen. Grace Schwab (R-Albert Lea).

Minnesota is known for its strong citizen's participation in government. Prior to election day in 2002, nearly 2.9 million Minnesotans were registered to vote. When the polls had closed and the dust settled last November, the state topped the nation in voter turnout when more than 61 percent of eligible voters cast ballots — many doing so shortly after the



PHOTO BY TOM OLMSCHIED

A voter enters the Franconia Town Hall to cast his ballot on Election Day 2002.

polls opened at 7 a.m.

Polling places in the state reported lines where voters waited from 45 minutes to three hours to get a ballot and cast their votes.

—LECLAIR GRIER LAMBERT

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MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Minnesota House 2003

Republican members at start of the 2003-2004 session	81
DFL members	52
Vacant seats (District 40A)	1
Difference between parties at start of 2001 session	4
Prior biennium DFL was in control of the House	1997-98
Number of men in the House, 2003-04	102
DFL men	37
Republican men	65
Number of women in the House	31
DFL women	15
Republican women	16
Number of women at the start of 2001-02 biennium	35
Number at end of 1998 session (record high)	40
Number of freshman House members at start of session	43
Republicans	30
DFLers	13
Men	35
Women	8
Current House members not serving in 2001-02 biennium, as percent	32.1
Number of incumbents that were re-elected in November 2002	91
Number that were not	10
Races that paired two incumbents	5
Open seats	38
Open seats won by a Republican	26
Open seats won by a DFLer	12
Uncontested races	6
Vote difference in closest race (25B)	46
Votes cast	17,684
Votes cast in Minnesota on Election Day 2002	2,282,860
As percent of eligible voters	61.49
National rank	1
Percentage in 2000	69.4
Number of candidates on the ballot for House seats	305
DFL	131
Republican	129
Green	17
Independence	26
Districts (out of 134) with a third party candidate	40

Sources: House Public Information Services Office and Office of the Secretary of State

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On the cover: The 2003 members of the Minnesota House of Representatives.

—Photo illustration by Andrew Von Bank

Budget fix

Reductions, one-time monies part of the plan legislative leaders will consider to solve \$356 million problem

By MIKE COOK

Calling it a start to climbing the "Mt. Everest of budget deficits," Gov. Tim Pawlenty released his plan to eliminate the state's \$356 million shortfall for fiscal year 2003 Jan. 14.

His recommendation includes \$171 million in structural budget reductions and the use of \$297 million in one-time funds. The total, when coupled with budget reserves, provides a \$136 million cushion in case the economy continues to sour, the country finds itself at war, or revenues are down for some other reason.

"In the event that revenues are up, this is a down payment on the huge budget deficit we're looking at for next year," said State Finance Commissioner Dan McElroy.

Even with Pawlenty's plan to get through the end of this fiscal year on June 30, the state would still face a projected \$4.1 billion deficit for fiscal years 2004-05.

"If people think we've got pain now, it'll be brutal going into the next round," said Rep. Bill Haas (R-Champlin), chair of the House State Government Finance Committee.

House Speaker Steve Sviggum (R-Kenyon) said the proposed cuts were not surprising, while House Majority Leader Erik Paulsen (R-Eden Prairie) called the proposed cuts "tough, but fair."

Of the structural reductions, \$77 million comes from agency grant and programs, \$44 million from state government operations, and \$50 million from higher education.

"The governor's clear expectation is that the majority of proposed fiscal year 2003 reductions will be extended as permanent in the fiscal year 2004-05 budget," McElroy said.

The 69 state agency reductions range from \$6.7 million in the Human Services Department to \$1,777 from the Uniform Laws Commission. The Legislature is to cut nearly \$2.34 million, and the governor's office \$161,900.

The cuts average about 4 percent per group. Peggy Ingison, assistant commissioner with the Department of Finance, told the House State Government Finance Committee Jan. 14 that adjustments were made so that some departments or agencies, such as those with di-



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty presents his proposal to solve the state's \$356 million budget shortfall for this fiscal year during a Jan. 14 news conference at the State Capitol. Lt. Gov. Carol Molnau and Finance Commissioner Dan McElroy listen to the proposal. The governor's plan calls for a combination of structural budget reductions and the use of one-time monies.

rect care — Department of Human Services, Veterans Home Board, etc. — took less of a hit while others, such as Minnesota Planning, took more.

A number of programs were not cut for 2003 because they have already received their full biennial funding. Ingison said that does not mean those groups won't be cut in future years.

The reductions are not specific, thereby allowing department heads and commissioners to decide where the cuts take place.

McElroy refused to rule out job losses for some state employees, saying, "I'd imagine it will be hard to do this without some loss of jobs."

The governor said he would like the Legislature to enact a mandatory salary savings for state employees, meaning an employee might not work or get paid for a full week, but would not lose their benefits. For example, one's unpaid lunch break could be expanded or someone may also choose to work only one half-day per week.

"We're doing this to give our managers in state agencies the flexibility to have this tool available to them," he said. "This would be available in order to avoid larger, more massive layoffs."

The plan further restricts out-of-state travel for state employees, unless in "emergency or extremely important" situations. The flexible hiring freeze imposed by the Ventura administration will continue, and perhaps be tightened further.

Pawlenty will also ask the Legislature to remove the law that prohibits the state from finding private sector outlets to perform work. "It is in outdated, archaic law. It is overly protectionist and we need to be able to outsource as a tool for saving money in these tough times," he said.

As for the \$77 million in state agency grant and program reductions, the largest, by far, is \$26.8 million in ethanol production subsidies for Minnesota farmers. Sviggum suggested possibly delaying payments to later years instead of cutting.

"To take 50 percent of the ethanol budget away does not pass the fairness test," said Rep. Al Juhnke (DFL-Willmar), the lead DFL member on the House Agriculture Finance Committee. "I suggest we take our time because ethanol is part of a larger view of building an energy program in this state. We should not cause ethanol to collapse. We've made commitments to our farmers."

The reductions could also affect the way farmers and other Minnesotans watch the Legislature because a \$418,000 grant reduction to legislative television could disappear, money used to pay for airtime on Channel 17 in the Twin Cities metropolitan area and on cable channels in Greater Minnesota.

Other planned reductions include: \$1.32 million in contaminated site cleanup grants, \$750,000 from the sale of the state jet, and \$300 for the state band.



Space limitations

Growing population forced expansion of state's first prison

Higher education would also take a \$50 million hit — \$25 million each for the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system. "We believe they'll be able to absorb those reductions through use of significant reserves and other cost-cutting measures without impacting current student services," Pawlenty said.

That is of little comfort to some students.

"Even during the good economic times of past years, the state did not give MnSCU the funding it needed, and tuition went up double-digit rates," said Yorgun Marcel, chair of the Minnesota State University Student Association. "Now during a recession, tuition will be climbing, work study and child-care funding has disappeared, and it is going to cost families more to send their kids to college."


As for one-time cuts, the largest would be a refinancing of \$130 million in transportation funding approved in 2001 with trunk highway bonds. "This will have no impact on transportation projects in place now," Ingison said. However, it does mean the state must pay more when financing costs are included.

Of the remaining savings, \$39 million would come from the 21st Century Minerals Fund that is designed to aid economic development projects in northeast Minnesota. The \$20 million that would be left in the fund would "more than accommodate" the needs, Pawlenty said, noting, "The fund cannot sit unused in these times."

Included in the one-time items would be the lone shift that will save money: the delaying of sales tax refunds on capital equipment purchases.

Under the program, businesspeople pay taxes on the purchase and then apply for a refund that must be processed within 90 days. Instead of making the payments right away, the state will take nearly the whole time allowed, resulting in a savings of \$50 million.

Other one-time savings include \$30 million from the Higher Education Services Office SELF program reserves, \$15 million each from the Workers Compensation Special Fund and State Airports Fund, \$11 million from the Solid Waste Fund, and \$7.6 million in unspent funding from five capital projects approved in 1998 that were contingent on matching funds from the recipient.

McElroy indicated an omnibus budget bill based on the governor's plan would be available by the end of the week. Sviggum indicated a House bill on the cuts should be on the floor by Jan. 24. Many House committees are scheduled to discuss bills prior to their submittal to the Ways and Means Committee and combined into one piece of legislation. 

STAFF WRITER TOM LONERGAN CONTRIBUTED TO THIS REPORT.

State prisons may reach capacity come July, according to information released to legislators early in the legislative session. It's a problem that officials have previously faced in the 150 years since lawbreakers were first incarcerated in state facilities.

In fact, the state's first prison was already facing serious crowding by the turn of the 20th century — only a few years after it was initially built.

The prison system in Minnesota can be traced back to 1851 when the Minnesota Territorial Legislature passed a law providing for two buildings — a state capitol and a state prison. The capitol was to be built in St. Paul, and the prison in Stillwater.

Located on a nine-acre campus, the Stillwater prison opened for business in March 1853. Complete with 582 cells, it included a chapel, dining hall, kitchen, and administrative offices. A hospital wasn't added until 36 years later.

Incidentally, women were also interned at the Stillwater prison until the Shakopee State Reformatory for Women opened in 1920.

When the Stillwater inmate population threatened to outgrow the facility, lawmakers appropriated \$2.43 million between 1905 and 1909 for a new prison. It was set to be located on 160 acres two miles south of the Stillwater prison on the former Oak Park Village site (formerly called Baytown).

The new prison opened in 1912 with five cell buildings, a greenhouse, two factory buildings, and two warehouses. (To accommodate an additional 400 prisoners, an addition was opened in 1982 in Oak Park Heights, one mile south of Stillwater).

The second city to host a state prison was St. Cloud. The prison opened in 1889 with the transfer of 77 inmates from the Stillwater prison. It was built on 240 acres with the idea that area granite quarries could provide inmate employment opportunities.

Since its construction, the St. Cloud prison has housed younger offenders that would eventually return to civilian life, and

prison industries have been an integral part of its programming.

After the turn of the century, numerous vocational departments were created, including construction, clothing and shoe manufacturing, printing, farming, and greenhouse production. Inmates also performed farming duties at work camps in East Grand Forks and Moose Lake, as well as logging duties at a camp in Walker.

Until 1895, the corrections commissioner was allowed to lease prisoners to

work for private businesses. At that time, the Legislature decided that only finished goods could be sold from prison shops. Twine, shoes, high school scientific apparatus, and farm machinery and equipment were produced at prison shops. According to Minnesota Historical Society records,

the prison industries program continues to manufacture twine and farm machinery.

Today, the Department of Corrections — created by merging three departments in 1959 — manages 10 correctional facilities. They are located in Oak Park Heights, Stillwater, St. Cloud, Rush City, Faribault, Lino Lakes, Shakopee, Red Wing, Togo (Thistledeew Camp), and Moose Lake/Willow River.

The latter opened in July 1995 as the Minnesota Sexual Psychopathic Personality Treatment Center after the Legislature approved conversion of the Moose Lake Regional Treatment Center to a prison.

According to April 2002 figures, there are 6,533 male inmates in the state and 414 females. The juvenile population includes 217 boys and seven girls. The state's prison population is expected to reach 9,500 in 2010.

The figures represent a doubling of the prison population during the past decade, according to the Department of Corrections.

At the same time, the department's national cost-per-inmate ranking fell from second to sixth place. This was accomplished by cutting 200 jobs and expanding bed capacities.

(M. BRYANT)



The dormitory above the twine factory at Stillwater Prison in 1910.

Photo courtesy of the Minnesota Historical Society

★ CRIME

Funding the fight

Law enforcement officials from around the state called for legislative support in their fight against gang violence.

Members of the Minnesota Gang Strike Force schooled the House Judiciary Policy and Finance Committee on the importance of the issue at its Jan. 15 meeting.

The strike force is a multi-agency initiative that brings together local, state, and federal law enforcement officials to combat criminal gang activity throughout Minnesota. The state funds the program by reimbursing localities for the officers they assign to the program.

Despite an ever-growing number of gangs and gang members in Minnesota, Ron Ryan, statewide commander of the strike force, said he is pleased with the level of teamwork that has developed among the agencies and with citizens since its creation in 1997. Cities are also pleased with the results.

St. Paul Mayor Randy Kelly, a chief architect of the program during his time in the Minnesota Senate, said the initiative has contributed to a "renaissance" in his city, noting the rate of serious crime went down 8 percent in the past year. But he warned that a

variety of factors, including a weaker economy and higher unemployment, could help set the stage for a surge of gang activity.

"Gang activity is cyclical," said St. Paul Police Chief William Finney, "and we are about to reach another crest right now."

Due to budget cuts the Legislature made during the 2002 session, a number of localities, including Minneapolis and St. Paul, had to withdraw officers from the program. An official report from the strike force will be given to the Legislature in February, but a preliminary draft states that it needs \$4.69 million for the next biennium to continue to support local law enforcement at the current level.

Kelly issued a warning to committee members as they look toward balancing the budget for the 2004-05 biennium. "Do not allow your colleagues to suggest you need to take a backseat in terms of demanding the necessary resources to continue the positive trends of the past couple years," he said.

★ EMPLOYMENT

Budget balancing negotiations

Advocates for technology and manufacturing jobs spoke out Jan. 15 about the governor's proposed 2003 budget cuts.

Their testimony was presented to the House Jobs and Economic Development Finance Committee, which took no action.

The 2003 jobs and economic development finance budget would be cut by \$63.6 million if the governor's plan is approved, according to House fiscal analysts. This includes transferring to the general fund \$15 million from the workers' compensation special fund and \$39 million from the Minnesota Minerals 21st Century fund, which provides loans and investments to iron production facilities.

The jobs and economic development finance general fund budget for 2003 is \$381 million. It provides for the Department of Trade and Economic Development, Department of Economic Security, Housing Finance Agency, Labor and Industry Department, and the Minnesota Historical Society.

The budget cuts could have the Department of Trade and Economic Development reducing its operating budget by \$678,000, and eliminating \$1.3 million in contaminated site cleanup grants. A cut of \$1.3 million to the Minnesota Investment Fund, which promotes industrial, manufacturing, and technology jobs, would cut its existing budget in half.

Jacques Koppel, president of Minnesota

Technology Inc., said the economic development organization can manage the proposed 20 percent reduction from its 2003 legislative appropriation of \$5.35 million. But, he said, a problem would result if the reduction extended into future years.

Minnesota Technology served 1,474 companies during the past two years, helping create high-wage jobs in rural Minnesota. Furthermore, Koppel said, the state receives \$26.4 million in new sales and income tax revenues from its \$11.4 million biennium appropriation to Minnesota Technology.

"Minnesota is only going to thrive if its existing companies continue to grow here," Koppel said.

Marty Lehman, chief executive officer for Entronix, an electronics manufacturing services provider in Plymouth and Eveleth, said 38,000 manufacturing jobs have recently been lost in Minnesota.

"To me, that's not a number. To me, that's personal."

Rep. Tony Sertich (DFL-Chisholm) said that the proposed cuts to the jobs and economic development finance budget appear disproportionate. While economic development comprises only 1.2 percent of the general fund, proposed cuts to it equate to 13 percent, he said.

Committee Chair Rep. Bob Gunther (R-Fairmont) said the suggested cuts "seem to be rather skewed toward our division."

Tom Lijewski, chair of the state Rehabilitation Council for the Blind, urged the committee to recall the deductions handed to state services for the blind in 2002 — one-half of the \$915,000 mandated cut to the Department of Economic Security.

"We were asked to bear an unfair share of the burden...in the last round of budget cuts," he said. "I hope that state services for the blind won't become a safety net for other programs that seem to be given a higher priority."

★ ENVIRONMENT

DNR, PCA, zoo budget reaction

State parks will be open, but Gov. Tim Pawlenty's recommended \$22.4 million environmental funding fix for fiscal year 2003 could hinder pollution reduction and water management efforts, according to agencies affected by the plan.

Pawlenty is looking to cut \$7.9 million in agency expenses and programs for the remainder of fiscal year 2003, as well as transfer



Minneapolis Mayor R.T. Rybak, left, and Capt. Stacy Altonen, a commander in the Minneapolis Police Department's Special Investigation Division, testify before the House Judiciary Policy and Finance Committee Jan. 15 about the city's gang problem and the importance of continued funding for the Minnesota Gang Strike Force.

\$14.5 million from various environment-related funds to the state's general fund.

The reductions would total some \$4 million for the Department of Natural Resources (DNR), \$1.9 million for the Pollution Control Agency (PCA), \$1.2 million for the Board of Water and Soil Resources, \$409,000 for the Office of Environmental Assistance, and \$270,000 for the Minnesota Zoological Garden.

DNR Acting Commissioner Brad Moore told the House Environment and Natural Resources Finance Committee Jan. 15 that his agency already has taken the obvious budget-cutting measures such as staff reductions and travel restrictions. Other funding adjustments could limit conservation officer recruitment, curb flood damage reduction projects, slow mineral research, and reduce the number of fish tested for contaminants, Moore said.

All state parks will be open by Memorial Day, but certain loops within campgrounds may be closed and amenities such as showers and flush toilets may be limited in places, warned DNR Parks Director Bill Morrissey. "(Campers) will have to be a little closer together and they will have to put up with a little more rustic facilities," he said.

"We're not going to close any parks or campgrounds," emphasized Committee Chair Rep. Dennis Ozment (R-Rosemount).

To offset their budget shortfall, the Minnesota Zoological Garden will impose a parking fee for non-members of \$3 per car and \$10 per bus beginning Feb. 1, according to Peggy Adelman, the zoo's chief financial officer. The fee will be collected on the honor system at the regular ticket gates until the zoo can evaluate the benefits of parking lot renovations.

The PCA faces reductions of \$994,000 to the grant program that helps local entities address water pollution associated with runoff from agricultural and urban areas, under the governor's plan.

"A large part of what we do is prevent impairments to waters so we do not have to spend state and local dollars to clean them up," PCA Chief Financial Officer Cathy Moeger told the committee Jan. 16.

"I have a deep and abiding feeling that we will pay the price later," said Rep. Jean Wagenius (DFL-Mpls), referring to the Clean Water Partnership grant program proposed cutbacks. "I hope we don't lose the sense of prevention that this committee has had foremost in its mind in the past."

Ozment indicated that the committee hopes to finalize their environmental funding recommendations in bill form on Jan. 21. The next stop would be the House Ways and Means Committee.

CIRCLE OF PEACE



PHOTO BY KRISTINE LARSEN

Members of the St. Louis Catholic Church in St. Paul gathered Jan. 15 at the Capitol Rotunda to show their unity and vision for peace.

★ HIGHER EDUCATION

Limiting student aid

Students yet to submit financial aid materials will likely not receive state grant funds during the remainder of fiscal year 2003.

The Higher Education Services Office (HESO) took a measure Jan. 10 to fund no awards for students whose completed applications were not received by that date.

Robert Poch, executive director for HESO, told the House Higher Education Finance Committee Jan. 13 that the decision will save about \$12 million and eliminate awards for about 11,500 students.

"The intent is not to revoke any grants that were made up to (Jan. 10)," he said. "The fear was that if we didn't take this action we'd run a deficit. We waited until the last minute that we thought we could."

The office was allocated \$133 million for state aid grants this fiscal year, and when demand was higher than anticipated, transferred \$16 million from the state work-study and post-secondary child care grant programs. However, the number of requests continues to exceed projected dollars by \$9 million to \$16 million, in part because more Minnesotans look to further their education. Enrollments in post-secondary institutions were up 6 percent last fall. Similar conditions are occurring in other states.

By law, grants can only be made on a funds available basis. The measure is for internal budget management in the office, not for the

overall budget reduction measures proposed by the governor.

Poch said \$125 million was granted to 71,000 undergraduate students in fiscal year 2002. Comparatively, \$109 million was awarded to 62,000 students two years prior.

Other options, such as placing a surcharge on the family contribution and raising the student share, were looked at before the freeze. However, the decisions did not yield enough money to overcome the anticipated deficit.

Rep. Lyndon Carlson (DFL-Robbinsdale) noted that other financial aid is available for students from the federal government and the institutions themselves. "We are beefing up our message about that to students," Poch said.

For the next biennium, HESO is calling for an increase of \$61 million to the state grant program. "We intend to advocate increased support for need-based financial aid in fiscal years 2004 and 2005 as one of the most significant investments the state can make in its people," Poch said.

★ SAFETY

Checking immigrant legal status

Since July 2002, the state Department of Public Safety has been issuing special status check driver's licenses and identification cards to certain immigrants in the United States temporarily.

The practice, enacted by the administrative rules process, places a status check date on each

identification card and driver's license that coincides with the date that a temporary immigrant must leave the country to return home. In addition, that individual's license becomes invalid on the status check date unless an extension has been granted for them to stay in the country and that person has also applied for an extension to his or her identification card.

A bill approved by the House Transportation Policy Committee Jan. 14 would make the practice part of permanent law. The bill (HF1), sponsored by Rep. Rich Stanek (R-Maple Grove), now moves to the House Governmental Operations and Veterans Affairs Policy Committee.

The status check feature was initially suggested as part of the anti-terrorism measure discussed during the 2002 session. Several proposals would have created a color-coded driver's license specific to temporary immigrants. That plan did not become law.

However, the department decided to adopt a similar practice administratively, officials said, as part of an effort to tighten up regulations governing driver's licenses, which often serve as the official identification, and proof of residence, for an individual.

"We were looking at tightening up our procedures long before Sept. 11," said Pat McCormack, acting director of Driver and Vehicle Services for the department.

Department officials testified that the policy also provides an important tool for law enforcement. They said the status check feature allows law enforcement to know what a person's legal status is and whether they should make additional checks regarding a person's legal status.

"It doesn't make sense for Minnesota's primary identifying document — the driver's license — to be issued for a period of four years, when someone only is going to be in the country for a short period of time, perhaps only a few weeks or other short-term stay," said Sara Schlauderaff, assistant commissioner of public safety.

The department, Gov. Tim Pawlenty, and the Minnesota Sheriff's Association support the bill.

McCormack said individuals would be informed within 60 days of the expiration of their papers authorizing them to remain in the country temporarily and given options to extend the term of their license or identification card.

If a person does not renew their status on their license or identification card, it would be cancelled on the day their authorization expires. Extensions would be available if a person has applied for an extended stay in the country and is awaiting that extension.

Since the practice began in July, about 4,300 new licenses contained the status check feature, out of the nearly 801,000 new licenses granted.

Several members questioned the practice,



PHOTO BY TOM OLMSCHIED

Hassan Mohamad of the Legal Aid Society and the Muslim American Society testifies against changing the standards for driver's licenses as proof of identity and residency during a hearing of the House Transportation Policy Committee Jan. 14.

expressing concern about the religious considerations made in developing the plan and the possible disincentive it may have to someone getting a license.

Officials testified that the department instituted specific guidelines for pictures on the licenses that allow individuals with religious objections to full-face photos to have a photo taken they are comfortable with that would later be approved by the department. McCormack said they haven't had to reject any photos so far.

Rep. Alice Hausman (DFL-St. Paul) said she was concerned that the perception individuals may have is that the state is singling them out as a threat in light of the terrorism of Sept. 11. She said she acknowledged that the issue resonates with the public, but that presents a special challenge for lawmakers to assure they are not singling out a specific group.

TAXES



Taxing online purchases

Declining sales taxes may be studied carefully by the House Taxes Committee during the 2003 legislative session, particularly

revenues lost to ever-growing Internet commerce ventures.

At the Jan. 14 meeting, nonpartisan House researchers reported that the Department of Revenue lost approximately \$125 million in sales tax revenues in 2000 due to "remote" sales. Those attributed to electronic-based sales totaled \$66 million; to catalog sales, \$58 million.

Officials estimate those figures to rise to \$161 million in 2004 and \$269 million in 2007.

The Legislature cannot mandate collection of sales taxes from Minnesota customers by Internet and catalog businesses in other states. Furthermore, the U.S. Supreme Court has ruled that it would be an undue burden to require a company to decipher the tax system in multiple states. However, Congress could take action to address the situation, the court ruling stated. In turn, Congress has made the matter contingent upon sales tax simplification at the state level.

According to nonpartisan House researchers, several attempts have been made to require collection of state and local sales taxes on remote sales. All such efforts have failed thus far.

The Streamlined Sales Tax Project began in January 2000, after several states realized they would have to simplify and coordinate state sales tax systems themselves for congressional action to follow. The voluntary effort aims to simplify states' tax administration and collections, as well as set definitions for the states in defining their sales tax bases.

Thirty-five participating states, including Minnesota, approved the Streamlined Sales and Use Tax Agreement on Nov. 12, 2002. Only four states have brought their laws into compliance, including Minnesota, which acted in 2001 to recognize the provisions that existed. However, additional compliance with the final agreement is needed, said House researchers.

Other states having taken legislative action are North Carolina, Wyoming, and South Dakota.

At 33.5 percent, sales tax revenues are the second biggest contributor to the overall Minnesota state budget, behind individual income tax. Sales taxes are expected to generate \$13.4 billion for the 2003 fiscal year.

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ETHANOL PRODUCER PAYMENTS



PHOTO BY ANDREW VON BANK

Farmers and managers representing Pro-Corn, an ethanol plant in Preston, testify before the Jan. 16 House Agriculture and Rural Development Finance Committee meeting. The hearing was standing-room only, filled with farmers concerned about proposed cuts in ethanol payments.

TRANSPORTATION



Holding construction costs

Members of the House Transportation Finance Committee spent two meetings discussing the forces that drive construction costs, and methods the state Department of Transportation is using to try and control those costs.

At the Jan. 14 meeting, the committee received an update on the Wakota Bridge project in the southeastern metropolitan area, as it relates to special circumstances that increase the costs associated with a project.

The project, which constructs two new bridges crossing the Mississippi River on Interstate 494 and makes improvements to U.S. Highway 61, began construction in the spring of 2002. What began in the early 1990s as a road reconstruction project estimated to cost about \$60 million steadily grew to a "mega-project" that will likely cost between \$200 million and \$250 million before it is completed.

According to Bob Winter, metro area engineer working on the project, a major study of the corridor changed the scope — combining improvements on highways 61 and 494 — of the project partway into the planning phases. In addition, environmental concerns, such as the topography of the area, tended to drive the costs. Furthermore, the affects of construction, which will continue until 2007, requires repairs on roads adjacent to the project, another factor affecting cost.

Nevertheless, officials testified that a number of changes were made to reduce the cost

of the project in areas where improvements were deemed unnecessary.

Officials also testified that right-of-way acquisition has become increasingly more expensive, as property values have continued to outpace inflation. On other department projects, right-of-way acquisition has accounted for as much as 25 percent of total project costs.

On Jan. 15, members discussed an alternative being used on the reconstruction of U.S. Highway 52 north of Rochester. The project, bid at about \$232 million, involves an 11-mile stretch of the highway from Highway 63 to 85th St. N.W.

The department is using a design-build format for the project, which differs in the following ways from the traditional construction project method:

- Design elements become part of the bid package, which means state engineers or consultants only design between 5 percent and 30 percent of a project;
- It speeds up the construction process, by involving project contractors in the design process;
- It focuses on the best value rather than the lowest bidder by ranking bidders according to their qualifications and abilities to perform the requirements of the project, and then scoring that by formula with the bid, emphasizing ability of the contractor rather than costs alone; and
- It allows warranties and innovations to be built into the designs of a project.

While transportation officials acknowledge

that design-build projects may not initially be cheaper to construct, the accelerated timeline may help reduce the costs of construction in the long run.

In addition, they say it's a fairly new concept in Minnesota and will change and evolve as it is used on more projects. It may take some time to measure how effective a method it is, they said.

YOUTH IN GOVERNMENT 2003



PHOTO BY ANDREW VON BANK

Stephanie Sokola, a senior at White Bear Lake High School, serves as Speaker of the House, and Chelsie Glaubitz, a Mankato East High School junior, serves as Chief Clerk during the 49th Model Session of the Minnesota YMCA Youth in Government Program Jan. 10. The program gives hundreds of Minnesota high school students the opportunity to get hands-on experience in the legislative process.

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

Flunking out

After years of debate, objections, and revision, Profile of Learning may be no more

By TOM LONERGAN

With a 29-seat majority in the House, an ally in the governor's office and expected support from many DFL members, Republican legislators are confident the state's Profile of Learning education standards will soon be repealed.

However, that expected action will merely bring the issue back to a familiar place for critics of the so-called "show what you know" knowledge and assessment portion of the state's graduation standards – what will replace them?

"We were never against standards," said Rep. Tony Kielkucki (R-Lester Prairie), sponsor of HF2, which would repeal the profile. "We've had standards in education since I started teaching 30 years ago."

"I think we can do without (the profile)," said Rep. Gene Pelowski, Jr. (DFL-Winona), also a teacher. Implementing the profile became "so cumbersome and elaborate, we couldn't possibly do it," he said. "They (the standards) were introduced as rigorous, but what we got was rigor mortis."

Rep. Barb Sykora (R-Excelsior), chair of the House Education Policy Committee, said the bill would likely be considered before the end of January. "What we replace it with will be controversial," she predicted.

Since the Profile of Learning was adopted in 1998, school district administrators, local school boards, teachers, and parents have raised a variety of criticisms about the standards. Those issues included what critics called inadequate funding, complex rules and paperwork, poor communication from the state, and that the standards alter a teacher's curriculum and lesson plan.

Standards serve the purpose of aiding regular assessment of student performance progress. In addition, federal funding the state receives for eligible schools under Title I and other areas is contingent upon federal Department of Education approval of K-12 accountability standards and testing programs. Under the federal "No Child Left Behind Act," which provides federal support for elementary and secondary education, additional financial assistance is available

to states that show consistent annual progress in K-12 school performance.

Minnesota received about \$212 million in Title I funding for school districts in the last two years.

The basic skills test and the profile are both part of state high school graduation requirements. The former requires public school students to achieve passing scores on the state's eighth grade basic skills tests in reading and math and the 10th grade basic skills test in written composition. To meet the profile part of the graduation requirements – called "High Standards" by the state Department of Children, Families and Learning – students in elementary and high schools also take the Minnesota Comprehensive Assessments.

According to the department, the profile or high standards "define what students should

know, understand, and be able to do to demonstrate advanced skills in 10 learning areas. Student progress in the high standards is evaluated on assignments called 'classroom performance assessments' that are graded by teachers."

The learning areas include arts and literature; economics and business; health, physical education and careers; inquiry and research; mathematics, reading, science, social studies, world languages, and writing and speaking.

New learning standards in K-12 education were a response to several decades of criticism that public school systems weren't doing enough to prepare students for college or the workplace. The idea was to shift learning away from traditional academics and towards experiments, research, independent projects, and community service where students could show "hands-on" knowledge.

Kielkucki's bill calls for replacing the profile with "statewide rigorous core academic standards" in language arts, mathematics, science, history, and geography. It would require the yet-to-be-named department commissioner to propose new standards by April 15 after consulting with parents, the public, teachers, school principals, higher education representatives, Minnesota businesses, and nationally recognized experts on core academic standards.

Since the profile was adopted, "everyone has agreed it needs radical changes," said Rep. Mindy Greiling (DFL-Roseville). "Because we couldn't agree on how to change it, we haven't done anything."

Last year, the profile narrowly escaped repeal. The House voted 109-22 to scrap the program, but the measure failed in the Senate on a tie vote. In 2000, the Legislature relaxed some of the mandates to give school districts some compliance flexibility and ordered the education department to create an academic panel to evaluate the profile and make recommendations.

Nonetheless, school administrators, teachers, and Education Minnesota, were not satisfied and sought major changes. Last fall, the teachers union governing board said the state had not yet determined "whether the Profile of Learning is working or whether students are learning what is expected."

The Senate version (SF60), sponsored by Sen. Gen Olson (R-Minnetrissa), awaits a hearing in the Senate Education Committee.



PHOTO BY TOM OLMSCHIED

Kelly Thomas of Elk River reads to her 4-year-old son, Christopher Grovender, during a rally of the Maple River Education Coalition Jan. 8 in the Capitol Rotunda. The group rallied in support of a proposal to repeal the Profile of Learning.

Running out of space

Minnesota prisons expected to be full this summer, with no reduction in sight

By JEFF JONES

A surprising jump in Minnesota's prison inmate population in the last year has officials scrambling to find more beds – and money – before the system reaches capacity, which is expected to happen sometime this summer.

Assistant Corrections Commissioner Dan Storkamp told the House Judiciary Policy and Finance Committee Jan. 14 that actual population numbers were more than 5 percent above projections by the end of 2002. Usually, he said, those numbers are off by no more than 2 percent, and frequently the predictions prove to be too high.

But something happened last year, and no one seems to be sure exactly what.

Monthly prison admissions, which have averaged between 260 and 270 new inmates each month since 1998, suddenly jumped to an average of 309 per month in 2002. Storkamp noted that the number of felony court filings also increased dramatically in 2002. This does not bode well for the future, he said, since criminal cases take anywhere from six to 18 months to work through the justice system. Therefore, an increase in caseloads now means a further increase in prison admissions down the line.

Prison population projections take into account current sentencing policies and practices, crime trends, and the expected results of new laws, such as the felony drunken driving law passed in 2002, which may produce more felony arrests and convictions. These are balanced with the number of inmates whose sentences are set to expire or who are expected to begin work release or other alternative

correctional programs to arrive at a projected number of total inmates for the upcoming year.

If current trends continue, the department predicts the prison population will be greater than 8,000 by 2005 and it will reach 9,500 by 2010, which is 2,500 inmates more than the current system capacity.

Admissions for drug crimes have increased in recent years, as have those for property crimes, but the state's violent crime rate has actually fallen.

Rep. Keith Ellison (DFL-Mpls) asked if the state could save bed space by finding alternative ways to punish some non-violent offenders. Deputy Corrections Commissioner Dennis Benson said such measures are being examined but that non-violent criminals who are in prisons are generally repeat offenders who have previously failed in the probation

sentences are from 30 days to one year – leaving space for the more serious offenders. Other options include doubling-up inmates in cells, expanding current prison facilities, and looking at privatizing some parts of the prison system.

"It's a little like swatting a mosquito with a 50-pound mallet when you bring an offender to prison for 30 or 60 days. We think that there might be a cheaper way, a more efficient way, to hold that offender accountable by engaging local units of government," said Benson. "Let's save our most expensive resource for those people who really do indicate some level of risk to the public."

Minnesota has traditionally had one of the lowest incarceration rates in the nation. In 2001, 132 of every 100,000 Minnesotans were in prison, the second-lowest rate in the country. By comparison, Wisconsin incarcerated 383 people per 100,000 and Texas 711.

This doesn't mean Minnesota has fewer criminals than other states or that those who do illegal things are not being arrested. In fact, the state had the nation's 10th highest arrest rate in 2000.

What sets the state apart is the amount of time convicted felons stay in prison, if they go there at all. Since Minnesota relies heavily on probationary sentences for many types of less-serious crimes, many felons do not spend much time inside a correctional facility. While the state has the sixth highest rate of adults under some sort of state correctional supervision, only 8.6 percent of them were serving their sentence in prison in 2000, the lowest percentage in the nation.

At the moment there are no plans, or funds, for building more facilities. Benson said that the best option for adding beds quickly would be to expand one of the state's existing prisons.

Minnesota operates eight adult prisons, the largest in Stillwater. The state's only prison dedicated to female convicts is in Shakopee.

The state currently houses 20 federal prisoners and about 60 detainees from the Immigration and Naturalization Service. The federal government pays between \$70 and \$100 per day for those inmates. As new state prisoners come in, those federal inmates, and the income they generate, will be moved to other states.

Benson told the committee that the projected 2,197 new beds needed in the next biennium will require an additional \$55 million in funding from the Legislature. 🐼



PHOTO BY ANDREW VON BANK

Assistant Commissioner Dan Storkamp, left, and Deputy Commissioner Dennis Benson discuss the Department of Corrections bed space projections budget impact with the House Judiciary Policy and Finance Committee Jan. 14.

system. He noted that 35 percent of Minnesota prisoners are property offenders while about 65 percent are personal offenders.

One option for finding more bed space involves finding other places to house "short-term offenders" – defined as prisoners whose prison

Out front

As House Minority Leader, Entenza hopes to draw public attention to DFL caucus goals, priorities

By JEFF JONES

Rep. Matt Entenza (DFL-St. Paul) says he's never had much luck staying out of sight. "My life's experience is when you're 6-foot-4, it's not worth pretending you can hide. People can always find you, so you'd better get up and let them know what you stand for."

As the new minority leader in the House, Entenza will have plenty of opportunity to do just that. With the smallest DFL caucus since 1969, Entenza and the rest of the DFL House leadership will be trying harder than ever to take their message straight to the public.

"The job is first and foremost to articulate the vision of the kind of Minnesota we want to have," Entenza said. He has already spoken out several times, within the first few weeks of the session, against Republican plans for resolving the projected budget shortfalls.

"The best solution to the budget crisis is to make sure we evaluate every program on its costs and benefits," Entenza said, "and to make sure that those folks who are the most vulnerable ... are treated the best in a very difficult time."

"This is the worst budget crisis since the Depression, so we're working to make the cuts we need to but (also) protect the quality of life we have in Minnesota."

The 52-member House DFL caucus elected Entenza to be its party leader last November, after the caucus lost 11 House seats in the 2002 elections. He replaces Rep. Tom Pugh (DFL-South St. Paul) who stepped down from the post after the election. Pugh had led the party in the House since 1998.

At Entenza's side will be eight assistant minority leaders, also elected by the caucus, who will play a big part in floor debate and in bringing the DFL message to communities throughout the state. They represent a deliberate diversity of gender, geography, and expertise. In addition to being equally divided by gender, the eight are equally split between representing districts in the Twin Cities metropolitan area and Greater Minnesota. "It's important that the minority leader not be the only voice," Entenza said.



House Minority Leader Matt Entenza is serving in his first term as leader for the House DFL caucus. He was first elected to the House in 1994.

Among the assistant leaders is Minority Whip Margaret Anderson Kelliher (DFL-Mpls). With a small minority, she agrees that the most important work of the party will be to take their case to voters. "Talking to the public is clearly where we'll be at," she said. "Winning votes and playing a floor strategy of catching people really isn't possible. I think there will be a much more public face to our caucus."

Kelliher calls Entenza "a bright and articulate leader who really can bring people together to see a vision and have focus."

Entenza, who was the minority whip last session, may be best known as the House sponsor of Minnesota's "Do Not Call List" legislation. An attorney with degrees from Oxford University and the University of Minnesota, Entenza first took on telemarketers as an assistant attorney general and prosecuted white-collar felonies in the Hennepin County Attorney's Office before being elected to the House in 1994.

Entenza says his experience as a criminal prosecutor should help the DFL make its case for strengthening community security and helping local police and fire departments. "We think it's a tremendous mistake that the funding for terrorism prevention has been held up for seven months," he said. "One of our first priorities will be to get that money out to law enforcement."

Assistant Minority Leader Rep. Nora Slawik (DFL-Maplewood) says Entenza is especially good at building relationships and calls him "bold, encouraging, and visionary."

"I really think he is just what (the DFL party) needs right now. He does a lot of things very well," Slawik said.

New House Majority Leader Erik Paulsen (R-Eden Prairie) was elected along with Entenza in 1994. He and Entenza roomed together during their freshman orientation session. "It never entered my mind," Paulsen said, that both of them would wind up leading their respective caucuses five terms later.

Paulsen says Entenza will be a good leader. "He is an unabashed liberal, as strong in his convictions as I am in my convictions," Paulsen said. "We get along great."

House Speaker Steve Sviggum (R-Kenyon) has been pleased to work with Entenza, as well. "Matt has been extremely honorable and cordial to deal with," Sviggum said. "We've been able to talk through differences and understand each other."

Entenza, a father of three boys, isn't worried about the personal strain of a leadership position. "At one point in my life we had a 1-year-old and newborn twins. The demands of being a legislator seem easy after you've juggled three kids."

Though he is used to being busy, the frantic schedule of meetings and speaking engagements will keep him running even faster this session. "I'm going to owe (my family) a long vacation this summer," he said. 🐼

The eight Assistant DFL Minority Leaders for 2003-2004:

Rep. Margaret Anderson Kelliher (DFL-Mpls)
Rep. Al Juhnke (DFL-Willmar)
Rep. Mindy Greiling (DFL-Roseville)
Rep. Debra Hilstrom (DFL-Brooklyn Center)
Rep. Mary Ellen Otremba (DFL-Long Prairie)
Rep. Gene Pelowski, Jr. (DFL-Winona)
Rep. Anthony Sertich (DFL-Chisholm)
Rep. Nora Slawik (DFL-Maplewood)

Now is the time

After years of 'unofficially' representing the interests of his district, Dill takes a seat in St. Paul

By MIKE COOK

Like many students, as a youngster Rep. David Dill (DFL-Crane Lake) came to the State Capitol and met with his legislator. Now he is taking "his life's biggest field trip" as the new DFL representative from District 6A.



Rep. David Dill

The district is the state's largest geographically, encompassing most of northeast Minnesota and more than 9,600 square miles. "We certainly have more deer

than people," he said with a chuckle.

Dill has a unique living arrangement in that his Crane Lake home is on an island in Voyageurs National Park, forcing his 13-year-old son, Drake, to take a boat, ATV, canoe, or snowmobile to the bus stop. His family also has a winter home 30 miles away in Orr, where Dill has been the city administrator for 12 years.

As a child, Dill spent summers in the area with his parents, before permanently moving to Crane Lake in 1982 with his wife, Tucky, after selling their charter airline business.

"I didn't realize I'd been running for state representative since then," he said. "I knew all the people from growing up there so when we permanently moved back I got involved in community leadership and economic development right away, lobbying at the Capitol and going to Washington D.C. to represent the community as a volunteer. After about seven or eight years of that they said, 'We'd like to hire you and make it official.'"

Dill said he mentored under retired Sen. Doug Johnson (DFL-Tower) for 10-15 years before deciding to run. When former Rep. Tom Bakk (DFL-Cook) sought Johnson's Senate seat, many people encouraged Dill to seek the vacant House seat, Dill said.

The campaign galvanized Dill's family like never before in terms of working together. "My

son went to 2,000 houses over the course of the summer and knocked on the door, and said, 'My name is Drake Dill and my dad is running for the House of Representatives.' He gave them literature and answered questions on positions."

Like his dad, Drake also won an election in 2002, earning a seat on his school's student council. Drake is a seventh grader in the Orr

"It's an economic circle that we have to survive. This is not the first time it has happened, but we need to be smarter than before and prepare for the next thing."

— Rep. David Dill

K-12 school.

Dill recalls coming home one day and having Drake show him a speech he was preparing. "He described supply-side economics in a way that it related to kids in school and how they interact with each other and their teachers. I said, 'My God, that's good.'"

The economics of his district is one of three key issues for Dill. The others are higher education to retrain workers, and services to seniors.

Citing the importance of the dollars for cities in his district, Dill opposes the cutting of local government aid (LGA) to help balance the state's budget. "I have two cities in our district where LGA is more than 50 percent of their entire budget. Some communities are teetering on a very difficult platform making it difficult to balance things."

Shortly before Christmas a sawmill operator told Dill that his workforce had shrunk from 26 people to three people in the previous month. "That's just a common thing right now," Dill said. "It's an economic circle that we have to survive. This is not the first time it has happened, but we need to be smarter than before and prepare for the next thing."

Logging and mining industries are crucial to those in the district, but millions of forested

acres in Cook and Lake counties are federally protected. "That land has been taken out of production and local people can no longer earn a living off that land, yet when I went to St. Paul one of the things I said at my new member orientation was that I was aghast at the amount of paper that is everywhere," Dill said. "How can there be that much need for paper if we can't cut a renewable resource?"

"We're trying to make adjustments to the fact that there is a substantially reduced flow of wood fiber coming from our district and we're having a difficult time adjusting to the economics that drive the mining industry. A substantial amount of residents in our district are unemployed in the mining industry from

the LTV (mine in Hoyt Lakes) shutdown."

Because of that, higher education for retraining workers is another area of focus for Dill. Of the two colleges in District 6A, he said, "These facilities are extremely important for the retraining." In fact, the first bill he sponsored (HF72) is money for land acquisition at Vermilion Community College in Ely.

Despite the hardships, Dill said many people remain in the area once they retire. "They're tough people that immigrated here and have lived their whole lives here. We have a responsibility to provide them with services, like health care, nursing homes, and in-home health care."

DISTRICT 6A

2002 population: 36,625

Largest cities: Ely and Two Harbors

Counties: Cook, Lake, St. Louis

Location: northeast Minnesota

Top Concern: "The preservation of local government aid to communities with low property wealth. If LGA is reduced and communities increase property taxes, the increase is felt by every property owner, old, employed, unemployed, retired, business, etc."

— Rep. David Dill

On the homefront

After years of promoting Minnesota around the world, Magnus turns attentions to more local concerns

By MIRANDA BRYANT

A quick glance at Rep. Doug Magnus' (R-Slayton) background and one would think that St. Paul is too small a town for this guy.



Rep. Doug Magnus

He's been to more than 30 countries, some of them several times.

The freshman Republican has traveled the globe for the United Soybean Board, a group dedicated to increasing the number of U.S. soybean food products on

more plates in more countries. As such, Magnus has met with leaders in communist China, lobbied members of the European Union, and brokered deals with government ministers in Moscow.

But his home, his family, and his business are in a small town. Magnus was born in Slayton, where he continues to grow corn and soybeans and feed cattle with his son, father, and cousin.

Magnus began thinking about running for the Minnesota House of Representatives last spring.

"I just wasn't happy with what was going on," said Magnus. "The budget problems of course were No. 1. We in southwest Minnesota were getting left behind, I thought. And you can't solve (the state's problems) in the coffee shops."

Don Nickel, who succeeded Magnus as vice president of international marketing for the national United Soybean Board, said Magnus makes for an excellent legislator.

"He has done a very good job of promoting soybeans, specifically Minnesota soybeans," said Nickel, who traveled on trade missions with Magnus to China, Europe, and Turkey. "He is very concerned about agriculture, specifically in Minnesota."

Magnus' international experience, which began when he was in the Vietnam War, may serve him well as a legislator. He's been assigned to four committees: taxes, agriculture

and rural development finance, agriculture policy, and transportation finance.

Regarding tax issues, Magnus is sponsoring a bill (HF3) on tax-free zones that Gov. Tim Pawlenty pitched the past two years as a state representative. Legislation presented in 2002 would have created up to 10 tax-free zones throughout the state to stimulate economic development beyond the Twin Cities. It would have also created similar zones for five agricultural processing facilities.

Under the 2003 plan, businesses in designated areas can forgo sales, income, and

Tax-free zone legislation will work well in the four counties Magnus represents, he said. For example, Murray County, where he resides, has been losing about 1 percent of its population annually for the past 20 years. And the income disparity between rural and urban areas is growing. In 1996 the annual per capita income was 70 percent of that in the Twin Cities, he said. Three years later it had fallen to 63 percent.

While the transportation committee may not seem an obvious assignment for a farmer, Magnus already has ideas. Exporting Minnesota's agricultural products to foreign markets demands a healthy infrastructure system. With China as the largest international consumer of U.S. soybeans and with Minnesota the third largest soybean producer, efficient transport to the Pacific Northwest for overseas shipment is critical.

An improved infrastructure is key in

"I just wasn't happy with what was going on. The budget problems of course were No. 1. We in southwest Minnesota were getting left behind, I thought. And you can't solve (the state's problems) in the coffee shops."

— Rep. Doug Magnus

property taxes for up to 12 years. Individuals living in the areas wouldn't pay property or individual incomes taxes. And investors of tax-free zone ventures are exempt on business income and capital gains taxes on relative investments. Michigan and Pennsylvania have each created 5,000 new jobs through similar programs, said Magnus.

Creating rural jobs is necessary because not everyone in Minnesota can live in the Twin Cities metropolitan area, Magnus said, noting that by 2015 another 1 million people are expected to move to the area. Expanding metropolitan populations place a strain on hospitals, schools, churches, and businesses while leaving outlying areas to die, he said.

Magnus can cite many examples of businesses moving from his corner of Minnesota to neighboring South Dakota. One is Luverne Bumper, which employed 80 people, and was successfully courted by Brandon, S.D. Now it has more than 300 employees in a new plant.

"Luverne Bumper ought to be in Luverne, Minn., but you can't blame them," Magnus said.

competing with Argentina and Brazil. Considered the two biggest international agricultural competitors, they are spending billions on infrastructure, said Magnus.

With a goal of keeping Minnesota agriculture in the forefront, Magnus advocates continued international trade missions, such as the venture to Japan he took in 1999 with then-Gov. Jesse Ventura. And, trade teams should continue to be invited to Minnesota.

Said Magnus, "Personal relationships are key and those buyers want to see the farmers."

DISTRICT 22A

2002 population: 36,438

Largest cities: Luverne, Pipestone

Counties: Murray, Nobles, Pipestone, Rock

Location: southwest Minnesota

Top concern: "We realize that for Minnesota to move forward, we have to have a healthy rural Minnesota."

— Rep. Doug Magnus

Hometown roots

Olsen draws on a lifetime of experience, community connections as new representative

By MICHELLE KIBIGER

When Rep. Stephanie Olsen (R-Brooklyn Park) imagined how the new legislative districts would be drawn last spring, she never



Rep. Stephanie Olsen

guessed the new District 47B would so completely contain the communities she has called home during her lifetime.

But when it did, and when she realized there would be no incumbent member, she knew a run for the House was meant to be.

"When the district was drawn, the Speaker looked at me and he said, 'It's like it was drawn for you,'" said Olsen.

The district includes all the places Olsen has called home throughout her life — her parents' home in Coon Rapids, and her current home in Brooklyn Park.

This wasn't Olsen's first run for the House — she ran for the Republican endorsement in the April 1995 special election for then-District 49B against Eldon Warkentin. She did not receive the endorsement, but her interest in the legislative process kept her active, and ultimately she came to work for the Republican caucus as an education researcher.

Olsen says the makeup of the district and consequently her ties to it made the campaign an interesting experience. She said she was able to reconnect with families she hadn't had contact with in many years, and that was a rewarding experience for her.

"Nobody was really surprised when I jumped into the race," she said. And during the campaign, she said, she and her husband, Troy, who also works for the House Republican caucus, had to find a balance between the rigors of the campaign and normal life.

As a legislator, Olsen said she hopes to bring her positive attitude and knowledge of both government in general and the education system in particular to the challenge of the looming budget deficit.

"Now is an exciting time to be elected," she

said. "We need more positive attitudes. I have a strong Christian faith and my parents always taught me that behind every challenge is a good thing in the end."

Being a teacher, Olsen said she will focus much of her attention on meeting the needs of the students, parents, and teachers of her district. She said she is interested in changing education policies, such as finding a workable solution to the state's graduation standards, which includes the Profile of Learning. But she also thinks the budget situation might create an opportunity to review education finance, as well.

"The Profile of Learning isn't working for my local teachers; it's not working for kids and parents. I think we'll see resolution of that and hopefully a replacement that's acceptable to all the stakeholders."

— Rep. Stephanie Olsen

"The Profile of Learning isn't working for my local teachers; it's not working for kids and parents," Olsen said. "I think we'll see resolution of that and hopefully a replacement that's acceptable to all the stakeholders."

Olsen said she will also turn her attention to the pressing needs of the north suburban communities she represents: transportation and transit options.

In addition to continued improvements in traffic flow along highways 252 and 610, Olsen said she hopes to see continued improvement to U.S. Highway 10, which runs through her district. In recent years, projects have increased the number of lanes through the growing communities of Coon Rapids, Anoka, and Andover.

With respect to transit, Olsen said she will explore expanding options for residents in the communities of the northern Twin Cities metropolitan area. In addition to the immediate needs for roads, she said busways should be examined as a flexible option for commuters. Currently, she said, residents of her district don't have as many options to get to St. Paul on the transit system without first going

through Minneapolis, which isn't convenient.

She said she's also interested in expanding suburb-to-suburb transit options in the northern metropolitan area and improving transportation options along Highway 10.

While living in Coon Rapids, Olsen traveled Highway 10 each day to attend college at St. Cloud State University. She said she hopes to bring that experience to the table when discussing transportation and transit options.

"I'm interested in the cost side of it," she said. "I'm just interested in being a part of that discussion, especially in my unique position having been on that pattern for so long."

Olsen says she's not intimidated by the budget situation, but she's ready to find a balance between cutting the budget and maintaining a level of service for constituents.

"As people voice their solutions, I want to look at those and try to bring ideas to the table myself," she said, "and solve the budget

without cutting resources — essential services, which there are. Government has a purpose."

Says family friend and Coon Rapids resident, Will Erickson, who has known Olsen and her family for many years, Olsen's energy and willingness to work hard will serve her well as a representative.

"She's a hard worker and an honest girl, and I think she'll do a great job for us," Erickson said. "In fact, I know she will."

DISTRICT 47B

2002 population: 36,543

Largest city: Brooklyn Park

Counties: Hennepin, Anoka

Location: northern Twin Cities suburbs

Top concern: "I do want to see some education reform, and we may see some substantial finance reform, depending on how the budget plays out and if we can find a better way to fund our schools."

— Rep. Stephanie Olsen

Called to action

Legislators told that three C's can help get through these troubled times

By MIRANDA BRYANT

Times haven't been more precarious around the globe since World War II. Yet a crisis is just what is sometimes needed for courageous leaders to improve a culture.

Such was the message Minnesota legislators heard Jan. 15 from one of the most experienced political advisors in the United States, David Gergen.

Currently the co-director of Harvard University's Center for Public Leadership, and the editor-at-large for *U.S. News and World Report*, Gergen has also held positions with the presidential administrations of Nixon, Ford, Reagan, and Clinton. His presentation was part of a Blandin Foundation conference, "Leadership: Making Good Decisions in Tough Times."

"People are hungry in this country for good political leadership," said Gergen, whose father was born in St. Paul and educated at the University of Minnesota.

Scandals in politics, religion, and corporate business have eroded the country's trust in most institutions. Adding to the crisis is concern over terrorism and what Gergen said is

an almost certain war in Iraq. In all, it is a difficult time to be a leader, he said.

"What's going to spell the difference is the quality of leadership," Gergen said before an audience, small in part because of a House Republican caucus meeting.

However, improving leadership and building constituency trust can be abstract notions, Gergen said. He laid out a strategy simply through a "three Cs" plan that culminates with the most important C of all: character.

The first C stood for candor.

State elected officials should tell Minnesotans that the projected \$4.56 billion budget deficit is not the end, but the beginning of a situation that can't be wiped away, he said.

"We are in the midst of a longer-term issue here that we have to face up to," Gergen said.

Legislators themselves must understand what portions of the deficit are short-term and what are structural, according to Gergen. To be blamed for the shortfalls, in part, is an antiquated structure that attaches taxes more often to products than to services, he said. This results in lost revenue potential, particularly around increasing

Internet commerce ventures.

The second C stood for consistency.

It's not good when elected officials release a budget shortfall figure only to increase the projected deficit a few weeks later, he said. This happened frequently under the Reagan administration, Gergen said.

The third C stood for confidence.

Even if a person isn't sure what must be done, that person should act with confidence, said Gergen. No one wants a broker that doesn't exude confidence, he explained.

But the three C's of candor, consistency, and confidence cannot properly be applied without character, which he said is the single most important attribute of public officials. He added that he would rather see a person with more character than intelligence than the reverse.

Both Nixon and Clinton were extremely smart, but each suffered from character flaws, said Gergen. Also, people might not have liked the philosophies of former U.S. Sen. Paul Wellstone, but they agreed he had character.

Sen. Sandra Pappas (DFL-St. Paul) was the only person who managed to ask a question of Gergen before he took a quick exit following his speech. She solicited advice on how to encourage elected officials and office contenders to reach for trust instead of power.

"I'm wondering if we're not our own worst enemies in terms of trust," she said, referring to political campaigns that turn negative.

This is a difficult issue in today's politics, Gergen replied, and it is the very thing that is keeping young people away from the polls.

"It's something you have to find in your own heart," he said. "(President) Washington taught us you gain power in willingness to give it up."

Following the address, legislators were asked a series of questions to help them understand the messages of Gergen's speech. One question had individuals asking themselves what they want history to say about the legacy of the current Legislature.

Sen. Steve Dille (R-Dassel) said he hoped history would say, "They made the biggest cuts in the history of the liberal Minnesota state government and still got re-elected."

The statement drew a round of laughter.

Sen. Becky Lourey (DFL-Kerrick) had another envisioned legacy: "In a time of deficit that we inspired our citizens of our state to rally together in support of a responsible safety net – policies that lead to opportunity with fairness and justice."

This time applause was the response. 



PHOTO BY ANDREW VON BANK

David Gergen, co-director of Harvard University's Center for Public Leadership and former advisor to four presidents, challenged legislators to be courageous political leaders during his keynote address at the Minnesota Horizons Conference Jan. 15.

Committee Information

2003-2004 Minnesota House of Representatives

Agriculture and Rural Development Finance

509 State Office Building 296-5373

Meets: Tuesdays and Thursdays,
12:30 p.m. in Room 5*

Members: 14

Chair: Harder-R

Vice Chair: Penas-R

DFL Lead: Juhnke-DFL

Blaine-R	Marquart-DFL
Dill-DFL	Peterson-DFL
Finstad-R	Swenson-R
Heidgerken-R	Urdahl-R
Koenen-DFL	Westrom-R
Magnus-R	Knoblach-R**

Staff

Committee Administrator

Craig Clark 296-1540

Committee Legislative Assistant

Dave Easterday 296-9463

Agriculture Policy

517 State Office Building 296-8634

Meets: Wednesdays, 12:30 p.m. in Room 5*

Members: 19

Chair: Swenson-R

Vice Chair: Blaine-R

DFL Lead: Otremba-DFL

Cornish-R	Koenen-DFL
Demmer-R	Lindgren-R
Dill-DFL	Magnus-R
Eken-DFL	Marquart-DFL
Finstad-R	Penas-R
Harder-R	Peterson-DFL
Heidgerken-R	Urdahl-R
Juhnke-DFL	Westrom-R

Staff

Committee Administrator

Mary Cummins 296-3244

Committee Legislative Assistant

Rebecca Lowden 296-4230

Capital Investment

453 State Office Building 296-6316

Meets: Tuesdays and Wednesdays,
12:30 p.m. in the Basement Hearing Room*

Members: 19

Chair: Krinkie-R

Vice Chair: Fuller-R

DFL Lead: Hausman-DFL

Anderson, B.-R	Mahoney-DFL
Bradley-R	Murphy-DFL
Eastlund-R	Olson-R
Gerlach-R	Solberg-DFL
Howes-R	Stang-R
Jaros-DFL	Tingelstad-R
Kelliher-DFL	Urdahl-R
Knoblach-R	Wasiluk-DFL

Staff

Committee Administrator

Craig Stone 296-5367

Committee Legislative Assistant

Kathy Heimeel 296-3367

Civil Law

545 State Office Building 296-9188

Meets: Tuesdays and Wednesdays,
2:30 p.m. in Room 10*

Members: 12

Chair: Smith-R

Vice Chair: DeLaForest-R

DFL Lead: Biernat-DFL

Atkins-DFL	Pugh-DFL
Borrell-R	Stanek-R
Kohls-R	Swenson-R
Latz-DFL	Wardlow-R
Lipman-R	

Staff

Committee Administrator

Dennis Virden 296-6860

Committee Legislative Assistant

Scott Wiggins 296-5356

Commerce, Jobs, and Economic Development Policy

379 State Office Building 296-9278

Meets: Tuesdays, Wednesdays, and
Thursdays, 12:30 p.m. in Room 10*

Members: 26

Chair: Davids-R

Vice Chair: Gerlach-R

DFL Lead: Rukavina-DFL

Atkins-DFL	Mullery-DFL
Brod-R	Nelson, M.-DFL
Clark-DFL	Osterman-R
Davnie-DFL	Pugh-DFL
Dorman-R	Sertich-DFL
Goodwin-DFL	Simpson-R
Gunther-R	Stang-R
Johnson, J.-R	Sykora-R
Kohls-R	Vandever-R
Lanning-R	Walz-R
Lindner-R	Wilkin-R
Mahoney-DFL	

Staff

Committee Administrator

Brian McDaniel 296-4283

Committee Legislative Assistant

Denise Berger 296-8857

Economic Development and Tourism Division

417 State Office Building 296-7806

Meets: Call of the Chair*

Members: 10

Chair: Lindner-R

Vice Chair: Walz-R

DFL Lead: Mahoney-DFL

Clark-DFL	Gunther-R
Davids-R	Sertich-DFL
Dorman-R	Simpson-R
Goodwin-DFL	

Staff

Committee Administrator

Brian McDaniel 296-4283

Committee Legislative Assistant

Kelly Tungland 296-5355

Education Finance

477 State Office Building 296-7803

Meets: Tuesdays, Wednesdays, and Thursdays, 10:15 a.m. in Room 10*

Members: 21

Chair: Seagren-R

Vice Chair: Kielkucki-R

DFL Lead: Greiling-DFL

Abeler-R	Johnson, J.-R
Bernardy-DFL	Klinzing-R
Biernat-DFL	Krinkie-R
Buesgens-R	Mariani-DFL
Davnie-DFL	Olsen-R
Demmer-R	Slawik-DFL
Eken-DFL	Sykora-R
Erickson-R	Wardlow-R
Goodwin-DFL	Knoblach-R**
Heidgerken-R	

Staff

Committee Administrator

Greg Marcus 296-9468

Committee Legislative Assistant

Kitty Musty 296-3316

Education Policy

403 State Office Building 296-4315

Meets: Tuesdays and Thursdays, 8:15 a.m. in Room 200*

Members: 31

Chair: Sykora-R

Vice Chair: Olson-R

DFL Lead: Carlson-DFL

Anderson, J.-R	Kielkucki-R
Bernardy-DFL	Klinzing-R
Biernat-DFL	Krinkie-R
Borrell-R	Latz-DFL
Buesgens-R	Mariani-DFL
Davnie-DFL	Meslow-R
Demmer-R	Nelson, C.-R
Eastlund-R	Olsen-R
Eken-DFL	Pelowski, Jr.-DFL
Erickson-R	Seagren-R
Greiling-DFL	Seifert-R
Heidgerken-R	Slawik-DFL
Jaros-DFL	Urdahl-R
Johnson, J.-R	Wardlow-R

Staff

Committee Administrator

Becca Pryse 296-9469

Committee Legislative Assistant

Jennifer Eilts 296-7167

Environment and

Natural Resources Finance

479 State Office Building 296-4306

Meets: Tuesdays, Wednesdays, and Thursdays, 8:15 a.m. in Room 5*

Members: 14

Chair: Ozment-R

Vice Chair: Tingelstad-R

DFL Lead: Wagenius-DFL

Cornish-R	Koenen-DFL
Dill-DFL	Lindgren-R
Hackbarth-R	McNamara-R
Holsten-R	Penas-R
Hoppe-R	Wasiluk-DFL
Kahn-DFL	Knoblach-R**

Staff

Committee Administrator

Marilyn Brick 296-8893

Committee Legislative Assistant

Mary Telega 296-5994

Environment and

Natural Resources Policy

409 State Office Building 296-2439

Meets: Tuesdays and Thursdays, 10:15 a.m. in Room 5*

Members: 22

Chair: Hackbarth-R

Vice Chair: Cox-R

DFL Lead: Clark-DFL

Cornish-R	Nelson, M.-DFL
Dill-DFL	Olson-R
Haas-R	Ozment-R
Holsten-R	Penas-R
Hoppe-R	Peterson-DFL
Howes-R	Swenson-R
Koenen-DFL	Tingelstad-R
Larson-DFL	Wagenius-DFL
Lindgren-R	Wasiluk-DFL
McNamara-R	

Staff

Committee Administrator

Dave Chura 297-5723

Committee Legislative Assistant

Shelley Peterson 296-3641

Ethics

289 State Office Building 296-4277

Meets: Call of the Chair*

Members: 6

Chair: Erickson-R

Vice Chair: Pugh-DFL

Davids-R	Mahoney-DFL
Murphy-DFL	(alternate)
	Rhodes-R
	(alternate)

Staff

Committee Administrator

Blair Tremere 296-8880

Committee Legislative Assistant

Jennifer Eilts 296-7167

Governmental Operations and Veterans Affairs Policy

443 State Office Building 296-9889

Meets: Mondays, Tuesdays, and Wednesdays, 12:30 p.m. in the Basement Hearing Room*

Members: 19

Chair: Rhodes-R

Vice Chair: Lipman-R

DFL Lead: Kahn-DFL

Boudreau-R	Knoblach-R
Ellison-DFL	Lesch-DFL
Erickson-R	Olsen-R
Haas-R	Samuelson-R
Hilty-DFL	Seifert-R
Jacobson-R	Solberg-DFL
Johnson, S.-DFL	Strachan-R
Kielkucki-R	Thissen-DFL

Staff

Committee Administrator

Laurie Esau 296-4112

Committee Legislative Assistant

Rory Koch 296-5394

Health and Human Services Finance

563 State Office Building 296-9249

Meets: Tuesdays and Thursdays, 8:15 a.m. in Room 10*

Members: 11

Chair: Bradley-R

Vice Chair: Wilkin-R

DFL Lead: Huntley-DFL

Abeler-R	Otremba-DFL
Boudreau-R	Samuelson-R
Finstad-R	Thao-DFL
Nornes-R	Knoblach-R**
Opatz-DFL	

Staff

Committee Administrator

Heidi Holste 296-7185

Committee Legislative Assistant

Cheryl Burke 296-4375

Health and Human Services Policy

559 State Office Building 296-8257

Meets: Mondays, 12:30 p.m.; Wednesdays, 8:15 a.m. in Room 10*

Members: 16

Chair: Boudreau-R

Vice Chair: Abeler-R

DFL Lead: Paymar-DFL

Bradley-R	Samuelson-R
Dempsey-R	Smith-R
Finstad-R	Soderstrom-R
Huntley-DFL	Thao-DFL
Nornes-R	Walker-DFL
Opatz-DFL	Wilkin-R
Otremba-DFL	

Staff

Committee Administrator

Andy Gildea 296-5065

Committee Legislative Assistant

Cassi Holmstrom 296-5489

Higher Education Finance

375 State Office Building 296-4373

Meets: Mondays, Wednesdays, and Thursdays, 12:30 p.m. in Room 300S*

Members: 12

Chair: Stang-R

Vice Chair: Nornes-R

DFL Lead: Pelowski, Jr.-DFL

Anderson, J.-R	Latz-DFL
Carlson-DFL	McNamara-R
Cox-R	Meslow-R
Dorn-DFL	Nelson, C.-R
Fuller-R	Knoblach-R**

Staff

Committee Administrator

Bret Walsh 296-4091

Committee Legislative Assistant

Mike Miller 296-7168

Jobs and Economic Development Finance

485 State Office Building 296-3240

Meets: Tuesdays, Wednesdays, and Thursdays, 8:15 a.m. in the Basement Hearing Room*

Members: 12

Chair: Gunther-R

Vice Chair: Dorman-R

DFL Lead: Dorn-DFL

Clark-DFL	Osterman-R
Dauids-R	Sertich-DFL
Gerlach-R	Severson-R
Lindner-R	Walz-R
Mahoney-DFL	

Staff

Committee Administrator

Erik Aamoth 296-5069

Committee Legislative Assistant

Liz Spears 296-6586

Judiciary Policy and Finance

543 State Office Building 296-5502

Meets: Tuesdays, Wednesdays, and Thursdays, 10:15 a.m. in the Basement Hearing Room*

Members: 20

Chair: Stanek-R

Vice Chair: Eastlund-R

DFL Lead: Murphy-DFL

Anderson, J.-R	Meslow-R
Blaine-R	Paymar-DFL
Ellison-DFL	Rhodes-R
Fuller-R	Smith-R
Hilstrom-DFL	Soderstrom-R
Hilty-DFL	Strachan-R
Johnson, S.-DFL	Thao-DFL
Lesch-DFL	Walz-R
Lipman-R	Knoblach-R**

Staff

Committee Administrator

Chuck Noerenberg 296-5533

Committee Legislative Assistant

Kevin Matzek 296-4119

Local Government and Metropolitan Affairs

575 State Office Building 296-8635

Meets: Tuesdays and Wednesdays, 2:30 p.m. in Room 200*

Members: 19

Chair: Dempsey-R

Vice Chair: Buesgens-R

DFL Lead: Mariani-DFL

Abrams-R	Hornstein-DFL
Adolphson-R	Klinzing-R
Blaine-R	Lanning-R
Brod-R	Lenczewski-DFL
Eken-DFL	Lesch-DFL
Ellison-DFL	Nelson, C.-R
Hilstrom-DFL	Severson-R
Holberg-R	Soderstrom-R

Staff

Committee Administrator

Lindsay Wallace 296-5376

Committee Legislative Assistant

Clayton Helmer 296-5998

Regulated Industries

381 State Office Building 296-3018

Meets: Tuesdays and Wednesdays, 2:30 p.m. in Room 5*

Members: 20

Chair: Holsten-R

Vice Chair: Westerberg-R

DFL Lead: Anderson, I.-DFL

Beard-R	Osterman-R
Cox-R	Ozment-R
Dauids-R	Pelowski, Jr.-DFL
Gunther-R	Simpson-R
Hackbarth-R	Vandever-R
Hoppe-R	Wagenius-DFL
Johnson, S.-DFL	Walker-DFL
Juhnke-DFL	Westrom-R
Larson-DFL	

Staff

Committee Administrator

Brian Fahey 296-9302

Committee Legislative Assistant

Kathleen Anderson 296-8871

Rules and Legislative Administration

459 State Office Building 296-7449

Meets: Call of the Chair*

Members: 21

Chair: Paulsen-R

Vice Chair: Seifert-R

DFL Lead: Entenza-DFL

Abrams-R	Johnson, J.-R
Anderson, B.-R	Kelliher-DFL
Boudreau-R	Olsen-R
Dorn-DFL	Ozment-R
Erickson-R	Pelowski, Jr.-DFL
Fuller-R	Solberg-DFL
Greiling-DFL	Sviggum-R
Hoppe-R	Tingelstad-R
Howes-R	Wagenius-DFL

Staff

Committee Administrator

Georgie Hilker 296-4276

Committee Legislative Assistant

Lesley Hinz 296-9183

State Government Finance

569 State Office Building 296-5513

Meets: Tuesdays and Wednesdays
2:30 p.m. in 500N*

Members: 11

Chair: Haas-R

Vice Chair: Jacobson-R

DFL Lead: Hilty-DFL

Cornish-R	Rukavina-DFL
Kahn-DFL	Seifert-R
Kielkucki-R	Strachan-R
Paymar-DFL	Thissen-DFL
Rhodes-R	Knoblach-R**

Staff

Committee Administrator

Jared Jordal 296-5318

Committee Legislative Assistant

Pat Carter 296-5399

Taxes

585 State Office Building 296-9934

Meets: Mondays, 12:30 p.m.; Tuesdays,
Wednesdays, and Thursdays, 10:15 a.m.
in Room 200*

Members: 25

Chair: Abrams-R

Vice Chair: Ruth-R

DFL Lead: Pugh-DFL

Anderson, I.-DFL	Lanning-R
Atkins-DFL	Lenczewski-DFL
Borrell-R	Lindner-R
Brod-R	Magnus-R
Dempsey-R	Marquart-DFL
Dorman-R	Mullery-DFL
Erhardt-R	Nelson, P.-R
Harder-R	Rukavina-DFL
Jacobson-R	Sieben-DFL
Jaros-DFL	Simpson-R
Kohls-R	Knoblach-R**
Kuisle-R	

Staff

Committee Administrator

Blair Tremere 296-8880

Committee Legislative Assistant

Kathy Kieffer 296-5991

Transportation Finance

565 State Office Building 296-4378

Meets: Tuesdays, 8:15 a.m. in Room 500S*,
and Wednesdays, 8:15 a.m. in Room 200*

Members: 20

Chair: Kuisle-R

Vice Chair: Westrom-R

DFL Lead: Lieder-DFL

Adolphson-R	
Anderson, B.-R	Magnus-R
Beard-R	Nelson, M.-DFL
DeLaForest-R	Nelson, P.-R
Erhardt-R	Peterson-DFL
Hausman-DFL	Ruth-R
Holberg-R	Thissen-DFL
Hornstein-DFL	Westerberg-R
Juhnke-DFL	Knoblach-R**
Larson-DFL	

Staff

Committee Administrator

Erik Rudeen 296-5528

Committee Legislative Assistant

JoAnn Overgaauw 296-5336

Transportation Policy

591 State Office Building 296-4363

Meets: Tuesdays and Wednesdays, 12:30
p.m. in Room 200*

Members: 23

Chair: Erhardt-R

Vice Chair: Howes-R

DFL Lead: Opatz-DFL

Adolphson-R	Lenczewski-DFL
Anderson, B.-R	Lieder-DFL
Beard-R	Nelson, P.-R
DeLaForest-R	Olson-R
Hausman-DFL	Ruth-R
Holberg-R	Seagren-R
Hornstein-DFL	Severson-R
Kelliher-DFL	Sieben-DFL
Kuisle-R	Slawik-DFL
Larson-DFL	Westerberg-R

Staff

Committee Administrator

Margaret Amundson 296-7427

Committee Legislative Assistant

Phyllis Brannan 297-5603

Ways and Means

453 State Office Building 296-6316

Meets: Thursdays, 12:30 p.m. in Room 200*

Members: 28

Chair: Knoblach-R

Vice Chair: Holberg-R

DFL Lead: Solberg-DFL

Abrams-R	Lenczewski-DFL
Adolphson-R	Ozment-R
Anderson, I.-DFL	Rukavina-DFL
Carlson-DFL	Ruth-R
Dorn-DFL	Seagren-R
Erhardt-R	Seifert-R
Gunther-R	Smith-R
Haas-R	Stanek-R
Holsten-R	Stang-R
Huntley-DFL	Sviggum-R
Kelliher-DFL	Wagenius-DFL
Krinkie-R	Walker-DFL
Kuisle-R	

Staff

Committee Administrator

Chas Anderson 296-8875

Committee Legislative Assistant

Shirley Koderick 296-4999

This list is subject to change.
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.



How to get here

Location

The Capitol complex is north of I-94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right. Go nearly one block and enter parking lot AA on the left just before Rice Street.

I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right. Go nearly one block and enter parking lot AA on the left just before Rice Street.

I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right. Metered parking spaces line both sides of the boulevard.

I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left. Go one block, turn right on Aurora Avenue and enter Parking Lot AA.

Visiting the Minnesota State Capitol complex can be a rewarding and educational experience for everyone. There are buildings to explore and tours to take almost any time you choose to visit. And when the Legislature is in session during the first part of every year, there are floor sessions to observe, committee meetings to attend, and legislators to meet. Remember that this is your state Capitol, and you are always welcome.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); and on the orange level of the Centennial Office Building Ramp at Cedar Street and Constitution Avenue. All-day metered parking is available in Lot Q. Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$3.50 from Plant Management on the third floor of the Ford Building. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

Outdoor handicapped parking is available in Lot N, which is on the northwest side of the Capitol, and in Lot F. One spot is available in Lot AA.

Indoor handicapped parking is available on the lower level of the State Office Building Ramp (use the call box at the ramp entrance to gain entry); on the blue level of the Centennial

Office Building Ramp; and on the entry level of the Administration Building Ramp (two stalls).

The main handicapped entrance to the Capitol is on the northwest side of the building, just off Lot N; there also are drop-off entrances on the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (651) 349-7000 for schedule and route information.

What to do

Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 5 p.m. (last tour leaves at 4 p.m.); Saturdays between 10 a.m. and 4 p.m. (last tour leaves at 3 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours are free of charge and begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

Tour participants may request customized tours that emphasize either the building or state government.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

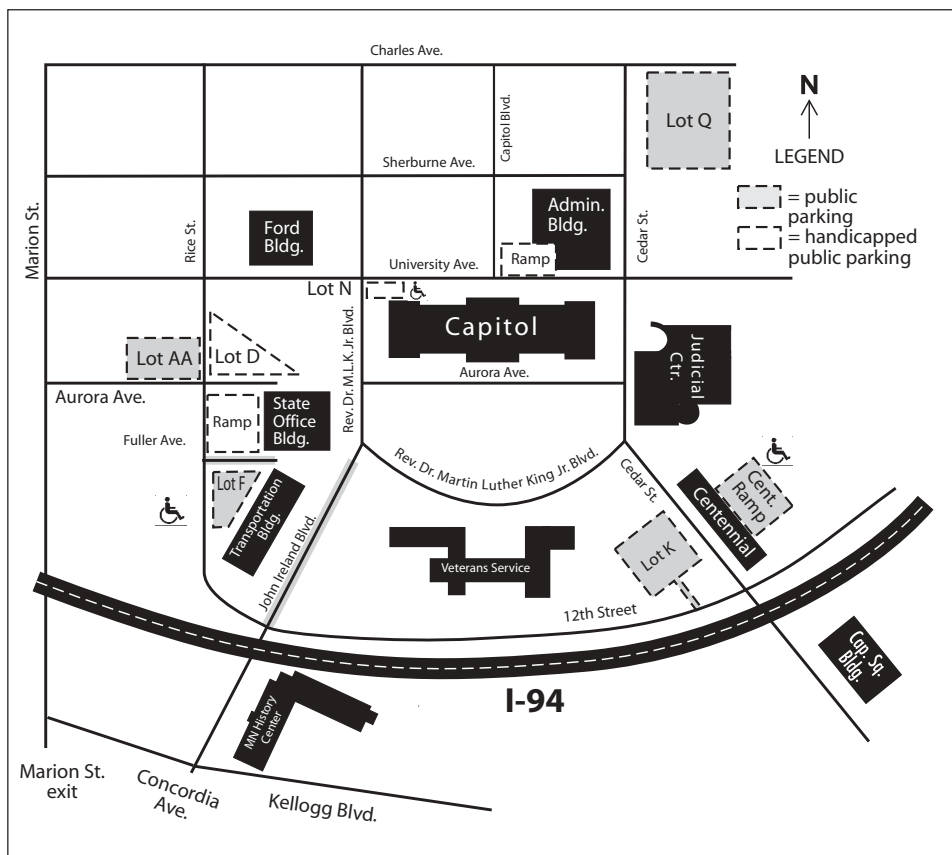
The society offers "Voice of the People: Your Role in Minnesota Government," a half-day session for students in grades 9-12.

Also, special tour events are scheduled monthly throughout the year. Some of these events entail admission fees; others are free. A special events guide is available upon request.

For more information about the tours or to reserve a time, call the Capitol Historic Site Program, (651) 296-2881.

Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.



At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the session's midpoint, however, the legislative pace quickens.

The House usually meets at 3 p.m. Mondays and Thursdays, and the Senate meets at 11:30 a.m. Mondays and at 9 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a day, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (651) 296-2314, or Senate Information, (651) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088. Printed agendas for the week also appear in each issue of the *Session Weekly* and the *Senate Briefly*.

Committee meetings are open to the public. When a public hearing is scheduled, the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in the House Public Information Office in Room 175, State Office Building, or the Senate Information Office in Room 231, State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Services Office.

Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in session. Large, year-round cafeterias are available in the State Capitol and the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul. Bus rides downtown cost 50 cents. You can catch the bus on Martin Luther King, Jr. Blvd.

Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

If group members want to meet with their individual legislators or testify before a committee (see "Committee meetings"), arrangements should be made at least a week in advance.

Often such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms—particularly when the topic is controversial.

About security

Visitors to the Capitol need not be concerned or postpone a visit following Sept. 11, 2001.

While security has been tightened, measures may not be obvious to the casual visitor. Remember only that you may need to identify yourself to a security officer stationed at a public entrance.

E-mail schedules

Anyone with e-mail can receive both House and Senate committee schedules.

To sign up to receive the House committee schedule, direct your Web browser to <http://ww3.house.leg.state.mn.us/scripts/lyris.pl?join=houseschedule> and fill out the subscription form on the Legislature's Web site.

You can also sign up for the Senate schedule on the Internet. Point your Web browser to <http://www.senate.leg.state.mn.us/schedule/listerv.htm> and fill out the subscription form.

Where to find information

House Public Information Office

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

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

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

House Television Services

216C State Capitol (651) 297-1338

House Television Services is responsible for live coverage of House floor sessions and some committee hearings. Such coverage is aired in the Twin Cities area on KTCI-TV, Channel 17. The House also broadcasts via satellite statewide, available on local cable systems. Internet users can also view committee hearings and floor sessions via the House TV Web site. Refer to the site at <http://www.house.mn/hvtv/liveweb.htm> for more information.

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

Chief Clerk's Office

211 State Capitol (651) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.

House Index Department

211 State Capitol (651) 296-6646

The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories. The office can also give you the current status of legislation.

Senate Information Office

231 State Capitol (651) 296-0504

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

Senate Media Services

B-44 State Capitol (651) 296-0264

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

MONDAY, January 20

HOUSE OFFICES CLOSED.

TUESDAY, January 21

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Consideration and action on the fiscal year 2003 committee budget balancing bill. If necessary, this meeting will continue one hour after session in 10 State Office Building.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: Budget solution bill.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: 2003 budget.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

8:30 AM

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: To be determined.

10:15 AM

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Consideration of revisor bill regarding aspects of 2003 budget revisions related to revenue and taxation law.

Other business to be announced.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Continuation of introduction to education finance.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Minnesota Pollution Control Agency (PCA) presentation and overview.

12:15 PM

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: There will be no formal committee meeting.

Members and staff will tour the Burnsville and Eden Prairie transit hubs. The tour is provided by the Suburban Metropolitan Transit Association.

The bus will leave from in front of the State Office Building promptly at 12:15 p.m. and will return at 2:15 p.m.

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room State Office Building

Chair: Rep. Jim Rhodes

*** Note: *** Change in Agenda

Agenda: Confirmation of Campaign Finance and Public Disclosure Board appointees Terri Ashmore and Bob Milbert. HF64 (Seifert) Administrative rules proposal statement of need and reasonableness contents specified.

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: Mark-up and consideration of a committee bill relating to FY02-03 budget balancing efforts and the Minnesota Department of Agriculture, the Agricultural Utilization Research Institute, and the Board of Animal Health.

Overview of Minnesota's dairy industry and presentation of legislative proposals by the Minnesota Milk Producers Association and dairy producers.

Commerce, Jobs, and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: Department overviews from the Department of Economic Security and Housing Finance Agency.

2:30 PM

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: Overview presentations by the Metropolitan Airports Commission and Minnesota Association of Townships.

3:00 PM

THE HOUSE MEETS IN SESSION

15 minutes after session

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Finalization of committee supplemental budget bill.

30 minutes after session or at the call of the chair

Ways and Means

Room: 200 State Office Building

Chair: Rep. Jim Knobloch

Agenda: Consideration of matters regarding revised 2003 budget legislation. Other business to be announced.

WEDNESDAY, January 22

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Overview of transportation financing.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Presentation on medical data collection by Minnesota Department of Health (MDH). Overview of opposition to MDH Plan. Concerns regarding: genetic research and informed consent, individual rights, technology and information security, the ethics of privacy, the impact on privacy laws, doctor-patient trust and confidentiality, and the impact on individuals and families.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Rich Stanek

Agenda: Fiscal year 2003 budget reductions. Testimony from affected agencies. Committee recommendations. Passage of fiscal year 2003 budget bill.

Education Finance
Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: 2003 budget reconciliation.

12:30 PM

Governmental Operations and Veterans Affairs Policy
Room: Basement Hearing Room State Office Building
Chair: Rep. Jim Rhodes
*** Note: *** Change in Agenda
Agenda: HF1 (Stanek) Anti-terrorism; driver's license information regulation provided, and federal laws and regulations adopted.
Other business to be announced.

Transportation Policy
Room: 200 State Office Building
Chair: Rep. Ron Erhardt
Agenda: Overview of transportation financing.
*Please note that the presentation in Transportation Policy on Wednesday afternoon will be the same presentation given in the Transportation Finance committee meeting in the morning.
**Members who are on both committees do not have to attend both meetings.

Agriculture Policy
Room: 5 State Office Building
Chair: Rep. Howard Swenson
Agenda: Overview of Minnesota Milk Producers Association, Greg Jans, dairy producer from Grove City and MMPA director; Lee Johnston, dairy producer from Swanville and MMPA director.
Overview of Minnesota Dairy Producers Board, Jeff Kunstleben, president.
Department of Agriculture Dairy Survey.

Economic Development and Tourism Division
Room: 10 State Office Building
Chair: Rep. Arlon Lindner
Agenda: Presentation from the Department of Tourism.
Overview of wastewater infrastructure issues.

2:30 PM

State Government Finance
Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: To be announced.

Civil Law
Room: 10 State Office Building
Chair: Rep. Steve Smith
Agenda: To be determined.

Regulated Industries
Room: 5 State Office Building
Chair: Rep. Mark Holsten
Agenda: Energy and Telecommunications agency overviews: Public Utilities Commission, Department of Commerce, Attorney General's Office, and Environmental Quality Board.

Capital Investment
Room: Basement Hearing Room
Chair: Rep. Phil Krinkie
Agenda: HFXXXXX (Krinkie) Fiscal year 2003 budget reconciliation committee bill.

Local Government and Metropolitan Affairs
Room: 200 State Office Building
Chair: Rep. Jerry Dempsey
Agenda: Overview presentations by local government associations:
League of Minnesota Cities;
Coalition of Greater Minnesota Cities;
Minnesota Association of Small Cities;
Association of Metropolitan Municipalities;
Local Government Alliance; and
Association of Minnesota Counties.
Others may be added.

THURSDAY, January 23

8:15 AM

Health and Human Services Finance
Room: 10 State Office Building
Chair: Rep. Fran Bradley
Agenda: To be announced.

Jobs and Economic Development Finance
Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: To be announced.

Environment and Natural Resources Finance
Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: To be announced.

Education Policy
Room: 200 State Office Building
Chair: Rep. Barb Sykora
Agenda: To be determined.

10:15 AM

Taxes
Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: Presentation by House Research and Fiscal Analysis tax staff.
Other business to be announced.

Education Finance
Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: To be announced.

Environment and Natural Resources Policy
Room: 5 State Office Building
Chair: Rep. Tom Hackbarth
Agenda: Department of Natural Resources (DNR) agency introduction and program overview.

Judiciary Policy and Finance
Room: Basement Hearing Room
Chair: Rep. Rich Stanek
Agenda: To be announced.

12:30 PM

Commerce, Jobs, and Economic Development
Room: 10 State Office Building
Chair: Rep. Greg Davids
Agenda: Department of Commerce
State Land Recycling Programs, Bonnie Balach, MN Solutions.

Agriculture and Rural Development Finance
Room: 5 State Office Building
Chair: Rep. Elaine Harder
Agenda: To be announced.

Ways and Means
Room: 200 State Office Building
Chair: Rep. Jim Knoblach
Agenda: To be announced.

FRIDAY, January 24

No meetings scheduled.

Monday, Jan. 13

HF49—Paymar (DFL)

Jobs & Economic Development Finance
St. Paul; Roy Wilkins Center asset preservation funding provided, bonds issued, and money appropriated.

HF50—Opatz (DFL)

Environment & Natural Resources Finance
St. Cloud regional parks and trails coordinating board grant provided, bonds issued, and money appropriated.

HF51—Davids (R)

Health & Human Services Policy
Health insurance provisions clarified relating to long-term care insurance.

HF52—Davids (R)

Commerce, Jobs & Economic Development
Insurers prohibited from charging membership fees or dues.

HF53—Opatz (DFL)

Transportation Finance
Northstar commuter rail system funding provided, bonds issued, and money appropriated.

HF54—Slawik (DFL)

Education Policy
School districts required to adopt policies on student-on-student abuse.

HF55—Mahoney (DFL)

Jobs & Economic Development Finance
St. Paul; Phalen corridor contamination remediation grant provided, bonds issued, and money appropriated.

HF56—Paymar (DFL)

Judiciary Policy & Finance
Domestic abuse testimony admissibility provisions modified.

HF57—Borrell (R)

Regulated Industries
St. Michael on-sale liquor licenses authorized.

HF58—Severson (R)

Jobs & Economic Development Finance
St. Stephen municipal water and wastewater systems funding provided, bonds issued, and money appropriated.

HF59—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Independent expenditures by political parties prohibited as a condition of candidates receiving public subsidies.

HF60—Lipman (R)

Governmental Operations & Veterans Affairs Policy
Absentee ballot provisions modified.

HF61—Anderson, I. (DFL)

Governmental Operations & Veterans Affairs Policy
House of Representatives organization provided in case of tie vote for a House officer.

HF62—Anderson, I. (DFL)

Governmental Operations & Veterans Affairs Policy
Veto override legislative sessions provided, and constitutional amendment proposed.

HF63—Boudreau (R)

Governmental Operations & Veterans Affairs Policy
Prior service credit purchase authorized for specified Department of Transportation employee.

HF64—Seifert (R)

Governmental Operations & Veterans Affairs Policy
Administrative rules proposal statement of need and reasonableness contents specified.

HF65—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Office of Lieutenant Governor abolished, and constitutional amendment proposed.

HF66—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Instant runoff procedure provided for presidential, congressional, and statewide elections; and municipalities authorized to adopt the instant runoff for local offices.

HF67—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
City council members election required after reapportionment.

HF68—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Election pilot project authorized to register voters and conduct absentee voting via the Internet.

HF69—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Candidate affidavits required to include address of residence, and affidavits rejected which indicate candidate does not live in the district of election.

HF70—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Elections; uncontested judicial offices required to appear after all contested judicial offices on the canary ballot.

HF71—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy
Local units of government authorized to permit permanent resident non-citizens to vote in local elections, and constitutional amendment proposed.

HF72—Dill (DFL)

Higher Education Finance
Vermilion Community College land acquisition authorized, bonds issued, and money appropriated.

HF73—Anderson, I. (DFL)

Local Government & Metropolitan Affairs
County emergency management plans required by January 2005.

Thursday, Jan. 16

HF74—Knoblach (R)

Ways and Means
State government finance bill appropriating money and reducing appropriations for education, health, human services, corrections, economic development, transportation, environmental, and other purposes.

HF75—Johnson, J. (R)

Civil Law
Joint and several liability apportionment regulated.

HF76—Davids (R)

Commerce, Jobs, & Economic Development
Credit scoring prohibited for auto and homeowner's insurance.

HF77—Opatz (DFL)

Higher Education Finance
Tuition reciprocity requirements modified.

HF78—Kahn (DFL)

Regulated Industries
Dairy mixed cocktail separate excise tax provided.

HF79—Stang (R)

Transportation Finance
Cold Spring traffic signal installed, and money appropriated.

HF80—Stang (R)

Commerce, Jobs, & Economic Development
Farm labor housing exempted from manufactured home park regulation.

HF81—Jacobson (R)

Transportation Policy
Transportation Department directed to proceed with reconstruction of I-35E and I-694 interchange.

HF82—Abeler (R)

Education Finance
Career and technical programs levy made permanent.

HF83—Buesgens (R)

Local Government & Metropolitan Affairs
Local governments prohibited from hiring lobbyists.

HF84—Opatz (DFL)**Capital Investment**

Capital improvements bill authorizing spending to acquire and better public land and buildings, issuing bonds, and appropriating money.

HF85—Opatz (DFL)**Higher Education Finance**

St. Cloud State University facility renovation funding provided, bonds issued, and money appropriated.

HF86—Marquart (DFL)**Health & Human Services Policy**

Senior citizens health benefit fund established, health endowment funds uses modified, prescription drug program eligibility expanded, and money appropriated.

HF87—Howes (R)**Transportation Policy**

Owner and operator of overweight implement of husbandry held liable for damage to roads and bridges.

HF88—Solberg (DFL)**Higher Education Finance**

Post-secondary work study and child care grant programs funding restored, and money appropriated.

HF89—Rukavina (DFL)**Higher Education Finance**

Northeast Higher Education District-Virginia science laboratories and other facilities funding provided, bonds issued, and money appropriated.

HF90—Rukavina (DFL)**Commerce, Jobs, & Economic Development**

Unemployment insurance pension deductibility provisions modified.

HF91—Rukavina (DFL)**Governmental Operations &****Veterans Affairs Policy**

Eveleth; retired police officers and firefighters and surviving spouses provided increased pension and retirement benefits.

HF92—Hausman (DFL)**Governmental Operations &****Veterans Affairs Policy**

Absentee ballot eligibility provided.

HF93—Lesch (DFL)**Local Government & Metropolitan Affairs**

St. Paul Civic Center authority powers and duties technical changes provided.

HF94—Seifert (R)**Agriculture Policy**

Circus prohibition around state fair time repealed.

HF95—Seifert (R)**Commerce, Jobs & Economic Development**

Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.

HF96—Stanek (R)**Judiciary Policy & Finance**

Public safety officer health insurance benefit reimbursement policy modified, and specified claims reimbursed from available funds.

HF97—Stanek (R)**Judiciary Policy & Finance**

DWI; alcohol concentration level reduced to .08 for impairment offenses involving a motor vehicle, criminal vehicular homicide, operating recreational vehicles, hunting, and operating military vehicles.

HF98—Opatz (DFL)**Jobs & Economic Development Finance**

St. Cloud Civic Center finding provided, bonds issued, and money appropriated.

HF99—Opatz (DFL)**Education Policy**

High school graduation projections required.

HF100—Hausman (DFL)**Capital Investment**

Capital improvements bill authorizing spending to acquire and better public land and buildings, issuing bonds, and appropriating money.

HF101—Mariani (DFL)**Jobs & Economic Development Finance**

St. Paul; Paul and Sheila Wellstone Center for Community building funding provided, bonds issued, and money appropriated.

HF102—Rukavina (DFL)**Commerce, Jobs, & Economic Development**

Minimum wage increased.

HF103—Larson (DFL)**Commerce, Jobs, & Economic Development**

Unemployment insurance benefit extension provided.

HF104—Juhnke (DFL)**Taxes**

Medical service vehicle tax exemptions provided.

HF105—Paymar (DFL)**Health & Human Services Policy**

Denturist licensure provided, licensure and examination requirements established, denture technology advisory council created, fees imposed, rulemaking authorized, and penalty provided.

HF106—Wilkin (R)**Governmental Operations &****Veterans Affairs Policy**

Litigation and settlement proceeds deposited in the general fund.

HF107—Kahn (DFL)**Civil Law**

Marriage between first cousins prohibition repealed.

HF108—Opatz (DFL)**Civil Law**

Joint and several liability apportionment regulated.

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



Protecting fathers

Law may require women to provide legal notice when putting child up for adoption

Six women are challenging a Florida law on the grounds that it involves an unconstitutional invasion of their privacy.

The law, part of revised Florida adoption standards, requires women who want to put a baby up for adoption to first conduct an exhaustive search for the biological father.

If the identity of the father is not known, the birth mother must place legal notices about the adoption in newspapers where the baby was conceived. The notice must include the mother's name and description, the name and description of possible father(s), and the date and city or county of conception.

Lawmakers contend that the intent of the policy is to protect fathers and prevent overturned adoptions.

"Time after time we have joined adoptive parents, watching in helpless horror as confused and fearful children are taken from adoptive homes that they have known for months or even years to be returned to a birth parent whose constitutional rights were not properly addresses in the adoption process," said Sen. Skip Campbell (D-Tamarac), the law's sponsor. "This can end these nightmares for everyone."

Campbell said the Florida law is supported by a number of legal and adoption support agencies in the state.

But Charlotte Danciu, a Boca Raton attorney representing the six women, argues that the notification requirement presents a roadblock and an invasion of privacy.

"When women come into my office and find their whole lives have to be exposed in the newspaper, they are like 'Forget it.'" Danciu told the *Sun-Sentinel*. "They can abort without consent, but they can't give the child an opportunity to live without humiliating themselves."

The requirement took effect in October 2001 but landed in the spotlight during the summer of 2002 when a Palm Beach County circuit judge declared the notification mandate unconstitutional in cases of forcible rape. The law was upheld under all other circumstances, but Danciu plans to appeal the decision.

Editor's Note: This story was written by Tara Bergen, an intern in House Public Information Services during the 2002 interim. Bergen, a senior at Duke University in Durham, North Carolina, is studying journalism and public policy.

Rep. Greg Davids (R-Preston) didn't get away with pulling a fast one on newly elected House members Jan. 16, but he tried.

Among the list of rules Davids authored as chair of the House Commerce, Jobs, and Economic Development Policy Committee was this edict: "Freshman legislators should be seen and not heard."

Offered in good humor by Davids, the rule was rejected following a motion by Rep. Laura Brod (R-New Prague), who herself is a first-time legislator. The remaining 16 rules, however, were approved.

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Reflections

The street that is home to the Legislature, the State Capitol, and the Minnesota Supreme Court is scheduled to get a new name at a dedication on Monday, Jan. 20, when it will be changed from Constitution Avenue to Rev. Dr. Martin Luther King, Jr. Blvd.

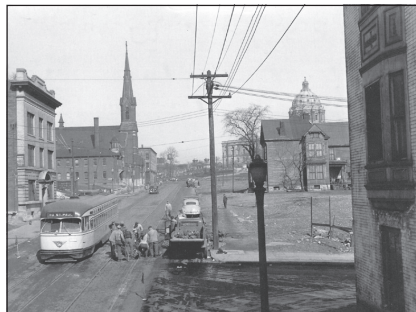
The idea of naming a St. Paul street in honor of the civil rights leader and Nobel Peace Prize recipient was approved in August 2002 by the St. Paul City Council. A number of streets were considered before the decision was made to pay tribute to Dr. King by renaming one of the city's most distinguished streets in his honor.

During construction of the statehouse in 1903, Cass Gilbert, its architect and designer, was the first to suggest a very dignified setting for the Capitol that included a Capitol Mall and grand boulevards that lead out to the city and beyond. Over the years, many original streets in the Capitol complex have disappeared, while others were reconfigured, or names changed to conform to historical importance.

When the State Capitol was completed in 1905, nearby streets through the neighborhood remained a part of the overall city plan: Cedar, Park, and Wabasha streets and Aurora, Central, University, and Summit avenues.

When the Capitol opened in 1905, the neighborhood had well-preserved mansions, rental apartments, business structures, hotels, and working class residences. By 1945, stately homes across the street to

the east and spired churches, handsomely built hotels, and businesses to the west had become part of a poor, rundown neighborhood of mostly dilapidated or boarded up buildings. Legislative approval in the early 1950s allowed for the neighborhood and Capitol complex to begin to take on the more distinguished look that Gilbert had in mind.



Wabasha Street in St. Paul, looking north from 13th Street, toward the State Capitol, right, in 1949. On the left is the spire of Trinity Evangelical Lutheran Church, torn down in 1952.

As the state government campus began to unfold, additions such as a new and grand boulevard was connected to Park Street (later known as Constitution Avenue south of University Avenue) and named for Archbishop John Ireland in 1958. The street helped provide a western edge to a

mall leading from the Capitol between it and Cedar Street to the east.

Other changes include blocking off Aurora Avenue directly in front of the Capitol and renaming the U-shaped street in front of the State Capitol Constitution Avenue in 1987.

Once again through a process of connecting with the past to improve the future, a new address unfolds. On Jan. 20, the Capitol city's Rev. Dr. Martin Luther King, Jr. Boulevard joins a list of more than 485 streets across the country that are named in his honor.

Often with dreams, change comes about.

—LECLAIR GRIER LAMBERT

Photo from the book *Twin Cities Then and Now*, by Larry Millett

Where to find information

House Public Information Services

175 State Office Building

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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>

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MINNESOTA

I N D E X

Minnesota Voters

Percentage of eligible Minnesota voters who cast ballots in November 2002	61.4
National rank	1
Number casting ballots	2,282,860
Percentage voting in November 2000	69.3
Percentage in 1998 (last gubernatorial election)	60.5
Voter turnout in Scott County in 2002 (state's highest), as percent	89.46
Highest county in 2000 (Grant)	79.53
Counties (out of 87) with better than 80 percent voter turnout in 2002	33
Those with less than 71 percent turnout	1
Minimum days one must be a Minnesota resident before the election to be eligible to vote	20
Number of Minnesota voters registering on Election Day	342,978
Percentage of voters registering on Election Day	15.02
Percentage in 2000	18.88
In 1998	15.79
In 1986	9.46
In 1976	22.95
In addition to Minnesota, states that allow for voter registration at the polls	4
States that have no voter registration	1
Minnesota counties that hand count all ballots	8
Use optical scanners at the precinct	12
Central count ballots using an optical scan	28
Hand and precinct count	14
Precinct and central count	21
Hand, precinct, and central count	4
Number candidates that were on the ballot for House seats in 2002	305
Public subsidy payments given to eligible state candidates from the Campaign Finance and Public Disclosure Board, in millions	\$4.44
Number of House candidates receiving money	272
Amount each received	\$2,608.51

Sources: Office of the Minnesota Secretary of State, House Public Information Services Office, Minnesota Planning, Federal Election Commission, and Minnesota Campaign Finance and Public Disclosure Board

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

JANUARY 24, 2003

VOLUME 20, NUMBER 3

In this issue:

MEDICAL PRIVACY DEBATE

ETHANOL PAYMENTS, MORE NEW MEMBERS, AND MORE

HF109-HF182

Session Weekly

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On the cover: The grand stairs to the old Supreme Court Chamber are illuminated as sunshine pours through the skylight on the eastern side of the State Capitol.

—Photo by Tom Olmscheid

Privacy versus progress

Battle is just beginning over Health Department plan to collect medical information from patients

By JEFF JONES

Saying that proposed state Health Department rules governing patient information equate to Big Brother watching over the shoulder of health professionals, many people criticized them before a House committee.

A proposed set of rules from the department would allow the state to begin collecting detailed patient medical information — including patient names, addresses, and ethnicities — from hospitals, insurers, and Health Maintenance Organizations. The information would primarily be used in an effort to measure the quality of care being offered in the state.

“It requires citizens to choose between health care and privacy. They can have one, but they can’t have both,” said Twila Brase, president of the Citizen’s Council on Health Care, in testimony before the House Health and Human Services Policy Committee Jan. 22. Her organization advocates for free-market principles in medical care and has organized strong opposition to the proposed rules since their introduction last August.

The Department of Health wrote the rules in accordance with a 10-year-old state law that directs the commissioner to collect data necessary to assess the quality of health care in Minnesota. The rules would create a database of administrative billing data that would allow the department to track a wide range of health care trends.

Dick Wexler, assistant commissioner with the department, touted the success of other states in collecting and using the medical information.

Wexler, who oversees the department’s Health Quality and Access Bureau, said the state of New York, which has a database similar to what the department has proposed, was able to decrease the mortality rate at hospitals performing heart-bypass surgery by 41 percent after publishing data comparing hospitals.

He also stressed that administrative billing data only contains codes and prices for a patient’s diagnoses and treatments. “It is not the medical chart or the medical record. There are no doctor’s notes,” he said.

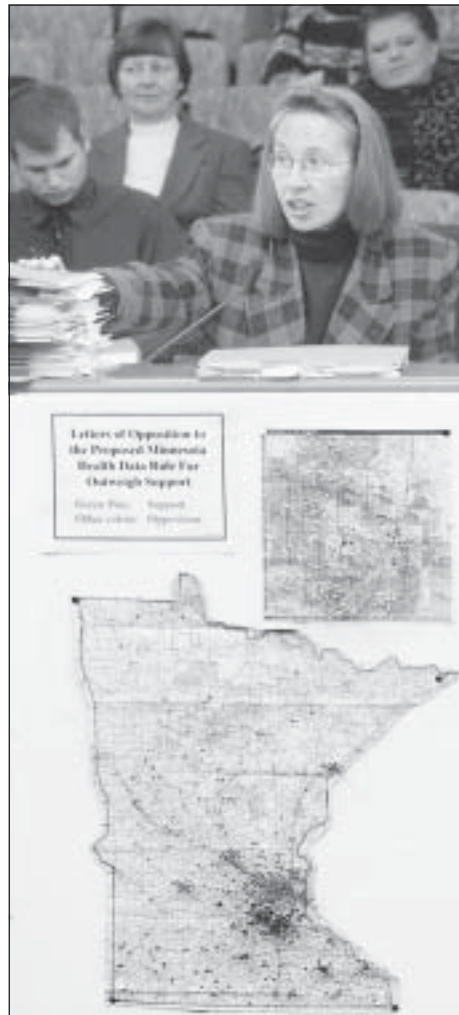


PHOTO BY ANDREW VON BANK

Twila Brase, president of the Citizens’ Council on Health Care, shows members of the House Health and Human Services Policy Committee letters in opposition to the medical collection plans of the Minnesota Department of Health.

Among the many proposed uses of the database in Minnesota are:

- Tracking changes in health care costs;
- Detecting emerging diseases or conditions;
- Comparing illness rates among geographic areas, ethnic groups, and ages; and
- Comparing the quality and efficiency of health care providers.

There was little disagreement at the hearing about the value of making such research available to the public, but testifiers were concerned about the type and volume of information the department says it will require. Especially divisive is the collection of some personally identifying data — including a person’s name, address, race, and ethnicity.

That information would be used to determine which patient corresponds to each piece of medical data, which Wexler said is necessary to track medical cases over time. “If you have five cases of diabetes, for example, you need to know if you’re dealing with one individual who went to five different providers or with five different people,” he said. “When you’re looking at the prevalence of disease around the state, that becomes important in knowing whether or not there’s an increase or an outbreak in a given area.”

It is the collection of this personally identifying data that has privacy advocates worried.

Brase said she fears it will allow the state, or anyone else who gets access to the database, to view a person’s entire medical history. “The quest for research dollars and results should not usurp the rights of individuals to have a private self outside the observation of the government, and outside the interpretation of researchers,” she said.

Health Department officials have tried to calm those fears by implementing high-tech security standards.

Under the rules, personally identifying data would be encrypted and submitted separately from billing records. The data would then be put onto a secure computer, where each person’s information would be assigned a random code number and then deleted, leaving only the code to connect with billing data in the database. Furthermore, he said, only two people can access the secure computer, and both must be present in order to access it.

Wexler said nobody would be able to see a patient’s name anywhere in the process.

Jim Rea, an information technology specialist, said he doubted the department would be able to completely ensure anonymity, even by replacing personal information with a random code. He pointed to the case of Social Security numbers, which were originally meant to be private pieces of information but have become the most widely used identification number in the United States.

Several testifiers said they fear people will not

seek needed treatment if they are afraid that sensitive information will be viewed by the state. Brase told the story of a woman who has cancelled her annual physicals "because she didn't want to be a part of a government record."

Brase said she foresees a situation where the treatment "best practices" the department would like to determine from gathered data would result in the state refusing to reimburse insurers for treatments that deviate from those practices. The result, she said, would be "government-directed medical practice."

"The entire process would inhibit the autonomy of individuals and diminish the physician's ability to treat patients as unique individuals," she added.

Margaret Brunner, a medical researcher and clinical educator at Hennepin County Medical Center, said what the state is proposing is essentially a giant research project and, like any other research, it should allow voluntary participation and the written consent of the participants.

"Without this process I feel this information gathering is an invasion of privacy, a violation of patient rights, and a breach of the medical provider/client confidentiality. I foresee a potential of some patients delaying seeking treatment if they thought every cough, sneeze, or hangnail was going to be reported."

While the Legislature is not an official part of the process for developing or implementing the rules, it has the authority to modify or repeal the rules that allow medical data collection. And that statute may become the central focus of the debate.

Legislators passed a law in 1992 to curb state health care spending by collecting and studying medical data. Three years later that law was modified to clarify that patient consent is not needed for the state to collect the information.

As recently as 2001, the House held hearings trying to determine the correct balance between public health and personal privacy. At that meeting, Attorney General Mike Hatch's office said the release of medical records should be up to the patient.

Advocates of the research said that restricting the pool of data available to the state would make it impossible for consumers to get useful information about their health care choices.

None of those advocates was on hand at the Jan. 22 meeting, but Rep. Lynda Boudreau (R-Faribault), committee chair, said more hearings will be held on the issue. Boudreau also said she expects legislation will be introduced to amend or repeal the law that allows for data collection.

Until such a law passes, the department may issue the rules any time based on a ruling by an administrative law judge. Gov. Tim Pawlenty has asked the department to delay implementation until he can review the policy. 🐼



Simpler times

Early legislators approved everything from name changes to church meetings

Imagine filing for divorce, but rather than hiring an attorney and going before a judge to have the case decided, you appeared before a legislative committee with the power to recommend granting or denying your application. At that committee, you testified regarding the situation, and the committee would forward your case on to the full Legislature for a final disposition.

Such was the case for some Minnesotans while the state's legal system was still in its infancy.

To understand the changes that state governance has undergone over time, one need only peruse the index of "special laws" book from any given legislative session.

In the late 19th century, it was common practice for the Minnesota Legislature to act on adoptions, restoration of citizenship, and name changes for individuals, as well as organizations. Even divorces could be granted by the Legislature in some circumstances. In this regard, the Legislature performed many of the duties now handled by courts of law.

For instance, in 1871 the Legislature allowed Ole Erikson to change his name to William Erikson. Samuel Godfrey Hubberstick's last name became Luscher, as did the last names of Henry Rudolph and Charles Adolph Hubberstick.

Some of the name changes appear to be a result of marriage and others perhaps related to an immigrant's desire to "Americanize" one's name.

In the same year, the Legislature approved changing the name of First Scandinavian Evangelical Lutheran Church of St. Paul to First Swedish Evangelical Lutheran Church.

Names weren't the only church business before the state Congress. In 1875 the Legislature passed a law allowing First Presbyterian Church of Hastings to change its annual meeting and trustees election from the fourth Monday in February to the third Monday in December.

An apparent adoption in 1881 was

approved when the Legislature declared that Amina Sybil Powers' last name could be changed to Dufty. The law stated that Amina be deemed the heir-at-law of Frederick M. and Levantia Jannette Dufty of Mower County, entitling her to all the rights and privileges as well as subjecting her to all the duties she would be subject to if "she were the child" of the Duftys.

It appears that the Legislature stopped acting on individual name changes around 1882, while its realm remained over the names of lakes, academies, churches, and streets.

This did not, however, remove from the Legislature's jurisdiction business that today might be addressed by lower bodies.

For instance, in 1883 senators and representatives acted to prevent cattle from running at large in portions of Waterville in Le Sueur County, and to regulate the same activity in certain towns and villages in Pope County.

Prohibited by law in 1889 was nude bathing in McCarrons Lake in Ramsey County, in modern-day Roseville, and legalized were the acts of certain officers for the Academy of Our Lady of Lourdes, a Catholic school in Rochester that actually predates the state.

Authority to erect telephone poles and wires over streets and alleys was granted to the City of Duluth in 1881. The law simultaneously declared it a misdemeanor, subject to a \$100 fine and up to three months in jail, for deliberate damage to telephone poles, wires or instruments.

And the width and direction of Summit Avenue in St. Paul were set in 1871. The width? One hundred feet.

In 2003 with significant budget shortfalls forcing the cutting hand of state elected officials, the Legislature would likely relish a return to simpler times when events were straight forward, simple, and seemingly innocuous.

(M. BRYANT)



The First Swedish Evangelical Lutheran Church, about 1890.

Photo courtesy of the Minnesota Historical Society

Editor's Note: A number of stories in this week's issue, particularly in the following Highlights section, explain individual committee proposals to address the state's projected budget deficit of \$356 million for the 2003 fiscal year. Those proposals were initially not introduced as bills, but were offered as amendments to HF74, sponsored by Rep. Jim Knoblach (R-St. Cloud).

The House Ways and Means Committee will compile the contents of that bill, which will then be forwarded to the House floor. The specific bills were introduced late Thursday, with the finance committee chairs as individual sponsors.

As this issue of *Session Weekly* was going to press, the Ways and Means Committee was meeting to discuss the budget bill. Please refer to the Session Daily Web site (<http://www.house.mn/hinfo/sdaily/sdaily.htm>) for updates and upcoming issues of *Session Weekly* for more in-depth coverage of the Legislature's budget-balancing proposals.

BONDING

Funding gets frozen

Funding approved in 1998, but not yet used, would be frozen and then disappear, as part of a bill approved Jan. 22 by the House Capital Investment Committee.

The Department of Finance is set to issue a report on Feb. 1 showing state and local government capital appropriations projects that were authorized more than four years prior. According to state law, those project funds will be canceled unless they are re-authorized by the Legislature.

However, as a way to help with the state's \$356 million budget deficit, the bill (HF136) calls for those unspent funds to be frozen Feb. 1. The estimated amount to the general fund is about \$9 million.

Included among those projects are the following:

- Nearly \$2.13 million for the Riverview Corridor in St. Paul,
- Almost \$2.02 million for local initiative grants for Department of Natural Resources trails,
- \$2 million for a school-to-work technology center in Itasca County, and
- \$1 million for a Hermantown community indoor sports complex.



PHOTO BY TOM OLMSCHIED

Peter Sausen, assistant commissioner with the Department of Finance, testifies before the House Capital Investment Committee Jan. 22 about project funding that would be canceled in an effort to help with the state's budget shortfall.

"The projects on this list are virtually dead unless the Legislature takes action to appropriate money," said Peter Sausen, an assistant commissioner with the Department of Finance.

However, Rep. Phil Krinkie (R-Shoreview), the committee chair and bill sponsor, noted that the bill's grand total is a somewhat moving target because the money could still be used if the groups in question finalize items to meet bonding requirements prior to the Feb. 1 deadline.

In addition, the committee bill calls for the cancellation of another approximately \$5.43 million in unencumbered general fund dollars from appropriations in 2000 or 2002 with those funds redirected to help with the state's projected 2003 deficit.

Included in that group is \$2 million for the

Guthrie Theater land acquisition, nearly \$1.5 million to the Department of Administration for agency relocation, and \$591,614 to the Capitol Area Architectural and Planning Board to be used for preservation work on the State Capitol in preparation of its centennial in 2005.

The committee also approved the cancellation of \$130 million in general fund appropriations for transportation from 2000 and authorizes the sale of \$130 million in trunk highway bonds to replace the general fund money. The provision is both in the capital investment proposal and the transportation finance proposal, both of which will be combined into the larger budget-balancing measure in the House Ways and Means Committee. Monies for bond sale expenses (\$130,000) are also included.

CRIME

On the chopping block

Citing public safety as a "core function of government," Rep. Rich Stanek (R-Maple Grove) praised the work of the House Judiciary Policy and Finance Committee Jan. 22 as the committee approved \$13.2 million in recommended budget cuts for fiscal year 2003.

"We did this without gimmicks," Stanek said, comparing the committee bill to one in the Senate that would transfer some state prison inmates to county jails. "We are not going to shift the burden to local units of government," he said.

The bill (HF135), which moves on to the House Ways and Means Committee for inclusion in an omnibus budget-balancing bill, included most of the cuts Gov. Tim Pawlenty recommended for departments under the committee's jurisdiction. Those include \$3.84 million from district courts, \$1.73 million from the state Supreme Court and Civil Legal Services, and \$1.54 million from the Public Defense Board.

There were also some deviations from the governor's proposal. The committee bill cuts the Department of Public Safety by \$1 million less than Pawlenty's recommendations. That burden was shifted primarily to the state Department of Corrections, which the bill cuts by \$900,000 more than recommended by the governor.

The extra money would allow Department of Public Safety programs such as grants to battered women and the Minnesota Gang Strike Task Force to receive full funding.

The bill encourages the corrections

commissioner to make most of the \$2 million in total cuts to that department in non-prison areas, specifically juvenile services and community services. Rep. Mary Murphy (DFL-Hermantown) and Rep. Keith Ellison (DFL-Mpls) objected to that provision saying juvenile programs are essential to keeping young people out of prison later in life. "There's still hope with the young people," Murphy said. "I don't like that we cut so much from one agency to give to another agency."

Stanek responded that the only alternative to cutting juvenile programs was to cut the number of guards and security personnel on the various shifts at prisons. Deputy Corrections Commissioner Dennis Benson said that core prison services have been cut as far as they can, given the recent dramatic increase in prison populations.

Stanek also included language in the bill that would eliminate the corrections ombudsman, who oversees investigations into complaints about prison conditions. Stanek said the function of that office is duplicated elsewhere in state government.

Many committee members were also surprised to see a \$24,000 cut from the state Tax Court budget. Murphy criticized Stanek for not notifying court representatives so they could be present for the hearing, which was well attended by officials from many different state agencies.

★ EDUCATION

Recalling funds

The House Education Finance Committee Jan. 22 recommended state aid cuts totaling \$7.5 million that would primarily affect K-12 school districts' adult education and community education budgets for the current fiscal year, but would not likely cause immediate program reductions.

The committee's bill (HF142) would also cut the Department of Children, Families and Learning budget by \$1 million, and reduce previously budgeted funds for early childhood family education programs by \$769,000.

The committee approved the bill, sponsored on behalf of the committee by Chair Rep. Alice Seagren (R-Bloomington) and sent it to the House Taxes committee. The cuts to the K-12 education aids budget were proposed by the Pawlenty administration to help eliminate the state's \$356 million anticipated shortfall for fiscal year 2003.

The governor's proposal would require school districts to return excess fund balances in "school readiness" assistance and early childhood education. The state requires school

districts to keep 25 percent of revenues (from state aid and local tax levies) in each of these two accounts for the state to reallocate to other school districts. The governor's proposal would eliminate the reallocation and recover the remaining state aid for the state general fund.

The committee's bill would also endorse the administration's proposal to require school districts for the first time to freeze 25 percent of state aid and local tax levy revenue for community education programs. The state aid portion would be returned to the state. Districts can apply to the department for waiver consideration if the funds have been allocated.

The proposed state recapture of these education aid funds is considered a one-time measure to help achieve a balanced state budget for fiscal 2003.

The committee's bill also added a \$1.6 million cut to adult basic education programs that was not proposed by the governor. The bill would reduce a budgeted growth factor allowed by the state to help adult education programs meet increasing demand for classes. That growth factor had set aside 8 percent of the state's adult education aid for supplemental service grants. The proposal would cut the growth factor to 2 percent. The difference in revenue produced by the formula would be returned to the state general fund.

Barry Lane, director of adult education for Bloomington-based South Hennepin Adult Programs in Education, said a cut in state aid would have a "dire impact on our operating for the rest of the fiscal year." The district might have to cut seven hourly teaching positions and perhaps 100 adult learners won't have classes available, Lane said.

Because the bill also affects an estimated \$6.2 million in tax levy revenue school districts won't be able to spend on community education and other programs, it will first be considered by the House Taxes committee and then the Ways and Means committee.

★ ELECTIONS

Public spending on ballot questions

The state and other local governments, including school districts, would be prohibited from using public funds to promote or defeat a ballot question, under a bill approved Jan. 22 by the House Governmental Operations and Veterans Affairs Policy Committee.

The bill (HF42), sponsored by Rep. Eric Lipman (R-Lake Elmo), now moves before the full House for consideration.

Lipman said the bill would not specifically change procedures already in place, it would

merely formalize them in the statutes. He said two state attorney general's opinions already dictate that government entities should not directly spend public funds to promote or defeat a ballot question, such as a constitutional amendment. The bill was amended to include school district levy referenda during the committee meeting.

Statewide, 91 school districts had levy referenda questions on the local general election ballot in November 2002.

Rep. Keith Ellison (DFL-Mpls) questioned whether the bill would affect the dissemination of information about ballot questions. He said that it seems many people don't realize what they are voting for when it comes to ballot issues and government entities should be able to provide general information.

Rep. Bill Hilty (DFL-Finlayson) wondered what would be considered promotion of an issue. He said it is conceivable that school districts will be required to explain why extra funding is needed, and he was curious whether that could be considered promotion.

Lipman said there are a number of laws governing a municipality's responsibility to provide justification for various ballot issues already on the books that would clarify those issues.

Members also pointed out that what typically happens when there is a local ballot question or referendum, a group of citizens or other interested parties will form a committee, raise money, and spend money advocating their cause that way, rather than formally using public funds to advocate for or against an issue.

There is currently no Senate companion to the legislation.

Campaign finance board members

Two potential members of the Minnesota Campaign Finance and Public Disclosure Board received committee approval Jan. 21.

Appointed by Gov. Tim Pawlenty, Terri Ashmore and former state Rep. Bob Milbert received the endorsement of the House Governmental Operations and Veterans Affairs Policy Committee. If confirmed by the full House and the Senate, their terms would expire in January 2007. A three-fifths vote is required from each body for confirmation – meaning 81 votes in the House and 41 votes in the Senate.

Ashmore is the managing director of the Basilica of St. Mary in Minneapolis. She has previous experience with the Republican Party, serving as campaign director for the Senate Republican caucus for the 1992 campaign, and was executive director of the House

Republican caucus from 1988-1990.

"I believe participation in campaigns is very important, and the laws in place are important to live by," she said.

After 16 years in the House, with sponsorship of the "Mighty Ducks" program that helped get many new ice arenas built around the state on his list of accomplishments, Milbert chose not to seek re-election in 2002. The DFLer from South St. Paul is the CEO of Milbert Company, a Culligan Water dealership. He also is a board member of the Minnesota Amateur Sports Commission and the USA Hockey Foundation.

The board focuses on four programs, including the following: campaign finance registration and disclosure, economic interest disclosure by public officials, lobbyist registration and disclosure, and public subsidy administration.

Following the confirmation of Ashmore and Milbert, the makeup of the board will be three Republicans, two DFLers, and one Independence Party member. State law prescribes that the members of the board must represent different political parties. It also dictates that some may be former legislators, while others should not be public officials. For example, no more than three of the members of the board may support the same political party, and no member of the board may serve as a lobbyist.

★ EMPLOYMENT

Development funding cuts proposed

Despite concern about the funding for an Iron Range development program, the House Jobs and Economic Development Finance Committee approved \$73.5 million in budget cuts Jan. 22.

The reductions address a portion the \$356 million budget shortfall for the remainder of fiscal year 2003. The committee's bill (HF141), sponsored by Chair Rep. Bob Gunther (R-Fairmont), will be forwarded to the House Ways and Means Committee for incorporation into one overall budget deficit bill. The larger budget bill will likely be considered by the full House before the end of January.

If ultimately passed, the committee bill would transfer \$49 million from the Minnesota 21st Century Minerals Fund to the state general fund. Gov. Tim Pawlenty proposed transferring only \$39 million from the fund that provides loans and investments to iron production facilities.

The transfer leaves \$10 million in the fund, said Gunther. He said the fund is a "pile of money" that the state needs to create jobs on the Iron Range, but not right now.

DAIRY OVERVIEW



PHOTO BY ANDREW VON BANK

Dairy producers Larry Amundson from Thief River Falls, *right*, and Jerry Jennissen from Brooten, give an overview of the state's dairy industry before the House Agriculture and Rural Development Finance Committee Jan. 21.

"At this time there is no apparent project they can use that for," he said.

Rep. Tony Sertich (DFL-Chisholm) disagreed, stating he has three projects in the works in his district – projects potentially creating 4,000 jobs on the Iron Range — that could benefit from the minerals fund.

Rep. Tim Mahoney (DFL-St. Paul) presented an amendment that was rejected along a party line vote. Offered on behalf of DFL members, it called for reducing the jobs committee's overall budget by \$17.5 million, far less than proposed by the approved bill. Mahoney's amendment left untouched the minerals fund, as well as Minnesota Technology Inc. funding. And it reduced the amounts of proposed budget cuts to the Minnesota Historical Society and the Housing Finance Agency.

Minnesota Technology Inc., a technology based economic development organization, helped 1,474 companies in the past two years create high-wage jobs in rural Minnesota. President Jacques Koppel previously told the committee that the state receives \$26.4 million in new sales and income tax revenues from its \$11.4 million biennium appropriation to his firm.

The committee "probably could go away seeing as we're destroying all the economic development tools rural Minnesota has," said Mahoney.

For fiscal year 2003, the committee bill

would also:

- Reduce funding by \$700,000 to the Minnesota Investment Fund, which promotes industrial, manufacturing and technology jobs;
- Cut \$1 million from the Job Skills and Pathways Program, a reduction not included in Pawlenty's proposal; and
- Transfer \$265 million to the state general fund from a special compensation fund for workers' compensation claims.

Services for the blind would have funding restored by \$124,000 in fiscal year 2003 and by \$196,000 in fiscal years 2004-05, under the bill. A motion by Rep. Karen Clark (DFL-Mpls) to eliminate \$60,000 in proposed budget cuts to four minorities councils was rejected by the committee, however.

★ ENVIRONMENT

Project green light

While the state's budget woes have pushed legislative appointments to the back burner, the Legislative Commission on Natural Resources awaits the addition of several House members and senators to round out the 20-member body.

The commission makes funding recommendations to the Legislature on special environmental projects funded by the Environment and Natural Resources Trust

Fund, Minnesota Future Resources Fund, and other designated natural resources accounts.

Commission Director John Velin presented an overview of their approval process to the House Environment and Natural Resources Finance Committee Jan. 22.

The commission prioritizes environmental funding needs through a combination of site visits, public meetings, and interviews with experts, local government officials, and project coordinators. The commission seeks innovation and acceleration, Velin said. Trust fund dollars must supplement, not supplant, traditional sources of money.

The funding levels start at zero every two years, he explained. "Nothing is a given."

Velin cited the development of a biological control for purple loosestrife as an example of a highly successful commission-approved program.

Purple loosestrife is an attractive yet noxious plant that will choke a wetland if left to propagate. When the application of traditional pesticides proved to kill everything but the hearty loosestrife, trust fund dollars aided researchers in the 1990s with the introduction of a leaf-eating beetle.

Other recently completed projects include assisting landowners with prairie and forest stewardship plans, brownfield redevelopment, and Wilderness Inquiry, an accessible outdoor recreation initiative.

The commission recently completed a two-year approval cycle, but supplemental budget cuts and a proposed transfer of \$2.4 million from the future resources fund likely will force it back to the drawing board before it moves forward with funding recommendations for fiscal years 2004 and 2005.

PCA priorities

The next four years will bring three "P's" into focus at the Pollution Control Agency (PCA): Partnerships, Policies, and Priorities, according to newly minted commissioner Sheryl Corrigan.

Just a few weeks into her new job, Corrigan made her first appearance before the House Environment and Natural Resources Policy Committee Jan. 21.

The biggest challenge now facing the agency, Corrigan said, is that the sources of pollution tend to be less obvious. The causes of contaminants have changed over the years from easily identifiable industrial smokestacks to non-point sources such as polluted runoff from agricultural and urban areas, poorly constructed septic systems, and exhaust from cars and other mobile sources, she said.

"We have the right folks, we have a lot of energy out there, and now we need the right

policy focus," Corrigan told the committee. "I'm hoping you can help us with that."

Corrigan touted the success of the agency's Voluntary Investigation and Cleanup and Superfund programs in bringing contaminated land back into productive use.

Many of those sites will be switching from an identification and cleanup mode to a less costly "maintenance mode" in the next few years, she said, and funding priorities will shift to tackle non-point pollution problems.

Another change to expect under Corrigan's direction will include a review of the timeliness of the agency's water permitting process.

"We've come under scrutiny in the past for our ability to get the permits in and out of the agency in a reasonable amount of time," she said.

Citing both the expense and the unsettling effects on citizens and staff, Corrigan pledged there would be no major reorganizations of the agency's structure under her watch. She also said there would be no increase in the commissioner's office budget.

Rep. Tony Cornish (R-Good Thunder), a former farmer and retired conservation officer, urged Corrigan to be mindful of farmers' reputations and the financial repercussions of agriculture regulation. He told of an incident where algae foam floating down the Blue Earth River was misidentified in the community as a manure spill.

Rep. Howard Swenson (R-Nicollet) echoed Cornish's sentiments. "If a spill happens, it sometimes seems like the media and some of these groups... assume it's the fault of agriculture."

Corrigan replied that she would like to see the focus on the state's impaired waters go beyond feedlots to achieve more of a partnership with the agricultural community.

Lottery-to-land link

"When Minnesota plays, everybody wins," declares the Minnesota State Lottery Web site, and Minnesotans played to the tune of \$377 million in fiscal year 2002.

In comparison, charitable gambling drew \$1.4 billion and horse racing collected another \$77 million. Estimates place illegal wagering expenditures at \$2 billion over that same time span.

George Andersen, Minnesota State Lottery director, explained the link between lottery proceeds and environmental funding to the House Environment and Natural Resources Finance Committee Jan. 22.

The Minnesota State Lottery sells scratch tickets and online games such as Powerball and Gopher 5 at approximately 3,100 retailers statewide. Lottery sales at Minneapolis-St. Paul International Airport are strong, however the most successful outlets are major convenience

stores. "We love them to death," Andersen said of the big retailers where customers are drawn to purchase lottery tickets along with gasoline and milk.

Andersen wryly said he rues "the invention of those evil things like pay at the pump — I prefer for them to go into the store."

The lottery does not oversee charitable gambling such as pull tabs and bingo, card clubs, casinos, or racetracks.

"The spending that we are after and the spending we in fact do get is entertainment dollars," Andersen told the committee.

For every dollar spent on lottery tickets in fiscal year 2002, 58.9 cents was earmarked for prizes, 13.2 cents satisfied operating costs, 6.3 cents was paid to retailers, and 21.6 cents went to the state.

Forty percent of net lottery proceeds are constitutionally dedicated through 2024 to the Environment and Natural Resources Trust Fund for preservation and enhancement projects. The Legislative Commission on Minnesota Resources administers the trust fund and the lottery has no say in how or where those dollars are spent.

The commission is restricted by law to approve only those projects that supplement, but do not supplant, traditional environmental funding sources. Commission recommendations must meet legislative approval.

Lottery proceeds are added to the environment trust fund's principal and lawmakers are authorized to appropriate 5.5 percent of the fund's market value each year.

In addition, environmental endeavors including trail upgrades and wildlife conservation receive funding from a 6.5 percent "in lieu of" sales tax that is paid annually by the lottery to the state's game and fish fund and natural resources fund.

Since the start of lottery sales in 1990, the overall contribution to state coffers has been more than \$1 billion, Andersen said. The Environment and Natural Resources Trust Fund has received \$301.4 million and the game and fish and natural resources funds have collected \$27.5 million, respectively.

★ GOVERNMENT

State operations cuts

The Legislature would take a nearly \$3.1 million hit if the supplemental budget bill (HF138) approved Jan. 21 by the State Government Finance Committee becomes law.

On its way to the Ways and Means Committee, where committee bills are to be merged into one House proposal, the \$11.4 million bill is part of a plan to reduce the state's \$356 million shortfall for this fiscal year. The total

package is likely to be considered by the full House next week.

Of the proposed permanent legislative cuts, the Senate would lose \$1.7 million, the Legislative Coordinating Commission \$755,000, and the House \$640,000.

The bill provides for no reduction in money used by House Television Services to buy air-time on stations across the state. The budget reduction proposal offered by Gov. Tim Pawlenty calls for a \$418,100 grant reduction for this service.

Rep. Bill Haas (R-Champlin), committee chair and sponsor of the proposed cuts, said that it is important to keep programming on the air so that everybody has the opportunity to watch what is happening in St. Paul. "I want the public to be able to see the proceedings that go on in this body," he said. "I want them to be fully informed."

Other areas that would take big hits in the bill include \$1.8 million at the Department of Revenue, nearly \$1.17 million from the Office of the Attorney General, and \$1 million from the Facilities Repair Account. The smallest proposed cut is \$300 from the State Band.

The bill makes it easier to contract with private companies for state services valued in excess of \$5,000 by eliminating a provision that would require agencies to certify that a state employee is not available nor able to perform such services.

One of the more contentious parts of the bill is a mechanism for salary savings among state employees.

The bill gives department heads the ability to require unpaid leave for their employees before the fiscal year ends on June 30. Employees on unpaid leave would continue to accrue vacation and sick leave, seniority, service credit towards their retirement plans, and would retain their insurance benefits as if they were working during the unpaid leave.

"This says that if we all do our part we can get through this instead of having to lay people off," Haas said, noting that salary savings is occurring at many places in corporate America.

Julie Bleyhl, legislative director for AFSCME Council 6, said she believed the salary savings requirement would impair existing agreements.

When the Legislature adjourned last May no contracts were signed, but the commissioner of employee relations and the two unions representing state employees signed contracts that the Legislature failed to approve in 2002. As a result, they are in effect on an interim basis pending Legislative approval. However, the Legislature can reject the contracts making the salary savings not violate the contract. If the Legislature does not give its approval, the contracts cease to be effective as of the day the Legislature adjourns.

Bleyhl said she still expects a significant salary savings from union members if the plan is voluntary.

Disclosing total impact

Governmental units, businesses, and individuals that may experience increased costs as a result of administrative rules would receive more information about the full extent of that monetary impact, under a bill approved Jan. 21 by the House Governmental Operations and Veterans Affairs Committee.

Sponsored by Rep. Marty Seifert (R-Marshall), HF64 is now headed to the House State Government Finance Committee.

Current law states that agencies preparing a rule change must present a Statement of Need and Reasonableness (SONAR) "to the extent the agency, through reasonable effort, can ascertain this information." Included in that information is probable costs associated with the change and who will bear those costs.

The bill would require that more specific information be included in the statement.

"Agencies now outline probable costs but are not as detailed as one would like," Seifert said, encouraging the more detailed cost breakdowns. "This may not get the perfect product, but it is better than we have now."

Administrative rules are enacted by state agencies and have the full force of law. In many cases, agencies are allowed flexibility in establishing rules, though a public hearing process is often required. Legislative approval is also required in some cases.

Noting that agency rules can sometimes mean large mandates on communities, Rep. Tony Kielkucki (R-Lester Prairie) successfully offered an amendment that would require legislative approval if aggregate costs are estimated to exceed \$100 million in the first 10 years. "I'm trying to get the Legislature involved, especially with big ticket items."

A second successful Kielkucki amendment would allow a local elected governing body to request that the finance commissioner prepare a local impact note on a proposed rule. This applies to cities, townships, counties, school districts, and sanitary districts. The request must be made prior to a public hearing on a proposed rule, or before the deadline for requesting a public hearing if an agency plans to adopt the rule without a public hearing.

The bill's Senate companion, SF61, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action in the Senate State and Local Government Operations Committee.

★ HEALTH

Scaling back programs

The House Health and Human Services Finance Committee approved a recommendation Jan. 21 for \$45.3 million in revenue enhancements and funding cuts to state departments and programs – in excess of Gov. Tim Pawlenty's budget-reduction recommendations by more than \$6 million.

House members voted to send the committee bill (HF140), sponsored on behalf of the committee by Chair Rep. Fran Bradley (R-Rochester), to the House Ways and Means Committee for inclusion in the omnibus budget balancing package for the current fiscal year.

The additional cuts above the governor's recommendation would make up, in part, for an expected reduction in cuts to ethanol subsidies, Bradley said.

The money comes from a wide variety of sources within the departments of Health and Human Services, including \$7.8 million from department operating budgets. About \$9 million would come from one-time sources, and would primarily include funds not yet allocated this year by grant programs, such as those designated for eliminating health disparities and those for investigations to prevent fraud.

Another \$19.7 million would come from structural changes to the departments, including a reduction in state reimbursements to pharmacies that provide low-cost drugs, and \$3.5 million from a Women, Infants, and Children (WIC) program that provides certain clinical services and nutritional advice to low-income women and families. The so-called "Cover All Kids" legislation that passed during the 2001 Special Session and would gradually expand state health care coverage for children — a priority of former-Gov. Jesse Ventura's administration — would also be repealed.

The bill would lower the income limit of some assistance programs such as child-care assistance through the Minnesota Family Investment Program (MFIP). Previous law allowed the commissioner to establish income limits, but the bill would dictate that assistance would be available for those with incomes up to 250 percent of federal poverty guidelines. The 2002 poverty guideline for a family of four was \$18,100.

In addition, the bill would make non-citizens ineligible for most state-funded aid programs, including prenatal services.

The bill would raise \$12.5 million by increasing the surcharge paid to the state by non-state-operated nursing homes. That surcharge had been raised last year in budget-balancing efforts.

Though most of the bill deals with the Health and the Human Services departments, the Department of Children, Families and Learning also receives \$667,000 in grant cuts and child-care fee increases and eligibility adjustments.

HIGHER EDUCATION



Trimming college budgets

In many business and economics classes, college students are taught about having to do more with less. The same could be said for institutions of higher learning.

As part of the budget reduction plans (HF137), the House Higher Education Finance Committee approved a supplemental budget bill Jan. 22 that calls for \$81.5 million in cuts. The University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) would each absorb a \$25 million general fund hit, while the Higher Education Services Office (HESO) would face a \$1.5 million cut.

Combined, the total represents about 17 percent of Gov. Tim Pawlenty's targeted \$468 million budget reduction for fiscal year 2003.

The proposed cuts are now headed to the House Ways and Means Committee.

Pawlenty recommended cuts of nearly \$107,000 each year for HESO, but Rep. Doug Stang (R-Cold Spring), the committee chair, said that fund balances indicate there was additional money that could be used to help with the budget situation.

"This means we will have to look at other program reductions outside the student grant program," said HESO Director Robert Poch.

Additionally, HESO would lose \$30 million from its Student Education Loan Fund (SELF) program, which provides long-term, low interest loans to Minnesota residents for post-secondary schooling and non-Minnesota residents attending Minnesota schools. This is a one-time reduction.

Without knowing specifics at this time, Christine Maziar, executive vice president and provost at the University of Minnesota, said the cuts "will be felt by every campus, every college, and every support service." She said midyear tuition hikes are not part of the solution.

MnSCU Chancellor James McCormick said the system's institutions are already serving more students with less money. He said he expects a combination of cuts and "spending all or almost all of our reserves," noting he will not take the reserves from one campus to help another. He said administrators have no intention of raising tuition this spring.

"We all need to think about this and think about the record enrollments plus the loss of

base increase," said Rep. Gene Pelowski, Jr. (DFL-Winona).

Laura King, MnSCU vice-chancellor for finance, said when the \$25 million base cut this year and in each year of the next biennium is added to the \$105 million they planned to propose in additional funding for the next biennium, and likely won't receive, that could equate to upwards of a cumulative 40 percent tuition increase by 2005. However, she is quick to point out that is not the direction the system is looking toward as a solution.

Rep. Ron Latz (DFL-St. Louis Park) questioned the wisdom of rushing this through without a significant grasp of what the cuts may mean to people, such as having to stay in school longer. Conversely, Rep. Doug Meslow (R-White Bear Lake) said he thinks now is the time to make the cuts because it gives the systems more choices on where to make the cuts. "We don't do them any favors by delaying the process," he said.

TAXES



Equipment refunds

The House Taxes Committee approved a bill Jan. 21 that would allow the state to delay interest payments on sales tax refunds for business capital equipment purchases.

The bill now moves to the House Ways and Means Committee, where it may be incorporated into a larger bill for consideration by the full House. The measures are designed to address the state's \$356 million deficit for fiscal year 2003.

Current law allows businesses to receive a

refund on sales tax paid on capital equipment purchases, and to receive interest on that refund. At 5 percent this year, the interest is calculated from the date the refund claim is submitted.

Under the proposed bill, the state could delay for 90 days the commencement of sales tax accrual. The bill doesn't require that the state delay payment for 90 days, however.

According to nonpartisan House researchers, the state refunded \$172.6 million in capital equipment sales taxes in 2002. Forty-five percent of refunds were paid within 12 days while the remainder was paid in an average of 40 days.

Rep. Ann Lenczewski (DFL-Bloomington) equated delaying sales tax refunds to a tax increase for businesses. In the past, when a fee wasn't collected the Legislature viewed it as a tax cut, she said. Conversely, when a sum isn't reimbursed it should be viewed as a tax increase.

"From a rhetorical standpoint I think it's a debate we'll continue to have throughout this whole session," Lenczewski said.

Rep. Tom Rukavina (DFL-Virginia) said the bill simply shifts the state's obligations into the next biennium.

"I hope people realize when you increase a citizen's or business' obligation to the state or a local unit of government that it's a tax increase," Rukavina said.

But Rep. Pete Nelson (R-Lindstrom), a small business owner, disagreed. Businesses make capital equipment purchases, he said, to effect business improvements, not to make money on sales tax refunds.

"I do not see this as being a negative," he said.

EAGLE CENTER FLAP



PHOTO BY KRISTINE LARSEN

Sandy Runnigen from the National Eagle Center in Wabasha holds Angel, a 4-year-old bald eagle, during a Jan. 21 protest of the governor's budget proposal to cut a \$500,000 matching grant to the center.

All for one

Governor's plan to cut ethanol payments prompts rural Minnesotans to join together to protect their livelihood

By TOM LONERGAN

Ethanol supporters rallied around the cause of saving producer subsidies from budget cuts, after the House began considering Gov. Tim Pawlenty's proposed cut to the state's ethanol program.

On Jan. 16, two days after the governor's announcement that he planned to cut the calendar year's remaining state payments to ethanol producers as part of balancing the fiscal year 2003 budget, several hundred protesting farmers and ethanol plant officials packed the House Agriculture and Rural Development Finance Committee's first meeting of the legislative session.

"We're not against sharing some of the pain," said Joe Johanson, general manager of Minnesota Energy in Buffalo Lake, among the smallest of the state's 14 ethanol plants. "But you've got to understand, let's not go to murder, either. If we don't have that producer's credit, we're in trouble."

The vast majority of the state's ethanol plants are cooperatives of member farmers, who supply corn for the fuel additive.

"This is a country deal. It's a rural deal," said Dale Tolifson, board chairman of Chippewa Valley Ethanol in Benson. "It affects a lot more than the ethanol plants."

Ethanol is an alcohol produced by the fermentation of starches. Since 1988, the state has paid ethanol plants a credit (now 20 cents per gallon produced) for manufacturing the oxygenated fuel additive. The maximum credit payment each plant can receive annually is capped at \$3 million. About 97 percent of the state's gasoline is blended with ethanol.

The proposed ethanol cut put Agriculture Commissioner Gene Hugoson, who was also part of the Ventura administration, on the spot. "I will be the first to admit this was a shock," Hugoson told the committee. "We were moving ahead with the assumption of smaller cuts."

House Speaker Steve Sviggum (R-Kenyon), a farmer and investor in the Al-Corn Clean Fuel ethanol plant in Claremont, told the committee that the governor's cut would not pass in the House.

Following the Speaker's lead, the committee approved a bill Jan. 22 that would reduce the producer payments by about \$5.4 million for the remaining fiscal year. The bill (HF143) now moves to the House Ways and Means Committee.

Pawlenty's proposal would have eliminated the three remaining quarterly ethanol producer payments this calendar year of \$26.8 million. The committee's action would restore the three payments but at a lower rate – 16 cents per gallon. In addition, the committee indicated a hope that future legislatures would restore cuts from the current fiscal year and from 2004-05 when economic conditions are better. Specifically, members suggested extending the 10-year period ethanol plants are eligible for the subsidy.

DFL committee members wanted the current year's ethanol payments fully restored and questioned whether the Republican ma-

Republican members countered that the bill protects the economic viability of the plants and maintains the state's commitment to ethanol production. "This bill treats all plants fairly," said Rep. Elaine Harder (R-Jackson), the committee chair and sponsor of the committee bill. "I believe that the ethanol program was established to encourage the production of ethanol, not to determine the winners and losers among ethanol plants."

According to the state Department of Agriculture's 2002-03 biennial report, ethanol consumption in the state has increased twelve-fold since 1988 to an estimated 260 million gallons per year in 2001, replacing more than 10 percent of the 2.5 billion gallons of gasoline the state consumed. In addition, the report noted, ethanol has created a market for some 122 million bushels of Minnesota grain, has fostered economic development in rural areas, and has created jobs in plant construction, expansion, and operation.

According to the report, ethanol plant profit margins "have been squeezed by periods of high corn prices and low ethanol prices." The state's ethanol producer payment program was developed on a 10-year basis, to allow plants to retire debt, increase efficiency, and develop

new products and markets, "so they can survive the competition and price fluctuations in agricultural and petroleum markets." While some plants have been successful, an extension to the producer payment program may be the boost they need to remain viable, according to officials.

"The infrastructure is there," said Brad Nelson, board member of Agra Resources Co-op in Albert Lea, "so let's keep it strong. We

are part of the solution, so why pull the rug out from under us?"


In its budget-balancing bill, the Senate restores all but \$2 million of the governor's proposed cut in ethanol payments. 



PHOTO BY TOM OLMSCHIED

Producer payments for ethanol plants would be cut by \$5.4 million, under the budget-cutting plan being debated in the House. This plant, in Buffalo Lake, Minn., is one of the state's smallest and most dependent on the state aid.

majority in the House has plans to cut additional rural economic development initiatives.

"Where is the money coming from?," asked Rep. Al Juhnke (DFL-Willmar), the lead DFL member on the committee. "Are we going to start robbing Peter to pay Paul, pitting rural against rural? None of us are going to be ahead in the long run."

Planes, trains, automobiles

Transportation finance plan would free up nearly \$150 million to help balance \$356 million projected deficit for 2003

By MICHELLE KIBIGER

A transportation finance plan would free up about \$148.6 million in the state's general fund for fiscal year 2003, accounting for nearly 42 percent of the projected budget deficit.

The plan (HF139), approved by the House Transportation Finance Committee Jan. 21, would mainly authorize the conversion of \$130 million in general fund appropriations from the 2000 Legislature to trunk highway bonds. The cash, though unspent, is designated toward projects already underway.

Transportation officials testified that all but about 20 percent of the projects involving the funds have been bid and the contracts authorized.

As part of the package, the committee specifically identified cuts in both the state Transportation and Public Safety departments of

\$11.1 million in trunk highway funds annually to cover the financing costs associated with the sale of trunk highway bonds.

"We could just pass this off on the department and wash our hands of it, go back to the public and say, 'The department did it,'" said Rep. William Kuisle (R-Rochester), committee chair and bill sponsor. "I think it's fair to the public to take the votes and identify the cuts."

Among the annual cuts identified are the following:

- \$1.8 million in Transportation Department design and engineering;
- \$2 million in state road operations;
- \$4 million in technology and general support expenditures;
- Reducing transportation worker training by \$500,000;
- \$1 million through the elimination of the

- highway helper program;
- \$500,000 to Public Safety Department administration;
- \$275,000 to transit administration and motor carrier regulation in the Department of Transportation; and
- \$1 million to the Division of Driver and Vehicle Services in the Department of Public Safety.

The latter would equate to doubling the open vacancies in the division and add weeks to the processing times for driver's licenses and vehicle registration, department officials said.

"We understand as part of the team that we have to take a hit just like everybody else," said Sara Schlauderaff, assistant commissioner for the Public Safety Department. "It feels like there's a total loss to the public. It's really a blow to our driver services."

Other testifiers expressed concern regarding general fund cuts of \$2.6 million annually to Metropolitan Council transit operations.

At the Jan. 16 meeting, Nacho Diaz, planning director for Met Council transit operations, explained that service would likely be adjusted by fewer buses running particular routes as a result of the proposed cuts, but most of the cuts could be absorbed short term

The basics of transportation funding

The vast majority of transportation funding – 95 percent – comes from special funds, such as the trunk highway fund. These funds are specifically dedicated to various purposes under the constitution.

Below is a basic outline of how those funds are allocated and where they come from.

1. Most of the state's highway funding comes through the trunk highway fund, which accounted for \$1.17 billion in fiscal year 2002. The money comes from the following sources:

- 62 percent of the highway user tax distribution fund goes to the trunk highway fund. Highway user taxes include gas taxes, vehicle license fees (i.e. vehicle tabs), and a portion of the motor vehicle sales tax (32 percent). Highway user funds accounted for about 63 percent of all trunk highway funding in fiscal year 2002.
- About 25 percent of trunk highway funds in 2002 came from federal highway aid.
- All proceeds from the sale of trunk highway bonds go into the trunk highway fund.
- Other inputs include state patrol fines, driver's license fees, the transportation loan fund, and other income, including investment income.

• According to the constitution, the trunk highway fund monies can only be used for improvements to the trunk highway system.

2. The highway user tax distribution fund, most of which benefits the trunk highway fund, receives money from three sources: gas taxes, vehicle license taxes, and 32 percent of the motor vehicle sales tax.

- 95 percent of the funds are spent on the state's trunk highway, county state-aid highways and municipal state-aid streets.
- 62 percent of the 95 percent goes to the trunk highway fund for major state highway improvements.
- 29 percent of the 95 percent goes to the county state-aid highways. The funds are distributed in four ways – equal portions to each county, a portion based on the registered vehicles within the counties, a portion based on the number of county state-aid lane miles in the county, and a large portion based on needs within the county to bring designated roads up to acceptable state standards.
- 9 percent of the 95 percent goes to the municipal state-aid streets. Of that money, half is disbursed evenly among cities with populations above 5,000 and half is given to

projects based on the amount a city needs to bring the streets up to state standards.

- The remaining 5 percent in the fund is distributed to town roads and bridges for improvements and is also available in a flexible account for turnback roads, those that are being turned back to a municipality for maintenance.
- The highway user tax distribution fund was established by constitutional amendment in 1956. Funds from it may not be used for any purpose other than road improvements.
- 3. Motor vehicle sales taxes are distributed to three places: 32 percent to support the reduction in motor vehicle license fees from 2000, 24 percent for transit, and about 44 percent to the general fund.
- Transit funding is primarily from the general fund and motor vehicle sales taxes. There is no constitutionally dedicated funding source. Transit encompasses buses, light rail, commuter rail, and other forms of mass transportation.
- 20.5 percent of transit funds go to the Twin Cities metropolitan area, and those funds are appropriated to the Metropolitan Council.
- 1.25 percent of transit funds go to Greater Minnesota transit, and they are disbursed by the state Department of Transportation.



PHOTO BY KRISTINE LARSEN

Members of the House Transportation Policy Committee toured the Minnesota Valley Transit Authority's Burnsville Transit Station Jan. 21 as part of a two-stop tour that also included a transit hub in Eden Prairie.

by the council. Diaz said the council could utilize federal money for some operating expenses, but only temporarily. Raising fares and cutting routes would not be an option, he said, because of the public notice that is involved, which would delay the implementation.

Others expressed concern about the transit cut, and the cancellation of bonds for planning a light-rail transit line between Minneapolis and St. Paul. The project, still in the planning stages, requires a local match to receive federal funding. The bonds, initially issued in 1998, would have been cancelled at the end of the 2003 fiscal year without reappropriation by the Legislature. The cancellation is officially dealt with in the House Capital Investment Committee's proposal.

Business groups testified to the importance of good transit options in the urban area, particularly in the I-94 corridor between downtown Minneapolis and St. Paul, which carries about 38,000 riders per day.


"Let there be no mistake about it – this is a job issue in Minnesota," said Sherry Munyon, representing the Minnesota Public Transit Association.

The bill would also transfer a portion of the airports fund balance – \$15 million – to the general fund. Officials testified that the fund has accumulated money faster than it can be spent on projects, and in fact the taxes collected

and deposited in the fund have been lowered in recent years to slow the fund's growth. However, the funds pay for projects at the smaller airports throughout the state, and a number of members expressed concern about the viability of those projects if the fund is depleted.

Also part of the bill would be the authorization to sell the state jet. The state has a fleet of three planes. The jet in question was purchased by the state from the U.S. Drug Enforcement Administration, which confiscates planes as part of enforcement operations and sells the planes to states and local governments at a low price. The governments then refurbish the planes for their own use and must keep them in their fleet for at least five years before trying to sell them.

The state was planning to sell the plane soon, since it recently reached the five-year mark, said Kevin Gray, chief financial officer for the state Department of Transportation. It is too large to land on most of the runways at the state's airports, making it difficult to use for regional travel. The department estimates a \$750,000 sale price.

The bill, which will be introduced as a committee proposal, will be included in a larger bill that balances the entire projected deficit for 2003. Its next stop is the House Ways and Means Committee. 

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Mark Kennedy (R)

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Collin Peterson (DFL)

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James L. Oberstar (DFL)

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Up to the challenge

Paulsen ready to fill some big shoes as majority leader by making strides of his own

By MIRANDA BRYANT

The second youngest daughter of Rep. Erik Paulsen (R-Eden Prairie) may only be 4, but she knows her father is equipped to be the House majority leader.

When Paulsen and his wife, Kelly, sat their four daughters down to explain Paulsen's new leadership role, Paulsen mentioned Tim Pawlenty. Now Minnesota's governor, Pawlenty was House majority leader from 1999 to 2002.

"Daddy has some big shoes to fill," Paulsen said, recalling his family announcement. It was then he felt little Taylor pulling on his left shirt sleeve.

"But dad," she said, "you have really big feet."

And those size-13 feet are moving a lot these days as Paulsen tends to his constituents in District 42B and to the other 79 Republican members in the House of Representatives. Elected by colleagues to be House majority leader, the 37-year-old is charged with internally managing the caucus and overseeing debate on the House floor.

"It's certainly more time consuming and more overwhelming," said Paulsen, who said he's now so busy that he can't plan his schedule more than one day in advance and must have his assistant answer his phone.

Part of his mission as majority leader is to ascertain and utilize the talents and strengths of House Republican members. Paulsen described the 30 newcomers to his caucus, many of whom were recruited by House Speaker Steve Sviggum (R-Kenyon), as "top notch."

"They're outstanding individuals," said Paulsen. "They're really excited and they're really hard workers. They really believe in the difference they're going to make."

Paulsen, now serving his fifth term as a representative, admitted he benefits from good relationships with other leaders. Sviggum, a fellow St. Olaf College math graduate, and Paulsen are doing weekly Monday community meetings across the state this session. And Pawlenty, also a Republican, has offered advice to his replacement.

"Knowing we have a friend and former



PHOTO BY ANDREW VON BANK

Rep. Erik Paulsen will serve as House Majority Leader for the 2003-04 Legislative Session.

colleague to turn to (in the governor's office) makes a difference," Paulsen said.

And what can be expected of Paulsen's leadership style?

"I don't talk for the sake of talking," he said of his responsibility to control debate on the House floor. Paulsen added that he is analytical, thoughtful, and not prone to impulsive action.

Rep. Gene Pelowski, Jr. (DFL-Winona), DFL lead on the 2002 redistricting committee, said it was a joy to work with Paulsen, who chaired the committee.

"They couldn't have picked a better person to be majority leader in their caucus," Pelowski said. "If he does the same type of job as majority leader as he did in redistricting, he's

going to serve Minnesota very well."

Rep. Jeff Johnson (R-Plymouth), one of seven assistant House majority leaders, said that only two weeks into the session Paulsen is doing a great job.

"He has an ability to kind of weather the storm and keep people on task and bring people together even when the issues tend to be divided a little bit," Johnson said.

A former investment advisor, Paulsen said he is respected by a lot of different factions within his caucus, as well as by many DFL members.

"I think that sort of speaks to the character of how I'll carry out the position," Paulsen said.


Paulsen was one of 31 representatives to receive the Taxpayers League of Minnesota's "Friend of the Taxpayer" Award for his 2001 voting record. He was also one of nine legislators to be named a 2001 honoree of the Legislative Evaluation Assembly of Minnesota. The group bases its evaluation on constitutionalism, limited government, free enterprise, legal and moral order with justice, and individual liberty and dignity.

And while Paulsen was asked by constituents to consider running for a U.S. Senate seat that opened up following redistricting, he is content to remain with the Minnesota Legislature. Paulsen said he reached his decision not to seek office in Washington, D.C. after considering

which elected position would allow him to do the most good, particularly for the people of Eden Prairie.

"I have never had a planned calculated path to anything I've ever done," Paulsen explained. "A new door opens and you just step into the opportunity."

Paulsen said he anticipates introducing a bill to establish the power of initiative and referendum in Minnesota. Such legislation allows individuals to place qualified items on the ballot for voter consideration. The bill was twice previously passed by the House, but did not gain Senate approval.

Said Paulsen, "I have always been a big advocate of allowing voters to correct the Legislature when it's wrong." 

Family ties

Cox wins a close one and resumes family presence in St. Paul, at a time when family concerns at home aren't pressing any longer

By MIRANDA BRYANT

Freshman legislator Rep. Ray Cox (R-Northfield) isn't alone in his service to his district. He is surrounded by a large family history related to state government.



Rep. Ray Cox

His mother, Marjorie Cox, ran for the same legislative seat that he now holds. His great grandfather, Edwin Cox, served in the Legislature in the late part of the 19th century. And his grandfather, W.T. Cox, was the first commissioner for what is now the Department of Natural Resources.

"It's nice to know there are people connected to the family that have gone on before you," said Rep. Cox.

Cox himself said he had previously been asked to run for state office, but always declined, citing the young age of his children. "I give credit to all these people who have little kids," Cox said of his colleagues. "I don't know how they manage it."

"Unlike some people, I did not have a hole burning in my heart to be here," said Cox, sitting in his new fourth-floor office.

Cox was already busy with other obligations – owning a construction firm; supporting environmental causes, such as a nature preserve in his district; and serving on the local school board, the chamber of commerce board, as well as on the board of the Northfield Industrial Corporation, a private group that promotes business development.

Children Tristan, Marja, and Diana are all grown now, either having recently completed or currently pursuing college degrees. As such, Cox didn't have as much reason to defer the latest request that he seek a position in the Minnesota House of Representatives.

As Cox recalled, Speaker of the House Steve Sviggum (R-Kenyon), came calling. Cox assumed Sviggum simply wanted a larger-than-usual campaign contribution. He was a bit

surprised when Sviggum, known as a dedicated recruiter of legislative candidates, asked him to run for the District 25B seat vacated by Republican Rep. John Tuma.

"I've always been interested in politics," said Cox, who served on the Northfield School Board for 15 years, five as chair.

But, he explained, the school board position was nonpartisan. "It's one thing to run for the school board; it's another to put a little 'R' behind your name."

For his part, Sviggum had no doubts about Cox's potential.

"Ray Cox brought immediate respect and credibility to the race for the open House of Representatives race," Sviggum said. "Ray had the right background of experience, commu-

finance, regulated industries, and environmental and natural resources policy. He was especially pleased to be named vice chair of the latter, particularly since he's a freshman.

Higher education finance appealed to the 51-year-old due to the presence of Carleton College and St. Olaf College in his district. Cox said he knows the K-12 education system thoroughly, but is reading a lot to learn about higher education. Throughout the day he tosses relevant documents into a box in his office that he takes home at day's end.

Cox says he's a strong advocate for higher education, realizing how important a college degree was to his mother, who raised six children by herself. "Without an education she would have really been in tough shape."

On the House Environment and Natural Resources Policy Committee, Cox hopes to see the House and Senate pass legislation banning phosphorous in dish detergents and fertilizers. With a \$4.2 billion projected budget deficit looming over the upcoming biennium, timing is right for such a no-cost measure.

"I think it can be a wonderful time to do

"It's nice to know there are people connected to the family that have gone on before you."

— Rep. Ray Cox

nity involvement, and philosophy to represent District 25B well."

While the speaker welcomed Cox, the freshman legislator wasn't the preferred candidate for all voters. In fact, Cox's general election victory of 20 votes was so thin that a recount was ordered. In the end he won by 44 votes, out of nearly 18,000 ballots cast.

"It's not exactly what you would call a mandate, but it pushed me in the door," Cox said.

He attributed the close election results to the political diversity of his district. People living in and directly around Northfield have traditionally supported more liberal candidates, while other towns near Faribault have supported candidates with more conservative viewpoints.

The St. Olaf College graduate received appointments to all the House committees on which he wanted to serve – higher education

things that don't have a lot of cost," Cox said.

Constituents have also let Cox know what issues are important to them: maintenance of the current concealed weapons permit process; traffic congestion relief; preservation of clean air and water measures; and guaranteed use of state lands for recreation, hunting and fishing.

DISTRICT 25B

2002 population: 36,590

Largest city: Northfield

Counties: Rice, Scott

Location: southern edge of the Twin Cities metropolitan area

Top concern: "I would like to see if some issues related to the environment could get committee hearings and be passed."

— Rep. Ray Cox

Making the choice

Rather than leaving it to others, Ellison hopes his position in the House can affect issues important to him

By TOM LONERGAN

Rep. Keith Ellison (DFL-Mpls) has a motto he likes to use: "If you want to see change, you have to take personal responsibility for it."



Rep. Keith Ellison

The lawyer and former radio talk show host did just that when he had a choice of running for the Legislature or "sitting at home thinking about safe neighborhoods, community economic development, better schools and not doing anything about it," he said.

"That's the genesis of why I ran," Ellison said. State representative is the first public office the 39-year-old Detroit native has held.

District 58B includes the hub of the African-American community in north Minneapolis and a major portion of downtown, east of the Mississippi River.

The district includes, "people who pay \$300 a month in rent and \$3 million condominiums on the river," Ellison said. "We have a high degree of poverty and unemployment, as well as multi-million dollar deals negotiated in those buildings downtown."

His role in such a culturally and economically diverse district, Ellison said, is to bring people together. "My challenge is how we come to some basic agreement on improving the quality of life for everyone."

Ellison earned his law degree from the University of Minnesota Law School and holds an economics degree from Wayne State University in his hometown of Detroit. He's called Minneapolis home for the past 16 years. Ellison and his wife, Kim, a teacher, have four children between ages 6 and 14.

An attorney by trade, his specialties are in civil rights, employment, and criminal defense law. Prior to entering private practice, Ellison was executive director of the nonprofit Legal Rights Center in Minneapolis. For eight years he was also the unpaid host of a public affairs talk program on KMOJ radio.

"His heart is in the community, without a

shadow of a doubt," said Rev. Al Gallmon, president of the NAACP's Minneapolis chapter. "He is truly an advocate for children." Pastor of Fellowship Missionary Baptist Church in north Minneapolis, Gallmon recently served on the Minneapolis school board. Gallmon said Ellison has "large shoes to fill," referring to former State Rep. Gregory Gray, who ran for State Auditor last year rather than seek reelection to the Legislature.

Ellison said he wants to "make an impact" on the committees he's been appointed to, including the House Judiciary Policy and Finance Committee. "I'm an advocate of public safety with respect for individual rights," he said. "Public safety and individual rights have to walk hand in hand like twins."

He also serves on the Governmental Opera-

"My challenge is how we come to some basic agreement on improving the quality of life for everyone."

— Rep. Keith Ellison

tions and Veteran Affairs Policy and Local Government and Metropolitan Affairs committees.

Ellison said his goals during his two-year term are "big and broad."

He wants to increase knowledge and awareness of the political process in his district, particularly among young people. He's a volunteer track coach for several organizations, working with youth between the ages of 5 and 18. "It's a great community building device because it's for all ages and all genders," Ellison said. "Everyone can find a way to fit in."

Local government aid is critical in his district for supporting vital services like police, fire, parks, and recreation, Ellison said. "I don't think there is a city with a better parks system. I believe parks play as vital a crime prevention role as the police do."

Minneapolis' cultural attractions draw tourists from across the state and throughout the upper Midwest, he said. "Whether we can

remain a center point for this region of the country depends on support of projects like the Guthrie Theater expansion and a new planetarium." Former Gov. Jesse Ventura vetoed state bond support for the Guthrie expansion in 2000 and 2002 (the Legislature overrode the first veto) and vetoed bonding money last year for the planetarium.

Ellison said the projected \$4.56 billion budget deficit will be difficult to address given Gov. Tim Pawlenty's pledge to not increase taxes and hold the line on K-12 education spending.

"We're saying 60 percent of the current budget is going to bear 100 percent of the cuts," he said. "That's going to be a problem. Any balanced budget needs to be a just budget, a fair budget. Everyone should share a little bit of the pain."

Ellison looks forward to working with the Republican majority in the House. "Republicans are the opposition, not the enemy," he said. "There's a big difference. We all want safe communities. How do we get there? We agree that the economy should be strong for

everyone but we disagree on the methodology."

Ellison doesn't necessarily see issues as city versus suburb. "Brooklyn Center has a lot in common with north Minneapolis," Ellison said. "It's not a matter of the poor cities and the rich suburbs any longer. Not all suburbs are created equal."

DISTRICT 58B

2002 population: 36,687

Largest city: Minneapolis

County: Hennepin

Location: north Minneapolis

Top concern: "My goal is to approach this term with a sense of hope and optimism. I want to make people in my district feel comfortable coming to the Capitol and having a voice."

— Rep. Keith Ellison

Youth and understanding

Finstad brings range of experience with agricultural issues, seeks to be a vocal ally for state farmers

By MIRANDA BRYANT

It's true that Rep. Brad Finstad (R-New Ulm) is the youngest male legislator currently in the House of Representatives. But it may also be true that his experience outweighs his 26 years.



Rep. Brad Finstad

The first-time legislator served two years as the agriculture advisor to U.S. Rep. Mark Kennedy (R-Minn.). And he arranged for a group of 20 Minnesota farmers to meet with U.S. Vice President Dick Cheney last year to discuss value-added agriculture and alternative energy sources.

"However old I am doesn't matter," said Finstad. "I have a passion. ... I'm here to learn."

His largest experience with local farming issues, however, was gained as an area director

effective voice for his constituents."

Finstad used his voice to land himself on the House Agriculture Policy and finance committees. There he will likely share his opinion that state regulations and excessive environmental rules are making it increasingly difficult for the farming industry.

Today Minnesota has 6,500 dairy farmers. But 10 years ago it had 13,891, according to the state Department of Agriculture.

When a farm closes, Finstad said, it takes away an opportunity for a future generation to farm.

The son of a farmer, Finstad understood the message he heard repeatedly from farmers while campaigning: "Bring back our kids." Finstad was one of 76 in his high school graduating class. Today, only 10 classmates live within 25 miles of their hometown. The

"I saw first-hand how one person can make a difference. I also saw first-hand how common sense and a voice for agriculture are underserved."

— Rep. Brad Finstad

for the Minnesota Farm Bureau Federation. His territory encompassed 13 southwest Minnesota counties.

Finstad was charged with developing policy, communicating with lawmakers, and helping farmers understand the legislative process. He walked many farmers through the system, explaining how to testify at a hearing, what occurs in committee meetings, and what takes place during the legislative session.

"I saw first-hand how one person can make a difference," Finstad said. "I also saw first-hand how common sense and a voice for agriculture are underserved."

Chris Radatz, director of governmental affairs for the federation, says he is confident in Finstad's ability to succeed at the capitol.

"I think that even though he's a freshman he comes in with some really good work experience that should really put him ahead on the learning curve," Radatz said. "I think he can be a real

others left for better job opportunities, lamenting the loss of an excellent quality of life, said Finstad.

Finstad himself originally wanted to farm with his father, Howard, on the family's 300-acre operation. But his father laughed when he heard that, said Finstad.

"He always would tell me, 'There's a better life than farming for you,'" said Finstad, who graduated from the University of Minnesota with an agricultural education degree. "He wouldn't be saying that if we got better prices for crops."

Economic development is key, said Finstad, to rectifying the situation.

One measure Finstad supports toward that goal is HF3, which calls for the creation of tax-free zones. If enacted, the bill would allow businesses in the zones to forgo sales, income, and property taxes for up to 10 years. Individual property owners would be exempt from

property or individual incomes taxes. And investors would not pay business income and capital gains taxes on relative investments.

"It's important for us to stimulate business growth and create an environment where people want to come out" to rural areas, said Finstad.

The freshman legislator was also assigned to the House Health and Human Services Finance and Policy committees. Admitting that he didn't request such assignments, he is preparing himself by reading copious amounts of background information.

"I consider myself a student of this," he said, patting a thick three-ring binder titled "HHS" on his desk. Already he has noted the importance of issues affecting rural ambulance service and an aging population.

When the countless acronyms often used in the health and human services field stymie him, Finstad consults his wife, Jaclyn, who recently became administrator of an assisted living facility.

Finstad said he was proud to have his parents at his swearing-in ceremony Jan. 7. It was an opportunity for him to demonstrate to his parents that their hard work in raising him had paid off. The best part about the ceremony, said Finstad, was seeing his dad "trying out" his son's desk in the House chamber.

Brad and Jaclyn's first child is due to be born May 20, one day after the legislative session must constitutionally draw to a close.

The couple's child will have the benefit of the same overall philosophy that Rep. Finstad said he learned from his father and mother, Sharon.

"Take one day at a time. Remember God gave us an opportunity."

DISTRICT 21B

2002 population: 36,817

Largest city: New Ulm

Counties: Brown, Redwood, Watonwan

Location: south-central Minnesota

Top concern: "We need to make sure we're not regulating farmers off the farm."

— Rep. Brad Finstad

Minnesota House of Representatives

2003-04 Standing Committee Schedule

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:15 to 10 a.m.		Education Policy Environment & Natural Resources Finance Health & Human Services Finance Jobs & Economic Development Finance Transportation Finance	200 5 10 B 500S	Environment & Natural Resources Finance Health & Human Services Finance Jobs & Economic Development Finance	200 5 10 B
10:15 a.m. to 12 noon		Education Finance Environment & Natural Resources Policy Judiciary Policy & Finance Taxes	10 5 B 200	Education Finance Environment & Natural Resources Policy Judiciary Policy & Finance Taxes	10 5 B 200
12:30 to 2:15 p.m.	Education Finance Governmental Operations & Veterans Affairs Policy Health & Human Services Policy Higher Education Finance Taxes	5 B 10 300S 200	Agriculture & Rural Development Finance Commerce Policy Governmental Operations & Veterans Affairs Policy Higher Education Finance Transportation Policy	5 10 B 300S 200	Agriculture & Rural Development Finance Commerce Policy Higher Education Finance Ways and Means
2:30 to 4:15 p.m.	HOUSE IN SESSION (3 p.m.)	Capital Investment Civil Law Local Government & Metropolitan Affairs Regulated Industries State Government Finance	B 10 200 5 500N	HOUSE IN SESSION (3 p.m.)	

Rules & Legislative Administration and Ethics meet at the call of the chair.

1/17/03

B - Basement Hearing Room
All rooms in State Office Building

Tuesday, Jan. 21

HF109—Ruth (R)

Education Finance

Career and technical levy programs levy made permanent.

HF110—Smith (R)

Civil Law

Family law reform and recodification including provisions relating to marriage dissolution, child custody, child support, maintenance, and property division.

HF111—Opatz (DFL)

Environment & Natural Resources Policy

Previous land conveyance description corrected.

HF112—Pugh (DFL)

Civil Law

Title, lien, and mortgage technical, clarifying, and conforming changes provided.

HF113—Hilstrom (DFL)

Judiciary Policy & Finance

Seizure of motor vehicle used to flee a peace officer clarified.

HF114—Stanek (R)

Transportation Finance

Trunk Highway 610 project completion funding provided, bonds issued, and money appropriated.

HF115—Paulsen (R)

Governmental Operations & Veterans Affairs Policy

Legislative days references removed from the state constitution by proposed amendment.

HF116—Goodwin (DFL)

Transportation Finance

Northstar commuter rail line funding provided, bonds issued, and money appropriated.

HF117—Goodwin (DFL)

Commerce, Jobs & Economic Development

Elder care leave provided.

HF118—Greiling (DFL)

Governmental Operations & Veterans Affairs Policy

Open meeting law expanded to include caucuses and conference committee negotiations.

HF119—Thao (DFL)

Civil Law

Marriage solemnization alternate forms provided.

HF120—Olsen, S. (R)

Education Policy

Teacher licensing duplicative filing requirement eliminated; and license verification authorized using the Department of Children, Families and Learning Web site.

HF121—Clark (DFL)

Judiciary Policy & Finance

Assaulting a member of a community crime prevention group gross misdemeanor provided.

HF122—Jaros (DFL)

Transportation Policy

Hands-free cell phone use required in motor vehicles.

HF123—Opatz (DFL)

State Government Finance

St. Cloud area joint planning district plan funding provided, and money appropriated.

HF124—Rukavina (DFL)

Environment & Natural Resources Finance

Mesabi Station funding provided and money appropriated.

HF125—Dempsey (R)

Governmental Operations & Veterans Affairs Policy

Mississippi River Parkway Commission sunset extended.

HF126—Jaros (DFL)

Taxes

State convention center tax exemption clarified.

HF127—Carlson (DFL)

Education Finance

Special education; President and Congress memorialized by resolution to carry through on their pledge to fund 40 percent of special education costs.

HF128—Greiling (DFL)

Governmental Operations & Veterans Affairs Policy

Voluntary clean campaign council, pledge, and advertising code established; and campaign expenditures definitions and disclaimers provisions clarified.

HF129—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy

Candidate affidavits required to include address of residence, and affidavits rejected which indicate candidate does not live in the district of election.

HF130—Clark (DFL)

Judiciary Policy & Finance

Community policing efforts pilot project established, competitive grants provided, and money appropriated.

HF131—Opatz (DFL)

Governmental Operations & Veterans Affairs Policy

Executive agency expenditure reporting method specified.

HF132—Clark (DFL)

Judiciary Policy & Finance

Law enforcement agencies in cities of the first class required to notify community crime prevention groups of the outcome of criminal proceedings.

HF133—Greiling (DFL)

Governmental Operations & Veterans Affairs Policy

Campaign finance and reform bill providing for clean money campaigns; campaign finance reporting requirements; contribution, spending, and independent expenditure limits; public subsidies; and appropriating money.

HF134—Sertich (DFL)

Health & Human Services Policy

Health maintenance organizations required to disclose certain costs of highest paid employees.

Thursday, Jan. 23

HF135—Stanek (R)

Ways & Means

Public safety, criminal justice, and other related agencies appropriations modifications and reductions provided.

HF136—Krinkie (R)

Ways & Means

Capital projects appropriations canceled to the general fund, trunk highway bonds issued, and money appropriated.

HF137—Stang (R)

Ways & Means

Higher education appropriations reduced and balances transferred to the general fund.

HF138—Haas (R)

Ways & Means

State government appropriations reductions, and state government operation procedures modified.

HF139—Kuisle (R)

Ways & Means

Transportation Department and other state agency appropriations modified, trunk highway bonds issued, transportation commissioner directed to sell a state aircraft, and funds transferred from the state airports fund to the general fund.

HF140—Bradley (R)

Ways & Means

Health and human services appropriations reductions bill modifying and establishing certain programs; regulating specified activities and practices; and providing for accounts, assessments, and fees.

HF141—Gunther (R)

Ways & Means

Economic development appropriations reductions provided, workforce services for the blind funding provided, funds transferred, and money appropriated.

HF142—Seagren (R)

Taxes

Education finance appropriations reductions provided, and programs modified.

HF143—Harder (R)

Ways & Means

Agricultural and rural development appropriations transferred and reduced.

HF144—Abrams (R)

Ways & Means

Sales tax refunds on capital equipment and certain building equipment refunds interest payments computed 90 days after filing.

<p>HF145—Ozment (R) Taxes Environment and natural resources appropriations transferred and reduced.</p>	<p>HF157—Anderson, I. (DFL) Environment & Natural Resources Policy Lake of the Woods County land conveyance authorized.</p>	<p>HF170—Kohls (R) Civil Law Uniform conflict of laws-limitations act adopted regulating limitation periods of certain actions.</p>
<p>HF146—Strachan (R) Judiciary Policy & Finance Uniform offense codes used by Bureau of Criminal Apprehension and local law enforcement to collect crime data.</p>	<p>HF158—Smith (R) Ways & Means State spending prohibited from increasing at a greater rate than the consumer price index by amendment to the constitution.</p>	<p>HF171—Lenczewski (DFL) Governmental Operations & Veterans Affairs Policy Casino; state-operated or state-licensed gambling facility prohibited in a city that has adopted a resolution of disapproval.</p>
<p>HF147—Paymar (DFL) Local Government & Metropolitan Affairs St. Paul authorized to amortize billboards.</p>	<p>HF159—Smith (R) Governmental Operations & Veterans Affairs Policy Fiscal notes required for all bills introduced in the legislature.</p>	<p>HF172—Lenczewski (DFL) Taxes Local government aid city aid base reduced as aid appropriations increase.</p>
<p>HF148—Greiling (DFL) Governmental Operations & Veterans Affairs Policy Conflict of interest based on campaign contributions defined, and penalty imposed.</p>	<p>HF160—Abeler (R) Education Finance Staff development activities portion of a district's basic general education revenue reduced.</p>	<p>HF173—Dorn (DFL) Higher Education Finance Minnesota State University, Mankato, athletic facilities project phase 3 funding provided, bonds issued, and money appropriated.</p>
<p>HF149—Paymar (DFL) Governmental Operations & Veterans Affairs Policy Public disclosure of campaign finances increased, disclosure of economic interests of independent contractors and consultants required, total costs of lobbying disclosed, and reports required.</p>	<p>HF161—Jacobson (R) Transportation Finance Ramsey County; Edgerton Street bridge over I-694 reconstruction funding provided, bonds issued, and money appropriated.</p>	<p>HF174—Lipman (R) Civil Law Actions against health care providers and employees regulated, and recovery for non-economic damages limited.</p>
<p>HF150—Fuller (R) Taxes Bemidji sales and use tax authorized and funds dedicated to parks and trails.</p>	<p>HF162—Seifert (R) Health & Human Services Policy Health commissioner required to obtain legislative approval for specified rules adoption.</p>	<p>HF175—Davids (R) Ways & Means Caledonia public safety officer health insurance benefits reimbursed by the Department of Public Safety.</p>
<p>HF151—Seifert (R) Health & Human Services Policy Children eligible for adoption assistance exempted from the prepaid medical assistance program.</p>	<p>HF163—Kielkucki (R) Governmental Operations & Veterans Affairs Policy English designated as the official language of the state of Minnesota.</p>	<p>HF176—Davids (R) Jobs & Economic Development Finance Rushford Institute for Nanotechnology grant provided, and money appropriated.</p>
<p>HF152—Greiling (DFL) Governmental Operations & Veterans Affairs Policy Campaign contribution and spending limits imposed on caucuses participating in the political contribution refund program, multi-candidate expenditures limited, and maximum political contribution refund increased.</p>	<p>HF164—Haas (R) Health & Human Services Policy Patient consent required to collect health data, and adoption of certain proposed rules prohibited.</p>	<p>HF177—Davids (R) Commerce, Jobs & Economic Development Ambulance service liability insurance study required.</p>
<p>HF153—Juhnke (DFL) Transportation Policy Metropolitan transit authority established, certain Metropolitan Council and transportation duties transferred, and sales and use tax imposed on member counties.</p>	<p>HF165—Otremba (DFL) Health & Human Services Policy Abortion standard for the state constitution defined as identical to that of the United States Constitution by proposed constitutional amendment.</p>	<p>HF178—Jaros (DFL) Taxes Property tax valuation exclusion made permanent for certain improvements.</p>
<p>HF154—Howes (R) Environment & Natural Resources Policy Recreational vehicle and watercraft license and filing fees increased.</p>	<p>HF166—Thissen (DFL) Civil Law Uniform guardianship and protective proceedings act adopted.</p>	<p>HF179—Jaros (DFL) Governmental Operations & Veterans Affairs Policy Lawful gambling lawful purpose expenditures modified.</p>
<p>HF155—Kohls (R) Commerce, Jobs & Economic Development Uniform commercial code revisions enacted.</p>	<p>HF167—Smith (R) Local Government & Metropolitan Affairs Local authority regulation and causes of action against the firearms industry limited.</p>	<p>HF180—Hilstrom (DFL) Commerce, Jobs & Economic Development Notice required prior to cancellation of homeowner's insurance for nonpayment of premium by mortgage escrow servicer.</p>
<p>HF156—Anderson, I. (DFL) State Government Finance World War II veterans memorial on the capitol grounds funding authorized, bonds issued, and money appropriated.</p>	<p>HF168—Sykora (R) Education Policy Nonpublic school student data collected by public schools classified and data access specified.</p>	<p>HF181—Lenczewski (DFL) Ways & Means Analysis of budget's effect on the state's bond rating required.</p>
	<p>HF169—Lipman (R) Civil Law Animal care and memorial fund trusts provided.</p>	<p>HF182—Carlson (DFL) Education Policy Levy authority exception authorized for new construction based on emergency closing of an operating school building.</p>

Schedule is subject to change.
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MONDAY, January 27

8:30 AM

Regent Candidate Advisory Council
Room: 400N State Office Building
Chair: Rondi Erickson
Agenda: Discuss selection criteria for regents.
Interview arrangements.
Other.
Interviews.

12:30 PM

Higher Education Finance
Room: 300S State Office Building
Chair: Rep. Doug Stang
Agenda: Higher Education Services Office (HESO) overview.
Witness: Robert Poch, Director, HESO.

Governmental Operations and Veterans Affairs Policy
Room: Basement Hearing Room
Chair: Rep. Jim Rhodes
Agenda: HF60 (Lipman) Absentee ballot provisions modified.
Department of Military Affairs overview.

Health and Human Services Policy
Room: 10 State Office Building
Chair: Rep. Lynda Boudreau
Agenda: Review of Proposal by Minnesota Department of Health to impose new immunization rules.

3:00 PM

THE HOUSE MEETS IN SESSION.

TUESDAY, January 28

8:15 AM

Environment and Natural Resources Finance
Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: To be announced.

Health and Human Services Finance
Room: 10 State Office Building
Chair: Rep. Fran Bradley
Agenda: To be announced.

Transportation Finance
Room: 500S State Office Building
Chair: Rep. William Kuisle
Agenda: Report on funding street construction and maintenance in Minnesota's cities.
Overview of transit.

Education Policy
Room: 200 State Office Building
Chair: Rep. Barb Sykora
Agenda: To be determined.

8:45 AM

Regent Candidate Advisory Council
Room: 400N State Office Building
Chair: Rondi Erickson
Agenda: Interview arrangements.
Other.
Interviews.

10:15 AM

Environment and Natural Resources Policy
Room: 5 State Office Building
Chair: Rep. Tom Hackbarth
Agenda: Continuation of DNR presentation and overview.

Education Finance
Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: District cooperative purchasing.

Judiciary Policy and Finance
Room: Basement Hearing Room, State Office Building
Chair: Rep. Rich Stanek
Agenda: HF1 (Stanek) Anti-terrorism; driver's license information regulation provided including proof of identity and residency, and federal laws and regulations adopted.

12:30 PM

Transportation Policy
Room: 200 State Office Building
Chair: Rep. Ron Erhardt
Agenda: MnDOT Office of Transit.
Metropolitan Council Metro Mobility.
Metropolitan Council Transit:
Overview of Transit Restructuring;
Sector 5 Study presentation.

Governmental Operations and Veterans Affairs Policy
Room: Basement Hearing Room
Chair: Rep. Jim Rhodes
Agenda: Minnesota Lottery overview.

Agriculture and Rural Development Finance
Room: 5 State Office Building
Chair: Rep. Elaine Harder
Agenda: To be announced.

1:00 PM

Legislative Audit Commission
Room: 316 State Capitol
Chair: Sen. Ann H. Rest
Agenda: Review of program evaluation report on the Metropolitan Airports Commission.

2:30 PM

Local Government and Metropolitan Affairs
Meeting Time Note: or 15 minutes after possible House Floor Session.
Room: 200 State Office Building
Chair: Rep. Jerry Dempsey
Agenda: Review of Legislative Auditor's evaluation of the Metropolitan Airports Commission.

Civil Law
Room: 10 State Office Building
Chair: Rep. Steve Smith
Agenda: Overview; Joint and Several Liability provided by Prof. Wil Fluegel, William Mitchell College of Law, and Brent Reichert, attorney in private practice.

State Government Finance
Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: No meeting scheduled for today.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Overview of energy issues by the Environmental Quality Board (not heard at Jan. 22 meeting).

Overview of liquor issues by House Research and the Department of Public Safety, Division of Alcohol and Gambling Enforcement.

WEDNESDAY, January 29

7:45 AM

Regent Candidate Advisory Council

Room: 400N State Office Building

Chair: Rondi Erickson

Agenda: Interview arrangements.

Interviews.

Review of voting procedures.

Reference check reports (executive session).

Voting.

Date for next meeting.

Other.

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Legislative Auditor's Report on MinnesotaCare.

Report on Bioterrorism Preparation by the Minnesota Department of Health.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Budget overviews of Minnesota Technology Inc. and Minnesota Project Innovation.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Joint Transportation Finance and Transportation Policy

Room: 200 State Office Building

Chairs: Rep. William Kuisle, Rep. Ron Erhardt

Agenda: To be announced.

Note: Transportation Policy will not meet in 12:30 p.m. time slot.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Academic and financial performance evaluation.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Rich Stanek

Agenda: To be announced.

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF106 (Wilkin) Litigation and settlement proceeds deposited in the general fund.

HF40 (Lipman) Judicial appointment by governor provided, and constitutional amendment provided.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: University of Minnesota overview.

Witness: Robert Bruininks, President, University of Minnesota.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: HF94 (Seifert) Circus prohibition around state fair time repealed.

Are the new feedlot rules working?

Introduce the new commissioner of the Minnesota Pollution Control Agency, Sheryl Corrigan.

Representatives of the Minnesota Pollution Control Agency.

Representatives of the Minnesota Milk Producers Association.

Representatives of the Minnesota Pork Producers Association.

2:30 PM

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Overview of telecommunication issues to small and rural telecom providers. Presentation by Minnesota Association for Rural Telecommunications.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Overviews:

Gambling Control Board;

Minnesota State Lottery; and

Minnesota Racing Commission.

Civil Law

Room: 10 State Office Building

Chair: Rep. Steve Smith

Agenda: HF75 (Johnson, J.) Joint and several liability apportionment regulated.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: To be announced.

THURSDAY, January 30

8:00 AM

Education Policy

Room: Sheridan Midway

Chair: Rep. Barb Sykora

Agenda: No meeting. Members are required to attend the AMSD meeting at the Sheridan Midway Hotel from 8:00 AM to 12:00 PM.

8:15 AM

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: To be announced.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: No regular meeting today. Committee Members to attend AMSD Alternative Compensation Conference.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Rich Stanek

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced.

12:30 PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: To be announced.

Ways and Means

Room: 200 State Office Building

Chair: Rep. Jim Knoblach

Agenda: To be announced.

Commerce, Jobs, and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HFXXXX (Hilstrom) Relating to homeowner's insurance

Other bills to be announced.

FRIDAY, January 31

No meetings scheduled.

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Toll Free	1-800-967-2474
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3711
Toll Free	1-888-GET-JOBS
Employee Relations	297-1184
Job Information Hotline	296-2616
Finance	296-5900
Health	215-5800
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	297-3933
Labor and Industry	284-5000
Toll Free	1-800-342-5354
Military Affairs	282-4662
Natural Resources	296-6157
Toll Free	1-888-MINNDNR
Pollution Control Agency	296-6300
Toll Free	1-800-657-3864
Public Safety	282-6565
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling	
Enforcement Division	296-6979
State Patrol	282-6871
Revenue	
Taxpayer Assistance	296-3781
Trade and Economic Development	297-1291
Toll Free	1-800-657-3858
Office of Tourism	296-5029
Toll Free	1-800-657-3700
Transportation	296-3000
Toll Free	1-800-657-3774
Veterans Affairs	296-2562

Reflections

The State Capitol has a long and rich history. Everything it is today is a result of years of planning and long-range vision that the people of the state should be proud of.

A first Capitol was built in 1853 but burned down during the 1881 legislative session. A second Capitol building was completed two years later, although it was soon found to have cramped quarters with little storage space and very poor ventilation. Many legislators became ill because of the air quality leading the State Board of Health to declare it "utterly unfit for human beings to breathe."

In 1893, legislators passed a bill authorizing the governor to appoint seven planning commissioners to review architectural plans for building a new Capitol. St. Paul architect Cass Gilbert's competition drawings were chosen for a site to be built four blocks up the hill from the old Capitol.

Within walking distance of the old statehouse, the site squelched any agitation by some factions to move the Capitol building to the Midway area of St. Paul, to Minneapolis, or even to Kandiyohi County in the western part of the state.

The general design for a state seat of government was strongly influenced by public sentiment to replicate the U.S. Capitol in Washington D.C. on a prominent piece of land.

Thus it is not too surprising that all the architects who submitted designs suggested a domed statehouse. Today, 32 statehouses across the country are domed, two dozen in the classic style of the Minnesota State Capitol.

The classic style utilized in Gilbert's

design is Italian Renaissance with some minor European trimmings. Gilbert's plan was to create a structure that Minnesotans would be proud of, as well as to improve the state's image across the country. This Gilbert accomplished by fighting to make his vision a reality, oftentimes at the risk of having to disagree with the building commissioners' decisions.

Gilbert also convinced the commissioners to spend more than the \$2 million initially allocated for the site and building. By the time the work was completed in and around the Capitol the price tag was \$4.5 million.

Gilbert and his designers spared very little. They commissioned well-known artisans and artists to construct and decorate the building. They even chose out-of-state building materials that almost caused a local controversy.

Despite all the stone quarries found in the state, Gilbert decided that an elegant white Georgia marble should be chosen to adorn the outer portion of the building because of its beauty and endurance. He did use Minnesota stone by placing it on interior walls and areas in the building.

By the time the Capitol was completed in 1905 it had already attained a reputation for being one of the most impressive statehouses in the country. It also completed Gilbert's vision for the edifice: a stately seat of government that is useful, impressive, dignified, and beautiful.

—LECLAIR GRIER LAMBERT



The first Capitol, at Tenth and Wabasha, in St. Paul, in 1875.



The second Capitol, in 1898.



The present Capitol, in 1905.

Photos courtesy of the Minnesota Historical Society

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
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ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Charitable gambling and lotteries

Charitable gambling gross receipts, fiscal year 2002, in billions	\$1.435
Prizes paid, 2002, in billions	\$1.176
Percentage of receipts paid out in prizes, 2002,	82
Gross receipts, 2000 (highest in past 10 years), in billions	\$1.5
Pull-tab income (largest category), 2002, in billions	\$1.33
Net receipts to charitable organizations, 2002, in millions	\$259
Charitable organizations licensed for lawful gambling	1,503
Fraternal groups	228
Other general nonprofit groups (athletic and sportsmen groups)	925
Bingo halls licensed	12
Total fees, penalties, and taxes collected by the state in 2002, in millions	\$57.6
License and permit fees, in millions	\$1.18
Civil penalties and fines	\$44,850
Taxes only, in millions	\$56.4
Taxes collected in 1998 (10-year high), in millions	\$63
County with highest net charitable gambling receipts in the Twin Cities metropolitan area, 2002, in millions (Hennepin)	\$35.8
County in Greater Minnesota, 2002, in millions (Stearns)	\$11.3
County with highest percentage gain from 2001 to 2002 (Itasca)	173.5
County with highest percentage loss from 2001 to 2002 (Yellow Medicine)	42.7
Minnesota's national ranking for charitable gambling revenues, 2000	1
Minnesota's ranking among North American states and provinces with authorized charitable gambling (28 total) for licensing fees and taxes collected	3
Ranking for percentage of gross receipts granted to prizes	3
Ranking for percentage of gross receipts paid to charities	27
Minnesota charitable gambling wagers per capita, 2000	\$308
State with highest wagers per capita (North Dakota)	\$402
Minnesota State Lottery proceeds to the state, fiscal year 2002, in millions	\$378.6
Money to the general fund, in millions	\$36
Prize money, in millions	\$223
Money to the environment and natural resources trust fund, in millions	\$21.8
To the natural resources fund, in millions	\$10.7
To the game and fish fund, in millions	\$10.7

Sources: *Annual Report of the Minnesota Gambling Control Board, January 2003; Fiscal Year 2002 Financials*, Minnesota State Lottery; *Charity Gaming in North America*, National Association of Fundraising Manufacturers, September 2001.

FOR MORE INFORMATION

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

JANUARY 31, 2003
VOLUME 20, NUMBER 4



In this issue:

STATE PROFESSIONAL CONTRACTS REPORT

BUDGET BILL, MINNESOTA CARE STUDY, AND MORE

HF183-HF261

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Office. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: A resident returns to his room at American House Apartments, a housing service for former homeless adults in St. Paul. Members of the House Jobs and Economic Finance Committee visited the apartments during a Jan. 28 St. Paul shelter and housing tour.

—Photo by: Kristine Larsen

Procedural difficulties

In light of public skepticism state officials pledge to improve practice of awarding professional and technical contracts

By MICHELLE KIBIGER

A looming budget crisis has painted a new face on the old problem of the state's professional and technical contract procedure. Though recent news accounts have shed light on specific concerns within the Minnesota Department of Transportation (MnDOT), officials and independent auditors say the problem extends beyond the department to numerous other state agencies.

It's a systematic problem that can be blamed in part on the number of contracts flowing through the system, they say.

Legislative Auditor James Nobles testified before a joint meeting of the House Transportation Finance and Transportation Policy

"If you read the state laws on contracts, you will go home and sleep very well, because they are tough and very rigorous," Nobles said. "But you'd be dreaming because that doesn't happen very often."

The auditor's evaluation found that the Department of Administration does not fulfill its role of oversight in the contract process, and it needs to do a better job of prioritizing its workload, Nobles said.

"They're simply overwhelmed by the numbers" of contracts they must oversee and approve, he said.

Specifically at issue is the process by which the state selects contractors for professional and technical services – those defined as in-

projects on a competitive basis, though a number of other contract procedures do exist for certain circumstances.

According to the auditor's report, the Department of Administration processed nearly 3,500 contracts and contract amendments from April 2001 to April 2002 with a total value of nearly \$1.1 billion.

The Corrections Department had the highest number of contracts during that period with 265. The Transportation Department was close behind with 239, and the median value of transportation contracts was \$53,500, nearly \$50,000 more than the corrections contracts.

MnDOT also had a high number of amendments to professional contracts with 179.

Criticisms surrounding MnDOT contracts involve the large number of single-source contracts, where a department determines that only one contractor is reasonably available to perform a particular service, contracts that were amended with substantially higher costs, and contracts for services that could possibly have been provided by existing department staff.

Nobles emphasized that the problem identified in the auditor's report directly relates to the contracting process — to what degree state agencies are following proper procedure, not the personalities involved. Newspaper accounts suggested conflicts of interest on behalf of agency employees in the Transportation Department — that personal gain motivated contract awards.

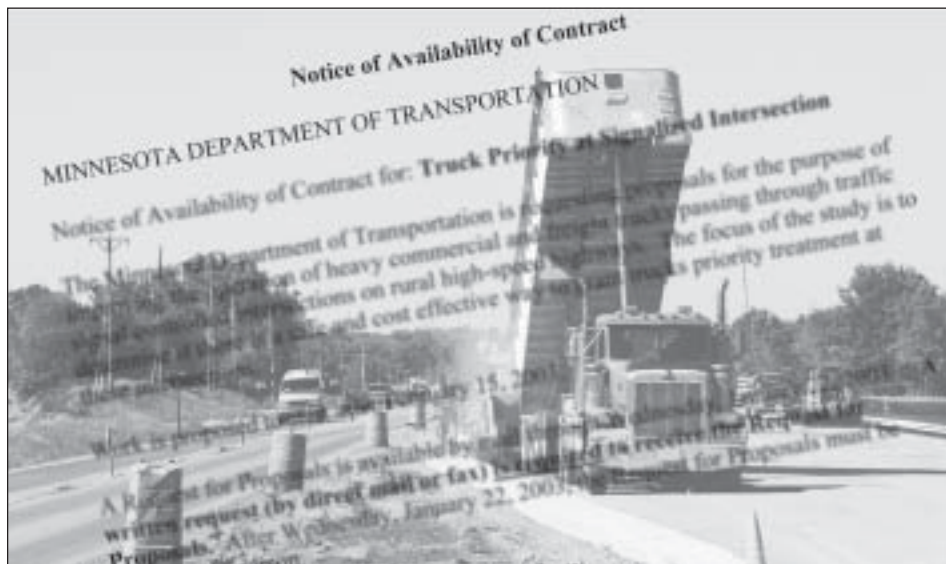
Agency officials and Nobles say though the agencies did not follow the law governing contracts, they did not break the law with regard to conflict of interest.

"This is not about personal gain," Nobles said. "It was a conflict of perspective. ... There is often a disconnect between the program people," who want to get the job done quickly, "and the contract people who often want to conduct the project in a fair and open manner."

Nobles also said the auditor's evaluation examined laws, rules, structure, and process. While he acknowledged that the processes the departments have been using are not appropriate, he said the evaluation determined that laws were not intentionally broken.

He said that many of the problems with MnDOT contracts specifically related to bad communication and relationships between MnDOT and the Administration Department.

In response to the media reports, Gov. Tim Pawlenty appointed a task force Jan. 28 to better manage the relationships between the two departments. Administration Commissioner Brian Lamb and Lt. Gov. Carol Molnau, also



Gov. Tim Pawlenty has appointed a task force to review procedures governing the state's professional and technical contracts. Criticisms have been raised with state Department of Transportation contracts, as well as other agencies.

committees Jan. 29 regarding the issue. His office prepared a report released in January that evaluated how all state agencies adhere to the contracting process dictated in state law.

The short story: they're not.

"The state generally has a good contracting process on paper, but not in practice," Nobles said. He said that while there are a number of laws in place governing the process, often agencies are not being required to follow them.

lectual in nature. These contractors provide a certain area of expertise valuable to an agency, such as with employee training, internal re-organization, and management.

By law, the commissioner of the Department of Administration has contract authority for all state agencies, unless otherwise specified by law. In addition, law dictates that the department provide contract management, review, and oversight.

Typically, contractors must submit bids for

commissioner of the Transportation Department, testified before the joint transportation committee and said they both see the situation as an opportunity to insure the public is getting the service it demands via the most cost-effective means.

"We know there is a problem and we know we need to deal with it," said Molnau, former chair of the House Transportation Finance Committee. "It's not MnDOT's problem only."

Lamb said administration officials are focusing on measuring performance trends with regard to contracts and making sure that all agencies have a common focus and common message about contract procedures. He said his department needs to re-identify what procedures are proper for all agencies, make clear the consequences of not following those procedures, and make sure it is workable for each department.


While legislative remedies might be in order, officials say, specific proposals are still in development stages. Nobles suggested a few areas to consider, including the attorney general's role in reviewing contracts, legal requirements that the Department of Employee Relations develop a directory of professional/technical services available within agencies, and measures used to evaluate the effectiveness of contracts.

Also, the report suggests the Legislature may want to legally adjust requirements for contracting procedures, particularly in the areas of enforcing existing prohibitions to certain practices.

Legislators on both sides of the aisle have attempted to draw attention to the professional/technical contract procedures in the previous two legislative sessions.

In 2000, Rep. Phil Krinkie (R-Shoreview) was critical of contracts governing the Hiawatha light-rail transit line because they did not meet the cost-benefit analysis standard. In 2002, Rep. Barb Goodwin (DFL-Columbia Heights) sponsored legislation to reduce existing consultant contracts and place a moratorium on future contracts. Portions of that legislation were enacted, and the auditor's report resulted from that law.

At the Jan. 29 meeting, members urged Molnau and Lamb to be vigilant as they evaluating contract procedures. Rep. Alice Seagren (R-Bloomington) said the public deserves a contracting process that is open and doesn't rely on favoritism or hand-picking of contractors.

"As we move forward, we have to assure that there isn't this coziness that's perceived by the public," she said. 

Correction

A story in the Jan. 24 issue of *Session Weekly* inadvertently indicated that House Majority Leader Erik Paulsen (R-Eden Prairie) considered a run for the U.S. Senate. Paulsen considered a run for the Minnesota Senate, but decided to seek re-election to the Minnesota House. We regret the error.



Agricultural societies

Governor's budget-reduction plan includes cuts to Minnesota institutions nearly as old as the state itself

The annual county fair, a rural summer feature, predates Minnesota's statehood. But it took until 1868 — 10 years after statehood — for the Legislature to appropriate funds to agricultural societies that sponsored state and county fairs.

The issue was put back on the table when Gov. Tim Pawlenty proposed cutting \$357,000 for "grants to agricultural societies and associations," as part of his fiscal year 2003 budget-balancing plan. The money reimburses local county fairs for promoting youth agricultural activities.

Recipients are typically premium award winners from 4-H and Future Farmers of America (FFA) chapters throughout Greater Minnesota, and exhibitors recognized for apple growing or raising dahlias.

The State Fair, run by the Minnesota Agricultural Society since 1885, has had no public subsidy since 1949.

"In Minnesota, fairs are older than the state itself," Merrill E. Jarchow wrote in the 1941 edition of *Minnesota History*, published by The Minnesota Historical Society.

The Minnesota Territorial Legislature approved the first agricultural societies in Benton and Ramsey counties in March 1852. The Hennepin County Agricultural Society was chartered by the Legislature one year later. Led by Col. John H. Stevens, the Hennepin County society held the first fair in the territory in October 1854, at what was later known as Bridge Square in Minneapolis.

"Governor Willis A. Gorman, ex-governor Alexander Ramsey, and ex-justice Bradley B. Meeker gave high-sounding addresses, typical of the day," according to Jarchow's research. "It was claimed that the exhibits would have done credit to one of the oldest and richest counties of New York. Some strangers were so impressed that they later became permanent residents of Minnesota."

The Minnesota Territorial Agricultural Society — the forerunner to society that now runs the State Fair — also formed in 1854, organized by delegates from Benton, Chisago, Dakota, Hennepin, Nicollet, Pembina,

Ramsey, Scott, and Washington counties.

Stevens was elected president of the group in 1855, and it decided to hold an October fair — jointly sponsored with the Hennepin society — in Minneapolis at which Jarchow noted, "for the first time in the upper Mississippi region the dairy interest was represented." Among other highlights of the 1855 gathering were "a stalk of corn seventeen feet high" and a radish that weighed nearly 18 pounds.

Politics reared a disruptive head at the society's 1857 fair in St. Paul. "Many Republicans refused to attend," Jarchow wrote, "because they believed it was part of a Democratic machine."

By the early 1860s, the concerns of the new state's residents were focused on the Civil War. Fairs weren't held in 1861 and 1862, but that didn't stop a leading state farm journal



A 4-H school fair in Nelson Minnesota in 1907.

Photo courtesy of the Minnesota Historical Society

from commenting on the Legislature's stinginess regarding aid to agricultural societies.

"Money could be found for almost any other purpose, but when a few hundred dollars were asked to aid our state and county societies, there was a general plea of poverty." In the 1861-62 legislative session, Jarchow wrote, "the House passed a bill giving twenty-five dollars to (10) county societies, but the Senate killed it."

In February 1868, some 16 years after the first agricultural societies were chartered, "the Legislature finally appropriated money to aid both the state and county societies," Jarchow wrote. The state society got \$1,000, and \$2,000 was to be divided equally among the county societies. Two restrictions came with the money: "It could not be used to pay officers' salaries or premiums on horse racing."

The public funding spurred the growth of agricultural societies throughout the state. There were 43 by 1874, extending west to Lac qui Parle County.

"However," Jarchow wrote, "a bitter rivalry developed between St. Paul and Minneapolis over the location of the state fair site." That fight was resolved in 1885 when the state fairgrounds were located permanently in Falcon Heights.

(T. LONERGAN)

★ EDUCATION

Profile replacement plan

Cheri Pierson Yecke, the state's newly appointed education commissioner, told the House Education Policy Committee Jan. 28 that she favors new academic standards to replace the state's controversial Profile of Learning.

"We do not want to tweak them," Yecke said. "It is time to move on to a new set of standards and move us in a new direction." In a brief appearance, Yecke answered committee members' questions about the state's controversial K-12 education standards and other issues.

The profile standards caused "so much bitterness," said Yecke, commissioner of the state Department of Children, Families and Learning. She said new standards would be strong in "subject area content, and be rigorous, challenging, and measurable." The process of implementing the standards should be left to local school districts. "Pedagogy and process are local classroom decisions," Yecke said.

She said "pieces" of the profile, which covers 11 learning areas, could be transferred to a new set of standards. "Good teachers know what these are," said Yecke, a Minnesota native and former teacher. "I trust teachers. We don't need to dictate to them on how to teach."

Legislative leaders have indicated wide support for repealing the Profile of Learning this session. A bill (HF2) to repeal and replace the profile would set an April 15 deadline for Yecke to propose new standards.

A plan for developing new academic standards, announced Jan. 29 by the Pawlenty administration, will seek suggestions from the public, parents, teachers, superintendents and statewide education organizations. Yecke said the goal is to have proposed new K-12 standards in Math and English ready by the end of March and consider other academic subjects later.

The state requires public school students to pass basic skills tests in reading, math, and written composition to graduate. The profile — which came to be known as "show what you know" — established another set of higher standards. Students would meet them by demonstrating hands-on knowledge through a process of experiments, research, and independent projects, rather than traditional academic measurement.

"It was the process and not the content," Yecke said that fueled sharp criticism of the profile among local school boards, administrators, teachers, and parents.

Prior to her selection by Gov. Tim Pawlenty

to lead the state's education department, Yecke was the director of teacher quality and public school choice for the U.S. Department of Education. She begins her new job Feb. 5.

★ ELECTIONS

Absentee voting changes

A plan that would change the way absentee votes are treated is headed to the House floor for a vote.

The House Governmental Operations and Veterans Affairs Committee approved HF60, sponsored by Rep. Eric Lipman (R-Lake Elmo), Jan. 27.

The bill would make several changes to existing law.

Under current law any person who demands a recount in an election may go through the absentee ballots. With the voter's information on the envelope, this does not provide protection from disclosure for an absentee voter. Although parties from the campaigns can be present during that time, a person's identification is on the envelope that contains the absentee ballot, and thus the person's vote.

The proposed changes include no longer allowing rejected absentee ballots to be opened for inspection during a recount. The envelopes could be opened only as a part of a court review. Rep. Phyllis Kahn (DFL-Mpls) raised the question of what would happen to votes that were possibly incorrectly rejected. Those votes would not be included in the final vote, under the bill.

Rep. Bill Haas (R-Champlin) said the bill is an effort to protect a voter's confidentiality.

A second change would require the absentee ballots to include the address and the city in which the voter resides. Currently the informational area on the ballot only allows for a name and street address.

A concern was raised with regards to college students. A student may fill out the information with a school address, rather than his or her home address, thus resulting in a rejected, uncounted ballot. However, no language was changed in response to this issue.

The third change would require all absentee ballots to reach the auditor or municipal clerk's office by 5 p.m. on Election Day. The deadline is now 3 p.m., whether mailed or returned in person by a registered Minnesota voter. Many states have a later time such as 7 p.m.

The bill has no Senate companion.

Campaign board confirmations

Terri Ashmore and Bob Milbert received House confirmation Jan. 27 to serve on the Minnesota Campaign Finance and Public Disclosure Board.

Gov. Tim Pawlenty appointed both on Jan. 7, but they have yet to receive Senate confirmation.

Ashmore, of St. Paul, is the managing director of the Basilica of St. Mary and previously worked for both the House and Senate Republican caucuses.

Milbert, a former DFL state representative from South St. Paul, took a little ribbing from his former colleagues as he was confirmed.

Rep. Jim Rhodes (R-St. Louis Park), chair of the House Governmental Operations and Veterans Affairs Policy Committee, lightheartedly said "If you play hockey with the governor look what happens." Milbert was part of the victorious team in the governor's inaugural hockey game Jan. 9.

After praising Milbert for serving in the House with distinction, Rep. Tom Pugh (DFL-South St. Paul) said of his friend and longtime seatmate, "He not only played for the governor's team, but he scored a goal. At least he had the sense to score after the governor did."

The board administers programs for campaign finance disclosure for state candidates, economic interest disclosure for public officials, lobbyist registration and disclosure, and public subsidy of state candidates and political party committees.

Six members comprise the board, with no more than three permitted to be of the same political party. With Ashmore and Milbert the board will have three Republicans, two DFLers, and one independent.

★ ENERGY

Wind blown

Proponents of wind power told the House Agriculture and Rural Development Finance Committee Jan. 23 that state assistance to the renewable energy resource is crucial to its continued growth.

"We are on the verge of something great in rural Minnesota," said Dan Juhl, a wind power consultant and partner in the first farmer-owned commercial wind farm near Woodstock. Juhl was among 15 wind farmers, utility representatives, consultants, and state officials who provided the committee with a review of wind energy in the state.

Through legislation favoring renewable

energy development and production incentives, the state has helped create wind farms primarily based in southwest Minnesota. Two issues the committee may consider this legislative session are continuation of the production credits and expanding the power grid to allow more wind turbines to be placed in production.

"Minnesota has been a leader in wind development," said Mrg Simon, government relations director for Missouri River Energy Services, which supplies power for municipal utilities in Minnesota, Iowa, and the Dakotas. She urged House members to continue the state's renewable energy production incentive.

The state provides 1.5 cents per kilowatt-hour produced by eligible renewable energy facilities, which include small wind turbines producing less than 2 megawatts of power. For all wind farms, the production incentive is capped at the first 100 megawatts of total capacity. The wind farms helped by the incentive program have reached 60 percent of that capacity.

According to the state Department of Commerce, which administers the incentive program, the state has paid 22 owners of small wind power facilities about \$3.9 million in production credits since 1997.

The 1994 Prairie Island nuclear-waste compromise has also been a boon to wind power development in the state. State law developed as part of that plan requires Xcel Energy, the largest state purchaser of wind power, to acquire 825 megawatts of wind energy capacity by 2012. The utility now has 480 megawatts under contract.

Jason Espenson, of Windom, who is developing a small wind farm as a family business, said the state's producer payments will help keep him on the family farm.

"There will be more wind farms across southern Minnesota," Espenson said, adding that without the Minnesota production payment for small enterprises the development of the renewable energy resource would be left to the large utility companies.

GAMBLING



State casino interest

There are 19 casinos in Minnesota, all on American Indian reservations. But George Andersen, director of the Minnesota State Lottery, said there is overwhelming support for a state run casino.

Andersen's comments came during a general overview of state lottery programs presented to the House Governmental Operations and Veterans Affairs Policy Committee Jan. 28.

SNOWY START



PHOTO BY KRISTINE LARSEN

Home educators and students arrive at the Capitol in the snow Jan. 28 to participate in the Minnesota Association of Christian Home Educators rally.

Andersen clarified his statements in a later interview, saying he believes that 70 percent of Minnesotans would support a state-run casino depending on how the question is asked. He based his comments on a number of polls done regarding the issue.

A poll done for Canterbury Park in February 2002, with a 4 percent margin of error, shows 69 percent of Minnesotans are more likely to support a state casino, if the revenue is used to improve local schools. When used to solve the budget deficit, the percentage falls slightly to 62 percent.

Proposals to develop a state-run casino were debated during the 2001-02 legislative session, though supporters determined that more discussion and study of the issue may be necessary.

No bills have yet been introduced this session to establish a state-run casino. However, Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Bill Belanger (R-Bloomington) have introduced a bill (HF171/SF133) that would prohibit a state-run casino in a city where the governing body has adopted a resolution of disapproval. No action has been taken in either body.

The committee did not discuss the casino proposal further during the meeting.

Gambling enforcement

Minnesota tops the nation in charitable gambling gross receipts at nearly \$1.44 billion, yet budget reductions could reduce the agency's ability to regulate the activity.

Speaking before both the House

Governmental Operations and Veterans Affairs and State Government Finance committees Jan. 29, Tom Barrett, executive director of the Gambling Control Board, said that the state's \$2.4 million regulatory budget ranks lowest when compared to the taxes collected.

Barrett said the board's mission is to regulate lawful gambling in the state so citizens are assured of the integrity of the industry, and nonprofit organizations may continue to raise funds for charitable contributions.

Minnesota has five forms of lawful gambling: pull-tabs, bingo, paddlewheels, raffles, and tipboards.

Among the seven-member citizen board's regulatory activities are the oversight of more than 3,200 gambling sites that contain more than 24,000 paid gambling employees, 12 bingo halls, 18 distributors, and eight manufacturers. Other responsibilities include education and training, approving and testing games, audits and inspections of the sites, and assessing penalties for those who violate gambling laws.

Barrett explained that through budget cutting, the board has already been reduced by 12 percent in this biennium (\$297,000), and is projected to be cut another 4 percent (\$89,000) in the House, Senate, and governor's budget reduction plans. He said these cuts will further hurt enforcement activities, which now stand at one investigator for 1,429 sites and one licensing specialist for 2,477 permits and licenses. He said enforcement of illegal gambling activity is basically zero, unless an investigator sees something during a site visit.

Since fiscal year 1996, Barrett said, gross gambling receipts are up 5 percent, but board staffing has been cut by nearly 30 percent. He suggested that the reason was because the board doesn't bring in funds to the state, emphasizing the cost to regulate is currently one-sixteenth of a penny of the price of a \$1 pull-tab.

★ HEALTH

Youth immunizations

Stephanie Lee thinks a vaccine may have ended her daughter's life.

Shannon Duffy Peterson thinks a vaccination could have saved hers.

Both women told their tragic stories to the House Health and Human Services Policy Committee Jan. 27. The hearing focused on a new set of immunization rules proposed by the Minnesota Department of Health.

Health officials, doctors, and parents testified both in favor of and against the rules, which would require the chickenpox vaccine for children over 15 months of age who are in child-care and the pneumococcal vaccine for children in child-care who are 2- to 24-months old. Pneumococcal bacteria is the most common cause of bacterial meningitis in children.

Department officials touted the success of other state-required vaccinations and said the chickenpox vaccine is required in 35 other states and the pneumococcal is currently required in three. Both vaccines are recommended by three major associations of pediatricians.

Vaccination opponents said not enough is known about the side effects of the vaccines and that the system for reporting complications experienced after a vaccination is flawed. Many doctors do not report complications to the proper authorities for fear of lawsuits, opponents said. Lee said by the time she observed the symptoms of the neurological illness that killed her 2-year-old daughter, they were considered "not reportable" under recommendations issued by the Centers for Disease Control.

Peterson said her doctor recommended that her daughter not receive the chickenpox vaccination, preferring that she become immune by being exposed to the disease naturally. When she did develop the virus, it aggravated an unknown pre-existing condition and she died not long after, at age 5.

The proposed rules are currently in a 60-day public comment period and will go before an Administrative Law Judge Feb. 28. If the judge approves the rules, Gov. Tim Pawlenty will have the option to veto the rules or let them become effective.

While the Legislature is not directly involved



PHOTO BY ANDREW VON BANK

Shannon Duffy Peterson from Sleepy Eye gives emotional testimony Jan. 27 in support of new immunization rules proposed by the Minnesota Department of Health during the House Health and Human Services Policy Committee meeting. Her 5-year-old daughter died likely from complications surrounding the chickenpox in 2001.

in the process, Rep. Lynda Boudreau (R-Fairbault), the committee chair, said she expects the introduction of a bill that would strengthen the process by which adverse reactions to vaccinations are assessed.

Bioterrorism preparedness

Minnesota is nearly ready to implement the first phase of a smallpox vaccination program, the House Health and Human Services Policy committee was told Jan. 29.

State epidemiologist Harry Hull said the state would soon receive 4,500 doses of the smallpox vaccine to vaccinate the doctors and nurses who would be the first responders to any outbreak of the disease. The vaccines are part of the state's overall bioterrorism preparedness plan that Department of Health officials outlined for the committee.

Hull said the 1995 meningitis outbreak in Mankato and the nationwide anthrax scare in 2001 were good practice for state health officials who are drawing up procedures for dealing with a bioterrorist attack.

The state has received more than \$16 million in federal funding for bioterrorism preparedness since the beginning of 2002. That money has gone into disaster drills, a statewide disease tracking system, laboratory facilities, and public outreach and education.

Officials originally estimated the number of

doctors and other care providers seeking vaccinations would be from 5,000 to 10,000, but a number of hospitals and many workers have been unwilling to submit themselves to the risk of side effects. Even so, officials say the 2,700 vaccinations now anticipated will be sufficient to start statewide vaccination in the event of an outbreak.

Hull said concern about side effects is understandable but overstated. If everyone in the state were vaccinated, he said, four or five people would have serious side effects resulting in death. He called those numbers "unacceptable in the face of no threat." If there were an outbreak, however, people would be happy to take their chances versus the alternative, he said.

There may be a flaw in the planning, however.

Olmsted County Health Director Mary Wellik said that even when the vaccines arrive, there might not be the funds to administer them. Her county, which includes the Mayo Clinic in Rochester, has spent all its grant money on preparedness and doesn't have enough left to pay staff to administer the vaccinations to everyone requesting them. She said resources would have to be diverted from other programs if the state or federal government doesn't send along more funding.

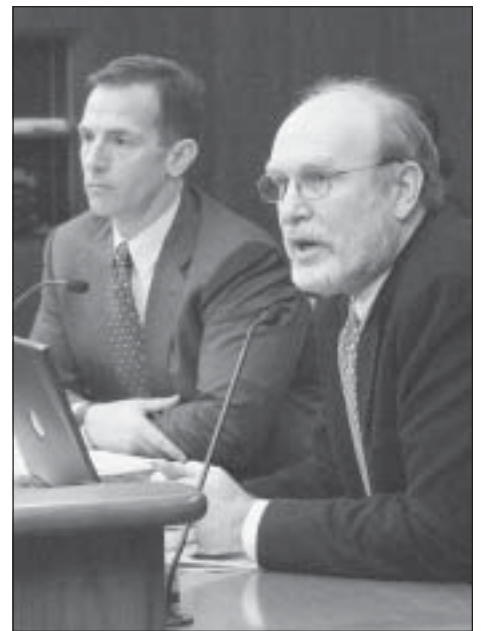


PHOTO BY ANDREW VON BANK

State Epidemiologist Harry Hull, right, and Robert Einweck, director of the Health Department's Office of Emergency Preparedness, present an update on bioterrorism preparedness efforts to the House Health and Human Services Policy Committee Jan. 29.

HIGHER EDUCATION

University request

With cuts to the school's base budget looming, the University of Minnesota president urged a House committee to not restrict the school's choices.

Speaking before the House Higher Education Finance Committee Jan. 29, Robert Bruininks said, "The University of Minnesota is major league and we don't want to be a farm team."

In their budget reduction plans, the House and governor seek a \$25 million permanent reduction to the university's base. The Senate is seeking a one-time \$20 million reduction.

With any of the three plans, Bruininks said, the state general fund appropriations to the university would be at levels lower than at the start of the current biennium. For fiscal year 2003 the university was appropriated \$664.8 million, but was reduced by \$23.7 million last session. "This is clearly a powerful impact on us as we go forward," he said.

With the latest potential reductions Bruininks urged legislators to give the university maximum flexibility in how to administer the results.

"We'll be sound fiscal managers," he said. "We've been creative in the past." As an example, he said that the university had a 9 percent

increase in health costs last year, compared to 14 percent for the state. University employees left the state plan one year earlier.

"I hope we give you that flexibility. We have faith in you to do a good job," said Rep. Denny McNamara (R-Hastings).

However the budget battle plays out, Bruininks said students would not pay for the cuts.

"They've been hit pretty hard the past few years so we'll take a hit by controlling costs." He said students have faced a roughly 40 percent increase in tuition and fees in the last five years, yet the university ranks in the middle of the Big 10 conference in terms of tuition.

He said salary freezes are not off the table, noting the university used that method twice in the early 1990s. However, he did express concern about trying to keep top professors and researchers that are being wooed away by other universities or private companies offering more money.

LAW

Joint and several liability

A bill that would change the way plaintiffs in civil cases are awarded money if two or more parties are found to be at fault for an injury was approved Jan. 29 by the House Civil Law Committee.

Under current law, if one liable defendant is unable to pay the full amount of awarded damages, the other liable parties would have to pay the balance of the award as long as a jury has found them more than 15 percent liable for the injury. Sponsored by Rep. Jeff Johnson (R-Plymouth), HF75 would raise that threshold to 50 percent.

It would also eliminate the section of current law that makes a defendant who is found less than 15 percent liable pay up to four times that percentage if other liable parties are unable to pay.

Current law represents the state's modern version of the common law concept of "joint and several" liability, which opponents of the bill pointed out dates back to the Magna Carta. The term refers to the concept of giving a victim full compensation for an injury even if one of the injuring parties is unable to pay his or her portion.

Johnson said the current statute goes too far. "We've created an incentive for lawsuits to become a search for peripherally involved 'deep pockets,'" he said. "The goal of the civil justice system should be...to provide a set of rules that is fair to all involved, and I think this bill does just that."

Testifying in support of the bill were lawyers representing cities and health care providers who said they are often cited in lawsuits simply because they are well-insured and not because they were primarily responsible for an injury. They said many of these suits are settled out of court because the municipalities or hospitals are worried they will have to pay the full amount of damages if the case goes before a jury.

In opposition were representatives of anti-drunk driving organizations, labor unions and civil plaintiff lawyers. Lynn Goughler, legislative chair for Mothers Against Drunk Driving in Minnesota, said that many drunk drivers are uninsured and the only way for victims to get the compensation for costly medical expenses is to collect from the other culpable parties in a case.

The House passed a similar bill in 2001, but it stalled in a Senate committee.

Settlement money

When the state receives money from litigation or from a settlement, the dollars must go to the general fund. However, that is only the case until June 30, 2004.

Rep. Tim Wilkin (R-Eagan) would like to make the law permanent.

To accomplish that, he is sponsoring HF106, which was approved Jan. 29 by the House Governmental Operations and Veterans Affairs Policy Committee and now heads to the House Civil Law Committee. The bill has no Senate companion.

Wilkin said the law was originally enacted because of the way money was being handled in Minnesota Partnership for Action Against Tobacco, whose mission is "To reduce the harm that tobacco causes the people of Minnesota."

After seeing how the partnership used the funds for things like leather jackets, caps, and t-shirts made with settlement money, Rep. Bill Haas (R-Champlin) said he thinks the funds may be best divvied up by the Legislature.

Kent Peterson, deputy attorney general of government operations in the state Attorney General's Office, isn't sold on the idea.

He says although the general fund is a good depository, in some cases there could be better places for the funds. Furthermore, some people would not want to settle if they know the funds would go to the state's general coffers, not a specific special fund.

Several legislators said the Attorney General's office could offer suggestions on how settlement money could be used on a case-by-case basis.



PHOTO BY ANDREW VON BANK

University of Minnesota President Robert Bruininks tells the House Higher Education Finance Committee Jan. 29 that the university would like maximum flexibility for any cuts it will need to make as a result of budget reductions.

★ METRO AFFAIRS

Airport oversight

The Minneapolis-St. Paul International Airport is being managed by an effective operator, but the Metropolitan Airports Commission (MAC) could stand more state and legislative oversight.

Such were the findings of a 129-page report prepared by the Office of the Legislative Auditor and presented to the House Local Government and Metropolitan Affairs Committee Jan. 29.

The report has already led to discussions at the MAC regarding remedying problems, as well as action on recommendations, said Vicki Gruneth, MAC chair.

Ordered by the Legislative Audit Commission in April 2002, the report addressed MAC's governance structure, finances, and its efforts to address airplane noise. Security in the wake of the Sept. 11 terrorist attacks was not examined because it was not a mandated study area.

Legislative Auditor James Noble said the commission receives little legislative oversight even though state law defines all commission revenues as public funds. The Metropolitan Council reviews the commission budget, but has limited approval authority. Additionally, the public budget review process hasn't been accommodated, he said.

The study found that only one-eighth of large airports had lower per-passenger operating costs in 2000.

However, the auditor's office was concerned with a 12 percent staff-proposed spending increase for 2003, by low rental rates for businesses operating from the airport, and by the fact that these contracts have not been competitively bid since the 1970s.

Jeff Hamiel, MAC executive director, said commission staff asked for a larger budget to accommodate additional expenses incurred in opening two new concourses. Ultimately, the MAC board approved a 6 percent increase.

Hamiel said that rental contracts are now expiring and that the commission intends to review and negotiate the entire program.

Some legislators voiced concern that the commission has not adequately mitigated airplane noise pollution in residential areas. The issue will likely be discussed in more detail at a future meeting.

★ RECREATION

Conservation at the zoo

It was the Minnesota Zoo's sterling reputation that drew current director and chief executive officer Lee Ehmke to the post from the Bronx Zoo.



PHOTO BY ANDREW VON BANK

Zoomobile Naturalist Kevin Wier shows off Annie, a great horned owl, to members of the House Environment and Natural Resources Policy Committee Jan. 28 during a presentation by the Minnesota Zoo.

Ehmke was surprised to find upon his arrival that "the regional and statewide perception of the zoo wasn't what we call 'top of mind,'" he told the House Environment and Natural Resources Finance Committee Jan. 23. He has spent the last two and a half years developing a master plan to galvanize public interest and leverage state and private dollars.

The zoo's annual budget is approximately \$17 million. If the governor's proposed fiscal year 2003 reduction of \$270,000 becomes law, the state's subsidy will amount to just under 38 percent of the zoo's operating costs.

The national average for public subsidies to zoos is 40 percent, according to a zoo budget summary, but it is often an apples to oranges comparison, Ehmke explained.

The zoo's mission is to focus on conservation, education, and recreation, Chief Financial Officer Peggy Adelman said. "We are conscious of not letting the recreation piece drive development ... so we don't become an amusement park."

Examples of activities to boost revenue include upgrading the food service, renting zoo facilities for weddings and amphitheater concerts, encouraging corporate sponsorships of exhibits and events, and marketing special behind-the-scenes events such as an overnight learning adventure in Discovery Bay with the dolphins.

The zoo has successfully boosted private contributions from \$245,368 in fiscal year 1990 to an anticipated \$1.3 million in fiscal year 2003.

"In order to maintain or grow attendance,

there does have to be investment in new exhibits," Ehmke said. Recent surveys indicate that African-themed exhibits are big draws, an area in which Ehmke has been successful. He designed a first-rate African rainforest exhibit at the Bronx Zoo, an experience "that was maybe once in a lifetime and it was terrific."

But as the zoo faces possible significant budget cuts, they may have to look at eliminating certain areas or exhibits.

The zoo cuts are included in the committee's recommendations to balance the 2003 budget. The plan is still under review by House committees.

★ SAFETY

House passes ID card measure

A divisive set of temporary rules governing Minnesota driver's licenses and state ID cards would be made permanent, under a bill passed by the House Jan. 30. The vote was 106-25.

Earlier in the day, House Speaker Steve Sviggum called the bill "numero uno" in terms of public safety in Minnesota.

The bill (HF1) would put into statute a set of rules adopted by the Department of Public Safety last summer that puts an immigrant's visa expiration date on their driver's license or ID card and requires all applicants to prove they are in the United States legally before they can be granted a license or ID. Previously, simply showing a driver's license from another state was sufficient to obtain one in Minnesota.

The House Judiciary Policy and Finance Committee approved the bill Jan. 28. Committee Chair Rep. Rich Stanek (R-Maple Grove), the bill's sponsor, said the rules would help prevent terrorism by letting police officers know when someone they encounter has overstayed their allowed time in the United States. If that were the case, an officer would then check with the Immigration and Naturalization Service to find out if the person is wanted by that agency.

Members of the public testifying against the bill in committee and members speaking against it on the House floor expressed concerns about the high visibility of the visa expiration date and the stringent license application process, saying the bill represents unfair and unequal treatment of immigrants in Minnesota.

"It separates," said Ramon Leon, a small business owner who came to the United States illegally and has since become a naturalized citizen. He said that many undocumented immigrants in Minnesota currently have a driver's licenses and auto insurance and that taking away their ability to easily get an identification card would force them "underground."

John Flory, a consultant for the Whittier Community Development Council in south Minneapolis, said the bill would make the streets less safe. "More undocumented immigrants will drive without licenses, without passing a driver's test, without auto insurance," he said. "What's the result of that? More hit and run accidents and more police chases. What undocumented immigrant involved in an accident will stop, take responsibility, wait for the police to arrive and face deportation?"

Joash Maaugi, a student from Kenya, said she has been unable to find an apartment because landlords see the "status check" indication on her state identification card and ask for further forms and letters to verify her residency status. "They tell you to bring more and more documents," she said. "When they look at your driver's license, they assume that you're a potential terrorist."

An amendment offered to the committee by Rep. Michael Paymar (DFL-St. Paul) would have put the "status check" date only on the back of identification cards and driver's licenses so it would not be as visible to individuals not in law enforcement who may need to view a person's identification. That amendment was voted down without discussion. A similar amendment was offered by Rep. Paul Thissen (DFL-Mpls) on the House floor. It was also defeated.

A successful amendment offered during the floor debate by Rep. Tom Rukavina (DFL-Virginia) removed a number of provisions in the bill related to criminal penalties. The portions of the bill removed by the amendment would



PHOTO BY ANDREW VON BANK

Faduma Ali, a representative from the Somali community, testifies during the Jan. 28 House Judiciary Policy and Finance Committee meeting in opposition to a bill that would require state-issued drivers' licenses expirations to correlate with temporary foreign visa expiration dates. Looking on is Rep. Rich Stanek, the bill's sponsor.

have turned several misdemeanor offenses associated with falsifying personal information into gross-misdemeanors.

A Senate companion (SF87), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits committee action.

★ TOURISM

Raising the big top

When the circus comes to a Minnesota town, it may now be able to schedule a July or August date.

The House Agriculture Policy Committee Jan. 29 approved a bill that would repeal a 1933 state law prohibiting any circus appearing within six miles of any Minnesota city 18 days before or during the State Fair.

Now heading to the House floor, the bill (HF94) has no Senate companion.

"The Ringling Circus presents no threat to the State Fair at this point," said Jerry Hammer, the fair's general manager. He spoke in support of the bill sponsored by Rep. Marty Seifert (R-Marshall).

"Most people have never heard of this," Seifert said.

Seifert said that he and Rep. Gene Pelowski, Jr. (DFL-Winona) are continuing a bipartisan effort to rid the state's law books of rules and statutes that are archaic in nature.

Hammer explained that the circus prohibition was rooted in some competitive animosity in 1928 when the Ringling circus booked dates in Minneapolis three days before the State Fair. When Ringling proposed circus dates again in 1932, fair organizers, supported

by the St. Paul and Minneapolis city councils, convinced the Legislature to give the fair some protected status during the summer. The law restricting the circus from setting summer dates was adopted in 1933.

Seifert said that the Great Depression played a role, as well, apparently motivating the State Agricultural Society, which has run the fair since the late 19th century, to convince legislators that Minnesotans' spare change in hard times should be going to the fair and not the circus.

Hammer said that to his knowledge no person or company was ever prosecuted for violating the law, which carried a fine of up to \$3,000 and lodging in the county jail for not more than a year.

These days, the circus usually visits larger Minnesota cities in the winter months, Hammer added.

JR. MEMBER



PHOTO BY TOM OLSCHIED

Sitting on the lap of his father, Rep. Jim Davnie, 4-month-old Eamon Davnie lets out a yawn Jan. 30 as the House Commerce, Jobs, and Economic Development Finance Committee hears an insurance bill.

A closer look

Legislators get an a firsthand look at how funding decisions have affected homelessness in Minnesota

By MIRANDA BRYANT

Perhaps it was fitting that the state legislators had to wait a few minutes in freezing temperatures outside a St. Paul homeless shelter Jan. 28 during a scheduled tour.

How better for the House Jobs and Economic Development Finance Committee members to identify with the nightly crew of homeless people anxiously waiting for the Dorothy Day Center doors to open? The inside of the center promised heat, a simple snack, shower facilities, and a place to lay one's head for the short evening.

Every night, as many as 160 men and women seek the humble amenities at the downtown St. Paul center. Homelessness prevention advocates say that more than 21,000 Minnesotans are experiencing homelessness or are "precariously housed" on any given night. Of those, 7,000 are taken in at emergency shelters, but an additional 1,000 are turned away because there's no room.

One homeless man waiting to enter the Dorothy Day Center freely shared his opinion with anyone and all. A lot of people would be dead, he said, if they were forced to sleep outside during a Minnesota winter.

"What they need is a bigger building right around here," he added.

Another homeless man was pleased to see the legislators tip-toeing through the sleeping cots played out on the floor.

"I want you to feel it – I don't want you to just see it," he said.

According to committee chair Rep. Bob Gunther (R-Fairmont), who called the tour "enlightening, interesting, educational, and worthwhile," the reason for the tour was simple: "So we can see the conditions that they talk about firsthand." Legislators also visited four other crisis housing facilities in St. Paul.

What they saw represented the continuum of crisis housing, from the one-night-at-a-time adult shelter to a drop-in youth center to transitional longer-term housing for formerly homeless drug-addicted individuals. The administrators of each facility were anxious to share success stories, to pitch for continued



PHOTO BY KRISTINE LARSEN

Members of the House Jobs and Economic Development Finance Committee visit the Dorothy Day Center in St. Paul Jan. 28 to better understand homeless conditions.

funding, and to issue thanks for past appropriations.

Minnesota state government has long supported programs for the homeless. Such funding is "really paying off in the lives of people who have experienced homelessness," said Jonathan Farmer, executive director of Minnesota Supportive Housing Consortium.

According to the Minnesota Department of Children, Families and Learning, \$12 million in state and federal money was appropriated in the 2002-03 biennium for programs serving the homeless.

One of the largest is the transitional housing program, created in 1984. It funds groups offering temporary housing and support services to individuals and families trying to secure permanent housing. Families must pay at least 25 percent of their incomes for rent, and their stay is limited to two years. The program can also spend

the money on follow-up services, such as moving assistance, first-month rent, damage deposits, case management, and emergency funding. Funds can't be used for prevention, shelter, or supportive services-only activities.

Seventy-six nonprofit housing programs were awarded contracts in the 2002-03 biennium, from a total budget of nearly \$4 million.

Two other programs serve state shelters. The emergency shelter grants program and the emergency services program together had \$3.5 million appropriated in the current biennium.

Both the state transitional housing program and emergency services program offer more than a roof over a homeless person's head. They help people find permanent housing, jobs, childcare services, and transportation. They provide medical and psychological help and substance abuse treatment. They also inform clients about financial assistance through other programs.

But a big financial change is on the horizon. A one-time appropriation of \$3.7 million expires June 30. It originated when the 2000 Legislature dedicated federal Temporary Assistance for Needy Families (TANF) funds to the transitional housing program. TANF funds are only for families, which have children under the age of 18 or a pregnant woman, have incomes below 200 percent of the poverty level, and consist of U.S. citizens. The U.S. poverty level guideline for a family of four was \$18,100 in 2002.

New money would be appropriated to replace the expiring allocation under a bill yet to be introduced by Rep. Karen Clark (DFL-Mpls). Clark said the bill will likely call for allocating \$3.7 million for transitional housing and \$1 million for emergency services.

Clark doesn't have to search far to find someone who has turned to homeless shelters. Her volunteer intern, Andre Alexander, spent two nights at the Dorothy Day shelter with his wife and their two children after leaving Chicago and its rising crime rate. He told legislators his story on the bus ride between tour stops.

Homelessness in Minnesota

- 50 percent of Minnesota's homeless are children
- 41 percent of homeless adults are working
- 38 percent of homeless adults have serious mental illness problems
- 19 percent of homeless youth left home because of abuse and 55 percent because of other relationship problems
- 34 percent of mothers report that they are homeless because of abuse by a partner

Sources: Minnesota Supportive Housing Consortium and Minnesota Coalition for the Homeless

Just the beginning

House plan would trim \$468.2 million from 2003, while leaving \$112 million in reserves for the next biennium

By MIKE COOK

With the promise from Gov. Tim Pawlenty that he will cut appropriations if necessary, the House passed its bill to balance the state's budget deficit Jan. 27.

The \$468.2 million package, approved 77-50, features a combination of permanent and one-time reductions, plus converts cash for transportation projects to bonds. The House bill reflects Pawlenty's budget targets.

Sponsored by Sen. Richard Cohen (DFL-St. Paul), the Senate package (SF79) calls for a \$384.1 million reduction that features more shifts and use of fund reserves and about \$100 million in cuts.

The House bill would leave \$112 million in reserves, while the Senate plan would provide \$28 million.

By law, the state's budget must be balanced at the end of each biennium, June 30, 2003.

A conference committee is negotiating the differences between the House and Senate plans. No final bill was agreed upon when this issue of *Session Weekly* went to press. Pawlenty previously said that if the Legislature did not finalize a budget reduction plan for the current fiscal year by early February, he would begin to unallot.

Rep. Jim Knoblach (R-St. Cloud), the sponsor of HF74, reminded legislators that this year's projected deficit represents only 10 percent of the \$4.2 billion projected deficit for fiscal years 2004-05.

Nevertheless, House DFL members implored the body to consider the full Senate plan.

"The Senate plan protects rural economic development and makes sure that Greater Minnesota is treated in a fair and equitable manner," said House Minority Leader Matt Entenza (DFL-St. Paul). "The cuts in both the governor's and House proposals are unfair, unreasonable, and are hurting our children, our higher education institutions, and the people of this state."



PHOTO ILLUSTRATION BY ANDREW VON BANK

Legislators are negotiating a plan to tighten the state's budget by at least \$356 million for fiscal year 2003. Gov. Tim Pawlenty has said he will cut appropriations in early February without a legislative plan.

Here is what the House plan would include for each of the 11 major budget categories:

Agriculture

The largest issue up for debate in agriculture funding are proposed reductions to ethanol producer payments. As part of the \$8.3 million, payments would be reduced from 20 cents per gallon produced to 16 cents per gallon, a reduction of \$5.36 million. The Senate number is \$2.25 million of its \$3.18 million in cuts, while the governor wants \$26.8 million in payments trimmed and a total reduction of \$29.2 million.

Capital investment

The \$14.4 million House plan would cancel roughly \$5.4 million in projects that were approved in 2000 and 2002, and transfers \$9 million of 1998 cancellations to the general fund when those cancellations become final on Feb. 1. Those projects generally need a local fund contribution in order to get state monies.

The Senate plan cuts \$2.02 million, all in Department of Natural Resources initiative grants.

Economic development

The \$73.69 million House plan would leave \$10 million in the 21st Century Minerals Fund, which aids northeastern Minnesota development, particularly on the Iron Range. The \$17.45 million Senate plan takes none of the current \$59 million in the fund.

Rep. Tom Rukavina (DFL-Virginia) said people are bearing too much of the burden with a \$49 million cut.

Additionally, \$15 million from the workers' compensation fund would be transferred to the general fund.

Of the \$189,000 reduction in base funding for the Department of Economic Security, \$124,000 would be an increase in funding for the State Services for the Blind, equating a net reduction for the department of \$65,000.

Environment

The House bill would provide \$22.4 million in general fund relief from environment and natural resources funding sources — \$1,100 more than the governor's plan. Senate reductions total nearly \$15.87 million.

Of the \$7.15 million in cuts proposed by the House, nearly \$4 million would be trimmed from the Department of Natural Resources, \$1.37 million from the Board of Water and Solid Resources, and nearly \$1.11 million from the Pollution Control Agency.

Rep. Jean Wagenius (DFL-Mpls) expressed concern that the cuts, such as for water protection, will further hurt efforts in years to come.

"We have not done anything to hurt our environment in this overall bill," said Rep. Dennis Ozment (R-Rosemount), chair of the environment finance committee, saying high priority cleanup would continue.

The PCA would be required to transfer

\$11 million from the solid waste fund to the general fund, under the bill, and the future resources fund would be decreased by \$2.4 million in the House and governor's plans.

Health and human services

Among the \$45.6 million in changes proposed in the House bill are a call for a prescription co-pay of \$1 to \$3 for people receiving medical assistance, for limited funding for noncitizens for various state programs, and \$3.56 million to the Women, Infants, and Children (WIC) program that provides services and nutritional advice to low-income women and families.

Rep. Thomas Huntley (DFL-Duluth) said the plan would "basically kick many immigrants" off necessary medical assistance. He said of the approximately 5,700 people this could affect, about 60 percent are pregnant women and the cuts will deny them prenatal care.

Admitting this is a tough issue, Rep. Fran Bradley (R-Rochester) said the largest percent of those pregnant women are illegally in the country, and neighboring states do not provide assistance. "I know pregnancy is important, but I would really question our policy of ignoring the fact that this is a non-documented person."

The House plan would eliminate the Cover All Kids program that began last July and transfer some of those children to medical assistance or the MinnesotaCare program. Neither the governor nor the Senate support this change.

The Senate bill totals \$53.04 million, including \$1.68 million in delayed community health services payments, which neither the House or governor proposed.

Higher education

The \$81.5 million House plan calls for a \$25 million permanent reduction for both the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system, and a \$1.5 million reduction to the Higher Education Services Office (HESO).

The Senate plan calls for higher education cuts totaling \$60.1 million, with onetime \$20 million reductions for the university and MnSCU, and \$107,000 from HESO. However, the plan would put \$10 million back into the state grant program on a one-time basis. HESO stopped taking applications on Jan. 10 in order to have enough money for already promised grants.

Additionally, \$30 million from the Student Education Loan Fund (SELF) loan program would be transferred to the general fund in both proposals. This would be a one-time hit for the program, which provides long-term, low-interest loans to students.

Judiciary and public safety

In addition to reductions in the courts and

some other areas, the \$12.9 million House plan would cancel some money for CrimNet, the state's criminal justice information system, but federal money is available to replace the cut, Knoblach said.

The House plan proposes a \$3.8 million cut to district court operations but doesn't propose to transfer inmates with less than a year remaining on their sentence to county jails. The Senate plan includes no court cuts, but does propose a prisoner transfer.

The House plan would also increase by \$301,000 the funds available to families of peace officers or firefighters killed in the line of duty. The Senate increase is \$295,000. The governor's plan did not include the proposal.

K-12 education

The total House adjustments to K-12 and early education would be \$7.5 million and the Senate proposes \$4.79 million, nearly the same as the governor.

All three plans would reduce school readiness reserves by \$791,000 and Early Childhood

governor proposed cutting \$418,000 in legislative television appropriations. The \$25.71 million Senate plan also keeps television on the air.

Knoblach said the House plan would cut state agencies by about 4 percent across the board.

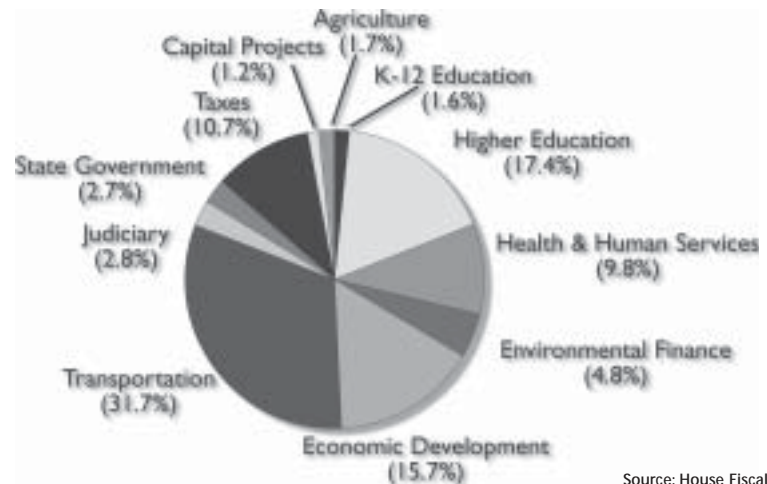
The House plan calls for \$3.1 million in reductions to the Legislature's budget and the Senate calls for \$2.56 million.

The House provision also would allow for department heads to implement mandatory salary savings for employees, and would allow state agencies to contract out for services without first seeing if a state employee could do the job. The Senate bill does neither.

Taxes

The House plan includes a delay in refunding taxes paid by businesses on capital equipment purchases to closer to the 90-day time period for requesting a refund, which would save the state about \$50 million. According to nonpartisan House researchers, 45 percent of the refunds in fiscal year 2002 were paid within 12 days, and the remainder in an average of 40 days.

House budget reduction categories by percent



Source: House Fiscal Staff

Family Education reserves by \$769,000.

The House plan would adjust the Adult Basic Education budgeted growth factor from 2002 projections of 8 percent to 2 percent, a \$1.6 million savings. Neither the Senate nor the governor propose this change.

Rep. Carlos Mariani (DFL-St. Paul) said demand for adult education classes by English as Second Language participants has increased 150 percent in four years and the reduction will hurt immigrants working to better themselves.

Rep. Alice Seagren (R-Bloomington), chair of the House Education Finance Committee, reminded members that it would not be a reduction for the programs, just a reduction in growth.

State government

As part of a \$12.6 million House package, legislative television would continue, though the

Transportation

All three plans call for moving \$130 million allocated in 2000 for road construction costs to the general fund and bonding for the projects. The bill specifies cuts to the Transportation and Public Safety Departments to account for the cost of bonding.

Additionally, all three plans transfer \$15 million from the state's airport fund to the general fund, and agree to sell the state jet for approximately \$750,000.

The House and governor's plans would reduce Metropolitan Council transit funding by \$2.62 million. The Senate does not.

A successful amendment by Rep. Doug Magnus (R-Slayton) prohibits the Department of Public Safety from closing any driver's license exam stations through June 30, 2005.

Reporting errors

Confusion in MinnesotaCare forms may account for financial inaccuracies and lower revenue collection

By JEFF JONES

The Office of the Legislative Auditor may have discovered one way the cash-strapped Minnesota Department of Human Services can improve its revenues.

A report issued by that office found the department's MinnesotaCare program lost as much as \$22 million by undercharging for health insurance. That report was presented to the House Health and Human Services Policy Committee Jan. 29.

Other problems pinpointed by the report, which was commissioned last spring to investigate application and processing procedures in the MinnesotaCare program, include frequent application backlogs, widespread human error in processing applications, and a lack of effective oversight in the enrollment process.

"I am deeply disappointed in the results of this audit," said Rep. Fran Bradley (R-Rochester). "There are many serious flaws in this very important program."

The committee was especially interested in the finding that an estimated \$5 million to \$22 million in payments may have been lost because participants weren't asked to pay their appropriate premium amount.

The main reason for this, according to the report, is that changes in participants' incomes are not reflected in the premiums they are asked to pay. The report recommends that the Legislature change the law to allow the adjustment of premiums in the middle of the year when incomes go up rather than just at the beginning of the year, as is current policy. The law currently allows such mid-year adjustments only when an enrollee's income goes down.

The result is that participants' tax forms for a given year often show incomes significantly higher than listed on their MinnesotaCare applications. This is not a reflection of fraudulent activity, officials said, but an indication that more accurate income assessment is necessary to best achieve the goals of the program. There was no discussion of possibly having recipients pay the difference noted in the report.

"This is a system waiting to be used improperly," said Rep. Jim Abeler (R-Anoka).

In a written response, Commissioner of Human Services Kevin Goodno agreed with the report's assessment but said the nature of MinnesotaCare participants' jobs makes the task complicated. "Because (an enrollee's) income is fluid in many cases, it would be difficult to ever capture total accuracy," he wrote.

Human error is another factor in producing the financial inaccuracies outlined in the report. It found that state and county workers made errors in applying department procedures in 32 percent of the files examined, including using incorrect calculation methods or relying on

intentionally lied or if they just didn't understand the question," said Adrienne Howard, a program evaluator with the auditor's office.

Howard estimates that a much smaller percentage of applicants who incorrectly answered the question were themselves eligible for employer-provided insurance, and thus ineligible for MinnesotaCare.

Rep. Mary Ellen Otremba (DFL-Long Prairie) said she had filled out the form and misunderstood that very question. "You can absolutely read that two ways," she said.

The report recommends the department consider a more thorough system of verifying applicants' insurance eligibility.

It also finds that application backlogs have been frequent at the department during the last four years, with many applications waiting more than 20 days for processing and applicants waiting 60 to 90 days to receive coverage. Recently, the department has been able to reduce the pro-

"I am deeply disappointed in the results of this audit. There are many serious flaws in this very important program."

— Rep. Fran Bradley

incomplete documentation. In cases where the auditors could determine a correct calculation, 63 percent resulted in financial implications for the department — a person paying too much or too little for their coverage. The average error was \$295 per year in either direction.

The errors rarely, however, resulted in denying coverage to an eligible applicant or giving coverage to an ineligible applicant, the report said.

Some committee members were also startled by the number of applications for MinnesotaCare that misstated the nature of their relationship to outside insurance, though audit officials were quick to downplay the number's significance.

Since eligibility for MinnesotaCare is dependent on a lack of access to employer-subsidized health insurance, applicants must submit information about insurance practices at their jobs. One question on the application asks whether an applicant's employer provides insurance to any of its employees. The agency found that in 52 percent of cases, this question was answered incorrectly.

"We don't know if (applicants)


cessing time to within a week.

MinnesotaCare officials were largely in agreement with the auditor's report and said they will use it as a starting point for reform efforts.

Until now, "We have erred on the side of making sure people have access (to health insurance) rather than on program integrity," said Brian Osberg, assistant department commissioner.

"This administration is going to focus on three things," he added. "Program simplification, program efficiency, and program integrity."

Officials said a new computerized case management system is being developed, that should dramatically reduce processing errors and application backlogs.

"We are confident that an automated eligibility program will solve the vast majority of problems," said Kathleen Henry, the department's director of health care eligibility. That system will not be ready for another 18 months, but legislators agreed with the report in suggesting the department try to expedite that process. 

House floor quarterbacks

Caucus whips Kelliher and Seifert wrangle votes during House debates

BY PATTY JANOVEC

When members of the House of Representatives are debating a bill and the time comes to vote, someone has to go round up the yeas and nays in each caucus.

Those people, appointed by each caucus, are the majority and minority whips.

The caucus "Whip" is responsible for counting votes, and Rep. Margaret Anderson Kelliher (DFL-Mpls) and Rep. Marty Seifert (R-Marshall) have been appointed by their caucuses to fill that important role for 2003-04.

This is Seifert's second term in the position, and the first for Kelliher, who was an assistant minority leader the past two years. Kelliher serves in both roles this session.

The term whip comes from the British term "whipper-in" which refers to the person who kept foxhounds from leaving the pack. Its use in American government has a strong Minnesota tie, as well. It was first used in the U.S. House of Representatives in 1897 when Speaker Thomas Reed appointed Rep. James A. Tawney from Minnesota as whip.

The Minnesota House started using the position two years ago when the the House was closely divided along party lines. At the start of the 2001-02 session, Republicans numbered 69 and DFL members numbered 65. At the time House



Rep. Marty Seifert



Rep. Margaret Anderson Kelliher



Rep. Greg Blaine



Rep. Mark Buesgens

House Whips

Rep. Marty Seifert - Majority Whip
Rep. Margaret Anderson Kelliher - Minority Whip

Rep. Greg Blaine - Assistant Majority Whip
Rep. Mark Buesgens - Assistant Majority Whip
Rep. Tony Cornish - Assistant Majority Whip
Rep. Chris Gerlach - Assistant Majority Whip
Rep. Denny McNamara - Assistant Majority Whip
Rep. Bud Nornes - Assistant Majority Whip
Rep. Maxine Penas - Assistant Majority Whip
Rep. Kathy Tingelstad - Assistant Majority Whip
Rep. Tim Wilkin - Assistant Majority Whip

leaders decided a more formal counting system was needed to ensure the necessary votes, thus delegating the responsibility to the whip.

Several functions of the position for Seifert include filling in for Majority Leader Erik Paulsen (R-Eden Prairie) in leading floor debate and when he is unable to fulfill his duties of House administration; serving as vice-chair of the House Rules and Legislative Administration Committee; helping count votes on close critical issues as designated by the speaker, majority leader, or caucus executive board; and following permanent rules and parliamentary "tricks of the trade."

Seifert described his role as being an aggressive spokesman for the caucus. He also said that his role is to complement the debate style of the majority leader. "If a barn burning speech" is needed, he said, his role is to "secure the water for the caucus." He describes the relationship of majority leader to majority whip as good cop, bad cop.

With such a large majority of Republican members in the House, the caucus also



Rep. Tony Cornish



Rep. Chris Gerlach



Rep. Denny McNamara



Rep. Bud Nornes



Rep. Maxine Penas



Rep. Kathy Tingelstad



Rep. Tim Wilkin

appointed assistant whips to help Seifert keep track of votes.

This session there are seven assistant majority whips. The DFL caucus has not yet appointed any assistant whips.

Kelliher said she sees her role as helping members participate in floor debate, giving advice, and paying attention to rules and amendments on the floor. Another aspect includes helping the caucus do its job better by visiting members in their offices making sure they are comfortable and moving ahead on agendas.

Also, Kelliher said she makes appearances for Minority Leader Matt Entenza (DFL-St. Paul) when he is unavailable. Maintaining relationships on both sides of the aisle, Kelliher describes the minority whip's position as one that conducts sensitive conversations with caucus members. With the whip being an elected position from within the caucus, she said she feels it's a stamp of approval.

She considers her responsibility to build on the traditions of the DFL caucus in the House, and to serve the people through public service. "Where we are, where we can be, that's my job to help other members see that and help them be successful."

With humor Kelliher described the teasing she now receives because of her new title. Fellow Rep. Cy Thao (DFL-St. Paul) gave her an actual whip. "Hopefully I won't be known for using a heavy hand, or the whip. I like to deliver the message more with a smile than a whip."

Classroom experience

A teacher by trade, Klinzing looks to teach the importance of educational reform as new member of the House

By MIRANDA BRYANT

Rep. Karen Klinzing (R-Woodbury) didn't waste any time in her new role as state representative from District 56B. The day after being sworn in she was meeting with House researchers about potential education reform legislation.



Rep. Karen Klinzing

The 32-year-old mother of two has been a teacher for 10 years in the Bloomington school district, teaching high school civics, economics, world history, and American history. Klinzing also taught for one year at a charter school at Fort Snelling State Park. She is passionate about education, and specifically about creating and maintaining educational choices.

"Education is such a personal thing – everybody learns differently, everybody has different values," Klinzing said in a recent interview.

While the representative didn't give specific details about the education reform legislation she may sponsor, she said she generally aims to broaden a family's schooling choice by creating funding alternatives. This could take the form of tax credits, vouchers, or tax cuts. At a minimum, the charter school system could be expanded while post-secondary options and open enrollment legislation are maintained, Klinzing said.

The problem as she sees it is that Minnesota has open enrollment legislation, but the choice provided by it doesn't extend equitably to private school customers. They are charged twice – once by the private school tuition and again by their mandated tax support of public schools.

"We're creating a situation where only the rich can afford to send their kids to a private school and everybody else gets a one-size-fits-all," she said.

The state and federal governments have long been increasing education funding, but Klinzing said she is only seeing more administrators, administrative assistants, manuals,

studies, and teacher curriculum days.

"I'm not seeing any direct impact on the classroom because of money," she said. "I'm not seeing the students happier. I'm not seeing the parents happier."

Though Klinzing has long been enthusiastic about education, she said, she was given little time to use that energy as a catapult to elected office. When the Republican candidate in her district unexpectedly pulled out of the race in June, party leaders sought Klinzing. They had been impressed by a speech she gave at the Republican Party's Senate District 56 convention.

Klinzing had only two days to decide if she would run for office.

"I said, 'This is an opportunity that can't be missed,'" Klinzing said.

But Klinzing's political aspirations

"Education is such a personal thing – everybody learns differently, everybody has different values."

— Rep. Karen Klinzing

originally surfaced in the midst of a Wisconsin snowstorm while she was a student at the University of Wisconsin-Madison. She and her classmates in a political science course were electing a mock legislature. The blizzard kept away all but Klinzing and three others from the class-appointed election. "So we all elected each other for leadership," said Klinzing, who became the Senate president. "I found it absolutely fascinating."

The freshman legislator has already gained the respect of key state legislators in Minnesota. House Republican caucus leaders selected her to be one of seven assistant majority leaders.

Peg Larsen, the former representative for what is now District 56A, said Klinzing is going to do good work at the Capitol.

"There are three qualities that come to mind when I think about her," Larsen said. "One is sincerity, and the other is honesty, and the

other is experience. She has the kind of experience in the educational field that is very much needed in this session."

Appointed to the committees of education finance, education policy, and local government and metropolitan affairs, Klinzing will be able to demonstrate those qualities.

Klinzing said she requested to the local government assignment because she believes in the principles of a smaller, limited government, and endorses capitalism and the free market. These ideas carry over into her philosophy of keeping taxes at the most local level so that citizens can better participate in the process.

Klinzing said she believes the state should hold the line on taxes, even at the risk of cities and counties raising their taxes in response. "At the local level citizens have more of a voice, or at least see it and know they can go down to city hall," she said. "In Woodbury most people know the mayor."

She also said she is anxious to delve into the metropolitan affairs side of the committee. Klinzing said she finds it odd that the Metropolitan Council has told Woodbury to stop growing while telling Lake Elmo to "get going." Woodbury is expanding at such a rate that the

sewer and water infrastructure may reach capacity. Conversely, Lake Elmo wants to keep its three-acre lots.

Said Klinzing, "From a big-picture perspective it's ironic to have a state advisory board giving contradictory messages to neighboring communities."

DISTRICT 56B

2002 population: 36,683

Largest city: Woodbury

County: Washington

Location: southeastern Twin Cities suburbs

Top concern: "Obviously a top concern is the budget and that was a main concern of mine going into this."

— Rep. Karen Klinzing

Opportunity knocks

After years of behind the scenes involvement, Kohls is now in the forefront as a representative

By JEFF JONES

Rep. Paul Kohls (R-Victoria) admits to having a self-interest in the transportation bonding bill (HF4) that he co-sponsors.



Rep. Paul Kohls

Unlike many legislators, "I have the luxury of being able to go home each night," he says. But making the 35-mile trip means that, like many residents of his district, he must battle the traffic from the far western edge of the Twin Cities

metropolitan area back into the city core each morning.

"Transportation was a big issue in my campaign," Kohls said, "and I'm pleased to be a co-author on that legislation."

Despite the commute, he says he wouldn't want to live any place else. Kohls and his wife, Kelly, moved to Victoria after he graduated from the University of Minnesota Law School in 1999.

"It was time to start a family," said Kohls, whose wife grew up in nearby Waconia. "We made a decision we wanted to be out in the western suburbs. It's a wonderful place to live and to raise a family."

Though the district is on the border of suburbia, Kohls says it is made up primarily of small- to midsized-towns with a real sense of community.

When he moved to the area, Kohls was active on the executive board of former Senate District 43 and decided to run for office when redistricting resulted in an open House seat.

"I figured that at some point, somewhere down the line, I might run for office ... (When) the opportunity presented itself, I figured it was a great chance to mix politics and policy."

Kohls has been active in politics for many years. He was involved in the College Republicans organization as an undergraduate at the University of St. Thomas and worked on the communications staff for former-Gov. Arne

Carlson's 1994 campaign. His active political participation waned somewhat during law school, but only three years after graduation, he now finds himself an elected representative.

"To be completely honest, I didn't expect it would happen at this stage of my life," Kohls said.

At age 28, Kohls is the fourth-youngest current member of the House. When people bring up his age, he tells them, "You know, I'm a father. I'm a homeowner. I'm a lawyer. I'm an earnest and serious person. Maybe it wouldn't be right for some people, but I don't think my age is going to be a hindrance in being an effective legislator, and an effective leader."

Kohls has already taken the lead in co-sponsoring several other pieces of legislation,

"The budget deficit has created a tremendous opportunity for us to redefine and revitalize government."

— Rep. Paul Kohls

including the repeal of the Profile of Learning (HF37) and a bill to create tax-free zones in certain parts of the state (HF3).

He also introduced a bill (HF170) that would eliminate the legal practice called "forum-shopping" that allows lawyers to bring lawsuits in Minnesota after a statute of limitations has run out in other states, even if the case were unrelated to Minnesota.

Co-sponsoring that legislation is fellow freshman Rep. Chris DeLaForest (R-Andover), a classmate from law school. "Paul was an excellent student," DeLaForest remembers. "He is very intelligent. He has a nimble mind... and that makes him a good attorney and an excellent legislator."

Kohls said he is most looking forward to being a part of the legislative process and developing solutions during his freshman term. "The budget deficit has created a tremendous opportunity for us to redefine and revitalize government," he said.

He says Minnesota provides an excellent level

of services to its citizens and that residents will continue to demand excellence. To do that and solve the budget problems at the same time will be a challenge but not impossible, he added.

Kohls said he thinks privatization may be the key. "There will be services that will be cut, there will be programs that will be eliminated, I am almost certain of that," he said. "But (solving the deficit) is more than just cuts. It's also looking for ways we can take certain government services and give serious consideration to privatizing some of those or at least opening up the bidding process to bring competition into the delivery of those services."

Kohls said his first weeks as a legislator have been "amazing," in particular a special moment he shared with his 23-month-old son at the Jan. 7 swearing in ceremony. "It was wonderful to be able to hold him in my arm and take the oath of office. When I raised my hand, however, he thought that he was supposed to give me a high-five. And so the whole time I

had my hand raised, he was giving me high fives."

Should Kohls be re-elected to a second term, he may really have his hands full. He and his wife are expecting another child in March.

DISTRICT 34A

2002 population: 36,701

Largest cities: Chaska

Counties: Carver, Scott

Location: southwestern Twin Cities suburbs

Top Concern: "Our citizens are going to continue to demand we provide excellent service. We just need to find a new way to do it so that we can balance our budget deficit and pass a budget that the governor will sign – and that means a budget that isn't going to raise taxes."

— Rep. Paul Kohls

Finding his muse

Thissen draws on common principles from his life, and 'The Boss,' in new role as state legislator

By MIRANDA BRYANT

Political inspiration comes in many forms. And for freshman legislator, Rep. Paul Thissen (DFL-Mpls), it comes partly from one of America's most famous rock 'n' rollers.



Rep. Paul Thissen

Bruce Springsteen has a huge fan in the 36-year-old Thissen, who has attended 15 Springsteen concerts since his high school days. In fact, the Harvard-educated lawyer sings the older of his two children, 4-year-old Emily, to sleep every night to Springsteen's *Thunder Road*.

"I think he speaks in a profound way about ordinary people's lives and the challenges they face that has always resonated with me," said Thissen.

Thissen said Springsteen doesn't judge where people are in their lives, but rather recognizes that circumstances can lead to situations that are good or difficult. This perspective, said Thissen, is something that should be remembered in government.

Prior to his election in District 63A, Thissen worked as a litigation lawyer for Briggs and Morgan. There he was chair of the *pro bono* program that provided legal services to selected low-income individuals, nonprofit ventures, and public interest causes free of charge.

"Government and policy are things I've been interested in for a long time, and public service," said Thissen, who has served on various nonprofit organizations' boards of directors.

But two situations pointed him to the State Capitol. First, the 2002 redistricting process created a new district closely reflecting the areas Thissen knew well from a childhood in Bloomington and an education in Richfield. Second, he believed legislators showed a "lack of vision" last year in addressing the state budget deficit.

"My wife said, 'You ought to put your money where your mouth is,'" Thissen said.

Thissen spent the next months contacting the 150 DFL convention delegates, ultimately

winning their endorsement. Then he started visiting people in the district.

He said that process taught him a lot about the issues. Voters told him they wanted fairer funding for schools, improved prescription drug benefits, greater options for long-term care, preservation of veteran services, and relief from ever-increasing traffic snarls.

Thissen will be able to address those issues on the House committees to which he's been assigned: transportation finance, state government finance, and government operations and veterans affairs policy.

"Paul not only has an intense interest in issues, but he knows them well," said Rep. Jean Wagenius (DFL-Mpls). "He is already contributing new solutions for the budget problems that we face."

"Government and policy are things I've been interested in for a long time, and public service."

— Rep. Paul Thissen

Thissen envisions creating social service outreach offices at schools, such as the three at Achievement Plus schools in St. Paul, to increase access to government services. Sometimes the only place people encounter the government is in a school, he explained.

Fairer funding for schools is becoming more critical, said Thissen, with the number of families living in poverty and the growing population of students who don't claim English as their first language.

"We need to recognize with our funding that these districts are facing challenges and we need to fund accordingly," he said.

Veteran services is another vulnerable area, said Thissen, noting the large population of aging military personnel in his district.

"I think it's really important that especially in these budget times that they're not one of the groups that bears the brunt ... We need to be vigilant about that."

Related to veteran services are Thissen's

concerns about prescription drug costs and in-home health care. Thissen said he will be attentive to any prescription drug reform bills and what groups are covered under such bills. He also hopes to see legislative reform to the long-term care system.

"I've heard many, many stories about people who have really made great sacrifices to take care of a loved one, but it's really difficult and I think we can help those folks without costing the state a lot of money," Thissen said.

Traffic congestion is an issue that Thissen confronts daily. With interstates 494 and 35W and highway 62 in his district, the representative understands his constituents' bottleneck blues. Unless quick action is taken, the problem will worsen, he predicted, as new workers begin coming to Best Buy's new headquarters near where the two freeways merge. The business is expected to draw 6,000 to 7,000 workers to the area.

The solution lies in increased transportation funding and alternative transportation, Thissen said. The Northstar commuter rail line makes sense, but bonding for new construction has costs that must be considered, he said.

Thissen said the state has traditionally paid for new transportation construction with cash.

If the state sells bonds for the same, it may have to sacrifice a new road to simply pay interest and financing charges.

Increasing the gas tax, as well as the sales tax in affected communities, should be explored, he added.

"I think we need to look at a variety of funding sources."

DISTRICT 63A

2002 population: 36,726

Largest city: Minneapolis

County: Hennepin

Location: central Twin Cities area

Top Concern: "Coming up with solutions to the (traffic) congestion problem is one of my top priorities."

— Rep. Paul Thissen

Monday, Jan. 27

HF183—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Townships authorized to regulate and impose investigation fees on lawful gambling organizations.

HF184—Olsen, S. (R)
Education Policy
Childcare assistance payments authorized for use for all-day kindergarten tuition payments.

HF185—Dill (DFL)
Jobs & Economic Development Finance
Knife River-Larson Sanitary District wastewater infrastructure grants provided, bonds issued, and money appropriated.

HF186—Dill (DFL)
Environment & Natural Resources Finance
Gitchi-Gami State Trail development funding provided, bonds issued, and money appropriated.

HF187—Jaros (DFL)
Health & Human Services Policy
MinnesotaCare eligibility requirements modified relating to other health coverage and employer-subsidized coverage.

HF188—Jaros (DFL)
Higher Education Finance
Minnesota State Colleges and Universities directed to adopt a policy requiring foreign language teaching students to study abroad, and University of Minnesota requested to adopt a similar policy.

HF189—Mariani (DFL)
Agriculture Policy
Ethanol producer payments restricted for facilities in cities of the first class.

HF190—Juhnke (DFL)
Agriculture Policy
Ethanol plant relocation assistance provided, ethanol producer payments to urban plants eliminated after a specified date, and money appropriated.

HF191—Gerlach (R)
Governmental Operations & Veterans Affairs Policy
MSRS refunds provided for certain employees on medical leaves of absence.

HF192—Hilty (DFL)
Environment & Natural Resources Policy
Lead sinkers sale and use prohibited.

HF193—Erickson (R)
Education Policy
Profile of Learning repealed and replaced; and legislative review of proposed statewide core academic standards in language arts, mathematics, science, history, and geography required.

HF194—Urdahl (R)
Environment & Natural Resources Policy
Wright County board authorized to change the names of bodies of water without the approval of the commissioner of natural resources.

HF195—Rhodes (R)
Governmental Operations & Veterans Affairs Policy
Voting integrity and voter access account established, funding provided, and money appropriated.

HF196—Juhnke (DFL)
Transportation Policy
Multimodal transportation fund and accounts established, motor vehicle sales tax proceeds allocated, fuel taxes increased, metropolitan sales tax election required, trunk highway bonds authorized, and money appropriated.

HF197—Marquart (DFL)
Education Finance
Declining enrollment funding increased.

HF198—Marquart (DFL)
Taxes
Military pension individual income tax deduction provided.

HF199—Anderson, I. (DFL)
Jobs & Economic Development Finance
Koochiching County authorized to establish a port authority, and local government units authorized to apply for foreign trade zone powers.

HF200—Jacobson (R)
Transportation Finance
Ramsey County; McKnight Road and Highway 36 interchange project funding provided, bonds issued, and money appropriated.

HF201—Fuller (R)
Health & Human Services Policy
Emergency medical services registration provisions modified.

HF202—Olsen, S. (R)
Education Finance
Referendum equalization aid program expanded, and alternative facilities aid eliminated.

HF203—Sertich (DFL)
Commerce, Jobs & Economic Development
Property insurance; FAIR plan regulation provided.

HF204—Murphy (DFL)
Local Government & Metropolitan Affairs
St. Louis County; political activity restrictions modified for certain officers and employees in the classified service.

HF205—Goodwin (DFL)
Education Finance
Detachment and annexation process alternative established for residential property parcels that are split among school districts.

HF206—Seagren (R)
Education Policy
Jan. 15 teacher contract deadline date repealed.

HF207—Latz (DFL)
Taxes
Internet; Congress memorialized, by resolution, to require Internet sellers to collect state and local taxes.

HF208—Kuisle (R)
Regulated Industries
Renewable energy source definition expanded to include mixed municipal waste.

HF209—Carlson (DFL)
Jobs & Economic Development Finance
Omnibus state government finance bill appropriating money and reducing state department appropriations.

HF210—Thissen (DFL)
Civil Law
Personal jurisdiction over foreign corporations and nonresident individuals modified in certain cases.

HF211—Lindgren (R)
Taxes
Beltrami County tourism, agricultural, and industrial developments promotion spending limits increased.

Tuesday, Jan. 28

HF212—Abeler (R)
Health & Human Services Policy
Health occupations advisory committees extended, including acupuncture, respiratory care practitioner, licensed traditional midwifery, and health professionals services program advisory committees.

HF213—Blaine (R)
Local Government & Metropolitan Affairs
Local fire departments reimbursed for extinguishing certain motor vehicle fires, local authority granted to collect unpaid bills for certain emergency services from nonresidents, and money appropriated.

HF214—Dempsey (R)
Judiciary Policy & Finance
Fourth-degree assault law expanded to include offenses committed towards employees or care providers at secure treatment facilities.

HF215—Dempsey (R)
Agriculture Policy
Wine; Minnesota-produced wine exempted from state fairgrounds prohibition.

HF216—Davnier (DFL)
Transportation Policy
Minneapolis; commissioner of transportation prohibited from increasing speed limit on Highway 55.

HF217—Vandever (R)
State Government Finance
Legislators and constitutional officers 4 percent salary decrease provided until June 30, 2005.

HF218—Ellison (DFL)
Education Policy
Review of parental involvement programs pilot project authorized.

HF219—Erickson (R)
Education Policy
Retired teachers encouraged to serve as short-call substitute teachers.

HF220—Erickson (R)
Governmental Operations & Veterans Affairs Policy
English designated as the official language of the state of Minnesota.

HF221—Erickson (R)
Education Finance
Education finance; actual maximum effort capital loan tax rate for existing loans lowered, and technical corrections provided.

HF222—Biernat (DFL)
Governmental Operations & Veterans Affairs Policy
Lobbying restriction of one year imposed on former legislators, constitutional officers, and other specified state and legislative employees.

HF223—Clark (DFL)
Health & Human Services Policy
Hennepin; essential community provider application authorized for a specified Hennepin County clinic.

HF224—Howes (R)
Jobs & Economic Development Finance
Wastewater infrastructure program funding provided, bonds issued, and money appropriated.

HF225—Murphy (DFL)
Higher Education Finance
Lake Superior Community College and Northwest Technical College dental clinics funding provided, bonds issued, and money appropriated.

HF226—Murphy (DFL)
Higher Education Finance
Lake Superior Community and Technical College student services, smart classrooms, and open labs funding provided; bonds issued; and money appropriated.

HF227—Ellison (DFL)
Governmental Operations & Veterans Affairs Policy
Voting eligibility restored for certain convicted felons who are not incarcerated.

Wednesday, Jan. 29

HF228—Knoblach (R)
Health & Human Services Finance
Nursing facilities designated as metropolitan facilities for purposes of medical assistance reimbursement.

HF229—Abeler (R)
Health & Human Services Policy
Doula services health insurance coverage required.

HF230—Abeler (R)
Health & Human Services Policy
Licensed professional counseling board established, license requirements provided, and money appropriated.

HF231—Peterson (DFL)
Education Finance
Independent School District No. 2853, Lac qui Parle Valley, severance levy authorized.

HF232—Rhodes (R)
Taxes
Valuation exclusion for certain improvements on older homes program extended.

HF233—Carlson (DFL)
Education Policy
State board of education established.

HF234—Dempsey (R)
Transportation Finance
Port development assistance funding provided, bonds issued, and money appropriated.

HF235—Dill (DFL)
Environment & Natural Resources Finance
Lake Superior safe harbors funding provided, bonds issued, and money appropriated.

HF236—Hilstrom (DFL)
Local Government & Metropolitan Affairs
Brooklyn Center tax increment financing district expenditures authorized for housing within designated area.

HF237—Dempsey (R)
Jobs & Economic Development Finance
Mississippi River Parkway Commission funding provided to promote tourism and economic development along the Great River Road.

HF238—Urdahl (R)
Higher Education Finance
Veterinary diagnostic laboratory building funding provided at the University of Minnesota, bonds issued, and money appropriated.

HF239—Magnus (R)
Environment & Natural Resources Finance
Lewis and Clark rural water project general fund appropriation provided, and previous bond proceeds funding canceled.

HF240—Soderstrom (R)
Environment & Natural Resources Finance
Waste processing grants outstanding obligations canceled for specified counties.

HF241—Paymar (DFL)
Taxes
Limited market value phase-out extended.

HF242—Solberg (DFL)
Environment & Natural Resources Policy
Aitkin County tax-forfeited land sale authorized.

HF243—Seagren (R)
Education Finance
Intermediate school districts authorized to receive proceeds of the safe schools levy.

HF244—Lesch (DFL)
Local Government & Metropolitan Affairs
St. Paul civil service separation retro-active effective date established.

HF245—Westrom (R)
Local Government & Metropolitan Affairs
Alexandria; lakes area economic development authority established.

HF246—Otremba (DFL)
Governmental Operations & Veterans Affairs Policy
Lottery prohibited from removing certain computer terminals until July 1, 2005.

HF247—Nelson, C. (R)
Governmental Operations & Veterans Affairs Policy
Military service credit purchase sunset eliminated.

HF248—Otremba (DFL)
Health & Human Services Policy
Universal health board, universal health program, health care trust fund, and statewide and regional health care budgets established; health care commission abolished; and money appropriated.

HF249—Johnson, S. (DFL)
Health & Human Services Policy
Hearing aid health coverage required for children.

Thursday, Jan. 30

HF250—Paulsen (R)
Governmental Operations & Veterans Affairs Policy
Initiative and referendum procedures provided by proposed constitutional amendment.

HF251—Beard (R)
Transportation Finance
State airports fund transfers restoration required.

HF252—Larson (DFL)
Local Government & Metropolitan Affairs
Metropolitan airports commission membership expanded to include mayors.

HF253—Johnson, J. (R)
Governmental Operations & Veterans Affairs Policy
Plymouth volunteer firefighter's relief association ancillary benefits subjected to general law.

HF254—Abrams (R)
Jobs & Economic Development Finance
Guthrie Theater new construction funding provided, bonds issued, and money appropriated.

HF255—Dill (DFL)
Environment & Natural Resources Finance
Snowmobile trail easements acquisition funding provided to connect the Willard Munger State Trail to the North Shore State Trail, and money appropriated.

HF256—Beard (R)
Taxes
Sales to political subdivisions exempted from sales tax.

HF257—Cox (R)
Environment & Natural Resources Policy
Phosphorous content in dishwasher detergents restricted.

HF258—Dorman (R)
Agriculture Policy
Fertilizers containing arsenic prohibited.

HF259—Kuisle (R)
Transportation Policy
School bus continued operation by licensed child-care providers and by holders of Class D driver's licenses under limited conditions.

HF260—Klinzing (R)
Transportation Finance
I-94 at Century Avenue and McKnight Road interchange project funding provided, bonds issued, and money appropriated.

HF261—Boudreau (R)
Civil Law
Minnesota citizens' personal protection act of 2003 adopted recognizing the right of law-abiding citizens to self-protection, authorizing pistol permits, providing criminal penalties, and appropriating money.

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<http://www.leg.mn>

MONDAY, February 3

12:30PM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF162 (Seifert) Health commissioner required to obtain legislative approval for specified rules adoption.

HF164 (Haas) Patient consent required to collect health data, and adoption of certain proposed rules prohibited.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Overview of the Minnesota State Grant and Federal Pell Grant Programs.

Witnesses: Kathy Novak, Legislative Analyst, Minnesota House of Representatives.

John Brandl, Professor, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota.

3 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, February 4

***** Note: *** Change in meeting time**

8:00AM

Transportation Finance

Room: Tour

Chair: Rep. William Kuisle

Agenda: Tour of the Hiawatha Light Rail Project. Members and staff: a bus will pick us up on the east steps of the State Office Building.

8:15AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Continuation of "Do More With Less" testimony.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Discussion of the Mesaba Metals project in Northern Minnesota.

Overview and discussion of the Displaced Homemakers Program in the Department of Economic Security.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

***** Note: *** Change in Agenda**

Agenda: Overview of current agency budgets by House fiscal analyst and research staff.

Office of Environmental Assistance.

Board of Water and Soil Resources.

Minnesota Pollution Control Agency.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF120 (Olsen) Teacher licensing duplicative filing requirement eliminated; and license verification authorized using the Department of Children, Families and Learning website.

HF219 (Erickson) Retired teachers encouraged to serve as short-call substitute teachers.

HF206 (Seagren) Jan. 15 teacher contract deadline date repealed.

10:15AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: HF127 (Carlson) Special education; President and Congress memorialized by resolution to carry through on their pledge to fund 40 percent of special education costs.

HF109 (Ruth) Career and technical levy programs levy made permanent.

HF160 (Abeler) Staff development activities portion of a district's basic general education revenue reduced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Chronic Wasting Disease (CWD) briefing. Legislative report on CWD.

Department of Natural Resources.

Board of Animal Health.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Sex offender mandatory registration departure rates.

Report from Department of Corrections on concentration of Level III sex offenders.

11:45AM

STATE OF THE STATE ADDRESS

Joint House-Senate Convention

House Chamber

12:30 PM

(Please note: Committee times may be adjusted to accommodate State of the State Address)

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: To be announced

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF195 (Rhodes) Voting integrity and voter access account established, funding provided, and money appropriated.

Other agenda items to be announced.

2:30PM

Regulated Industries

***** Note: *** Change in meeting room**

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Presentation by Xcel Energy on issues pertaining to Prairie Island and need for additional storage.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Amateur Sports Commission.

Campaign Finance and Public Disclosure Board.

Capitol Area Architectural and Planning Board.

Civil Law

***** Note: *** Change in meeting room**

Room: 5 State Office Building

Chair: Rep. Steve Smith

Agenda: HF166 (Thissen) Uniform Guardianship and Protective Proceedings act adopted.

HF169 (Lipman) Animal care and memorial fund trusts provided.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: To be announced.

WEDNESDAY, February 5

8:15AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF17 (Mullery) Establish an auto lease program to help MFIP recipients lease cars necessary for job search and employment.
HF15 (Mullery) Modifying MinnesotaCare eligibility requirements for persons with continuation coverage.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

*** Note: *** Change in Agenda

Agenda: Overview of current agency budget by House fiscal analyst and research staff.
Department of Natural Resources.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Presentation by the Association of Minnesota Counties.
Presentation by MnDOT on the use of consultants.

10:15AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Continuation of Education Finance introduction and overview.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced.

12:30PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Minnesota State Colleges and Universities (MnSCU) overview.
Witness: James H. McCormick, chancellor, Minnesota State Colleges and Universities.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: Are the new feedlot rules working continued.
Steve Olson, Boiler and Egg Association and the Turkey Growers.
John Meyer, dairyman from Rollingstone, Minnesota.

Steve Brake, Minnesota State Cattlemen's Association.

Jerry Shoenfeld, Minnesota Pork Producers Association.

Bruce Kleven, Cattlemen's Association.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: Horse Racing Commission overview, Dick Krueger, Executive Director.
Canterbury Park Presentation, Randy Sampson.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: Tour of State Patrol Metro Communications Center and MnDOT Traffic Management Center.

2:30PM

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Department of Administration.

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Presentations on nuclear and regulatory issues by the following agencies and organizations:

Mike Bull, House Research Department;

Department of Commerce;

Public Utilities Commission;

MAPP COR (Mid Continent Area Power Pool); and the Department of Health.

Civil Law

*** Note: *** Change in meeting room

Room: 5 State Office Building

Chair: Rep. Steve Smith

Agenda: HF112 (Pugh) Title, lien, and mortgage technical, clarifying, and conforming changes provided.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: To be announced.

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkie

Agenda: Department of Finance cancellations report pursuant to M.S. 16A.642.

THURSDAY, February 6

8:15AM

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

*** Note: *** Change in Agenda

Agenda: Office of Legislative Auditor Reports.
Water Quality: Permitting and Compliance Monitoring.
Minnesota Pollution Control Agency Funding.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Continuation of "Do More With Less" testimony.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF2 (Kielkucki) Profile of Learning repealed and replaced; and legislative review of proposed academic standards in language arts, mathematics, science, history, and geography required.

10:15AM

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

12:30PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: Overview hearing on the funding for the feedlot cost share program and the funds appropriated for permit and enforcement of the 7020 Rules.

Ways and Means

Room: 200 State Office Building

Chair: Rep. Jim Knoblach

Agenda: To be announced.

What's on the Web

Election results available

The House is expected to gain one member in each of the next two weeks with special elections scheduled to replace former Reps. Dan McElroy and Mark Holsten.

McElroy resigned his position Jan. 6 to become the state's finance commissioner. His replacement will be selected Feb. 3.

The candidates for the seat, which encompasses parts of Burnsville and Savage, are Republican Duke Powell and DFLer Joe Rosenfield, who lost to McElroy in the November election.

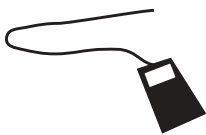
The election to replace Holsten, who was named a deputy commissioner with the Department of Natural Resources Jan. 17, is scheduled Feb. 11.

District 52B includes Birchwood Village, Dellwood, Grant, Mahtomedi, Marine on the St. Croix, May Township, Pine Springs, Stillwater Township, Willernie, and portions of Hugo, Stillwater, and White Bear Lake.

The Jan. 28 primary winners were Republican Matt Dean, DFLer Rebecca Otto, whom Holsten defeated in November, Anthony Frolik of the Independence Party, and Kathleen Vadnais of the Green Party.

A third special election is likely on the horizon as Rep. Rich Stanek (R-Maple Grove) was named the state's public safety commissioner Jan. 23. He resigned Jan. 30. No election date had been set at the time *Session Weekly* went to press.

Results from these contests will be available on the secretary of state's Web site (www.sos.state.mn.us). Look on the House Web site (www.house.mn) for biographical information on the new members soon after the elections.



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Reflections

Late in the 1800s, two Minnesota governors were recognized for a remarkable similarity in their lives. They were both of strong character and integrity, had status in the community, were members of the Republican Party, and believed in the same principles by which they lived. Not only were they close friends, but their lives followed similar paths.

Both Govs. Horace Austin and Andrew McGill lived in St. Peter before they entered the political world. Austin led the state for two terms, from 1870 to 1874. McGill served as governor for one term, from 1887 to 1889, and as a state senator from 1899 to 1905.

Austin was the state's sixth governor. The son of a prominent Connecticut farmer, he studied in Maine, became his high school's principal, and studied law in the office of the state's U.S. Senator. He later moved to St. Peter at the age of 25 and set up a law practice in 1856.

In 1862, Austin volunteered as a private for the St. Peter Frontier Brigade to help protect the frontier. He became a captain with the U.S. Army the same year.

He was elected judge of the state's Sixth Judicial District in 1864, earning the reputation of being "independent, upright, and fearless." When Austin was nominated to run for governor at the 1869 Republican Convention, he was victorious on the first ballot and easily won the governorship in the general election. After Austin served his first term with "honor and fidelity," he was re-elected for a second term with no opposition.

McGill was Minnesota's 10th governor.



Gov. Andrew McGill



Gov. Horace Austin

Like Austin, he grew up on a large farm, although he was in Pennsylvania, and moved to another state — Kentucky — to teach. When the Civil War began, McGill was treated with hostility because of his union sentiments, so he moved to St. Peter, set up a select, well-respected high school, and served as its principal.

McGill began to study law, but with the onset of the Civil War, he joined as a private to serve in the military. He earned the rank of sergeant before he was discharged for disabilities. He returned to St. Peter and became superintendent of schools for Nicollet County.

As he continued his law studies, McGill was elected to serve as clerk of the district court and was admitted to the bar in 1869 by then-Judge Horace Austin. When Austin won the governorship the following year, McGill became his private secretary. Later, Austin appointed McGill to be state's insurance commissioner, which he held for 13 years under three other governors.

Like Austin, McGill was well respected and trusted among politicians and the general public alike. When he became governor in 1873, McGill reciprocated an appointment to his friend, Austin by naming him state railroad commissioner.

In 1905, Austin was one of four former governors to serve as an honorary pallbearer for McGill after he died suddenly. Then Austin died exactly a week later during a simple surgery operation.

Their lives, filled with admirable service to the state they chose as home, were inextricably linked.

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society

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MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA

I N D E X

State and federal assistance programs

Federal poverty income guideline, family of four, 2002	\$18,100
Average number of monthly aid recipients through the Minnesota	
Family Investment Program (MFIP), fiscal year 2002	127,578
Total annual payments, in millions	\$321.9
State share of payments, in millions	\$72.3
State share of payments, as percent	22
Percentage of cases affecting single- and two-parent families	87
Total state Medical Assistance program spending, 2002, in millions	\$4.1
Projected enrollees in state and federal health care programs,	
fiscal year 2003	623,545
Families receiving state-supported child-care assistance, fiscal year 2002	27,274
Children benefited	46,466
Average cost per family	\$7,123
Minnesota households receiving federal food stamp benefits, 2002	99,720
Total dollar value of food stamp benefits, in millions	\$195.8
Number of people on average each month receiving emergency	
assistance aid (one-time assistance for a crisis involving the health	
or safety of children)	6,294
Total annual payments, 2002, in millions	\$24.1
State share of payments, in millions	\$3.4
State share of payments, as percent	14
Number of people on average each month receiving state general	
financial assistance aid	10,486
Total annual payments, 2002, in millions	\$23.3
Number of people on average each month receiving federal supplemental	
security income	66,369
Total annual payments, 2002, in millions	\$310.2
Number receiving additional state supplemental aid	27,619
Total annual payments, in millions	\$27.4
Minnesota Medical Assistance payments (including Medical Assistance	
and Medicaid), 2002, in billions	\$4.1
State share of payments, in billions	\$1.96
State share, as percent	48
Total annual payments from Minnesota General Assistance Medical Care	
(for low-income Minnesotans ineligible for other assistance), 2002, in millions	\$178.6
Total average monthly enrollees in MinnesotaCare, 2002	143,855
Total health care payments, in millions, 2002	\$372.4

Sources: *The 2002 HHS Poverty Guidelines*, U.S. Department of Health and Human Services, February 2002; *Minnesota Data Book for Legislators*, Minnesota House of Representatives Research Department, January 2003; *Family Self Sufficiency & Health Care Program Statistics*, Minnesota Department of Human Services, January 2003; *MinnesotaCare Enrollment by County*, Department of Human Services, January 2003.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

FEBRUARY 7, 2003

VOLUME 20, NUMBER 5

In this issue:

STATE OF THE STATE

TEACHER COMPENSATION, NUCLEAR STORAGE, AND MORE

HF262-HF341

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Snow covers the Quadriga atop the Capitol Feb. 3.

—Photo by Tom Olmscheid

Storage concerns

House begins examining ways to create more space for nuclear waste at 2 state power plants

BY TOM LONERGAN

More waste storage for Xcel Energy's Prairie Island nuclear power plant near Red Wing will be the major factor that determines nuclear power's future in Minnesota, utility officials told House members at hearings Feb. 4 and 5.

The utility's request for additional dry cask storage capacity for Prairie Island's spent fuel rods has re-opened an energy and environmental debate in the Legislature that a decade ago led to a legislative compromise approving off-site storage for Prairie Island and requiring Xcel, then Northern States Power Co., to develop renewable energy sources.

Also at issue is whether the Mdewakanton Dakota Tribal Council at Prairie Island, as a third-party beneficiary to the 1994 agreement between the state and Xcel, has the authority to limit the amount of stored nuclear waste from the plant.

Rep. Bruce Anderson (R-Buffalo Township) and Sen. Mark Ourada (R-Buffalo) introduced bills in the House and Senate Feb. 6 to increase the number of storage casks at Prairie Island beyond the 17 allowed by the 1994 state law.

Members of the House Regulated Industries Committee heard testimony Feb. 4 and 5 from Xcel representatives, the state Department of Commerce, and the nonpartisan House Research Department. Representatives from the state Public Utilities Commission and Health Department are scheduled to appear before the committee Feb. 11 with public testimony from groups and individuals to be heard that day or the next.

The storage issue affects the future operation of Prairie Island's two nuclear reactors and the utility's Monticello nuclear plant, which together generated nearly 30 percent of the electricity Xcel's Minnesota customers used in 2001, according to a House research report. Prairie Island's unit one began operating in December 1973 and its unit two went online a year later. The utility's Monticello plant, located three miles from the town it was named after, began operating in mid-1971.

The 17 dry storage casks at Prairie Island

reached capacity last summer, according to Xcel. Spent fuel is stored in a pool inside the plant, but that pool will be full in 2007. If there's no additional storage capacity approved, the utility will shut down Prairie Island at that time. The Monticello plant's waste is stored in a spent fuel pool that will be full in 2010, utility officials said.

Other factors involved in why Xcel needs the Legislature to decide the waste storage issue this session, according to utility officials, include the following:

- There is currently no interim national nuclear waste site available;
- A \$130 million new steam generator needed at Prairie Island would require the plant to



PHOTO BY TOM OLMSCHIED

Jim Alders, manager of regulatory administration for Xcel Energy, testifies before the House Regulated Industries Committee Feb. 4 on issues pertaining to the Prairie Island nuclear power plant and the need for additional storage at the facility.

stay open until 2010 to justify the utility's investment; and

- The waste storage issue would affect the utility's decision to seek federal nuclear license renewals for both plants, a process requiring significant lead time.

Committee members mostly sought more details about Xcel's proposal. Rep. Jean Wagenius (DFL-Mpls) reminded utility officials that in 1994 Northern States Power representatives said they wouldn't return to the Legislature to ask for more nuclear cask storage. "We have to talk about the elephant sitting in the middle of the room and that's your credibility," Wagenius said.

In response, Laura McCarten, the utility's community services director, said, "We didn't want to come back." The 1994 state law, she said, directed the utility to prepare a replacement for Prairie Island. "We can replace the plants," McCarten said. "The question is, is that the best energy option?"

The utility is seeking a policy decision, she said. "We're looking at whether nuclear power will be part of Minnesota's energy future."

Edward Garvey, deputy commissioner of the state Commerce Department, said the nuclear power issue is "a question we all have to struggle with as public policymakers." As an assistant to former U.S. Sen. David Durenberger, Garvey worked in the late 1980s on high-level nuclear waste storage.

"It's a question of when," Garvey said regarding the establishment of a national nuclear waste storage site. He said the Pawlenty administration would do everything it can to assure that Minnesota's nuclear waste "is going to be at the front of the line," when the federal site is available. Xcel officials don't see the national site being available for another decade.

Last year, Congress designated the Yucca Mountain site in Nevada as a suitable repository for spent nuclear fuel. According to a House Research analysis, Nevada is adamantly opposed to the project and is expected to legally challenge it. Without the site, some of the nuclear waste currently stored in Minnesota would remain in the state until after 2035, according to the analysis.

The environmental trade-off between fossil fuel-based and nuclear-generated power does not provide legislators with an easy choice, said Steve Rakow, an analyst with the Commerce Department's electric utility unit. "It's acid rain, smog, and global warming



On the air

Legislative proceedings have been televised since the mid-1980s



Officials with Xcel Energy's Prairie Island nuclear power plant say waste storage in dry casks, like these, have reached capacity.

versus radioactive waste," Rakow said.

If coal generation were to replace its nuclear plants in the state, Xcel said, that could lead to 420 million more tons of carbon dioxide emissions over 30 years.

Coal-fired plants currently provide 34 percent of Xcel's energy fuel sources, according to the utility, and nuclear sources account for 28.5 percent. Wind and biomass sources, which the utility agreed to develop in 1994, provide 2.5 percent.

Xcel has 480 megawatts of wind capacity "installed or contracted to be running" by December 2003, according to documents the utility provided the committee. It expects to have 825 megawatts from wind power online by 2007. Regarding biomass sources, the utility has a small (25 megawatts) co-generation plant in St. Paul that burns waste wood, but two other biomass plants await approval of financing.

Regarding the utility's commitments to develop renewable energy in the 1994 law, Jim Alders, Xcel's regulatory manager said, "We have met all of them."

Replacing the 1,700 megawatts from its nuclear plants with coal or natural gas fired plants would cost ratepayers from \$1.8 billion to \$2.6 billion more over a 30-year period, according to Xcel estimates. A combination of natural gas and wind-generated power, the utility estimated, would cost \$2.2 billion more.

Alders said the utility hasn't "found a way to replace 1,700 megawatts with only renewables."

Anderson and Ourada said their bills would repeal the state's limit of 17 nuclear storage casks at Prairie Island. The bills do not specify how many additional storage casks the state should approve. The federal Nuclear Regulatory Commission (NRC) would allow up to 48 storage casks.

In its resource plan Xcel filed last December for approval by the state Public Utilities Commission, the utility said it estimates needing 150 additional megawatts of production capacity to meet customer demand in Minnesota during the next 15 years. 🐸

Minnesota is one of 41 states offering live broadcasts of legislative proceedings, delivered either via television or the Internet. Both non-partisan offices of Senate Media Services and House Public Information Services work together to provide both – televised access to the Legislature and Internet video streaming.

The history of legislative broadcasts is relatively short – they began just 16 years ago.

In 1987 Minnesota's Senate began broadcasting live committees and floor sessions on a local cable channel in the Twin Cities metropolitan area, Metro 6. Seven years later the Minnesota House did the same, working together with Senate employees. With support from then House Speaker Irv

Anderson (DFL-Int'l Falls), House Television was established as a department in 1996. That same year, House and Senate proceedings were expanded statewide by satellite.

Anderson, now in his 16th term, says television services answered a need to let people know what the Legislature was doing and generate public interest. "I was open to the public, and wanted the Legislature to be the same way," he said.

The House had an initial \$500,000 cost of installing the equipment including a control room for directing operations, and for cameras in the House chamber and one hearing room in the State Office Building. Since then, cameras have been placed in two additional House hearing rooms.

Every two years, the Legislature spends about \$800,000 to purchase air time for distribution of legislative programming – including both House and Senate proceedings. A contract with Twin Cities Public Television for \$372,240 covers Twin Cities metropolitan area distribution, and satellite distribution via 30 cable stations throughout Greater Minnesota currently costs \$421,560. Costs are split between the House and Senate.

While the Legislature was expanding its television coverage, Rep. Gene Pelowski, Jr. (DFL-Winona) was chair of the House Select Committee on Technology, which, among many developing technologies, oversaw the

development of the House Web site and e-mail. "The public did testify before the committee and was supportive," he says, "Once the broadcast began it became clear that this was going to be a regularly watched event." Seniors and those in Greater Minnesota responded immediately. He says it changed the way people not only looked at the Legislature but the way the Legislature acted on the floor and in committee.

There are three robotic television cameras in the House chamber. In the State Office Building where House committees generally meet, three rooms contain cameras. The Senate has their own set of cameras in several rooms and in the Senate chamber.

When House broadcasts first began, coverage included floor sessions and a few committee meetings. With added capabilities, press conferences and educational programming on the legislative process can now also be viewed. Over time, House television was able to further utilize the House Web site capabilities by adding video streaming on the Internet. This function allows people to watch legislative happenings while sitting at their desks. This also provides access to televised activities for residents without television coverage in their area.

All legislative events covered by the House are available in the archives to watch later at an individual's convenience.

Budget constraints may mean legislative television will go dark within the next few months.

As part of his budget-balancing plan for fiscal year 2003, Gov. Tim Pawlenty proposed eliminating legislative television funds to purchase the air time to broadcast legislative proceedings. Both the House and Senate bills did not recommend reducing legislative funding.

The fate of the program rests in the hands of a conference committee, negotiating the differences between the two bills. If they do not reach an agreement, Gov. Pawlenty has said he will trim the budget himself.

(P. JANOVEC)



House staff members watch the broadcast from the House floor in the House retiring room.

★ ARTS

Projects cancelled

The Minnesota Bureau of Criminal Apprehension has a new building, but funds for artwork in the facility are on the chopping block.

Robert Booker, executive director of the Minnesota State Arts Board, testified before the House Capital Investment Committee on Feb. 5, defending appropriated money for the project that was taken away — for now.

Rep. Phil Krinkie (R-Shoreview), the committee chair, explained how the committee at its Jan. 22 meeting included a cancellation of funds with its budget-balancing recommendations. The funds were originally part of a \$58 million appropriation in the 2000 bonding bill for building and furnishing the new bureau facility. Of that money, \$100,000 was designated to the state Arts Board for artwork in the facility. However, because those funds were still sitting unencumbered in the general fund when the committee made its recommendations, the funds were included in the bill.

Booker says the organization rarely deals with general fund money. The funding it receives comes primarily through bonding, which can be renewed after four years.

The board attempted to retain those general fund dollars following the committee's decision to take them to balance the budget, after receiving a call warning them of the committee's action. Booker explained the phone call from a Department of Finance executive budget officer, whom he did not name, suggested the organization should encumber the remaining general funds.

Rep. Chris Gerlach (R-Apple Valley) pointed out that the Department of Administration delegates the authority to encumber funds. Krinkie pointed out that Booker was recently denied that authority by Brian Lamb, the new commissioner of administration. Booker explained that in the past he has automatically received that authority under the four previous governors, saying the situation was "a little breathtaking." He stated that he was upset and the Arts Board is a good, honest, clean business, with several artist's contracts signed.

Frank Dolejsi, director of the Bureau of Criminal Apprehension forensic laboratory, said that due to the sometimes "gruesome" nature of the department's work the artwork would provide a more pleasant environment, though he acknowledged it was not essential to the project.

Krinkie further explained the state might

not be legally bound to delivering the funds in question under the circumstances. No further action was taken on the matter.

★ BUDGET

Governor's budget-cutting plan

If no agreement on resolving the state's budget deficit can be reached by the close of business Feb. 6, Gov. Tim Pawlenty promised he would unallot, or cut 2003 budget allocations, the following morning.

The governor made that statement before the Legislative Advisory Commission Feb. 5. "We don't want to unallot, but we will if we have to."

By law, the state's budget must be balanced at the end of each fiscal year on June 30. For fiscal year 2003 the state is forecast to be \$356 million short.

The House previously passed a \$468 million budget-balancing bill, the number set by Pawlenty, and the Senate passed a \$374 million package. A conference committee was convened to work out the differences, and was still negotiating when this issue of *Session Weekly* went to press.

"We can't spend much more time or energy chasing a mosquito around the room when we've got a Tyrannosaurus Rex in the room," Pawlenty said in reference to the state's projected \$4.2 billion shortfall for the next biennium.

State Finance Commissioner Dan McElroy said every day that passes means more money

out the door that can't be cut. He said that between Jan. 14, when Pawlenty presented his budget reduction plan, and Feb. 4 the state spent \$822 million.

McElroy said the amount Pawlenty would need to unallot is \$332 million because \$24 million in forecasted reserves must be used as well.

If the governor unallots, he cannot reduce more than is needed to balance the budget. That means that if there is another economic downturn for whatever reason, more reductions may yet be needed before the end of the fiscal year.

McElroy did not release specifics of what would be reduced, but noted the plan would likely follow the reductions Pawlenty suggested last month.

However, many of the transfers originally proposed by Pawlenty could not occur, such as money from the solid waste, workers compensation, and state airports fund balances. McElroy said the 21st Century Minerals Fund could be reduced because it was a prior appropriation from the general fund.

Additionally, Pawlenty could not tap all of the \$130 million he wanted to take that was set aside for road projects and instead bond for them.

"A relatively small portion of the one-time transportation money is still uncommitted," McElroy said. "With refinancing the law allows us to refinance the commitments we've made up to 60 days prior to the time we take that action. If we simply reduce the appropriation we would only reduce the appropriation of



Gov. Tim Pawlenty tells members of the Legislative Advisory Commission Feb. 5 that if an agreement to balance the fiscal year 2003 budget is not reached by the next day he would begin trimming appropriations to balance the budget.

unallotted funds and there is only about \$20 million that remains unallotted.”

Sen. Dennis Frederickson (R-New Ulm), a conference committee member, asked McElroy whether the administration would delay acting if conferees reached an agreement late Feb. 6 and approved the agreement on Feb. 10.

McElroy said that he had not specifically asked Pawlenty about that, but “it would be my recommendation that that would meet our needs.”

★ BUSINESS

Subsidy success

Government subsidies given to businesses throughout the state to create high-quality jobs and stabilize communities are working, according to one department director.

Bob Isaacson, director of the analysis and evaluation division at the state Department of Trade and Economic Development, presented statistics on subsidies to the House Jobs and Economic Development Finance Committee Feb. 6.

Beyond the statistics, Committee Chair Rep. Bob Gunther (R-Fairmont) wanted to know the bottom line. Are business subsidies in Minnesota achieving their intended purpose, he asked.

“I don’t think there’s any question business subsidies do have the intended effect,” Isaacson said.

The subsidies – offered by cities, counties, and regional and state governments – can take the form of loans; grants; tax cuts or deferrals; contribution of land, property, or infrastructure systems; or preferential use of government facilities. A separate financial assistance category can help clean polluted property and soils, renovate buildings, and designate historic preservation districts.

According to state law, a public purpose must be served by the subsidy. Examples include enhancing the state’s economic diversity, creating high-quality job growth, stabilizing communities, increasing the tax base, and retaining jobs, provided those jobs are at imminent risk.

Isaacson said a complete report on 2001 business subsidy activity is scheduled for release in the next couple weeks. The report will indicate, he said, that 66 agencies reported business subsidy activity totaling \$81 million, with a median subsidy of \$180,000.

Sixty-nine percent of the subsidies claimed a public purpose of job growth, and 62 percent an increase in the tax base.

The Twin Cities metropolitan area accounted for 68 percent of the total subsidy value with 31 percent of the projects.

WINTER CANOPY



PHOTO BY TOM OLMSCHIED

A pair of visitors leave the State Office Building through a snowy canopy after the first substantial snowfall of the winter blanketed the Capitol Complex Feb. 3.

However, one redevelopment project in St. Louis Park caused that statistic to spike. If not for it, the area would have accounted for 38 percent of the total subsidy value, Isaacson said.

Gunther said he believes Minnesota could go a long way to enhance its business subsidy program, particularly in comparison to other states’ efforts. At the same time, he added, some people think Minnesota is spending too much money on subsidies.

Said Gunther, “Somewhere we have to find out who’s right.”

★ CONSUMERS

Canvas salesmen protection

An antiquated law designed to protect consumers from dishonest wagon canvas salesmen may soon be expunged from state books.

Passed in 1913, the law required that all cotton canvas manufacturers label canvases – used for awnings, wagon covers, tents, grain and hay covers, stable or tent tops – with their correct weight. Violation of the law constituted a misdemeanor; a conviction carried a sentence of a \$25 to \$50 fine for the first offense, and a \$50 to \$100 fine for subsequent offenses.

Rep. Marty Seifert (R-Marshall) presented HF95 to eradicate the antiquated law to the House Commerce, Jobs, and Economic Development Policy Committee on Jan. 30. The same bill was approved by the House last session, but failed to become law because it lacked a Senate companion. Seifert said Sen. Sharon Marko (DFL-Cottage Grove) might carry the

bill this year in the Senate.

“We have tried to find anyone opposed to it and couldn’t,” Seifert added.

Seifert said he is helping lead an effort to repeal unnecessary laws from the books. The process has “thinned the statute books down immensely in about the last two or three years,” he said.

Approved by the committee, the bill now goes to the House floor.

★ EDUCATION

Deleting the paper trail

Teachers would no longer have to file a certified copy of their teaching license with a school district, under a bill approved Feb. 4 by the House Education Policy Committee and referred to the House floor.

The bill (HF120) proposes that school districts and charter schools use the Department of Children, Families and Learning Web site to verify teaching credentials beginning with the 2003-04 school year.

The teacher license copies are “no longer necessary,” said Rep. Stephanie Olsen (R-Brooklyn Park), the bill’s sponsor, because the department’s Web site has the most current information on a teacher’s license. License information on the department’s site is only accessible by personnel licensing staff.

The Anoka-Hennepin School District suggested the elimination of the requirement to improve efficiency and eliminate duplication of effort, Olsen said.

A companion bill (SF212), sponsored by Sen. Leo Foley (DFL-Coon Rapids) awaits committee action in the Senate.

Retirees in the classroom

School districts could tap more of the state's 35,000 retired teachers for short-term substitute duty, under a bill being considered by the House Education Policy committee.

Sponsored by Rep. Sondra Erickson (R-Princeton), HF219 would allow retired teachers to substitute for 15-day periods once they are granted a "lifetime limited short-call substitute teaching license" by the state.

The license would provide a new substitute teaching option for retired teachers and exempt them from fulfilling a state requirement to complete continuing education credits. Only retired teachers granted the proposed short-call license would be exempt from the continuing education requirement.

"They're very good teachers and they want to be in the classroom," said Erickson, herself a retired teacher. As a holder of a lifetime teaching license, she said that she would not personally benefit from the bill.

According to the Department of Children, Families and Learning, about 20,000 of the state's 56,000 teachers will retire in the next 10 years. A December 2000 Education Minnesota survey reported that 82 percent of responding school districts said they had few licensed substitute teachers.

The bill would also allow licensed retired teachers from accredited nonpublic schools to substitute teach on a short-term basis, as well as retired teachers holding an out-of-state teaching license.

There was no opposition to the bill at the hearing Feb. 4. The committee delayed a vote on the bill pending a rewrite of a minor procedural issue in the proposal.

No Senate companion bill has been introduced.

Funding early childhood education

The message delivered to the first meeting of a new bipartisan early childhood caucus of House members was that investment in early childhood education brings extraordinary economic and social returns.

Chaired by Rep. Jim Rhodes (R-St. Louis Park) and Rep. Nora Slawik (DFL-Maplewood), the caucus was formed following the elimination of the House Family and Early Childhood Education Finance Committee prior to the current legislative session. Early childhood education issues are now considered by the House Education Policy and Education Finance committees.

Rob Grunewald, regional economics analyst for the Federal Reserve Bank of Minneapolis, spoke before the group Jan. 31 about a study he co-authored with Art Rolnick, the bank's research director, that argues "any proposed economic development list should have early childhood development at the top."

"Economic development is created by workforce development," Grunewald said, and public education is the primary engine. More than 85 percent of the nation's children are educated in public schools, according to the study. Public subsidies of business infrastructure, entertainment, and professional sports arenas in the name of economic growth and job creation, the authors contend, have been "shortsighted and fundamentally flawed."

The sector of public education that will reap the widest benefits from more investment dollars is early childhood development, according to the study. A 27-year research project completed in the 1990s that tracked low-income African American Head Start students from an Ypsilanti, Mich., school found that the Head Start students performed better in K-12 education, were earning \$2,000 more per month than non-Head Start student peers, and

were far less likely to engage in crime. Citing that research, the economists claim that for every \$1 spent in early childhood development, the return was \$8.

The economists proposed to the group that Minnesota spend \$1.5 billion to create a foundation for early childhood development that would cover the gap between current state aid for Early Childhood and Family Education, School Readiness and federal Head Start programs, and what's needed to fund a high-quality early childhood education program for all 3- and 4-year-old children in the state. For fiscal year 2003, the state will spend an estimated \$47.1 million on the three early childhood education programs.

The foundation could draw donations from business, government, individuals, and private foundations, according to the study. Investing the foundation's funds in corporate bonds at an assumed 7 percent a year would bring in an estimated \$105 million annually for comprehensive early childhood education.

"It may take a few years to turn this into reality," said Slawik. "State government is not in a position to create the endowment on its own."

Members of the newly formed group agreed to study the issue and work with any similar early childhood caucus that may be formed in the Senate.

EAGLE STAFF



PHOTO BY TOM OLMSCHIED

George McCauley of the Omaha Nation and the American Indian Center in Minneapolis waits to present an Eagle Staff for the Metro Urban Indian Day ceremonies in the Capitol Rotunda Feb. 5. The day is dedicated to bringing visibility and understanding to urban Indian issues and their communities.

ELECTIONS



Appropriating federal funds

An account would be created to receive incoming federal funds for elections, under a plan approved Feb. 4 by the House Governmental Operations and Veterans Affairs Policy Committee.

Sponsored by Rep. Jim Rhodes (R-St. Louis Park), HF195 is in response to the Help America Vote Act, which President Bush signed into law last year. Under the act, each state will receive \$5 million for local election administration. The bill would also appropriate state funds needed to qualify for the federal match. The state must match 5 percent of the money used in the account.

Once received, the dollars could be used in a variety of ways, including:

- Training election officials, such as judges and county administrators;
- Educating voters; and
- Buying voting systems.

Scott Simmons, the director of elections and voting in the Office of the Secretary of State, said the federal law allows flexibility regarding specifically how the money may be spent. Whether it's equipment to return ballots when overvoting occurs or a touch screen for

disabled voters, the options are "limitless," he said.

The federal act calls for every polling place in the state to have equipment for disabled voters.

Rep. Steve Strachan (R-Farmington) asked whether that included polling places that don't serve voters who would need such technology. He said that after talking with several disabled constituents in his district, they were willing to go to a central polling place if there was a 10-day window of opportunity and voter confidentiality.

Simmons said every polling place must have access for the blind or disabled to vote, even if there is nobody who would use the equipment. He said the office is looking into more efficient ways of handling the requirement, and the remedy could result in fewer polling places because of the cost to install the equipment in each precinct.

Rep. Loren Solberg (DFL-Grand Rapids) raised concerns regarding how the funds are set aside for the office, noting that the bill says funds would be "continuously appropriated to the secretary of state for election administration improvement."

He also said the federal law doesn't allow for legislative oversight, and there is nothing to guarantee the funds ever stop being appropriated. Simmons said the accountability is in the fact that the state and federal government can audit the funds. In addition, he said a committee, including at least one member from both the House and Senate, would put together a state plan for the account.

The bill is headed to the House State Government Finance Committee. A Senate companion (SF152), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park) awaits committee action.

★ EMPLOYMENT

★ Helping displaced homemakers

A program to help women learn about the workforce after their roles as homemakers have been decimated by tragedy is still on state budget books, and clients would like it to remain so.

The Displaced Homemaker Program would have been cut under former Gov. Jesse Ventura's administration, but the Legislature thought otherwise, said Daniel Swalm, interim director at Career Solutions.

Advocates urged legislators on Feb. 4 to keep the program alive. They anticipate Gov. Tim Pawlenty may recommend cutting the program's funding in the 2004-05 budget, anticipated for release Feb. 18.

Yvette Oldendorf, representing the program, told the House Jobs and Economic Development Finance Committee that the Displaced Homemaker Program helps many women

avoid welfare assistance. The Department of Economic Security helps oversee the program.

A displaced homemaker is a person who cared for their home and family exclusively for at least two years, but now must seek employment to support the family due to separation or divorce, or the death or disability of their spouse. It is not as much an employment program as it is a pre-employment program, Oldendorf said.

Many clients do not have proper education or training to enter the workforce. Perhaps they don't have transportation, health care, or childcare. And some are suffering from depression.

Laura Determan of Mankato turned to the program after leaving a controlling, alcoholic husband, she testified. It cost the state \$1,247 to serve her for one year in the program. Public assistance for her and her children would have cost the state \$15,264, she said.

"Because of the program, I am now making over \$18,000 a year and paying state income and property taxes," Determan said.

The 12 regional partner locations – including Career Solutions in the Twin Cities – offer workshops, personal and employment support groups, self-esteem building activities, personal and vocational counseling, and leadership development. The aim is to help clients identify skills, and seek training or employment.

Nearly 1,500 people were served in fiscal year 2002 under a budget of \$1.8 million. Of those, 35.3 percent became employed with an average wage of \$9.66 an hour, and 20.5 percent engaged in job training or education.

★ ENVIRONMENT

From refuse to resource

Minnesota's waste stream is growing at the rate of 3 percent per year, prompting a shift in the state's solid waste management system toward viewing garbage as a resource. Officials hope this changing mindset will both reduce pollution and save money.

The House Environment and Natural Resources Policy Committee reviewed the solid waste stream Jan. 30, focusing in particular on recommendations from an advisory panel charged with finding solutions to the state's growing waste disposal needs.

"We see solid waste management as part of the infrastructure of a sustainable community," said Kurt Soderberg, executive director of the Western Lake Superior Sanitary District. Soderberg presented the key goals and possible courses of action that had received support from a majority of the 33-member Solid Waste Advisory Committee.

The team consisted of a diverse,

knowledgeable group of people, Soderberg said, with participation by local and state officials, commercial and residential waste generators, and representatives from environmental groups and the waste management industry. Their goals include the following:

- Managing waste in a manner that will protect the environment and public health,
- Causing generators to take responsibility for the environmentally sound management of their waste, and
- Maximizing the use and value of recovered materials.

"We can recycle all we want, but until we have a demand for those recycled products it is far less of an efficient system," Soderberg said.

The advisory committee also proposed a lofty 85 percent statewide reduction by weight of municipal solid waste landfill placements by the year 2020.

Achieving that significant drop will require preventing compostable items such as food and yard waste and recyclables from being mixed with trash in the first place.

It will also take money. The advisory committee unanimously recommended that all revenues from the solid waste management tax on residential and commercial garbage service be solely dedicated to solid waste needs. Currently, 50 percent of the tax levied flows to the state's general fund.

Big river cleanup

More than 1,200 Twin Cities metropolitan area volunteers pulled 92 tons of garbage from the banks of the Mississippi River last summer in the largest cleanup ever conducted along the waterway.

Among the more curious items retrieved — tires, refrigerators, bicycles, and Styrofoam. Tons of Styrofoam.

"When we just scratched the surface, we pulled out five tons in one week," cleanup organizer Chad Pregracke told the House Environment and Natural Resources Finance



Chad Pregracke, a Mississippi River cleanup organizer, tells the House Environment and Natural Resources Finance Committee Feb. 6 of the success the event had last year when 92 tons of garbage were removed from the banks of the waterway.

Committee Feb. 6.

"You guys may want to pass something — that's a political move I just made right there," he said with a sly smile. Members of the committee were noticeably charmed.

Pregracke, an Illinois resident, is an unlikely lobbyist. Still in his 20s, he was a recipient of the national Jefferson Award for Public Service last year, along with Bill and Melinda Gates, Rudy Giuliani, and Lilly Tartikoff.

"That's kind of like the Nobel Peace Prize with regard to public service," Committee Chair Rep. Dennis Ozment (R-Rosemount) said.

The cleanup effort, conducted along 43 miles of river between Prescott, Wis., and St. Anthony Falls, brought "unusual coalitions together in order to make something really positive happen along the Mississippi River," Ozment said. Participants and sponsors included nonprofits, government agencies, and businesses, particularly those who make their living along the river.

"I guess it just goes to show it really does take teamwork," Pregracke said without a hint of cynicism.

The volunteers' hard work could produce legislative results. Waterlogged Styrofoam blocks break apart into small beads that make their way to the Gulf of Mexico, Ozment explained. Birds nesting along the shoreline are unable to incubate their eggs because the material acts as an insulator against the earth's warmth. The committee chair said he hopes to hold a hearing on the issue later this session.

The 2003 Big River Cleanup in the Twin Cities is scheduled for June 14-21.

★ GAME & FISH

Healthy herds

Chronic wasting disease, a brain disease transmissible among the family of animals including deer and elk, has recently been identified in two captive elk in Minnesota.

Wildlife and health officials are concerned the disease could spread to the state's deer population, particularly after three free-ranging Wisconsin deer tested positive last year. The Centers for Disease Control has stated there is no causal link between the disease in animals and human illnesses.

Last fall, hunters assisted the Department of Natural Resources (DNR) with a chronic wasting disease surveillance program by submitting tissue samples from some 5,000 deer harvested from permit areas around the state. None of the approximately 2,750 samples processed so far has tested positive. Tests on the remainder are expected to be completed by mid-February.



Dr. William L. Hartmann, state veterinarian and executive director of the Minnesota Board of Animal Health, presents a briefing on chronic wasting disease to the House Environment and Natural Resources Policy Committee Feb. 4.

"This is a high profile issue that does bring new concerns to the state from all aspects, from agriculture to wildlife management," DNR Deputy Commissioner Mark Holsten told the House Environment and Natural Resources Policy Committee Feb. 4. "Hopefully we will be able to come through this year and make some resolution of these problems."

The committee did not consider any specific chronic wasting disease management bills, but rather reviewed a report commissioned by the 2002 Legislature on measures preventing infection and on methods of harvest, quarantine, or destruction of contaminated herds.

One recommendation would require mandatory registration of all captive deer and elk herds and consolidate those activities under the Minnesota Board of Animal Health. Of the 320 registered game farms in the state, approximately 240 participate in a voluntary chronic wasting disease program.

"Two weeks ago Sunday my wife made elk sausage and sauerkraut and took it to our church potluck," said Donovan Olson, a Windom ranch owner and Minnesota Elk Breeders representative. "I had three little blonde-haired granddaughters over to the house the other night, and they had elk wieners with their macaroni and cheese."

Olson, who voluntarily began testing his herd for chronic wasting disease in 1998, said the elk breeders are looking for one set of standards applied equally among all wild and

ranch deer and elk in the state. They would like to see all elk breeders brought under the Board of Animal Health because of their established methods of testing.

"I took the liberty of commenting on my family's personal eating habits because we test all of our animals," Olson said, and his business relies on product respectability.

According to the report, the Board of Animal Health would need an estimated \$600,000 in additional annual funding to beef up chronic wasting disease surveillance and registration efforts.

The report also recommends that wild deer feeding be restricted to reduce the potential spread of disease among deer artificially brought together.

"Recreational deer feeding and bird feeding in Minnesota are extremely popular," said Mike DonCarlos, a DNR wildlife research manager. "We're going to be working to try to balance that, yet at the same time restrict people from going out and feeding large quantities of food and concentrating the deer."

★ HEALTH

HMO executive pay

Calling the compensation packages of some Minnesota Health Maintenance Organization (HMO) executives "egregious and luxurious," Rep. Tony Sertich (DFL-Chisholm) presented a bill to the House Health and Human Services Policy Committee Feb. 5 that would require a more thorough disclosure of benefits those executives receive.

The bill (HF134) would require HMOs to file annual reports about their 20 highest-paid employees, provided those employees make more than \$50,000 a year. In addition to a person's name and job title, the reports would have to state a person's total compensation including salary, fringe benefits, rights to future compensation, vehicle allowances, bonuses, and severance payments. Reports about travel expenses paid for by the company would also be required. The reports would be submitted to the attorney general and commissioners of health and commerce.

The committee approved the bill. It now moves to the full House for consideration.

HMOs, which are required by law to be nonprofit organizations in Minnesota, are among a larger group of health organizations already required to file similar reports about their five highest-paid employees.

Sertich said his bill is a way to "shine the light in" on the compensation practices of HMOs. It stemmed from recent findings that some top HMO board members and

executives received excessive travel benefits and large severance packages from their companies.

"When health care costs are rising," Sertich said, "this is coming out of somebody's pocketbook."

Some committee members suggested the 20-employee requirement could allow the public too close a look at compensation packages of some regular employees, especially at small HMOs. "We ought to be looking strictly at executives," said Rep. Thomas Huntley (DFL-Duluth). Sertich said he was open to changing his bill to focus more tightly on executives.

The bill currently has no official Senate companion.

Collection information

One of two bills that would curb the power of the Minnesota Department of Health to collect certain patient medical information was approved by the House Health and Human Services Policy Committee Feb. 3.

Sponsored by Rep. Marty Seifert, (R-Marshall) HF162 would make legislative approval the last required step in enacting a set of rules to collect certain pieces of medical billing data and patient demographic information from hospitals and insurance companies in Minnesota.

The rules are designed to create a database of information used to research trends in medical costs and practices statewide. The department currently has authority to put the rules into effect unless the governor vetoes them. That task fell to former-Gov. Jesse Ventura who allowed the rules to proceed, but department officials say Gov. Tim Pawlenty has requested a chance to review them before they become effective.

The bill only requires such legislative approval for the specific set of health department rules in question.

The bill next goes to the House Governmental Operations and Veterans Affairs Policy Committee. A Senate companion (SF145), sponsored by Sen. Bill Belanger (R-Bloomington), awaits committee action.

A bill sponsored by Rep. Bill Haas (R-Champlin) would go further in limiting the department's power by repealing the sections of Minnesota law authorizing collection of the data in the rules. Those sections give the commissioner of health the authority to collect information needed to determine trends in access, quality, use, and cost of health care services within the state.

Some committee members worried the Haas bill (HF297) was too wide reaching in the sections it would repeal.

While opponents of the proposed rules

expressed concern about the amount of personal, identifying information the state would collect, Rep. Fran Bradley (R-Rochester) said many of the sections Haas' bill would repeal have nothing to do with that type of information and are likely being used for productive purposes.

The committee requested more information about how the Department of Health currently uses the sections of law that would be repealed by the bill and delayed consideration of the bill until that information is received.

HIGHER EDUCATION



Doing more with less

Enrollment is at an all-time high in the Minnesota State Colleges and Universities (MnSCU) system, but funding is not keeping pace.

"We have had an 8 to 9 percent increase in enrollment each of the past two years," Chancellor James McCormick told the House Higher Education Finance Committee Feb. 5. "All indices show that we are producing more with less."

That may have to continue.

McCormick said enrollment growth is expected to continue and that officials are trying not to close admissions at some colleges and universities, but may have to. "I anticipate we'll be at capacity by September."

McCormick said the state appropriation per student has decreased from \$5,148 in 1999 to \$4,755 in 2003. He also noted that the state appropriation per student covered 70 percent of educational costs in 1999 and is now at 61 percent. "So students are paying a greater share as money from the state declines," he said.

The enrollment growth has also meant less spending per student, according to MnSCU officials, who say the state appropriation per full-year equivalent student will decrease by 4 percent in fiscal year 2003, assuming the system's appropriation is cut by \$25 million in the budget-balancing bill. The state appropriation per full-year equivalent student decreased 2 percent in fiscal year 2002, after increasing by 1 percent in fiscal year 2001.

To put less stress on student learning, MnSCU officials have tried to keep classroom spending at the same level by cutting from everywhere else, said Laura King, MnSCU vice chancellor for finance.

Also becoming more of a worry to MnSCU officials is the cost of tuition versus that of Minnesota's four neighboring states.

At the state university level, Minnesota is in the middle of the pack with tuition of \$3,788 annually, behind South Dakota and Iowa, which is tops at \$4,188. At the two-year state college level, Minnesota tops the list at \$3,040,

\$372 greater than second-place Iowa.

"This is a concern as the other states are our competitors and we have many campuses near the border," McCormick said, adding that once you lose students to another state it's hard to get them back. He said 81.7 percent of the 2001 MnSCU graduates stayed in the state once they received their diploma.

INSURANCE



Ensuring coverage exists

Theodore McLaughlin of Brooklyn Center cannot forget Dec. 7, 2000. On that day he returned home to find his house was nothing more than charred wood and ash.

His horror grew when he learned that his homeowner's insurance had been canceled five months prior. His insurance company said his mortgage company never made the payments from McLaughlin's escrow account.

"I asked them how in the world they could cancel my house insurance without notifying me," McLaughlin said Jan. 30 before the House Commerce, Jobs, and Economic Development Policy Committee.

Nine days later, after many frustrating attempts to settle the matter, McLaughlin had proof he had made the payment. The mortgage bank found his canceled check and showed it to the insurance company, proving that the policy had been cancelled in error.

"Those flat out were the worst nine days of my life," McLaughlin said.

McLaughlin took his story to Rep. Debra Hilstrom (DFL-Brooklyn Center). She in turn sponsored a bill (HF180) requiring insurance companies to notify policyholders by certified return receipt mail prior to cancellation due to non-payment from a mortgage escrow server.

While some representatives were in favor of the bill, many had questions about its language and details. Others, however, expressed outright opposition.

Rep. Tim Wilkin (R-Eagan), a former insurance writer, said current law already mandates notification, a detail confirmed by a House researcher.

"So I don't know what we're accomplishing here with this bill," Wilkin said. "The requirements are already in law; we're just adding expense."

Hilstrom said she is willing to work with insurance companies who are concerned about increased premium costs. "However, I really do think that you would want to know if your homeowner's insurance had not been paid through your escrow account, and this is one way to attempt to make sure that that happens."

Testifying against the bill were Robyn

Rowen, representing the Insurance Federation of Minnesota, and Marcus Marsh, representing the Minnesota Association of Farm Mutual Insurance Companies.

The committee did not act on the bill. It may be revisited following additional work on its finer details.

A companion bill (SF157), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park) awaits committee action in the Senate.

Homeowner insurance options

A law requiring that homeowners be informed of a Minnesota state insurance plan when their homeowner's insurance policies are canceled would be clarified, under a bill reviewed Jan. 30.

Sponsored by Rep. Tony Sertich (DFL-Chisholm), HF203 was approved by the House Commerce, Jobs, and Economic Development Policy Committee and referred to the House floor. It has no Senate companion.

The bill largely clarifies the law as it now stands. It would change the name of the state plan from the Minnesota property insurance placement facility to Minnesota FAIR Plan. FAIR stands for "fire and related insurance."

The plan is overseen by the Department of Commerce, which concurs with the changes made in the bill, according to Sertich.

"Overall, this brings into agreement the law with our most recent amendments to our plan of operation that were approved by the department on Dec. 17," said Daniel Johnson, executive director of the insurance program.

The state insurance plan, established by the Legislature, provides limited property insurance when individuals are unable to get insurance from the private market.

According to the department, the program's policies are not as desirable or as affordable as private insurance company plans. Minnesota residential and commercial property owners who have been unable to obtain property insurance are eligible for coverage, provided the property meets minimum requirements.

The program is financed through premiums paid by customers, Johnson said. When shortfalls arise, the plan's member insurance companies are assessed a fee according to their share of the market.

Johnson said the bill would also change the requirements for and terms of the program's board members. It would also clarify how rates are set by the department, how commissions are paid to agents, and how written premiums are used to determine the insurance assessment base. Finally, the bill would allow rejection of coverage without property inspection if the rejection were not related to the property's condition.

LAW



Definition changes

From time to time, the Minnesota Bar Association appoints committees to conduct reviews of state law and recommend additions or changes. Such a committee was appointed in 2001 and consulted with lawyers, judges and other experts to examine laws governing guardianship of children and incapacitated adults. The recommendations of that committee were presented in a bill before the House Civil Law Committee Feb. 5.

Sponsored by Rep. Paul Thissen (DFL-Mpls), HF166 would repeal and replace dozens of sections of existing state law. It was approved by the committee and now goes to the House floor.

Thissen said the bill makes some substantial changes to close loopholes and clarify some legal processes.

Among other things, the bill would clarify state law by more clearly defining the roles of a "guardian" and a "conservator" as someone to act on behalf of a person and someone to manage a person's estate, respectively.

The bill allows the court to appoint a guardian for a child with parents' consent or if the parents' rights have been terminated or they are unable or unwilling to exercise their rights. It would specify who may apply to be a child's guardian and how that application should be made. Guardians would be specifically allowed to apply for state benefits and services, would be entitled to "reasonable compensation" and would be liable for injury to the child caused by a third party to the same extent a parent would be.

For incapacitated individuals, the bill allows parents or spouses to appoint a guardian for someone they believe to be incapacitated in the event the parent or spouse is unable to care for the person. It would also give them the ability to limit the powers of the guardians they appoint.

Another new aspect provided in the bill would be a list of priorities judges use when appointing a guardian for an incapacitated person. Those priorities are, in order, the current active guardian, someone appointed under a health care directive, a spouse or someone identified by the spouse in a will, an adult child, a parent or someone identified by a parent in a will, and an adult with whom the person resided for six months.

The bill also specifies that an incapacitated person does not lose his or her right to vote unless the court expressly takes it away.

A Senate companion bill (SF112), sponsored by Sen. Don Betzold (DFL-Fridley), awaits committee action.

Pet trust funds

Minnesotans could set up trust funds for their pets under a bill approved by the House Civil Law Committee Feb. 4.

Rep. Eric Lipman (R-Lake Elmo), the sponsor of HF169, said it is meant to "fill in the gaps" of Minnesota's trust law and includes a number of provisions to place current practices in permanent law and simplify existing statutes.

A trust created for pets would last for a maximum of 21 years and could include the appointment of someone to care for the animal, under the bill. If a court determines the amount of money or property left to the trust is more than is needed to care for the animal and no other use for it is specified in the trust, the excess is transferred to the grantor's heirs as if there had been no will.

A separate provision governs the creation of the type of community memorial funds typically set up in response to a personal tragedy, such as deaths in a flood or fire. While many such funds exist, there is no current law specifically governing how they are run. The bill puts them under the governance of the Minnesota Uniform Custodial Trust Act, which requires that fund money be used for its intended benefits.

The bill would also allow for trustees and beneficiaries of any trust to enter into binding nonjudicial settlements about certain matters, taking the burden off of courts. Such settlements may be reached regarding the approval of a trustee's accounting, the compensation or resignation of a trustee, changing the location of a trust, and terminating a trust when its remaining funds are too low to continue serving its purpose, under the bill.

The bill now moves to the House floor.

A companion bill in the Senate (SF116) sponsored by Sen. David Knutson (R-Burnsville), awaits committee action.

METRO AFFAIRS



Light-rail deadline: April 2004

The Hiawatha Light-Rail Transit project is moving forward and should be ready to begin operation in April 2004, officials told a House committee Feb. 4.

The House Transportation Finance Committee was given a tour of the project by Metropolitan Council transit officials. The Hiawatha line extends nearly 12 miles with 17 stations from downtown Minneapolis to the Minneapolis-St. Paul International Airport and the Mall of America along Hiawatha Avenue.

Officials expect delivery of the first light-rail car in mid-March of 2003, with others to follow. Metro Transit, which will operate the



The House Transportation Finance Committee tours the maintenance operations center for the Hiawatha Light-Rail Transit project Feb. 4. Scheduled to begin operation in April 2004, the system will travel nearly 12 miles between downtown Minneapolis and the Mall of America.

system, will purchase a total of 26 cars, and each train will operate with two cars. In addition, two cars will be used when other cars need to be maintained.

Following delivery of the first car, officials will begin four to six weeks of static testing, followed by six months of system testing on the finished rail lines. The trains are scheduled to begin revenue service from downtown Minneapolis to Fort Snelling in April 2004, said Joe Marie, director of rail operations for the project. The line is to be fully operational to the Mall of America in December 2004.

The project's construction budget is \$675.4 million. The projected operations budget for 2005 is \$16.6 million.

Marie said that staff for the operation of the line will begin hiring and training during final stages of testing. He estimated that the new staff will require six weeks of training. Operators will be drawn from bus transit operations, Marie said, and staff will be hired only as they are needed.

The line's maintenance facility, located south of Interstate 94 along Hiawatha Ave. in south Minneapolis, is complete. Nearly 50,000 square feet, the facility is equipped to perform all maintenance for the line, with the exception of when cars will need significant overhaul, Marie said. In addition, it can house cars overnight when the line is dormant.

Marie also indicated the facility could handle maintenance for one additional line if the rail system is expanded in the future.

The rail car modular design is intended to minimize the need for cars to be out of service for long periods of time, Marie said, and

75 percent to 80 percent of maintenance will be preventive. Cars will be evaluated at 5,000 miles, 10,000 miles, and again each year. Marie estimated each car will travel 85,000 miles and have a usable life of 35 years.

"We cannot have cars down for a significant amount of time," Marie said. "You need to catch problems before they happen."

★ RECREATION

★ Making a play for funding

With more potential cuts to their budget looming, representatives of the Minnesota Amateur Sports Commission stated their case Feb. 4.

"We'd like to remind you that we have a positive impact on the state," Paul Erickson, the commission's executive director told the House State Government Finance Committee. "This system brings in dollars, and you will see a net reduction if we have to cut staff."

The seven full-time commission employees help create and manage sports events and bid for major national and international sports events, Erickson said, thereby creating revenue.

Erickson said that a study by the Analysis and Evaluation Office of the Minnesota Department of Trade and Economic Development showed that tournament visitors from other states contributed \$3.45 million in new tax revenue to the state in 2002 and generated \$1.25 million in local taxes. Additionally, he said, commission programs produced \$56.9 million in economic impact, activity that produced 830 jobs.

"This impact is no different than other

tourism," he said. "They all spend money at hotels, restaurants, and shops."

By far, the largest event is the annual Schwan's USA Cup Soccer Tournament at the National Sports Center in Blaine. Erickson said that last year the tournament drew 15,000 out-of-state visitors whose spending created more than \$15 million in local impact.

"This is probably the largest annual tourism event in Minnesota," Erickson said. "We'll continue to make it bigger and better every year."

Erickson said other recent big events include the All American Girls and Women's Hockey Tournament which had an economic impact from state visitors of \$1.26 million in 2000, and the Ice Skating Institute Championships where more than 24,000 figure skaters, coaches, and spectators visited the state in 2000, bringing in more than \$3.5 million in economic impact. The event is scheduled to return in 2004.

The commission has an appropriation of \$618,915 for fiscal year 2003. "Our programs generate more than five times as much direct tax revenue as the agency costs," said Tom Duffy, the commission chair.

Erickson said the agency submitted a plan in October to save \$62,000, including reductions in salaries, supplies, and equipment, but the House and Senate budget reductions plan for the current fiscal year call for another \$25,000 cut and Gov. Tim Pawlenty's plan is almost that much. Erickson said the agency has not finalized plans for additional cuts.

The committee took no action at the hearing, but it will consider all state government appropriations in the coming months.

★ SAFETY

★ New dispatch center tour

State public safety and transportation officials are putting together the final preparations to open a new integrated dispatch center for the Twin Cities metropolitan area.

Officials displayed the nearly complete center to members of the House Transportation Policy Committee Feb. 5 during a tour of the Department of Transportation's Waters Edge building in Roseville.

The communications center would integrate three dispatch functions handled by the two departments: State Patrol, traffic management, and MnDOT maintenance, such as snowplows and sanding trucks.

Currently, Transportation Department maintenance and State Patrol dispatchers are located in smaller rooms in the Waters Edge building. Traffic management is located in Minneapolis, but with upcoming expansion in the eastern metropolitan area, the Minneapolis facility



History Center tour

The House Jobs and Economic Development Finance Committee was welcomed at the Minnesota History Center Feb. 5.

The 13-member committee toured the center to better understand the organization and its facilities. The committee establishes the state's portion of the biennial budget for the Minnesota Historical Society. The 427,000-square-foot center opened in 1992 through \$55 million in public funds and \$16 million in private money.

The historical society, which oversees the history center and 32 historic sites throughout the state, was given a \$53.5 million budget for the 2002-03 biennium. However, due to the 2003 budget shortfall, the jobs committee reduced the historical society's budget by \$1.6 million. Officials expect that the 2004-05 budget will also be reduced.

Of particular interest to the legislators was a highly coveted Civil War flag, which remains a subject of debate. Riddled with bullet holes and stained in soldiers' blood, the flag was captured on the third day of the Battle of Gettysburg. Rep. Tim Mahoney (DFL-St. Paul), a self-proclaimed Civil War buff, said it is the only battle flag that made it across the union line.

Historical Society Director Nina Archabal said records show the State of Minnesota gained legal title to the flag in 1928. However, various groups in Virginia claim the flag belongs to their state. The matter worked its way through the Minnesota court system and is now in the Virginia courts.



Maureen Jensen, project director for the state Transportation Department, shows members of the House Transportation Policy Committee the soon-to-be opened integrated public safety/transportation management dispatch center in Roseville during a Feb. 5 tour.

cannot accommodate expansion, said Maureen Jensen, director of the project.

The new facility utilizes unallocated office space in a portion of the Waters Edge building. Its design includes several banks of televisions that rotate through the 240 traffic management cameras located throughout the Twin Cities metropolitan area. In addition, dispatchers will have access to system maps tracking overall congestion on the freeway system via messages from 3,500 detection devices that measure traffic and congestion levels.

Jensen said that the department had planned on combining the traffic management center and approached the Public Safety Department to see if they could work together to combine all the dispatch centers.

"What we really need to do is integrate our operations," Jensen told the committee.

The State Patrol dispatchers in the center serve nine counties in the metropolitan area: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington. There are nine other dispatch centers throughout the state.

However, the metro dispatchers are the only ones that have computer-assisted dispatching. Col. Anne Beers, state patrol chief, said it's the first leg of developing a statewide system for computer dispatch.

The largest volume of calls for metro dispatchers come from cellular phone calls. Until recently, all cellular phone 911 calls came to the State Patrol dispatchers. In 2002, the center received nearly 600,000 calls, an average of one every 53.5 seconds.

In addition, the center receives calls from county dispatch centers for incidents that require State Patrol attention.

With the new integrated center, all dispatchers and traffic managers will have better access to information about congestion and incidents on the metropolitan freeway system. State Patrol Captain Michelle Tuchner, who oversees the dispatch center, said dispatchers use the traffic management cameras to identify problems on the roadways and help all three agencies better identify ways to respond to incidents and alleviate congestion.

The new center is set to open in late February. Originally estimated to cost \$22 million, Jensen said the project will actually cost about \$17 million — \$5 million under budget.



Members of the House Jobs and Economic Development Finance Committee get a close look at Civil War era drums in the three-dimensional conservation lab during a Feb. 5 tour of the Minnesota History Center. Among those looking are, from left Jim Peterson, the historical society legislative liaison, Committee Administrator Erik Aamoth, Rep. Karen Clark, Rep. Dan Severson, and Rep. Tim Mahoney.

Most recently, the U.S. Army History Department asked that the flag be returned to Virginia for display in a new facility opening there in 2009. Keeping the flag in Minnesota may require help from the Legislature, said Deputy Director Ian Stewart.

"If you want to talk about a piece of Minnesota patrimony, this is it," Archabal said.

The flag, which is typically in protective storage, is scheduled for public display in March.

Around 300,000 people visit the history center each year, one-third of whom are school children. An additional 1.5 million people have visited the historical society's Web site.

According to December 2002 figures, the historical society employs the equivalent of nearly 250 full-time employees and 236 part-time and seasonal workers.

TRANSPORTATION



Consultant contract clarification

Members of the House Transportation Finance Committee revisited the issue of consultant contract use in the state Department of Transportation at its Feb. 5 meeting.

Assistant Commissioner Dick Stehr, director of the department's program support group, testified that the department initiates about 3,200 consultant contracts per year. Of those contracts, one-third are for professional/technical services, intellectual in nature, and the remainder are experts for specific projects.

Stehr explained that consultant contracts may have increased in recent years due to a one-time influx of transportation funds approved during the 2000 legislative session. He said that the project level has increased, but the department's complement of full-time employees has not, so it has resorted to outside consultants to handle the workload.

With regard to the number of amendments

to initial contracts, Stehr said that those crop up during the planning and design stages of a project. As a project develops, planners discover issues that the project must address.

"We often get into supplementing contracts to deal with these discoveries," Stehr said. He added that staff would rather write a tight, focused contract at the beginning of a project and amend it to reflect the changes than to write a broad contract at the beginning that wouldn't require specific amendments.

Stehr also said that there is a review and audit process that goes along with each contract. A portion of payment is withheld until each project meets a satisfactory level of completion. In addition, paperwork such as timesheets must be submitted to verify that work has been completed.

In information submitted to the committee, Stehr included a list that breaks down consultant expenditures by percentage. Though Stehr did not include how much money has been spent on consultants, the breakdown indicates that the department uses consultants primarily for various stages of project design.

A different chart indicates that certain functions are exclusively handled by contractors outside the department rather than by department employees. Those include inspecting critical bridge fractures, aerial photography, and contaminated properties.

Several members, including Rep. Alice Hausman (DFL-St. Paul) and Rep. Mary Liz Holberg (R-Lakeville) were concerned that they didn't understand what impact the numbers Stehr presented have on the department's bottom line.

Rep. Paul Thissen (DFL-Mpls) asked if the department had compared specific costs of contractors performing work with how much it would cost an existing department employee to do the same work. Stehr said that has been done in some cases, but certain items, such as

building and infrastructure costs, are not typically evaluated for department employees, which makes a true comparison difficult.

Members agreed they needed more specific information to get a clear picture of consultant use.

"It seems to me we need to find a different way to do business," said Rep. William Kuisle (R-Rochester), chair of the committee. "It does seem on the surface that we're wasting money on this, and maybe a lot of money."

The committee took no action at the meeting.



NOTES

When he sat down before the Legislative Advisory Commission Feb. 5, Gov. Tim Pawlenty saw a Reese's peanut butter cup on the table and asked if it was for him.

"I was not aware that it was there," said State Finance Commissioner Dan McElroy, the meeting chair. "Do we need to have your food tester determine it is not..."

Pawlenty interrupted to say, "That's what we have Weaver for," a reference to Charlie Weaver, his chief of staff and former commissioner of public safety.

Once the laughter subsided, Senate Majority Leader John Hottinger (DFL-St. Peter) then asked if the administration has a position about a Reese's peanut butter cup being considered junk food. Again more laughter was heard.

Part of Pawlenty's proposed state welfare reform plan includes limiting the purchase of junk food for families receiving assistance.

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A different way to pay

Alternative teacher compensation pilot projects get mixed review from educators, expansion unlikely with budget strain

By TOM LONERGAN

A negotiated professional pay system for teachers has taken trial steps in Minnesota, with mixed evidence thus far.

Three school districts — Minneapolis, the state's largest, Marshall, and La Crescent-Hokah — which have test piloted the concept, were the focus of a Jan. 30 meeting on alternative teacher compensation, sponsored by the Association of Metropolitan School Districts.

The audience included members of the House Education Policy and Education Finance committees. Gov. Tim Pawlenty and Cheri Pierson Yecke, the state's education commissioner, addressed the gathering of school administrators and teachers.

The Department of Children, Families and Learning selected the three districts, as well as

\$5.1 million of that amount for Minneapolis. State law required that teachers be involved in the process and provided options for all or at least 25 percent of a district's teachers to be covered by alternative pay systems.

An estimated 1,800 of 4,700 Minneapolis public school teachers chose to participate in the district's professional pay plan, which district officials and the teachers' union have been developing for the past six years. All teachers in the La Crescent-Hokah and Marshall districts are covered by alternative compensation plans, following votes to allow their respective unions to negotiate the details.

Minneapolis and Marshall school officials reported that the new pay structures are working well so far in their respective districts, but La Crescent-Hokah teachers have struggled with classroom evaluations.

"The single thing school districts can control is the quality of teaching," said Carol Johnson, Minneapolis school superintendent. Three-quarters of the district's teachers have less than 10 years experience. The professional pay plan's incentives are attractive to younger teachers, Johnson said, because it allows quicker salary increases than the conventional contract.

The plan rewards teachers for improving instruction. Rather than basing teacher pay primarily on years of ser-

vice, the Minneapolis plan is based on the teacher acquiring skills and content knowledge, balanced with district-directed professional development. Teachers in the plan can receive one-time "award" payments or can increase their base pay through additional college credits, degrees, and certification.

Louise Sundin, president of the Minneapolis Federation of Teachers, said the new compensation structure took school officials and teachers "where no school districts and no unions have

gone before." Younger teachers, Sundin said, "have different belief systems about careers, learning, and being a teacher," than their older colleagues. "If we don't address that, we will lose them," she said.

For Marshall's 185 teachers, the alternative pay system has evolved through two contracts and four years of ongoing discussions. It bases compensation on four categories: career commitment, leadership, professional development, and educational excellence accountability.

"There was a lot of listening and there was change," said Superintendent Tom Tapper. The district and Marshall Education Association have adopted a "continuous improvement" approach towards the contract.

"The union really took some risks to do some things differently," said chief negotiator Wayne Ivers. "We didn't want our compensation based on (students') test scores." The teachers focused on their professional improvement, as well as curriculum changes to improve instruction.

In the La Crescent-Hokah district, the school board directed Superintendent Connie Hayes to design a performance pay structure for the system's 105 teachers when she was hired five years ago. The district and teachers' union have developed a structure through four contracts that reduced the salary schedule from 30 steps to 11, recognized teacher development, and established an evaluation system. The latter has been somewhat controversial, said John McCune, a high school English teacher.

Relationships between teachers and evaluators have been strained, he said, particularly where classroom observation is the basis for an evaluation. "When an evaluator comes into your classroom," McCune said, "you don't always remember the conclusion, but you remember what was said." A failed levy referendum and uncertainty over state aid has also affected teacher morale in the 1,700-student district, which is considering budget cuts.

With the state facing its own budget crisis, expansion of alternative compensation plans in other districts is unlikely, said Rep. Alice Seagren (R-Bloomington), sponsor of the legislation that established the pilot plans, and chair of the House Education Finance committee. Continuation of the existing pilots during the 2004-05 biennium is likely, she said, if the districts "demonstrate they will be going forward."


Pawlenty called alternative compensation a "reform possibility," but said the state could not provide additional money for it. 



PHOTO BY ANDREW VON BANK

Three districts have tested alternative teacher compensation plans, but future expansion may be limited due to budget constraints.

Floodwood and Rushford-Peterson, as a result of a 2001 state law that offered districts additional state aid to improve teacher, student, and school performance. District plans were required to include a "restructured teacher compensation system" that replaced the step-and-lane salary schedule in teacher contracts and offered teachers incentives to better their knowledge and skills.

During the 2002-03 biennium, the state provided the five districts \$6.7 million to implement the new compensation structure, with

In their blood

16 legislators have a family connection to previous members of the House and Senate

By TOM LONERGAN

Following their parent's path wasn't exactly on the future agenda for a couple of first-year House members when as children, they watched their legislator fathers head for St. Paul.

Rep. Katie Sieben (DFL-Newport) was 5 years old when her father, Michael Sieben, finished five terms in the House in 1982. Rep. Kent Eken (DFL-Twin Valley) remembered when he was 6, "running around the Capitol tunnels," while his dad, Willis Eken, a House member from 1971-84, tended to business.

Family connections in the Minnesota Legislature are not unusual. Considering generation-to-generation, siblings, spouses, and extended families – even a first cousin once removed – there are 11 current members of the House and five in the Senate with family legislative ties, according to the Legislative Reference Library.

Rep. Howard Swenson (R-Nicollet) and Rep. Barb Sykora (R-Excelsior) are two veteran House members who also grew up with political issues flavoring family discussions.

Swenson, serving his fifth term, traces his legislative lineage back to his great-grandfather, Swen Swenson (House 1887), who emigrated to the U.S. from Norway in 1857. The farm his great-grandfather established in Nicollet is run today by Howard Swenson's son.

"I guess I had an early interest and knowledge of the state," Swenson said. "My grandfather was in the Senate during the years I was growing up." Oscar A. Swenson served in the

Senate from 1937-49 and in the House in 1913, from 1915-29, and in 1931.

Sykora's father, John Zwach, served in the Legislature for 30 years (House, 1935-46 and Senate, 1946-66) and was a Congressman from Minnesota for three terms (1966-72).

"You could say I was born into it," said Sykora, serving her fifth term. "I developed an interest in issues and politics at the dinner table."

Generational lines of state legislators trace back to the 19th century. Yet, it apparently took until the third year of the 21st century for one family to have three consecutive generations serve in the House.

Rep. Aaron Peterson (DFL-Madison) sits in the same House seat his father, Doug Peterson (House 1991-2002), and late grandfather, Harry Peterson (House 1965-73), did.

"The carryover of being around people in politics is pretty impressive," said Doug Peterson, who recalled sitting on Hubert H. Humphrey's lap when he was 5. "I didn't campaign for my son," Peterson said. "That's something he had to do on his own. The voters have to know who you are as an individual."

Proud of their roots, the legislators with family ties say they don't believe it gives them an edge over their colleagues, other than perhaps some inside knowledge of the legislative process.

"I came in with some idea about how things worked," said Eken, who teaches, government, economics, and history. "It's helpful, but things have changed since my father served."

"It's nice to have a father that people remember," said Sieben, 25, the youngest current member of the House. "The main result of my dad's



Rep. Oscar A. Swenson



Rep. Doug Swenson



Rep. Howard Swenson

influence is it instilled in me the belief that public service is an honorable profession to be in."

Swenson said he ran for state office after many years of being active in his community, serving on school boards and agriculture-related committees. Asked if he's continuing a family legacy that also included great-uncle Lars Swenson (Senate 1887-89), an uncle, Carl L. Swenson (Senate 1915-17), and a brother, Doug Swenson (1987-97), Swenson said, "I suppose some people would think so."

Sykora, first elected in 1994, four years after her father died, said his influence helped her decide to run for the House. "He always encouraged me to be involved," she said. "I have often thought how nice it would be to have him around to get his advice, but I waited too long."



Rep. Harry Peterson



Rep. Doug Peterson



Rep. Aaron Peterson



Rep. Willis Eken



Rep. Kent Eken



Rep. Ray Cox



Rep. Ron Latz

Among current legislators, the Swensons don't hold the longest family line back in legislative history. That milestone belongs to Sen. Steve Dille (R-Dassel), a former House member from 1987-92. Dille's great-great grandfather, Edward Harrison Hutchins was a state Senator from 1872-75.

The great-grandfather of Rep. Ray Cox (R-Northfield), Edwin Cox, was in the House in 1889.

There's no indication of a current descendant from a legislator that served during the state's first decade in the 1860s or prior years as a territory.

Legislative family connections

Sen. Ellen Anderson is the wife of Andy Dawkins (House 1987-2002)

Rep. Len Biernat is the son of Ted Biernat (House 1949-57)

Rep. Ray Cox is the great-grandson of Edwin Cox (House 1887)

Rep. Jerry Dempsey is the brother of Terry Dempsey (House 1979-93)

Sen. Steve Dille is the great-great grandson of Edwin Harrison Hutchins (Senate 1872-75), great-nephew of Peter E. Hanson (Senate 1895-99, Secretary of State 1901-07), and great-son-in-law of John R. Bloomquist (House 1947-55)

Rep. Kent Eken is the son of Willis Eken (House 1971-84)

Sen. David Knutson is the son of Howard Knutson (House 1967-73; Senate 1973-90)

Rep. Ron Latz is the son of Robert Latz (House 1959-67)

Rep. Mary Ellen Otremba is the widow of Ken Otremba (House 1995-97)

Rep. Aaron Peterson is the son of Doug Peterson (House 1991-2002) and the grandson of Harry Peterson (House 1965-73)

Rep. Katie Sieben is the daughter of Mike Sieben (House 1973-82) and the niece of Harry Sieben (House 1971-84)

Rep. Nora Slawik is the first cousin once removed of Martin McGowan, Jr. (House 1959-67)

Sen. Yvonne Prettner Solon is the widow of Sam Solon (House 1971-73; Senate 1973-2001)

Rep. Howard Swenson is the brother of Doug Swenson (House 1987-97), nephew of Carl L. Swenson (Senate 1915-17), and grandson of Oscar Swenson (House 1913, 1915-29, and 1931; Senate 1937-49)

Rep. Barb Sykora is the daughter of John Zwach (House 1935-46; Senate 1946-66)

Sen. Jim Vickerman is the first cousin to the husband of Barb Vickerman (House 1993-97)



Rep. John Zwach



Rep. Barb Sykora



Rep. Mike Sieben



Rep. Katie Sieben



Rep. Ted Biernat



Rep. Len Biernat

Some photos courtesy of the Secretary of State's Legislative Manual

Prepared for work

Scars from the campaign trail have not dampened McNamara's desire to deliver what Minnesotans expect of their legislators

By MIKE COOK

Early in his inaugural session in the Minnesota House, Rep. Denny McNamara (R-Hastings) asked longer serving members



Rep. Denny McNamara

from both parties why they keep coming back. The answer continues to invigorate him daily.

"They all told me that they feel we can make a difference and I'm excited to be here doing it," he said. With a laugh, he added, "I think I'm starting to comprehend it

and figure it out."

That is especially important this year as the Legislature deals with an intimidating projected budget shortfall. "We need to work together and do what's best," McNamara said. "Most people probably wouldn't want to be a freshman because this isn't the ideal spot to come into having to make a lot of votes, but I think people are expecting us to make tough votes."

McNamara, an assistant majority whip, said he hopes the Legislature will resolve its biggest issue in a timely and orderly fashion, while at the same time give people an opportunity to speak their peace.

"I'm a believer in grassroots politics," he said. "I think people should be able to share their concerns and we should let them know if we think that is not the direction the state should go. I think we should always hear both sides and then make a decision."

Talking to people, McNamara said, was a key in his victory in what was somewhat a battle of names. His main opponent, Jeff Sieben, is the son of a former House speaker, but McNamara has extensive family in the district, including many of his more than 100 first cousins.

However, McNamara said he didn't rely on family connections to win. He relied on a strong work ethic.

"We made an effort to talk to everybody

twice, and everybody in Hastings three times," he said. "To that extent, we got to talk to almost everybody."

McNamara enjoyed meeting district residents, but not all the dogs. He was bitten four times. "I hope I don't add to it or pass it in two years," he said laughing. "My goal will be to get bit less."

To continue hearing constituent concerns, McNamara, a lifelong Hastings resident, plans on holding district listening sessions. "If we can empower everybody to feel they are part of these big decisions to be made, I think it will be easier for them to accept."

As a 25-year, co-owner of a nursery and landscape business, environmental issues are extremely important to McNamara, who sits

water if Mother Nature is giving us rain."

McNamara has known Rep. Dennis Ozment (R-Rosemount), the environment finance chair, for some time because "he's helped our industry on some issues and I've been active in our industry testifying and lobbying." Redistricting also moved Nininger Township from the veteran's district into the newcomer's. "He encouraged me to seek the seat when I was first thinking of running," McNamara said.

Ozment said he did so knowing that McNamara would be successful in St. Paul.

"Denny has been a pillar in his community and he'll be a strong voice for them," Ozment said. "He's straightforward and has a common sense approach. If something is on his mind, he'll say it."

McNamara is not a newcomer to serving in a leadership capacity, having, among other things, been a president of the Hastings Chamber of Commerce and he served 12 years on the city's natural resources and recreation commission.

"Most people probably wouldn't want to be a freshman because this isn't the ideal spot to come into having to make a lot of votes, but I think people are expecting us to make tough votes."

— Rep. Denny McNamara

on both House environment committees, plus higher education finance.

"I'm a different kind of tree hugger because I grow them," he said. "Most environmental issues are nonpartisan issues. Minnesota is the Land of 10,000 Lakes and we need to take care of them. A lot of people want to enjoy them, and we need to make all kinds of different ways for people to enjoy them."

The first bill he plans to sponsor is one vetoed by former Gov. Jesse Ventura four years ago. It would mandate the use of a rain sensor on automatic sprinkler systems that would turn the system off if there were adequate rainfall.

"In a commercial site it could pay for itself with one or two waterings that aren't necessary," he said. The device costs about \$30 for residential systems and maybe a "couple hundred dollars" for commercial ones. "But the bigger issue is we have limited resources of good, clean water. We don't need to use the

During the latter he supported the creation of a skate park in his hometown.

"A group of young adults came forward and wanted this," McNamara said. "The fact that they had purple hair, baggy pants, and earrings didn't mean that they weren't great young adults. We worked together, moved forward and got a great skate park built."

DISTRICT 57B

2002 population: 36,591

Largest city: Cottage Grove

Counties: Dakota, Washington

Location: southeast Twin Cities suburbs

Top Concern: "That our Legislature be a cross section of Minnesota citizens and that we bring our real life experiences and wealth of knowledge to the Capitol to make Minnesota a better place."

— Rep. Denny McNamara

At the plate

Stadium issue got her involved, but transportation is now a key issue for new representative Osterman

By MIRANDA BRYANT

If there's anything that Rep. Lynne Osterman (R-New Hope) understands, it is jobs. She's advocated for them on behalf of



Rep. Lynne Osterman

others, she's competed for them for herself, and in the case of her children, she's dictated them.

To this day she and her husband, Ron, say to their two children, "Your job while you're with us is to learn to grow up and our job is to help you."

The 40-year-old said her new job as a legislator is to reflect the priorities of her constituents in New Hope, and in portions of Plymouth and Crystal. "If I have one thing to do here it is to know that that chair I sit in on the House floor is theirs, not mine," she said. "It sounds canned, but it's not."

It's a job she worked harder than many to get. The St. Cloud State University graduate sought election as a state representative in 1998 and 2000 before achieving victory in 2002.

"I had known I had wanted to run (for office) in college," said Osterman, who admitted she loves campaigning.

What actually catapulted her toward her race, however, was the Twins baseball stadium issue. Sen. Ann Rest (DFL-New Hope), who was a representative at the time, had sponsored a bill authorizing state funding for the stadium. As the mother of two school-age children, Osterman didn't think it was a good priority, she said.

Though Rest proved victorious by 2.4 percent (340 votes) in 1998, Osterman said she continues to respect the legislator, who was later elected to the Senate. "She is one of the brightest persons to have served in the House."

Osterman learned a lot during her three separate campaigns. And the caucus leadership became very aware of the issues she says she finds important, like transportation. Her

district, 45A, is dissected by U.S Highway 169.

As a result, she has co-sponsored a bill aimed at selling \$1 billion in bonds over the next four years for road construction and maintenance. The package would specifically address, among other issues, congested areas and mass transit. Osterman also said she intends to sponsor legislation to expand the Northwest Corridor bus route that reaches into the northwest suburbs from Minneapolis.

"What (this) signifies is our caucus' willingness to move ahead and make a dent in the transportation needs of Minnesota," she said.

Bonding is necessary, Osterman added, to create road construction funds that aren't otherwise available. At the same time, she supports raising the gas tax.

"If I have one thing to do here it is to know that that chair I sit in on the House floor is theirs, not mine."

— Rep. Lynne Osterman

"I, for one, do view the gas tax as a user fee and I would like us to expand funding for roads by seriously considering the gas tax."

Republican House leaders assigned Osterman to the House Commerce, Jobs, and Economic Development Policy; Jobs and Economic Development Finance; and Regulated Industries committees.

"What I know of Lynne is I would see her as a straight shooter, a consensus builder. And she brings some real leadership qualities to the table," said Ken Warner, former president of the St. Cloud Chamber of Commerce.

"She's got a determination like no one else I've met," Warner added. "When she sets her mind to something, she's going to keep going after it."

Given her background, Osterman said she feels well matched to committees dealing with jobs and economic development. Previously, she was: project manager for the Office of Lifework Development at the state's education

department; director of the Partners in Education program for the St. Cloud Chamber of Commerce; and executive director of Manufacturing Technology of Minnesota.

One thing she said she tried to emphasize during her last job was the broad range of occupations that require higher-level math and science skills, including those in the manufacturing industry. She said she discovered that few high school students are choosing manufacturing jobs because the industry is not good at marketing itself. Osterman encouraged teachers to talk about lesser-known jobs, such as fluid power technicians.

Though she supported the committee proposed cuts to groups such as Minnesota Technology, Inc., as part of the overall budget-balancing legislation that passed the House, Osterman said she considers Minnesota Technology Inc., a technology based economic development organization, an "awesome resource."

"They're kind of one of us," Osterman said. "They're on our team."

She finds it strange, she said, that

Minnesota Technology Inc., which helped 1,474 companies in the past two years create high-wage jobs in rural Minnesota, has to lobby for funds before the Legislature.

"I would rather have people get paid to do something they're good at and love and have the government get out of the way ... so that happens for people," she explained.

DISTRICT 45A

2002 population: 36,983

Largest city: Plymouth

Location: western Twin Cities suburbs

County: Hennepin

Top Concern: Traffic congestion is "right in front of us and we deal with it every day."

— Rep. Lynne Osterman

All in the family

Latest Peterson makes it a hat trick for representing a large portion of southwest Minnesota

By TOM LONERGAN

Like grandfather, like father, like son.

Rep. Aaron Peterson (DFL-Madison) made Minnesota legislative history by becoming the third generation from the same family to serve in the House when he was sworn in Jan. 7.



Rep. Aaron Peterson

The 32-year-old succeeded his father, Doug, who served six terms before not seeking reelection after becoming president of the Minnesota Farmers Union, in representing the five-county district that borders South Dakota. Aaron's grandfather, the late Harry Peterson, served in the House from 1965-1973.

Peterson grew up on the farm his family has owned since the 1930s. The 300 farming acres the family still owns are rented to neighbors to grow corn and soybeans.

"He's (Aaron) always been around politics since Grandpa Harry," said Doug Peterson. "That makes an impression on you as a young person." He described a photo from the early 1970s of 18-month-old Aaron "sitting in my father's chair on the House floor."

"My dad represented District 20A. I represented 20A when I started (1991) and now (following 2002 redistricting) it's again 20A," Doug Peterson said. The district was 13B following redistricting in 1992.

Aaron Peterson said his "*de facto* involvement" in politics began "before I could walk. I remember going to Gov. (Wendell) Anderson's office when I was a little kid," he said, "and seeing all those serious men in suits." Peterson says such early exposure to politics through the family is not unusual among state legislators.

His more recent involvement included working in Washington D.C. for U.S. Rep. James Oberstar, former U.S. Rep. David Minge, and for the Minnesota Senate in 1997-98.

A field representative for Prairie Land Management, Inc., Peterson can recite a list of facts and characteristics about his home district

without much prompting. The nearly 2 million acres in District 20A represents 4 percent of the state's land, and its density rate is 12 people per square mile.

"Agriculture is our base," Peterson said. "It's as important to us as taconite is up north. Without agriculture, we'd be without a paddle."

Half of the state's energy-generating wind turbines are in his district, Peterson said, as well as the state's first power-generating plant to burn turkey litter. Located in Benson, the \$110 million plant — partially financed by municipal loans and bonds — will produce 55 megawatts of power to service 60,000 homes in the area.

"Renewable energy and fuel produced in

I remember going to Gov. (Wendell) Anderson's office when I was a little kid," he said, "and seeing all those serious men in suits."

— Rep. Aaron Peterson

rural Minnesota are centered in my district," Peterson said. Economic development and value-added agricultural initiatives, such as state investment in biodiesel expansion and ethanol production credits, are among Peterson's legislative priorities. Promoting rural infrastructure development — especially telecommunications — is key to long-term economic opportunity, he added.

"You can get a pizza delivered 20 miles one way (in his district), but you can't get high-speed Internet," Peterson said, noting holes in coverage throughout Greater Minnesota. "So what's the priority?"

Without long-term improvements in telecommunications, roads, and rural-based energy development, Peterson said, "no one will stay in or relocate to rural Minnesota." Maintaining local government assistance is also a legislative priority for him. "Our small cities with low property tax bases are hard-pressed to maintain services," he said.

His committee assignments include the House Agriculture Policy, Agricultural and Rural Development Finance, Environment and Natural Resources Policy, and

Transportation Finance committees.

Peterson, a road biker, fly fisherman, and canoeist, is an enthusiastic promoter of rural Minnesota's recreation attractions, especially its lakes and trails for summer and winter outdoor recreation vehicles. "It generates a lot of income for our service sector," he said. "We're big on personal fulfillment and enjoying the land. But there needs to be jobs, too."

Since many rural issues are affected by federal legislation, Peterson said he believes his experience in Washington, D.C., and career background in conservation-based land use has prepared him well for the Legislature.

During 2000, as a legislative assistant to Minge, he helped organize a local, state, and federal coalition to protect the Minnesota River and improve its water quality through the federal Conservation Reserve Enhancement Program. The state received \$250 million through the program to retire 100,000 acres of flood-prone farmland (less than 1 percent of farmland) along the river basin. Farmers were paid for the land they took out

of production.

Of working with Oberstar, now in his 15th term representing the state's Eighth Congressional District including the Iron Range, Peterson said, "I learned a lot about trade and really learned what seniority means in the legislative process."

While Peterson hopes there's "not a lot of stalling" during the legislative session, because of the looming budget deficit he predicts, "there will be some because no one wants to get cut."

DISTRICT 20A

2002 population: 36,641

Largest city: Benson

Counties: Big Stone, Lac qui Parle, Lincoln, Swift, and Yellow Medicine

Location: southwest Minnesota

Top concerns: "My goal is to keep (District) 20A connected, functioning and viable in the state's economy. Minnesota cannot afford separate urban versus rural economies. I've seen it go that way."

— Rep. Aaron Peterson

The challenge ahead

Pawlenty outlines agenda for education, employment, health care, and transportation in State of the State address

By MIRANDA BRYANT

With an unresolved budget shortage demanding swift attention and a potential war brewing overseas, Gov. Tim Pawlenty gave his first State of the State address Feb. 6.

Calling the \$4.5 billion projected shortfall the “Incredible Hulk” of budget deficits, Pawlenty focused on the financial crisis during his 35-minute speech. Not forgotten were education, jobs, public safety, transportation, and health care.

In the month since he’s taken office, the governor has made it clear that he won’t raise taxes to fill the empty state coffers, a point he made several times during his speech.

“The deficit we face is caused by spending too much, not by taxing too little,” Pawlenty said, to what would be one round of applause among the 32 rounds his speech drew.

The governor said Minnesota’s state revenues are projected to grow by 6.6 percent, a “normal” rate for modern times. But, he said, government spending is “out of control” and if left unchecked will rise by 14.4 percent in the 2004-05 budget biennium.

“I don’t know many Minnesotans whose paychecks are growing by 14.4 percent,” he said.

Despite reductions, the governor’s 2004-05 proposed budget, which Pawlenty must release by Feb. 18, will increase government spending overall and leave Minnesota as one of the biggest government spenders in the nation, he said. This information is not being told to the public by budget reduction naysayers, he added.

Addressing the Republican-controlled House – a body that until last year he was a member of as a state representative – along with the DFL-controlled Senate, Pawlenty laid out a plan beyond the budget crisis, starting with education.

Minnesota once led the charge on



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty returned to the House chamber, where he spent 10 years as a member — the last four as House Majority Leader — to deliver his State of the State address Feb. 6. House Speaker Steve Sviggum looks on in the background.

innovation in education. But the system has gone awry, he indicated.

The plan starts, he said, by changing the name of the Department of Children, Families and Learning to the Minnesota Department of Education, an announcement Republicans met with hearty clapping and DFLers with lukewarm applause. The plan continues by abolishing the Profile of Learning, the oft-criticized grade-level learning standards.

The neediest children must not be left behind, Pawlenty said. Educators and legislators need to be more creative in meeting their needs. And

parents must ensure their children get a good night’s rest and arrive at school well fed.

“And when our children return home, both they and their parents need to understand that homework and tutoring by parents is more important than American Idol, WWE, DVDs, or getting to the next level on the Grand Theft Auto video game.”

The plan finishes with changing the way teachers are paid to a performance-based system, and with revamping school funding, the governor said.

School finance experts and interested individuals will meet in coming weeks to redesign the school funding formula. Recommendations will be given to the Legislature, which will then be asked to authorize new funding strategies at a dozen demonstration schools. Whichever method is best should then be adopted statewide, Pawlenty said.

“Better schools are the ticket to opportunity and a better quality of life for future Minnesotans,” said the governor.

To spark economic growth Pawlenty called on senators and representatives to approve his tax-free zone plan, which he calls Job Opportunity Building Zones, or JOBZ.

If passed, businesses in the tax-free zones would forgo sales, income, and property taxes for up to 10 years, and individual property owners would be exempt from property or individual incomes taxes. Investors would also not pay business income and capital gains taxes on relative investments.

Pawlenty introduced the tax-free zone legislation as a state representative during the last biennial session, only to see it stall in the House.

The state has lost 38,000 manufacturing jobs in the past four years, or the equivalent of nearly all the manufacturing jobs gained during the 1990s, Pawlenty said. Many jobs were lost when businesses moved to neighboring states with better business climates.

“I’m sick and tired of stimulating the economies of places like Wisconsin and South Dakota with our jobs,” he said.

In addition, said the governor, the state should not raise taxes that “chew the bottom line of job creators.” It’s vital that greater incentives to invest in new Minnesota businesses are offered, Pawlenty said, and that the

Continued on page 22

Continued from page 21

state's entrepreneurial spirit is rekindled.

Specifically, he said he will lead a collaboration between the Mayo Clinic in Rochester and the University of Minnesota. The effort will "make two of the nation's premier providers strong partners in developing the treatments, devices, and medicines that will revolutionize medical care within a decade," said Pawlenty.

Under the category of public safety, the governor said the state must "keep track of" temporary foreign visitors by printing the expiration dates of their temporary visas on their driver's licenses. Such a measure would

allow law enforcement to instantly determine when visitors have overextended their stay in the United States.


Legislation to do what Pawlenty suggested was passed 106-25 by the House Jan. 30. Critics of the legislation say it represents unfair and unequal treatment of all immigrants.

To better serve crime victims, Pawlenty said all crime victim programs and anti-violence efforts in the state would be merged into a new Office of Justice Programs department.

Moving on to transportation, the Minnesota Department of Transportation needs a "shake up," said Pawlenty, who added that he

knows no better "shaker" than Lt. Gov. Carol Molnau. At the start of his administration, Pawlenty appointed Molnau to also assume the duties of transportation commissioner.

And finally, under the category of health, the governor announced the formation of a Blue Ribbon Task Force to examine methods of making health care more affordable. Former U.S. Sen. Dave Durenberger will lead the force.

Said Pawlenty, "Kids, jobs, public safety, transportation, and health. Some will ask if we can afford to move forward with these new initiatives. We can't afford not to." 

House members respond to Pawlenty speech

DFL: 'Short on details'

A nice speech, but short on substance.

That's how several House DFLers summed up Gov. Tim Pawlenty's Feb. 6 State of the State address.

"He's right that we have a great state with great spirit," said House Minority Leader Matt Entenza (DFL-St. Paul), "but he was very short on details." The DFL members, Entenza added, await "the final details" in the Pawlenty administration's biennial budget proposal next week.

"Since the (session's) first day, we've offered to work with the governor in a bipartisan way," Entenza said. "It's better to work together than to work through press releases."

Rep. Barbara Goodwin (DFL-Columbia Heights) questioned Pawlenty's statement that the state budget, without changes, may grow by 14.4 percent during the 2004-05 biennium. "He really is stretching his numbers by using that figure," she said, adding that the percentage likely reflects past tax reductions. "He didn't address the budget deficit," she said. "He didn't show us what kind of a leader he will be."

First-term Rep. Lyle Koenen (DFL-Maynard) said the governor's presentation was "real good." He liked Pawlenty's pledge of no new state taxes, but warned that cuts in programs like local government aid could lead to an increase in local property taxes. "Some school districts could see that too," he said.

Pawlenty's prediction that if the state makes tough budget cuts now its financial picture could improve in three years did not impress Rep. Neva Walker (DFL-Mpls).

"Families are hurting today," she said. "Asking them to hurt for three more years is hard to grapple with."

The governor, who served 10 years in the House, opened his speech by greeting "distinguished members of the Legislature and Representative Rukavina, with whom the former House Majority Leader would often engage in animated debate.



PHOTO BY TOM OLMSCHEID

The House and Senate convened in the House chamber Feb. 6 for Gov. Tim Pawlenty's first State of the State address.

"The governor and I have a good relationship even though we don't agree philosophically," said Rep. Tom Rukavina (DFL-Virginia). "He's concerned about the crises in northern Minnesota. I think he'll look at ways to invest in the Iron Range and other (state) areas that depend on natural resources."

Rep. Lyndon Carlson (DFL-Robbinsdale) agreed with fellow DFLers that Pawlenty "didn't offer a lot of details."

Some of the goals the governor outlined were "admirable," Carlson said, citing the leading role Pawlenty advocated for the University of Minnesota to continue medical care research and technology. "The key is it takes resources," he said. "That's the big question mark."

(T. LONERGAN)

Republicans: 'A great vision'

Gov. Tim Pawlenty's first State of the State speech was also a warm homecoming for the former House member.

"I thought it was an excellent speech," said Rep. Erik Paulsen (R-Eden Prairie), the man who filled Pawlenty's shoes as House Majority Leader. "He's a natural leader and Minnesotans are going to feel good knowing he's leading the state."

Rep. Eric Lipman (R-Lake Elmo), who could be heard leading much of the applause during the

speech said, "It was a fabulous speech, enormously disciplined, well thought out, a great vision for the future, and an important reminder of where we've been."

House Republicans, who currently hold an 80-52 majority, have already begun pushing through major pieces of Pawlenty's agenda.

"I tried to listen to the speech and see what path he wanted us to go down. The Minnesota House has already marched down that path a great ways," said Speaker of the House Steve Sviggum (R-Kenyon). He pointed to the passage of a bill providing status checks for temporary visitors, the passage of a first phase of budget cuts without raising taxes, and the advancement of the bill to repeal of the Profile of Learning.

"I believe we are moving in the direction the governor would like us to — and more importantly, the direction that the citizens of the state expect," Sviggum said.

Freshman Rep. Brad Finstad (R-New Ulm) said he was encouraged and touched by the governor's speech. "It's going to give us a lot of direction and a lot of hope," Finstad said. "He made things very clear to all the citizens of Minnesota, of what we have in store for us."

Part of what is in store includes budget recommendations for the next biennium, which Pawlenty must release by Feb. 18. While some DFLers criticized the speech for including few budget details, Sviggum was not surprised. "Obviously you don't get details of a budget in a speech. That's not what a State of the State address is for. This is for vision. This is for the long range path that we should be moving in," Sviggum said.

Rep. Bud Heidgerken (R-Freeport) thought the governor did a nice job with his speech but found it lacking in one area: agriculture. "It ain't just manufacturing," Heidgerken said. "We're losing tons of farmers every year and the reason why that is is we're exporting less milk, less livestock, less grain. We're exporting less of everything."

(J. JONES)

Monday, Feb. 3

HF262—Lipman (R)
Jobs & Economic Development Finance
Bayport sewer system project funding provided, bonds issued, and money appropriated.

HF263—Rukavina (DFL)
Taxes
Nursing home levy for non-county owned public nursing homes required.

HF264—Biernat (DFL)
Civil Law
Housing violation summons and hearing scheduling requirements modified.

HF265—Walz (R)
Commerce, Jobs & Economic Development
Auto glass claims and coverages regulated.

HF266—Finstad (R)
Health & Human Services Policy
Purchasing alliance stop-loss fund modified relating to health plan companies.

HF267—Wilkin (R)
Commerce, Jobs & Economic Development
Fire insurance standard policy provisions modified.

HF268—Strachan (R)
Judiciary Policy & Finance
State Fair Police Department authorized to employ additional part-time peace officers.

HF269—Klinzing (R)
Regulated Industries
Woodbury additional on-sale liquor licenses authorized.

HF270—Sertich (DFL)
Commerce, Jobs & Economic Development
Ergonomic occupational safety and health standard adoption required.

HF271—Hausman (DFL)
Transportation Finance
Central Corridor Transit Way between St. Paul and Minneapolis funding provided, bonds issued, and money appropriated.

HF272—Clark (DFL)
Jobs & Economic Development Finance
Emergency assistance and transitional housing funding provided, and money appropriated.

HF273—DeLaForest (R)
Civil Law
Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.

HF274—Samuelson (R)
Transportation Finance
Ramsey County; County Road J and I-35W interchange project funding provided, bonds issued, and money appropriated.

Thursday, Feb. 6

HF275—Fuller (R)
Judiciary Policy & Finance
Beltrami County authorized to contract with Corrections Department for the cost of juvenile probation and parole services secretarial support.

HF276—Lipman (R)
Commerce, Jobs & Economic Development
Washington County; Baytown special well construction area disclosure required before property sales and development.

HF277—Penas (R)
Civil Law
Minnesota citizens' personal protection act of 2003 adopted recognizing the right of law-abiding citizens to self-protection, authorizing pistol permits, providing criminal penalties, and appropriating money.

HF278—Bradley (R)
Health & Human Services Policy
Health care provider expenditure reporting requirements eliminated.

HF279—Abeler (R)
Health & Human Services Policy
Physician assistants authority expanded and health rule amendments required.

HF280—Dempsey (R)
Jobs & Economic Development Finance
Wabasha; National Eagle Center construction funding provided, bonds issued, and money appropriated.

HF281—Lenczewski (DFL)
Health & Human Services Policy
Fair drug pricing act adopted, and money appropriated.

HF282—Beard (R)
Governmental Operations & Veterans Affairs Policy
Teachers retirement association ad hoc post-retirement adjustment provided for specified pre-1969 teachers.

HF283—Vandever (R)
Taxes
Income tax checkoff provided to fund benefits for survivors of law enforcement officers and firefighters, and to maintain peace officer and firefighter memorials.

HF284—Vandever (R)
Governmental Operations & Veterans Affairs Policy
Retired state employees authorized to pay for insurance benefits by automatic withdrawal or deduction from benefits received.

HF285—Rukavina (DFL)
Environment & Natural Resources Policy
St. Louis County land exchange requirement provided.

HF286—Huntley (DFL)
Governmental Operations & Veterans Affairs Policy
Minnesota State Colleges and Universities system individual retirement account prior retirement benefit coverage elections revision permitted.

HF287—Abeler (R)
Health & Human Services Policy
Hearing aids health insurance coverage regulated.

HF288—Kahn (DFL)
Environment & Natural Resources Policy
Outdoor light pollution restricted.

HF289—Kahn (DFL)
Environment & Natural Resources Policy
Littering prohibited within the state outdoor recreation system, and firework debris added to littering definition.

HF290—Westerberg (R)
Regulated Industries
Blaine additional on-sale liquor licenses authorized.

HF291—Davids (R)
Commerce, Jobs & Economic Development
Automobile or homeowner insurance policy cancellation prohibited under certain circumstances.

HF292—Davids (R)
Commerce, Jobs & Economic Development
Enforcement of non-compete clauses against insurance agents prohibited under certain circumstances.

HF293—Dempsey (R)
Local Government & Metropolitan Affairs
Municipalities authorized to prescribe fees by a fee schedule.

HF294—Eastlund (R)
Governmental Operations & Veterans Affairs Policy
Military reserve; state employees called to active duty authorized to receive payment of a salary differential, and local governments authorized to pay similar salary.

HF295—Rhodes (R)
Health & Human Services Policy
Mental health and substance abuse treatment carve-outs prohibited.

HF296—Peterson (DFL)
Education Finance
General education aid increased proportionately for rural and metropolitan school districts.

HF297—Haas (R)
Health & Human Services Policy
Health commissioner directed not to adopt certain rules, and specified data collection and research initiative provisions repealed.

HF298—Ellison (DFL)
Judiciary Policy & Finance
Criminal records expungement provisions expanded.

HF299—Ellison (DFL)

Civil Law

Data collection concerning political, religious, social views, associations, or activities prohibited unless directly related to criminal investigation; and civil remedies provided.

HF300—Haas (R)

Taxes

Champlin pedestrian bridge construction materials sales tax exemption provided.

HF301—Sykora (R)

Taxes

School tuition organization contribution income tax credit provided.

HF302—Sykora (R)

Education Policy

School board organizational meeting dates clarified.

HF303—Walker (DFL)

Education Policy

Special School District No. 1 Minneapolis, "How's My Driving?" program required for reporting of unsafe school bus operation.

HF304—Larson (DFL)

Taxes

Airport parking surcharge imposed at the Minneapolis-St. Paul International Airport, and airport impact mitigation account established.

HF305—Larson (DFL)

Taxes

Parking tax imposed on large parking facilities.

HF306—Rukavina (DFL)

Local Government & Metropolitan Affairs

Biwabik authorized to reimburse the town of White for orderly annexed property.

HF307—Adolphson (R)

Governmental Operations & Veterans Affairs Policy

Noncommercial sign ordinance exemption provided.

HF308—Eastlund (R)

Governmental Operations & Veterans Affairs Policy

Minneapolis employee retirement fund prior service credit purchase authorized for former temporary employment.

HF309—Paymar (DFL)

Judiciary Policy & Finance

Crime victim ombudsman office re-established.

HF310—Kelliher (DFL)

Regulated Industries

Minneapolis Historic Pantages Theatre on-sale liquor license authorized.

HF311—Latz (DFL)

Civil Law

Internet consumer data provisions clarified.

HF312—Dill (DFL)

Taxes

Cook County hospital district levy inflation adjustment authorized.

HF313—Rukavina (DFL)

Governmental Operations & Veterans Affairs Policy

Public construction required to use iron and steel materials produced in Minnesota.

HF314—Walz (R)

Transportation Policy

Flashing blue lights display on front of emergency vehicles authorized.

HF315—Hackbarth (R)

Transportation Finance

Trunk Highway 65 improvement bonds authorized.

HF316—Hackbarth (R)

Transportation Finance

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

HF317—Hackbarth (R)

Regulated Industries

Anoka County facilities use for commercial wireless service providers authorized, and lease of sites for public safety communications equipment permitted.

HF318—Seifert (R)

Transportation Policy

Motorcycle safety signs required on trunk highways near locations of motorcycle fatalities.

HF319—Lanning (R)

Higher Education Finance

Post-secondary work-study and childcare grant programs funding restored, and money appropriated.

HF320—Goodwin (DFL)

Taxes

Tax refund interest payment provisions modified.

HF321—Cox (R)

Health & Human Services Policy

Northfield medical facilities related to the municipal hospital authorized.

HF322—Kelliher (DFL)

Health & Human Services Policy

Emergency contraception supply to victims of sexual assault required.

HF323—Smith (R)

Governmental Operations & Veterans Affairs Policy

Privatization procedures for services formerly provided by public employees established.

HF324—Sieben (DFL)

Jobs & Economic Development Finance

Contaminated land cleanup grant funds provided, and money appropriated.

HF325—Huntley (DFL)

Health & Human Services Policy

Contraceptive prescription insurance coverage required.

HF326—Samuelson (R)

Health & Human Services Policy

Dental practice provisions modified.

HF327—Hackbarth (R)

Local Government & Metropolitan Affairs

Shooting range generally accepted practices defined; and relation to local ordinances, closing and relocations, and nuisance liability provided.

HF328—Hoppe (R)

Environment & Natural Resources Finance

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

HF329—Goodwin (DFL)

Education Policy

Bullying and intimidation policy required of school boards, and existing harassment and violence policies required to be consistent.

HF330—Sviggum (R)

Governmental Operations & Veterans Affairs Policy

State employee labor agreements and compensation plans ratified with certain exceptions.

HF331—Howes (R)

Taxes

Homestead resort valuation and deferment of property taxes provided.

HF332—Anderson, B. (R)

Regulated Industries

Prairie Island and Monticello nuclear generating plant continued operation authorized, and nuclear waste escrow account required.

HF333—Smith (R)

Civil Law

Revenue Recapture Act usage authorized for collection of conciliation court judgments, priority of claims provided, and service of process requirements modified.

HF334—Abeler (R)

Health & Human Services Policy

Acupuncture service coverage by certain insurance policies required, review of acupuncture claim determinations by practitioners required, and reporting required.

HF335—McNamara (R)

Environment & Natural Resources Policy

Irrigation system moisture or rainfall sensing equipment required.

HF336—Ozment (R)

Commerce, Jobs & Economic Development

Sprinkler system installation in certain existing high-rise buildings required, and subtraction from taxable income allowed.

HF337—Howes (R)

Environment & Natural Resources Policy

Wetlands; unauthorized rule exemption removal required.

HF338—Davnie (DFL)

Education Finance

Adult basic education aid payment provided with portion of statewide property tax, and money appropriated.

HF339—Davnie (DFL)

Civil Law

Graffiti damages recovery action provided.

HF340—Cornish (R)

Environment & Natural Resources Policy

Natural Resources Department enforcement authority modified relating to recreational areas.

HF341—Lindner (R)

Civil Law

Sexual orientation removed as a protected class under the Human Rights Act and other statutory provisions.

Schedule is subject to change.
For information updates, call House Calls at (651) 296-9283.

All meetings are open to the public.
Sign language interpreter services:
(651) 224-6548 v/tty.

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<http://ww3.house.leg.state.mn.us/comm/scheduleall.asp>

MONDAY, February 10

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room
Chair: Rep. Jim Rhodes

*** Note: *** Change in Agenda

Agenda: HF162 (Seifert) Health commissioner required to obtain legislative approval for specified rules adoption.
Other agenda items to be announced.

Health and Human Services Policy

Room: 10 State Office Building
Chair: Rep. Lynda Boudreau

Agenda: HF297 (Haas) Health commissioner barred from adopting certain rules, and repealing certain data collection and research initiative provisions.

3:00 PM

THE HOUSE MEETS IN SESSION

TUESDAY, February 11

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building
Chair: Rep. Fran Bradley

Agenda: To be announced.

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther

Agenda: Discussion of the Dislocated Worker Program in the Department of Economic Security and a budget overview for the Department of Commerce.

Transportation Finance Subcommittee on Transit
Room: 500S State Office Building
Chair: Rep. Mary Liz Holberg
Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment

Agenda: Office of Environmental Assistance budget overview.

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building
Chair: Rep. Tom Hackbarth

Agenda: Forest management: Minnesota Forest Industries; Wood Fiber Council; Ruffed Grouse Society; Minnesota Forest Resource Council; and Division of Forestry, Department of Natural Resources.

Judiciary Policy and Finance

Room: Basement Hearing Room
Chair: Rep. Steve Smith

Agenda: CrimNet - 2002 Annual Report to the Legislature.

Taxes

Room: 200 State Office Building
Chair: Rep. Ron Abrams

Agenda: Presentation by Department of Revenue: Streamlined Sales Tax Project (SSTP). Other business that may appropriately come before the committee.

Education Finance

Room: 10 State Office Building
Chair: Rep. Alice Seagren

Agenda: School-related fees.

12:30 PM

Transportation Policy

Room: 200 State Office Building
Chair: Rep. Ron Erhardt

Agenda: Technology overview, Driver and Vehicle Services Division, Department of Public Safety.
Federal funding overview.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room
Chair: Rep. Jim Rhodes

Agenda: Agenda items to be announced.

Agriculture and Rural Development Finance

Room: 5 State Office Building
Chair: Rep. Elaine Harder

Agenda: Agricultural trade efforts of the Minnesota Department of Trade and Economic Development and the Minnesota Department of Agriculture to promote Minnesota-grown commodities.

Kurt Markham, Director of Agriculture Marketing Services, Minnesota Department of Agriculture;
Donald Nickel, soybean farmer, Mountain Lake, Minn.;

Bob Zelenka, Executive Director, Minnesota Shippers Association; and
Elaine Bliss, Deputy Trade Commissioner, Department of Trade and Economic Development.

Commerce, Jobs and Economic Development

Room: 10 State Office Building
Chair: Rep. Greg Davids

Agenda: HF176 (Davids) Rushford Institute for Nanotechnology grant provided, and money appropriated.

2:30 PM

Local Government and Metropolitan Affairs

Room: 200 State Office Building
Chair: Rep. Jerry Dempsey

*** Note: *** Change in Agenda

Agenda: HF293 (Dempsey) Municipalities authorized to prescribe fees by a fee schedule.

State Government Finance

Room: 500N State Office Building
Chair: Rep. Bill Haas

Agenda: HF195 (Rhodes) Relating to elections: establishing the voting integrity and voter access account.

Civil Law

*** Note: *** Change in meeting room

Room: 5 State Office Building
Chair: Rep. Mary Liz Holberg

Agenda: HF261 (Boudreau) Minnesota Citizens' Personal Protection Act of 2003 adopted recognizing the right of law-abiding citizens to self-protection, authorizing pistol permits, providing criminal penalties, and appropriating money.

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building
Chair: Rep. Torrey Westrom

Agenda: Public testimony regarding additional nuclear storage at Prairie Island.

WEDNESDAY, February 12

8:00 AM

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment

Agenda: Joint House/Senate Environment and Natural Resource Finance Committee tour and budget overview at the Science Museum.

*Committee members and staff should meet in front of the State Office Building at 8 a.m. where transportation will be provided to the Science Museum.

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF5 (Bradley) Establishing a prescription drug discount program.
HFXXXX (Boudreau) Board on Aging to establish a prescription drug assistance program.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Budget overviews of the Minnesota State Arts Board and the Minnesota Historical Society.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF274 (Samuelson) Ramsey County; County Road J and I-35W interchange project funding provided, bonds issued, and money appropriated.

HF161 (Jacobson) Ramsey County; Edgerton Street bridge over I-694 reconstruction funding provided, bonds issued, and money appropriated.

HF260 (Klinzing) Ramsey County; I-94 at Century Avenue and McKnight Road interchange project funding provided, bonds issued, and money appropriated.

HF234 (Dempsey) Port development assistance funding provided, bonds issued, and money appropriated.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Current crime trends - overview by House Research.

Note: Additional items may be added to the agenda.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Financial implications of the federal Elementary and Secondary Education Act (ESEA).

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: Agenda items to be announced.

Agriculture Policy

Room: Tour

Chair: Rep. Howard Swenson

Agenda: Regular meeting canceled. Members to instead tour University of Minnesota Veterinary College later in afternoon.

Higher Education Finance

*** Note: *** Change in meeting room

Room: 5 State Office Building

Chair: Rep. Doug Stang

Agenda: Financial aid programs' impact on students.

Witnesses: Minnesota State Colleges Student Association (MSCSA); Minnesota State Universities Student Association (MSUSA).

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: To be announced.

2:30 PM

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Public testimony regarding additional nuclear storage at Prairie Island.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: To be announced.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: Presentations by: Metropolitan Sports Facilities Commission; Minnesota regional development organizations.

Civil Law

*** Note: *** Change in meeting room

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF112 (Pugh) Title, lien, and mortgage technical, clarifying, and conforming changes provided.

HF273 (DeLaForest) Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.

HF106 (Wilkin) Litigation and settlement proceeds deposited in the general fund.

4:30 PM

Meeting Time Note: Special meeting; should there be a Floor Session, the meeting will be at the call of the chair after session.

Ways and Means

Room: 200 State Office Building

Chair: Rep. Jim Knoblach

Agenda: Presentation by National Conference of State Legislatures staff; comparative review of Minnesota and other states.

THURSDAY, February 13

8:15 AM

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: To be determined.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: To be determined.

Environment and Natural

Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Board of Water and Soil Resources budget overview.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Budget overviews of the Iron Range Resources and Rehabilitation Agency (IRRRRA) and the Department of Economic Security.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: To be announced.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Financial implications of ESEA.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

12:30 PM

Commerce, Jobs and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF267 (Wilkin) Fire insurance standard policy provisions modified relating to terrorism. Other bills to be announced.

Ways and Means

Room: 200 State Office Building

Chair: Rep. Jim Knoblach

Agenda: Continuation of presentation by and discussion with National Conference of State Legislatures staff (from Feb. 12).

Review of state pension programs and funds by House and Legislative Commission on Pensions staff.

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Powell wins open seat

The newest member of the House is scheduled to be sworn into office Feb. 10.

Duke Powell (R-Burnsville) won the District 40A seat in a Feb. 3 special election, earning 68.5 percent of the vote. Dan McElroy, who was named the state finance commissioner, vacated the seat Jan. 6. The district includes parts of Burnsville and Savage.

Powell, a paramedic for the Hennepin County Medical Center, is married with three children.

Special elections to replace former Reps. Mark Holsten (District 52B) and Rich Stanek (District 32B) are scheduled for Feb. 11 and Feb. 25. Holsten is now a deputy commissioner with the Department of Natural Resources and Stanek was named the state's public safety commissioner.

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180 State Office Building 296-2803

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Reflections

Gov. Tim Pawlenty's State of the State address on Feb. 6 was the 98th message presented to the Legislature since statehood in 1858.

According to the Minnesota State Constitution, "The Governor shall communicate by message to each session of the Legislature information touching the state and country."

Like his predecessors, and in accordance with the constitution, Pawlenty made a request to speak to the House and Senate early in the 2003 session. Once a date was set for a joint session to convene, constitutional officers in the executive branch, and justices and judges in the judicial branch were invited to attend.

In the spirit of protocol and tradition, the governor does not simply walk into the chamber to speak to anyone. He must be announced.

As in past ceremonies leading up to a message from the governor, once House and Senate members, and members of the executive and judicial branches are seated, the arrival of the governor at the chamber door is formally announced by the House Chief Sergeant-at-Arms.

From 1858 to 1879, governors delivered their message to a Legislature that met annually in the "Hall of the House of Representatives." The Legislature only met in one year of each biennium from 1881 to 1971, so most governors delivered their message every two years in the same "Hall," or House Chamber as it is called today.

The Legislature began flexible biennial sessions in 1973, meeting at least once per year in a two-year period. Prior to 1969,

House and Senate journals note that a "message of the governor" was given. At that time, Gov. Harold LeVander changed the name of the address to "The State of the State."

Records indicate that all governors made an address, except in 1986 and 2000, but all the speeches were not delivered at the Capitol.

Gov. Rudy Perpich made a separate 1983 address at Hibbing High School, his alma mater. Five years later he gave his message in Winona.

During Gov. Arne Carlson's two terms, four of his addresses were away from the Capitol.

The first time citizen participation was used in a gubernatorial address was with Carlson's 1990 speech to high school students, legislators, and other citizens in Bloomington.

He again took his message on the road in 1992 to Hutchinson, to Rochester in 1994, and back to Bloomington in 1996 where he spoke at a Chamber of Commerce event.

Gov. Jesse Ventura gave last year's address from the Governor's Residence in St. Paul.

Most State of the State addresses contain plans to keep the state economically stable, no matter where they are delivered.

Such was the case with Pawlenty's message — a financial plan that echoed a message given by Gov. William Marshall in 1868. Marshall said, "I cannot too strongly urge upon your consideration the necessity of the strictest economy consistent with public requirements in every branch of public service."

—LECLAIR GRIER LAMBERT



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty is greeted as he enters the House Chamber to deliver his State of the State address.

Where to find information

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news magazine, educational brochures for all ages, and member directories. All information is available at no charge.

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SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Financing higher education

Combined enrollment at the four University of Minnesota campuses, fall 2002	62,789
Percentage of those on Twin Cities campus	77.5
University enrollment in fall 2001	60,433
Full year equivalent enrollment for Minnesota State Colleges and Universities (MnSCU) system in 2002-03	129,842
In 2001-02	126,215
In 2000-01	118,861
Number of MnSCU campuses throughout state	53
Average undergraduate tuition and required fees charged in 2002-03 to full-time students at a MnSCU two-year college	\$3,026
At a MnSCU state university	\$4,088
At the University of Minnesota, Twin Cities	\$6,430
At a private liberal arts college that is one of 17 in the Minnesota Private College Council	\$19,166
Amount available for state grants in fiscal year 2003, in millions	\$133
Amount awarded in state grants in fiscal year 2002, in millions	\$125.6
Fiscal year 2000, in millions	\$109
Minnesota rank for grant aid provided to undergraduates in 2000-01	6
Average state grant award for 2002-03	\$1,770
Average combination of state grants and federal Pell Grant in 2002-03	\$3,015
Increase sought by Higher Education Services Office for state grants in fiscal years 2004-05, in millions	\$97
Original state general fund appropriations to University of Minnesota for fiscal year 2003, in millions	\$664.8
Amount reduced during 2002 budget reductions, in millions	\$23.6
State fund appropriation in fiscal year 2002, in millions	\$628.1
Millions in fiscal year 2001	\$604.3
Original state general fund appropriations to the MnSCU system for fiscal year 2003, in millions	\$640
Amount reduced during 2002 budget reductions, in millions	\$22.7
State fund appropriation in fiscal year 2002, in millions	\$601.6
Original state general fund appropriations to the Higher Education Services Office for fiscal year 2003, in millions	\$157.7
Amount reduced during 2002 budget reductions	\$931,000
State general fund appropriation in fiscal year 2002, in millions	\$148.75
State investment in higher education per every \$1,000 of personal income in 2002	\$8.78
In 1991	\$12.25

Sources: Minnesota Higher Education Services Office, University of Minnesota Office of Government Relations, Minnesota State Colleges and Universities, House Fiscal Analysis Department

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

FEBRUARY 14, 2003

VOLUME 20, NUMBER 6



DON'T KILL HIGHER ED

In this issue:

UNALLOTMENT PLAN

AGRICULTURE TRADE, GUN PERMITS, AND MORE

HF342-HF425

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Students from Minneapolis Community and Technical College carry a mock coffin, signifying the death of higher education, past an archway during a Feb. 12 rally of higher education students from around the state on the front steps of the Capitol. The group hoped to educate legislators on issues of concern to students at Minnesota's public colleges and universities.

— Photo by Tom Olmscheid

Executive authority

In its first use since 1986, Gov. Tim Pawlenty authorizes unallotment power to trim fiscal year 2003 budget

By MICHELLE KIBIGER

For the first time since the budget crises of the mid-1980s, a Minnesota governor was compelled to exercise the legal authority to cut the state's budget in order to balance it.

Gov. Tim Pawlenty, accompanied by Finance Commissioner Dan McElroy, announced the specifics of the plan Feb. 7 just a few hours after legislative conference committee negotiations ended in a stalemate.

"This is not about fault or blame. It's about responsibility and the responsibility now falls to me to solve this 2003 budget deficit, and we will," Pawlenty said. "This is not a scenario that we take any comfort in. This is not a scenario that we would have preferred. We would have much preferred to have a legislative solution that would have given us other options, other advantages in terms of how the cuts are structured."

All told, the cuts will reduce the state budget by nearly \$282 million for fiscal year 2003. In addition, some sales tax reimbursements will be delayed, at an estimated savings of \$50 million, and budget reserves of \$24 million will cover the full \$356 million deficit anticipated by June 30.

Specifically, the law allows the commissioner of finance, with the approval of the governor, to restrict cash flow from the state, if a deficit is anticipated at the close of a fiscal biennium. Prior to reducing any expenditures to address

cash flow, the commissioner must transfer all remaining budget reserves to the general fund.

Therefore, the governor does not technically perform the cuts, though he must specifically approve and authorize the commissioner to use the statutory power.

In 1986, Gov. Rudy Perpich authorized unallotments of \$110 million from the state's budget. Perpich employed a similar course to Pawlenty – he submitted recommendations to the Legislature, but they were unable to reach agreement. At the time, the cuts amounted to about 1 percent of the overall general fund budget, comparable to Pawlenty's.

However, the statutory authority does limit which appropriations the governor may cut – certain special funds may not be transferred in the executive branch to the general fund. In addition, the governor does not have the authority to cut general fund appropriations and authorize the sale of bonds to replace the money. That must be specifically addressed in legislation.

House and Senate conferees met late in the day Feb. 6 and into the early morning hours Feb. 7, attempting to negotiate an agreement between the two bodies' 2003 budget balancing plans prior to Pawlenty's established deadline of Feb. 7. They were unable to reach an agreement.

Initially, the House plan included \$468.2 million in cuts, which included funds to beef up the budget reserve accounts. The initial Senate plan included \$384 million in budget adjustments.

Prior to the breakdown in negotiations, the House and Senate had nearly the same amount of budget adjustments – about \$461 million – but they disagreed on which cuts would be carried over into the 2004-05 budget cycle.

With his 2004-05 budget due to the Legislature Feb. 18, Pawlenty said some of the documents being prepared for that release would need to be adjusted, because the executive



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty, center, announces his unallotment plan to balance the state budget for fiscal year 2003 during a Feb. 7 news conference. Joining Pawlenty at the news conference are Finance Commissioner Dan McElroy, left, and Lt. Gov. Carol Molnau. (TOMO)

branch took more base budget cuts into consideration. In addition, the governor does not have any authority to add funds to the budget reserve accounts.

As part of his plan, the governor reduced ethanol producer payments by \$20 million, leaving about \$6 million for the rest of the year. The House bill had proposed a \$5.4 million reduction and the Senate bill \$2.3 million.

"It is not that we are opposed to ethanol or the further development of the ethanol industry in Minnesota," Pawlenty said. "It is a good industry, it is a helpful industry, it is one that we want to encourage and allow to prosper. ... But I can't stand here as the governor of the state of Minnesota and justify reductions in programs for very needy people while at the same time we are providing cash subsidies to an industry that for the most part is very profitable."

In addition, the cuts strip \$49 million from the 21st Century Minerals Fund, an economic

Budget adjustments for 2003

All amounts are in millions and include general fund dollars only

	House plan	Senate plan	Governor
Agriculture	\$8.3	\$3.2	\$22.8
Capital Project cancellations	\$5.4	\$2	\$12.1
Economic Development	\$73.6	\$17.4	\$67.9
Education	\$7.5	\$4.8	\$21.2
Environment	\$22.4	\$15.9	\$17
Health and Human Services	\$45.7	\$53	\$26
Higher Education	\$81.5	\$60.1	\$50.3
Judiciary Finance	\$12.9	\$6.2	\$18.1
State Government	\$12.6	\$25.7	\$21.2
Taxes	\$50	\$50	—
Transportation	\$148.4	\$145.8	\$23.6
Total	\$468.3	\$384.1	\$281.6

Source: House Fiscal Analysis

development tool for the Iron Range and northeastern Minnesota. That leaves \$10 million for a project currently seeking federal approval, Pawlenty said.

The House bill proposed a reduction of \$39 million to the fund, and the Senate bill initially proposed no reduction in the fund.

Pawlenty also said the cuts include about \$21 million in reductions to various education programs, primarily those which provide grants, including \$5.3 million in after school enrichment grants, \$1 million each to youth work and violence prevention grants, and \$1 million in best practices seminars. The governor also authorized telecommunications access cuts of \$1.5 million and reduced growth in adult basic education funding by \$1.6 million, which the House also proposed.

McElroy explained that certain sales tax rebates for capital improvements that businesses may apply for will be delayed, under a separate authority given to the commissioner of revenue. When a business applies for the rebates, the department may delay the payments up to 90 days. McElroy estimated a \$50 million savings to the general fund through the plan.

Both the University of Minnesota and the Minnesota State Colleges and Universities systems were cut by \$25 million. In addition, the governor authorized \$20 million in refinancing of 2000 road projects. Both the House and Senate proposed converting \$130 million in cash remaining from the 2000 appropriation to trunk highway bonds.

Prior to announcing the cuts, Pawlenty opened with concerns regarding the state's high bond rating. Since the mid 1990s, Minnesota's state and local bonds have been sold at a Aaa rate, which is the highest rating offered by Moody's Investors Service. Only a handful of states have been granted the rate, due in large part to their strong financial outlook.

A number of states have been downgraded in recent weeks or have been placed on "credit watch." Pawlenty said that Moody's had placed Minnesota on watch, pending the direction taken by the Legislature and the state to address its budget deficit for 2004-05. He said the group did not indicate when it would evaluate the state again, but it expressed concern regarding Minnesota's situation, relative to other Aaa states.

"We have been working with them and pleading with them not to downgrade our Triple A status," Pawlenty said. "They're giving us a little more time."

Pawlenty plans to release his budget recommendations for the coming biennium Feb. 18, the date prescribed in state law. He is expected to deliver an address outlining the specific budget priorities. Commissioners will then deliver their specific agency budget to the House and Senate committees with jurisdiction over their accounts. 🐾



Tax thy neighbor

Minnesota has long-standing policy of income tax reciprocity governing workers from neighboring states

Minnesota and its neighboring states have long swapped workers. Residents of Hudson, Wis., may commute to Minneapolis to work, and folks in Moorhead, Minn., may head west to Fargo, N.D., to do the same.

Minnesota income tax laws have recognized this migration of workers since 1941. In that year the Minnesota Legislature adopted a law stating that individuals working in Minnesota but maintaining their residence (defined as a place to which they return at least once a month) in another state, shall be exempt from Minnesota income tax, provided that their native state allows a reciprocal arrangement for Minnesotans.

Work life was different then and taxes were naturally much less than today. A 1941 Minnesota Department of Taxation research bulletin shows that professionals paid an average tax of \$37.55 on an income of \$2,829; and clerical employees, \$9.12 for a \$1,820 salary. All told, income tax was the largest single source of state-collected revenues that year, totaling \$12.7 million.

As more workers began not just crossing the state line for seasonal work, but commuting for salaried jobs, and as the taxation system became more formalized, Minnesota began looking more closely at the income tax filings.

In 1967 Minnesota and Wisconsin entered into a formal reciprocity agreement designed to eliminate the taxpayers' burden of having to file in both states. Workers simply filed and paid income taxes to their home state as if all their income were earned there.

Similar agreements were reached with North Dakota in 1969, and with Michigan in 1984.

But the reciprocity law came with its own shortcomings. With more Wisconsin residents working in Minnesota than vice versa, reciprocity was resulting in a revenue loss to Minnesota and a gain to Wisconsin. According to House fiscal analysts, 25,000 Minnesotans work in Wisconsin today and 50,000

Wisconsin residents work in Minnesota.

Fed up, former Gov. Wendell Anderson suggested repealing reciprocity with Wisconsin in 1973 so that Minnesota might recapture the revenues it had been losing. Instead, that same year, the Legislature decided to enact a law that required the state collecting more revenue from in-state residents who work in the neighboring state to reimburse their neighbor the difference. In 1975, Wisconsin began making annual payments to reimburse Minnesota for the revenue losses.

Despite that agreement, Minnesota and Wisconsin have occasionally been at odds over

how the loss should be calculated. The most recent disagreement came in the fall of 2000.

"We believe that the calculation of the reciprocity payment has been erroneously determined for the past 20 years," said Minnesota Department of Revenue Commissioner Matt Smith, in an Aug. 2000 letter to Wisconsin officials. In an Oct. 24, 2000 letter, John Evans, chief counsel for the Wisconsin Department of Revenue, replied, "Wisconsin is quite adamant that it is complying with the reciprocity statute."

Around the same time, then-Gov. Jesse Ventura became the second governor to suggest repealing the Wisconsin reciprocity agreement altogether.

The 2002 Legislature disagreed with Ventura and left the arrangement intact. But it did adopt a law requiring Wisconsin to pay interest on reciprocity payments to offset the delay.

Officials project that the interest alone will bring to Minnesota coffers \$5.5 million in 2003, and \$9.9 million in the 2004-05 biennium.

Income tax remains the largest single contributor to the Minnesota state budget. Projected revenues for fiscal year 2003 are nearly \$5.62 billion.

(M. BRYANT)



Taxpayers lined up at the county treasurer's office in 1940.

Photo courtesy of the Minnesota Historical Society

★ ARTS

Carlson promotes funding

Legislators being asked to sustain funding for the arts in Minnesota could have heard from no better person than a former governor who himself wrestled with a monster-sized budget crisis.

Former Gov. Arne Carlson testified before the House Jobs and Economic Development Finance Committee Feb. 12 in favor of continued funding for the arts, responsible for an estimated annual economic impact of more than \$1 billion in Minnesota.

Carlson said he understands the financial impact of the state's projected \$4.2 billion shortfall for 2004-05. He began what would become an eight-year run as governor in 1991 when the state was facing a \$2 billion deficit, the largest the state had encountered at that time.

"We came to the arts (and) we had the same discussion that you'll undoubtedly have: Can you really justify using very, very limited public money for something that nourishes the soul? Our answer was 'yes.' We provided level funding. We did not increase, but we did not cut," Carlson said.

Rep. John Dorn (DFL-Mankato) solicited advice from Carlson about the point at which funding cuts create long-term harm from which organizations can't recover.

Carlson answered, "Do the things that you will be proud of 20 years from now."

Some people think that art is esoteric,



Former Gov. Arne Carlson testifies in support of continued arts funding before the House Jobs and Economic Development Finance Committee Feb. 12.

and "out there," said the former governor. "The fact of the matter is the arts are part of our daily lives," Carlson said, adding that he thinks the arts are essential to the quality of life in any locale.

Gov. Tim Pawlenty's reductions to the current fiscal year budget cut the Minnesota State Arts Board operating budget by \$40,000, according to House fiscal staff. An additional \$76,000 was cut from the folk arts grant program and \$268,000 in individual artists' grants.

The Minnesota State Arts Board funds 11 regional arts councils throughout the state.

According to the board, 67 percent of Minnesotans have attended an arts activity in a theater, auditorium, concert hall, museum, or gallery in the past year; 60 percent are involved in the arts through creative activities; and 95 percent believe the arts are important or essential to a child's education.

★ CONSUMERS

Clearing obsolete law

The House passed a bill Feb. 10 that would expunge from state books an antiquated law designed to protect consumers from dishonest wagon canvas salesmen.

On a vote of 124-0, the House approved HF95, which would repeal a 1913 law requiring that all cotton canvas manufacturers label canvases – used for awnings, wagon covers, tents, grain and hay covers, stable or tent tops – with their correct weight.

The same bill was approved by the House last year, but failed to become law due to a lack of a Senate companion bill. Sen. Sharon Marko (DFL-Cottage Grove) is carrying the bill (SF291) this year in the Senate, but no committee action has been taken. The House bill will now move to the Senate.

HF95 is sponsored by Rep. Marty Seifert (R-Marshall) as part of a larger effort that began last year to repeal unnecessary laws from the books.

★ EDUCATION

Profile repeal to the floor

Another chapter in the state's 10-year history of proposing high academic standards for public school students may soon be before the full House.

A bill (HF2) to repeal the Profile of Learning graduation standards was altered slightly

and approved Feb. 11 by the House Governmental Operations and Veterans Affairs Policy committee and referred to the House floor. It had previously received approval from the House Education Policy Committee Feb. 6.

The committee approved two amendments to the bill — repealing any tests based on the profile standards and changing all references to "language arts" in the legislation to "English."

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF2 would direct the state's education commissioner to first develop new education standards in math and reading by April 15. New standards in English, geography, history, and science would soon follow. The new standards, to be effective for the 2003-04 school year, are also subject to legislative approval.

"We've tried to tweak it," said Kielkucki, referring to past efforts to change the Profile of Learning. "It is beyond tweaking. We've debated this over and over and over. This year we have a historic chance to deal with the problem."

Approved by the Legislature in 1998, the profile established high academic standards in 11 learning areas for public school students. Mastering the profile standards and the state's basic skills tests are required for students to graduate, although school districts can decide which profile standards students must meet.

Following several years of criticism from school boards, administrators, teachers, and parents, the profile standards were relaxed by the Legislature in 2000. The profile has been criticized for placing too much paperwork on teachers and school districts and for excessively influencing a school district's teaching curriculum, an area critics say should be locally determined.

Joe Michel, a 40-year science teacher from the University of St. Thomas in St. Paul, told members of the House Education Policy Committee Feb. 6 not to discard the profile's standards-based concept. "Standards need to be academically rigorous and results-oriented," Michel said. Student understanding of scientific process is preferable, he said, "rather than going back to factoids."

Student participation fees

Minnesota public school students are paying higher participation fees for sports, fine arts, and other extracurricular activities.

"Fees have significantly increased in school districts," Minnesota State High School League Commissioner Roger Aronson told the House

Education Finance Committee Feb. 11. Aronson also represents the state Elementary and Secondary Principals' Association.

With legislators facing difficult 2004-05 biennium budget decisions because of an estimated \$4.2 billion deficit, the trend Aronson cited won't likely be reversed.

A January 2002 high school league survey of several hundred school districts indicated at the time that half were considering fee hikes averaging 42 percent for the current school year. No data is available on the number of districts that actually increased fees.

For the 2001-02 school year, the survey indicated that responding districts charged fees that ranged from an average of \$114 for hockey, \$62 for football, and \$38 for fine arts activities.

Aronson noted that middle school athletics in particular "have been squeezed due to budget constraints."

In the Anoka-Hennepin School District, the state's third largest, middle school sports programs were transferred to the community education budget several years ago. Fees for the programs have more than doubled from \$30 per participant to \$68, according to Dennis Carlson, director of Anoka-Hennepin Community Education. However, he said, the programs were expanded to include sixth graders as well as seventh- and eighth-grade students.

"The fees are a hidden tax on working families," said Rep. Connie Bernardy (DFL-Fridley). She said student involvement in extracurricular activities would likely diminish because of the increasing cost to families.

According to a nonpartisan House Research analysis, school districts may only charge fees authorized by state law. Schools are prohibited from charging fees for necessary goods and services, including instructional materials and supplies, required library books, and required school activities.

Schools can charge fees for such things as extracurricular activities, personal athletic equipment, musical instruments, supplementary field trips, class rings, and student publications.

According to the Department of Children, Families and Learning, co-curricular and extracurricular fees collected by state school districts during fiscal 2002 totaled \$25.8 million.

★ ELECTIONS

Redistricting concerns

A plan to adhere to state redistricting guidelines in city council wards could present a problem in Minneapolis, according to Mayor R.T. Rybak.

Sponsored by Rep. Phyllis Kahn

(DFL-Mpls), HF67 would require council members serving four-year, unstagged terms in wards whose redrawn population changes by 5 percent or more to be elected to new terms at the first general election following redistricting. The bill also requires that if no election would otherwise occur in a year ending in 2 or 3, such as 2002 and 2003, an election must be held in one of those years.

Under current law, if ward boundaries change after redistricting and a city councilor no longer lives in the district, they will serve out their term.

However, Minneapolis council members elected to four-year terms in 2001 would need to be re-elected this year.

Despite the objection of Rybak, the bill was approved Feb. 12 by the House Governmental Operations and Veterans Affairs Policy Committee and referred to the State Government Finance Committee.

Rybak said the bill would create an unfunded mandate in that an election this year would cost at least \$400,000, residents who elected current council members in 2001 expect them to serve four years, and state law has a longstanding principle in giving control to municipalities.

Hamline University Assistant Professor David Schultz testified in favor of the bill saying that minorities in Minneapolis are being under represented, a violation of equal protection for voters that is provided under state and federal constitutions.

Census statistics show a greater number of minorities within certain wards. Those people are thus under represented because the city council elections were held before the state's redistricting plan was decided in 2002, Schultz said.

Rep. Loren Solberg (DFL-Grand Rapids) said Minneapolis is the only city with the problem of timing in local elections. Hastings was also mentioned as not complying with redistricting, but because it uniquely has staggered terms for elected officials it was excluded from the bill. Rybak said the city would look to changing the timing of elections in the future.

The bill has no Senate companion.

A similar bill received committee approval in the House during 2002, but stalled awaiting action by the full body.

★ ENERGY

Nuclear storage concerns

With a legislative decision about additional storage for nuclear fuel rods possible this session, members of the House Regulated Industries Committee heard Feb. 11 and 12 from those on both sides of the issue and advocates of the state's small but growing rural



Vince Guertin, *right*, business manager for International Brotherhood of Electrical Workers Local 949 that represents workers at the Prairie Island nuclear power plant, tells members of the House Regulated Industries Committee Feb. 11 that he doesn't know of any long-term health effects from working at the plant. Ray Waldron, *left*, president, Minnesota AFL-CIO, also testified.

community-based renewable energy industry.

Xcel Energy officials previously testified that they would have to shut down Prairie Island's two nuclear reactors at the Prairie Island power plant near Red Wing in 2007 and the Monticello nuclear plant in 2010 if additional storage casks for spent nuclear fuel rods are not approved by the Legislature.

State business and labor groups, as well as local government officials from Red Wing and Monticello voiced support for the expansion of nuclear storage casks. They said economic and job losses resulting from shutting down the nuclear plants would devastate city, county, and school budgets, as well as businesses supported by the plants and their workers.

Closing Prairie Island "would be an economic earthquake," said Paul Drotos, a Red Wing public service worker.

Representatives of a public interest and an environmental group who have questioned the reliability and safety of nuclear-generated power for several decades oppose Xcel's request. They cautioned legislators not to give up the state's authority over nuclear waste storage. A 1994 legislative compromise limited the amount of stored nuclear waste at Prairie Island to 17 off-site casks, which reached capacity last summer. Spent nuclear fuel is also stored in a pool on the plant site.

Michael Noble, of Minnesotans for an Energy-Efficient Economy, told House members not to believe, "we're going to hell in a hand basket if the nuclear plants are closed." The foundation of the state's 1994 agreement with Xcel, he said, and other state laws regulating nuclear power, should be preserved while state government continues to support energy conservation and development of renewable energy sources.

There is not even a partial solution to the nuclear waste storage issue on the horizon, said Kristin Eide-Tolleffson of Florence Township, representing Communities United for Responsible Energy. She favored conversion of one

Prairie Island nuclear reactor to natural gas generation to allow more time to consider alternative energy sources to eventually replace the second nuclear unit. "Allow Xcel, local communities and public interest groups to work together for a new energy future," she said.

★ HEALTH

Obtaining prescription drugs

Some low-income Minnesotans could find it easier to pay for prescription drugs, under a bill approved by the House Health and Human Services Policy Committee Feb. 12.

Sponsored by Rep. Fran Bradley (R-Rochester), HF5 would create a prescription drug benefit program for Minnesota residents who have incomes less than two-and-a-half times federal poverty guidelines and do not have prescription drug benefits under any other public or private health plan.

"Most Minnesotans, in one way or another, enjoy a prescription drug benefit," Bradley said, referring to people covered by private or state-run health programs. But, he said, many senior citizens are not covered by such plans. "And guess what. That person pays full retail price. And that usually is 20 percent higher than those of us who enjoy the discounted prices through our various programs."

Under the bill, drug manufacturers would be required to provide participants with the same discounted prices currently given under the state's Medical Assistance program, which is only available to people with incomes at or below federal poverty guidelines. The bill does not limit benefits to any particular age group.

Bradley said the program would include around 70,000 participants and would not cost the state any money — beyond an estimated \$6.5 million start-up cost — because drug companies themselves would fund it.

With similar drug benefit programs, consumers go to the pharmacy to purchase a prescription and they are given the prescription at a discounted price. The pharmacy then notifies the state that the consumer has purchased the drug at a discount and the state in turn collects the difference from the company who manufactured it.

Similar laws passed in other states have been challenged in court, including a Florida case currently awaiting decision by the U.S. Supreme Court. Opponents of Minnesota's bill said it, too, would be on unstable legal ground.

Representatives of the pharmaceutical industry, the Minnesota Chamber of Commerce, and the Minnesota Taxpayer's League testified in opposition to the bill. They say it cuts into the profits drug companies use to research and

develop new medicines and risks shifting health care costs to other parts of the market, including small employers who are least able to absorb increased premiums.

Despite the opposition, lawmakers resoundingly approved the bill. A separate bill that would create an information clearinghouse for people seeking to participate in a prescription drug discount program was also approved. Under HF411, sponsored by Committee Chair, Rep. Lynda Boudreau (R-Fairbault), people could call a toll-free number and be referred to the private or public drug assistance programs that would be best for their circumstances.

Both bills move on to the House Health and Human Services Finance Committee. Neither bill yet has a Senate companion.

Collecting patient data

Though several members expressed reservations about its scope, a bill that would take away the authority of the Minnesota Department of Health to collect certain types of patient medical information was approved by the House Health and Human Services Policy Committee Feb. 10.

Sponsored by Rep. Bill Haas (R-Champlin), HF297 would repeal the provisions of current law that give the commissioner of health broad authority to collect medical information from hospitals and insurance companies. Privacy advocates have criticized a set of rules proposed by the department based on those statutes because they would create a statewide database of information including some data that could personally identify unique patients — name, address, and race and ethnicity.

Haas said that even if such data were encrypted, he wonders why the state needs to be gathering it at all. "I don't understand why the state needs to look at all this data and collect it when it's already available with a phone call or an e-mail to the HMOs."

But supporters said a more uniform and independent process is needed, as long as it takes steps to protect patient privacy.

Carolyn Pare, chief executive officer of the Buyers Health Care Action Group, which advocates for health care reforms on behalf of many of Minnesota's largest employers, said, "While I agree that the health plans do have a great deal of data, I think the focus here is that we would like standardized, (objective) data that would be delivered directly to the consumer so the consumer can make choices based on what the providers are actually providing."

Some committee members worried the bill

goes too far by taking away the department's authority to collect even data that is not personally identifiable. Some sections that would be repealed provide for the collection of cost containment data from health plans. A written Department of Health response said that data is used to help policymakers "examine ways to ensure affordability of health insurance coverage for employers and consumers."

Rep. Fran Bradley (R-Rochester) proposed an amendment that would retain some of those sections, saying they have served a useful purpose in determining important trends in health care costs and quality since their adoption in the early 1990s. Haas opposed Bradley's amendment because there was no time to review its effect on the bill as a whole. Though some members expressed agreement with Bradley, the amendment was withdrawn with an understanding that the sections in question would be examined and tweaked as the bill moves through other committees.

The bill's next stop is the House Governmental Operations and Veterans Affairs Committee. It has no Senate companion.

★ HIGHER EDUCATION

Student finance woes

Kerri Ellegard is in her third year at the Mankato campus of South Central Technical College, studying to be an operating system specialist.

"I want to give my son and myself a better life," the single mother says of her decision to attend school.

However, after this semester Ellegard plans to stop attending because she can no longer afford to. "I was so excited about going to school and getting a job because I am so close to graduating (next year)," she said.

This past year Ellegard said she received less money in child-care and work-study grants, and nothing is guaranteed for next year. She estimates that she is about \$14,000 in debt from loans. She said her schoolwork has suffered because she cannot have her son in daycare while she studies.

Hers was one of many stories heard Feb. 12 by the House Higher Education Finance Committee. The meeting occurred less than one week after Gov. Tim Pawlenty reduced higher education funding by \$50.3 million to help balance the state's budget for this fiscal year.

The committee took no action at the meeting.

Students emphasized that they are the future of the state and more reductions could mean more of them financially struggling to attend college.



Yorgun Marcel, chair of the Minnesota State University Student Association, reminds members of the House Higher Education Finance Committee Feb. 12 that students are the future of this state and to remember the impact financial aid program reductions have on students.

"Students are the solution," said Yorgun Marcel, chair of the Minnesota State University Student Association. "With cuts, how many people won't become nurses, teachers, and law enforcement personnel? These are areas that the state needs people."

Sara Allen, a sophomore at St. Cloud State University said she began attending classes after being laid off at Fingerhut. Now finances will stop her progress.

"If I can't get through school, I'll need state help for me and my two small children," she said of her goal to attain a job that will pay for her family needs. "I want to be a good citizen and contribute to society. I just need help getting there."

On another topic, Andy Pamroy, legislative committee chair of the Minnesota Student Association, urged legislators to keep current state funding at approximately 45 percent each for the University of Minnesota and the Minnesota State Colleges and Universities System and 10 percent to the Higher Education Services Office, and that any future reductions use the same ratio.

"Putting more money into state grants and away from the institutions only helps private school students as well," he said.

★ LOCAL GOVERNMENT

Electing school board officers

The House Education Policy Committee approved a bill Feb. 11 that would require local school boards to elect officers on the first Monday in January, or as soon after that date as practical.

Referred to the full House, HF302 would change state law to reflect what school boards have been doing for the past five years.

This is a "totally technical little bill," said its sponsor, Rep. Barb Sykora (R-Excelsior). Since 1997, elections for local boards of education have been held in November. A 1994 state law changed the school elections date from May to November. The statute that the bill would change requires school boards to choose officers within 10 days of the election and annually thereafter on July 1.

"It's a good idea to remind and direct (school) boards," said Bob Meeks, representing the Minnesota School Board Association.

The bill has no Senate companion.



Members of the House Transportation Finance and the Local Government and Metropolitan Affairs Committees view the ongoing construction at the Hubert H. Humphrey terminal during a Feb. 7 tour of the Minneapolis-St. Paul International Airport.

★ METRO AFFAIRS

Cabbie controversies

Taxi drivers at the Minneapolis-St. Paul International Airport may be appealing to the Legislature this session to intervene regarding airport policies, according to the executive director of the airport's controlling body.

Jeff Hamiel, Metropolitan Airports Commission executive director, told state legislators of the matter, as well as other issues, during a three-hour bus tour of the airport campus Feb. 7. In attendance were members of the House Transportation Finance and the Local Government and Metropolitan Affairs Committee.

At issue are two regulations, one disallowing taxi cabs older than five years from operating at the airport, and another requiring the taxi permit fee be paid in full annually.

The appearance and mechanical efficiency of cabs is important, said Hamiel, because many visitors' first impression of and last encounter with the Twin Cities is through a taxi. Five years was chosen as the maximum age, he said, because "you gotta draw a line somewhere," and older cabs have generated more customer complaints.

The Metropolitan Airports Commission owns none of the taxi cabs operating at the airport; most are leased by individuals from taxi companies. An inspector examines all cabs.

An annual fee of \$2,500 is charged to all taxi drivers to operate cabs within the airport's

formal system. Drivers claim that paying the fee in one sum represents an undue hardship. Hamiel said, however, that allowing installments would add to the commission's administrative duties.

It's tough to say "no" to someone who's new to the country and isn't fluent in English but is trying to make a living, as are most taxi drivers at the airport, Hamiel said. The commission, he said, strives to be sensitive to the drivers' plights while at the same time maintaining a high level of service.

Customer complaints about taxi service are constant and "it drives us nuts," he said. Fights between drivers from different nations occur as well, though they have decreased in past years.

Hamiel encouraged further examination of the issues, but cautioned legislators that their decisions might set off the many emotions surrounding taxi rules and regulations.

★ TECHNOLOGY

Headed for the future

A bill to put Minnesota squarely in the futuristic field of nanotechnology through the funding of a southeast Minnesota institute was approved Feb. 11 by a House committee.

Nanotechnology involves direct manipulation

of atoms and molecules at the atomic level, or the most basic level at which matter exists. The primary goal is more precision with regard to molecular and atomic structure. It has applications in nearly every aspect of modern life, from space travel to cancer treatments to clothing applications. And it is said to be the next Industrial Revolution.

To demonstrate to the House Commerce, Jobs, and Economic Development Policy Committee, Chair Rep. Greg Davids (R-Preston) was instructed to pour the contents of his coffee cup onto a specially treated pair of pants.

"It doesn't stick on there," Davids said, watching the liquid bead up on the pants.

The same treatment on medical uniforms could prevent infections in hospitals, said Kevin Klungtvedt, one of six people testifying for state funding for the creation of the Rushford Institute for Technology, in Rushford.

Sponsored by Davids, HF176 calls for giving \$5 million to the institute. But in light of the state budget crisis, Davids amended the bill to leave the appropriation unspecified.

Proponents said that state funding would ensure job growth and statewide economic viability, not only for the small town of Rushford, but also for the region.

Said Klungtvedt, "This is a trillion dollar industry and we're either in it or we're not. And if we're not, we're broke."

The institute would serve as a business incubator, with a fully equipped research laboratory at its heart. There, small businesses would be able to develop prototypes to attract companies such as Kodak, 3M, and Johnson & Johnson, said Deb Newberry, president of Newberry Technologies and a nuclear physicist.

"The Rushford Institute would certainly fill a need," Newberry said.

An education component is already underway. The local school system was the first in the country to develop a nanotechnology graduation standard. And a partnership with Winona Technical College is creating what is only the second two-year technical degree in the country, said Klungtvedt.

The bill next heads to the House Jobs and Economic Development Finance Committee. A companion measure (SF243), sponsored by Sen. Bob Kierlin (R-Winona), awaits action in the Senate.

tourism attraction behind the Mall of America, according to the museum's recent report to the Legislature. Attendance has increased since the museum moved to a new facility overlooking the Mississippi River in downtown St. Paul in 1999, and it now averages 850,000 visitors annually.

Science Museum administrators, curators, and scientists conducted a behind-the-scenes tour for members of the House and Senate environment finance committees Feb. 12.

One highlight of the visit brought legislators to the collections vault, where assistant curator Faith Bad Bear revealed intricate Native American beadwork and headdresses housed in state-of-the-art sealed cabinets. Ron Lawrenz, Research Director distributed Jurassic-era fossilized bone samples to the tour group as he led them through the climate-controlled Paleontology storage area.

The vault is surrounded by laboratories, "real scientists," and research offices that keep them grounded in science, Lawrenz said.

But scientists aren't the only ones allowed to play with microscopes at the Science Museum. Visitors to the cell lab exhibit don

protective goggles, gloves, and white coats as they discover the scientific equipment used in genetics and biology.

"Kids get excited about science when they are in Cell Lab," said Anne Hornickel, head of museum programs. "It brings them closer to the work of science."

One little girl returns regularly with her own monogrammed lab coat, Hornickel said, and it's this kind of excitement that helps the museum build on two of its public goals: science literacy and classroom achievement in math and science.

State support equals 38 percent of the museum's operating budget, a financial model that worked until this year, Museum President Dr. Jim Peterson said, but now endowment funds are down and philanthropic donations are flat.

The museum is requesting approximately \$2.5 million from the state for 2004-05. According to the report, the museum has a 20-year history of operating in the black. This is the most difficult budget situation Peterson has faced in his two decades with the museum, he said.



Program Supervisor Shari Hartshorn gives members of the House Environment and Natural Resources Finance Committee a hands-on demonstration of paper chromatography during a Feb. 12 tour of the Science Museum of Minnesota.

★ TOURISM

State support for science

Recent surveys rank the Science Museum of Minnesota as the state's number one or two

Economic stimulus

Agriculture officials predict emerging foreign markets will create export and profit opportunities for Minnesota farmers

By TOM LONERGAN

Regional and world trade agreements, as well as the state's recent trade missions, are expected to boost Minnesota's agricultural exports to at least two markets, officials say.

"Doors have been opened" in Latin American and Asian markets, said Kurt Markham, director of agricultural marketing services for the Minnesota Department of Agriculture, due in part to trade delegations the state sponsored last year to China and Cuba. The state's trade agreement with the State of Jalisco in Mexico has also reaped increased exports.

Markham and Elaine Bliss, deputy trade commissioner for the Department of Trade and Economic Development, provided an update on agricultural exports Feb. 11 for the House Agriculture and Rural Development Finance Committee.

Minnesota's \$2.3 billion in agricultural exports in 2001 ranked seventh in the country with soybeans, corn, and wheat accounting for 63 percent of the state's farm commodities exports. About 30 percent of the state's agricultural production is exported, compared with 26 percent of the nation's. Statistics for 2002 won't be available until later this year.

"Our last three governors have understood the importance of agricultural trade," Markham said, referring to Jesse Ventura, Arne Carlson, and Rudy Perpich, who each sponsored trade missions abroad. While the 2001 export total was down from the state's \$3 billion peak in agricultural exports in 1996, it marked the third straight year of increased exports in farm commodities.

The state's top three agricultural export markets, according to the Minnesota Trade Office, are Japan (16 percent of total exports), Canada (15 percent), and Mexico (14 percent). Markham, who promotes state agriculture and helps farmers and small agriculture-related companies export their goods, identified growth potential for the state in China, Cuba, and Mexico.

In 2001, agricultural exports to China were \$149 million, about 6 percent of the state's total. By 2010, Markham said exports to China could reach \$231 million. A "multiplier effect" on related economic activity could increase the value



PHOTO BY KRISTINE LARSEN

Donald Nickel, a Mountain Lake soybean farmer, testifies before the House Agriculture and Rural Development Finance Committee about Minnesota grown commodities.

of that trade to \$428 million and help create 5,000 jobs, according to a department report.

"China has doubled its imports during the last 10 years," he said. China was also recently granted most-favored nation trade status by the United States and joined the World Trade Organization.

Agricultural trade with Cuba would have a smaller but significant impact, according to Markham, because it represents export growth in a market previously closed to Minnesota farmers due to 40 years of U.S. economic sanctions enforced on the island's communist government. Some sanctions have been recently eased for agricultural goods and medical supplies.

"Cuba has potential," Markham said. "Grains, wheat, pork, and edible beans," he said, are among the agricultural exports the state will be selling to Cuba. If economic sanctions were lifted, Markham said the state's agricultural exports to Cuba could reach \$45 million, generate another \$47 million of economic impact in the state, and create 900 jobs.

Minnesota's presence at last September's food and agribusiness exhibition in Cuba, led by Ventura, resulted in \$92 million in trade contracts with state-based agriculture and food companies, Markham said. A dozen Minnesota companies sponsored booths at the trade show.

For the past three years the state has developed a growing relationship with the Mexican state of Jalisco, particularly for soybean exports that supply swine and poultry feed to Jalisco.

Both Minnesota and the Mexican state have hosted visiting trade delegations, such as last year's visit from the Jalisco Agricultural Council that resulted in a \$1.5 million train shipment of Minnesota soybeans to Mexico.

"That wasn't a pallet of strawberries to Canada," Markham said. The North American Free Trade Agreement, which took effect in 1994, has increased state agricultural exports to both Canada and Mexico, he said.

"There are 80 million people in Mexico and they eat well," Markham said. As the per capita income of Mexicans increases and meat becomes a diet staple that will also lead to more exports of Minnesota farm products, he said.

Rep. Al Juhnke (DFL-Willmar) questioned why the Agriculture Department organized trade delegations to Latin America and Asia, as it did several times during the Ventura administration, since large Minnesota-based food companies like Hormel, Cargill, and Land O'Lakes negotiate their own trade deals.

Considering the state budget deficit, "why does the commissioner (Gene Hugoson) have to travel?"

"The commissioner is a spokesman for Minnesota agriculture," Markham said. "We want to get Minnesota's foot in the door." He also said smaller companies have fewer resources to market themselves, and the department can help. 🐾

An issue of discretion

Concealed weapon permit measure again moving through the House, after narrow defeat in previous Legislatures

BY JEFF JONES

Nationally, the debate over who should be permitted to carry handguns in public seems to have come down to two words: “shall” versus “may.” While some states say law enforcement officials “may,” at their discretion, issue such permits, others insist that they “shall.”

HF261, the bill that would change Minnesota’s law from “may” to “shall,” was approved Feb. 11 by the House Civil Law Committee.

Sponsored by Rep. Lynda Boudreau (R-Fairbault), the bill goes far beyond changing one word to another. It also rewrites much of Minnesota’s handgun law, which bill supporters say is being applied inconsistently by local law enforcement officials who have too much discretion in denying permit applications.

“About half of Minnesota citizens get 90 percent of the permits,” Boudreau said. “The other half of the population gets only 10 percent. Why? Because they live in cities or counties where the local sheriff or chief of police has a standing policy of either denying permits to practically anyone, or issuing them only to security personnel such as armored truck drivers.”

Police and sheriff’s associations in many localities say they are in the best position to make permitting decisions because they know the most about who should and should not have guns in their community.

Current law requires applicants to prove they have an “occupation or personal safety hazard” that requires them to carry a gun in public. This requirement has been interpreted in different ways in different localities.

The proposed legislation would remedy the inconsistency in part by switching the burden of proof from the applicant

to local authorities, asking them to prove the “substantial likelihood that an applicant is dangerous to the public” before refusing their application.

According to the Department of Public Safety, 12,134 applications were reported by local law enforcement agencies in 2001. A majority of the 827 permits denied were because the applicant did not demonstrate a professional or personal safety need for the permit.

Rep. Steve Smith (R-Mound) said the constitutional right to carry a gun is vital to people’s ability to protect themselves and should not be subject to interpretation. “There’s a weapon for preserving both life and liberty that can be handled effectively by almost anyone and it’s a handgun,” he said. “It’s a weapon that can be used effectively by both the old and the weak against the young and the strong or by one against many. And that’s the personal protection I think our Bill of Rights speak to.”

Dr. Franz Metzger, a dentist practicing in St.

Louis Park, said he held a handgun permit for years, but was refused renewal when a new police chief came to town. Even after providing evidence of threats to his personal safety, he was denied by an appeals court judge.

“Do I have to get stabbed or shot or burned before I can receive a permit?” Metzger asked committee members.

His lawyer, Elizabeth Carlson, said neither the judge nor the two police chiefs were wrong in their decisions, but that the current law simply does not give enough guidance in making them. “What is a personal safety hazard? There is no objective standard.”

Some opponents of the bill use a similar argument, saying the bill does not provide enough guidance in how to determine whether there is a “substantial likelihood” that a permit will make someone a threat to public safety. The bill would also limit the evidence a sheriff could use in a court appeal to show evidence of past crimes of violence.

“(Under this bill,) we can’t deny for a history of non-violent misdemeanors, such as repeated thefts, repeated shoplifting, repeated DUI. Those are not crimes of violence,” Olmsted County Sheriff Steve Borchardt said. “There is nothing in this bill that allows us to deny because of a history of alcohol abuse or habitual drug use if (the applicants) have not been committed by the court. ... If this bill is

passed in its current form, it will be one of the most hard line shall-issue bills in the United States.”

Many states with “shall issue” laws allow for more reasons to turn down an application. For example, Texas officials can deny permits to people behind in child support payments, delinquent in tax payments, or defaulting on student loans.

Duluth Mayor Gary Doty said many cities prefer to keep permit decisions at the discretion of local officials. “We don’t have the kinds of shootings where people are just walking up to someone on the street and



PHOTOS BY ANDREW VON BANK

Andrea Murphy, left, of Apple Valley testifies for a bill that would change how concealed carry permits are issued, while Olmsted County Sheriff Steve Borchardt, right, spoke against the bill Feb. 11 before the House Civil Law Committee.

Continued on page 23

Simplifying the system

Nationwide plan aims to end discrepancy between untaxed Internet purchases that would be taxed in traditional retail

By MIRANDA BRYANT

You log onto the Internet and buy specialty cosmetics from a North Carolina firm. Then you order the hottest-selling exercise machine through a Louisiana television shopping network. You complete your day's purchases by calling a Philadelphia catalog company and requesting an array of spring flower seeds.

In all cases, your bill does not include sales taxes, even though sales tax is required in all but five U.S. states.

The resulting revenue loss to state governments is being noticed by lawmakers, especially in these tough economic times. The loss to Minnesota varies widely, but is estimated from \$129 million to \$489 million in 2003.

Enter the Streamlined Sales Tax System, an extensive multi-state effort that aims to capture lost revenue by having remote sellers charge all states' sales taxes on appropriate transactions and reimbursing the tax to the respective states. Nonpartisan House researchers said the program would radically simplify state sales taxes.

Consumers have always been required to pay sales taxes on Internet and catalog items, provided that their state imposes a sales tax on the item. But most consumers don't know this, said Larry Wilkie, director of the Minnesota Department of Revenue's corporate and sales tax division. Even if they did, it is the seller's responsibility to submit the tax to the proper state.

Therein lies the problem.

Different states charge different sales tax rates. Some states tax clothing while others don't. Some define a Twix chocolate bar as a cookie, others as candy. How is that small Philadelphia catalog company to know what is taxable and at what rate? And is that company to submit payment to 45 separate states?

In fact there are 8,700 different sales taxes in the nation, said Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee, which has been studying the Streamlined Sales Tax System due to Minnesota's active participation in it.



PHOTO BY TOM OLMSCHIED

Larry Wilkie, director of the Department of Revenue's Sales Tax and Use Division, is questioned by members of the House Taxes Committee about the department's streamlined sales tax project during a Feb. 11 hearing.

A 1992 U.S. Supreme Court ruling found that requiring a company to decipher the tax system in multiple states is an undue burden. Only if the remote seller has a physical presence in the state can it be forced to charge that state's sales tax.

The ruling stated, however, that Congress could address the situation. In turn, Congress has made the matter contingent upon sales tax simplification at the state level.

In response, the Federation of Tax

Administrators, the National Conference of State Legislatures, and the Association of Governors began the Streamlined Sales Tax System in March 2000. Thirty-four participating states hammered out uniform definitions for common terms such as food, clothing, software, drugs, and medical equipment; clarified what goods won't be taxed in each state; and simplified rates.

Abrams said he doesn't know if Gov. Tim Pawlenty approves of the program, but said that he is ready to proceed "post-haste."

"I'm ready to go right now," Abrams said.

One of the project's most tangible products would be state-certified software that allows sellers to file and pay multi-state sales taxes. The expense involved would be covered partly by participating states.

Supporters note that the streamlined tax system neither requires participating states to alter their tax rates, nor to change what items are taxed. Minnesota can maintain a 6.5 percent sales tax on goods and prepared foods. And, because Minnesota does not tax clothing, Minnesotans would be exempt from tax on a shirt purchased from an out-of-state clothing company.

Advocates add that the updated system will create equity between Internet businesses and traditional businesses.

Wilkie told of a furniture store in Minnesota that suffers when customers examine its line to determine their preferences and then purchase online from out-of-state companies to avoid the sales tax. Under streamlined sales tax, the Internet purchase would still incur sales tax.

But critics said the program is nothing more than a new tax, and that it encourages states to begin taxing items they haven't historically.

"The key to the interstate agreement is that it is voluntary," said Oklahoma state Sen. Steve Rauschenber, in the National Conference of State Legislatures' magazine *State Legislatures*. "The states will voluntarily join by adjusting their sales tax laws. Remote sellers will volunteer to collect the sales tax for the states that have simplified their sales tax systems."

In 2002, Minnesota was one of 35 states to approve the Streamlined Sales and Use Tax Agreement. However, to implement the program here, legislators must amend state sales and use tax laws to fully conform.

Legislators began doing that in 2001 when a tax was placed on bakery items made by the seller. But that measure was amended last year due to the discrepancy about the definitions of which baked goods were tax exempt. 🐼

Walking the talk

Legislative role is a 'hands-on experience' for Anderson, a high school government teacher

BY TOM LONERGAN

Rep. Jeff Anderson (R-Austin) can teach a government class, belt out a song, or tell you about close elections.



Rep. Jeff Anderson

The first-term representative from Austin won District 27B last November by 378 votes (2.48 percent), making him the first Republican to win the closely contested Mower County seat since partisan election of state legislators resumed in 1974. In 2000 Anderson lost by 520 votes (3.32 percent) to DFL former Rep. Rob Leighton, who did not seek re-election last year.

Following that narrow loss, Anderson talked it over with his family and local Republican Party officials and decided to run again. "We wanted to try it at least one more time," he said. Yet, after all the hard work, evening and weekend campaigning, and a nail-biting election night, Anderson described his victory as "bittersweet."

"I love teaching," said the 12-year Austin High School government and politics teacher who is taking a leave of absence during the legislative session. "But this is going to be a nice, hands-on experience."

Anderson's committee assignments include education policy, higher education finance, and judiciary policy and finance. The 35-year-old father of four young children said he will focus on education and rural development issues.

He plans on sponsoring a bill to help law enforcement prosecute the producers of methamphetamine, an illegal drug made from a mix of agricultural, household ingredients, and common cold medications sold over the counter. "Meth labs" are primarily located in rural and semi-rural areas.

"Our district has a problem with methamphetamine," Anderson said. He has attended

task force meetings with Austin police and the Mower County prosecutor to learn more about the issue. Austin Police Chief Paul Philip said a "precursor law," as Anderson seeks to introduce, would make it a crime to have the materials of a potential "meth lab" together in the same location.

"It's only a crime when the methamphetamine is made," Anderson said. "The state has not addressed the issue from the scope I'm looking at."

A souvenir Spam can on Anderson's office window reminds visitors of Hormel, Austin's largest corporate citizen. The Austin area has remained stable with companies like Hormel and Mayo Health Systems, but the county's

"There's not a lot of economic development to keep young people in the area. We need to champion rural areas. They're a great place to raise a family. The cost of living is less."

— Rep. Jeff Anderson

rural areas need some help, Anderson said.

Mower County has lost potential businesses to Iowa because of the neighboring state's economic incentives, he said, citing an auto parts supplier recently drawn there. "There's not a lot of economic development to keep young people in the area," Anderson said. "We need to champion rural areas. They're a great place to raise a family. The cost of living is less."

To better educate those in the rural areas, and elsewhere in Minnesota, Anderson wants the state's Profile of Learning education standards repealed. "It boils down to who is best able to determine what curriculum is to be taught," Anderson said. "Is it a federal government official or a state government official? I don't think it is. These decisions should be made by parents, teachers, and local school boards."

The freshman representative welcomed his appointment to the House Higher Education Finance Committee, because several thousand

students in his district attend institutions in the Minnesota State College and Universities (MnSCU) system. It wasn't too long ago when he served in the leadership of the student association at then Mankato State University where he earned a bachelor's degree in education.

Anderson campaigned last fall with former Republican Sen. Grace Schwab, who narrowly missed re-election to a second term in a court-challenged election.

"You don't just meet Jeff, you meet his family, too," Schwab said. "His family strengthens his commitment to children across the board. He'll bring his knowledge of education and kids forward."

He'll also bring his voice.

Anderson and his wife, Heidi, sing duets and solos for weddings and other events. He's sung in his college choir and professionally with "The Continental Singers."

"Music is important in our household," said Anderson, who sang his first solo when he was 3 years old. His repertoire covers classical,

contemporary, and gospel music.

A close election behind him, Anderson is confident he represents "the majority of people" in his district. "A lot of issues are not Republican or Democrat," he said. "There are times you align with your caucus and times you align with the region you're from. A lot of legislators feel that way."

DISTRICT 27B

2002 population: 36,865

Largest City: Austin

Counties: Fillmore, Mower

Location: south-central Minnesota

Top Concern: "We need to look at how we fund education and the criteria we base it on. Most rural school districts are not fairing well financially. There are areas where we can be more equitable."

— Rep. Jeff Anderson

Aiming high

Advice received from one of Minnesota's top statesmen continues to energize new member Borrell

By MIRANDA BRYANT

Campaigns are nothing new to Rep. Dick Borrell (R-Waverly). In fact, he's been working at them since the age of 17.



Rep. Dick Borrell

Not even of voting age himself, Borrell worked in 1968 for Hubert Humphrey's presidential campaign.

By coincidence, Humphrey spoke one year later at the commencement exercises at St. Mary's Catholic High

School in Waverly. Borrell's class was the last to graduate from that school.

"Hubert Humphrey said something that has stuck with me all of these years," said Borrell. "He said, 'Thirty-three years ago this week I graduated from a high school with 15 graduating seniors and I became the vice president of the United States of America.' He said, 'Never set your sights too low.'"

Fast forward to 1998. Borrell, at the age of 47, decides to run for governor. He was one of four candidates at the start of the party's state convention, along with current U.S. Sen. Norm Coleman, former Lt. Gov. Joanne Benson, and Allen Quist. But Borrell dropped out before balloting began.

The father of five pitched himself as a small business Republican who was against high taxes, the Profile of Learning, and abortion. Such issues remain important to him as he serves on the House committees of education policy, taxes, and civil law.

Former state Rep. K.J. McDonald belongs to the same Toastmasters club that Borrell claimed as his own. McDonald said he and other members helped Borrell campaign for state representative because they favored his no-new-taxes pledge and pro-life views.

"All of his friends in Toastmasters club knew that he would be outspoken and they

(legislators) would all get to know that he's there," McDonald said.

On only the second day of the 2003 Legislative session, Borrell was one of 35 representatives to sign and introduce a bill (HF2) to repeal the Profile of Learning. If enacted as law, the bill would require the Legislature to review proposed standards in language arts, math, science, history, and geography.

"In my opinion, the profile indoctrinates rather than teaches kids to think," said Borrell. "It's paperwork intensive, teacher/student interaction time is diminished, and it's very difficult to evaluate."

Borrell said he became aware of the Profile

"In my opinion, the profile indoctrinates rather than teaches kids to think. It's paperwork intensive, teacher/student interaction time is diminished, and it's very difficult to evaluate."

— Rep. Dick Borrell

of Learning through the education of his children, the youngest of whom is a high school junior. He was dismayed to find that gifted student programs were eliminated, making it impossible for son, Tom, to take a college math class like his older brother had previously done.

A key component of the bill, according to Borrell, is that new standards would be subject to legislative review.

"I think one of the mistakes that the Legislature made when they passed the Profile of Learning was the implementation was completely outside of legislative review," said Borrell, himself a former teacher. "The Department of Children, Families and Learning could just implement it in whatever manner they saw fit."

Borrell said the Profile of Learning pushes a child toward a particular career by the eighth grade. This negates a student's developing life

experiences as well as ignores the fact that many people have numerous career changes in their lives, he indicated.

"The system is designed to push kids toward a particular career," Borrell said. "I think that's a horrible idea. I think we should teach kids the basics and let them determine what they want to do. Sometimes human beings go through a very tremendous period of suffering and out of that they develop a phenomenal product, business, or nonprofit organization. Society benefits greatly from people overcoming these tremendous times of challenge or struggle."

Terrorism is another big issue for the former Marine, whose hobby is flying a Cessna 172 from a private airstrip in his Wright County backyard. Borrell said he wants to become an expert on anti-terrorism measures.

Borrell supported the bill (HF1) that would require that the visa expiration dates of temporary visitors from other countries be printed on their identification cards and driver's

licenses. Supporters of the bill say it would help law enforcement determine whether a visitor is still legally in the country. Critics say it is another method of singling out foreigners following the Sept. 11 terrorist attacks.

DISTRICT 19B

2002 population: 36,729

Largest city: St. Michael

Counties: Hennepin, Wright

Location: northwest and west Twin Cities suburbs

Top Concern: "I campaigned on repealing the Profile (of Learning). I thought that was an important thing to deliver to the voters that trusted me with their vote."

— Rep. Dick Borrell

Full circle

Nelson says education is the beginning of other things important to his constituents, including transportation and safety

By MIRANDA BRYANT

There was a time when Brooklyn Park was home to many farms, and Rep. Mike Nelson (DFL-Brooklyn Park) remembers it well. The



Rep. Mike Nelson

city, which now has no operating farms, claims the fifth largest municipal population in the state — and some of the worst traffic problems.

Representing District 46A, which includes Brooklyn Park, Nelson knows congestion firsthand. He said that accidents are so frequent at the intersections of U.S. Highway 169, State Highway 81, and 85th Ave. N. that residents have dubbed it “Devil’s Triangle.”

Nelson is ready to tackle the problem — and look at alternative transportation options — as a member of the House Transportation Finance Committee. Transportation projects are important not only for the potential congestion relief provided, said the freshman legislator, but because they provide jobs to construction workers and an economic stimulus for the region.

A carpenter, and for the past year a business representative for the United Brotherhood of Carpenters and Joiners of America, Nelson said he is acutely aware of how jobs affect the economy.

“A third of the economy is driven nationwide and in the state by people spending,” Nelson said. “Well, if people aren’t making decent wages, they’re not going to be able to buy the products. If we cut everybody’s wages in half our income tax collections go down, our sales tax collections go down. So people making decent livable wages so they can afford to go out and enjoy this beautiful state we have, that’s an important issue to me.”

Affordable housing is another issue important for Nelson, who worked for 16 years as a carpenter for the Minneapolis Housing Authority.

Brooklyn Park has a lot of affordable

housing, said Nelson, but many of the mayors governing surrounding cities are also looking for homes and apartments within their constituents’ means.

“There’s a real dearth of that out there right now — a lack of housing that a lot of people can afford to buy on the wages they’re being paid,” Nelson said. “And there’s always the question as to whether that is an issue of the price of the housing or if it’s an issue about what people make.”

But Nelson, a 48-year-old father of three, is most passionate about education.

“At the state level we’re mandated by the constitution to provide for the education of children,” said the Hennepin Technical College graduate. “The discussion that has to go

Development Policy, and Environment and Natural Resources Policy committees.

Nelson has already gained the respect of colleagues. Rep. Lyndon Carlson (DFL-Robbinsdale) said he and Nelson have discussed mutually addressing education issues specific to the suburban area northwest of the Twin Cities.

“He’s very conscientious, very hard working and I think he’s off to an excellent start in the Minnesota House,” Carlson said of Nelson. “He’s got a good grasp and understanding of the legislative process. He’s one that is very willing to gather information and ask questions.”

Rep. Debra Hilstrom (DFL-Brooklyn Center), who represents Nelson’s neighboring district of 46B, also had good things to say about the first-term representative.

“Mike is a true reflection of his constituency in Brooklyn Park — a hard-working family man with deep roots in his community,” Hilstrom said. “Mike brings real life experience to his role as Brooklyn Park representative. I think he will do a tremendous job

“At the state level we’re mandated by the constitution to provide for the education of children. The discussion that has to go on is (about) the quality of education we want and what that’s going to cost.”

— Rep. Mike Nelson

on is (about) the quality of education we want and what that’s going to cost.”

Education is not a stand-alone issue to Nelson, who indicated it affects nearly every aspect of the economy.

Today’s educational decisions could impact the workforce of tomorrow, he explained. Industry and business will be forced to pay for remedial education if workers aren’t properly educated. And if employees receive smaller wages because they didn’t receive a quality education, then tax revenues will be lower.

“So we’ve got to look at these things and that’s to me the thing we have to work the hardest to preserve is funding for education,” Nelson said. “To me it’s an economic issue. If you don’t have an educated work force, companies aren’t going to move here.”

In addition to the transportation finance committee, Nelson has also been assigned to the House Commerce, Jobs, and Economic

representing his district.”

Nelson originally ran for the House district during the March 2002 special election. Rep. Darlene Luther, who held the seat prior to that time, died of cancer in January, leaving the seat open. Nelson was defeated by John Jordan, who served the remainder of the 2002 session. Nelson defeated Jordan in the November 2002 election.

DISTRICT 46A

2002 population: 36,558

Biggest city: Brooklyn Park

County: Hennepin

Location: northwest Twin Cities suburbs

Top Concern: “Education funding — to me that’s the biggest thing the state is supposed to do.”

— Rep. Mike Nelson

Staying connected

Strachan's family, public service connections aid in new role as legislator for geographically large, diverse district

By MICHELLE KIBIGER

Rep. Steve Strachan (R-Farmington) said he planned to run for the Legislature if the new districts created an open seat that included



Rep. Steve Strachan

Farmington when they were announced in March 2002. But he never imagined it would include his home, his workplace, and his family's farm and his boyhood stomping grounds.

"I couldn't have created a legislative district that better suits me," said Strachan, who is a sergeant with the Lakeville police department. His family's farm is also in his district, near Northfield, and he joked that many family members on his mother's side live in the district, too.

"That's sort of an automatic starting point for a campaign," he said, with a laugh. "It's sort of a running joke on my mom's side that at family reunions we have about 500 people."

Like many other new House members, the character of the newly drawn district prompted Strachan to run for office. But he said that the geographic size of the district and its diverse character will challenge him to stay connected and keep abreast of key issues throughout the district.

Strachan said he has already learned how important it is to place constituent concerns first.

"If you have a constituent who bothered to show up here at the office, you leave whatever you're in and go talk to them," Strachan said of advice many other legislators have given him since his election. "That's the way government should work. One constituent is more important than spending time with other state reps."

Strachan first served in public office as a member of the Farmington Planning Commission in the early 1990s. Later, he served on the Farmington City Council from 1996 until

his election to the House in 2002.

He said he first got involved in local government because he wanted to contribute constructively to make government effective.

Rather than complaining about government, "go do something about it if you don't like it," he said.

During the campaign, Strachan said, he appreciated being able to learn so much about the specific concerns of the people in his district, which includes both great expanses of rural farming communities and fast-developing communities on the fringe of the Twin Cities metropolitan area.

The evidence is clear at people's homes.

"It really sort of brings it home to you,"

"That's the way government should work. One constituent is more important than spending time with other state reps."

— Rep. Steve Strachan

Strachan said of knocking on doors in the district during the campaign. "To me, it's not so much to get votes, as it is to educate myself on not just what people are saying to me. ... But you go around the neighborhoods and you can see what's important to people."

Strachan is looking forward to dealing with budget and local government issues, as well as criminal justice issues. His background in all three areas make him comfortable with those topics, he said, and he hopes to employ the strategies that he has found effective in his own experiences, such as listening to all sides of an issue before making judgments.

Lakeville Police Chief Dave Martens said that one of Strachan's strengths is his ability to listen to the opinions on an issue and make a well-reasoned decision.

"He's become good at two things: communicating and seeking out both sides of the issue and seeking out alternative responses," Martens said. "You just kind of see both

viewpoints, and sometimes you see that the traditional response just doesn't work and you need to think of something different."

Strachan currently has an administrative assignment with the police department, including budgeting, training, and similar tasks. As an executive officer, Martens called Strachan his "right-hand man."

Though the legislative session keeps Strachan busy, he will continue in his day job part-time — when he can during evening and weekend hours.

He joked about his wife, Sue's, response to his plan to run for the Legislature. "My wife often says, 'You get what you deserve,'" he said with a laugh. And while he knows it may not always be easy, Strachan said he's ready to work with the diverse membership of the House to make good policy decisions.

"Even though some of those council members were people that didn't always agree with me, their attitude was, 'Steve, you're always the consensus builder, you're always reasonable, you're always respectful,'" Strachan said.

DISTRICT 36B

2002 population: 36,713

Largest city: Lakeville

Counties: Dakota, Goodhue

Location: southeastern Twin Cities metropolitan area

Top concern: "If you're going to reduce state funding, and they seem to expect that, at least reduce some of those unfunded mandates. I'm going to try to take away some of those things. In the real world, all we're doing is passing those mandates down to the local level."

— Rep. Steve Strachan

Call, visit, watch, or log on...

Legislative information is available at your fingertips

Keeping track of what's happening at the Minnesota Legislature continues to get easier.

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

An award-winning Web site

Since the Legislature's World Wide Web site went online in 1996, more than 100 million hits have been received. The site receives more than one million hits per week on average during the year and well more than one million hits per week during the busy legislative session.

The site was honored in 2001 with an Eagle E-Government Award as The Council of State Governments named it the Best Legislative Branch Site. Among the criteria used in judging was: site design; how the site makes state government more accessible; the use of technological innovation, including online transactions; and how the site streamlines the government process.

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

The site layout is often updated to make it visually simple but also easy to navigate. Users can use drop-down menus and hyperlink text to get to the information.

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

On each member's page is a link to their e-mail address so a user can easily contact his or her elected official.

One of the more popular options is the bill tracker. From the House and Senate pages, users can read any bill and track its status through the legislative process. For those not



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

familiar with the legal language used to draft bills, easy-to-understand summaries are also available. Bills can be searched by number, keyword, or author.

Both the House and Senate sites offer Internet streaming video of floor sessions, select committee hearings, press conferences, and other special events. The service features unedited, live, and recorded coverage. For archived events an index is provided making it

easy for users to find the specific bill or topic they wish to view, without having to weed through hours and hours of coverage. A Windows Media Player plug-in viewer is needed to watch the events unfold. A link to install that program is provided.

Information is available on the House Television Services Web site at <http://www.house.mn/htv/liveweb.htm>.

Schedules delivered to you

House committee schedules are available on the Web site at <http://ww3.house.mn/hinfo/hinfosched.asp>. Senate schedules are online at <http://www.senate.mn/schedule>.

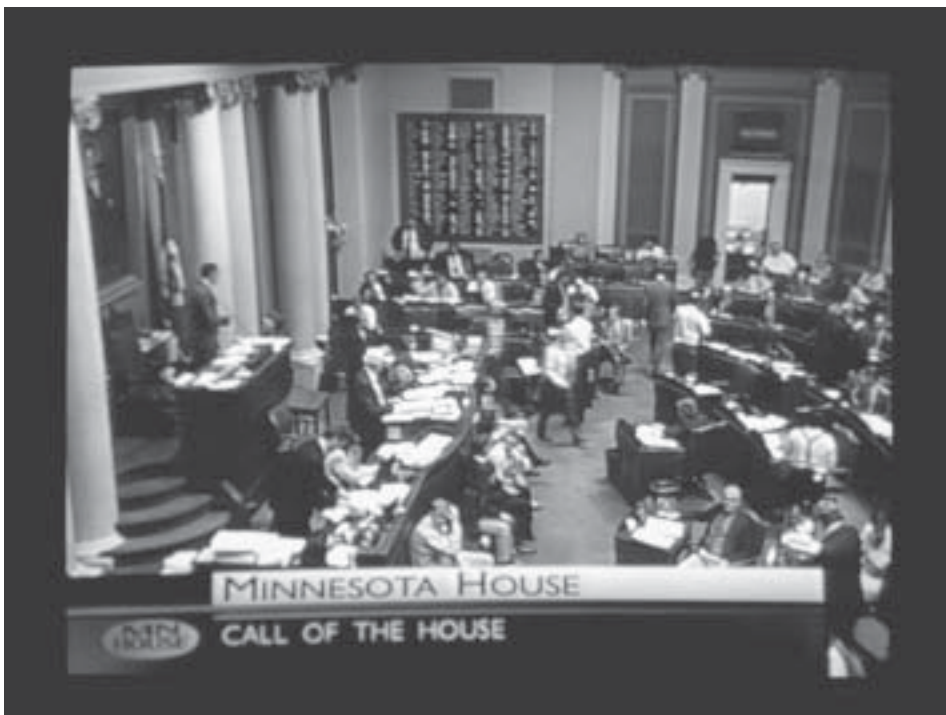
Constituents with e-mail service can receive committee schedules from both the House and Senate without having to request them each day.

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

To receive the House committee schedule, fill out the subscription form at <http://www.house.mn/hinfo/schedule/listserv.htm>. The Senate listserv can be accessed at <http://www.senate.mn/schedule/listserv.htm>.



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



House television services provides coverage of action on the House floor and selected committee hearings on Channel 17 in the Twin Cities and local cable systems throughout the state.

Come on down

Technology is a wonderful asset for governmental information, but the best way to find out what's happening at the Capitol is to witness it in person. A good place to begin your visit is at the House Public Information Services Office, located in Room 175 of the State Office Building, directly west of the Capitol.

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

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

Committee schedules are available at the office, as are issues of the award-winning newsmagazine *Session Weekly*, a free publication covering weekly House activities during session. To have this thorough wrap-up mailed directly to your home or business, call or stop by House Information, or complete the subscription form on the House Web site at <http://www3.house.mn/hinfo/subscribe.asp>. Likewise, *Senate Briefly*, which covers weekly Senate activities, is available online at <http://www.senate.mn/briefly/index.htm>.

Session Daily is the online companion to *Session Weekly*. Located at <http://www.house.mn/hinfo/sdaily/sdaily.htm> it offers news from the House on a daily basis, so you can stay on top of the major events at the

Capitol. Brief, informative updates about committee and floor action are posted before 8 a.m. Monday through Friday. Links to useful resources, such as bill introductions and reports or documents, are also offered. Each day's version is also archived by date and topic.

Pick up the phone

A wealth of information is also available via the telephone. The House Public Information Office can answer general questions regarding the legislative process and who your legislators are. They can also direct you to other offices for additional information. Call the information office at (651) 296-2146 (voice), (651) 296-9896 (TTY), or 1-800-657-3550 (voice and TTY).

You don't need to leave home to obtain copies of House bills, either. Simply call the House Chief Clerk's Office at (651) 296-2314 and they'll mail you a copy. If you don't know who sponsored a bill or what a particular bill's House File number is, call House Index at (651) 296-6646. They can also give you the status of a bill.

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

A voice version of the House committee schedule is available at (651) 296-9283. For similar information in the Senate, call (651) 296-0504 or 1-888-234-1112.

Tune in

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

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

Frequently used Web links

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

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

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

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

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

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

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

Office of the Secretary of State:
(Elections & Candidate Information)
<http://www.sos.state.mn.us>

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

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

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

Frequently called numbers

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

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

Chief Clerk's Office: (copies of bills)
651-296-2314

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

House Index: (bill status)
651-296-6646

State Capitol Information Desk:
651-296-3962
651-296-2739

Monday, Feb. 10

HF342—Buesgens (R)
Regulated Industries
Elko Speedway on-sale liquor license authorized.

HF343—Abeler (R)
Transportation Policy
Used vehicle dealers sales to other dealers allowed and vehicle donation to individuals by licensed limited used vehicle dealers sales tax exemption provided.

HF344—Dorman (R)
Commerce, Jobs & Economic Development
Business financing program goals modified to include job enhancement, Minnesota investment fund converted to a revolving loan fund, and money appropriated.

HF345—Greiling (DFL)
Commerce, Jobs & Economic Development
Do-not-call list loopholes closed.

HF346—Abeler (R)
Health & Human Services Policy
Speech language pathology or audiology practice provisions modified.

HF347—Eastlund (R)
Education Policy
Student instruction and staff development training additional days mandate repealed.

HF348—Kielkucki (R)
Transportation Policy
Type III vehicle usage for transport of school children age of vehicle provision extended.

HF349—Sertich (DFL)
Governmental Operations & Veterans Affairs Policy
Vietnam veterans authorized to purchase service credit in the public employees retirement association.

HF350—Paymar (DFL)
Governmental Operations & Veterans Affairs Policy
House of Representatives and Senate membership reduced.

HF351—Swenson (R)
Education Policy
Middle school redefined to include minimum of two grades.

HF352—Wilkin (R)
Health & Human Services Policy
Parental consent for certain medical treatments required and parental access to minor's medical records permitted.

HF353—Lieder (DFL)
Transportation Finance
Safe routes to school program development and implementation grants provided.

HF354—Jaros (DFL)
Education Policy
School board membership modified.

HF355—Dorman (R)
Taxes
Regional investment tax credit provided.

HF356—Dempsey (R)
Regulated Industries
State fair on-sale liquor license authorized for sale of Minnesota-produced wine.

HF357—Rukavina (DFL)
Governmental Operations & Veterans Affairs Policy
Investments made by state Board of Investment regulated, and certain resource investments authorized.

HF358—Peterson (DFL)
Environment & Natural Resources Finance
LQP-25/Lazarus Creek floodwater retention project bonds issued and money appropriated.

HF359—Rukavina (DFL)
Environment & Natural Resources Policy
Mining owners and operators duties specified when operations are discontinued.

HF360—Lenczewski (DFL)
Governmental Operations & Veterans Affairs Policy
Lawful gambling expenditures authorized for utility buildings used as primary headquarters for certain fraternal organizations.

HF361—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Special election procedures for town officials provided.

HF362—Wasiluk (DFL)
Taxes
North St. Paul municipal building construction materials sales tax exemption provided.

HF363—Gunther (R)
Judiciary Policy & Finance
Fire protection industry licensing and certification requirements provided relating to multipurpose potable water piping systems.

HF364—Fuller (R)
Taxes
Tax deadline date on certain resort property delayed.

HF365—Johnson, J. (R)
Education Policy
Kindergarten through grade 12 unneeded mandates eliminated.

HF366—Dill (DFL)
Governmental Operations & Veterans Affairs Policy
Voyageurs National Park citizens council reinstated.

HF367—Dill (DFL)
Environment & Natural Resources Policy
Cook County land reconveyance provided free of a reversionary clause.

Thursday, Feb. 13

HF368—DeLaForest (R)
Taxes
Ham Lake; fire department facility construction materials sales tax exemption provided.

HF369—Erhardt (R)
Taxes
Noncommercial seasonal recreational property exempted from state property tax.

HF370—Erhardt (R)
Taxes
Sales tax refund authorized relating to bad debt losses of lender.

HF371—Dill (DFL)
Local Government & Metropolitan Affairs
Town officers allowed to serve concurrently as firefighters.

HF372—Howes (R)
Taxes
Reduced property tax class rate provided for property bordering public waters.

HF373—Nornes (R)
Health & Human Services Policy
Optometrist drug prescription limitation removed, prescription of controlled substances authorized, and standards provided.

HF374—Sieben (DFL)
Commerce, Jobs & Economic Development
Crib safety definitions provided, sale and commercial use of certain cribs prohibited, and penalties provided.

HF375—Howes (R)
Local Government & Metropolitan Affairs
Municipal annexation of unincorporated land procedures, criteria, and exceptions specified.

HF376—Wilkin (R)
Health & Human Services Policy
Health Maintenance Organization enrollee cost sharing provisions modified.

HF377—Stang (R)
Jobs & Economic Development Finance
Hennepin County Children's Theatre Company renovation and expansion bonds issued, and program authorized.

HF378—Larson (DFL)
Civil Law
Putative fathers required to serve notice of paternity actions on interested parties.

HF379—Wardlow (R)
Governmental Operations & Veterans Affairs Policy
Guaranteed savings contracts provided for utility savings on state buildings.

HF380—Smith (R)
Judiciary Policy & Finance
State correctional capacity increase plan report required.

HF381—Strachan (R)
Judiciary Policy & Finance
Corrections prohibition on double bunking inmates at custody level five and six institutions eliminated.

HF382—Smith (R)
Judiciary Policy & Finance
Biological specimen collection for purpose of future DNA analysis from specified offenders made permanent.

HF383—Ozment (R)
Environment & Natural Resources Finance
Environmental and natural resources projects funding provided, and money appropriated.

HF384—Goodwin (DFL)
State Government Finance
Consultant moratorium imposed on state government entities, and contracting law provisions modified.

HF385—Fuller (R)
Judiciary Policy & Finance
Arson in the fifth degree gross misdemeanor provided.

HF386—Holberg (R)**Civil Law**

Childhood sexual abuse personal injury civil action limitation period modified.

HF387—Fuller (R)**Judiciary Policy & Finance**

DWI offender staggered sentencing program established, and other DWI-related provisions modified.

HF388—Abeler (R)**Education Finance**

Hazardous traffic condition pupil transportation zones locally controlled process defined, and levy authorized for certain hazardous pupil transportation services.

HF389—Hornstein (DFL)**Local Government &****Metropolitan Affairs**

Minneapolis City Council authorized to establish unclassified service positions.

HF390—Erickson (R)**Governmental Operations &****Veterans Affairs Policy**

Elections conducted by mail; county auditor approval requirement eliminated.

HF391—Olsen, S. (R)**Governmental Operations &****Veterans Affairs Policy**

School districts authorized to convert, by election, from election by district to election at large.

HF392—Fuller (R)**Transportation Policy**

DWI vehicle forfeiture standards and procedures clarified.

HF393—Goodwin (DFL)**Health & Human Services Policy**

High-risk youth placement advisory task force provided, and report required.

HF394—Wardlow (R)**Local Government &****Metropolitan Affairs**

Municipal guaranteed energy savings contracts maximum length extended to 15 years.

HF395—Abeler (R)**Transportation Policy**

Drivers' license revocation reinstatement fees increased and reallocated.

HF396—Nelson, P. (R)**Transportation Finance**

North Branch; Trunk Highway 95 bridge construction funding provided, bonds issued, and money appropriated.

HF397—Davids (R)**Environment &****Natural Resources Finance**

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

HF398—Wasiluk (DFL)**Commerce, Jobs &****Economic Development**

Portable fuel container spillage control requirements provided.

HF399—Kuisse (R)**Transportation Policy**

Special license plate authorization and issuance procedures established.

HF400—Howes (R)**Environment &****Natural Resources Finance**

Mississippi headwaters board funding provided, and money appropriated.

HF401—Rukavina (DFL)**Health & Human Services Policy**

Commissioner of health required to seek federal approval for home delivery of WIC supplemental foods.

HF402—Carlson (DFL)**Education Finance**

Principled pay practices system authorized for school districts, and money appropriated.

HF403—Solberg (DFL)**Health & Human Services Finance**

Itasca County nursing home facility construction bonds authorized.

HF404—Kelliher (DFL)**Governmental Operations &****Veterans Affairs Policy**

Minneapolis teachers retirement fund association retroactive qualified part-time teacher program coverage authorized for an eligible teacher.

HF405—Erhardt (R)**Taxes**

Limited market value phase-out extended.

HF406—Erhardt (R)**Taxes**

Levy limits extended to taxes levied in 2003 and 2004.

HF407—Howes (R)**Environment &****Natural Resources Policy**

Minnesota Conservation Corps transferred to the friends of the Minnesota conservation corps, assets transferred, and money appropriated.

HF408—Mariani (DFL)**Education Policy**

Pledge of Allegiance required in all public schools, and flag respect instruction provided.

HF409—Anderson, I. (DFL)**Governmental Operations &****Veterans Affairs Policy**

Health care provider unrestricted choice required for state employee health coverage.

HF410—Abeler (R)**Health & Human Services Policy**

Alzheimer's disease specialized training required, grants provided, nursing assistant training models required, training expanded for family caregivers, and money appropriated.

HF411—Boudreau (R)**Health & Human Services Policy**

Prescription drug assistance program established through the Minnesota Board on Aging, and appropriations transferred.

HF412—Abeler (R)**Health & Human Services Policy**

Council on Disability sunset removed.

HF413—Samuelson (R)**Education Finance**

Independent School District No. 14, Fridley, levy authorized.

HF414—Cox (R)**Environment &****Natural Resources Policy**

Soil and water conservation district law updates provided.

HF415—Borrell (R)**Local Government &****Metropolitan Affairs**

Rockford removed from the jurisdiction of the Metropolitan Council.

HF416—Anderson, J. (R)**Judiciary Policy & Finance**

Methamphetamine attempted manufacture defined as crime, and penalties prescribed.

HF417—Pugh (DFL)**Civil Law**

Removal of a child's residence from Minnesota provisions modified.

HF418—DeLaForest (R)**Transportation Policy**

License plates; "United We Stand" special license plates authorized, Minnesota antiterrorism account established and annual contribution required, and money appropriated.

HF419—Sykora (R)**Health & Human Services Policy**

Child care licensing provisions modified.

HF420—Wasiluk (DFL)**Health & Human Services Policy**

Adult foster care program location requirements modified.

HF421—Buesgens (R)**Taxes**

Auto racing tracks extended valuation and tax deferment of open space.

HF422—Abeler (R)**Education Finance**

School district staff development revenue distribution restrictions removed.

HF423—Abeler (R)**Education Finance**

School district staff development reserved revenue requirement reduced.

HF424—Nelson, C. (R)**Education Policy**

Charter school leave provisions modified.

HF425—Wasiluk (DFL)**Health & Human Services Policy**

Human services residential program location requirements modified.

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MONDAY, February 17

12:30 PM

Health and Human Services Policy

*** Note: *** Change in meeting room

Room: 300S State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF411 (Boudreau) Board on Aging to establish a prescription drug assistance program. (Committee action to approve previously-approved language and amendment)

HF51 (Davids) Health insurance provisions clarified relating to long-term care insurance.
HF151 (Seifert) Children eligible for adoption assistance exempted from the prepaid medical assistance program.

Higher Education Finance

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Doug Stang

Agenda: Financial aid programs discussion.
Witnesses: Duane Benson, executive director, Minnesota Business Partnership Association.
Bill Blazar, senior vice president, Minnesota Chamber of Commerce.
David Laird, president, Minnesota Private College Council.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF330 (Sviggum) State employee labor agreements and compensation plans ratified with certain exceptions.

3:00 PM

THE HOUSE MEETS IN SESSION.

TUESDAY, February 18

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: To be announced.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Pollution Control Agency budget overview.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF347 (Eastlund) Student instruction and staff development training additional days mandate repealed.

HF351 (Swenson) Middle school redefined to include minimum of two grades.

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Solid Waste Management Coordinating Board (SWMCB).

State Solid Waste Administrators Association.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: "Blended Sentencing in Minnesota: On Target for Justice and Public Safety?" -

(A report from the Supreme Court evaluating Extended Jurisdiction Juvenile sentencing options).

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF307 (Adolphson) Noncommercial sign ordinance exemption provided.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: To be announced.

2:30 PM

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Public testimony regarding alternative energy fuel sources and additional nuclear storage at Prairie Island.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF125 (Dempsey) Extending the sunset date for the Mississippi River Parkway Commission.

HF64 (Seifert) Requiring local government impact notes; requiring a determination of the aggregate cost of complying with proposed rules; specifying certain contents for a statement of need and reasonableness for proposed administrative rules.

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF264 (Biernat) Housing violation summons and hearing scheduling requirements modified.

HF311 (Holberg) Internet consumer data provisions clarified. NOTE: Overview only, no votes will be taken.

WEDNESDAY, February 19

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: The first of a series of hearings on mental health services and systems in Minnesota. Testimony from DHS, AFSCME, and MAPE.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Budget presentation by the Department of Public Safety.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Environment and Natural
Resources Finance
Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: Minnesota Pollution Control Agency
budget overview.

10:15 AM

Judiciary Policy and Finance
Room: Basement Hearing Room
Chair: Rep. Steve Smith
Agenda: Overview of governor's budget
recommendations for the criminal justice system
for fiscal years 2004 and 2005.

Education Finance
Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: To be announced.

Taxes
Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: Presentation of proposed 2004-2005
budget.
Other business that may appropriately come
before the committee.

12:30 PM

Agriculture Policy
Room: 5 State Office Building
Chair: Rep. Howard Swenson
Agenda: Testimony on the federal farm bill from
Congressman Gil Gutknecht, USDA Rural
Development State Director Steve Wenzel, and
USDA Farm Service Agency Minnesota State
Executive Director John Monson.

Governmental Operations and
Veterans Affairs Policy
Room: Basement Hearing Room
Chair: Rep. Jim Rhodes
Agenda: To be announced.

Transportation Policy
Room: 200 State Office Building
Chair: Rep. Ron Erhardt
Agenda: To be announced.

2:30 PM

State Government Finance
Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: Minnesota Public Radio.

Local Government and Metropolitan Affairs
Room: 200 State Office Building
Chair: Rep. Jerry Dempsey
Agenda: HF327 (Hackbarth) Shooting range
generally accepted practices defined; and relation
to local ordinances, closing and relocations, and
nuisance liability provided.
HF293 (Dempsey) Municipalities authorized to
prescribe fees by a fee schedule.

Regulated Industries
*** Note: *** Change in meeting room
Room: 10 State Office Building
Chair: Rep. Torrey Westrom
Agenda: Public testimony regarding additional
nuclear storage at Prairie Island.

THURSDAY, February 20

8:15 AM

Education Policy
Room: 200 State Office Building
Chair: Rep. Barb Sykora
Agenda: To be determined.

Health and Human Services Finance
Room: 10 State Office Building
Chair: Rep. Fran Bradley
Agenda: Presentation of Governor's Budget by
Minnesota Department of Human Services and
Minnesota Department of Health.

Jobs and Economic Development Finance
Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: To be announced.

Environment and Natural
Resources Finance
Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: Minnesota Pollution Control Agency
budget overview.

10:15 AM

Environment and Natural Resources Policy
Room: 5 State Office Building
Chair: Rep. Tom Hackbarth
Agenda: Report from the Citizens Committee
on Wildlife Management Area Acquisition
Lance Ness, Chairman (citizen).
Kim Hennings, Department of Natural
Resources.

Judiciary Policy and Finance
Room: Basement Hearing Room
Chair: Rep. Steve Smith
Agenda: Discussion of shifting offenders with
short-term prison sentences from the state prison
system to the counties.
Presentation by the Department of Corrections.
Impact on counties.

Education Finance
Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: To be announced.

Taxes
Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: Presentation of proposed 2004-2005
budget.
Other business that may appropriately come
before the committee.

12:30 PM

Agriculture and Rural
Development Finance
Room: 5 State Office Building
Chair: Rep. Elaine Harder
Agenda: Fiscal years 2004-2005 budget
presentation.
Minnesota Department of Agriculture.

Ways & Means
Room: 200 State Office Building
Chair: Rep. Jim Knobloch
Agenda: Overview of governor's budget
recommendations for fiscal years 2004 and 2005.



Otto wins election

The House DFL gained a seat Feb. 11 when
Rebecca Otto won a special election in Dis-
trict 52B.

Otto garnered 54.3 percent of the vote, to
defeat her Republican challenger by 10.8 per-
cent. Third-party candidates combined for
2 percent of the vote.

She replaces former Rep. Mark Holsten who
accepted a position last month as a deputy
commissioner with the Department of Natu-
ral Resources. Holsten defeated Otto in the
November election.

Otto, a small-business owner, has been as-
signed to the Agriculture and Rural Develop-
ment Finance, Agriculture Policy,
Environment Policy and Local Government
and Metropolitan Affairs committees.

Republicans now hold an 80-53 majority in
the House.


A special election in District 32B for the seat
vacated by former Rep. Rich Stanek is sched-
uled for Feb. 25. Stanek resigned in January to
become the state's public safety commissioner.

pulling a gun on them. If in fact we did it may be a decision of our chief of police and our city to say 'You know, maybe we do think our people should be carrying guns.' We're not at that point."

Other opponents included representatives of the Minnesota Coalition for Battered Women and an official from the Minnesota Police and Peace Officer's Association.

Though often called "concealed-carry legislation," Boudreau said there is no specific provision in the bill or in current law that mandates a gun be hidden when carried in public.

The bill next goes before the House Judiciary Policy and Finance Committee. A Senate companion (SF222), sponsored by Sen. Pat Pariseau (R-Farmington), awaits committee action.

A similar bill passed the House in 2001 but was narrowly defeated in the Senate. 

Minnesota State Agencies

(Area code 651)

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Agriculture	297-2200
Toll Free	1-800-967-2474
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3711
Toll Free	1-888-GET-JOBS
Employee Relations	297-1184
Job Information Hotline	296-2616
Finance	296-5900
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Fire Marshal	215-0500
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Reflections

Visitors who are new to the legislative process and come to see where laws are made may ask, "Who are all those people milling about in the hallways of the State Office Building, Capitol conference rooms, and outside the House and Senate chambers?" Most are lobbyists, who may spend as much time at the Legislature as elected members — from early in the morning to late in the evening.

Lobbying is defined as "a practice and profession of influencing governmental decisions carried out by agents who present the concerns of special interests to legislators and administrators."

It came into being in the 1830s when individuals spent time in public building lobbys, usually to court favor from legislators by buying influence. During this period many indiscretions surfaced which did not give the profession a credible rating. One early incident involved a conflict of interest when Congress became involved with President Andrew Jackson's battle to close the Bank of the United States. Daniel Webster, a U.S. Senator at the time, was one of those

disclosed as receiving retainers from the bank. Lobbying is now an accepted part of the political system. Today, stringent laws are in place nationally and statewide to thwart any unethical practices that would taint the profession. In Minnesota, lobbyists must be registered with the Campaign Finance and Public Disclosure Board to conduct business with the Legislature. In 2002, the board recorded 1,350 individual registrants, and 3,075 client registrations.

Lobbyists are distinctive. What visitors see are individuals going about their business as they talk face-to-face with lawmakers or staff, and are oftentimes on a cell phone speaking with clients they work for. These

are the professionals whose "office" may be one of Capitol architect Cass Gilbert's original benches outside the Senate Chamber, or a corner table in the State Office Building cafeteria.

Other lobbyists are the grassroots types who may be identified as the ones who roam the halls in groups, wearing identical sweatshirts, special advocacy buttons, or some other matching item.

Grassroots "lobbyists" show up periodically to testify or listen to specific issues lawmakers are debating, sometimes during a special "Day at the Capitol" when issue-oriented organizations

mobilize constituents to come and press lawmakers to support their cause. They arrive by busloads hoping to sway legislators on such topics as help for the homeless, promoting the best interests of small farm owners, or keeping money flowing for the arts.

Although on some days around the Capitol it is virtually impossible to walk in a straight line through the hallways overcrowded with large single-issue

groups and lobbyists, all are essential to the democratic process of lawmaking.

Constituents who come for a one-time visit get to be a part of a "people's legislature" by talking with lawmakers or expressing their opinions. Professional lobbyists are needed to provide practical information and clarification to elected officials and assist in getting legislative functions accomplished.

Therein lies the basic mission of the Legislature.

— LECLAIR GRIER LAMBERT



PHOTO BY ANDREW VON BANK

Lobbyists gather around in front of the House Chamber.

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Minnesota Youth

Percentage of public school children approved for free or reduced-price school meals in 2002	26.6
In 1996, as percent	25.3
Number of children receiving welfare in an average month through the Minnesota Family Investment Program in 2001	85,128
Percent drop since 1998	13
Births by teenage mothers, as a percentage of total live births in 2000	2.7
In 1997	3.1
Percentage of year 2000 babies weighing less than 5.5 pounds at birth	6.1
National average	7.6
Frequency low-weight birth goal set by the state Health Department by 2004	3.5
Percentage of 2001 kindergartners adequately immunized at age two	81.7
In 1997	68.4
Amount state immunization rates are greater than national average for most major diseases, as percent	2 to 4
Percentage of 2002 third-graders scoring at or above their grade level on statewide reading tests	66.8
Fifth-graders, as percent	74.8
Respective percentages in 1998	52.5, 53.4
Percentage of 2002 eighth-graders passing the statewide math Basic Skills Tests	75
In reading, as percent	80
Increases, respectively since 1996, as percent	6, 27
High school seniors in 2001 who said they experienced physical abuse or witnessed physical abuse of family member	13.6
Ninth-graders, as percent	17.3
Percentages per grade level in 1992	18.2, 20.7
Percentage of 2001 high school seniors who said they experienced sexual abuse	7.7
Ninth-graders, as percent	7.6
Percentages per grade level in 1992	11.7, 9.7
High school seniors in 2001 that said their parents care about them very much, as percent	75
Ninth-graders, as percent	74.2
Percentages per grade level in 1992	72.5, 70.5
Percentage of high school seniors in 2001 who used cigarettes or chewing tobacco at least once weekly	30.1
Percent decrease since 1998	3.9

Sources: *Children's Report Card*, Minnesota Planning, September 2002; Minnesota Department of Children, Families and Learning; Minnesota Department of Human Services; Minnesota Department of Health

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

Governor's Proposed Budget \$4.5 Billion Shortfall

FEBRUARY 21, 2003
VOLUME 20, NUMBER 7

	Forecast <u>FY04-05</u>	Governor <u>FY04-05</u>
Beginning Balance	\$(332)	186
Revenues	26,857	28,438
Spending	30,975	28,120
Reserves	<u>110</u>	<u>500</u>
Forecast Deficit	\$(4,560)	\$4

Governor Pawlenty's FY 2004-05 Budget

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2004 - 2005 BUDGET PROPOSED

PROFILE OF LEARNING REPEAL, AND MORE

HF426-HF560

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Gov. Tim Pawlenty, accompanied by some of his commissioners, listens Feb. 18 as Finance Commissioner Dan McElroy outlines the governor's budget balancing plan for fiscal years 2004-05.

—Photo by Tom Olmscheid

Repealing the profile

House members overwhelmingly vote to get rid of one set of standards and replace them with another

By TOM LONERGAN

The expected vote to repeal the Profile of Learning didn't deter House members from a lively debate Feb. 17 before they passed a bill to scrap the state's divisive graduation standards for public school students.

A 90-minute give-and-take between House members about what standards should replace the profile, included references to Aristotle, Albert Einstein, former Supreme Court Justice Felix Frankfurter, and comedian Lily Tomlin.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF2 calls for replacing the profile with newly written academic standards in five subject areas, to be developed during the next two years. "What we have does not work," he said. "Our standards need revision."



PHOTO BY TOM OLMSCHIED

Carol and Truman Ingersoll of Roseville wear "Stop the Profile of Learning" T-shirts Feb. 17 as they listen from the gallery while House members pass a bill that would repeal the Profile of Learning.

Approved 118-10, the bill would direct the commissioner of the Department of Children, Families and Learning to develop "core academic standards" in English, mathematics, science, history, and geography on a staggered schedule. The new English and math standards would be due for legislative review by April 15, under the bill. Standards in science would not be developed until March 2004 and those in

history and geography one year later.

A Senate companion bill (SF60), sponsored by Sen. Gen Olson (R-Minnetrista), awaits a hearing in the Senate Education Committee. The Senate, which has blocked past attempts to repeal the profile, may not consider its bill until a plan for new standards is developed.

The profile standards have been widely criticized by educators since they were first adopted by the Legislature in 1998. The latest vote was the fifth time the House has tried to repeal the profile since 1999.

The profile, also known as "high standards," is half of the two-part graduation standards established for public school students in the state. The basic skills tests and profile-related Minnesota Comprehensive Assessments are given in grade school and high school. The tests measure

a student's academic progress in a number of subjects and adequate completion is required for high school graduation.

During the debate, House members rejected an amendment, on a 66-62 vote, to require the state to reimburse school districts for the cost of implementing new standards.

Rep. Ron Latz (DFL-St. Louis Park), who offered the amendment,

said the Hopkins School District estimated it could spend up to \$1 million to implement one new set of K-12 standards for math. "If you ask, you would find exactly the same situation in your local school districts," he said. Thirteen Republicans joined 49 DFL members in supporting the amendment.

Rep. Jim Knoblach (R-St. Cloud), chair of the House Ways and Means Committee said,

"the money's already there" for implementing new standards. He cited a fiscal note released Feb. 17 that estimated new standards would cost the state about \$1.5 million. The bill would bring "no new cost," Knoblach said, because it would be covered by the education department budget.

An amendment proposed by Kielkucki to give the education department until the 2005-06 school year to establish new state tests based on the new standards passed on a voice vote.

During debate Kielkucki urged House members to "keep the political stuff out of this." Yet, much of the debate focused on the bill's parameters that academic standards reflect principles in the U.S. Constitution, Declaration of Independence, "and other such principles as national sovereignty, natural law, and free market enterprise."

Regarding natural law, Rep. Joe Mullery (DFL-Mpls) asked, "How can it be interpreted? The commissioner could take it and go in a certain direction."

Commissioner Cheri Pierson Yecke will lead the development of new academic standards. Kielkucki said the standards would be reviewed as part of the Legislature's rule-making process. "When we review these and the public reviews these, they can object," Kielkucki said.

The 10 DFL members who voted against repeal didn't join the debate.

"I would like to see all the cards on the table before we move," Rep. Cy Thao (DFL-St. Paul) said in a later interview. "I can't vote for something that will cost while we're cutting other programs."

Rep. Thomas Huntley (DFL-Duluth) later called the natural law reference "an offbeat philosophical" part of the bill. He also objected to language in the bill that prohibits including "work-based learning" in new academic standards.

During debate, Rep. Gene Pelowski, Jr. (DFL-Winona) compared the profile standards to an old-fashioned telephone switchboard with scores of confusing cables. "Who was running this thing," he asked. "The DCFL (Department of Children, Families and Learning) was our Lily Tomlin," he said, referring to the telephone operator the comedy actress has played. "They annoyed us with their answers," he said, regarding the profile's grading system and other requirements. "We couldn't figure it out, but it was called rigor."

The profile standards include 11 learning

areas with content requirements detailed in 24 learning packages. The standards attempted to move away from a traditional academic and testing approach and toward student experiments, research projects, and community service. They became known as “show what you know” standards.

Parents could not understand the profile grading system, said Rep. Barb Sykora (R-Excelsior). The profile also led the state to “spend dollars on telling teachers how to teach,” she said. “Our math standards have not been good. They’re bad in reading, but good in science.”

Sykora, chair of the House Education Policy Committee, said she expects Yecke to present new reading and math standards to the committee by the end of March. “We will review the new standards,” she said.

In the week prior to the debate, Yecke announced the appointment of 77 volunteers — including teachers, school board members, parents, and business representatives — who will assist the department in creating new K-12 standards in reading and math. The group, known as the Minnesota Academic Standards Committee, held its first meeting Feb. 19. In addition to the volunteers, each academic committee will include teacher representatives from Education Minnesota, which is the state’s teacher’s union, and school representatives from statewide superintendents and principals organizations.

Reading and math standards are prioritized because the state needs to submit them to the federal Department of Education to remain in compliance with federal law and not risk losing Title I funding for school districts.

The bill passed by the House states, “the commissioner must adopt rules ... for implementing the statewide core academic standards in English and mathematics.” Several DFL members who supported the bill said it would give Yecke the power to implement new standards without legislative review.

“Once it’s in the hands of the commissioner, we can’t accomplish change,” said Rep. Lyndon Carlson (DFL-Robbinsdale).

The bill offered “no clear road path to what comes next,” said Rep. Joe Opatz (DFL-St. Cloud). He said the standards would be “dominated by the (governor’s) administration,” much like the original profile standards were in 1998, under Gov. Arne Carlson.

Despite the doubts, Sykora maintained legislators would review new standards before the commissioner could go to the rulemaking process. 🐾



Good as new

Desks in House, Senate chambers still in use nearly 100 years later

In a building designed for grandeur and majesty, there are few things in the Minnesota State Capitol that are purely utilitarian and pedestrian. Even the desks from which legislators work in their respective chambers have a certain air of dignity.

Designed by Cass Gilbert, the renowned architect of the Capitol building, the desks were built by the Doten-Dunton Desk Company, formerly located in Boston. There are 135 versions of the same desk in the House chamber and 70 in the Senate chamber, all made of mahogany.

The original design of the AA slant-top desk was topped by a sloped writing surface with a low, shaped splashboard at the front. The plain skirt had a central interior drawer directly above the kneehole. Below the central drawer were an open half-shelf and a small rectangular cabinet with paneled door. Two stiles, resembling pilasters, which are column-like structures, flanked the double-paneled front. The single-paneled sides adjoined standards, which were scrolled and ornamented with acanthus, or leaflike, carvings at the top. The standards curved in to meet a solid base.

In keeping with the elements of design for a stately building such as the Capitol, the scale and proportion of the furnishings were adjusted. The desks are larger than their counterparts in a residential home, said Carolyn Kompelien, manager of the State Capitol historic site for the Minnesota Historical Society.

As technology evolved, the desk design was slightly altered. Inkwells were removed and microphones installed. Drawers and storage cabinets were rebuilt and new holes were drilled to accommodate wiring for the electronic voting mechanisms that came into play in the late 1930s. In the 1960s, the desks in the House chambers alone were covered in a laminate surface. And in the 1990s, the House ordered a few reproductions that could

accommodate wheelchairs.

Today the desks are more likely to be adorned with laptop computers and soft drink cans than the spittoons of old, but they remain largely true to their original design.

“They’ve undergone refinishing, and I’m sure there’s been some repair on them but I think they’ve stood up really extremely well,” Kompelien said.

Speaking of design, is it odd that an architect would pay attention to such a minor piece as a desk?

“In that time period it wasn’t as unusual, but it was something that Gilbert fully intended to have control over in that the furniture was considered as much a work of art as any of the paintings, the murals in the building, the sculpture,” Kompelien said.

“The idea behind the whole Capitol was to bring the idea of the beau-art design together so that you saw a single design, a single whole, if you will, that together made this space.”

Gilbert designed many of the 1,600 pieces of original furniture placed in the Capitol in 1905. Today, slightly more than half of those pieces are known to be in use throughout the Capitol complex. Those remaining — including benches, chairs, signs, and the oval table in the governor’s reception room — are purposely kept in public spaces and offices. Some benches have been refurbished.

Gilbert’s design of the Minnesota State Capitol building brought him national recognition. He is also responsible for the design of the U.S. Supreme Court building in Washington, D.C., which was completed in 1935, one year after his death, and the Woolworth Building in New York City, the latter having been the tallest building in the world at the time of its completion in 1913.

(M. BRYANT)



PHOTO BY ANDREW VON BANK

Members’ desks in the House Chamber have been refinished, but are by and large unchanged since Cass Gilbert designed them 100 years ago.

Session deadlines announced

House and Senate leadership have set the following deadlines for committees to complete their business this session:

- **Friday, April 4** — Bills must be out of policy committees in the house of origin.
- **Friday, April 11** — All House and Senate files must be out of all policy committees in the other body.
- **Tuesday, April 29** — Omnibus finance bills must be out of House and Senate finance committees.

There are exceptions to these deadlines. For example, bill sponsors may appeal to the rules committee to have rules suspended so a bill may be considered after the deadline. In addition, the taxes committee is not bound by the deadlines.

EDUCATION

Privacy of student information

A bill (HF168) that would close an inadvertent loophole regarding information disclosure about home school students was approved Feb. 13 by the House Education Policy Committee and referred to the House Civil Law Committee.

The sponsor of the bill, Rep. Barb Sykora (R-Excelsior), said it would amend state law to "formally make home school student data private." According to the Minnesota Non-Public Education Council, state and federal privacy protection laws do not cover students not enrolled in a particular school.

State law requires private school student information such as names, addresses, birthdates, and immunization status be reported to the local public school district. Home school parent-teachers, in addition, must report quarterly on a student's progress in the lesson areas that have been taught.

Pamela von Gohren, representing the non-public education group, said businesses and organizations have requested home school student information from districts. Last year, a school district in southeast Minnesota provided a high school class with the names, addresses, and phone numbers of home school students so they could be included in a survey for a school project. "This didn't sit well in this district," von Gohren said.

The bill would prohibit a school district from designating home school student information as "directory information" unless the student's parent or guardian gives written

consent. According to the Department of Children, Families and Learning, there are 15,200 home school students in the state.

John Tuma, representing the Minnesota Association of Christian Home Educators, also testified in support of the bill. "Most districts want to keep this (information) private," he said. "If there's a request now" for home school student information, Tuma said, the school district must provide it.

Virtual learning

The House Education Finance Committee Feb. 19 heard a live in-person report about the state's first online school, the Minnesota Virtual Academy.

Former federal Education Secretary William Bennett, now the owner of K12 Inc., said the virtual school is "another option in public education." Bennett's company supplies the school's curriculum, computers, and instructional materials in a partnership with the Houston School District in southeastern Minnesota.

The online charter school opened last November and has 137 home-based students in kindergarten through fifth grade.



PHOTO BY TOM OLMSCHIED

William J. Bennett, owner of K12 Inc., testifies before the House Education Finance Committee Feb. 19 about the Minnesota Virtual Academy, an online charter school for students in grades K-5 that began operation last November. Bennett was the education secretary in the first Bush Administration.

Kim Ross, superintendent of Houston Public Schools and director of the virtual academy, said any elementary-age student in Minnesota can enroll in the school through the state's public schools open enrollment option.

That option allows a parent to enroll a student in another school district in the state. State aid of \$6,100 per student follows the enrollee to the new district. That's how the virtual academy, approved last year by the state Department of Children, Families and Learning, is funded. Students currently hail from St. Cloud, Minneapolis, St. Paul, and Winona, Ross said. There is no additional cost to parents.

While Education Secretary in the first Bush Administration, Bennett said he was prodded by his wife, Elaine, a former elementary special education teacher, "to do his homework." Bennett said he visited 120 schools across the country and taught some lessons as a guest teacher.

"There was an incredible unevenness of quality," said Bennett. "I have been a critic of public education. I'm not an enemy of public education. I want to improve it."

Bennett's company provides the student with a computer system and printer, textbooks, workbooks, and instructional supplies. Parents work with the students and state certified teachers regularly monitor their progress. The teachers are geographically based and employed by the school to meet the state's requirements that students receive five hours a week of face-to-face instruction. The school's curriculum includes math, English, history, science, art, and music.

The virtual school's students will take the state's required basic skills and comprehensive assessment tests to measure their progress. "If there's public money, then there needs to be public accountability," Bennett said.

The Minnesota Virtual Academy eventually plans to offer the sixth through 12th grades. Bennett's company is also the curriculum provider for virtual schools in Alaska, California, Colorado, Florida, Idaho, Ohio, Pennsylvania, and Wisconsin.

Changing three days

The House Education Policy Committee Feb. 18 approved a bill that would allow school districts flexibility to use three days of the school calendar year currently state-mandated for teacher training or instruction linked to the Profile of Learning.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF347 would remove the state mandate passed in 2000 for implementing the profile, and would give local school boards flexibility

in using the three days. School boards could use the days for instruction, staff development, or parent-teacher conferences, for example. The bill would be effective for the 2003-04 school year.

According to the Department of Children, Families and Learning, local boards of education establish the length of the school year and have flexibility to determine the number of student instruction days, as long as instruction days match what school boards adopted for the 1996-97 school year. The number of school days will vary by school district, depending on weather considerations, number of negotiated days for teacher training and staff development, and other factors.

The committee approved the bill the day after the House passed a bill repealing the Profile of Learning. HF347 now moves to the House floor.

The bill currently has no Senate companion.

ELECTIONS

Campaign sign ordinances

During last fall's campaign, Rep. Peter Adolphson (R-Minnetonka) was informed that several Eden Prairie residents had complained that he had more than one sign on a residents' property.

Current law states that municipalities can enact an ordinance regulating the size of non-commercial signs, but statutes say nothing about the number of signs. At the time Adolphson said the cities of Eden Prairie and Minnetonka interpreted the law to also mean one sign per candidate.

To rectify any further confusion, Adolphson is sponsoring HF307 that amends current law so that noncommercial signs of any size and in any number can be posted from Aug. 1 of a general election year until 10 days after Election Day.

The bill was approved Feb. 18 by the House Governmental Operations and Veterans Affairs Policy Committee and referred to the full House.

Rep. Keith Ellison (DFL-Mpls) asked Adolphson if there was any motivation behind the city removing his signs. Adolphson responded no, saying he thought the city's interpretation of the law had to do with aesthetics rather than political motivations.

The state Legislature typically allows municipalities to solve problems such as this locally, said Rep. Loren Solberg (DFL-Grand Rapids). Adolphson said he had spoken with city officials, and the municipalities had no problems with the bill.

The bill has no Senate companion.

EMPLOYMENT



Domestic partner benefits

A House committee approved a bill Feb. 17 that would eliminate the same-sex domestic partner health insurance benefits extended in union contracts negotiated in 2001.

Sponsored by House Speaker Steve Sviggum (R-Kenyon), HF330 was approved by the House Governmental and Veterans Affairs Policy Committee and referred to the House Higher Education Finance Committee. A companion bill (SF293), sponsored by Senate Majority Leader John Hottinger (DFL-St. Peter), was approved by the Senate State and Local Government Operations Committee and referred to the Senate Finance Committee.

Because the Legislature did not reach agreement to ratify contracts governing the state's two largest employee unions — Minnesota Association of Professional Employees and the American Federation of State, County, and Municipal Employees Council 6 — the state and the unions agreed to use employee benefits defined under the previously agreed-upon plan, which included same-sex partner benefits for health insurance



PHOTO BY ANDREW VON BANK

Russ Stanton, director of government relations for the Inter-Faculty Organization that serves and promotes faculty of Minnesota state universities, testifies Feb. 17 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would ratify state employee labor agreements and compensation plans without provisions for same-sex domestic partner benefits.

and certain leave provisions. Now for those to remain in effect, the Legislature must ratify the contracts this session.

Sviggum said the benefits for same-sex partners could be viewed as discriminatory, noting that a man and woman who are unmarried and living together, so-called domestic partners, cannot take advantage of a benefit plan like same-sex couples do under the current contracts.

Rep. Keith Ellison (DFL-Mpls) questioned Sviggum as to why he didn't want to include the benefits in the bill. Sviggum said although he respects those with different views, "sometimes there is a right and wrong in life." Sviggum also said Ellison could offer an amendment to the bill if he chose.

Mark Iezek, who works for the Department of Administration, and his partner, Strom Burger, testified against the plan. Iezek said that by not offering the benefit the state is showing that it values some employees more than others.

Equating the policy to "on-the-job discrimination," Burger explained how his partner took time off for the death of his father, but by making him use vacation time instead of accumulated bereavement leave, the state was cheapening the partner's relationship with his father.

Several groups testified in favor of the bill.

Speaking on behalf of the Minnesota Nurses Association, Susan Stout said the organization had been waiting 18 months for a contract and favors the Legislature's ratification of the contracts. She was concerned nurses would leave state service in a time of shortages if pay increases did not occur, per the contract.

Russ Stanton, director of government relations for the Inter-Faculty Organization that serves and promotes faculty of Minnesota state universities, said the organization doesn't disagree with same-sex benefits, but that many employees will not receive their pay raises and individual retirement plans could be affected if a contract is not ratified.

Agency merger moving ahead

In a move to save money and synchronize workforce development, economic development, and higher education, Gov. Tim Pawlenty is moving forward with a merger of two state agencies.

A 2001 law mandates the merger of the Department of Trade and Economic Development (DTED) and the Department of Economic Security (DES). The departments are to combine by July 1, 2003.

The Feb. 18 release of the governor's budget recommendations confirmed the merger was indeed moving forward. It was the first solid indication that the governor supports the

merger, proposed by former Gov. Jesse Ventura.

The new agency would have a budget of \$737.7 million for 2004-05, according to a letter from Trade and Economic Development Commissioner Matt Kramer and Economic Security Deputy Commissioner Harry Mares. However, this includes federal funds, some of which support the state's unemployment insurance system. The state appropriation alone is slated at \$109.5 million, according to the Department of Finance, reflecting both the proposed merger and a \$24 million cut.

The House Jobs and Economic Development Finance Committee heard the budget related to the merger at its Feb. 19 hearing. The committee also recently reviewed a 2002 report discussing the merger. It proposes that the combined agency be called the Workforce and Economic Development Department, or WEDD.

The 2001 law mandating the merger said that no classified service employee should suffer job loss from the reorganization. Non-classified employee numbers may be reduced, however, through layoffs and attrition, said Morris Anderson, manager of the team that prepared the report.

However, cost savings were not the first aim, Anderson said. The priority was to coordinate policy and planning between workforce development, education and training, and economic development – the engines fueling the state's economy.

Strong strategic vision and policy structure are lacking in the workforce and economic development areas, Anderson said. No one had been looking at the connection comprehensively, he added.

"No one really owns the current structure outside the government itself."

The Trade and Economic Development Department is the state's principal economic development agency, with programs promoting business expansion and retention, workforce development, international trade, community development, and tourism. The Department of Economic Security provides programs and services that foster economic independence, including the Minnesota Job Bank and Minnesota WorkForce Centers.

Job losses outlined

Only five years ago Minnesota had the lowest unemployment rate in the nation.

Today, matters are vastly different.

"If you're looking at numbers (only), this is the worst job market in 20 years," said Jay Mousa, director of research and statistics for the Minnesota Department of Economic Se-

curity, which oversees unemployment insurance and certain workforce services. His remarks came Feb. 18 before the House Jobs and Economic Development Finance Committee.

From the state's peak employment level in February 2001 through December 2002, the state lost 61,000 jobs, Mousa said. They were part of the 2 million jobs lost throughout the nation during the same period.

The total annual level of new unemployment benefits claims was higher in 2001 than at any time since the 1982 recession, with a 50 percent increase over 2000, Mousa said.

Particularly hard hit in Minnesota was the manufacturing sector, which lost 38,000 jobs between its peak employment in August 2000 and August 2002. This is for the simple reason that Minnesota has a large manufacturing base, Mousa said. Manufacturing represents 15 percent of the state's non-farm jobs.

Job losses came largely in industrial machinery and equipment, electronic equipment, and printing and publishing. Impacts on air transportation from the Sept. 11, 2001 terrorist attacks were also significant in Minnesota, due in part to the fact that Northwest Airlines headquarters are located in the state.

Minnesota isn't suffering alone in the upper Midwest. Iowa, South Dakota, and Wisconsin also experienced manufacturing job losses between 2000 and 2002. North Dakota was the only neighboring state to have gained in this sector, and that gain was slight, according to department statistics.

"Manufacturing jobs continue to hemorrhage and there is no sign of healing," Mousa said.

The health services sector is one of the very few bright spots, he added. Despite the recession, about 3,500 jobs were added in Minnesota in 2002.

Mousa said officials expect the state will again see a job market so strong that a labor shortage will occur. However, that won't be until the second half of this decade. Much of the growth will occur in jobs requiring post-secondary education, he added.

★ ENERGY

Fighting against storage

If the Legislature approves more nuclear waste storage for the Prairie Island nuclear plant, the American Indian community on the island near Red Wing "will take every available action" to enforce its rights.

Xcel Energy officials have said they will shut down the plant in 2007 if additional storage casks for spent fuel rods are not approved by the Legislature.

The position on the Prairie Island Indian

Community Tribal Council's legal standing was explained to the House Regulated Industries Committee Feb. 19 by Council President Audrey Bennett and Marc Slonim, a Seattle-based attorney retained by the island's American Indian community.

A 21-page legal opinion the tribal council provided then Gov.-Elect Tim Pawlenty in December 2002 said legislative authorization for more storage casks "would be a direct and substantial violation of the rights of the Prairie Island Indian Community" under a 1994 contract between the state and Northern States Power Company (which later became Xcel Energy). That contract, part of a compromise bill the Legislature adopted to allow 17 storage casks for high-level nuclear waste "expressly names the Community as an intended third-party beneficiary with standing to enforce the agreement," according to the opinion.

"Should the state and Xcel renege upon their contractual commitment to us, we will take every available action to enforce our rights,"



PHOTO BY TOM OLMSCHIED

Audrey Bennett, right, tribal council president of the Prairie Island Native American Community, told the House Regulated Industries Committee Feb. 19 that her tribe would have veto power for additional nuclear dry casks storage at the Prairie Island nuclear power plant. Joining her at the hearing was Marc Slonim, an attorney retained by the community.

according to the council's letter to Pawlenty. A copy of the letter and the legal opinion by the council's attorney was provided to each committee member.

Slonim urged the committee to "take no action" on Xcel's request. "It's not right," he said. "It's not constitutional." That comment drew an angry reaction from Rep. Gregory Davids (R-Preston).

"Says who?" he asked Slonim, who replied, "That's our opinion." That led Davids to respond, "Who cares about your opinion?"

The contract that names the council as a third party beneficiary with legal standing has been questioned as to whether it bars a future Legislature from amending the 1994 state law restricting nuclear storage to 17 casks.

"You can argue if it's enforceable," said Bennett. "You cannot dispute the morality of failing to honor its intentions." She said no community in the country lives as close to a nuclear plant as the 300 tribal members of the Prairie Island reservation, yet they do not receive electric power from the plant. The plant's nuclear waste storage area is 600 yards away.

Bennett said the tribal council has been meeting with Xcel officials and will continue to do so. "We are open to working with Xcel and the state on a government-to-government basis to find common ground," Bennett said.

The committee took no action on the issue at the meeting.

Energy efficiency

As part of the Minnesota Energy and Security and Reliability Act passed in 2001, \$500,000 was allocated annually to the Administration and Commerce departments to increase the energy efficiency in specified state buildings.

Building design guidelines were due Jan. 15, and reviewed Feb. 19 by the House Capital Investment Committee.

The sustainable energy guidelines dictate the following:

- state buildings larger than 5,000 square feet must exceed existing energy code by at least 30 percent,
- state buildings must achieve the lowest possible lifetime costs for new buildings,
- the departments must encourage continual energy conservation improvements in new buildings, and
- structures must ensure good indoor air quality.

Using the guidelines, a comprehensive plan for maximizing electrical and thermal energy efficiency in the buildings is due by Jan. 15, 2004.

With the help of a consulting group, the

departments are compiling a list of buildings to examine. The list currently totals more than 7,500. Committee Chair Rep. Phil Krinkie (R-Shoreview) said he was surprised the number of buildings was so low. Janet Streff, a senior state program administration manager in the state Commerce Department, said the number is expected to rise once all buildings are identified.

Wes Chapman, state planning director in the Department of Administration, said the program attempts to save the state money in the long run, although it may take 10-15 years to do so because of the upfront energy improvement costs.

Krinkie expressed concern about the time frame saying private sector paybacks are usually more in the five-year range. Furthermore, he said that in general "the state does not save money, the state only spends money." Kath Ouska, an assistant commissioner with the Department of Administration, said the state plans to have a longer life expectancy in the buildings compared to many in the private sector.

★ GOVERNMENT

Television dollars

Public television stations cover about 98 percent of the state. While that number is not expected to drop in the upcoming biennium, the portion of their budgets they receive from the state likely will.

As part of his budget reduction plan, Gov. Tim Pawlenty has proposed reducing dollars for public television grants and equipment by \$984,000, a 25 percent decrease.

Representatives from public television told the House State Government Finance Committee Feb. 19 of its value to the state.

Public television in the Twin Cities receives about 1 percent of its budget from the state. Greater Minnesota stations receive between 10 percent and 20 percent of their budgets from the state.

Bill Strusinski, representing Friends of Public Television, said the state investment in public television has remained stagnant since fiscal year 2000 at \$2.05 million annually after being at \$2.4 million the two years before that. He said this is an issue, especially in Greater Minnesota, where state dollars are added to local contributions to create a total that can be matched by federal dollars.

Public television makes Minnesota a better place for all, said Jim Pagliarini, president of Twin Cities Public Television.

For example, he said the six Minnesota public television stations improve and support education. "One of every three hours of broadcast includes programs for children —

programs that have been proven to make a difference in a child's education by preparing kids to learn."

Pagliarini also noted that public television provides diverse programs for free, such as arts and culture, science, and documentaries. Also in that category is legislative-related programming ranging from town debates to *Almanac*, all designed to better inform state residents about issues affecting their lives.

"In many ways public television and public officials share a common mission," he said. "We each work in our own ways with communities and citizens to accomplish common goals and objectives in making Minnesota a better place for all."

They also sometimes work together since public television carries legislative coverage on two of those stations. However, the governor is recommending a \$126,000 reduction (15 percent) in money used to purchase airtime for legislative programming.

Barry LaGrave, director of House Public Information Services, said that he and Senate Media Services are "pretty confident" that the cut will not seriously impact "our ability to provide full gavel-to-gavel, legislative coverage to the citizens of Minnesota."

He said that the departments are trying to negotiate contracts for airtime at a lower price, and a reduction of broadcast hours and days may also be an option.

LaGrave also said that the governor's unallotment for the current fiscal year took away money that was to be used for airtime yet this session. As it now stands, legislative coverage will be off more than 30 cable systems in Greater Minnesota March 9, and six days later off Channel 17 in the Twin Cities metropolitan area.

Rep. Jim Rhodes (R-St. Louis Park) asked about other ways to raise funds, such as having a broadcast sponsor.

LaGrave said that option has been informally discussed, but he expressed concern that a sponsorship could influence coverage decisions.

Still, Rep. Bill Hass (R-Champlin), the committee chair, said the idea might be worth exploring. "These are tough times, but it is important that people be kept informed of what we are doing because what we do has an affect on their lives."

Impact information

A bill dealing with disclosure of costs associated with administrative rules has been changed again and will now be considered by the full House.

Sponsored by Rep. Marty Seifert

SOMBER NOTE



PHOTO BY KRISTINE LARSEN

Cassie Rulli, center, writes a message on the panel for her father, Michael, Feb. 19 at a tobacco memorial in the Capitol Rotunda. She was accompanied by her aunt Gina Rulli, left, and her grandmother Karen Rulli, right. Michael Rulli died last October of lung cancer at age 39. Gov. Tim Pawlenty proposed using about \$1 billion of tobacco endowment monies to help balance the 2004-05 biennial budget.

(R-Marshall), HF64 was approved by the House State Government Finance Committee Feb. 18, minus two amendments added in its initial committee hearing.

Current law requires that when a state agency proposes a rule change it must also prepare a Statement of Need and Reasonableness that includes the probable costs and who will bear such costs. HF64 would require the statement to include "the portion of total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals."

At the Jan. 21 House Governmental Operations and Veterans Affairs Policy Committee meeting, two amendments were added. One would require legislative approval if the aggregate costs to implement the rule are to exceed \$100 million in the first 10 years, and another would allow a local elected governing body to request the finance commissioner to prepare a local impact note on the rule.

Part of Seifert's concern for wanting the amendments removed was that the numbers offered in the amendment were arbitrarily picked during the meeting and he later felt uncomfortable with that. Motions to remove those portions were successful.

Additionally, a companion bill (SF61), sponsored by Sen. Don Betzold (DFL-Fridley), passed a committee without the amended House language and now awaits action by the full Senate.

HEALTH



Ensuring long-term care

When a woman at a local nursing home told Rep. Greg Davids (R-Preston) who her long-term care insurance provider was, he got worried. As the owner of an insurance company, Davids knew the woman's insurer was in danger of bankruptcy.

Under Minnesota law, when a health or life insurance company goes bankrupt, the state protects its clients by ensuring up to \$300,000 in claims under the Minnesota Life and Health Insurance Guarantee Association, but Davids said he was surprised to learn that long-term care is not explicitly covered under that protection. If the woman's company went bankrupt, he said, he worried she would lose her access to nursing care.

To remedy the situation, Davids is sponsoring a bill (HF51) that would clarify the definition of health insurance to include long-term care insurance for the purposes of protection under the guarantee association.

Even though only a small percentage of Minnesotans currently have long-term care insurance, Davids said they should be protected.

By law, all health and insurance companies doing business in the state must be members of the guarantee association. The association assesses its members to cover costs.

The House Health and Human Services Policy Committee unanimously approved the

bill Feb. 17, sending it to the House Commerce, Jobs, and Economic Development Policy Committee.

The bill has no Senate companion.

Adoption insurance

Families adopting children who receive state or federal adoption assistance would be given the choice to remain on the state medical assistance program or to participate in the state's prepaid medical assistance program, under a bill that received House committee approval Feb. 17.

Currently the human services commissioner can force people onto the prepaid medical assistance plan.

Sponsored by Rep. Marty Seifert (R-Marshall), HF151 would only affect children eligible for adoption assistance and medical assistance because of certain medical or rehabilitative needs.

Therese Langevin, an adoptive parent, told the House Health and Human Services Policy Committee that not having to switch medical assistance programs would make it easier for her son to continue seeing the same doctors he is used to.

Though Seifert said the Department of Human Services does not foresee increased costs to the state if the bill becomes law, the bill will next go before the Health and Human Services Finance Committee.

A Senate companion (SF396), sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits a committee hearing.

HIGHER EDUCATION



Student aid plan

Two members of Minnesota's business community are recommending that the state's grant program be funded differently.

Speaking before the House Higher Education Finance Committee Feb. 17, Bill Blazer, senior vice president for the Minnesota Chamber of Commerce, said more money should be directed to students instead of the institutions.

Blazer said one plan the Coalition of Minnesota Businesses, which includes the chamber and other trade organizations, has looked at would take roughly \$160 million allocated for the University of Minnesota and Minnesota State Colleges and Universities system (MnSCU) each biennium and redistribute about \$120 million of that to students through financial aid with a net savings of about \$40 million to the state's general fund.

"We need to invest more heavily in financial aid as we try to balance the budget," Blazer

said. "There is some savings here and in our judgment begins to point us more towards a financial aid system that funds higher education based on the needs of students better than we do today."

The committee took no action on the proposal.

"Going to college is one of the driving forces of our economy," said Duane Benson, executive director of the Minnesota Business Partnership Association. "The days of heavy lifting in large part are over. It is now a knowledge economy."

"The university could still receive its money, but it would be through tuition as opposed to money from the state," he added.

Rep. Denny McNamara (R-Hastings) asked how this proposal affects private schools because the money would not be cut from them, yet they could benefit with more students.

"Under current law there is a maximum amount a student can get and we would retain that structure," Blazer said. "Some of the early analysis we've seen shows that our proposal actually sends more dollars to the public sector institutions because their tuition is going to go up because those students will in effect qualify for more assistance."

Blazer said guiding principles for the group suggest that subsidies should be directed at the individuals as opposed to institutions and be based on a student's ability to pay. "We simply cannot continue to offer assistance to everybody."

Benson said that on average more than one-half of the students at the University of Minnesota and one-fifth of those at a MnSCU institution come from families making in excess of \$90,000 annually. "I think it is inappropriate to fund after a certain level."

Rep. John Dorn (DFL-Mankato) noted that families making larger amounts of money are also putting more into the general fund in taxes from which the institution's money comes, "so perhaps we may be being unfair in a different way given where the dollars come from."

★ HOUSING

Condemned property

Timelines regulating hearings for landlords whose rental property face condemnation would be relaxed slightly, under a bill approved Feb. 18.

Unanimously approved by the House Civil Law Committee, HF264 now moves to the House floor. Rep. Len Biernat (DFL-Mpls) is the sponsor.

The bill came at the behest of the City of Minneapolis, which recently finished a pilot project to improve compliance with the tenant remedy act by utilizing civil action prior to entering into criminal action against a landlord. The idea is to encourage landlords to

mitigate problems that could lead to condemnation so their tenants don't lose housing.

Only six properties were condemned due to lack of maintenance during the one-year project, said city attorney Erik Nilsson, down from 144 properties the year prior.

Nilsson indicated the city strives to rectify potential condemnation situations because tenants are forced to move from condemned rental units.

Current law requires that a hearing for the landlord be scheduled within five to 10 days of a housing violation notice. HF264 would allow between five and 30 days. Nilsson said the city requires additional timeline flexibility to better accommodate the procedures.

The city, the court system, and the county support the change, he added.

If passed into law, the extended hearing timeline would apply to all relevant situations throughout the state.

A Senate companion (SF230) is sponsored by Sen. Wesley Skoglund (DFL-Mpls). It awaits committee action.

JUVENILE SENTENCING



PHOTO BY ANDREW VON BANK

Heidi Green, project co-director with the Minnesota Supreme Court and State Court Administrator's office, presents a Supreme Court report evaluating extended jurisdiction juvenile sentencing options to the House Judiciary Policy and Finance Committee Feb. 18.

★ LOCAL GOVERNMENT

Aid reductions

With the state auditor calling for a 43 percent reduction in state aid to cities, the funding cuts to cities and counties in Gov. Tim Pawlenty's 2004-05 budget proposal were no surprise.

Pawlenty's proposal doesn't go as far as the state auditor's suggestion - it cuts city aid by 29 percent from previous funding forecasts and county aid by 20 percent. The House Taxes Committee reviewed the numbers Feb. 19 and 20.

According to the governor's proposal, cuts in city aid, as a percent of total city 2000 revenues, would average 3.8 percent in calendar year 2003 and 7.3 percent in 2004. The maximum cut to any one city would be 5 percent in 2003, and 9.5 percent in 2004. The total reduction amount is \$435 million.

The plan recommends that cities avoid raising local property taxes to account for the state funding loss, and instead suggests that city spending be reduced. However, cities could raise their property taxes through voter approval.

Cuts in county aid would average 1.6 percent in calendar year 2003 and 2.8 percent in 2004. The maximum cut to any one county could be 2 percent in 2003 and 3 percent in 2004, under Pawlenty's plan. The total reduction amount would be \$189.4 million.

Additionally, the governor would have city aid distributed in 2005 through a yet-to-be-developed formula that accounts for new needs and other factors. Likewise, the county aid programs would be replaced by a new formula, also based partly on need.

Total aid to cities under the governor's plan would total \$1.07 billion in 2004-05; aid to counties, \$722.8 million.

The city aid program was created as part of a 1971 property tax reform measure known as the "Minnesota Miracle" that attempted to provide aid based on differences in local governments' need. The system originally included aid for counties. Now county aid is distributed strictly through programs, such as Homestead Agricultural Credit Aid (HACA), Family Preservation Aid and the County Criminal Justice Aid.

Family preservation aid aims to reduce increased costs associated with removing children from their homes and placing them in special care. Criminal justice aid aims to reduce county reliance on local property taxes for county criminal justice and corrections programs.

The committee took no action on the plan at the meetings.

★ INSURANCE

Terrorism coverage

Insurance coverage against terrorism, which now is automatic on commercial property fire insurance policies, would be offered only for an additional fee under a bill that received committee support Feb. 13.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF267 was approved by the House Commerce, Jobs, and Economic Development Policy Committee and will be forwarded to the House floor.

As it stands now, federal law requires commercial property fire insurance policies to include acts of foreign terrorism, even if the policy expressly states that terrorism is not covered. The special terrorism measure, which was temporary, was invoked through the federal Terrorism Risk Insurance Act following the Sept. 11 terrorist attacks in 2001.

Under HF267, insurance companies would no longer be required to automatically provide terrorism coverage on fire insurance policies. Clients instead would be given the choice to purchase the additional coverage.

The bill applies only to commercial property; residential insurance is excluded.

Beverly Turner, a government affairs representative for the St. Paul Companies, said her firm supports the bill, as does the American Insurance Association and the Insurance Federation of Minnesota. Wilkin added that he has received bi-partisan support for the measure.

Sen. Linda Scheid (DFL-Brooklyn Park) is sponsoring a companion bill (SF176) in the Senate. It awaits a committee hearing.

★ RECREATION

Shooting range rights

Property rights and other protective measures for both new and existing shooting ranges would be laid out, under a bill approved Feb. 18 by a House committee.

Several members of the House Local Government and Metropolitan Affairs Committee, who voted to send HF327 to the House Civil Law Committee, said they did so reluctantly, citing concerns with the lack of definitions within the bill.

Sponsored by Rep. Tom Hackbarth (R-Cedar), the bill would prohibit towns, cities, and counties from limiting operations of shooting ranges that are functioning within generally accepted practices. It also governs when and how the state or local government may require a range to relocate or close; provides for the state or local government to create noise

buffers when development encroaches upon a range; sets prerequisites for taking action against a range for noise; and prohibits a range from being declared a nuisance.

There are about 375 shooting ranges in Minnesota.

Speaking in favor of the bill was Les Bensch, owner of Viking Valley Hunt Club in Ottertail County and a representative of the Minnesota Game Breeders Association, and attorney David Gross, representing the Minnesota Gun Owners Civil Rights Alliance and the Faribault Rifle and Pistol Club, Inc.

Minnesota is one of only five states that doesn't regulate shooting ranges, Bensch said. "It will force all of us to do a better job in management of the ranges."

Gross said the bill would protect ranges that are "under attack" from complaints and lawsuits resulting when cities and counties sometimes erroneously allow housing developments adjacent to ranges.

But several representatives and other lobbyists said the bill banishes property rights for all involved, save for the ranges themselves.

Rep. Keith Ellison (DFL-Mpls) questioned why the bill states that range operators and their consultants would be approached during the creation of a definition of generally accepted operation practices. Missing, he said, is mention of neighbors and townships.

Speaking against the bill were representatives from the Department of Natural Resources, the Association of Minnesota Counties, the League of Minnesota Cities, and the Minnesota Association of Townships.

Similar legislation was passed the House in 1999 and 2001, but stalled both times in the Senate.

The bill has no Senate companion.

★ SAFETY

Public safety cuts detailed

Base budgets for transportation-related activities in the Department of Public Safety will be reduced from initial estimates by \$2.6 million in the next biennium, according to budget documents presented to the House Transportation Finance Committee Feb. 19.

The department receives its funding from a number of sources, including the general fund, the trunk highway fund, and the highway user tax distribution fund, which collects license tab fee revenue. Reductions proposed in Gov. Tim Pawlenty's budget recommendations will largely be absorbed in three areas: administration and related services, driver and vehicle services, and the State Patrol.

Though the budget recommendations reflect

some reductions in anticipated spending, the overall department budget reflects a net increase from 2002-03 of nearly \$19 million. However, general fund spending for the department would be reduced by about \$1.6 million.

Commissioner Rich Stanek testified that the reductions would involve the elimination of eight full-time positions in divisions that support administration, such as responding to media requests, elimination of state fair costs, slowing of Web applications and information technology development, and shuffling of management duties in several public safety facilities.

In addition, the Driver and Vehicle Services division would lose between 14 and 18 full-time positions, which director Mary McCormack said are currently vacant. However, she said that certain performance goals, such as filling vehicle registration requests within seven to 10 days, will be difficult to meet at the new staffing levels.

In addition, the division is requesting an increase in title fees, which pay for the actual vehicle license plate. Officials testified that purchasing the technology to make the plates and other items has become more expensive. Currently, Minnesotans pay \$2 for a plate. The proposal is to raise that fee to \$3.

The Capitol Security force would be significantly reduced under the proposed budget, Stanek testified. The plan would eliminate coverage at the Capitol Complex in all but the State Capitol, the State Office Building, and the Judicial Center. Other agencies could contract services with the security force or with a private security company.

Col. Anne Beers, chief of the State Patrol, said the force already has one contract to provide security at all the complex parking ramps, and contracts with four agencies to provide security during business hours Monday through Friday at their primary office facilities.

Several members questioned whether the budget request affected the governor's security detail, much criticized during the Ventura administration.

Beers testified that the budget recommendations do not include a reduction to the governor's security, provided by the State Patrol. She said that while some security has been installed at the governor's personal residence, she doesn't expect it to cost as much as Gov. Ventura's security at his personal home did.

Pawlenty has chosen to live at his personal residence because his wife, a Dakota County judge, must live in the judicial district.

Stanek also noted that Pawlenty has been working longer hours, including events throughout the state that require additional security, than Gov. Ventura did.

The committee took no action on the proposal at the meeting.

★ TECHNOLOGY

Minnesota Technology phase out

State funding for a Greater Minnesota economic development group that fosters manufacturing and technology growth would be eliminated under the governor's proposed 2004-05 biennial budget, forcing Minnesota Technology Inc. to close shop and lay off 60 people.

Such was the message Minnesota Technology President Jacques Koppel delivered Feb. 18 to the House Jobs and Economic Development Finance Committee.

Minnesota Technology was given \$11.3 million in state funds in the 2002-03 biennium, but Gov. Tim Pawlenty's plan for the next biennium shows a zero appropriation.

"The governor's proposal is a total rejection of the work that about 60 individuals living and working in Greater Minnesota have made over the last several years in helping to build your communities and your companies," Koppel said. "We are really at a loss to understand where this is coming from."

A representative from the governor's office was invited to the meeting, but did not attend.

Koppel said eliminating state funding for Minnesota Technology doesn't make sense considering Pawlenty has emphasized the importance of the manufacturing industry, particularly in Greater Minnesota. "That's what we do," he added.

Minnesota Technology does not rely solely

on state dollars. But a \$2 million U.S. Department of Commerce appropriation requires a two-to-one match, or \$4 million in state funds, Koppel said. Losing state money means losing federal money.

"As efficient as we are, I can't squeeze water out of stones," he added.

The organization has just enough money to pay approximately \$1.5 million in severance pay in laying off its employees, said Koppel.

Minnesota Technology served 1,474 companies in 340 communities in the past two years, helping create high-wage jobs. Koppel said the state has received \$26.4 million in new sales and income tax revenues from its biennial appropriation to the non-profit that formed in 1991.

The organization provides expertise and tools to understand and enhance technology; delivers economic development services to communities, private entities and public officials; collects and disseminates data, and offers knowledge of and insight into Minnesota's technology sector.

Rep. Dan Dorman (R-Albert Lea) said Minnesota Technology has a good relationship with the businesses in his community, and called on them to testify about the funding cut.

★ TOURISM

Historic closures

Seven historic sites throughout the state would close and people could lose their jobs

under 2004-05 budget cuts proposed for the Minnesota Historical Society by Gov. Tim Pawlenty.

Sites that would close indefinitely as of July 1, 2003 are the James J. Hill House in St. Paul, Comstock House in Moorhead, Oliver H. Kelley Farm in Elk River, Historic Forestville near Preston, Fort Ridgely near Fairfax, and the Lower Sioux Agency near Redwood Falls. Additionally, Grand Mound near International Falls would not open in the spring of 2004 and would remain closed indefinitely.

Because the Forest History Center in Grand Rapids received a legislative appropriation for improvements only last year, it would close only for renovation. The renewed site would re-open in 2004 or 2005.

Unaffected are Split Rock Lighthouse at Two Harbors, the under-construction Mill City Museum in Minneapolis, and the Minnesota Historical Society's crown jewel – the Minnesota History Center in St. Paul. However, hours would be reduced three days a week at the history center and by 30 percent overall at the center library.

Director Nina Archabal told the House Jobs and Economic Development Finance Committee Feb. 19 that the society heard last year's public outcry to the proposed Fort Snelling closure. For this reason it will remain open.

The society considered four factors in choosing which sites would close: number of visitors per year, operating costs, geographic location, and recent improvements and investments made possible from state and private money.

Pawlenty's plan, if ultimately enacted, would reduce the historical society budget by 15 percent, or \$8.05 million, for the two-year period. The society recently also absorbed a \$1.06 million cut to its fiscal year 2003 budget.

Nearly 200 full- and part-time employees may be laid off, according to Archabal.

"I'm very concerned that when we come out the other end of this, whatever it is, that we have a historical organization that can do the work on behalf of the state's people that really needs to get done to make a foundation for the future," Archabal said.

The committee took no action on the presentation at the meeting.

★ TRANSPORTATION

Activity bus drivers

A bill that would extend a short-term provision regarding drivers of school activity buses received approval from the House Transportation Policy Committee Feb. 19.

HF259, sponsored by Rep. Bill Kuisle

VALUING STATE LANDS



PHOTO BY ANDREW VON BANK

James Skurla, left, and Dr. Curt Anderson, right, representing the University of Minnesota-Duluth School of Business and Economics, present a report on the physical inventory and valuation of state-owned lands within the Boundary Waters Canoe Area Wilderness to the House Environment and Natural Resources Policy Committee Feb. 13.

(R-Rochester), would remove the July 1, 2003 sunset date for a 2001 provision regarding who may drive school activity buses. Under the 2001 law, people with class D driver's licenses may drive the special vehicles without a commercial driver's license endorsement under certain criteria.

Those criteria include that they must only drive the vehicles to and from an activity, not operate a bus route, they must pass a background check, they must not have committed certain driving offenses including drunken driving, and must have certified they met the requirements.

The law was initially brought as a way to accommodate coaches, daycare center teachers, and others who had occasion to transport students to and from activities, such as games or field trips, but were not certified as commercial drivers. Generally, a person must have a commercial driver's license to operate the special vehicles, including small buses, 15-passenger vans, and other 10+ passenger vehicles.

The bill was amended in the committee to accommodate two driver-related concerns. The first amendment addressed items inadvertently omitted during discussions in 2001.

State Patrol Capt. Brian Erickson testified that the law included child-care providers in the group allowed to operate the vehicles without commercial licenses, but did not include those daycare drivers under the safety provisions that drivers were required to meet.

An additional amendment, offered by Rep. Dan Larson (DFL-Bloomington), would require drivers of special activity vehicles to meet the requirements that all other school bus drivers are required to meet with regard to criminal backgrounds, particularly certain sex offenses and drug offenses that might not appear on a criminal background check.

Rep. Margaret Anderson Kelliher (DFL-Mpls) spoke in favor of the amendment, saying her son's bus driver at school was recently charged with molesting a child on the bus route and without the specific prohibitions, that bus driver could potentially obtain a position driving a daycare center's activity bus.

The bill now moves to the full House. Its Senate companion (SF314), sponsored by Sen. David Gaither (R-Plymouth), awaits a committee hearing.

Extending special vehicle life

A bill that would extend the legal life of certain special transportation vehicles was approved Feb. 19 by the House Transportation Finance Committee.

The bill (HF348), sponsored by Rep. Tony Kielkucki (R-Lester Prairie), would extend the

usable life for special transportation vehicles from 10 years to 12 years. It now moves to the full House.

The vehicles in question include passenger cars, station wagons, vans, and small buses, generally intended to carry 10 or fewer people including the driver. These vehicles may be used for student transport, but are often maintained by districts to send groups of teachers or small groups to seminars or special events.

Under current law, the life of the vehicle is limited to 10 years, regardless of condition. Kielkucki said the extension would allow districts some flexibility to continue using vehicles that are in good condition and have low miles, though they may be older.

"You can have a vehicle that's 12 years old that's much more road-worthy than a vehicle that's 2 years old," Kielkucki said.

He suggested that a different standard might be a more useful gauge of the life of a car, such as mileage or other condition evaluation.

Several members were interested in discussing changes to the standard, including using mileage instead of years to determine age.

The bill has no Senate companion.

DOUBLE DUTY



PHOTO BY ANDREW VON BANK

Rep. Marty Seifert's fatherly duties extend into the House Governmental Operations and Veterans Affairs Policy Committee Feb. 18. Seifert thought that the committee would put his 6-month-old daughter Brittany to sleep, but it only made her hungry.

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

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The first step

Governor's budget recommendations increase overall spending, while erasing projected deficit and boosting budget reserve

By JEFF JONES

The major work of the 2003 legislative session got unofficially underway Feb. 18 when Gov. Tim Pawlenty handed lawmakers a sweeping budget proposal that on one hand represents the state's largest budget and on the other eliminates the state's largest-ever projected deficit.

Keeping good on a promise not to raise taxes, Pawlenty and Finance Commissioner Dan McElroy presented a budget plan for fiscal years 2004-05 that would raise K-12 education spending, use the state's tobacco endowment, freeze wages for public employees, cut funding for most state agencies and programs, and dramatically change the way the state gives aid to local governments.

The cuts represent an overall reduction in anticipated base budgets for the various functions paid for by the state's general fund.

Standing under a sign that read "Tough Choices Today for a Better Future Tomorrow," Pawlenty called the difficult decisions his administration has had to make "no different" than the sacrifices that families, businesses, organizations, and institutions across the state are having to make in the midst of a poor economy, massive layoffs, and fears of terrorism at home and war abroad. "Now it's just the government's turn," he said.

Weighing in at \$28.1 billion, the proposed general fund budget represents a 3.8 percent, or \$1 billion, spending increase over the current biennium that ends June 30.

During the past 10 years, Pawlenty said, state spending has risen by about a 13 percent biennial average, with enough tax income to sustain that growth. Pawlenty called such increases, achieved in the economic boom years of the 1990s, part of an "economic mirage."

"The economy of the mid- and late-1990s caused state policymakers, including me, to

make decisions based on the economic projections of those times and of those years. And that has deflated. It has popped. It has burst," said Pawlenty, who spent 10 years in the Minnesota House of Representatives.

Projections released last November predicted a 14.3 percent state spending increase for the next biennium but only a 6.6 percent increase in revenues, contributing to projections of an unprecedented \$4.2 billion deficit. Under the Minnesota Constitution, the state's general fund cannot be in deficit at the end of a fiscal year.

A campaign promise not to raise taxes meant that Pawlenty has had to reconcile the bulk of that deficit through significant cuts in spending, though some accounting shifts and fee hikes are also part of his proposal.

Budget nuts and bolts

The governor pledged to spare public school classrooms from the cuts. Because K-12 Education was projected to account for nearly 40 percent of general fund expenditures, that promise rendered untouchable the largest piece of the spending pie. Because of cuts to other areas of government, K-12 education makes up about 43.5 percent of the proposed 2004-05 budget.

The largest savings, nearly one-third of the

governor's plan, would come from cuts to health and human services programs. They include consolidating the General Assistance Medical Care program with the state's MinnesotaCare program, adding or increasing fees and co-payments for some health services, and lowering reimbursement rates to doctors and hospitals. Tighter proposed eligibility requirements would affect thousands of low-income Minnesotans who receive state subsidized health care, forcing them to pay higher premiums or leave the program entirely. New welfare rules would be aimed at discouraging pregnancy by eliminating increased cash benefits for additional children.

The plan would change the way aid is distributed to city and county governments, cutting the overall amount of such spending by 28.8 percent for cities and 20.1 percent for counties from the current biennium. It would also limit those governments' ability to raise property taxes to compensate for losses in state funding. Governments that have been able to keep spending in check over the past three years would be rewarded with smaller cuts.

Funding for higher education would make up 9 percent of general fund spending under the plan, after 15 percent and 10 percent cuts to the University of Minnesota and Minnesota State Colleges and Universities system, respectively. However, the state schools would be limited in how they can compensate for the cuts because of a proposed 15 percent limit on tuition hikes.

The plan would also favor distributing state grant funds for higher education to individuals rather than institutions by giving a \$60 million increase to the Higher Education Services Office for state grants that provide student financial aid.

The budget proposal also includes a two-year wage freeze for public employees, from state workers to local government employees and public school teachers. Pawlenty said the freeze would help ensure public wages are not "out of sync" with the private sector and also help prevent layoffs. "We have a situation where if the wage freeze is not enacted by the Legislature, we'll see the net effect being fewer government employees paid higher, trying to do more with less," he said.

Other cost-saving measures in the proposed budget include:

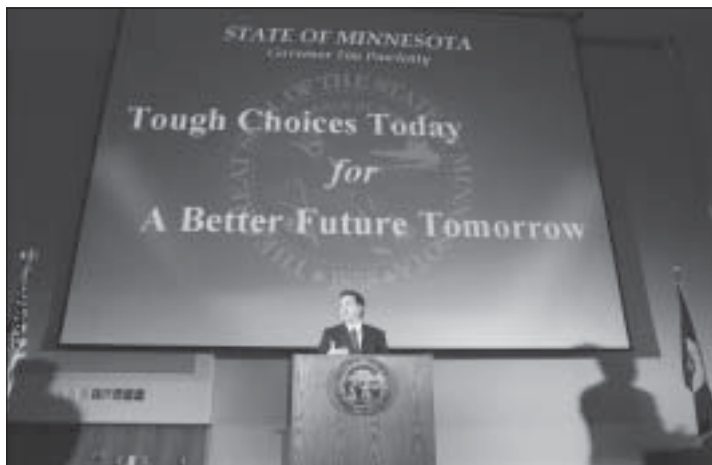


PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty delivered his budget proposals for 2004-05 on Feb. 18 at the Harold Stassen Revenue Building.

- a 15 percent reduction for the governor's and other constitutional offices and the Legislature;
- a 20 percent budget reduction for minority services offices — including the Council on Black Minnesotans, the Council on Asian Pacific Minnesotans, the Indian Affairs Council and the Council for Chicano/Latino Affairs — that provide services and act as governmental liaisons for minority communities;
- reducing subsidies to ethanol producers;
- increasing prison capacity by double-bunking prisoners at some state prisons;
- reducing funding for courts and public defenders; and
- a 25 percent cut in state funding to public television and 35 percent cut for Minnesota Public Radio.

Fund transfers, aid reductions

While spending cuts account for \$2.9 billion of the budget-balancing plan, another \$1.6 billion would be reaped by emptying other funds into the general fund.

The largest of these transfers involves more than \$1 billion from the state's tobacco endowment funds, which would all be transferred for general fund purposes under the proposal. Pawlenty said some public health programs the endowment finances would instead receive funding from portions of the state cigarette tax.

Money from the Health Care Access Fund, which funds the MinnesotaCare program, would also be transferred to the general fund.

When all the proposed transfers and spending reductions are taken together, they would erase the projected deficit and produce a \$500 million budget reserve. Pawlenty said that surplus is an important part of his plan.

"We need to have proper reserves so that we can manage unexpected crises in the coming months and years," he said. "We need to have reserves so that bond houses will understand and see that we are serious and are undertaking prudent measures to have some cushions in place."

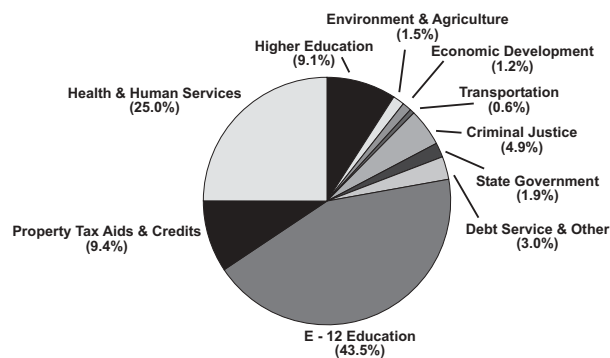
Legislators react

House Republican leaders said the governor has laid out a good roadmap for the Legislature to follow. House Speaker Steve Sviggum (R-Kenyon) challenged critics of the plan to offer one of their own, or explain what taxes they would raise.

DFL leaders said they needed time to study the plan, but their immediate concerns

Proposed General Fund Spending


\$28.1 Billion



Source: Gov. Pawlenty's 2004-05 Budget proposal

stemmed from the proposed cuts to local government aid and to special education.

Referring to Pawlenty's no-tax pledge, House Minority Leader Matt Entenza (DFL-St. Paul), said, "The rhetoric is not matching reality." Cuts to local government aid, he said, would simply pass the burden on to property owners in the form of higher property taxes.

Some House and Senate committees began hearing detailed overviews of the governor's plan Feb. 19. The 2003 Legislature must establish the budget prior to the start of the fiscal year July 1. The regular session must end by May 19, as prescribed in the state constitution. 

Not alone

Statistical analyses show that many states are dealing with significant budget shortfalls

House members recently weighed comparisons of Minnesota's budget woes to other states and found that it's near the top in state spending per capita. And despite the projected deficit, it still collects large amounts of revenue. The budget deficit also ranks in the top 15 according to several sources.

Earlier this month the National Conference of State Legislatures (NCSL) released a state budget survey and determined that state budgets "are under siege." The survey attributes the faltering economy to the decline in the stock market, contractions in manufacturing and high-tech sectors, and soaring health care costs.

NCSL officials presented the statistics to the House Ways and Means Committee Feb. 12 and 13. Committee Chair Rep. Jim Knoblach (R-St. Cloud) said the purpose of the meetings was to give members a national perspective as they prepare for budget deliberations.

Another source of state statistics examined was the Governing 2002 State and Local Sourcebook. That analysis shows that the state collects nearly as much revenue as it spends because Minnesotans have higher incomes and therefore pay more income tax than workers in other states. Minnesota ranks sixth in total spending measured per capita. When compared to the percentage of personal income, Minnesota comes in at 24. Wisconsin ranked 20th.

The committee also examined Minnesota's budget gap compared with other states. In 2003 the deficit totaled \$356 million, which is 2.5 percent of the state's general fund budget. The 2004 numbers stand at a little more than \$2 billion, which is a jump to 15 percent of the general fund budget.

To remedy the deficit, 29 states have imposed across-the-board budget cuts, Medicaid spending has been cut in 13 states, higher education in 12, and nine states have cut elementary and secondary education and corrections spending, according to the NCSL survey. The number of states that have eliminated state employee travel and have enacted state employee layoffs is both at nine.

NCSL says there's no definite way to measure taxing in states. Some of the key figures to keep in mind are wealth in the state, demographics, and state-local taxes combined, compared to state taxes alone.

The Governing Sourcebook measures the total revenue states bring in by combining state and local taxes. Minnesota comes in fourth when comparing those figures with percentage of personal income. Wisconsin ranks third.

The sourcebook's welfare figures include many health and human services areas such as Medicaid and nursing homes, in addition to the insurance programs for low-income residents

and other social service programs that provide assistance to low-income individuals. The analysis shows that Minnesota ranks second per capita in welfare spending, and seventh in spending as a percentage of personal income.

Rep. Fran Bradley (R-Rochester), who chairs the House Health and Human Services Finance Committee, pointed out a drop in state welfare recipients by nearly 40 percent since 1993. He said there's still going to be great pressure in health and human services spending when solving the budget deficit.

Rep. Loren Solberg (DFL-Grand Rapids) said Minnesota has higher standards for nursing homes compared to other states, and the legislators need to remember that when budget cutting.

The NCSL survey shows the state's public safety rankings as a percentage of local and state spending is low at 44th overall. Nevada is ranked number one.

When examining the state's prison population, Knoblach said Minnesota ranks low because of more community involvement rather than jail time. Rep. Neva Walker (DFL-Mpls) said although the prison population is small, the state ranks in the top five in number of African-Americans behind bars.

(P. JANOVEC)

Development booster

Minerals fund created in 1998 to stimulate stagnant mining economy in northern Minnesota

By MIRANDA BRYANT

Mining and minerals have been an integral part of Minnesota's history since iron ore was discovered in its northeastern reaches in 1865. Today the state is the top producer of iron ore in the country.

The state has provided financial incentives over the years to encourage mineral development. And now the governor is mining that same financial deposit to balance its 2003 budget.

Gov. Tim Pawlenty recently took \$49 million from the Minnesota Minerals 21st Century Fund to help balance a \$356 million statewide shortfall. Iron Range legislators have indicated the remaining \$10 million is not enough to support proposed ventures that will help create jobs in a hurting economy. A few have been angry enough to threaten legal action.

But just what is the fund and how is its money spent?

In simple terms, it is a special venture capital reserve that provides loans and investments to start-up iron ore production facilities, as well as firms expanding into the mining of copper, nickel, zinc, platinum, gold, and palladium. Initially, the Legislature appropriated \$10 million from bonding proceeds in 1998 to create the fund. All told, the fund has been directly appropriated \$60 million since its creation, plus \$20 million contributed by the Iron Range Resources and Rehabilitation Agency (IRRRRA). The state's portion of the fund is administered by the state Department of Trade and Economic Development (DTED).

To date, only one enterprise has been given money from the fund. Mesabi Nugget LLC received \$16 million one year ago to build a demonstration plant for processing of high-purity iron nuggets from iron ore.

Expected to employ 28 people, the pilot plant is being built at the Northshore Mining taconite plant in Silver Bay. If proven effective, Mesabi Nugget will construct a commercial plant that aims to produce 800,000 tons a year by 2006. By 2009 the plant could directly employ 600 people and indirectly employ 1,200 people.

Brian Hiti, commissioner of the IRRRA, said Feb. 13 that the construction timeline and budget are being met.

"We are hoping to see iron nuggets coming off the line in June," Hiti said.

Two other companies are also looking to the reserves of the mineral fund, though it's clear that granting one firm's financial request would empty the fund.

Teck Cominco American Inc. is seeking \$20 million to develop a mine that could eventually employ thousands. Still in the feasibility stage, what is being called the Mesaba project also includes a prototype plant that if proven successful would be followed by a larger full-scale operation.

The mine would be built at a copper-nickel reserve near Babbitt. Copper ore would be transported by rail for processing into a concentrate at the former LTV Steel Mining Company plant in Hoyt Lakes, which closed in 2001.

"Out of the ashes of a closed mining company we might see emerge a totally new mineral that could provide quality jobs for the next 30 to 40 years, and a significant number of them," Hiti said.

Construction would employ 1,500 people for about two years. Once completed, the plant would directly employ 1,000 to 1,200 people for at least 30 years, said IRRRA officials, with a payroll exceeding \$73 million annually. An additional 1,000 people would be indirectly employed.

The prototype plant, expected to handle 10,000 tons of copper a year, would take 3.5 years to bring on-line. A full-scale operation would be built in 2007 to handle 120,000 tons a year. According to IRRRA, the Mesaba project would make Minnesota the third largest state producer of copper metal, and the primary producer of nickel and cobalt metal in the United States.

John Key, the project's general manager, told the House Jobs and Economic Development Finance Committee Feb. 4 that a serious re-examination of the project would ensue if the state did not provide support through the mineral fund.

"I'm not saying it's impossible, but it's going to be tough," he said.

The second enterprise hoping to gain mineral funds is Minnesota Iron and Steel, which proposes to purchase an existing plant in the Hibbing area to produce automotive-quality steel coils. The plant would directly employ 1,000 and indirectly employ 3,000.

Hiti indicated the project has stalled while the company restructures and waits for the market to recover.

Pawlenty's budget recommendations did not address the minerals account at all – it contained no other plans to use remaining money in the fund or any plans to add funds to it in the coming biennium.



PHOTO BY TOM OLMSCHIED

The Minnesota Minerals 21st Century Fund was initially formed in 1998 as a way to stimulate development on the Iron Range in northeastern Minnesota. Though funds were recently used to help balance the 2003 budget, remaining funds are being considered for several projects, including one to redevelop the former LTV steel plant in Hoyt Lakes, pictured here.

Gubernatorial tradition

Budget addresses became regular part of governor's duties less than 100 years ago, but continue to be a policy forum

By MICHELLE KIBIGER

When Gov. Tim Pawlenty delivered his budget recommendations Feb. 18 in the states Harold Stassen Revenue Building, he was following in the footsteps of many governors before him. However, the mode and tenor of budget addresses have changed dramatically over the years.

Early in the days of Minnesota government, governors delivered only one address to the Legislature every two years – typically to inform lawmakers of the state of the state, though not formally called that initially.

As time passed, however, this changed. In fact, Gov. J.A.O. Preus specifically noted that the speech he delivered in January 1923 was merely satisfying a legal requirement. He cited a specific state law, and he said he would stick to it.

“You will observe that I have not made definite recommendations as to what should be done in many cases,” Preus said in delivering the state’s biennial budget. “This is not required under (state law).”

The address Preus gave was Spartan, sticking only to the specific details of the budget and being careful not to add too much opinion. He addressed that later in the speech.

“I have not construed this language to mean the governor, who must necessarily approve or disapprove all appropriations made by the Legislature should, before the Legislature gives consideration to appropriations, go on record in all cases as to what his future actions may be.”

Gov. Edward Thye followed a similar style for his speeches – sticking to the specifics of the budget and giving very few specific

opinions. He delivered one speech during the last days of World War II in January 1945 that suggested the state would have to stay on course through the end of the war, and then would hopefully have more means to improve state services.

He did advocate strongly for one thing, though – increasing salaries for civil service employees. “The budget provides funds for salary increases for those of our employees who have earned or will earn merit increases under our civil services rules during the next two years. This I feel to be the most essential, as most departments are working extremely short-handed.”

Thye had seen firsthand the public service tradition established by Gov. Harold Stassen, who resigned in 1942 to serve in World War II – Thye took over as governor when Stassen stepped aside.

Through the second half of the 20th century, governor’s budget addresses and accompanying documents became progressively longer with many more policy priorities.

But war was again on the minds of Minnesotans when Gov. Luther Youngdahl delivered his budget in January 1951. He spoke often of the emerging need to spend state funds on air raid shelters and the uncertainties of state and national defense as the country’s armed forces headed into the Korean conflict abroad. He also bemoaned the economic troubles that accompanied the impending war.

“In all the history of our state government, never has it been so difficult to prepare a budget for two years of governmental operation,” Youngdahl said. “We have been faced with growing needs in many of the services of the

state. Hovering over our heads, too, have been the prospects of the impending burdens, which the people will be asked to assume for civil defense and national security. Prices have been increasing from week to week, making it more and more difficult, both to finance our present services and to meet new needs.”

That year, the general fund budget was nearly \$160 million for 1952-53, up nearly \$30 million from the previous biennium. Youngdahl recommended increasing funds for old age assistance and mental health programs, among other things, and he also recommended raising ore taxes and beer taxes to cover the difference.

Four years later, Gov. Orville Freeman would recommend similar measures to keep up with the growing budget. But Freeman also expressed concern about a potential deficit facing the state at the end of the biennium that would affect the budget as a whole.

However, the economic outlook in those days was solid. Officials were not fearful that another recession would affect state revenues.

Freeman also utilized a new medium for delivering the message. It went out live over the radio and was rebroadcast on television.

In 1963, Gov. Elmer L. Andersen offered a budget with significant increases in education funding. Back then, education was funded through an “income tax school fund” and anticipated revenues were up. However, he was quick to point out that no new taxes were raised to accomplish that biennial budget.

Ten years later, Gov. Wendell Anderson presented a far more extensive budget than any governor had previously delivered. In more than 80 pages, Anderson detailed an aggressive public policy plan, highlighted by a plan to change how property taxes are calculated for individuals over 65. Concerned about the number of senior citizens on fixed incomes, he proposed freezing property values of a

Continued on page 27



Gov. J. O. A. Preus



Gov. Luther Youngdahl



Gov. Edward J. Thye



Gov. Orville L. Freeman



Gov. Wendell R. Anderson

Civic duty

After more than two decades in the Navy, Adolphson sees being a legislator as another chance to fulfill his patriotic duty

By JEFF JONES

Rep. Peter Adolphson's (R-Minnetonka) short-lived movie career was just a case of being in the right place at the right time. "I chal-



Rep. Peter Adolphson

lenge you to see me in any one of them," Adolphson says, laughing.

While serving on active duty in the U.S. Navy, two Hollywood films, *Top Gun* and *Flight of the Intruder*, were filmed aboard his aircraft carrier. "You're just in the

background when the camera goes by," he says.

Adolphson's political career started in much the same way. "An open seat popped up right where I live," he said of last year's redistricting plan. "The night the court released the new lines, I thought 'Wow, this is great. It's something I've always wanted to do.'" In the election he defeated two candidates named David Larson, one a DFLer, and another who ran with the Independence Party endorsement.

After 22 years in the Navy, including the last nine in the Naval Reserves, Adolphson sees becoming a legislator as just another way of doing his duty. "I think everyone should serve their country in some capacity, whether it's in the Peace Corps, Coast Guard, or going into the armed services. I think it's something we owe the country," he says.

Military service runs in the family for Adolphson. His father served 40 years in the Navy and Adolphson's brother and two sisters also joined. One wall of his new State Office Building office is covered with plaques and photographs commemorating his time in the service. Adolphson calls it his "I Love Me" wall.

After leaving active duty in 1993, Adolphson moved to Minnetonka, where he lives with his

wife, Kristin. Opposite the "I Love Me" wall is a bulletin board adorned with pictures of their four cats. Another reason Adolphson says he decided to run for office is because none of his four children are still at home.

Adolphson, who left active duty as a commander, says his experience as a military officer will help him fit in as a legislator. "(In the military) you learn a lot of good time management, a lot of budgeting skills, management skills, people skills," he said. "It gives me the ability to learn my job quickly. I don't know anywhere else in the world where you have a job and two-and-a-half to three years later you get transferred to a new job and you have to

"I think everyone should serve their country in some capacity, whether it's in the Peace Corps, Coast Guard, or going into the armed services. I think it's something we owe the country."

— Rep. Peter Adolphson

learn it right away."

As the only freshman representative on the powerful House Ways and Means Committee, he has had to learn the intricacies of the legislative process very quickly. Rep. Jim Knoblach (R-St. Cloud), the committee chair, said Adolphson expressed a strong desire to be on the committee and is well qualified for his position there. "Peter has a strong financial background and he's a strong contributor to the committee," Knoblach said. "It's always nice to have a first-term point of view."

Adolphson said being on the Ways and Means committee gives him a chance to see the big picture. "You get to see all the bills and you get to see the whole process, whereas if you're just stuck on one or two committees you're only seeing a slice of the pie."

Besides balancing the budget, his top

priority as a legislator is to improve Minnesota's transportation system, especially in the Twin Cities metropolitan area. He says he was inspired by the freeway system in southern California while stationed there. "(There) they don't even start a highway unless it's four lanes each way," he said.

"You can have the best metro system in the world," he added, "but if you can't get the product from outstate into the metro, you're just spinning your wheels...so to speak."

Adolphson said he walked in each of the 16 precincts of his district during his campaign. "I really enjoyed knocking on doors. It's fun. The first time you do it, you're fumbling at what to say, but then you develop a routine," he said. In addition to meeting his constituents, he said he lost about 15 pounds while campaigning.

Adolphson says he has voted in every election since he has been eligible to vote, but he was interested in politics long before that. "I was one of the few people in my class in fourth

grade, in our class poll, to vote for Richard Nixon. And he won!" he said.

DISTRICT 42A

2002 population: 36,923

Largest city: Minnetonka

County: Hennepin

Location: western Twin Cities suburbs

Top concern: "We're the only metropolitan area of this size in the country that has a two-lane each way highway system on major roads. Basically, time is money and the way our roads are right now, a lot of time is spent on the roads because they can't handle the capacity."

— Rep. Peter Adolphson

Trading places

Cornish, former lobbyist and conservation officer, hopes he can help link agriculture and environment concerns

By TOM LONERGAN

Rep. Tony Cornish (R-Good Thunder) is no stranger to the State Capitol's halls and committee rooms.



Rep. Tony Cornish

His 10 years as a lobbyist for the Minnesota Conservation Officers Association served as a legislative apprenticeship for the 51-year-old Vernon Center native. "It got into my blood," Cornish said.

Family occasions have also provided Cornish with opportunities to talk politics. He's an uncle of former first lady Terry Ventura, and brother-in-law of William Negaard, of Vernon Center, who unsuccessfully ran for the state Senate in the mid-1990s.

His election last November was close, with Cornish winning by 571 votes. He didn't get any advice from his niece's husband, former Gov. Jesse Ventura. In fact, according to Cornish, Ventura good-naturedly needled him last year during a chance meeting in Rochester. "He said, 'Tony, what in the heck are you doing running as a Republican?'"

Cornish's Jan. 6 retirement from the state ended 27 years in law enforcement — 22 as a Department of Natural Resources (DNR) conservation officer and five in local government.

"In that time I was hit in the mouth, bit in the leg, my clothes were torn off me, I was shot at twice, and a couple of guys in a bar put a contract out on me," Cornish said. "Looking back at that, I think I'm ready for the Legislature."

Although the budget deficit "outweighs all of the problems right now," Cornish said, he sees "changes I think I can make for the better." He was appointed to the committees he requested — Environment and Natural Resources Policy, Environment and Natural Resources Finance, Agriculture Policy, and State Government Finance. He's also an assistant majority whip.

His priority, Cornish said, will be to "weld together agriculture and environment" issues.

"I don't like it when people think farmers aren't environmentalists," he said. "We can mention both in the same sentence." Cornish tried farming for several years and now rents farmland.

Regarding agriculture, he said the state should support "sound management priorities and common sense environmental policies."

His rural district south of Mankato doesn't have a town bigger than 2,500 people, Cornish said. The gains enjoyed by the state's larger metropolitan areas in business and construction, he said, have led to a "vacating of small towns." Cornish said he'd like to even out those

"He's willing to jump right into issues and tackle problems," Ozment said. Cornish's "real life experience," Ozment added, is valuable in discussions about the impact of state laws. "He'll talk about what it's like in the field. He has a first-hand knowledge of what's happening out there."

An issue Cornish said he's been "dogging for nearly 30 years" is relaxing state restrictions on handgun possession. "I lobbied against the existing law," he said, which gives city police chiefs and county sheriffs broad discretion in handgun permit decisions. Cornish said the existing law puts too much control in the hands of local law enforcement officials. "They can tell you to buzz off," he said, without providing a reason for denying a permit. The House passed a so-called "concealed carry" bill during the 2001-02 legislative session, but the bill did not pass the Senate.

Off the job, Cornish said, he's a "resource user," pursuing hunting and fishing. He spent 30 nights last year camping in the woods. One

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— Rep. Tony Cornish

imbalances with more "aid for rural economic development."

Possibly the first state conservation officer elected to the Legislature, Cornish is now serving on committees with jurisdiction over his former employer, the DNR. "I'd like to ask for more conservation officers because they are spread so thin," Cornish said, "but the huge deficit prohibits that."

"I want to be known as a friend of the DNR, but not as a sole protector," he said. The state agency must improve communicating with the public, Cornish said, and explain its regulatory decisions. "It's not just a regulatory agency about what people can and can't do," he said.

Lobbyists who become legislators are "few and far between," said Rep. Dennis Ozment (R-Rosemount), chair of the House Environment and Natural Resources Finance committee. As former chair of the environment policy committee, he's worked with Cornish for several years.

winter recreation activity he'll lend support to in the House is promoting snowmobiling, which Cornish said helps the retail trade in his district's small towns.

DISTRICT 24B

2002 population: 36,658

Largest cities: Janesville, Lake Crystal, Wells

Counties: Blue Earth, Faribault, Waseca

Location: south-central Minnesota

Top concern: "State decisions in environment and agriculture policy directly affect my district. I want to mold agricultural and environmental issues into a working relationship."

— Rep. Tony Cornish

Looking for a repeat

After 9 years of helping his hometown on the city council, Latz looks for similar success in St. Paul

By JEFF JONES

Rep. Ron Latz (DFL-St. Louis Park) is going to miss his old job. After 9 years on the St. Louis Park City Council, he now has a seat in the Minnesota House of Representatives, but in many ways it just won't be the same.



Rep. Ron Latz

"We were a pretty close-knit group, probably even unique among city councils, but we all got along on a personal level quite well and our council meetings were rarely acrimonious," Latz said. "Here you can't get to know the entire Legislature quite so well."

Fellow council members proudly list the improvements Latz helped to make in St. Louis Park, from a new downtown to refurbished, affordable housing apartments to a new ice sheet and aquatic facility at the local recreation center. "He always took that long-term view of things," said councilmember Jim Brimeyer.

St. Louis Park Mayor Jeff Jacobs says Latz was instrumental in developing a series of neighborhood councils in the city that connected residents with their government, local businesses, and each other. "We do democracy the way they intended for it to be done when it was invented," Jacobs said.

The improvements in his home city are a source of pride for Latz, too. "In place after place after place, I can see the results of my work directly," he said, "and it's very gratifying to see the people of St. Louis Park enjoying the benefits of that."

It was talking with those people that made Latz want to run for a House seat. "I came across a lot of people who had questions about policy and about issues in the district that were affected not only by the city but by the state government policy," he said. "I felt that in order to address those interests, I could do that better in the state Legislature than I could on the city council."

Redistricting also helped him make the decision to run. District 44B now encompasses part of St. Louis Park, where Latz lives, and most of Golden Valley, where he grew up. Without an incumbent, he thought the new district was ideal for him.

Latz grew up in a family that placed a high value on public service and civil discourse. His father was a state representative from 1959 to 1967 and though he was quite young at the time, Latz says he can remember the old Ewald Dairy milk truck equipped with a loudspeaker that his father drove around town while campaigning. "I remember— even years after he was an elected official — our dinner table

to spend those limited resources, defining a mission, and figuring out some way of measuring what you produce and whether your goals are achieved."

Rep. Doug Meslow (R-White Bear Lake) has worked with Latz on court cases in the past and now sits with him on the House Higher Education Finance Committee. He says Latz's professionalism and integrity have carried into his work so far at the Capitol. "I see him using the same skills that I've seen him use effectively in court," Meslow said. "Those same skills have translated to his good work in the Legislature."

Latz says his primary concerns will be preserving funding for public schools and improving access to higher education. He would also like to see something done about the bottleneck on Highway 100 in St. Louis Park and take steps to protect the environment across the state.

"Ron is a global thinker," Mayor Jacobs said. "He knows that all that is good for St. Louis Park is not happening in a vacuum... it has to

"You still have to go through the process of not having unlimited resources, having to decide how to spend those limited resources, defining a mission, and figuring out some way of measuring what you produce and whether your goals are achieved."

— Rep. Ron Latz

conversations were about what was going on in the world around us," Latz says. "We talked about the university, we talked about local issues in Golden Valley, we talked about civil rights issues. And I saw that my parents went out and did something about those issues, too."

Latz's own two children, ages 4 and 17-months, will likely be noticing the same about their father. In addition to his law practice, Latz has served a variety of nonprofit organizations including the American Cancer Society, the Metropolitan Interfaith Council on Affordable Housing, and the Anti-Defamation League.

He says state government isn't all that different from working in the nonprofit community. "We're all constrained by tight budgets," he says. "The prioritizing will be the same. You still have to go through the process of not having unlimited resources, having to decide how

be part of a bigger plan. Ron is the kind of guy that will see the implications of his actions."

"I like politics for what it could do. And I like the process," Latz says. "I help people who need help. It's sort of my organizing philosophy."

DISTRICT 44B

Population: 36,939
Largest city: St. Louis Park
County: Hennepin
Location: western Twin Cities suburbs
Top concern: "Access to higher education for anyone who has the motivation and the ability to be there — it is the economic engine of the state, and it is the long term future of our economy."

— Rep. Ron Latz

Fighting for education

Wardlow hopes teaching experience will help in legislative efforts to improve things for those in the profession

By MIKE COOK

For someone who had never previously sought political office, Rep. Lynn Wardlow (R-Eagan) has some big shoes to fill.



Rep. Lynn Wardlow

The Republican replaces Gov. Tim Pawlenty as the representative for much of eastern and southern Eagan. "Thank God I didn't lose because he's now the governor," he said with a laugh at a New Member Orientation session.

Still Wardlow hopes to be as effective as his predecessor.

"He's smart, articulate, understands the issues, has a passion, and a tender heart for the common man," Wardlow said. "Just to come close to representing the district like he did is my goal."

And it's not as though Wardlow has not been involved politically, though this was his first time as a candidate.

Having helped U.S. Rep. John Kline on two campaigns, Wardlow was content to help out for a third time. Then he received a phone call from Rep. Tim Wilkin (R-Eagan) last February encouraging him to run.

"I was trying to help recruit a successor for (Pawlenty) and I was looking over a list of delegates and community activists and Lynn's name was there," Wilkin said. He also knew of Wardlow's teaching career, military background, and how he was well known to many residents. "When I called him, I don't think he had really thought about running. I could almost hear him fall off his chair," Wilkin said.

At the time of the call Wardlow said, "My wife, Sheryl, is laying on the couch asleep, but she kind of woke up and asked 'What was that all about?' I said that they want me to run for office. I remember her eyes got to about the size of silver dollars when she asked what I was

going to do. I had told Tim to 'Let me think about it and I'll call you back.'"

Wardlow said Wilkin later told him "I was so thankful to get a maybe."

"I think Lynn was at a perfect time in his life to run," Wilkin said, knowing that Wardlow was about to retire from teaching and he had an interest in politics. "I think he just needed a spark."

A decorated Marine Corps veteran, who spent 29 years fighting for his country, including 26 combat missions in Vietnam, Wardlow also got a push from his two sons, Jason, a Marine Corps pilot, and Doug, who is studying law at Georgetown University.

A mathematics instructor for more than 31 years, mostly at the middle-school level, Wardlow is all too aware of the issues facing today's educators. "I support teachers and will do what I can to help," he says. Before retiring in December, Wardlow was also a wrestling and football coach.

He said many teachers, including those who are not Republican, said they would vote for him because of his willingness to fight for them. "I always told them I would do my best to help them, but I couldn't make any promises."

Wardlow campaigned on local control, equitable school funding, the replacement of the Profile of Learning, and helping small businesses.

Serving on the House Education Finance and Education Policy committees gives Wardlow an opportunity to work on many of those issues. He also serves on the House Civil Law Committee.

Wardlow does not want to hurt people when

*"I support teachers and will do what I can to help. . . .
I always told them I would do my best to help
them, but I couldn't make any promises."*

— Rep. Lynn Wardlow

"They used to tell me 'Dad you should run for office,'" Wardlow said. "Doug told me 'Dad if you don't do it I'm going to come home and run for the seat,' and I said 'No, you're staying in school.'"

Once in the race, Wardlow found it tough to secure the party endorsement — needing nine rounds of balloting to do so. Yet, he won the general election with 52.6 percent of the vote. The race had four candidates, including the person he defeated for the Republican endorsement who ran as the Independence Party candidate.

Wardlow also got some help from Laura Bush. The First Lady appeared at an Eagan High School rally for U.S. Sen. Norm Coleman three days before the election, and an admittedly nervous Wardlow got to introduce her because of his belief in improving educational opportunities for all. "At the end of it I got a thundering standing ovation that felt really good," Wardlow said.

the Legislature deals with the deficit for the next biennium, but he said that he sadly knows his vote may likely do just that. "This is a tough decision to make. It'll be difficult, and it'll take a lot of talking and probably a lot of arguing."

DISTRICT 38B

2002 population: 36,661

Largest city: Eagan

County: Dakota

Location: southern Twin Cities metropolitan area

Top concern: "Education is my number one issue and number one and a half is civil law."

— Rep. Lynn Wardlow

Monday, Feb. 17

HF426—Kuisle (R)
Governmental Operations & Veterans Affairs Policy
Water quality assessment process rulemaking required.

HF427—Strachan (R)
Local Government & Metropolitan Affairs
Municipal fire aid apportionment population definition modified.

HF428—Blaine (R)
Local Government & Metropolitan Affairs
Cities authorized to collect unpaid emergency service charges by special assessment.

HF429—Severson (R)
Civil Law
Joint and several liability apportionment regulation provided.

HF430—Kelliher (DFL)
Jobs & Economic Development Finance
Minneapolis; Minnesota Planetarium funding provided, bonds issued, and money appropriated.

HF431—Meslow (R)
Judiciary Policy & Finance
Identity theft criminal penalties increased, and sentencing guidelines modified.

HF432—Meslow (R)
Judiciary Policy & Finance
First-degree murder definition modified relating to child abuse.

HF433—Strachan (R)
Governmental Operations & Veterans Affairs Policy
State and other governmental agency response deadline provisions modified relating to zoning.

HF434—Severson (R)
Taxes
Homesteads of persons at least age 65 valuation increase prohibited.

HF435—Paymar (DFL)
Taxes
St. Paul authorized to create multiple tax increment financing housing districts.

HF436—Holberg (R)
Health & Human Services Policy
Family planning grant funds use limited.

HF437—Bradley (R)
Health & Human Services Policy
Alternative quality assurance licensing system expanded, sunset eliminated, and money appropriated.

HF438—Lindner (R)
Commerce, Jobs & Economic Development
Interest rates on rental security deposits provided.

HF439—Urdahl (R)
Environment & Natural Resources Finance
State park and recreation area acquisition funding provided, bonds issued, and money appropriated.

HF440—Thissen (DFL)
Governmental Operations & Veterans Affairs Policy
Voter registration forms distributed to students who will be eligible to vote in upcoming elections.

HF441—Kohls (R)
Health & Human Services Policy
Carver County hospital construction moratorium exemption provided.

HF442—Wasiluk (DFL)
Commerce, Jobs & Economic Development Policy
Minimum wage increased.

HF443—Wasiluk (DFL)
Commerce, Jobs & Economic Development Policy
Employee invention agreements regulated.

HF444—Swenson (R)
Local Government & Metropolitan Affairs
Municipal contract judgment awarding of attorney fees authorized in certain cases.

HF445—Nelson, M. (DFL)
Environment & Natural Resources Policy
Youth deer license provisions modified to include archery.

HF446—Wardlow (R)
Commerce, Jobs & Economic Development Policy
Minors exempted from minimum age restrictions for work as youth athletic program referees.

HF447—Blaine (R)
Agriculture Policy
Farm land ownership restrictions modified.

HF448—Kuisle (R)
Higher Education Finance
University of Minnesota required to utilize a competitive grant process in order to obtain state funding.

HF449—Kuisle (R)
Higher Education Finance
Higher education grant eligibility modified.

HF450—Brod (R)
Transportation Policy
License plates; alternative E85 fuel special license plates authorized, and use of high-occupancy vehicle lanes authorized.

HF451—Seagren (R)
Education Policy
Alternative school district organization provided.

HF452—Seagren (R)
Education Policy
Charter school additional formation and sponsorship methods provided.

HF453—Meslow (R)
Civil Law
Uniform Parentage Act (2000) adopted.

HF454—Dill (DFL)
Environment & Natural Resources Policy
Lake County tax-forfeited land private sale authorized.

HF455—Fuller (R)
Governmental Operations & Veterans Affairs Policy
Sandy Lake Band of Mississippi Chippewa defined as a state-recognized Indian tribe.

HF456—Mullery (DFL)
Governmental Operations & Veterans Affairs Policy
Hennepin; Victory Memorial Drive designated as a historic district.

HF457—Holberg (R)
Civil Law
Family law *de facto* custodian provisions modified.

HF458—Abeler (R)
Health & Human Services Policy
Health plan prompt payment requirements modified.

HF459—Wagenius (DFL)
Regulated Industries
Public Utilities Commission required to establish fund for health costs associated with coal-fired power plants, and money appropriated.

HF460—Haas (R)
Transportation Finance
Highway 10 reconstruction funding provided, bonds issued, and money appropriated.

HF461—Pugh (DFL)
Taxes
Estate tax federal exemption amounts adopted.

HF462—Tingelstad (R)
Environment & Natural Resources Finance
Metropolitan parks system operation and maintenance funding provided, and money appropriated.

HF463—Pugh (DFL)
Judiciary Policy & Finance
Mail theft prohibited and venue for identity and mail theft prosecution provided.

HF464—Biernat (DFL)
Commerce, Jobs & Economic Development Policy
Consumer privacy, confidentiality, and secrecy of financial records protection provided, and consumer authorization required for disclosure of financial information.

HF465—Lesch (DFL)
Judiciary Policy & Finance
Postal inspector state arrest authority and indemnification granted under certain circumstances.

HF466—Lesch (DFL)
Judiciary Policy & Finance
Position of trust added to list of aggravating factors pertaining to identity theft sentencing guidelines.

HF467—Davnie (DFL)
Commerce, Jobs & Economic Development Policy
Credit card number listing on sales receipts prohibited.

HF468—Davnie (DFL)
Commerce, Jobs & Economic Development Policy
Social Security number use and display restricted.

HF469—Sieben (DFL)
Commerce, Jobs & Economic Development Policy
Credit card marketing practices pertaining to students prohibited in certain instances.

HF470—Murphy (DFL)
Commerce, Jobs & Economic Development Policy
Telecommunications consumer privacy act adopted.

HF471—Knoblach (R)
Governmental Operations & Veterans Affairs Policy
School district election primaries required.

HF472—Olson, M. (R)
Education Policy
School district opt-out procedures provided regarding certain state mandates.

HF473—Olson, M. (R)
Local Government & Metropolitan Affairs
Local government opt-out procedures provided regarding certain state mandates.

HF474—Olson, M. (R)
Governmental Operations & Veterans Affairs Policy
Missile defense system deployment requested by resolution of Congress.

HF475—Olson, M. (R)
Civil Law
Legal reform support urged through congressional resolution.

HF476—Olson, M. (R)
Education Policy
American heritage education in Minnesota public schools act adopted.

HF477—Olson, M. (R)
Transportation Policy
Minnesota regulated public transit utilities act established.

HF478—Dempsey (R)
Taxes
Red Wing tax increment financing districts extension authorized.

HF479—Ellison (DFL)
Jobs & Economic Development Finance
Minneapolis empowerment zone subproject funding provided for the Heritage Park project, North-South greenway, and other projects; bonds issued, and money appropriated.

Thursday, Feb. 20

HF480—Knoblach (R)
Civil Law
Job reference information disclosure protections provided, and schools required to disclose data relating to acts of violence or inappropriate sexual contact with students.

HF481—Meslow (R)
Transportation Finance
Rush Line corridor transitway funding provided, bonds issued, and money appropriated.

HF482—Lipman (R)
Civil Law
Medical malpractice judgment periodic payments required, jury instructions provided, and non-economic loss damages limited.

HF483—Anderson, I. (DFL)
Jobs & Economic Development Finance
Itasca County training and technology grant provided, bonds issued, and money provided.

HF484—Thissen (DFL)
Transportation Finance
Bloomington and Richfield I-494 expansion provided, bonds issued, and money appropriated.

HF485—Hilstrom (DFL)
Taxes
Local government aid formula modified.

HF486—Bernardy (DFL)
Taxes
Local government aid city aid base replaced with a per capita aid amount.

HF487—Severson (R)
Governmental Operations & Veterans Affairs Policy
Legislator and constitutional officer salaries decreased.

HF488—Kuisle (R)
Environment & Natural Resources Policy
Board of Soil and Water Resources and watershed district authority to require permits or approval for highway construction projects restricted.

HF489—Rhodes (R)
Governmental Operations & Veterans Affairs Policy
Statewide volunteer firefighter retirement plan task force created, and money appropriated.

HF490—Beard (R)
Transportation Policy
License plates; special "Proud to be a Veteran" license plates authorized for self-propelled recreational vehicles.

HF491—Samuelson (R)
Health & Human Services Policy
Nursing facility regulatory requirements and standards modified.

HF492—Huntley (DFL)
Jobs & Economic Development Finance
Spirit Mountain Recreation Area Authority improvements authorized, bonds issued, and money appropriated.

HF493—Huntley (DFL)
Jobs & Economic Development Finance
Duluth aerial lift bridge restoration funding provided, bonds issued, and money appropriated.

HF494—Huntley (DFL)
Education Policy
Independent School District No. 709, Duluth, at-large school board member reduction authorized.

HF495—Johnson, J. (R)
Taxes
Metropolitan fiscal disparities law abolished.

HF496—Abeler (R)
Health & Human Services Policy
Nurse temporary licensure provisions modified.

HF497—Anderson, I. (DFL)
Jobs & Economic Development Finance
Koochiching County testing, educational, and training facility grant provided; bonds issued; and money appropriated.

HF498—Dill (DFL)
Environment & Natural Resources Finance
Cook County leased state lands lease rates modified.

HF499—Meslow (R)
Judiciary Policy & Finance
DWI; refusing to submit to a chemical test penalty enhanced.

HF500—Erhardt (R)
Transportation Policy
Eminent domain acquisition property appraisal fee reimbursement to owner maximum increased.

HF501—Meslow (R)
Commerce, Jobs & Economic Development Policy
Travel clubs regulated.

HF502—Seifert (R)
Judiciary Policy & Finance
Prison privatization proposals requested, prison services contracting standards established, and report required.

HF503—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Ballot preparation provisions clarified.

HF504—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Ballot questions limited to those meeting all deadlines.

HF505—Wardlow (R)
Civil Law
Eviction records discretionary expungement provisions modified.

HF506—Adolphson (R)
Local Government & Metropolitan Affairs
Hennepin County conflict of interest exception clarified relating to providing licensed family foster care.

HF507—Hornstein (DFL)
Taxes
Clean-fuel vehicles exempted from the motor vehicle sales tax.

HF508—Hausman (DFL)
Transportation Policy
Local governments authorized to develop programs to detect and cite traffic signal violations by use of photographic evidence.

HF509—Fuller (R)
Education Policy
Indian scholarship program authority transferred to the Higher Education Services Office.

HF510—Tingelstad (R)
Environment & Natural Resources Policy
Individual sewage treatment systems provisions modified, and money appropriated.

HF511—Hilstrom (DFL)
Transportation Finance
Brooklyn Center transit center construction mandated through the Metropolitan Council.

HF512—Hilstrom (DFL)
Governmental Operations & Veterans Affairs Policy
Conflict of interest and economic interest disclosure by public officials provisions modified.

HF513—Kohls (R)
Civil Law
Seat belt evidence admissibility prohibition repealed.

HF514—Lenczewski (DFL)
Taxes
Metropolitan Revenue Distribution Act abolished.

HF515—Otremba (DFL)
Transportation Policy
License plates; special "choose life" license plates authorized, adoption support account established, and grants provided to counties to support adoption.

HF516—Otremba (DFL)
Health & Human Services Policy
Pharmacists permitted to refuse to dispense drugs the pharmacist opposes for moral or religious reasons.

- HF517—Demmer (R)**
Education Policy
Department of Children, Families and Learning renamed the Department of Education.
- HF518—Holberg (R)**
Civil Law
County officers exempted from liability for good faith actions arising from the exercise of the power of eminent domain with respect to county and county state-aid highways.
- HF519—Smith (R)**
Governmental Operations & Veterans Affairs Policy
Teachers retirement association provisions modified relating to survivor benefits, and administrative revisions provided.
- HF520—Smith (R)**
Governmental Operations & Veterans Affairs Policy
Minneapolis Firefighters Relief Association executive secretary compensation authorized.
- HF521—Stang (R)**
Commerce, Jobs & Economic Development Policy
Occupational safety and health penalty provisions clarified relating to small business owners.
- HF522—Strachan (R)**
Judiciary Policy & Finance
Search warrant regulations modified.
- HF523—Solberg (DFL)**
Education Finance
Retired school district employee health benefit levy modified.
- HF524—Solberg (DFL)**
Higher Education Finance
University of Minnesota research and outreach centers funding provided, bonds issued, and money appropriated.
- HF525—Sieben (DFL)**
Transportation Finance
Wakota Bridge construction project mitigation funding provided, and money appropriated.
- HF526—Solberg (DFL)**
Higher Education Finance
Grand Rapids; University of Minnesota research and outreach center funding provided for tree research and farm machinery repair, bonds issued, and money appropriated.
- HF527—Strachan (R)**
Transportation Finance
Dakota County highway overpass funding provided, bonds issued, and money appropriated.
- HF528—Fuller (R)**
Health & Human Services Policy
Emergency medical services four-year contracts permitted, license plate provisions for volunteer ambulance attendants modified, ambulance service claims against tax refunds permitted, and use of police equipment regulated.
- HF529—Hackbarth (R)**
Environment & Natural Resources Policy
Mourning dove hunting season authorized, and stamps and report required.
- HF530—Hackbarth (R)**
Environment & Natural Resources Policy
Mourning dove hunting season authorized and report required.
- HF531—Smith (R)**
Civil Law
Judicial selection and retention task force created.
- HF532—Howes (R)**
Transportation Policy
Snowmobile use of highway right-of-way provisions modified.
- HF533—Johnson, J. (R)**
Transportation Policy
High-occupancy vehicle lanes on Interstate Highways 394 and 35W regulated.
- HF534—Seifert (R)**
Governmental Operations & Veterans Affairs Policy
Good cause rule exemption notice requirements imposed.
- HF535—Nelson, C. (R)**
Education Policy
Independent School District No. 535, Rochester, authorized to begin school year on any date set by school district.
- HF536—Simpson (R)**
Commerce, Jobs & Economic Development
Joint underwriting association coverage and market assistance responsibilities modified.
- HF537—Goodwin (DFL)**
Health & Human Services Policy
Health Department collection of health records with patient names restricted.
- HF538—Goodwin (DFL)**
Judiciary Policy & Finance
Firearm possession, shipping, and transport lifetime prohibition imposed on certain felons, and crime of violence definition modified.
- HF539—Dorman (R)**
Governmental Operations & Veterans Affairs Policy
Campaign and election contributions and solicitations prohibited during special legislative sessions.
- HF540—Dorman (R)**
Taxes
Tax amnesty period provided, and money appropriated.
- HF541—Sertich (DFL)**
Jobs & Economic Development Finance
Family homeless prevention and assistance program funding provided, and money appropriated.
- HF542—Mahoney (DFL)**
Taxes
Local government aid to cities increase limits eliminated.
- HF543—Urdahl (R)**
Jobs & Economic Development Finance
Dassel wastewater treatment facility improvements funding provided, bonds issued, and money appropriated.
- HF544—Fuller (R)**
Higher Education Finance
Bemidji State University John Glas Field House construction funding provided, bonds issued, and money appropriated.
- HF545—Anderson, I. (DFL)**
Transportation Policy
Snowmobile two-way operation on either side of highway right-of-way allowed in certain instances.
- HF546—Tingelstad (R)**
Transportation Finance
Coon Rapids interchange at Hanson Boulevard and Highway 10 and travel lanes between Egret and Round Lake boulevards funding provided, bonds issued, and money appropriated.
- HF547—Davids (R)**
Commerce, Jobs & Economic Development Policy
Farm implement dealers warranty work payment regulated, and definition of heavy and utility equipment modified.
- HF548—Mahoney (DFL)**
Commerce, Jobs & Economic Development Policy
Boiler inspections by nationally certified agencies authorized.
- HF549—Rukavina (DFL)**
Commerce, Jobs & Economic Development Policy
American flag sales regulated.
- HF550—Hilstrom (DFL)**
Judiciary Policy & Finance
Life imprisonment without possibility of release penalty provided for persons causing the death of a child under 14 with premeditation and intent.
- HF551—Abeler (R)**
Health & Human Services Policy
Adult foster care license capacity expanded.
- HF552—Eken (DFL)**
Taxes
Local government aid distributed via the city formula.
- HF553—Kielkucki (R)**
Governmental Operations & Veterans Affairs Policy
Optional election of certain town offices provided.
- HF554—Buesgens (R)**
Local Government & Metropolitan Affairs
Title examiner alternative means of compensation provided.
- HF555—Krinkie (R)**
Governmental Operations & Veterans Affairs Policy
Duplicating and printing service requirements relating to Administration Department repealed, and outside service contracts authorized.
- HF556—Hackbarth (R)**
Environment & Natural Resources Policy
Sales tax receipts dedicated for natural resource purposes, heritage enhancement fund and council created, and constitutional amendment proposed.
- HF557—Hackbarth (R)**
Environment & Natural Resources Policy
Sales tax receipts dedicated to game and fish purposes, heritage enhancement fund and council created, and constitutional amendment proposed.
- HF558—Abeler (R)**
Education Finance
School district pursuit of additional revenue sources authorized.
- HF559—Gunther (R)**
Commerce, Jobs & Economic Development Policy
Manufactured home rental increases authorized.
- HF560—Mahoney (DFL)**
Education Finance
St. Paul; Asian community center funding provided, bonds issued, and money appropriated.

Schedule is subject to change.

For information updates, call House Calls at **(651) 296-9283**.

All meetings are open to the public.

Sign language interpreter services:

(651) 224-6548 v/tty.

To have the House committee schedule delivered to your e-mail address, direct your Web browser to <http://ww3.house.leg.state.mn.us/listjoin.asp?listname=houseschedule> and fill out the subscription form on the Legislature's Web site. House committee schedules are also available on the Web site at <http://ww3.house.leg.state.mn.us/comm/scheduleall.asp>

MONDAY, February 24

12:30 PM

Higher Education Finance

Room: 300S State Office Building
Chair: Rep. Doug Stang

Agenda: HF330 (Sviggum) State employee labor agreements and compensation plans ratified with certain exceptions.

Witnesses: John Shabatura, Associate Vice Chancellor for Labor Relations, Minnesota State Colleges and Universities Russ Stanton, InterFaculty Organization Governor's FY04-05 Higher Education budget overview.

Witness: Heather Johnston, Executive Budget Officer, Finance Department.

Health and Human Services Policy

Room: 10 State Office Building
Chair: Rep. Lynda Boudreau

Agenda: HF212 (Abeler) Delay sunset until 2007 on advisory committees for health professionals. HF278 (Bradley) Eliminate reporting requirements for new hospital equipment and facilities.

HF266 (Finstad) Technical changes on stop-loss rules for insurance buyers' group.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room
Chair: Rep. Jim Rhodes

Agenda: HF471 (Knoblach) School district election primaries required. Other agenda items to be announced.

3:00 PM

THE HOUSE MEETS IN SESSION.

TUESDAY, February 25

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building
Chair: Rep. Fran Bradley

Agenda: Presentation of Governor's budget proposals by Department of Education, Veterans Home Board, Ombudsperson for Mental Health and Mental Retardation, Ombudsperson for Families, and Health Related Boards.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment

Agenda: Department of Natural Resources budget overview.

Education Policy

Room: 200 State Office Building
Chair: Rep. Barb Sykora

Agenda: HF 424 (Nelson) Charter school leave provisions modified. HF472 (Olson) School district opt out procedures provided regarding certain state mandates.

HF99 (Opatz) High school graduation projections required.

Transportation Finance

Room: 500S State Office Building
Chair: Rep. William Kuisle

Agenda: Budget presentation by the Department of Transportation.

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther

Agenda: Review of Governor's budget proposal.

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building
Chair: Rep. Tom Hackbarth

Agenda: State Solid Waste Administrators Association:

Jerry Johnson, Coordinator.

HF407 (Howes) Minnesota conservation corps transferred to the friends of the Minnesota conservation corps, assets transferred, and money appropriated.

HF445 (Nelson, M.) Youth deer license provisions modified to include archery.

Taxes

Room: 200 State Office Building
Chair: Rep. Ron Abrams

Agenda: Continued presentation and hearing on proposed FY 2004-2005 budget.

Judiciary Policy and Finance

Room: Basement Hearing Room
Chair: Rep. Steve Smith

Agenda: Overview of Governor's recommendations by Minnesota Department of Public Safety.

Education Finance

Room: 10 State Office Building
Chair: Rep. Alice Seagren

Agenda: Review of Governor's 2004-2005 education budget proposal.

12:30 PM

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building
Chair: Rep. Greg Davids

Agenda: Department of Commerce -Overview of department re-organization

-Credit Scoring

HF51 (Davids) Health insurance provisions clarified relating to long-term care insurance.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room
Chair: Rep. Jim Rhodes

Agenda: Agenda items to be announced.

Agriculture and Rural Development Finance

Room: 5 State Office Building
Chair: Rep. Elaine Harder

Agenda: To be announced.

2:30 PM

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building
Chair: Rep. Torrey Westrom

Agenda: Public testimony regarding additional nuclear storage at Prairie Island.

Local Government and Metropolitan Affairs

Room: 200 State Office Building
Chair: Rep. Jerry Dempsey

Agenda: HF245 (Westrom) Alexandria; lakes area economic development authority established. HF394 (Wardlow) Municipal guaranteed energy savings contracts maximum length extended to 15 years.

HF244/SF231 (Lesch) St. Paul civil service separation retroactive effective date established.

State Government Finance

Room: 500N State Office Building
Chair: Rep. Bill Haas

Agenda: Overview of the Governor's budget

Civil Law

Room: 5 State Office Building
Chair: Rep. Mary Liz Holberg

Agenda: HF339 (Davnier) Graffiti damages recovery action provided. HF457 (Holberg) Family law de facto custodian provisions modified.

HF417 (Pugh) Removal of a child's residence from Minnesota provisions modified.

HF170 (Kohls) Uniform Conflict of Laws-Limitations Act adopted regulating limitation periods of certain actions.

WEDNESDAY, February 26

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building
Chair: Rep. Lynda Boudreau
Agenda: HF 419 (Sykora) "Experienced Aides" update for child care centers.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: Department of Natural Resources budget overview.

Transportation Finance

Room: 200 State Office Building
Chair: Rep. William Kuisle
Agenda: Budget presentation by the Department of Transportation.

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: Review of Governor's budget

10:15 AM

Taxes

Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: Continued hearing on proposed FY 2004-2005 budget.

Judiciary Policy and Finance

Room: Basement Hearing Room
Chair: Rep. Steve Smith
Agenda: HF261 (Boudreau) Minnesota Citizens' Personal Protection Act of 2003 adopted recognizing the right of law-abiding citizens to self-protection, authorizing pistol permits, providing criminal penalties, and appropriating money.

Education Finance

Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: Review of Governor's 2004-2005 education budget proposal.

12:30 PM

Agriculture Policy

Room: 5 State Office Building
Chair: Rep. Howard Swenson
Agenda: HF447 (Blaine) Farm land ownership restrictions modified. HF258 (Dorman) Arsenic; fertilizers containing arsenic prohibited. Overview of Aquaculture report.

Transportation Policy

Room: 200 State Office Building
Chair: Rep. Ron Erhardt
Agenda: Presentation on Intelligent Transportation Systems (ITS) by MnDOT.

Higher Education Finance

Room: 300S State Office Building
Chair: Rep. Doug Stang
Agenda: Governor's FY04-05 Higher Education budget overview. Witness: Heather Johnston, Executive Budget Officer, Finance Department.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room
Chair: Rep. Jim Rhodes
Agenda: Agenda items to be announced.

2:30 PM

Regulated Industries

*** Note: *** Change in meeting room
Room: 10 State Office Building
Chair: Rep. Torrey Westrom
Agenda: HF208 (Kuisle) A bill for an act relating to energy, providing that renewable energy sources include mixed municipal waste. Continued public testimony regarding additional nuclear storage at Prairie Island.

Capital Investment

Room: Basement Hearing Room
Chair: Rep. Phil Krinkie
Agenda: Review of Amateur Sports Commission's National Children's Golf Course appropriation, Laws 1998, Chapter 404, Section 15 Subd. 2

State Government Finance

Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: Overview of the Governor's budget

Local Government and Metropolitan Affairs

Room: 200 State Office Building
Chair: Rep. Jerry Dempsey
Agenda: HF 427 (Strachan) Municipal fire aid apportionment population definition modified. Other bills to be added

Civil Law

Room: 5 State Office Building
Chair: Rep. Mary Liz Holberg
Agenda: HF168 (Sykora) Nonpublic school student data collected by public schools classified and data access specified. HFXXXX (Knoblach) Job reference.

THURSDAY, February 27

8:15 AM

Education Policy

Room: 200 State Office Building
Chair: Rep. Barb Sykora
Agenda: HF 451 (Seagren) Alternative school district organization provided. HF452 (Seagren) Charter school additional formation and sponsorship methods provided.

Health and Human Services Finance

Room: 10 State Office Building
Chair: Rep. Fran Bradley
Agenda: Presentation of Governor's budget proposal by Department of Human Services.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: Department of Natural Resources budget overview.

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: To be announced.

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building
Chair: Rep. Tom Hackbarth
Agenda: HF335 (McNamara) Irrigation system moisture or rainfall sensing equipment required.

HF414 (Cox) Soil and water conservation district law updates provided.

Taxes

Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room
Chair: Rep. Steve Smith
Agenda: Overview of Governor's recommendations by the Minnesota Courts.

Education Finance

Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: To be announced.

12:30 PM

Commerce, Jobs and Economic Development

Room: 10 State Office Building
Chair: Rep. Greg Davids
Agenda: HF177 (Davids) Ambulance service liability insurance study required. HF446 (Wardlow) Minors exempted from minimum age restrictions for work as youth athletic program referees.

Agriculture and Rural Development Finance

Room: 5 State Office Building
Chair: Rep. Elaine Harder
Agenda: To be announced.

Where to find information

Senate Information Office

231 State Capitol (651) 296-0504

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

Senate Media Services


B-44 State Capitol (651) 296-0264

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

homeowner, and thereby freezing the taxes, upon their 65th birthday.

Governor's budget addresses would evolve further over the latter decades of the 20th century, into pleas for public support for policy choices. Gov. Al Quie's April 1981 message, addressing the continuing budget concerns for which he resorted to his unallotment powers, specifically appealed to the public for understanding. He said he hoped the public could see how difficult it is to cut the large state budget in a time of deficit without raising taxes.

Though Quie did resort to the executive power to trim budgets, many governors addressed their desire to let the Legislature set the budget, and cut it accordingly in tougher times.

Said Preus: "Neither the appropriating power or responsibility should be usurped by the executive. It should be left to the Legislature." 

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Toll Free	1-800-967-2474
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3711
Toll Free	1-888-GET-JOBS
Employee Relations	297-1184
Job Information Hotline	296-2616
Finance	296-5900
Health	215-5800
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	297-3933
Labor and Industry	284-5000
Toll Free	1-800-342-5354
Military Affairs	282-4662
Natural Resources	296-6157
Toll Free	1-888-MINNDNR
Pollution Control Agency	296-6300
Toll Free	1-800-657-3864
Public Safety	282-6565
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling	
Enforcement Division	296-6979
State Patrol	282-6871
Revenue	
Taxpayer Assistance	296-3781
Trade and Economic Development	297-1291
Toll Free	1-800-657-3858
Office of Tourism	296-5029
Toll Free	1-800-657-3700
Transportation	296-3000
Toll Free	1-800-657-3774
Veterans Affairs	296-2562

Reflections

A well known and heavily sought after item at the beginning of a two-year legislative session is the Green Book, a pocket-sized directory published by the House and Senate.

During the early 1970s, the Green Book – the *Members Directory of the Minnesota Legislature* – became a go-between until the Red Book – the *Official Directory of the Minnesota Legislature* – was published. Red Books have often been delayed as staff waits for approval of the Joint House and Senate Rules, which are essential to the contents, and permanent rules of both bodies.

Records in the House Public Information Services Office maintain as its oldest copy a 1974 version of the Green Book. The 1970s copy had only 30 pages and a light green glossy cover.

For almost 100 years, members, staff, and the general public had to wait well into a legislative session or after adjournment before an "official directory" of the Legislature was available, or until the secretary of state's office printed the *Minnesota Legislative Manual* – the present-day "Blue Book."

Beginning in the late 1800s, any temporary facts or schedules were relegated at first to one handwritten copy. With the advent of carbon paper and typewriters, a few more copies could be made while waiting for official printed versions to be completed. Today, Green Book devotees can get all the information they need to be knowledgeable about day-to-day activities around the Capitol.

Within its pages, readers can find biographical information about each member

of the House of Representatives and the Senate, as well as details about the committees in the House and the Senate. The directory includes all the committee assignments for each member and the key staff members assigned to each committee.

There's also important information about the service offices in the House and the Senate, as well as joint departments serving both bodies.

Among the other information is contact information for Minnesota's Congressional Delegation and key state agencies.

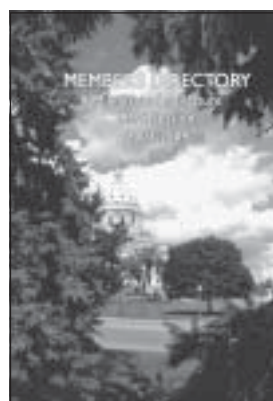
While temporary information was handwritten 100 years ago, the Green Book is a major improvement for informing the public in a more expedient manner since the directory was available within three weeks of the start of the 2003 Legislative Session.

Although the Green Book and other official information will continue to serve as a temporary resource for the

public, budget constraints have reduced the printed copies available. But alternatives are also readily available.

Information found in the Green Book can be located on the House Information Web site at www.house.leg.state.mn.us/hinfo/hinfo.htm under 2003 Members Directory. You will always be able to get the key biographical and contact information for your representative and senator when you need to contact them about an issue or other government concern.

— LECLAIR GRIER LAMBERT



Many of the resources that are in the Green Book are available on the House and Senate Web sites. For a Green Book alternative you can print yourself, go to <http://www.house.mn/hinfo/gdalt.htm>

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA

I N D E X

Farming in Minnesota

Millions of acres in state that are agricultural	28.5
As percent of state's total area	56.5
State agriculture expenses for fiscal year 2002, in millions	\$92.6
Millions to Department of Agriculture	\$46.1
Millions in ethanol producer payments	\$33.7
Number of farms in 2001	79,000
1997	81,000
1994	84,500
Average farm size in 2001, by acreage	361
In 1991	341
Average value of farmland (including buildings) per acre on Jan. 1, 2001	\$1,320
On Jan. 1, 1998	\$1,160
Average Minnesota net farm income in 2001	\$8,804
Average per farm government payments in 2001	\$15,696
Average net farm income in 1996	\$26,710
Average per farm government payments, 1996	\$4,009
Average age of a farmer in 2001	51
Average hourly wage earned by farm laborers in 2001	\$9.53
In 1997	\$8.45
Value of livestock inventory statewide on Jan. 1, 2002, in billions	\$2.61
Billions in 1998	\$2.14
Billions in state gross farm income in 2001	\$10.27
Billions in 1996	\$9.89
Billions in 1993	\$7.71
Cash receipts from livestock in 2001, in billions	\$4.29
Percent from hogs	33
Percent from dairy	30.2
Cash receipts from crops and vegetables in 2001, in billions	\$3.81
Percent decrease from 1996	18.1
Billions in farm exports in 2001	\$2.3
State rank	7
Billions in exports in 1997	\$2.61
Percentage of Minnesota's agricultural production destined for exports	30
Percentage of United States total	26
Percentage of state exports made up by soybeans, corn, and wheat	63

Sources: *Minnesota Agricultural Statistics 2002*, Minnesota Agricultural Statistics Service, July 2002; *Minnesota Data Book for Legislators*, House Research Department, January 2003, January 1999, and January 1997; Minnesota Department of Agriculture.

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
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SESSION Weekly

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In this issue:

IMMIGRANT FARMING PLAN

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HF561-HF667

Session Weekly

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On the cover: A Capitol visitor walks through the light streaming from one of the French doors on the second floor of the Capitol as temperatures reached over 40 degrees.

— Photo by Kristine Larsen

Opening up opportunities

Bill would allow farmers from other countries to own and operate Minnesota dairy farms

By TOM LONERGAN

The farmer's market is global and Minnesota may tap other parts of the world to find more dairy farmers.

A bill approved Feb. 26 by the House Agriculture Policy Committee would ease the state's restrictions on foreign ownership of farmland. Sponsored by Rep. Greg Blaine (R-Little Falls), HF447 could potentially open the state's doors to farmers from other countries. Bill supporters say it could bolster the state's declining dairy industry.

Rural Minnesota "is in a crisis situation," Blaine said, citing the struggles faced by dairy and livestock farmers. "This is not a cure all or a complete answer," he said. "It is a tool." There was no discussion of the bill's cost, if any, to the state.

The bill, referred to the House Civil Law Committee, would amend state law to broaden the definition of a "permanent resident alien of the United States" to include holders of E-2 investment visas.

The federal government allows citizens of countries that have a treaty with the United States to remain in the country under special visa status because they've invested in an economic enterprise. The visa remains in effect as long as the person operates the business. However, the state's "alien farm law" which requires that 80 percent of a farming enterprise be owned by a U.S. citizen or a permanent resident alien does not currently recognize holders of the investment visas.

Doug Spanier, a policy analyst with the state Agriculture Department, said families from the Netherlands, Ireland, and Canada have contacted the state. "They want to become citizens and farm here," Spanier said. It can take up to five years for a person to gain citizenship after permanent resident status, he said.

Kurt Markham, director of agricultural marketing services, said the department supports the bill. Farmers from the Netherlands can't expand in their home country, he said, because of urban sprawl and restrictions on dairy herds. "They need to move," Markham said. The country is one-fifth the size of

Minnesota with 16 million people and 1.2 million dairy cows. During the last 10 years, he said, Dutch farmers have moved to other continents as well as to the states of Michigan, Indiana, and Iowa.

"We'd prefer they were in Minnesota," Markham said.

Minnesota is the only state in the nation that doesn't recognize holders of the investment visas as "permanent residents" for the purpose of owning farmland. Last year Iowa changed its farm ownership law to recognize the visa holders. Minnesota also restricts certain forms of corporate farm ownership.

The state's restriction on farmland ownership is not "anti-immigrant," said Rep. Kent Eken (DFL-Twin Valley), who opposes the bill. "The law keeps absentee owners from other countries taking wealth out of the state," Eken said.

There are now less than 6,500 dairy farms in the state, down from 7,800 just two years ago, according to the Agriculture Department. A November 2002 department survey of 700 state dairy farmers reported that more than one-third of the respondents doubted they'd be milking cows in 10 years. Low milk prices, high operating debt and difficulty

obtaining loans have squeezed dairy farmers, particularly those with herds of less than 100 cows.

Several farmers testified in support of the bill, and farm-related organizations, including the Farm Bureau, Minnesota Dairy Leaders Roundtable, Livestock Development Authority and the Minnesota Soybean Growers Association, submitted statements of support.

Harv Schoon of Verndale, said his 900-cow dairy farm has been for sale for a year. "My phone hasn't rung," said Schoon. He's cut 23 of 30 workers and laid off a veterinarian for his herd. "I don't have the money to invest," he said. "If I did, it could be profitable."

Ron Tobkin, a farmer from Perham, said the bill easing restrictions on farm ownership could be the dairy industry's "only salvation." He attended a January trade show in the Netherlands with farm business representatives and said that Dutch farmers would be interested in buying existing Minnesota farms or starting new ones.

Roger Heller, of the Minnesota Dairy Broker Association, spoke in support of the bill. He's visited farms in the Netherlands and said Dutch farmers "want to take a look" at the state. "They are interested in living in Minnesota."

Rep. Mary Ellen Otremba (DFL-Long Prairie) asked Heller why there was an assumption a Dutch farmer could operate a dairy farm profitably, given depressed milk prices and other difficult conditions, compared to state farmers.

"The Dutch have a dairy ethic," Heller said,

including "a love of cows and a love of the industry." He said the bill does not imply



PHOTO BY TOM OLMSCHIED

Harv Schoon of Verndale, who milks 900 cows, testifies before the House Agriculture Policy Committee Feb. 26 in favor of a bill that would lift restrictions on immigrants to own farmland in the state.



Employee input

Freeman started idea whereby workers' ideas saved the state money



Dairy operations such as this one could be purchased and operated by farmers who immigrate to Minnesota from other countries, under a bill moving through the House.

Minnesota farmers are "not efficient." A farm broker in four states, Heller said, "neighboring states don't have dairy farms for sale. Minnesota does." Farms remain on the market for "a long, long time," Heller added.

Dennis Ritter, a Melrose dairy farmer and member of the Stearns County Dairy Advisory Committee, said there were at least 40 farms for sale in the state. "If Minnesota is going to have a viable dairy industry, the law needs to be changed," Ritter said. Amending the law would give farmers "the right to sell to interested buyers," he said, "to grow our declining dairy industry."

The committee rejected an amendment, sponsored by Rep. Al Juhnke (DFL-Willmar), which would have restricted ownership by investment visa holders to 640 acres of state agricultural land. Juhnke said the state's farmers are concerned about "foreign ownership and corporate ownership." He said the amendment was "comfort language."


"I have trouble putting limitations on business," Blaine said. "We don't cap growth on businesses in other areas."

The bill would require the investment visa holders purchasing state farmland to report the purchase to the state within 30 days of the transaction.

Rep. Dean Urdahl (R-Grove City), a history teacher, drew a similarity between easing the state's farm ownership restriction with the nation's encouragement of European immigration under the Homestead Act in 1862. "We are a nation that provides opportunity," he said.

Tim McNamara, vice president of AgStar Financial Services, a farm credit company, said the state's restrictive law puts it at a "significant disadvantage" compared to other agricultural states. "People will immigrate," he said. "The question is will they come here?"

There are 9,000 fewer dairy farmers in the state than there were in 1990, he said, and 33 percent fewer cows. "The bogeyman here is not alien farm ownership or large farm ownership," said McNamara. "It's no dairy farms."

The bill has no Senate companion. 

Gov. Orville Freeman expended considerable energy, and wind with several lengthy speeches, crusading for reorganization of government in the mid- to late-1950s. Three times toward the end of that decade he proposed plans for reshaping the state's methods of providing government services. These pleas are chronicled in a number of speeches he delivered to the Legislature.

In 1955, the Legislature enacted some of Freeman's proposals, but a legal glitch in the engrossment process following enactment rendered them invalid. However, one thing stuck – a 1955 session law authorized the State Employees Merit Award Board.

Appointed by the governor, members of the board were charged with encouraging and soliciting suggestions from state employees regarding ways state government could be more efficient. The board would also make recommendations about the suggestions, and measure financial savings realized as a result of the employees' suggestions.

And for their good stewardship, employees could receive cash rewards.

"The public employee is often criticized in a general and sweeping fashion for being part of a sprawling bureaucracy with questionable efficiency," Freeman said in a speech to the Legislature in February 1959. "The truth is – and our experience of the last four years is evidence of this fact – that our employees are eager to improve the work of our government. They need only leadership that is interested in such improvement and they will respond with enthusiasm and dedication."

Freeman also suggested that the most effective evaluations of government efficiencies occurred in the day-to-day activities of state employees. However, because of the "undramatic" nature of those activities, they often go unnoticed and unappreciated.

"The successful operation of our merit award board, created in 1955, is one striking illustration," Freeman said. "For example, last

year the board rewarded 56 employees for suggestions that saved taxpayers more than \$20,000 and that resulted in better and more rapid services."

The board's five members all worked for the state. State law required that they served on the board in addition to their regular duties and received no additional compensation.

Under the auspices of the state's Department of Administration, the board and the system it oversaw created so many suggestions that after the first decade, additional staff was required to assist with its operation. An intern was granted in 1968 to help keep up with suggestions.

The 1969 report of the board commented on the situation, stating, "It became apparent to the board members that if the state employees suggestion system was to survive, some reorganization and full-time staff was required."

That year, additional funds were appropriated for support staff and publicity. From 1969 to 1972, the suggestions received by the board increased from 169 to more than 900. And savings calculated from the suggestions rose above \$500,000 for the three-year period from 1970 to 1972.

According to board reports, the highway department, now the state Department of Transportation, offered the most suggestions, and also received the highest amount in cash rewards. The highest award overall was typically about \$500.

The Legislative Reference Library only has reports through 1972 for the merit award board. However, it wasn't until 1984 that the law authorizing the board was repealed.

In its place, lawmakers authorized the commissioner of the Department of Administration to create an endowment fund to reward state agencies and state employees for "improving productivity and service quality." That law says gift money must be used to establish the fund and interest earnings may be appropriated for awards.

(M. Kibiger)



Secretaries at the University of Minnesota are presented with awards of appreciation in 1955.

★ AGRICULTURE

Recommended reductions

A 50 percent cut in ethanol producer payments and a change in the way the payments are determined top a list of agriculture-related budget reductions proposed by Gov. Tim Pawlenty for the 2004-05 biennium.

Commissioner Gene Hugoson outlined the Department of Agriculture's proposed two-year budget Feb. 20 for members of the House Agriculture and Rural Development Finance Committee.

The governor recommended a \$134.6 million total agriculture budget for fiscal years 2004-05, including \$70.7 million in state general funds. That amount is \$6.4 million less than appropriated for the current biennium ending June 30. About one-half of the department's budget is supported by license and inspection fees, a number that would be increased under the governor's proposal.

Pawlenty would cut the ethanol credit paid to 13 mostly rural-based ethanol production plants from 20 cents to 10 cents a gallon effective July 1, 2003 and total annual ethanol payments to a producer would be capped at \$1.5 million compared to the current \$3 million. The changes would result in the state keeping \$32.5 million during fiscal years 2004-05.

The governor also wants the formula determining quarterly ethanol payments to be conditioned on whether at least 51 percent of an ethanol production business is directly owned by farmers. The payments are now based on a plant's eligible production capacity.

Pawlenty would also dedicate 10 percent of the state's ethanol appropriation for "financial hardship payments" to plants in economic difficulty. The financial hardship payment of 5 cents per gallon would be in addition to a plant's base payment. The proposed changes would require amending state law.

"I don't believe it's going to hurt all of (the industry)," Hugoson said regarding the governor's proposal. "Some (plants) will have problems."

The department's operational budget would be cut 10 percent, or \$4.2 million, for 2004-05. Vacated positions would not be filled in the department and layoffs could also occur, Hugoson said. That could lead to 15 full-time position cuts and potentially affect the regularity of food inspections.

The department inspects approximately 6,000 grocery stores and food processing facilities annually and contracts with local governments to inspect several thousand more.

Inspections of stores carrying low risk items could be cut to once every three years, and inspections of stores selling perishable foods and high risk items that involve more food handling could also occur less frequently, Hugoson said. Stores selling high-risk foods are now inspected annually.

The committee took no action on the proposal at the meeting.

★ CHILDREN

Substitute teachers

Licensed child-care providers would gain increased flexibility in filling-in for absent teachers, under a bill approved by the House Health and Human Services Policy Committee Feb. 26.

HF419 would allow "experienced aides" to continue filling in for teachers without supervision for up to one-quarter of a center's daily hours, as long as notice is posted in the classroom. Experienced aides must be at least 20 years old, be certified in first-aid and CPR, and have a minimum of two years of child-care experience, including at least four months at that center. They are not required to have teaching certification.

The bill's sponsor, Rep. Barb Sykora

(R-Excelsior), said it would lessen centers' dependence on outside substitute teachers. Experienced aides are a logical alternative, she said, because they are familiar with the children they would supervise. "You tend to trust your own people that you've trained in your own facility rather than bringing in a sub," Sykora said.

Similar legislation passed in 1999 is set to expire this year. Opponents of that legislation suggested changes that appear in this year's version and many now support the measure, Sykora said.

Ann Kanner-Roth, who represents Child Care Works, a coalition of child-care providers in Minnesota, was one of those opponents three years ago. But with the addition of provisions for parental notification and four months of on-site experience for the aides, Kanner-Roth says her organization now supports the measure. "This legislation helps child-care centers to be more flexible with their staff while doing no harm to the children in their care," she said.

Rep. Fran Bradley (R-Rochester) said posting notices about the aides in classrooms made them seem a bit like criminals. "I hope we will learn to respect that someone with two years of experience can be trusted, maybe even more than someone coming right out of (teacher

Zoo Day

PHOTO BY ANDREW VON BANK

Russell Thomas, 20 months, of Roberts, Wis. gets up-close and personal with an African hedgehog handled by zoo volunteer Sue Olson during the annual Minnesota Zoo Day at the Capitol Feb. 27.

certification) education.”

Rep. Mary Ellen Otremba (DFL-Long Prairie) felt differently. “When I look at a sign in a classroom that says ‘experienced aide,’ that’s a positive thing for me,” she said.

The bill, which has no Senate companion, now goes to the House floor.

★ EDUCATION

School funding concerns

While spared the cuts proposed for other state programs, K-12 public education won’t remain unscathed during the 2004-05 biennium despite a “hold harmless” budget pledge from Gov. Tim Pawlenty.

That was the message from representatives of the state school board association and the teachers’ union who testified Feb. 26 before the House Education Finance Committee.

“There will be cuts in education,” said Bob Meeks, representing the Minnesota School Boards Association. “No one should be fooled.”

Cheryl Furrer, representing Education Minnesota, said the statewide teachers union was glad education wasn’t “hit as hard” as other state spending areas, but the governor’s budget proposal, “really isn’t an increase. Classrooms will not be untouched,” she said. “All things have an impact on the classroom.”

The committee also heard testimony from several parents and administrators for early childhood and student after-school programs, which face cuts in the governor’s proposal.

According to the nonpartisan House Fiscal Analysis Department, the governor’s 2004-05 biennium budget proposes spending \$12 billion in state general funds for K-12 education and early childhood education. The other major piece of the revenue pie for public education is property taxes. Locally generated revenue will provide \$2.8 billion in education funding during the next two years, according to the governor’s proposal.

Statewide revenue per pupil will increase by \$6 for fiscal year 2004, according to the House fiscal analysis, a 0.1 percent increase from the current fiscal year, which ends June 30, 2003. Between fiscal years 2004 and 2005, statewide revenue per pupil does not increase at all.

“It is flat funding going forward as far as general education revenue goes,” said Rep. Alice Seagren (R-Bloomington), the committee chair.

Representatives of rural school districts and districts considered to have low property wealth applauded the governor’s proposed budget for increasing referendum equalization funding. That funding is meant to equalize tax levy revenue disparities between school

districts because of differences in the value of their property tax base.

Bradley Lundell, executive director of Schools for Equity in Education, which represents 54 school districts, said his group “strongly supports” the governor’s education budget. He said the proposal offers “the largest single increase” in equalization aid to districts since the formula was established in 1991. “This is a giant step in the right direction,” Lundell said.

He said the proposed formula increase in the equalization aid is important, because with no increased state aid to education proposed by the governor for the next two years, “more and more districts will be seeking money through the referendum levy.”

The committee took no action on the governor’s proposal at the meeting.

Teacher leaves of absence

Leaves of absence for public school teachers to teach at a charter school would be more strictly defined, under a bill approved Feb. 25 by the House Education Policy Committee.

Sponsored by Rep. Carla Nelson (R-Rochester), HF424 would amend state law by placing a five-year length on such leaves granted by a school district. The law now allows a leave to be granted for the number of years requested by a teacher. The bill would also give school boards the authority to consider extending a teacher’s leave beyond five years. State law now requires a school district to extend the leave at the teacher’s request.

“Five years is sufficient time for a charter school to become established and for teachers to determine if it’s a good fit,” said Nelson, who is a teacher.

Speaking in support of the bill was Jerry Williams, superintendent of Rochester Public Schools. He said defining the length of leaves would help districts find substitutes willing to fill the position a teacher vacates by transferring to a charter school.

There are 78 charter schools operating in the state, under a law the Legislature approved in 1991. Under current law, school districts must grant a teacher’s written request for a leave to teach in a charter school, and teachers maintain reinstatement rights to the position they vacated, as well as seniority, salary, and insurance rights under their union contract with the school district.

Referred to the House floor, the bill would take effect the day after enactment by the Legislature. A companion bill in the Senate (SF450), sponsored by Sen. Sheila Kiscaden (IP-Rochester), has been referred to the Senate Education Committee.

Additional unallotment

Additional fiscal year 2003 budget cuts to K-12 supplemental education programs and grants were announced Feb. 25 by state Finance Commissioner Dan McElroy.

On Feb. 7 Gov. Tim Pawlenty announced \$21.2 million in cuts to the education programs. The revised “unallotments” made by the governor’s administration brought the total current year budget reductions in education programs to \$25.9 million. The cuts do not affect the classroom instruction budgets of K-12 education.

Officials from the Department of Children, Families and Learning reviewed the cuts for the House Education Finance Committee.

Previously unannounced cuts included \$3.2 million to the Minnesota Economic Opportunity Grant program, which provides skills and information to low-income residents to help them toward self-sufficiency, and \$500,000 to Head Start Innovation Grants, which are awarded to innovative proposals that meet federal Head Start goals, but go beyond the basic performance standards. The administration also cut an additional \$850,000 from the telecommunication access account. That account was cut \$1.5 million earlier this month.

Previously announced grant cuts were either reduced by contractual obligations, already committed spending, or reflected a 30-day notice to grant recipients the administration was required to follow.

The administration recovered \$2.2 million from Tax Increment Financing district accounts and about \$1.3 million from special education accounts monitored by the education department. All the additional revenue was transferred to the state’s general fund under “unallotment” authority state law provides the executive branch to balance the state’s budget.

The state constitution requires the budget be balanced on June 30, 2003, the end of the current fiscal year. The Pawlenty administration began cutting the budget in early February after the Legislature failed to reach an agreement to erase an anticipated \$356 million budget deficit for fiscal 2003.

Getting the best workers

Companies in the process of hiring new employees often have a hard time getting good information about the candidates.

Employers, says Rep. Jim Knoblach (R-St. Cloud), are reluctant to pass on significant information about their employees to other companies for fear of expensive lawsuits resulting when an employee thinks the information shared hurt their chance to get a job.

He says the result can have dangerous consequences when information that might be passed along deals with violent behavior, illegal activity, or sexual misconduct in the workplace.

On Feb. 26, the House Civil Law Committee approved a Knoblach-sponsored bill (HF480) that would seek to ease communication between employers by making it harder to bring suit against companies that relay certain types of information. It next goes to the House floor.

The bill would allow companies, without consent from the employee, to pass along basic employment information like wages and job description as well as written disclosures of any instances of theft, harassment, violence, or other illegal conduct that has been documented in the employee's record.

Employees wanting to bring suit based on release of that information would have to meet a high burden of proof by showing clear and convincing evidence that the information was both knowingly incorrect and harmful to them.

A provision in the bill dealing specifically with schools would require districts to share documented information about sexual misconduct or violence towards a student. Such information is already public if an employee was fired as a result of the misconduct, but the bill specifies the information must be shared even if the employee resigned.

Representatives of Minnesota's business community testified that the bill would help them hire the best possible workers and ensure the safety of their employees and the public.

Labor union representatives testified against the bill, saying employees would not be made aware of what information had been shared between employers. They also claimed the high burden of proof it would set up would make it virtually impossible for employees to successfully prove an employer lied about their work record and they were convincingly harmed as a result.

A similar bill passed both houses of the Legislature in 2001, but stalled in a conference committee.

No Senate companion for this year's bill has been introduced.

★ ENERGY

Turning trash into energy

A bill (HF208), sponsored by Rep. William Kuisle (R-Rochester), would amend state law to allow energy produced by waste combustion plants to be considered as a source for renewable energy. It was approved Feb. 26 by the House Regulated Industries Committee

TAX-FREE ZONES



PHOTO BY TOM OLMSCHEID

Louis Jambois, a senior executive officer with the Department of Trade and Economic Development, uses graphics to describe Job Opportunity Building Zones during a Feb. 27 hearing of the House Jobs and Economic Development Finance Committee.

and referred to the House Environment and Natural Resources Policy Committee.

HF208 would also amend state law to allow a waste-to-energy facility to be defined as "eligible energy technology," joining other renewable sources that generate electricity, including solar, wind, biomass, and hydroelectric.

Seven combustion plants in the state now burn residential and commercial mixed municipal solid waste, generating 100 megawatts of electricity that's used by utilities for backup. They're located in Rochester, Minneapolis, Alexandria, Fergus Falls, Perham, Fosston, and near Red Wing. Another three plants in Elk River, Red Wing, and Mankato combust refuse derived fuel that's prepared from mixed solid waste.

Kuisle said that amending the law would allow the solid waste burning plants to sell their electricity at higher rates to utilities. State law promoting the development of renewable energy requires privately held utilities, municipal power agencies, and generation and transmission cooperatives to purchase 10 percent of their power supply from renewable sources by 2015.

Supporters said the waste burning plants could double the income they receive from utilities if the energy they produced was classified as "renewable." The plants are public-private partnerships developed during the past 20 years by county governments to reduce the number of solid waste landfills in the state.

Gene Mossing, solid waste manager for

Olmsted County, said the seven "mass burn" plants combust about 547,000 tons of solid waste per year. The three plants burning solid waste derived fuel consume about 887,000 tons of solid waste annually.

A coalition of 16 environmental, recycling, and conservation groups opposed the bill.

"The burning of trash pollutes our environment with deadly emissions of dioxins and the neurotoxin mercury," according to a statement from Minnesotans for an Energy-Efficient Economy. The group said solid waste incineration "competes with the tried-and-true energy conservation system of recycling."

Incineration plant advocates said waste combustion was a clean source of energy due to recently adopted federal air emission standards and pollution control equipment the plants have installed in recent years.

A companion bill (SF135), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits a hearing in the Senate Commerce and Utilities Committee.

Schools savings plan

A bill making it easier for schools and municipalities to enter into long-term energy savings plans was approved Feb. 25 by the House Local Government and Metropolitan Affairs Committee.

Sponsored by Rep. Lynn Wardlow (R-Eagan), HF394 now moves to the House floor.

The bill would extend the maximum length of a guaranteed energy savings contract from 10 to 15 years. Under a 1983 law, school districts and municipalities can enter into agreements for energy efficiency improvements, such as new lighting and heating and cooling systems. The upgrades are paid from the energy cost savings over a period of time; no upfront cash payment is required. The entity receives the full benefit of lower energy costs after the upgrades have been paid.

Extending the maximum contract length would make it easier for entities to purchase back-up generators, said Perry Schmidt, president of Energy Services Group in Minneapolis. Generators often can't be paid off in 10 years due to the cost of the machine and the amount of the rate rebate from the utility company, he added.

The bill does not require that contracts be fixed at 15 years; a lesser number of years would be allowed.

Schmidt said 47 states in the nation have similar statutes, with the maximum contract length varying from 10 to 25 years.

Wardlow said he has not encountered any opposition. Informed of the bill were associations representing townships, cities, and counties, as well as the Minnesota State Colleges and Universities system.

A Senate companion bill (SF300), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits a committee hearing.

★ GOVERNMENT

Trimming state budgets

Under Gov. Tim Pawlenty's budget reduction plan for the next biennium, the budgets for the Legislature and the state's constitutional officers would be reduced by 15 percent.

That was just one idea presented to the House State Government Finance Committee Feb. 25. No action was taken at the meeting.

"The governor wanted to provide a very broad brush in these areas," said Merrill King, an executive budget officer with the Department of Finance.

That same 15 percent reduction is proposed for the Administration, Employee Relations, and Finance Departments.

However, the Department of Revenue would face just a 6 percent base reduction, which cannot come from areas that would affect the state's ability to collect revenue.

The Department of Military Affairs would be reduced by just 1.5 percent to help ensure that there are sufficient numbers of soldiers to respond to federal and state emergencies that may arise. The reductions are proposed

so as not to affect the state's tuition reimbursement program for those in the National Guard with whom there are educational reimbursement contracts.

Rep. Michael Paymar (DFL-St. Paul) asked about the total reduction in grants to the Vinland Center, which helps disabled veterans in their efforts to overcome barriers to employment. Rep. Bill Haas (R-Champlin), the committee chair, said that department officials told him there are similar services available federally, but at a better rate.

Included under the heading of reorganizations and consolidations is the moving of the Capitol Area Architectural and Planning Board to the Administration Department with a 20 percent reduction to its base budget.

Furthermore, \$500,000 in funding is approved for moves associated with reduced budgets or reorganizations. "The goal is to reduce space and rent costs," King said.

The governor's plan also calls for the Minnesota Gambling Control Board and Minnesota Racing Commission to become entirely supported by fees. Tom Barrett, executive director of the Minnesota Gambling Control Board, said fees now cover about 37 percent of the agency's budget.

Pawlenty is also recommending that the Campaign Finance and Public Disclosure Board and

Minnesota Amateur Sports Commission become self-sufficient, primarily through fees that would then be deposited in the state's general fund to offset the agency appropriation.

Finally, money for public broadcasting would be reduced by 24 percent. Haas said in lieu of money given to public broadcasters for equipment upgrades in recent years, such as \$7.8 million two years ago, they should look into having the broadcasters provide legislative television coverage for free.

★ HEALTH

Reporting changes

Saying he hoped to strip away some legislatively imposed red tape, Rep. Fran Bradley (R-Rochester) brought a bill before the House Health and Human Services Policy Committee Feb. 24 that would eliminate some reporting requirements for Minnesota hospitals.

The bill (HF278) would repeal a law requiring health care providers other than nursing homes to report expenditures above \$500,000 in value. Such expenditures could include buying new pieces of medical equipment, offering new types of medical services, or expanding facilities.

BUDGET FORECAST RELEASED



PHOTO BY TOM OLMSCHEID

State Economist Tom Stinson announces that the state is projected to be an additional \$11 million short for the current biennium and \$14 million short for 2004-05 biennium during the Feb. 27 release of the February economic forecast.

Dan McElroy, the state finance commissioner, said that the budget proposal offered by Pawlenty on Feb. 18 includes changes that would solve the \$11 million deficit for the fiscal year that ends June 30.

Although stating there are no big surprises in the forecast, McElroy and Stinson said the threat of war and hopes of a fiscal stimulus package at the federal level will determine if the forecast will result in an additional downturn. Although it would be unusual, McElroy did not rule out releasing another forecast before the legislative session concludes.

The reports, submitted to the Department of Health, are not required before the money is spent, but the department has authority to curtail an organization's future spending if it does not consider the project necessary.

The law represents a way for the state to make sure extravagant or unnecessary purchases aren't adding to the increase in health care costs.

"This reporting requirement was put into place in the early '90s when we were informed about rapidly rising health care costs," said Rep. Thomas Huntley (DFL-Duluth). "We all know those costs are on the rise again at two to three times the rate of inflation."

Bradley said if anything, the reports submitted in conjunction with the law have proven that such expenditures are not the cause of rising costs. Out of 600 reports submitted since the law's adoption in 1992, the Health Department has only taken action on two, Bradley said.

Rep. Char Samuelson (R-New Brighton) said hospitals deserve a break from government bureaucracy. "I think there are too many times when facilities like hospitals and nursing homes have to spend a lot of time as well as money preparing reports that end up going somewhere else, like into the circular file, when it's all over," she said.

Huntley said he agrees with decreasing hospitals' reporting loads, but he would prefer to see the \$500,000 requirement raised rather than repeal the law altogether.

The committee approved the bill and referred it to the House Health and Human Services Finance Committee. A Senate companion (SF505), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits committee action.

HIGHER EDUCATION



Governor recommendations

In the 2004-05 biennium, Gov. Tim Pawlenty is recommending funding reductions to both the University of Minnesota and Minnesota State Colleges and Universities (MnSCU) system.

"The university and MnSCU share in a 14 percent reduction in operational funding, \$179 million for the university and \$174 million for MnSCU," state Finance Commissioner Dan McElroy wrote in a letter to legislators.

However, Susan Heegaard from the governor's office told the House Higher Education Finance Committee Feb. 24 that Pawlenty's plan would help lessen the impact to students in a couple of ways.

First, Pawlenty proposes that tuition increases be limited to 15 percent annually,

thereby forcing the systems to use other methods to reduce costs, such as freezing employee benefits and salaries.

In addition, \$30 million from each system would be moved to the State Grant Program in the Higher Education Services Office. This is "to ensure financial access and choice for Minnesota's students," McElroy wrote. Total state grant funding would equate to a 23 percent increase over the current biennium level.

Heather Johnston, a budget officer with the Department of Finance, said that state grant funding is expected to be about \$54 million short of demand this biennium and the money would also account for an expected 3 to 4 percent enrollment increase at the university and MnSCU institutions. She said a cap would remain in place for private college students.

The grant program stopped taking applications Jan. 10 to ensure grants it already promised for this year could be fulfilled.

Rep. Lyndon Carlson (DFL-Robbinsdale) questioned whether the \$54 million number is accurate, noting that Higher Education Services Offices officials have a record of requesting more money for grant needs, receiving it, and then not using it. The unused money was then cancelled back to the general fund instead of going elsewhere for higher education. "I don't mind a little fudge factor, but not millions of dollars," he said.

Heegaard said Pawlenty understands those concerns and is recommending that office officials consult with people outside their office when forecasting state grant need. "We do agree that over the last 10, 20 years there have been some remarkable inconsistencies, some of that has been within their control and some has not," she said.

Many members had questions about how the systems will respond to the proposed reductions, and how will that affect tuition rates.

Rep. Doug Stang (R-Cold Spring), the committee chair, said answers to those questions should be received next week when representatives of the university and MnSCU are expected to begin testifying.

HOUSING



Living arrangement woes

Low-income individuals, as well as those of color or with disabilities, would have their housing subsidies and assistance programs cut or reduced under the governor's 2004-05 biennial budget plan.

The situation was spelled out Feb. 26 by the Minnesota Housing Finance Agency before the House Jobs and Economic Development Finance Committee.

According to the housing agency's legislative director, Tonja Orr, the budget cuts would result in the following:

- 418 fewer housing units being served under the Challenge and Urban Indian programs, both of which fund new construction and rehabilitation of housing for rental and homes-for-ownership;
- 30 fewer households receiving rental assistance under the Bridges program, which serves extremely low-income individuals with serious and persistent mental disabilities while they wait to qualify for federal or other permanent housing subsidy programs;
- 300 fewer households being granted home foreclosure counseling or homeowner training under resident and organizational and support programs, that fund homebuyer education and foreclosure prevention;
- 450 fewer households receiving down payments and closing-cost assistance under the homeowner assistance program;
- 16 fewer households receiving mortgage or rehabilitation assistance under the Tribal Indian Housing program; and
- 63 fewer households receiving deferred loans for home rehabilitation under the rehabilitation loan program.

The latter three programs, which constitute the home ownership loan programs, are funded through a combination of state appropriations, bond proceeds, and repayments of loans.

In addition, an unknown number of households wouldn't be created or rehabilitated, and some existing rentals wouldn't receive rental assistance under the Housing Trust Fund. The fund helps extremely low-income households that in fiscal year 2002 had a median income of less than \$6,000. More than 40 percent of those residents were people of color.

And, an unknown number of landlords may opt out of the federally assisted housing program (Section 8 funding) due to a reduction in special Minnesota Housing Finance Agency incentives and rehabilitation loans for new or existing owners. Federally subsidized housing tenants are generally among the lowest income households served by the agency, according to documentation provided by officials.

The proposed 2004-05 state allocation for the agency is \$69.5 million — a 12 percent, or \$9.6 million, reduction from the previous biennium.

State appropriations are less than 15 percent of the total agency budget. Bond proceeds represent 44 percent, with federal funds and agency resources comprising the balance.

HUMAN SERVICES

Fighting for funds

People with disabilities, many in wheelchairs, packed a hearing room Feb. 25 to protest the proposed elimination of state funding for the Centers for Independent Living.

The centers help people with disabilities live independently, at times helping them move from nursing homes or helping them remain in their personal residences. Their clients' disabilities include cognitive, mental and emotional, physical, hearing, and vision disorders.

Gov. Tim Pawlenty's proposed 2004-05 biennial budget eliminates \$1.87 million annual funding beginning in 2004 to the Centers for Independent Living, leaving them without state funding. The agencies receive about \$1.39 million in funding from the federal government.

"This cut hurts," said Harry Mares, commissioner of the state Department of Economic

Security. His comments came at the meeting of the House Jobs and Economic Development Finance Committee.

There are eight Centers for Independent Living in the state: Hibbing, Rochester, Mankato, St. Cloud, East Grand Forks, Moorhead, Marshall, and the Twin Cities. The agency also provides independent living skills training, information and referral services, peer counseling, and advocacy services.

Independent living encourages individuals to make their own decisions. Assistance may include offering wheelchair ramps, interpreters for those with hearing impairments, or audiotape versions of printed material for those with visual impairments.

The unique feature of the agency is that no one is turned away based on diagnosis, geographic location, age, income, or severity of disability.

"We catch the people that fall through the cracks," said David Hancox, executive director of the Metro Center for Independent Living, on behalf of all the centers. "We serve the people that nobody else will serve."

The agency served 3,537 people in 2002. Thirty-five people were moved from nursing homes and 225 individuals were aided in avoiding institutionalization, saving the state \$2.6 million, Hancox said.

Budget cuts would mean the agency could only serve 707 people. Only seven individuals could be moved from nursing homes and 45 prevented from institutionalization, Hancox said.

Budget reductions would require the agency to lay off 48 full-time employees, many of whom have disabilities, he added.

Nearly 400 letters protesting the budget cuts have been sent to legislators and the governor from Centers for Independent Living clients.

The committee took no action on the proposed cuts at the meeting.



Dean Boyington, left, of Maple Grove and Steve Oachs of Mankato listen Feb. 25 as David Hancox and Randy Sorenson tell the House Jobs and Economic Development Finance Committee the effects Gov. Tim Pawlenty's proposed budget cuts would have on Centers for Independent Living and their clients.

HUMANITIES

Board funding eliminated

State funding for the Minnesota Humanities Commission would be cut completely if Gov. Tim Pawlenty's proposed 2004-05 budget is ultimately approved.

The non-profit, founded in 1971 in affiliation with the National Endowment for the Humanities, provides leadership, resources, and programs that advance the study of humanities and enhance the work of schools, colleges, and cultural organizations throughout the state.

President Stanley Romanstein said the commission has been encouraged by Pawlenty's call for greater attention to content in classrooms. The Minnesota Humanities Commission, he said, works consistently to provide content and knowledge to Minnesota's teachers for classroom use.

For example, Romanstein said, the commission sponsored a two-day seminar on world religions in August 2001. That education helped teachers explain the Islamic faith to students when certain Islamic fundamentalists were linked to the Sept. 11 terrorist attacks.

The commission is at a loss to understand the proposed elimination of state funding, which represents one-third of its budget, Romanstein said. The state appropriation in fiscal years 2002-03 was slightly more than \$2 million, much of which is used to match federal funds. In addition to the proposed 2004-05 state appropriation elimination, the 2003 budget shortfall fix had the governor cutting \$240,000 from the humanities commission.

"I'm confused, my colleagues are confused, and so are the 35,000 Minnesotans with whom we work directly every year," said Romanstein, testifying Feb. 20 before the House Jobs and Economic Development Finance Committee.

No one from the governor's office was at the committee meeting to comment. The governor's budget summary, however, says that despite the budget cut, funding for the humanities is the second highest in the Midwest, second only to Michigan.

The National Endowment for the Humanities recently released a five-year assessment of the Minnesota Humanities Commission's work, finding it exemplary.

"The national endowment has called us a model and an inspiration for the rest of the nation," Romanstein said.

The commission also promotes family literacy, offers humanities grants, and sponsors forums to encourage older adult learning in the humanities.

★ INSURANCE

Terrorism coverage

Insurance coverage for acts of terrorism, which now is automatic on commercial property fire insurance policies, would be offered only for an additional fee under a bill that received committee support Feb. 13.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF267 was approved by the House Commerce, Jobs, and Economic Development Policy Committee and will be forwarded to the House floor.

As it stands now, federal law requires commercial property fire insurance policies to include acts of foreign terrorism, even if the policy expressly states that terrorism is not covered. The special terrorism measure, which was temporary, was invoked through the federal Terrorism Risk Insurance Act following the Sept. 11 terrorist attacks in 2001.

Under HF267, insurance companies would no longer be required to automatically provide terrorism coverage on fire insurance policies. Clients instead would be given the choice to purchase the additional coverage.

The bill applies only to commercial property; residential insurance is excluded.

Beverly Turner, a government affairs representative for the St. Paul Companies, said her firm supports the bill, as does the American Insurance Association and the Insurance Federation of Minnesota. Wilkin added that he has received bipartisan support for the measure.

Sen. Linda Scheid (DFL-Brooklyn Park) is sponsoring a companion bill (SF176) in the Senate. It awaits a committee hearing.

★ LAW

Awarding damages

Minnesota's joint and several liability law, which provides a way for an injured person or organization to collect damages even if a liable party is unable to pay its portion, would be significantly altered, under a bill passed by the House Feb. 24.

Sponsored by Rep. Jeff Johnson (R-Plymouth), HF75 was approved 81-51.

Current law states that courts can force a defendant assigned at least 15 percent of the liability in a civil case to pay any costs other defendants are unable to pay themselves.

The bill would move the 15 percent threshold to 50 percent and would eliminate a provision that can force defendants found less than 15 percent liable to pay up to four times that percentage under the same circumstances.

On the floor, Johnson called the existing law "blatantly unfair."

CYBER TROOPER



PHOTO BY TOM OLMSCHIED

Capt. Jay Swanson of the Minnesota State Patrol shows members of the House Transportation Policy Committee the computer located on the console of his patrol car as part of a Feb. 26 demonstration showing how the Departments of Public Safety and Transportation are using Intelligent Transportation Systems.

"We don't tell our jurors about this system," he said. "We require them to apportion fault, but we don't tell them that the person they found 20 percent at fault may be required to pay up to 100 percent of the damages."

Bill supporters said current law is unfair to both local governments and to the rich.

"School districts and local units of government are often seen as the 'deep pockets' when the person or entity most responsible for the damage is unable to pay," said Rep. Joe Opatz (DFL-St. Cloud).

Rep. Eric Lipman (R-Lake Elmo) said, "If you are wealthy, you are held to a different legal standard, because you can pay. That's not in the best traditions of justice."

Holding up photos of two young men killed by drunk drivers, House Minority Leader Matt Entenza (DFL-St. Paul) said many such cases deal with drunken drivers who frequently do not have insurance. Current law has allowed victims and families to get more compensation for medical expenses from insured bar owners who, while not mostly at fault, knowingly served the intoxicated person alcohol and did not keep them from driving.

Rep. Tom Pugh (DFL-South St. Paul) estimated that less than 1 percent of personal injury cases fall under the disputed law. "It's a rare instance, and it's a dilemma. Who should pay more than their fair share?" he asked. If someone with 80 percent liability is unable to pay anything, Pugh said, the bill would leave the victim stuck with 80 percent of medical costs even though they were awarded the full amount. "I'd say, in that instance, let's have one

of the wrongdoers pay more," he said.

The bill would increase the burden on the judiciary at a time when budget cuts are already forcing cuts in to the state's courts, said Rep. Steve Smith (R-Mound).

The House passed a similar bill in 2001, but it never reached a vote in the Senate. This year's Senate companion (SF95), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits committee action.

Clean up your work

A bill aimed at reducing the amount of graffiti appearing on Minnesota walls, fences, and train cars was approved by the House Civil Law Committee Feb. 25.

While graffiti is already punishable in criminal courts, HF339 would allow graffiti victims to collect up to three times the actual property damages from the offender in civil court. Courts may order offenders to clean up the graffiti themselves as an alternative to paying damages. If the offender were a minor, the bill would make parents liable for up to \$1,000 in damages, plus attorney's fees.

The bill's sponsor, Rep. Jim Davnie (DFL-Mpls), told committee members that graffiti — defined as any unauthorized markings scratched or painted onto someone else's property that are visible to the public — is destructive and unsightly, and often produces fear in the community.

Davnie, another Minneapolis resident, and two law enforcement officials all testified that the bill would help bring more offenders to

justice because of lower standards of evidence required in civil courtrooms. "A criminal court requires either an eyewitness or a confession," said Jack Baker, an attorney and resident of Minneapolis's Lyndale neighborhood. "In the civil courts, a preponderance of the evidence is sufficient to impose liability."

A letter to the committee from the Minnesota Defense Lawyer's Association opposed the provision making parents pay for their children's damages, saying the high costs of attorney's fees combined with the \$1,000 sanction was "further punishing parents for acts of children of which they had no knowledge and probably no control."

The group also worries about giving civil courts the power to order a defendant to clean up their graffiti. "The (association) believes it is best left to the criminal courts to determine appropriate community service for those who violate criminal statutes, rather than create this kind of statutory indentured servitude."

The committee approved an amendment that would give rail cars and other forms of transportation the same protections.

A companion bill (SF40), sponsored by Sen. Linda Berglin (DFL-Mpls) awaits action by the full Senate.

★ LOCAL GOVERNMENT

Clarifying fund uses

With the majority of the state's 800-plus cities and 87 counties railing against proposed cuts in local government aid, nonpartisan House Research staff released documentation Feb. 24 examining revenue calculations.

The research came in response to testimony by cities and counties before the House Taxes Committee in the days since the Feb. 18 release of Gov. Tim Pawlenty's proposed 2004-05 biennium budget. City and county representatives say the cuts, based on 2000 city revenues, are flawed due to inclusion of funds that are restricted to a certain use and therefore cannot be used to plug budget holes elsewhere.

House researchers placed the funds on a scale of "clearly fungible," meaning that this money could be used in a variety of ways, to "mostly restricted."

Examples of restricted funds are hotel/motel tax proceeds, which must be spent on tourism promotion; tax increments dedicated to tax-increment financing debt service, local sales tax, and special assessments.

A specific example of special revenues that are restricted comes from Granite Falls, said Gary Carlson, representing the League of Minnesota Cities. The city received special

funding from the Federal Emergency Management Agency in 2000 to deal with tornado damage. That money was counted as part of the revenue base from which state cuts are calculated.

Considered "clearly fungible" were property taxes, franchise taxes, gravel and gambling taxes, local government aid, Homestead Agricultural Credit Aid (HACA), taconite aid, interest earnings, and net transfers from enterprise funds.

Steve Larson, mayor of New Brighton and spokesperson for the North Metro Mayors Association, said the 22 cities in the north central and northwestern Twin Cities suburbs have been responsible with taxpayers' contributions and state aid.

"Collectively, we have contained spending growth near the rate of inflation and well below the level of increases at the county and state levels," he said.

Pawlenty's proposal would cut city aid by 29 percent from previous funding forecasts. Cuts in city aid, as a percent of total city revenues for 2000, would average 3.8 percent in calendar year 2003 and 7.3 percent in 2004. The maximum cut to any one city is proposed at 5 percent in 2003, and 9.5 percent in 2004.

If ultimately approved, total aid to cities would be set at \$1.07 billion in 2004-05, a reduction of \$435 million.

County aid concerns

Calling proposed cuts in state aid an extreme challenge, county representatives spoke Feb. 25 before the House Taxes Committee against specifics of a proposed 20 percent cut in overall state aid during the next biennium.

Gov. Tim Pawlenty's proposal would reduce county aid as a percent of total county revenues by an average of 1.6 percent in calendar year 2003 and 2.8 percent in 2004. The maximum cut to any one county would be 2 percent in 2003 and 3 percent in 2004. Aid to counties would total \$722.8 million in the next biennium, a reduction of \$189.4 million.

However, the reduction number climbs to \$450 million with the imposition of new fees, said Jim Mulder, executive director of the Association of Minnesota Counties.

Those increases come with the elimination of programs the counties are financially committed to, and imposition of new fees and charges. Programs involved are wetland mitigation and preservation, state-mandated county audits, intermediate care facilities for the mentally retarded, and the proposed placement of certain felons in county jails.

Unlike local government aid for cities, state funds for counties are given directly to programs, which in many cases must be offered

by the county, according to state law. In this way, Mulder said, Minnesota counties are essentially an extension of the state and have little control over budgeting in certain programs, he added.

The spectrum of county services include:

- highway maintenance,
- tax collection,
- planning and zoning services,
- public health offices,
- criminal prosecution,
- jails,
- human services,
- soil and water conservation districts,
- county extension services,
- economic development,
- solid waste management (recycling),
- recording of land records, and
- out-of-home placements for children in unsafe homes.

The latter alone cost counties \$180 million in 2002, Mulder said.

"Counties will face some heavy lifting to meet the challenges presented by the governor's budget proposal," said Jan Fransen, county coordinator for Jackson County.

For instance, she said, property tax levy limits allowed Jackson County to gain only an additional \$40,500 over 2002. However, employee insurance costs rose by 17 percent, or \$158,000, of which the county paid \$64,000, requiring employees to contribute the remainder.

Counties also expressed concern about the governor's desire to change the county aid programs to a new formula based partly on need.

Sharing revenues

The city of Biwabik would have to share property tax revenues from a golf and ski resort with a township, under a bill approved Feb. 26.

Following approval by the House Local Government and Metropolitan Affairs Committee, HF306 now moves to the House floor.

Rep. Tom Rukavina (DFL-Virginia), the bill's sponsor, said the matter started a few years ago when Biwabik wanted to annex the Giant's Ridge Golf and Ski resort from White Township. A dispute ensued due to White Township's concern about loss of property tax revenues.

Rukavina said the region was already troubled by the 2001 closure of the LTV Steel Mining Company plant in Hoyt Lakes, which had been a large employer. So, he said, he asked the two local government entities to work through their issues.

The process eventually settled following mediation, said Don Samuels, who added that

he had encountered no matter more difficult than this in 23 years on the White Township Board.

"The whole process took almost two years," Samuels said.

The September 2002 agreement, spelled out in a 20-page document, contains a permanent revenue sharing provision that would be enacted upon final approval of HF306. The bill would become effective upon approval of both the Biwabik City Council and the White Township Board.

The state statute that would ensue with passage of HF306 would be applicable for only six years. However, the agreement between Biwabik and White Township would continue into perpetuity.

A companion bill (SF279), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits committee action.

Agency reorganization

A bill that would change the composition of an Alexandria area economic development agency was approved Feb. 25 by the House Local Government and Metropolitan Affairs Committee.

A similar bill was passed last year, allowing the city of Alexandria and the townships of Carlos, Alexandria, and La Grand to form an economic development authority. It failed to become effective when Carlos backed out of the agreement. Since then the town of Garfield has come on board.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake), HF245 would require economic development authority members to levy a tax to fund its activities, with each entity's share based on its taxable market value. The bill would not allow the economic development group to sell general obligation bonds for capital projects.

Also provided are provisions for additional entities joining, as well as for the withdrawal of current members.

Jason Murray, representing the Alexandria Area Economic Development Commission, said all participating entities have signed agreements to join the economic development authority.

Rep. Ron Abrams (R-Minnetonka) said last year's bill was the first he could remember allowing an economic development authority through a joint powers agreement between cities and townships. He approved of the arrangement, he added.

The bill now moves to the House Taxes Committee.

A companion bill (SF151), sponsored by Sen. Dallas Sams (DFL-Staples), was approved

Feb. 13 by the Senate State and Local Government Operations Committee and referred to the Senate Taxes Committee.

Firefighter pensions

A new means of calculating population would help growing communities pay firefighter pensions, under a bill approved Feb. 26 by the House Local Government and Metropolitan Affairs Committee.

Sponsored by Rep. Steve Strachan (R-Farmington), HF427 now moves to the House floor.

Under current law, the state distributes aid to municipalities for firefighter retirement funds based on a formula that considers the municipality's market value and its population in the last statewide federal census. The bill would allow the population figure to be drawn annually from accounts by the Metropolitan Council, the state demographer, or the census — whichever is the most recent.

In this case, municipalities are defined as cities, towns, park districts, the University of Minnesota, and as an American Indian tribal government entity located on a reservation.

Strachan said the bill would make the funding mechanism fairer for growing municipalities.

Growing communities would benefit while those with declining populations would lose, said Nyle Zikmund, spokesperson for the Minnesota State Fire Chiefs Association, who

noted that he does not have a position on the bill. Calculating the population annually brings the matter in line with market value, which has always been determined annually for fire pension state aid.

Zikmund said firefighter pensions vary. Firefighters in larger cities may receive \$250,000 after 20 years of service while those in small town may get \$10,000. But larger city firefighters could respond to 100 interior structure fires in their career compared to two on the part of a small-town firefighters.

HF427 has no Senate companion.

MILITARY



Earning full pay

State and local government employees in the military reserve could soon receive a salary differential payment when called to active duty.

The House Governmental Operations and Veterans Affairs Policy Committee approved HF294, which would require a state employer to pay any net amount of salary lost to an employee if called to service. The bill now moves to the House State Government Finance Committee.

Rep. Rob Eastlund (R-Isanti), the bill sponsor, told the committee Feb. 26 that a similar bill was passed in 1991 during the Persian Gulf War and repealed in 1996.

Col. Dennis Lord, executive director of the

CAPITOL LUNCH



PHOTO BY TOM OLMSCHEID

Janelle Rohr of West St. Paul feeds her 2-year-old daughter, Clara Dubuc, some lunch Feb. 27 between participating in a rally for support of children's early care and education programs and meeting with her House member, Rep. Tom Pugh.

Minnesota National Guard, explained that lower ranking soldiers are paid less by the military than in most civilian jobs. Because of the salary difference, some soldiers are suffering great financial hardship in serving the country for periods of time ranging from 12 to 24 months. "This bill will show your support for those going over and participating in the war," Lord said.

He further explained that Minnesota has about 18,000 reservists, 500 of whom are state employees. He said that many of them are of higher rank in the military so the salary differential wouldn't apply to them. But for the lower ranking soldiers who are paid less, the bill would help them significantly.

The bill defines an eligible member as a United States Armed Forces reservist, or a National Guard member who was a state employee when ordered to active military service on or after Sept. 11, 2001. The committee did not discuss whether any costs may be associated with the bill.

A Senate companion (SF117), sponsored by Sen. Don Betzold (DFL-Fridley), awaits committee action.

★ RECREATION

Golf course funding

Representatives of the Minnesota Amateur Sports Commission told the House Capital Investment Committee Feb. 26 that ground is to be broken for the National Children's Golf Course this spring, instead of the originally intended time frame three years past.

Legislators demanded to know why the \$3.1 million one-time state funding had been spent, but most of the golf facility does not exist.

Paul Erickson, the commission's executive director, attributed the delay to complications regarding 340 acres of land adjacent to the project that must be retained by the Metropolitan Airports Commission. The commission was initially given the land by the Federal Aviation Administration (FAA).

Erickson said that because the course will partially be built on commission land the FAA must analyze the project, a process sometimes known to take up to nine years. He said commissioners weren't aware of those circumstances when funds were appropriated in 1998.

A February 2003 legislative audit found no wrongdoing with regard to the progress of the project, but noted, "The Amateur Sports Commission must bear some responsibility for the controversy that has developed regarding the use of these appropriations."

Erickson said the commission should have been clearer in the language written to give the commission funds to "develop" a golf course.

He said he was called into a 1998 conference committee at 3 a.m., and asked to write language appropriating funds for the course.

Rep. Philip Krinkie (R-Shoreview), the committee chair, told commission officials most of the problems could have been solved with an "easy response" of informing legislators about delays in the project. He said he brought the commission before the committee after a private citizen inquired about the golf course.

Herb Brooks, a commission board member, wanted to know why previous legislative concerns were first discussed with commissioners, but this time he first learned of the controversy by reading it in the newspaper. He said there have previously been formal discussions about the issue. Then he pointedly asked Krinkie if it was he who spoke with the media before talking to the commission, saying, "The media says it was you."

Krinkie said he hadn't and reiterated that a private citizen informed him of the situation. Brooks asked for a name or if the citizen worked in the golf business. Krinkie responded that the issue is not about how and why the committee is meeting. "We need to get back to the issue," he said.

When completed, the project would include a three-hole learning center, driving range, 18-hole putting course, a nine-hole course for small events, an 18-hole course, and a multi-purpose clubhouse facility. It is located near the National Sports Center in Blaine.

Committee members requested a timeline of the construction set to begin this spring. Also, they requested information on the private funds collected to help in the total estimated cost of the \$9 million to \$12 million project.



Tim Grant, representing Conceal Carry Reform Now, testifies before the House Judiciary Policy and Finance Committee Feb. 26 in support of a bill that would change law enforcement authority in the granting of permits to carry a gun.

★ SAFETY

Changes to conceal carry bill

Business owners and event organizers who don't want handguns carried onto their premises would need to purchase a "locked, personalized, storage space" for patrons to place their guns under a provision added to this year's incarnation of "conceal-carry" legislation in the House.

The amended version of HF261, approved by the House Judiciary Policy and Finance Committee Feb. 26, would also require those establishments to post a sign stating their policy near the main entrance.

The bill's sponsor, Rep. Lynda Boudreau (R-Faribault), said the added language was a response to business groups that wanted to be sure establishments had the option to refuse entry to people carrying guns under the relaxed handgun permitting restrictions the bill would set up. It is modeled, in part, after a law in Arizona, which Boudreau said has the country's strongest restrictions on where guns can be carried in public.

No representatives from the business community testified at the hearing, but Rep. Michael Paymar (DFL-St. Paul) expressed concern that the provision would force businesses in his district to purchase lockers and keys for use by gun owners without allowing them to recoup the cost. Under the provision, businesses are not allowed to charge owners a fee for gun storage.

The bill, which supporters say would make more consistent law enforcement's role as to whom a permit to carry a handgun in public

could be granted, specifies that signs posted at events and in businesses must be printed in black block letters at least 1.5 inches high on a lime green background. The sign must be at least 648 square inches and placed no more than 4 feet from the entrance at a height of 4 to 6 feet above the floor.

Business owners would have the right to ask someone to leave if they do not lock up their gun. A person refusing to leave would face a fine up to \$25, but would not have to give up their weapon.

The committee rejected an amendment offered by Rep. Cy Thao (DFL-St. Paul), which would have excluded the cities of Minneapolis, St. Paul, and Duluth from having to recognize handgun permits issued under the bill.

The bill next goes to the House Ways and Means Committee.

Its Senate companion (SF222), sponsored by Sen. Pat Pariseau (DFL-Farmington), awaits committee action. A Republican effort to pull the bill out of committee for a Senate floor vote failed on Feb. 20.

★ TRANSPORTATION

Transportation Department budget

Officials from the state Department of Transportation testified before the House Transportation Finance Committee Feb. 25 and 26 about their proposed budget for 2004-05.

The department and the governor recommend a \$3.8 billion budget for the coming biennium, a reduction from \$4.6 billion in 2002-03. State funding for the department primarily comes from the trunk highway fund. Expenditures in the department are reflective more of collecting funds from various sources and distributing the money through a program of state, county, and local road and bridge improvement projects.

The department also receives a significant amount of federal funds for projects and programs.

Kevin Gray, chief financial officer for the department, presented the proposed budget in terms of products and services provided. They were broken down into four main areas:

- \$384 million for multi-modal functions, such as transit and transit administration, airports, freight regulation, and motor carrier regulation;
- \$1.9 billion for state road projects;
- \$1.36 billion for local roads; and
- \$122 million for general department support, such as the commissioner's office, finance operations for the department, human resources, maintenance, and administration, and technology developments.

Gray said the department has proposed reducing general fund expenditures, which make up less than 1 percent of the department's proposed 2004-05 budget of \$3.6 million for the biennium. Those reductions would affect Greater Minnesota transit operations.

Donna Allan, director of the department's transit office, said the staff would make sure that cuts are distributed equitably to the various smaller transit authorities throughout the state. She said they would begin with a 10 percent cut to all organizations, but would evaluate cuts to keep transit systems from shutting down as a result of cuts.

The remainder of the cuts for the biennium would come from trunk highway fund expenditures – primarily those in the administrative areas of the department.

Of the proposed \$84 million in reductions, Gray said, \$53.5 million would come from state road operations, and \$27.5 million from agency support. The road funding cuts would not affect specific projects, Gray said, but instead would be absorbed by MnDOT programs such as investment and planning, operations and road maintenance, and electronic communications.

According to budget documents, "The time to get bare pavement will increase following snow events; incident management response may deteriorate and contribute to higher lev-

els of traffic delay, project letting dates will not be evenly distributed; our ability to field inspect and manage multiple construction projects will be impacted, which may result in project start and completion delays."

However, Gray testified, key performance indicators will not be affected by the reductions.

Of the other administrative cuts proposed, many of them would be absorbed by communications staff in the department, Gray said.

Overall, the department anticipates reducing employees by about 295. Gray said that is within normal attrition rates and the department expects actual layoffs to be minimal.

Several members expressed concern about the staff reductions. Rep. Al Juhnke (DFL-Willmar) asked for a specific breakdown of the full-time positions to be eliminated.

According to budget documents, the trunk highway fund reductions would free up money for additional construction projects, which will be proposed later this session.

No reductions are proposed for local road projects in the budget.

In addition, the budget proposal would reduce the aeronautics fund budget by \$846,000. A separate hearing on that aspect of the budget is planned for a future date.

The committee took no action on the proposals at the meetings.

LIQUID LOBBYISTS



PHOTO BY ANDREW VON BANK

Jessie Rock, left, of Moorhead and her niece, Hannah Brady, right, a sixth-grader from Glyndon, are among the hundreds of Minnesotans from across the state gathered in the Capitol Rotunda Feb. 25 to participate in the Protect Our Water Lobby Day rally, sponsored by the Minnesota Environmental Partnership.

'Tree Army'

Bill would move Minnesota Conservation Corps from the Department of Natural Resources to the nonprofit sector

By NICOLE WOOD

In response to the state's fiscal woes, Gov. Tim Pawlenty has directed state agencies to step back and review their core missions. Certain programs that don't meet those primary function criteria would be made independent, under the governor's budget proposal for the next biennium.

One program poised to make that transition is the Minnesota Conservation Corps, a public service organization that provides young men and women between the ages of 15 and 26 with practical outdoor work experience protecting and enhancing the state's natural resources.

The House Environment and Natural Resources Policy Committee reviewed a bill Feb. 25 that would transfer the program from the Department of Natural Resources to an existing private nonprofit corporation.

"This is a chance to be more entrepreneurial and grow the program ... without being tied into the state budget cycles," said Rolf Hagberg of the Friends of the Minnesota Conservation Corps, the nonprofit designated under the bill (HF407) to assume responsibility for the operation July 1, 2003.

Minnesota Conservation Corps participants build trails, restore wetlands and prairies, plant trees, and respond to natural disasters such as the 1999 Boundary Waters wind storm and the 2000 Granite Falls tornado. Corps members logged more than 20,000 hours inspecting boats and educating anglers about harmful exotic species in 1999 and 2000, according to the program's Web site.

Conservation corps members make up one-third of the state's wildfire fighting force, Hagberg told the committee.

Natural Resources Department officials have said that their plan to cut the program is not a reflection of the work of the corps volunteers and employees. Rather, the program is viewed more as a jobs program than a core natural resources function.

Under the bill, future funding would come from federal grants, corporate and individual donations, service fees, and an annual state appropriation reduced from \$2.4 million in fiscal year 2002 to a proposed \$1.2 million beginning in fiscal year 2004.

The bill would allow the program to take with them tools, equipment, and whatever funds remain at the end of the fiscal year. Also, the nonprofit would retain office space in state facilities and would be granted preferred bidding status on state contracts.

State agencies would, however, be required to certify that Minnesota Conservation Corps contract workers would not displace state employees.

The Minnesota Conservation Corps is "kind of a copycat of the old CCCs," said the bill's sponsor Rep. Larry Howes (R-Walker), referring to the Civilian Conservation Corps, a Depression-era public works program initiated by President Franklin D. Roosevelt. Between 1933 and 1942 more than 3 million unemployed men participated in

Roosevelt's Tree Army, as it was commonly called.

"This kind of work must go on," wrote Roosevelt in a 1934 letter to CCC Director Robert Fechner. "I believe that the Nation feels



This 4 X 6 oil painting depicting three Civilian Conservation Corps enrollees and the tools of their trade was displayed at the 1939 World's Fair in San Francisco.

Photo courtesy of National Association of Civilian Conservation Corps Alumni Web site.

The following is a select list of non-cabinet state agencies and programs that would undergo partial or total elimination of state funding under Gov. Tim Pawlenty's budget recommendations for fiscal years 2004 and 2005.

Minnesota Gambling Control Board
Minnesota Racing Commission
Minnesota Campaign Finance and Public Disclosure Board
Minnesota Amateur Sports Commission
Minnesota Horticulture Board
Minnesota Technology Inc.
Minnesota Humanities Commission
Minnesota State Council on Disabilities
Minnesota Film Board and Snowbake Program
Tourism Loan Program

Program descriptions and an explanation of the governor's recommendations can be found on the Department of Finance Web site: <http://www.finance.state.mn.us>


that the work of these young men is so thoroughly justified and, in addition, the benefits to the men themselves are so clear that the actual annual cost will be met without much opposition or much complaint."

In the past, Minnesota participants in the federal conservation corps built state parks and roads, planted trees, cleared portages, and constructed dams and fire lookout towers. Their legacy remains in more than 400 log and stone structures across 27 Minnesota state parks. Notable projects include the dam at the headwaters of the Mississippi River in Itasca State Park and impressive stonework at Gooseberry Falls along the Lake Superior North Shore.

"You are participating in the greatest conservation movement the country has ever known and as a direct result of this participation you have gained a revitalized outlook on life," wrote Fechner to the enrollees in his 1936 Christmas greeting, as quoted in David R. Benson's *Stories in Log and Stone: The Legacy of the New Deal in Minnesota State Parks*.

The concept of public service to the environment was briefly revived as a federally-funded Youth Conservation Corps in the 1970s. The Minnesota Conservation Corps in place today was created by the 1981 Legislature.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee.

A Senate companion (SF336), sponsored by Sen. Dallas Sams (DFL-Staples), awaits its first committee action. 

Serving the state

Five candidates are recommended by a joint House-Senate committee to sit on the university's Board of Regents

By MIKE COOK

Three people are one vote away from being part of a board that has great power in determining the future of Minnesota.

Two others are one vote away from returning.

Clyde E. Allen, Jr. of Moorhead, John Frobenius of St. Cloud, David Metzen of South St. Paul, and Patricia Simmons from Rochester were recommended at a Feb. 26 joint meeting of House and Senate education committees to serve on the University of Minnesota Board of Regents.

Though not initially recommended, Board Chair Maureen Reed of Stillwater was also nominated.

The quintet must now be confirmed at a March 3 joint convention of the House and Senate. By law, regents must be selected by May 7 of each odd-numbered year or a date agreed to by concurrent resolution.

The only governmental body in the state that

Even in troubled times, a spot on the university's board is highly sought after.

"Every business, every agency, every institution has to play the hand it's dealt. If everybody jumped off the boat when the waves got high, we'd have nobody steering the boat," Reed said. "It's more fun during easy times, but it's more rewarding during tough times."

Metzen, like Reed a regent for six years, said everyone also has a love for the institution. "Whatever I am today I owe to the University of Minnesota," he said, noting that he has three degrees from the institution. He calls serving "the ultimate public service for me."

State law says there must be one regent from each of Minnesota's congressional districts and four at-large members, one of whom must be a university student.

Provisions to select the regents were established as part of the university charter in 1851, and incorporated into the state constitution seven years later.

Currently those seeking to be regent must file an application with the Regent Candidate Advisory Council. The 24-member council then reviews the applicants and selects candidates to interview for the four seats up for reappointment each odd-numbered year. The council received 66 regent applications this time and interviewed 18 applicants in January.

State statute requires that between two and four names be forwarded to the joint education committee for each open position.

Rondi Erickson, the council chair, said "The breadth of experience and expertise of appli-

cants made the process of elimination very difficult" and all finalists would "serve the university with distinction."

This council's role in the selection process has been in place since 1988. Before then candidates simply nominated themselves and were not screened. The governor appointed candidates until a court ruling gave those powers to the Legislature in 1929.

However, the Legislature does not always fulfill its role.

In 2001, lawmakers anticipated some political maneuvering during the joint convention and could not agree to meet.

Because no joint meeting of the bodies convened that year, former Gov. Jesse Ventura chose the five regents on July 31, 2001. There was an additional choice that time because a replacement was needed for a regent who died during his term.

However, this year, lawmakers do not anticipate a repeat of the 2001 situation, though moves may be made during the joint convention to adjust the current slate of candidates.

"I don't know what the outcome of any votes will be on the floor, but hopefully the broader Legislature will conclude that we are forwarding a balanced slate of names," said Sen. Steve Kelley (DFL-Hopkins), chair of the Senate Education Committee.

Additionally, state law permits the Legislature to take action on those appointed by a governor two years prior — it has done that four times since 1929.

In 1935, three of Gov. Floyd B. Olson's four 1933 appointments were approved by the Legislature. Four years later the Legislature rejected all regents selected by Gov. Elmer Benson. Gov. Wendell Anderson fared much better in 1975 when all of his 1973 appointments were approved, as were five others.

The education committees recommended Ventura appointees Frank Berman, Peter Bell, current chair of the Metropolitan Council, Richard "Pinky" McNamara, and student-regent Lakeesha Ransom be approved. McNamara was the only one recommended by the joint education committees in 2001.

The joint committee recommended that the other Ventura appointee, Jean Keffeler, a regent from 1989 until resigning in 1996, be replaced by Reed.

After the meeting, Reed and Keffeler exchanged pleasantries with Keffeler saying, "You know the university will have my continued support." Reed said she knew it would. 🐾



PHOTO BY KRISTINE LARSEN

Regent candidates Clyde Allen Jr., left, answers a question as Arthur Brandli, center, and former Senate Majority Leader Roger Moe, right, look on during a Feb. 26 joint meeting of the House and Senate education committees. The committee recommended Allen to be named a University of Minnesota regent to represent the Seventh Congressional District.

is elected by the Legislature, the 12-member board governs the university. One-third of the board is open for appointment every two years. Therefore, members serve staggered, six-year terms.

The next big thing

Small Minnesota town looks for state help to be on the leading edge of emerging technology

By MIRANDA BRYANT

Suspend your beliefs about the workings of nearly every product you've ever known. Imagine instead prescription drugs treating pain the moment they touch your mouth's membrane. Supercomputers functioning from a wristwatch. Airplanes becoming invisible by blending into their surroundings. Buildings and machines repairing themselves. And clothing alerting its wearer to environmental hazards.

The technology for such advances — called nanotechnology — is not relegated to imagination. It's well on its way. And if a group of business people has its way, it's a science that will be partially funded by the state of Minnesota.

A bill to fund the Rushford Institute for Technology, still on the drawing board, has been approved by one House committee.

In simple terms, nanotechnology is the direct manipulation of atoms and molecules at the atomic level, or the most basic level at which matter exists. According to Thomas Kenny of Stanford University, a nano's size equates to the amount by which fingernails grow each second, or the thickness of a drop of water spread over a square meter.

To understand why nanotechnology can go where no science has before, consider how *Minnesota Technology Magazine* described it. "Typically, creating a product, such as a chair, means taking something larger than the desired finished product, such as a tree, and whittling it down. Nanotechnology starts with individual molecules and builds them up." This construction method is similar to Mother Nature's own building mechanism.

The beauty of nanotechnology, according to industry experts, is that it has applications in nearly every aspect of modern life. The University of Minnesota says nanotechnology will revolutionize science, medicine, and manufacturing and will prove crucial to the continued success of many of Minnesota's leading companies.

And how did the small, southeast Minnesota town of Rushford, population 1,600, get involved in a race for dominance in a little-known industry that, according to one account, generates \$45.5 billion a year in sales worldwide?

It began when the University of Minnesota

conducted a nanotechnology summit in April 2000. Experts attended, including the U.S. president's advisor on nanotechnology. But of the cities invited to explore becoming potential hosts to the nanotechnology industry, only Rushford showed.

"We asked ourselves could we do it?" said Kevin Klungtvedt, program coordinator for the Rushford Institute of Nanotechnology. A trio of Rushford businessmen decided its small town would be ideal for small high-tech nanotechnology companies. The industry can be based virtually anywhere, due to its small-scale operations and transferable qualities. And Rushford has the added benefit of a low cost of living, they said.

So the businessmen set out to make

and develop for the area," Klungtvedt said.

As for the Rushford Institute for Technology, if created, it would be a non-profit organization, consisting of a research laboratory, business services, and an education division.

Start-up ventures wishing to conduct research would be the lab's focus, with businesses paying royalties on products successfully developed from the laboratory.


Already underway is the education component of the institute. The local school system was the first in the country to develop a nanotechnology graduation standard. And a partnership with Winona Technical College is creating what is only the second two-year technical degree in the country.

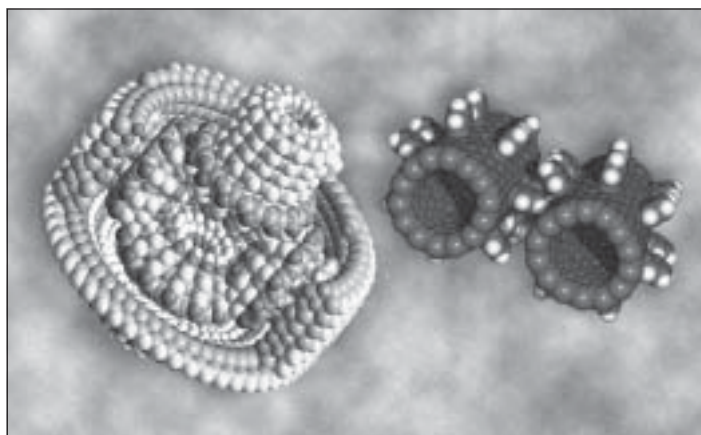
The Rushford Institute for Technology started its state financing campaign recently by seeking \$5 million over the next three years from the state. Sponsored by Rep. Greg Davids (R-Preston), HF176 made its first appearance Feb. 11 before the House Commerce, Jobs, and Economic Development Policy Committee. However, Davids amended the bill to make the appropriation open-ended. Delineating the appropriation in the midst of a budget crisis could limit the bill's success, he said.

The bill was approved and forwarded to the House Jobs and Economic Development Finance Committee, where it awaits a hearing. A companion bill (SF243), sponsored by Sen. Bob Kierlin (R-Winona), awaits action at the Senate Finance Committee.

While Minnesota lawmakers study financing a new industry, others wonder if doing so won't create increased competition for state funds. Rep. Tony

Sertich (DFL-Chisholm) said that funding a next-century venture to create jobs sounded like the idea behind the Minnesota Minerals 21st Century Fund. Sertich and other Iron Range legislators criticized Gov. Tim Pawlenty's 2003 budget fix, which used \$49 million from a fund, intended to help start-up and enterprising mining facilities.

At the federal level, nanotechnology received President Bush's support in the form of a \$710 million request in his 2003 budget. 



Images courtesy of the NAS Nanotechnology Gallery and K. Eric Drexler

These diagrams illustrate molecular structures that could be created via nanotechnology. In their actual forms, they would not be visible to the human eye. The one on the left is a molecular representation of two shafts and their gears. On the right is a molecular model of nanotube gears.

Rushford into a nanotechnology center. They educated the community about the industry and hoped the word would spread about Rushford's willingness to host the next biggest thing to the Industrial Revolution.

It did.

Aveka Inc., a 3M spin-off firm located in Woodbury, decided to open a plant in Rushford to make nano-sized metal-particle products.

"This is the type of industry the Rushford Institute of Nanotechnology plans to attract

A tireless advocate

Former governor Freeman fought for Minnesotans, others as governor, federal agriculture secretary, and citizen activist

BY JEFF JONES

Minnesota's first DFL governor, Orville L. Freeman, died from complications from Alzheimer's Disease Feb. 20 at age 84.

Freeman, governor from 1955-61, would go on to become the U.S. Secretary of Agriculture for two presidents and a life-long advocate of ending hunger worldwide.

Freeman grew up in south Minneapolis and entered the University of Minnesota during the Great Depression where his research and rhetorical skills impressed classmate Hubert H. Humphrey, who recruited him for the debate team. The two became close friends and traveled the country debating the merits of President Roosevelt's New Deal policies. Freeman's charisma also got him elected president of the student body All University Council, where he first met Jane Shields, who had been elected secretary. The two were married in 1942.

"Every decision, every problem — we shared

speech therapy allowed him to speak again, but he bore a noticeable scar on the side of his face.

While finishing law school, Freeman worked with then-Minneapolis Mayor Humphrey to form the Democratic-Farmer-Labor Party. The two were said to represent the party's right wing.

Freeman helped Humphrey win election to the U.S. Senate in 1948 and became party chairman before losing a race for attorney general in 1950 and his first bid for governor in 1952.

Two years later Freeman edged incumbent Gov. C. Elmer Anderson, by running on a platform of improving schools and highways, eliminating government waste and red-tape, and improving the morale of state employees. He was 36 at his inauguration.

As governor, Freeman supported an income tax over a sales tax to fill state coffers and fund social programs during the economic prosperity of the 1950s. He oversaw an expansion of business and industry in the state, led trade delegations to Scandinavia and East Asia, and

convened a legislative committee to examine ethics in state government. That committee issued recommendations about lobbying, campaign financing, and conflicts of interest in the legislative and executive branches.

DFL and Labor Party representatives controlled the House during Freeman's six years in office, but conservatives in the state Senate

blocked many of the social reforms he advocated.

A pivotal moment in Freeman's tenure came in 1959 when he decided to intervene in a potentially violent strike at the Wilson Meat Packing Co. in Albert Lea. At the request of local

officials, he called on National Guard troops to shut down the plant and declared martial law. A federal court later rebuked his decision.

Despite the resulting loss of labor support, Freeman sought an unprecedented fourth two-year term as governor in 1960. He gave John F. Kennedy's nominating speech at the Democratic National Convention that year and was rumored to be his second choice for vice president.

Sensing Kennedy's Catholicism was hurting him among Minnesota Lutherans, Freeman prepared a statewide television address to denounce religious bigotry. The move backfired and cost Freeman more votes in the gubernatorial election.

In the end, Kennedy won the state by 22,000 votes and Freeman lost to Republican Elmer L. Andersen by about the same margin. Freeman's support was not forgotten, however, as Kennedy called on him to become secretary of agriculture.

In a 1999 interview, Freeman recalled telling Kennedy, "One of the greatest paradoxes is we have a big food surplus and a world full of hungry people, and I want to do something about it." He agreed wholeheartedly with that.

As secretary, Freeman began what would become his true life's work. He traveled the globe to help develop assistance programs for the poor in the United States and around the world.

After Kennedy's assassination, Freeman stayed on as agriculture secretary for President Johnson until 1969.

He spent the next 25 years advocating for use of American knowledge and capital to help improve the agricultural economies of developing nations.

"I have said more than once that the world's two biggest problems are the Big Bomb and the small farmers," he wrote in 1983. "If we could increase the income of the billion small farmers around the world ... most of the world's problems would be well on their way to solution."

Between 1971 and 1995, Freeman chaired a consulting firm in New York, headed the United Nations Association of the United States, served on President Jimmy Carter's commission on world hunger, led the Agricultural Council of America, and helped develop St. Paul's World Trade Center and the University of Minnesota's Humphrey Institute for Public Affairs.

Freeman retired to Minnesota in 1994. He would later help his son, Mike, who ran for governor in 1998.


"I have been very fortunate to have had these opportunities," he said in 1999. "I have done my best to contribute to a better world." 



PHOTO BY TOM OLMSCHIED

Jane Freeman, center, wife of the late Orville Freeman, clasps the hands of her children, Constance, left, and Michael, right, at the memorial service for the former governor and U.S. agriculture secretary in the Capitol Rotunda Feb. 27.

them," he said later in life. "Through the years, she was right there."

Serving as a U.S. Marine, Freeman's jaw was shattered by a sniper's bullet in the South Pacific in 1943. Eight months of hospitalization and

Making connections

Demmer brings backgrounds in agriculture, business, and education to his new role as state representative

By TOM LONERGAN

Most legislators take notes, but the tools of modern technology, such as personal digital assistants (PDAs), are only slowly creeping into leg-



Rep. Randy Demmer

islators' daily lives. For first-term Rep. Randy Demmer (R-Hayfield), all tools toward learning his new job are valuable.

"Back home I'm known as the computer guy," said Demmer, who brings a varied background in business, education, and agriculture to the Legislature. The 46-year-old owns a computer and accounting software company, is part owner of three auto parts stores, and was a school board member in Hayfield for more than 10 years.

Deb Towey has been an employee of Demmer's computer business for the past 19 years. "When I introduce him as 'my boss,' he goes, 'No, we work together,'" she said. The company helps small businesses and farmers in southeastern Minnesota automate and update their financial records.

Wendy Shannon, superintendent of Byron Public Schools, has worked with Demmer on education issues. "He's going to be helpful to school districts in the state," Shannon said. "He has really learned what our issues are. He understands the negotiations process and budget issues."

Demmer said "an interest in being a part of making decisions" was why he ran for the House. For a decade, he was a constituent of House Speaker Steve Sviggum (R-Kenyon) and Sen. Dick Day (R-Owatonna). Sviggum urged Demmer to run after re-districting in 2002 moved Hayfield, Demmer's home, into a newly drawn district with an open House seat. "The timing was good for me," said Demmer, who has also raised corn and soybeans and now rents the farmland he owns.

"I don't come with a specific agenda," Demmer said. "But I'm not one to sit back and do nothing. I want to be effective and learn

how things work." The University of Minnesota graduate has a degree in agricultural business administration. He's a member of the House Agriculture Policy, Agriculture and Rural Development Finance, Education Finance, and Education Policy committees.

His district 29A, west of Rochester, includes Dodge County and part of Olmsted. New residential subdivisions characterize the eastern portion of Demmer's district, which includes two Rochester precincts. Rochester's job growth in health care and information technology during the 1990s led to a residential boom in small towns like Byron, west of the city. As a result, land management and

"The challenge is how to manage a growing rural residential population with agriculture. The state and county have a role, but it (annexation) starts as a local issue. We should not be telling someone in Byron, Minnesota what they should be doing with their farmland."

— Rep. Randy Demmer

annexation issues have become increasingly important, Demmer said.

"The challenge is how to manage a growing rural residential population with agriculture," he said. "The state and county have a role, but it (annexation) starts as a local issue. We should not be telling someone in Byron, Minnesota what they should be doing with their farmland."

Agriculture remains a backbone of his district, Demmer said. "We have to keep agriculture productive and profitable. It's a huge industry."

Demmer said he wants to see the state's K-12 education funding formula changed. Families with fewer children, and fewer rural residents across the state in general, contribute to declining enrollment in rural schools, he said. "We have to find a fair and equitable way to fund rural districts. It troubles me that we have so many districts in statutory operating deficit."

When a school district falls below a certain level in its unreserved operating funds, it's

placed in operating deficit status by the state Department of Children, Families and Learning. During the 2001-02 school year, 33 districts, including Hayfield, were in statutory operating deficit, as were eight charter schools. The state works with school districts to eventually balance their books.

Demmer favors a state education policy that's more focused on elementary and secondary school basic academics. Toward that end, he's sponsored HF517, which would rename the department the Minnesota Department of Education, as recommended by Gov. Tim Pawlenty. "Changing the name of the agency is just one small step to take us in that direction," Demmer said.

He struggles to define what should be included under the K-12 education umbrella. Adult and community education programs in school districts are valuable, Demmer said, "but are really outside of the kids. While it's very important that a 30-year old immigrant gets help with learning English, should that

be under K-12 education?"

Demmer won his election last November by more than 3,000 votes (18 percent) in a district he describes as conservative. "Even the Democrats are conservative," he added. The Independence Party candidate garnered 11.45 percent of the vote.

His campaign motivator was his wife, Kathy, a nurse with Mayo Health Systems. "She's the biggest reason I'm here," Demmer said. They have three daughters, ages 20, 18 and 13.

DISTRICT 29A

2002 population: 36,793

Largest City: Rochester

Counties: Dodge, Olmsted

Location: southeast Minnesota

Top concern: "We have some major challenges. As we go forward, my hope is that we listen to people on both sides of the aisle and not act out of haste."

— Rep. Randy Demmer

Lifetime advocate

After years of working in the community to organize others to make change, Hornstein wants to do the same in the House

By PATTY JANOVEC

Watching the news and keeping abreast of current events was a family affair while Rep. Frank Hornstein (DFL-Mpls) was growing up.



Rep. Frank Hornstein

Although his family wasn't politically active, some very specific values came through during his formative years: faith, justice, and respect for others.

Hornstein's parents survived the Holocaust, and immigrated to the United States after World War II. As a result, he was always aware of the need to fight for those who struggle with injustice. His family has "seen the worst, and America has provided us with the best."

He traces his political activism back to the first Earth Day in 1970. Hornstein was in fifth grade, and he said was so moved by the thought of protecting the environment that he walked home from school instead of taking the carpool. Later he picked up litter around the neighborhood.

Growing up at a time of war in Vietnam and during the fight for civil rights, the idea of making change through collective action impressed him greatly, he said. In college he learned he could make a career of organizing people to do just that. Soon he was helping residents in St. Paul's Frogtown neighborhood deal with crime issues and affordable housing. Later, while helping to organize Minnesota's chapter of Clean Water Action, he said he became more familiar with electoral issues because of his exposure to the environment at the State Capitol.

While promoting recycling and reducing landfills, he said he got excited about how faith and environmental groups were interested in a metropolitan agenda. At the time the Metropolitan Council was addressing issues of affordable housing, urban sprawl, and transportation, but there was nobody holding it accountable, he said. Hornstein then formed

the Alliance for Metropolitan Stability, which still exists.

Gov. Jesse Ventura appointed Hornstein to the Met Council in December 2000, which was his first experience in direct public service. The new role enabled him to work on the key issues that were important to him from the beginning: affordable housing and the environment. He served the council until January 2003.

He's now making a different kind of impact as a legislator, and he says there is a certain power vested in public officials to bring forth the ideas of their constituents. He's "really proud to represent constituents in so many

of that, he said he strongly believes that the budget "should not be balanced on the backs of hard working public employees," including the state's teachers. He said teachers need to be compensated with competitive wages and benefits and he's heard from constituents that have expressed great disappointment with the governor's proposed wage freeze on teachers.

A key bill he will be working on this year would give tax credits to individuals who purchase hybrid cars. He says a whole range of national security and environmental issues can be addressed by promoting the use of technology already in existence.

Hornstein said he hopes to meld his faith-based values, rooted in Judaism, with his commitment to public service. His wife, Marcia Zimmerman, is senior rabbi at Temple Israel in Minneapolis. The Legislature is a place for people to bring their religious values to work, but not impose them on others, he said.

"No one can separate the personal and political, you are who you are, your faith

"No one can separate the personal and political, you are who you are, your faith tradition."

— Rep. Frank Hornstein

ways, it really reflects the things I've worked on all along."

Although Hornstein didn't have an opponent while running for the House, Melissa Manderschied, events coordinator for the campaign, said that didn't stop him from pounding the pavement.

"He felt it was important to meet those in his district even though he didn't have to," she said, adding that he is sincerely genuine when meeting people. She said she feels that's one of the reasons he makes a great legislator. She explained how he shows "follow up and care over an extended period of time" with those he meets.

Hornstein's district contains both lakes Calhoun and Harriet, an area he said has a diverse constituent base with many renters and homeowners. An issue important to his district includes one that city and suburbs can come together on: transportation. Even though the political parties have different philosophies, he says common ground can be found.

The top issue on his list is education. As part

tradition," he said.

A few personal goals include being an effective representative and advocate of the district by responding to calls and letters from his constituency, trying to enact legislation even though he's not a member of the majority caucus, and being a strong voice on behalf of the environment, children, and immigrants. "These are the reasons people sent me here."

DISTRICT 60B

2002 population: 36,739

Largest City: Minneapolis

County: Hennepin

Location: southwest Minneapolis

Top concern: "I think that if education is a top priority for the state, then we need to compensate teachers accordingly—particularly if we are serious about attracting bright and talented new teachers to the field. Competitive wages and benefits need to be assured."

— Rep. Frank Hornstein

A new challenge

After more than two decades in local government, Simpson sees move to state level as the next logical step

By PATTY JANOVEC

For Rep. Dean Simpson (R-New York Mills), his decision to run for office was part commitment to public service and part love of policy dialogue.



Rep. Dean Simpson

As mayor of New York Mills for 25 years, Simpson said he gained plenty of experience, not to mention what he learned by owning and operating two grocery stores in the area.

He started the businesses from the ground up with no staff, and he says he now employs between 75 and 100 people.

He first considered running for the position when the former representative for his district, Roxann Daggett, asked if he'd be interested in the House seat. With his children grown and out of school, Simpson said he felt it was his next step in the process of public service.

"I have the look of a rural person with a strong business background," he said. With experience in maintaining a good-sized payroll, developing advertising, and living in rural area, he says he knows what it takes to be successful. And he said he believes those same skills will help in the decision-making process of representing his district.

Allan Berube, Simpson's campaign treasurer, said that Simpson "takes an active role," when working with people. "He's always asked 'What can we do as a team?'" The two have been friends for years and are cabin neighbors.

At one point while Simpson was mayor, the city looked to upgrade its park equipment. Berube explained how Simpson took initiative in the project, getting developers and financiers in place. "He started the ball rolling in getting donations." Along with parks, Simpson also supported efforts to build more apartments in the city. Again, Berube said, Simpson's initiative was at the forefront, saying "He's able to look at issues in a broad sense."

Simpson says his district consists of 14 towns ranging in population from 100 to 5,000. While the district has concerns of a small community, big businesses such as Lund, a boat producer, employ many residents. "We have a lot of excellent manufacturing companies out there, but a lot of products are hauled in," he said. Because of that, Simpson said, he looks forward to making sure the district continues to have access to roadways.

"Economic development is a huge issue, with the struggling of the farm economy it's just making it harder and harder," he said.

Otter Tail County was one of the leading dairy producers in the state, but the industry

Simpson says he's interested in learning more about the tax-free zones the governor has proposed to promote development. He said the area is expected to grow from 55,000 to 80,000 people in the next 10 years, and most of them will be retiring in the area. "We're seeing a tremendous amount of growth in our lakes, and we want to make sure we meet water quality, and provide the quality of life for the people."

Like all first-year legislators, Simpson got a taste of a tough issue early when members began the session with intense discussions in hopes of hammering out the first round of budget cuts. "As a freshmen the whole process is exciting. I was amazed at how fast the process started."

Looking ahead to the budget resolution for the next biennium, Simpson said, "I have to believe with the help of the outstate legislators, that we're going to get through this budget proposal and make strong commitments to rural Minnesota."

"I have to believe with the help of the outstate legislators, that we're going to get through this budget proposal and make strong commitments to rural Minnesota."

— Rep. Dean Simpson

is downsizing so rapidly that the district needs to provide other ways of employing people, Simpson said. "We have to create jobs for those people, those people have children, those children go to school, we need to maintain our school systems," he said. "Declining enrollment is an issue throughout the state."

He also said the small farmers use the services and goods in the community to supply their farms. On the other hand the big manufacturers in the district tend to bring in semi loads of goods "from whomever, wherever" to fulfill their needs. "The downturn is hard on a small community," he said.

On a state level, Simpson said, you can't control prices in such a global market. But the state can keep tax rates at a competitive edge for farmers, and develop other sources of income like ethanol and biomass products. "Whether it's less dependency on foreign oil, whether it's wind power on our farms, homegrown products we need to promote," he said.

Admittedly not happy about the cuts to ethanol, Simpson said the governor did what he had to do and respects him for that. However, in moving forward with the next round of budget cuts, Simpson said he and other Greater Minnesota representatives will have to work hard to give their communities a voice and help maintain long-term viability.

DISTRICT 10B

2002 population: 36,552

Largest city: Wadena

Counties: Becker, Otter Tail, Wadena

Location: west-central Minnesota

Top concern: "Creating jobs in rural areas is my top issue."

— Rep. Dean Simpson

Believing in herself

After defeating a longtime incumbent, Soderstrom brings her trust, faith to the House of Representatives

By MIKE COOK

When you walk into the office of Rep. Judy Soderstrom (R-Mora), you see her district everywhere you look.



Rep. Judy Soderstrom

Adorning the walls are pictures and other items for the annual Mora Vasaloppet cross-country ski race, items from a fur trading shop in Pine City, and a pie tin from Braham, which in 1990 was officially recognized as the Home-

made Pie Capital of Minnesota. On the tables are books about the city of Sandstone and Kanabec County, and the fire of 1894 that destroyed much of Hinckley, along with brochures from many communities she represents.

The one thing missing is a sign from the realty company she has owned for 13 years. Instead those signs are all around the district that she grew up in and to which she returned to raise her family after leaving for a few intervening years.

After seven years working in Minneapolis, Soderstrom returned to Mora in the late 1960s. She and her husband, Ronald, then started attending local Republican party meetings, which eventually led to her attendance at numerous state conventions.

Soderstrom ran for a House seat in late 1997 when former Rep. Leroy Koppendrayner was appointed to the Public Utilities Commission, but she was defeated by Rep. Sondra Erickson (R-Princeton) for the party endorsement. The two remain friends and are now seatmates on the House floor.

Undeterred, she continued her party involvement and when the redistricting boundaries were announced last year, Soderstrom said she knew right away that she would run.

"I saw that the district included all of Kanabec County," she said. "Being in real estate for 20 years I know all the roads and lots of people. Plus with my real estate company named Soderstrom Realty there was instant

name recognition."

She laughs a little when noting how that led to confusion for a few folks who thought their neighbors were moving when they saw the Soderstrom campaign sign in the yard thinking it was a realty sign.

"I knew I was going to do this and I thought it would be so exciting," she said of her decision to run. Her husband of 40 years is retired and was not as enthusiastic at first, but once she received the party endorsement she said he began saying things like "We could put signs here, and do this or that."

One of Soderstrom's two daughters, Bethany, said her dad calls himself "Mr. Judy Soderstrom."

Bethany is also in St. Paul, working as a leg-

islative assistant for the Education Policy Committee and for Erickson.

Soderstrom defeated former Rep. Loren Jennings, a nine-term DFL incumbent, by 7.2 percent in the general election. There were also two third-party candidates. "It was very satisfying because not many people thought I could beat him," she said.

Bethany wasn't one of skeptics. "I knew right away that she'd win," she said. "I didn't have any doubt."

Those who know her well say this has to do in large part with Soderstrom's personality. "She's such a committed person, compassionate, and a woman of faith," Erickson said. "It's against her being to tell a lie," said Bethany, who added, "We have friends that are hardcore Democrats and they said they would vote for her because they trust her."

Soderstrom, who was born the same day and year as Rep. Jim Rhodes (R-St. Louis Park), sits on the House Health and Human Services

"I would like to help improve government efficiency by funding only what is essential. Also, I would like to encourage government to work more closely with nonprofit, private, and faith-based groups."

— Rep. Judy Soderstrom

budget deficit will be difficult. She said she thinks the governor has a good proposal, yet she remains open to other ideas. She has heard from a number of people who will be affected. "I feel badly that they're going to feel the pain," she said. "Nobody wants to cut."

DISTRICT 8B

2002 population: 36,998

Largest city: Mora

Counties: Isanti, Kanabec, Pine

Location: east-central Minnesota

Top concern: "I would like to help improve government efficiency by funding only what is essential. Also, I would like to encourage government to work more closely with nonprofit, private, and faith-based groups."

— Rep. Judy Soderstrom

2003 Minnesota House of Representatives Members

District/Member/Party			District/Member/Party		
		Phone			Phone
		(651) 296-			(651) 296-
District/Member/Party	Room*		District/Member/Party	Room*	
48B Abeler, Jim (R)	369	1729	63B Larson, Dan (DFL)	287	7158
43B Abrams, Ron (R)	585	9934	44B Latz, Ron (DFL)	225	7026
42A Adolphson, Peter (R)	597	3964	40B Lenczewski, Ann (DFL)	237	4218
19A Anderson, Bruce (R)	437	5063	66A Lesch, John (DFL)	223	4224
3A Anderson, Irv (DFL)	321	4936	1B Lieder, Bernie (DFL)	323	5091
27B Anderson, Jeff (R)	583	4193	2B Lindgren, Doug (R)	523	4265
39B Atkins, Joe (DFL)	221	4192	32A Lindner, Arlon (R)	417	7806
35A Beard, Michael (R)	451	8872	56A Lipman, Eric (R)	567	4244
51B Bernardy, Connie (DFL)	337	5510	22A Magnus, Doug (R)	515	5505
59A Biernat, Len (DFL)	303	4219	67A Mahoney, Tim (DFL)	289	4277
12B Blaine, Greg (R)	387	4247	65B Mariani, Carlos (DFL)	203	9714
19B Borrell, Dick (R)	545	4336	9B Marquart, Paul (DFL)	311	6829
26B Boudreau, Lynda (R)	559	8237	57B McNamara, Denny (R)	577	3135
29B Bradley, Fran (R)	563	9249	53B Meslow, Doug (R)	377	5363
25A Brod, Laura (R)	581	4229	58A Mullery, Joe (DFL)	209	4262
35B Buesgens, Mark (R)	445	5185	6B Murphy, Mary (DFL)	343	2676
45B Carlson, Lyndon (DFL)	283	4255	30A Nelson, Carla (R)	571	0573
61A Clark, Karen (DFL)	307	0294	46A Nelson, Michael (DFL)	231	3751
24B Cornish, Tony (R)	487	4240	17B Nelson, Peter (R)	433	5377
25B Cox, Ray (R)	413	7065	10A Nornes, Bud (R)	471	4946
31B Davids, Gregory (R)	379	9278	47B Olsen, Stephanie (R)	531	4280
62A Davnie, Jim (DFL)	241	0173	16B Olson, Mark (R)	501	4237
49A DeLaForest, Chris (R)	503	4231	15B Opatz, Joe (DFL)	277	6612
29A Demmer, Randy (R)	371	9236	45A Osterman, Lynne (R)	431	4176
28A Dempsey, Jerry (R)	575	8635	11B Otremba, Mary Ellen (DFL)	247	3201
6A Dill, David (DFL)	315	2190	52B Otto, Rebecca (DFL)	393	3018
27A Dorman, Dan (R)	579	8216	37B Ozment, Dennis (R)	479	4306
23B Dorn, John (DFL)	201	3248	42B Paulsen, Erik (R)	459	7449
17A Eastlund, Rob (R)	449	5364	64B Paymar, Michael (DFL)	253	4199
2A Eken, Kent (DFL)	329	9918	31A Pelowski, Gene (DFL)	295	8637
58B Ellison, Keith (DFL)	229	8659	1A Penas, Maxine (R)	553	9635
64A Entenza, Matt (DFL)	267	8799	20A Peterson, Aaron (DFL)	313	4228
41A Erhardt, Ron (R)	591	4363	40A Powell, Duke (R)	411	4212
16A Erickson, Sondra (R)	407	6746	39A Pugh, Thomas (DFL)	273	6828
21B Finstad, Brad (R)	353	9303	44A Rhodes, Jim (R)	443	9889
4A Fuller, Doug (R)	525	5516	5A Rukavina, Tom (DFL)	279	0170
37A Gerlach, Chris (R)	533	5506	26A Ruth, Connie (R)	415	5368
50A Goodwin, Barbara (DFL)	331	4331	50B Samuelson, Char (R)	423	0141
54A Greiling, Mindy (DFL)	259	5387	41B Seagren, Alice (R)	477	7803
24A Gunther, Bob (R)	485	3240	21A Selfert, Marty (R)	357	5374
47A Haas, Bill (R)	569	5513	5B Sertich, Anthony (DFL)	233	0172
48A Hackbarth, Tom (R)	409	2439	14A Severson, Dan (R)	389	7808
22B Harder, Elaine (R)	509	5373	57A Sieben, Katie (DFL)	211	4342
66B Hausman, Alice (DFL)	245	3824	10B Simpson, Dean (R)	473	4293
13A Heidgerken, Bud (R)	359	4317	55B Slawik, Nora (DFL)	317	7807
46B Hilstrom, Debra (DFL)	239	3709	33A Smith, Steve (R)	543	9188
8A Hilty, Bill (DFL)	207	4308	8B Soderstrom, Judy (R)	439	0518
36A Holberg, Mary Liz (R)	349	6926	3B Solberg, Loren (DFL)	309	2365
34B Hoppe, Joe (R)	537	5066	14B Stang, Doug (R)	375	4373
60B Hornstein, Frank (DFL)	227	9281	36B Strachan, Steve (R)	345	1069
4B Howes, Larry (R)	351	2451	28B Sviggum, Steve (R)	463	2273
7A Huntley, Thomas (DFL)	335	2228	23A Swenson, Howard (R)	517	8634
54B Jacobson, Carl (R)	429	7153	33B Sykora, Barb (R)	403	4315
7B Jaros, Mike (DFL)	291	4246	65A Thao, Cy (DFL)	215	5158
43A Johnson, Jeff (R)	401	5511	63A Thissen, Paul (DFL)	301	5375
67B Johnson, Sheldon (DFL)	243	4201	49B Tingelstad, Kathy (R)	507	5369
13B Juhnke, Al (DFL)	281	6206	18B Urdahl, Dean (R)	521	4344
59B Kahn, Phyllis (DFL)	255	4257	52A Vandever, Ray (R)	529	4124
60A Kelliher, Margaret Anderson (DFL)	261	0171	62B Wagenius, Jean (DFL)	251	4200
18A Kielkucki, Tony (R)	367	1534	61B Walker, Neva (DFL)	213	7152
56B Klinzing, Karen (R)	539	1147	12A Walz, Dale (R)	527	4333
15A Knobloch, Jim (R)	453	6316	38B Wardlow, Lynn (R)	491	4128
20B Koenen, Lyle (DFL)	327	4346	55A Wasiluk, Scott (DFL)	217	1188
34A Kohls, Paul (R)	421	4282	51A Westerberg, Andrew (R)	549	4226
53A Krinkie, Philip (R)	365	2907	11A Westrom, Torrey (R)	381	4929
30B Kuisle, William (R)	565	4378	38A Wilkin, Tim (R)	551	3533
9A Lanning, Morrie (R)	593	5515	32B Zellers, Kurt (R)	557	5502

List as of Feb. 28, 2003.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155

2003 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	301 Cap.	8881	39 Metzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	151 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	317 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	129 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Rantum, Jane (DFL)	120 Cap.	7-8061
42 Hann, David (R)	G-27 SOB	1749	53 Reiter, Mady (R)	132D SOB	1253
58 Higgins, Linda (DFL)	328 Cap.	9246	45 Rest, Ann (DFL)	205 Cap.	2889
23 Hottinger, John (DFL)	208 Cap.	6153	35 Robling, Claire (R)	143 SOB	4123
13 Johnson, Dean (DFL)	121 Cap.	3826	24 Rosen, Julie (R)	G-23 SOB	5713
49 Johnson, Debbie (R)	135 SOB	3219	4 Ruud, Carrie (R)	109 SOB	4913
48 Jungbauer, Michael (R)	115 SOB	3733	11 Sams, Dallas (DFL)	328 Cap.	7-8063
44 Kelley, Steve (DFL)	205 Cap.	7-8065	3 Saxhaug, Tom (DFL)	124 Cap.	4136
31 Kierlin, Bob (R)	127 SOB	5649	46 Scheid, Linda (DFL)	303 Cap.	8869
30 Kiscaden, Sheila (IP)	G-15 SOB	4848	29 Senjem, David (R)	G-17 SOB	3903
15 Kleis, Dave (R)	G-25 SOB	6455	2 Skoe, Rod (DFL)	124 Cap.	4196
37 Knutson, David (R)	133 SOB	4120	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettnier (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	149 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	226 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

*Capitol or State Office Building, St. Paul, MN 55155
For phone numbers, contact Senate Information at 651-296-0504

Minnesota House and Senate Membership

1 A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	29 A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	43 A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	57 A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
2 A Rep. Kent Eken-(DFL) B Rep. Doug Lindgren-(R) Sen. Rod Skoe-(DFL)	16 A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	30 A Rep. Carla Nelson-(R) B Rep. William Kuisle-(R) Sen. Sheila M. Kiscaden-(IP)	44 A Rep. Jim Rhodes-(R) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	58 A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
3 A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	17 A Rep. Rob Eastlund-(R) B Rep. Peter (Pete) Nelson-(R) Sen. Sean R. Nienow-(R)	31 A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	45 A Rep. Lynne Osterman-(R) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	59 A Rep. Len Biernat-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A Rep. Doug Fuller-(R) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	18 A Rep. Tony Kielucki-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	32 A Rep. Arlon Lindner-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	60 A Rep. Margaret Anderson Kellihfer-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
5 A Rep. Tom Rukavina-(DFL) B Rep. Anthony (Tony) Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A Rep. Bruce Anderson-(R) B Rep. Dick Borrell-(R) Sen. Mark Ourada-(R)	33 A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	47 A Rep. Bill Haas-(R) B Rep. Stephanie Olsen-(R) Sen. Leo Foley-(DFL)	61 A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
6 A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	20 A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	34 A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	48 A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	62 A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
7 A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettnier Solon-(DFL)	21 A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	35 A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	49 A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	63 A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Rantum-(DFL)
8 A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	22 A Rep. Doug Magnus-(R) B Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A Rep. Mary Liz Holberg-(R) B Rep. Steve Strachan-(R) Sen. Pat Pariseau-(R)	50 A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	64 A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A Rep. Howard Swenson-(R) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	37 A Rep. Chris Gerlach-(R) B Rep. Dennis Ozment-(R) Sen. David L. Knutson-(R)	51 A Rep. Andrew Westerberg-(R) B Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	65 A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
10 A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	38 A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	52 A Rep. Ray Vandever-(R) B Rep. Rebecca Otto-(DFL) Sen. Michele Bachmann-(R)	66 A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	39 A Rep. Thomas W. Pugh-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzen-(DFL)	53 A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A Rep. Dale Walz-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	26 A Rep. Connie Ruth-(R) B Rep. Lynda Boudreau-(R) Sen. Dick Day-(R)	40 A Rep. Duke Powell-(R) B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	54 A Rep. Mindy Greiling-(DFL) B Rep. Carl Jacobson-(R) Sen. John Marty-(DFL)	This document can be made available in alternative formats for people with disabilities by calling the House at (651) 296-2146 voice, (651) 296-9896 TTY or the Senate at (651) 296-0504 voice or (651) 296-0250 TTY
13 A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	27 A Rep. Dan Dorman-(R) B Rep. Jeff Anderson-(R) Sen. Dan Sparks-(DFL)	41 A Rep. Ron Erhardt-(R) B Rep. Alice Seagren-(R) Sen. Geoff Michel-(R)	55 A Rep. Scott Wasiluk-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
14 A Rep. Daniel Severson-(R) B Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(DFL) Sen. Steve Murphy-(DFL)	42 A Rep. Peter Adolphson-(R) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	56 A Rep. Eric Lipman-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

Monday, Feb. 24**HF561—Gerlach (R)**

Commerce, Jobs &

Economic Development Policy

Tobacco sales to minors uniform mandatory penalties imposed, mitigating circumstances defined, and electronic age verification required.

HF562—Blaine (R)

Environment & Natural Resources Finance

Little Falls; Hennepin Paper Company property environmental cleanup funding provided, bonds issued, and money appropriated.

HF563—Rukavina (DFL)

Taxes

Mining occupation tax rate and computation modified, and taconite tax production inflation adjustment implementation delayed.

HF564—Borrell (R)

Governmental Operations &

Veterans Affairs Policy

Open meeting law violations administrative remedy provided, and civil penalties prescribed.

HF565—Borrell (R)

Civil Law

Government data practices complaints administrative remedies provided.

HF566—Howes (R)

Environment & Natural Resources Policy

Turtle license exemption provided to supply turtles for nonprofit turtle racing.

HF567—Marquart (DFL)

Taxes

Detroit Lakes tax increment pooling authorized to meet certain debt service obligations.

HF568—Marquart (DFL)

Environment & Natural Resources Finance

Red River basin water management funding provided, and money appropriated.

HF569—Holberg (R)

Transportation Finance

Lakeville; I-35 and Highway 50 interchange funding provided, bonds issued, and money appropriated.

HF570—Gerlach (R)

Transportation Finance

Bloomington; Cedar Avenue bus transit way funding provided, bonds issued, and money appropriated.

HF571—Marquart (DFL)

Transportation Policy

Restricted farm work license conditions for operating a motor vehicle modified.

HF572—Samuelson (R)

Health & Human Services Policy

Adult foster care license capacity expanded.

HF573—Blaine (R)

Environment & Natural Resources Policy

Crow Wing County tax-forfeited land sale authorized.

HF574—Latz (DFL)

Transportation Finance

St. Louis Park; Trunk Highway 100 reconstruction and expansion authorized, bonds issued, and money appropriated.

HF575—Gerlach (R)

State Government Finance

Art expenditures in state-financed buildings limited.

HF576—Wasiluk (DFL)

Governmental Operations &

Veterans Affairs Policy

Teacher retirement association rule of 85 early retirement incentive extended to a specified 1983 retiree.

HF577—Juhnke (DFL)

Governmental Operations &

Veterans Affairs Policy

State vehicle assignment prohibited to governor's staff, commissioners, and deputy and assistant commissioners.

HF578—Brod (R)

Jobs & Economic Development Finance

Arlington regional sludge management project grant contract extended.

HF579—Juhnke (DFL)

Environment & Natural Resources Policy

Deer hunting extended period authorized for sick minors unable to hunt during the regular season.

HF580—Erickson (R)

Education Policy

School district curriculum and instruction required premised on abstinence until marriage.

HF581—Sykora (R)

Education Finance

Education price index created, general education formula allowance adjusted, and money appropriated.

HF582—Olson, M. (R)

Local Government & Metropolitan Affairs

Lake improvement district creation and termination provisions modified.

HF583—Nornes (R)

Higher Education Finance

Higher education facility authority statutory debt limit increased.

HF584—Opatz (DFL)

Education Policy

Tenth grade students allowed to participate in the post-secondary enrollment options program.

HF585—Nornes (R)

Governmental Operations &

Veterans Affairs Policy

Certified public accountants authorized to perform annual audits for county nursing homes.

HF586—Hilstrom (DFL)

Transportation Finance

Brooklyn Park; Highway 252 expansion plans funding provided, bonds issued, and money appropriated.

HF587—Urdahl (R)

Taxes

Rural Minnesota Catch-Up Credit tax credit provided for job creation and retention.

HF588—Brod (R)

Commerce, Jobs &

Economic Development Policy

Township authority granted to require natural gas utilities to obtain a franchise from the township.

HF589—Haas (R)

Education Policy

Elementary pupil transportation required for pupils living more than one mile from school.

HF590—Haas (R)

Health & Human Services Policy

Child-care assistance fraud prevention provisions adopted.

HF591—Sykora (R)

Taxes

Age-based income tax exclusion authorized for long-term capital gains.

HF592—Vandever (R)

Health & Human Services Policy

Adult foster care licensing provisions modified.

HF593—Lenczewski (DFL)

Taxes

Local government aid tax base definition modified to include tax increment financing captured tax capacity.

HF594—Lenczewski (DFL)

Health & Human Services Policy

Liquid oxygen access and regulation study required.

HF595—Abeler (R)

Health and Human Services Finance

Supportive housing and managed care pilot project funding provided, and money appropriated.

HF596—Westrom (R)

Judiciary Policy and Finance

Harming a service animal criminal penalties and restitution provided.

HF597—Huntley (DFL)

Taxes

Duluth economic development tax increment financing district established for aircraft related facilities.

HF598—Jaros (DFL)**Taxes**

Aircraft repair facility construction materials and equipment sales tax exemption provided.

HF599—Huntley (DFL)**Taxes**

Duluth restaurant, hotel, and motel tax proceeds dedicated to debt service on DECC and Great Lakes Aquarium improvements.

HF600—Marquart (DFL)**Education Finance**

Referendum tax base replacement aid made permanent.

HF601—Peterson (DFL)**Jobs & Economic Development Finance**

West Central Growth Alliance pilot marketing program funding provided, and money appropriated.

HF602—Erickson (R)**Commerce, Jobs &****Economic Development Policy**

Auto glass repair and replacement regulation provided.

HF603—Kielkucki (R)**Education Policy**

Low-performing school student enrollment options established.

HF604—Olson, M. (R)**Transportation Finance**

Highway 10 reconstruction design funding provided, bonds issued, and money appropriated.

HF605—Olson, M. (R)**Environment & Natural Resources Finance**

State park fees modified, state park campsites required to remain open in peak months, and report required.

HF606—Smith (R)**Health & Human Services Policy**

Health care services prior authorization requirements modified, provider contracting requirements established, claims payment provisions modified, utilization profiling regulated, and certain disclosures required.

HF607—Huntley (DFL)**Taxes**

Duluth tax increment expenditures outside the boundaries of the district authorized.

HF608—Solberg (DFL)**Taxes**

Hospital and clinic construction materials exempted from the sales tax for a specified facility.

Thursday, Feb. 27**HF609—Kelliher (DFL)****Local Government & Metropolitan Affairs**

Minneapolis authorized to establish a community planning and economic development department.

HF610—Kohls (R)**Civil Law**

Civil actions against long-term care providers regulated, government data use prohibited, non-economic damages limited, and time period imposed on bringing actions based on tort against a long-term provider.

HF611—Boudreau (R)**Health and Human Services Policy**

Oncologist referrals regulated.

HF612—Knobloch (R)**Governmental Operations &****Veterans Affairs Policy**

Legislative candidate expenditure reporting requirements provided.

HF613—Kahn (DFL)**Regulated Industries**

Minneapolis authorized to issue an on-sale wine and malt beverage license to the Southern Theatre.

HF614—Lipman (R)**Transportation Finance**

Highway 5 in Lake Elmo and Baytown Township safety improvements funding provided, bonds issued, and money appropriated.

HF615—Biernat (DFL)**Transportation Policy**

Installation of illegal motor vehicle window and window treatments prohibited.

HF616—Finstad (R)**Health & Human Services Policy**

Prescription drug assistance program established through the Board on Aging, and appropriations transferred.

HF617—Soderstrom (R)**Health & Human Services Policy**

Prescription drug assistance program established through the Board on Aging, and appropriations transferred.

HF618—Smith (R)**Health & Human Services Policy**

Abortion; reporting required on notification before abortions are performed on a minor or specified other women, and civil penalties imposed.

HF619—Rhodes (R)**Governmental Operations &****Veterans Affairs Policy**

Sports board gambling authorized.

HF620—Kielkucki (R)**Governmental Operations &****Veterans Affairs Policy**

Social dice game conduct provisions clarified.

HF621—Ellison (DFL)**Regulated Industries**

Minneapolis authorized to issue an on-sale wine and malt liquor license to the Guthrie Lab.

HF622—Strachan (R)**Regulated Industries**

Emergency 911 telephone system modified to require multi-line systems to provide caller location; and special county, city, and school district levies provided.

HF623—Hackbarth (R)**Environment & Natural Resources Policy**

Vapor recovery equipment required for gasoline deliveries in the metropolitan area.

HF624—Seifert (R)**Governmental Operations &****Veterans Affairs Policy**

Local government impact notes provided for state agency rule proposals, and aggregate cost of compliance determined.

HF625—Westrom (R)**Local Government & Metropolitan Affairs**

Central Lakes Region sanitary sewer district established.

HF626—Nornes (R)**Education Finance**

Electronic library funding provided for schools, libraries, and other media centers.

HF627—Kuisle (R)**Transportation Finance**

Transportation funding provided, and money appropriated.

HF628—Kohls (R)**Civil Law**

Emergency notification actions liability limitation provided.

HF629—Walker (DFL)**Civil Law**

Equal rights for women provided by proposed constitutional amendment.

HF630—Marquart (DFL)**Taxes**

Truth in taxation notice of proposed property taxes and public hearings dates advanced.

HF631—Sieben (DFL)**Education Policy**

Teachers authorized to take a two-year leave of absence to teach in a charter school.

HF632—Abeler (R)**Health & Human Services Policy**

Long-term care insurance availability and quality expanded, and legislative task force established.

HF633—Solberg (DFL)**Taxes**

Business incubator property tax exemption extended.

HF634—Holberg (R)**Civil Law**

Health data released to county human and social services departments in order to coordinate benefits and services.

HF635—Paymar (DFL)**Governmental Operations &****Veterans Affairs Policy**

Lobbyist and principal filing report requirements modified.

HF636—Hausman (DFL)
Environment & Natural Resources Finance
St. Paul; park and trail improvements funded in the Meeker Island lock historic site area, bonds issued, and money appropriated.

HF637—Hausman (DFL)
Environment & Natural Resources Finance
St. Paul; park and trail improvements funding provided for the Meeker Island lock historic site area, and money appropriated.

HF638—Cornish (R)
Taxes
Military pension income tax deduction provided.

HF639—Juhnke (DFL)
Environment & Natural Resources Policy
Electric assistive devices authorized on state trails.

HF640—Powell (R)
Transportation Finance
Dakota County Highway 42 improvements funding provided, bonds issued, and money appropriated.

HF641—Thao (DFL)
Health & Human Services Policy
Food assistance for non-citizens extended, and Minnesota Family Investment Program exemptions, extensions, and sanctions modified.

HF642—Stang (R)
Governmental Operations &
Veterans Affairs Policy
Fantasy sports leagues authorized at retail establishments licensed to sell alcoholic beverages.

HF643—Kuisle (R)
Transportation Policy
Motor vehicle registration, dealer transaction, insurance regulatory responsibilities, truck weighing, and drivers' license expiration provisions modified.

HF644—Anderson, I. (DFL)
Governmental Operations &
Veterans Affairs Policy
State procurement general preference extended for in-state vendors.

HF645—Paulsen (R)
Commerce, Jobs &
Economic Development Policy
Technology business licensing provisions modified.

HF646—Buesgens (R)
Governmental Operations &
Veterans Affairs Policy
Gaming machines provided, and horse racing purse payments established.

HF647—Swenson (R)
Health & Human Services Policy
Nicollet County nursing home construction moratorium exception provided, and special provisions for moratorium exceptions modified.

HF648—Swenson (R)
Environment & Natural Resources Policy
Private wildlife shooting preserves authorized anywhere in the state.

HF649—Swenson (R)
Agriculture Policy
Chronic wasting disease control and wildlife health management provided, and money appropriated.

HF650—Biernat (DFL)
Transportation Policy
Traffic signal enforcement authorized through use of photographic evidence.

HF651—Boudreau (R)
Taxes
Medford local sales and use tax authorized.

HF652—Lesch (DFL)
Judiciary Policy & Finance
Child endangerment crime expanded to include manufacture of controlled substances in the presence of a child.

HF653—Olsen, S. (R)
Health & Human Services Policy
Post-adoption services requirements modified to require release of non-identifying history of birth family.

HF654—Bernardy (DFL)
Judiciary Policy & Finance
Controlled substance analogue definition and treatment provided, and penalties prescribed for sale and possession of amphetamine and gamma hydroxybutyric acid.

HF655—Biernat (DFL)
Transportation Policy
I-94 designated as the Purple Heart Trail.

HF656—Lenczewski (DFL)
Governmental Operations &
Veterans Affairs Policy
Hennepin County supplemental retirement plan modified to allow county administrator to approve certain participation requests.

HF657—Nelson, P. (R)
Local Government & Metropolitan Affairs
Counties authorized to require dedication of land for public parks.

HF658—Slawik (DFL)
Transportation Policy
Safe School Zone Law modified relating to speed limits.

HF659—Gerlach (R)
Commerce, Jobs &
Economic Development Policy
Auto insurance authorized to cover damage to glass on the same basis as damage to other parts of an automobile.

HF660—Samuelson (R)
Transportation Finance
I-35W expansion and reconstruction planning funds provided, bonds issued, and money appropriated.

HF661—Rhodes (R)
Taxes
Hopkins tax increment financing district extended.

HF662—Abeler (R)
Health & Human Services Policy
Health plan coverages for handicapped children regulated to include requirement of notice regarding termination of coverage upon attainment of the limiting age.

HF663—Borrell (R)
Transportation Finance
St. Michael; Highway 241 reconstruction as a four-lane expressway funding provided, bonds issued, and money appropriated.

HF664—Eastlund (R)
Civil Law
Child support guidelines provided.

HF665—Murphy (DFL)
Taxes
Proctor authorized to impose an additional sales tax if approved at election, and fund uses specified.

HF666—Murphy (DFL)
Governmental Operations &
Veterans Affairs Policy
Duluth teacher retirement association employee and employer contributions payment authorized for a specified current employee.

HF667—Thissen (DFL)
Governmental Operations &
Veterans Affairs Policy
Military certificates of discharge classified as private data.

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
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
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

MONDAY, March 3

11:45 AM

THE HOUSE MEETS IN SESSION

12:00 PM

Joint House-Senate Convention
House Chamber

TUESDAY, March 4

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: To be announced.

Note: that this is not the regularly scheduled day for the committee.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: MnDOT budget presentation: state road construction, state road operations and maintenance, federal funds, general support and buildings.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF517 (Demmer) Department of Children, Families and Learning renamed the Department of Education.

HF365 (Johnson, J.) Kindergarten through grade 12 unneeded mandates eliminated.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Office of Environmental Assistance review of Governor's proposed budget.

Continuation of Department of Natural Resources fee increase proposal.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Testimony: Youth Build, Youth Intervention Project, MN Youth, Learn to Earn. HF3 (Magnus) Job Opportunity Building Zones.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Overview of governor's recommendations by the Public Defense Board.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Continuation of comments and review of the governor's 2004-2005 budget proposal.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Hearings (bills originally scheduled for Feb. 27, and others to be determined):

HF172 (Lenczewski) Local government aid city

aid base reduced as aid appropriations increase.

HF593 (Lenczewski) Local government aid tax

base definition modified to include tax increment financing captured tax capacity.

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF555 (Krinkie) Duplicating and printing service requirements relating to administration department repealed, and outside service contracts authorized.

HF534 (Seifert) Good cause rule exemption notice requirements imposed.

HF407 (Howes) Minnesota Conservation Corps transferred to the Friends of the Minnesota Conservation Corps, assets transferred, and money appropriated.

HF585 (Nornes) Certified public accountants authorized to perform annual audits for county nursing homes.

Commerce, Jobs, and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF359 (Rukavina) Mining owners and operators duties specified when operations are discontinued.

HF536 (Simpson) Joint underwriting association coverage and market assistance responsibilities modified.

HF276 (Lipman) Washington County Baytown special well construction area disclosure required before property sales and development.

Transportation Finance

Subcommittee on Transit

Room: 200 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: To be announced.

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: Minnesota Board of Animal Health:

Dr. William Hartmann, DVM, MS; Dr. Benjamin Pomeroy, Minnesota Veterinary Medical Association.

Agricultural Utilization and Research Institute: Edgar Olson, Executive Director; Max Norris, Director of Technology and Commercial Development- Marshall.

Minnesota Horticulture Society: Marjee Righeimer, CEO, Executive Director.

2:30 PM

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF213 (Blaine) Local fire departments reimbursed for extinguishing certain motor vehicle fires, local authority granted to collect unpaid bills for certain emergency services from nonresidents, and money appropriated.

HF312 (Dill) Cook County hospital district levy inflation adjustment authorized.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Presentations by the following: Office of the Attorney General; Office of the Secretary of State; and Office of the State Auditor.

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF110 (Smith) Family law reform and recodification including provisions relating to marriage dissolution, child custody, child support, maintenance, and property division.

WEDNESDAY, March 5

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF251 (Beard) State airports fund transfers restoration required.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: HF462 (Tingelstad) Metropolitan parks system operation and maintenance funding provided, and money appropriated.

HF255 (Dill) Snowmobile trail easements acquisition funding provided to connect the Willard Munger State Trail to the North Shore State Trail, and money appropriated. HF498 (Dill) Cook County leased state lands lease rates modified.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Continuation of governor's budget proposals presentation by the Minnesota Department of Human Services.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Overview of governor's recommendations by the Minnesota Department of Corrections.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced.

12:30 PM

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: Overview of Animal Agriculture Generic Environmental Impact Statement.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF361 (Kielkucki) Special election procedures for town officials provided.

HF390 (Erickson) Elections conducted by mail; county auditor approval requirement eliminated.

HF391 (Olsen) School districts authorized to convert, by election, from election by district to election at large.

HF471 (Knoblach) School district election primaries required.

HF503 (Kielkucki) Ballot preparation provisions clarified.

HF504 (Kielkucki) Ballot questions limited to those meeting all deadlines.

HF539 (Dorman) Campaign and election

contributions and solicitations prohibited during special legislative sessions.

HF553 (Kielkucki) Optional election of certain town offices provided.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: University of Minnesota response to the governor's budget recommendations for fiscal years 2004 and 2005.

Testimony from University of Minnesota President Robert Bruininks.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: Discussion of traffic congestion in the Twin Cities metropolitan area.

2:30 PM

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Presentation by the following: Department of Military Affairs; Department of Veterans Affairs; and related veterans organizations.

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF327 (Hackbarth) Shooting range generally accepted practices defined; and relation to local ordinances, closing and relocations, and nuisance liability provided.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: Bills to be announced.

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: To be announced.

THURSDAY, March 6

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Continuation of governor's budget proposal presentation by the Minnesota Department of Human Services.

Environment and Natural Resources

Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF472 (Olson) School district opt out procedures provided regarding certain state mandates.

Other bills will be added.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Budget overviews, Department of Trade and Economic Development, Department of Labor and Industry.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be determined.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Presentation of Study on Local Government Aid by State Auditor Awada.

Other business that may properly come before the committee.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

12:30 PM

Commerce, Jobs and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: Bills to be announced.

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: To be announced.

Ways & Means

Room: 200 State Office Building

Chair: Rep. Jim Knoblach

Agenda: To be announced.

Republican wins seat

The third special election so far this year was won by Kurt Zellers (R-Maple Grove) in District 32B Feb. 25.

Zellers, the House Republican Caucus director of public affairs, won with 58.32 percent of the vote, compared to the 38.24 percent for DFLer Mick Ganley. Will Lines, the Independence Party candidate, earned 3.35 percent.

With the Zellers win, Republicans now hold an 81-53 margin in the House.

His room number and committee assignments had not been finalized when this edition of *Session Weekly* went to press. His office phone number will be (651) 296-5502.

The special election was needed because former Rep. Rich Stanek resigned in January to become commissioner for the Department of Public Safety.

Rep. Duke Powell (R-Burnsville) and Rep. Rebecca Otto (DFL-Marine on St. Croix) also won special elections earlier this year.

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Toll Free	1-800-967-2474
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3711
Toll Free	1-888-GET-JOBS
Employee Relations	297-1184
Job Information Hotline	296-2616
Finance	296-5900
Health	215-5800
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	297-3933
Labor and Industry	284-5000
Toll Free	1-800-342-5354
Military Affairs	282-4662
Natural Resources	296-6157
Toll Free	1-888-MINNDNR
Pollution Control Agency	296-6300
Toll Free	1-800-657-3864
Public Safety	282-6565
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	282-6871
Revenue	
Taxpayer Assistance	296-3781
Trade and	
Economic Development	297-1291
Toll Free	1-800-657-3858
Office of Tourism	296-5029
Toll Free	1-800-657-3700
Transportation	296-3000
Toll Free	1-800-657-3774
Veterans Affairs	296-2562

Reflections

As the Legislature battled over what should be taxed to secure state financial stability some 75 years ago, it was looking for a more equitable method for everyone to pay a fair share of the costs for running the state.

At that time, the state relied on a few specific taxes, including the ore and railroad taxes, but personal income taxes had not yet been widely approved. As a result wealthy individuals who had moved west, or those who directed mining interests from the east coast, controlled successful businesses and industry and did not pay specific taxes based on the successes of those businesses to support the state's coffers.

The state moved into the 20th century as a thriving economy, partially because of its isolation in the Upper Midwest with no competition from Chicago some 410 miles away. The insight and productivity of knowledgeable individuals and wealthy entrepreneurs who moved to the area helped to build the state as an important resource for the rest of the country.

The cities of St. Paul and Minneapolis became a railroad hub that connected the west with cities east of the Mississippi River. Duluth thrived as a port for exporting ore and grain across Lake Superior to the east, and immigrants from western Europe moved to mine the Iron Range, work in manufacturing in Minneapolis and St. Paul, and till the fertile land and raise animals to feed others in the east and south.

Minnesota's lumber industry was also in its prime as thousands of trees were cut on a weekly basis to be used for papermaking and building construction.

However, the good times were not going to last forever.

During the 1920s, agricultural grain prices declined as the flourmill industry diversified to make breakfast cereals and other products. A major wealthy owner in the lumber industry moved his company to the Pacific Northwest, while the owners of the mines were returning few revenues to the state on the Iron Range.

In hopes of stopping the downward slide, legislators pushed for a wider range of taxation during the mid- to late-1920s, but with no success.

One factor they wanted to enhance by 1928 was the average wage for all industries. Including farm labor, the average was only \$1,490 per year. That may have seemed like a lot to some because at the time Coca-Cola cost 5 cents per bottle, bread was 9 cents a loaf, chickens cost 38 cents per pound, 47 cents would buy a dozen eggs, and a top of the line Elgin bicycle cost \$32.45.

Just when things were starting to turn around, the October 1929 crash of the stock market and eventual failures of more than 10,000 banks started "The Great Depression" in the state and across the country.

It took a few years, but the Legislature finally settled on new personal income tax laws to change the state's revenue base.

Darker days behind them, the state and its people would once again become economically strong within a few years.

— LECLAIR GRIER LAMBERT



A Minneapolis grocery store in 1920.

Photo courtesy of the Minnesota Historical Society

Where to find information

House Public Information Services

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

House Public Information Services is a non-partisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly* news

magazine, educational brochures for all ages, and member directories, and televised coverage of the legislature. 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>

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Minnesota State Parks

Approximate number of acres in Minnesota State Park system	244,000
Number of state parks	66
State recreation areas	6
Approximate acres of land within state parks that are under privately owned	43,000
Funds in 2002 bonding bill dedicated for land acquisition ultimately	
line-item vetoed by Gov. Jesse Ventura, in millions	\$3
Funds needed for those currently willing to sell, in millions	\$6
Of the top 25 travel attractions in the state, number that are state parks	6
Number of visitors to Minnesota parks in 2000, in millions	8.5
Approximate percentage from out of state	20
Approximate percentage of all visits that are for camping	10
Contributions to the state economy by out-of-state park visitors, in millions	\$40
Visits to most popular state park in 2000 (Fort Snelling)	595,125
Second most popular (Gooseberry Falls)	573,395
Miles of road in the state parks	332
Miles of trail	1,255
Number of historic districts or landmarks in state parks	62
Parks that contain Rustic Style resources, a design philosophy that	
emphasizes natural features rather than man-made ones, which	
are listed on the National Register of Historic Places	22
State rank in terms of oldest park system in the country	2
Year Itasca State Park became state's first park	1891
Largest number of state parks added in a single year (1963)	11
Acres in the Big Bog Recreation Area, the largest bog in the	
48 contiguous states	9,100
Annual operating budget for state parks, in millions	\$23.6
Percentage derived from user fees	33
Average spent per day in local communities by day visitors to state parks	\$22
Average spent by those that stay overnight	\$28.50
Parks where the camping and lodging season was shortened through	
Memorial Day 2003 due to budget reductions	24
Number of seasonal naturalist and interpretive intern positions cut	24
Percentage reduction in resource management efforts	30
Cost of annual state park vehicle permit effective May 1, 2003	\$20
Daily permit	\$4
Cost of a semi-modern campsite (with showers)	\$12
Site without showers	\$8

Sources: Department of Natural Resources, Minnesota Historical Society, Parks & Trails Council of Minnesota, Minnesota Office of Tourism

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SESSION Weekly

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MARCH 7, 2003

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In this issue:

LOCAL GOVERNMENT AID

BUDGET FORECAST, COURT COSTS, AND MORE

HF668-HF773

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: The striking architectural features that are the grand arches of the Capitol Rotunda catch and echo the sounds of many daily visitors to the building Cass Gilbert designed.

—Photo by Tom Olmscheid

Restructuring funding

Pair of bills would alter the way that local government aid is allocated to Minnesota cities

By MIRANDA BRYANT

The system by which the state gives money to cities and counties for the provision of government services needs a major overhaul, according to top-level officials, including the governor himself.

A short-term fix has been proposed in Gov. Tim Pawlenty's 2004-05 budget, which includes a deep \$1.16 billion cut in state aid. And while cities and counties continue to assess how the reduction would alter services provided to residents, two bills presented March 4 would create a longer-term solution.

Local government aid has two purposes: to reduce property taxes, and to bring equity to communities by providing state money for services, including police and fire, road maintenance, and administration.

Advocates say local government aid is critical to communities with low population growth and low property values, as well as for large urban cities with ever-growing needs. But critics say local government aid is flawed because it distributes money based on previous spending habits. Indeed, part of the complicated funding formula guarantees cities their 1993 state allocation.

The history of local government aid can be traced to a 1971 property tax reform measure called the "Minnesota Miracle," ushered in by Gov. Wendell Anderson, that relieved local property taxes of much of K-12 education funding. Likewise, local government aid also aims to keep property taxes in check by distributing state sales and income taxes to needy cities.

While the program began with provisions for cities, counties, towns, and special taxing districts, today only cities receive local government aid. Counties continue to receive state money, but since 1991 the

funds have been targeted for specific mandated programs, including Family Preservation Aid and County Criminal Justice Aid.

So exactly how is an individual city's aid allocation determined?

A two-part formula considered the "grandfathered" 1993 aid appropriation, and a city's "need" and its "ability to pay." The formula for determining need considers population, population decline, housing built before 1940, and commercial and industrial property values.

In 2002, \$565 million was distributed to cities. Many recipients rely heavily on the aid, including Albert Lea, Duluth, Willmar, St. Paul, and Minneapolis. And some get no aid, such as Edina, while others receive minimal amounts, such as Twin Cities suburbs Eagan, Woodbury, Shoreview, Plymouth, Mendota Heights, and Chanhassen.

Property taxes and local government aid are the two biggest revenue sources for most of the state's 850-plus cities.

HF172 and HF593 deal exclusively with city

aid formulas and do not address county funding. Both were presented by Rep. Ann Lenczewski (DFL-Bloomington) to the House Taxes Committee March 4. No action was taken, but both bills may be included in the committee's larger omnibus tax bill, according to Rep. Ron Abrams, (R-Minnetonka), the committee chair and a co-sponsor on both bills.

HF172 would gradually remove the 1993 grandfathered amount from the formula — which is the most contentious portion — and replace it dollar-for-dollar with the "needs" vs. "ability to pay" component.

The most any one city stands to lose under HF172 is 3 percent annually of local government aid, Lenczewski said. However, some cities would eventually lose all state aid if the new formula finds a city doesn't need it.

Abrams said the bill appears to redistribute money from suburban and non-metro regional areas to smaller cities.

Lenczewski responded by asking members to focus on the bill's policy and not on the amount their community would lose or gain.

The bill, she said, would do away with two things: the argument that local government aid is unfairly allocated based on previous spending habits and not on need; and interest on the part of legislators and governors in tampering with the formula to make it fairer.

"We have a lot of members across the state who are in similarly situated cities where one gets a lot of aid and one doesn't and they can't really explain why," Lenczewski said.

She added, "I know this bill is threatening, but I think it's the right thing to do."

The bill, which has been introduced in prior years by both Republicans and DFL members, was enacted into law as part of a 1993 local government aid reform package, but was repealed in 1994 before it took effect.

HF593 is probably more controversial, Lenczewski said.

It would add to a city's tax base the monetary amount a city gives up by dedicating property taxes under tax increment financing to improvements in the TIF zone. Adding this amount to the formula



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

Lawmakers are grappling with proposed changes to the state's local government aid system, which cities use for such services as public safety. Gov. Tim Pawlenty and State Auditor Patricia Awada have recommended large cuts in aid to cities to help balance the budget for 2004-05.



would show that the given city has a greater ability to pay for its own government services, thereby reducing its need for state aid.

Tax increment financing is a development tool that allows the additional property taxes generated by a new or improved development to be used to pay for the costs of the development if the city finds that the development would not occur without such assistance. Thus, the added property taxes generated from a development could pay for land acquisition, site preparation or other development costs as opposed to general government services.

Lenczewski said that cities voluntarily engage tax increment financing, and should not be able to argue for more state aid as a result. "A municipality is voluntarily choosing to divert revenue when it decides — and no one can make them do this — to create the tax increment finance district," she said.

Abrams put it another way. A city could allow a department store to pay for its development costs under tax increment financing. Under current law, the city can then declare a larger need for state aid and a lesser ability to pay for its own governmental services — even if the property taxes it's diverting provide for installation of marble floors in that department store.

But Rep. Morrie Lanning (R-Moorhead) said that in 28 years of city government service he never heard of a city intentionally using tax increment financing to claim a larger need for state aid. If the issue is truly tax increment financing, then that matter should be addressed separately, he added.

Lenczewski argued, however, that the matters are intertwined in legislation. Some cities, she added, are not receiving aid they deserve because other areas have utilized tax increment financing. And some cities receive no aid, such as Edina, even though its taxpayers' money contributes to the larger state aid program.

"It's easy to say there's a drug out there and the state's addicted to it and if everybody's gonna have it well give me some, too," Lenczewski said.

Neither bill has a Senate companion.

Pawlenty's proposal would cut city aid by 29 percent, or \$435 million, leaving a \$1.07 billion appropriation in 2004-05. County aid would be cut 20 percent, or \$189.4 million, leaving a \$722.8 million appropriation.

His cuts did not go as far as the 43 percent city aid reduction recommended by State Auditor Patricia Awada to cities with populations larger than 2,500. 🐻

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A multitalented Minnesotan

Miller served the state on the front lines, in the State Capitol, and elsewhere

The names Sibley and Ramsey dominate historical accounts of the state's early days and receive much of the acclaim for the success of the state in its early days.

And Ramsey can be partially credited for the impact of another early governor: Stephen Miller.

Miller served as the state's chief executive from 1864 to 1866 — during the trying times of the Civil War and the American Indian conflicts in the state.

He originally came from Pennsylvania, on the advice of his friend Alexander Ramsey who touted the positive effects the climate of Minnesota would have on Miller's health.

Miller spent more than half of his life in Pennsylvania, primarily near Harrisburg, where he added miller, merchant, editor, and county and state official to his list of credentials.

He moved to Minnesota and settled near St. Cloud in 1858, where he set up a mercantile. His political activism that began as editor of the Whip newspaper, the *Telegraph*, in Pennsylvania continued and in 1860 he was selected as a delegate to the Chicago convention for the newly formed national Republican Party. Miller was a strong supporter of Abraham Lincoln.

When the Civil War broke out in 1861, Miller and his son, Wesley, enlisted in the U.S. Army. Miller, 45, had no prior military experience, yet within a month of his enlistment he was appointed as lieutenant colonel of the First Minnesota Regiment of Volunteers, known for its willingness to support the Union's efforts in the war. Wesley would ultimately die among the thousands at Gettysburg.

"Colonel Miller seemed instinctively to grasp tactical matters and his personal bravery was never called into question," wrote future governor Joseph A.A. Burnquist. That bravery and resolve would be tested in December 1862.

Miller left the First Minnesota to accept the commission as colonel of the Seventh Regiment. An injury after a fall from a horse left him in charge of military camps in south-central Minnesota during the contentious days of the Dakota wars.

An incident on Dec. 4, 1862 forced Miller into what Burnquist called "a particularly difficult and delicate task." While stationed at Camp Lincoln, near Mankato, Miller was guarding about 300 Sioux Indians who had been condemned to death for war crimes. In one of many instances, a group of enraged settlers attacked the camp with the intentions of killing the Indian prisoners.

Wrote Burnquist, "Though in sympathy with the public sentiment against the Sioux murderers, Colonel Miller pledged to oppose mob law, and did so firmly."

President Lincoln would ultimately grant clemency to 265 of the Sioux, though 38 others were hung after Christmas that year in the largest mass execution in U.S. history.

Miller was promoted again, this time to brigadier general in late 1863, but resigned a short time later after being elected governor.

He was described as a plain and practical governor, and during his early days he drew attention to the financial plights of soldiers and their families. "His administration of a single term of two years was mainly devoted to closing Minnesota's connection with the various interests growing out of the Civil War," wrote Burnquist.

Minnesota ratified the 13th Amendment abolishing slavery under Miller's administration. And he also proposed that the state begin using development advances, such as gas lights in the State Capitol.

After leaving the governor's office, Miller worked first for the Minnesota Gold Mining Company and then took a job as a superintendent for the St. Paul and Sioux City Railroad Company. In 1873, he was elected to the Minnesota House where he served one term.

In the last few years of his life, he lived in the southwest Minnesota communities of Windom and Worthington. Some accounts suggest his final years were lonely and economically poor ones for Miller. At age 65, he succumbed to gangrene, which had started in his left foot.

(M. KIBIGER)

Photo courtesy of the Minnesota Historical Society



Gov. Stephen Miller

★ AGRICULTURE

Feedlot concerns

Livestock feedlots of all sizes continue to pose human health concerns and need to be closely monitored, according to a comprehensive Minnesota Environmental Quality Board study reviewed March 5 by the House Agriculture Policy Committee.

Such was one of 12 policy priorities from a recently released board study, which also recommended increased state funding for feedlot regulatory programs and research funding for air and water quality issues.

George Johnson, board project manager of environmental impact statements, provided a summary of the \$3 million, 7,000-page study, formally known as the "Generic Environmental Impact Statement on Animal Agriculture." The 18-volume study was funded by the Legislature in 1998 following a series of feedlot controversies in rural Minnesota during the 1990s. The study wasn't intended to "give answers," Johnson said.

No action was taken by the committee regarding the report.

There are an estimated 25,000 to 30,000 poultry, swine, or cattle feedlots in the state. The lots, buildings, or a combination of the two, are for breeding and raising livestock. Regulated by state law for several decades, feedlots are in confined areas and include manure basins for the drainage of animal waste.

Although no specific examples were cited, Rep. Elaine Harder (R-Jackson), chair of the House Agriculture and Rural Development Finance Committee, said she was troubled by the study raising health concerns regardless of a feedlot's size. She said the study expressed "a bias about living with livestock." Johnson said feedlot management, "not the size," determines its impact on environmental quality.

A number of committee members questioned Johnson and Gregg Downing, a research coordinator for the board, about citizen petitions that have halted some farm feedlot expansions in recent years.

State environmental law allows 25 individuals from anywhere to sign a petition and raise potential environmental concerns regarding feedlots. Farmers and farm organizations have complained to the committee that the petitions provide an easy way for environmental groups to block feedlots. Downing said four out of every five citizen petitions requesting environmental assessment worksheets are denied by the board. The study did not address that issue.

Feedlot impacts on air, water, and soil quality have been a longtime environmental concern since large farm operations have become dominant in agriculture during the last 25 to 30 years. Within the last 10 years, the state has lost "more than 6,000 farms," Johnson said. "We have fewer farms and they're becoming larger."

Besides health and environmental impacts of feedlots, the study includes extensive summaries on agriculture economics, government's role, soil, water quality and land use issues, as well as social and community concerns.

A 25-member citizens advisory committee, appointed by the board, provided oversight of the study and made 77 policy recommendations, including the 12 priority items.

Responding to possible cuts

Two semi-autonomous state agencies and a horticulture society that traces state funding support back to 1873 face major changes, under the Pawlenty administration's proposed 2004-05 biennium budget.

Representatives of the Minnesota Board of Animal Health, the Agricultural Utilization Research Institute, and the Minnesota State Horticulture Society testified March 4 before the House Agriculture and Rural Development Finance Committee.

Gov. Tim Pawlenty recommends cutting the institute's two-year budget by \$5 million, trimming the animal health board by \$800,000, and eliminating state funding for the horticulture society. He also proposes that the animal health board and the institute become part of the Agriculture Department effective July 1, 2003.

The committee took no action on the governor's budget recommendations.

William Hartmann, state veterinarian and executive director of the animal health board, said the 28-employee agency's \$5.6 million budget was cut \$329,000 by the governor during the current fiscal year and faces an additional 14 percent cut for 2004-05. The board monitors state livestock herds for disease, conducts research and lab tests, and advises animal owners on disease prevention.

Hartmann is currently appointed each year by a five-member advisory board made up of three livestock producers and two veterinarians, all appointed by the governor. If the animal health board becomes part of the Agriculture Department, the agriculture commissioner would appoint the director.

The 1,500-member Minnesota Veterinary Medical Association opposes the proposed consolidation.

Ben Pomeroy, chair of the group's governmental affairs committee, urged agriculture committee members to oppose the governor's proposal, saying it would "destroy the independent status and effectiveness of the (animal health) board."

"Why change our effective program for an unknown?" Pomeroy said.

Institute Executive Director Edgar Olson said the proposed 67 percent cut to the non-profit organization's budget would render it "non-functional."

Created in 1987 by the Legislature, the institute conducts research and training for small and medium-sized, agriculture-related companies to help them develop value-added products, like the renewable fuel biodiesel and soy plastics. Olson said the group has projects in 73 of the state's 87 counties.

Perry Aasness, assistant agriculture commissioner, said the department would examine the institute's core functions should the agency be merged with the department. "We don't know what it would look like in the end," he said.

Members of the state Horticulture Society had been expecting \$164,000 from the state for fiscal years 2004-05, and said that eliminating the annual state subsidy the group has received for 130 years might trigger cuts in education programs to rural Minnesota, fewer issues of the group's magazine or elimination of children's programs. The group has 20,000 dues-paying members and publishes *Northern Gardener*, which generates advertising revenue.

★ BUSINESS

Chinese competition

Manufacturers in Greater Minnesota are facing increased competition from China. Yet most do not fully understand the degree to which China has made technological improvements to compete in a global economy.

Such are results of a recently completed study by Minnesota Technology Inc., a manufacturing and technology economic development group funded partially by the state. The report was discussed March 5 at a meeting of the tourism division of the House Commerce, Jobs, and Economic Development Policy Committee.

Specifically, the study found that companies surveyed believed China was realizing

manufacturing gains simply because of a cheap labor pool. They indicated that China could not produce high-quality goods, and that the country's level of technology was inferior to theirs.

In addition, many Greater Minnesota manufacturers stated that they could address some of these competitive pressures through sales and marketing measures.

Such beliefs are seriously in error, indicated Minnesota Technology President Jacques Koppel.

There is, he said, "increasing recognition that the Chinese government, as well as companies setting up businesses in China are investing heavily in technology and building state-of-the-art manufacturing facilities."

To compete, Minnesota manufacturers must develop new business strategies, such as developing propriety products and higher-tech processes.

For example, said Koppel, northwest Minnesota is the only area served by Minnesota Technology that has seen a slight increase in manufacturing employment, and that increase is only 0.5 percent. Koppel said this is due to companies like Arctic Cat recreational vehicles and Marvin Windows and Doors that own proprietary rights to their products.

Specifically, the survey found that 52 percent of manufacturing companies surveyed are facing Chinese competition. Fifty percent said that Chinese competition would hurt them, with the average business loss at 20 percent in 2003 and increasing to 35 percent in three to five years. And, 36 percent said tax breaks and tariffs are necessary to address competition.

The Minnesota manufacturing industry lost 38,000 jobs between its peak employment in August 2000 and August 2002. Losses came largely in industrial machinery and equipment, electronic equipment, printing and publishing, and air transportation.

The committee did not act on the report.

★ CHILDREN

Keeping children safe

Efforts to reduce child abuse and neglect would be hit hard under the governor's proposed cuts to county aid, according to those testifying Feb. 27 before the House Taxes Committee.

Under a state aid program, counties receive funds for certain mandated programs, including the Family Preservation Act and out-of-home placements. Family preservation aid aims to reduce the increased costs associated with removing children from their homes by

helping those families function better. When that fails, out-of-home placements are ordered.

The volume of out-of-home placements is unpredictable, making it difficult for counties to anticipate the number that will arise in a given year and the related cost. According to Jim Mulder, executive director of the Association of Minnesota Counties, counties spent \$180 million in 2002 on such placements.

Under Gov. Tim Pawlenty's proposed 2004-05 budget, a change in county aid funding formulas would eliminate the Family Preservation Act and out-of-home placement program in 2005. The former represents \$24 million; the latter, \$53 million, said Jim Koppel, director of the Minnesota Children's Defense Fund, a nonprofit organization devoted to children and working families.

The sum of these two cuts, Koppel said, represents 43 percent of the reductions counties would experience in state aid.

"Our concern is that while a lot of these programs are run out of the Department of Human Services, they end up really hitting the ground at the county level," Koppel said.

Every year about 11,000 children in Minnesota are reported as victims of abuse. And about 20,000 are removed from their homes, he added.

"This is going to strain local budgets and it's going to compromise those programs, and it's a compromise we can't afford," Koppel said. "We've never really gotten our arms around, in Minnesota, the whole issue of child abuse and neglect."

Pawlenty's proposal would reduce county aid by 20 percent. Individually, counties would realize cuts averaging 1.6 percent of total revenues in calendar year 2003, and 2.8 percent in 2004. Total aid to counties would total \$722.8 million in the next biennium, a reduction of \$189.4 million.

Koppel said the effect on children is broader when cuts to the state Health and Human Services budget are considered.

Helping through work

Youth who've obtained jobs and avoided lives of crime packed a hearing room March 4 to advise against budget cuts to four state-funded youth employment, intervention, and jobs skills programs.

Gov. Tim Pawlenty's 2004-05 proposed budget contains \$3.7 million in budget cuts to the programs. Participants in the programs of Minnesota Youth, Earn While You Learn, Youth Intervention, and the Minnesota Youthbuild Coalition testified before the House Jobs and Economic Development



LaRae Starr tells the House Jobs and Economic Development Finance Committee March 4 about the effectiveness of the Learn to Earn youth program. Other participants in the program that testified are, from left, Aaron Walker, Amanda Tkaczik and Stacey Schleeter. The quartet encouraged members not to reduce funding for the program.

Finance Committee. They indicated more youth would be left to lives without direction if budget cuts were realized.

"The streets recruit very hard," said Kevin Dildy, who works with youth in South Minneapolis through Minnesota Youth Program.

Added participant Jennifer Robertson, "It turned my life around. It got me on track."

The governor's budget would chop \$2.5 million from Minnesota Youth Program, leaving it with a base budget for 2004-05 of \$10.8 million. Cuts to other programs include:

- Youthbuild, \$394,000 reduction, leaving \$1.3 million base budget;
- Youth Intervention, \$756,000 cut, leaving \$2.5 million base budget; and
- Earn While You Learn, \$110,000 cut, leaving a \$366,000 base budget.

Minnesota Youth provides economically disadvantaged and at-risk youth with employment and training services year-round. It works in all 87 Minnesota counties with participants ranging from 14 to 21. In 2002, about 5,039 youth were placed in jobs. Eighty percent of participants increased their reading and math skills, and 50 percent received academic credit.

Youth Intervention consists of community-based programs throughout the state that keep troubled youth living with their families and out of more costly correctional institutions, foster homes, and residential treatment facilities. An average of 21,000 youth participate annually.

Of the participants in 2001, 83 percent referred for truant behavior had improved their school attendance record. An additional 89 percent referred for illegal activities had no further involvement with the juvenile justice system six months after program completion.

Minnesota Youthbuild has nine programs throughout the state with participants building and rehabilitating low-income housing for communities. In the process, said spokeswoman Joyce Eissinger, they work toward a

high school diploma or GED certificate and learn technical skills, work behavior, and the importance of civic engagement.

In 2002, participants constructed or renovated 150 units of low-income housing throughout the state, benefiting 401 homeowners and tenants and 195 homeless people.

Tina Sweatt, representing the Beltrami and Cass counties chapter, said Youthbuild is crucial in what are two of the poorest counties in the state.

"Rural kids need this program — there is virtually nothing else," Sweatt said.

The committee took no action on the budget proposals at the meeting.

★ CRIME

Handling proposed cuts

Minnesota Department of Corrections officials said that despite rapidly increasing prison populations, their agency will be able to absorb the cuts proposed by Gov. Tim Pawlenty for the upcoming biennium.

Under the governor's proposal, the department budget would be reduced by \$56.4 million. Most of that money will come from its operating budget and cuts in grants to local organizations. About \$19 million would come from housing short-term offenders in county jails and double-bunking cells at some prison facilities.

Corrections Commissioner Joan Fabian told the House Judiciary Policy and Finance Committee March 5 that Minnesota's practice of housing fewer inmates in favor of community supervision has saved the state money while still holding offenders accountable. Wisconsin has a prison population three times the size of Minnesota's and annually spends twice as much on its corrections department.

While he admitted to being initially against the idea of double bunking inmates in some facilities, Deputy Corrections Commissioner Dennis Benson said that he thinks the department can safely create up to 569 new beds by the end of the biennium by using the practice in parts of its Stillwater and St. Cloud prisons. Both prisons are considered "close" security, one step down from the highest level of security. The majority of inmates are already double-bunked at the department's medium-security prisons. Benson said double bunking could have benefits by encouraging good behavior.

"If people are coming (into prison) double-bunked and they can move to a single-bunk then certainly there is some value to having

that perk," he said.

Benson said the department will "walk, not run" in implementing the double-bunking policy, which should save nearly \$10 million in the next two years. He said an inmate has already filed a lawsuit against the department over the double-bunking proposal.

Among the programs eliminated under operating reductions are the Female Offender Planning Unit and the Restorative Justice Unit. Chemical dependence and sex offender evaluations, as well as education and religious services, would be scaled back under the proposal.

The committee took no action during the hearing.

★ DEVELOPMENT

Tax-free zones

Calling it the most important piece of legislation the committee will deal with this year, the House Jobs and Economic Development Finance Committee approved a tax-free zone bill March 4 designed to give rural Minnesota a shot in the arm.

Sponsored by Rep. Doug Magnus (R-Slayton), HF3 now moves to the House Taxes Committee.

The bill would allow the state to designate 10 business zones of up to 5,000 acres each and five agricultural zones throughout Greater Minnesota in which businesses would be free of most taxes for up to 12 years. The idea is to stimulate economic development by creating high-paying jobs beyond the Twin Cities metropolitan area.

"We've gotta do something to make some changes here," Magnus said, referencing growing income and population disparities between Greater Minnesota and the metropolitan area.

Under similar programs, Michigan and Pennsylvania each have created 5,000 new jobs, Magnus said in a previous interview.

Rep. Bob Gunther (R-Fairmont) agreed. "We will die out there, if we haven't already," Gunther said, noting school closures in his district. "We need this."

If approved, cities, counties, townships, and school districts could apply for a zone to the state Department of Trade and Economic Development later this year. Zones could be subdivided and be located in more than one government jurisdiction.

Qualifying zone businesses would forgo sales, income, and property taxes. Individuals investing in the zone business would be exempt from applicable income and capital gains taxes.

To qualify, businesses must increase employment by 20 percent in the first year, or

make a capital investment in the zone equaling 10 percent of its previous year's gross revenues. If neither measure is met, businesses must pay the waived taxes.

Businesses could not, however, forgo property taxes resulting from school levies or local general obligation bond debt service measures already in place. Furthermore, the property tax waiver applies to commercial and industrial property, but not to land.

The program would cost the state \$4.7 million in lost tax revenue in 2004-05 and \$9.6 million in 2006-07.

Legislators indicated that the program's success may depend on where zones are designated.

A Senate companion bill (SF496), sponsored by Sen. Tom Bakk (DFL-Cook), awaits a hearing before the Senate Jobs, Housing, and Community Development Committee.

★ EDUCATION

Department name change

A bill that would restore the name, "Department of Education," to the state agency responsible for K-12 public schools and personnel was approved March 4 by the House Education Policy Committee.

Sponsored by Rep. Randy Demmer (R-Hayfield), HF517 was referred to the House Governmental Operations and Veterans Affairs Policy Committee.

In 1995, the former Department of Education was renamed the Department of Children, Families and Learning by the Legislature, which approved a state agency reorganization led by Gov. Arne Carlson. At the time, more than a dozen programs, including Head Start support, early childhood education, family services, child-care, child abuse, drug policy, and violence prevention were moved from six state agencies, and combined with K-12 education.

Gov. Tim Pawlenty recommended the department's name be changed in his Feb. 6 State of the State address. The name change "gets back to keeping the main thing the main thing," Demmer said, partially quoting Pawlenty's speech. "It's about educating kids."

The department is discussing reorganization and may recommend moving some programs under its jurisdiction to other state agencies, said Jim Bartholomew, the department director of government relations. He said an announcement could be made the week of March 10. "Our main focus is success in K-12," Bartholomew said.

If approved, the department's name change would cost an estimated \$38,000,

Bartholomew said, mainly for changing the name on legal documents and the sign outside the department's leased office building in Roseville. Existing stationery would be used until supplies are exhausted, he said.

Rep. Nora Slawik (DFL-Maplewood) said the name change and possible reorganization was causing "a lot of unrest" in the department because of potential impact on staff.

The bill's Senate companion (SF296), sponsored by Sen. Geoff Michel (R-Edina), awaits action in the Senate Education Committee.

Creating charter schools

The House Education Policy Committee approved a bill Feb. 27 that would make it easier for school districts to create charter schools.

Sponsored by Rep. Alice Seagren (R-Bloomington), HF452 would add a section to the state's charter school law and allow school boards "and one or more licensed teachers" to form a charter school without the approval of the commissioner of the state Department of Children, Families and Learning (CFL).

The charter school, under the proposal, must implement the local school board's "strategic plan for public education." The sponsoring school board would select up to two members of the charter school's board of directors. "Elected school boards run schools every day," Seagren said. "They should have the capability to charter (a school) without going through the hoops of the CFL."

The bill was referred to the House Education Finance Committee, which Seagren chairs. There is no Senate companion bill.

There are 78 charter schools in the state, created under a 1991 state law. A school board; an education district; a non-profit organization that's registered with the state Attorney General's Office and has \$2 million of assets; or a public or private four-year university or college, community college, or technical college can create charter schools.

Joseph Graba, a senior education policy fellow at Hamline University, and former House member from 1971-77, testified in support of the bill. He said current charter school sponsoring organizations often don't operate the school as a priority. "They all tell us this is not our main business." He said the bill could potentially lead to "new models" of charter schools, founded by organizations solely focused on the school.

Seagren said fears that charter schools would take "the best and the brightest" students in a school district have not been realized. "It's been the opposite," she said. "Charters have been created for at-risk and high-risk students."

Seeking to be spared

Four meetings' worth of testimony from parents, school administrators, and lobbyists before the House Education Finance Committee has revealed more than a few points of contention regarding the Pawlenty administration's proposed K-12 education budget for the next two years.

Supporters of after school programs, extended-day/extended-school year programs, early childhood and family education, and English learning language programs — all proposed for cuts by the administration in the 2004-05 biennium budget — testified between Feb. 26 and March 5. The committee took no action on the budget proposal at the hearings.

"Please do not cut the after school program budget," said Khao Insixiengmay, of Minneapolis, executive director of the Lao Parents and Teachers Association. "The southeast Asian student is not doing well at school," he said.

The Southeast Asian Community Council, which the Lao PTA works with, has received about \$40,000 from the state through After School Enrichment Grants to sponsor tutoring and homework help programs for students in Hennepin County, said Cha Lee, the council's executive director.

Pawlenty proposes to eliminate the after



Alex Stanley, left, of Bloomington plays with the microphone as his mother, Kim, asks the House Education Finance Committee March 4 not to cut funding for the Early Childhood Special Education program because her son, who is autistic, has special education needs.

school program grants in the 2004-05 budget and save \$11 million, while noting that federal funding may be available for after school programs. In the current fiscal year, after school grants were funded for \$5.5 million, but \$3.8 million of that amount was held by the state to help balance the 2003 budget deficit.

Kim Stanley, of Bloomington, brought her autistic son, Alex, to the March 4 meeting to testify in support of early childhood special education in her school district. The program helps children with learning disabilities "become functioning adults," Stanley said, while 3-year-old Alex had fun playing with the committee room microphones. "It's not the life he chose, but it is the life he lives," she said.

The governor's budget proposes no cut in Early Childhood and Family Education (ECFE) programs in fiscal 2004, but an \$11.8 million reduction for fiscal year 2005.

Pawlenty's proposal would keep early childhood programs, targeted for pre-school youth, at little or no cost for low-income recipients but require higher-class fees for parents with higher incomes. Critics of the proposal said it would harm the "universality" of the programs that are popular with parents in higher income suburban districts, as well as lower income parents in urban areas.

Jim Grathwol, representing Minneapolis public schools, said Pawlenty's proposal, "is really bad in some respects, but it could have been worse."

Cutting the funding formula for extended day and extended school year programs, as proposed by the governor, will hurt the district, Grathwol said, because Minneapolis has 10,000 students in after school programs and 16,000 in summer school.

A cap on the number of students enrolled in English language learning proposed by the governor could adversely affect 4,000 of the 12,000 Minneapolis students enrolled in those programs, Grathwol said.

Prevailing wages

The state's prevailing wage law for construction labor sparked some controversy March 4 before the House Education Policy Committee approved a bill that would release school districts from following that state requirement, among others.

Sponsored by Rep. Jeff Johnson (R-Plymouth), HF365 would also remove statutory restrictions that require school districts to reserve small percentages of their general fund budgets for teacher and staff development and class size reduction. The bill was referred to the House Education Finance Committee.

Johnson accepted an amendment that removed from the bill a proposed repeal of the

state's Jan. 15 deadline for teachers and school districts to negotiate contracts. He said it was a "toss up" whether the repeal would pass the committee, which includes a number of teachers.

State law requires school districts funding construction projects with any portion of state general funds to accept bids from contractors that pay prevailing wage rates for labor. The prevailing wage rate for workers in the building trades is determined for geographical areas through a survey conducted by the state's Department of Labor and Industry. Prevailing wages are paid to union-represented and non-represented workers on a construction project, according to Dick Anfang, representing the state's building trades unions. He testified against the bill.

Terry Tofte, superintendent of Northfield Public Schools, testified in support of the bill. He said it would allow districts to accept a construction bid from a prevailing wage contractor "if they choose."

Anfang said both the state and federal prevailing wage laws are supported by unions and building contractors. "It's not a union issue," Anfang said. The law "provides a level playing field" for contractors bidding on publicly funded projects.

When Anfang suggested that lower wages lead to less worker training and a "more dangerous work site," he was interrupted by Rep. Philip Krinkie (R-Shoreview), who owns a non-union heating and cooling company. "I take some offense," he said. "To say my employees endanger other people is absurd."

"I'm not going to apologize," Anfang responded. He said he'd provide studies that prove his point.

An amendment proposed by Rep. Jim Davnie (DFL-Mpls) to remove the prevailing wage ban from the bill was defeated.

A companion bill (SF564), sponsored by Sen. Betsy Wergin (R-Princeton), awaits action in the Senate Education Committee.

School board primaries

A bill that would require school boards to hold a primary if there were more than two candidates for a school board position, or more than twice as many candidates as positions available, was approved March 5 by the House Governmental Operations and Veterans Affairs Policy Committee.

Rep. Jim Knoblach (R-St. Cloud), the sponsor of HF471, described a 2001 school board election in St. Cloud where 12 people were running for four seats. With so many candidates he said the "will of the majority is in question."

Bob Meeks, director of governmental relations with the Minnesota School Board Association, said that association members agreed with the primaries, but they were concerned about how the school districts would pay for them. Under HF471, the school district is responsible for the cost of the primary. He also said the bill would affect fewer than 15 districts.

Knoblach said that in his district for the last election, the cost would have been approximately \$30,000-\$40,000. Because the primaries are held once or twice in a decade, he said it's "not an unreasonable expense."

Rep. Keith Ellison (DFL-Mpls) said the decision to hold a primary should be up to the school district, not the Legislature, since the action is not state funded.

The bill next goes to the House Education Policy Committee where Knoblach said he would take a closer look at the local costs of the bill.

The Senate companion (SF490), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Education Committee.

ELECTIONS



Political contributions

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill March 5 that would prohibit legislators or constitutional officers from accepting campaign contributions from special interest groups or political action committees during a special session.

Rep. Dan Dorman (R-Albert Lea), the sponsor of HF539, said legislators "should play by the same rules" during all times of session. The law currently applies only during the regular session.

Statutes prohibiting contributions apply to candidates for the Legislature or constitutional office, a candidate's principal campaign committee, or a party unit established by a party organization within the Legislature.

Those designated as groups who cannot contribute include a registered lobbyist, political committee, political fund, or dissolving principal campaign committee.

Rep. Loren Solberg (DFL-Grand Rapids), the lone committee member to vote against the bill, said he was a part of the original conference committee in a previous session that created the current law. He said the reason they didn't include special session in the initial legislation was because a governor can call one at any time. Therefore, if a legislator has a scheduled fundraising event, it might have to be canceled or rescheduled. He said, "There's more implications than just good, clean

government" in the legislation.

Rep. Eric Lipman (R-Lake Elmo) said the bill could give the governor too much power.

He cited the situation last fall when former Gov. Jesse Ventura called a special session to deal with flood relief, and that those in competition for his job would have been unable to raise funds during the time if this bill were law at the time.

Rep. Marty Seifert (R-Marshall) reminded members that the bill would apply to special interest groups, but not a private resident.

The bill, which has no Senate companion, now moves to the House floor.

Question timeliness

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill March 5 that would require potential ballot questions to be submitted by a deadline prior to an election to be considered for placement on the ballot.

Rep. Tony Kielkucki (R-Lester Prairie), the sponsor of HF504, says the legislation is to

SPECIAL ELECTIONS



PHOTO BY TOM OLMSCHIED

John Dooley, legal council for the Minnesota Association of Townships, testifies before the House Governmental Operations and Veterans Affairs Policy Committee March 5 in support of a bill that provides for a special election to fill the vacancy if a town board or appointment committee fails to do so.

clarify timelines that petition organizers must meet in order for their proposals to be considered.

Kent Sulem, an attorney for the Minnesota Association of Townships, said petitions have been received as late as one week before an election in the past. Because of a lengthy process to put the questions on a ballot, officials were unable to comply.

Because current election law doesn't specifically state that a petition must be submitted by a deadline, there isn't anything to show a resident why a question can't be accepted, said Sulem.

The bill doesn't require a city to schedule a special election when a submission is made, however Minnesota statute does require a special election if 20 percent of the voters at the last municipal general election signed the petition and the question hasn't been submitted in the previous six months.

Approved by the committee, the bill next goes to the House floor.

A Senate companion (SF384), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Rules and Administration Committee.

★ ENVIRONMENT

Sprinklin' in the rain

It's home and garden show time across the state and many consumers are dreaming up construction and landscape plans for this summer.

If Rep. Denny McNamara (R-Hastings) has his way, folks would set aside about 30 bucks to install a simple rainfall monitoring device on their new outdoor sprinkler systems.

McNamara brought a bill (HF335) before the House Environment and Natural Resources Policy Committee Feb. 27 that would require all new landscape irrigation systems to be furnished with sensors to prevent sprinklers from operating during rainstorms and at times when the ground is saturated to a pre-programmed level.

"It has great environmental value," McNamara said, and it would reduce water bills.

The most common rain sensor on the market costs \$29.87, John Mickman of the Minnesota Nursery Landscape Association told the committee, and typically only one device is needed for a residential system.

"I'm sure you've all seen lawn sprinkler systems going off in a rainstorm," Mickman said. "It's like, 'Give me a break.'"

Although this is a common sense measure, Mickman said, many installers do not include

rain sensors in a competitive bidding situation.

Similar legislation passed the House and Senate in 1999, but was vetoed by then-Gov. Jesse Ventura.

"Citizens who are heavy users of irrigation systems and are concerned about the conservation of water should be willing to pay a little extra for these devices in return for lowering their water bills, without the burden of a government mandate that will be virtually impossible to enforce," wrote Ventura in his veto message. "Manufacturers who are concerned about being competitive would do well to either absorb the costs of these devices or demonstrate the value to consumers, without turning to government to force all competitors to act in a similar manner."

Rep. Jean Wagenius (DFL-Mpls) said she supports the concept and would like to see future discussions move toward mandatory installation on old sprinkler systems that draw from depleted groundwater sources.

The bill now moves to the House floor. The Senate does not currently have a companion bill.

Pay to protect and play

Minnesotans could pay more for winter aeration permits and to camp in state parks, under a plan presented by the Department of Natural Resources (DNR) to the House Environment and Natural Resources Finance Committee March 4.

The DNR issues approximately 250 to 300 permits per year to lakeshore property owners, lake associations, hunting and fishing clubs, and others to aerate public waters during the winter months.

Aeration is a management tool to prevent winterkill of fish in ponds and lakes, but it does present a public safety risk, said Ecological Services Director Lee Pfannmuller. Six people died and there were several accidents associated with open water caused by aeration systems before the DNR stepped up permitting efforts in 1988. There has been one fatality since then, and the aerator was not negligent, she said.

There is currently no fee for the program, although the department estimates that training, "Danger - Open Water" signs, and inspections cost the state an estimated \$62,000 annually. Under the proposal, the department would establish a \$250 permit fee to recoup those costs.

A second adjustment would increase three state park camping fees:

- forest campground camping would increase \$2, from \$9 to \$11;

- rustic camping would increase \$3, from \$8 to \$11; and

- semi-modern camping would also increase \$3, from \$12 to \$15.

Based on recent campsite occupancy figures, the change would generate an estimated \$734,000 annually.

Deputy Commissioner Mark Holsten explained that campgrounds are one of the department's biggest "cost drivers." When budget discussions came down to keeping parks open and supporting campgrounds, he said, the department determined it would have to increase some fees to match those increased costs.

Some committee members also questioned whether the DNR had looked at increasing state park daily and annual sticker fees.

The department currently charges a daily fee of \$4 at state parks and \$20 for an annual sticker. Sales figures for the annual sticker are 110,000 per year, according to Parks and Recreation Division Director Bill Morrissey.

"It seems to me it would help people make a market decision" to put surcharges on those parks that are heavily used and stressed, said Rep. Dennis Ozment (R-Rosemount), the committee chair.

Perhaps the daily fee at popular parks could be increased to discourage overuse and encourage people to switch from a daily to an annual sticker purchase, suggested Rep. Phyllis Kahn (DFL-Mpls).

The department's proposed fee increases could be considered for possible inclusion in the omnibus environment and natural resources finance bill.

Soil and water semantics

The laws governing Minnesota's 91 soil and water conservation districts were first drafted in 1937 in response to Dust Bowl environmental conditions. A bill sponsored by Rep. Ray Cox (R-Northfield) would update those policy statements to reflect modern land and water management concepts.

The bill (HF414) also would change the petition process to establish or terminate a conservation district and grant districts levy authority.

The House Environment and Natural Resources Policy Committee approved the bill Feb. 27.

According to the Minnesota Association of Soil and Water Conservation Districts, additional financing authorities would help districts address a variety of emerging areas, including the state's contribution to oxygen depletion, or hypoxia, in the Gulf of Mexico, leveraging conservation programs associated

with the 2002 federal farm bill, and implementing requirements associated with the pollutant load that water bodies can handle, known as the total maximum daily load.

Current law states that “improper land use practices have caused serious wind and water erosion of the land of this state, the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage.”

The bill would strike that introduction and replace it with what proponents describe as more positive language.

“Maintaining and enhancing the quality of soil and water for the environmental and economic benefits they produce, preventing degradation and restoring degraded soil and water resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens,” the bill reads.

Members on both sides of the aisle questioned what the district representatives meant by “enhancing” soil and water quality and what kind of obligations the new language would place on the private owners who hold 78 percent of the land in Minnesota.

“I think it’s valid to question their ambiguity,” said Rep. Maxine Penas (R-Badger).

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee with the understanding that Cox would continue to work with the Farm Bureau, Minnesota Association of Wheat Growers, and others on clarifying the intent of the proposed language.

Its companion (SF392), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits a hearing in the Senate Environment and Natural Resources Committee.

★ FAMILY

Changing calculation formula

The way child support payments are calculated in Minnesota would change under a bill approved March 4 by the House Civil Law Committee.

Sponsored by Rep. Steve Smith (R-Mound), HF110 would use a so-called “income shares” model to determine the payments required of a non-custodial parent.

Under the system, courts hearing child custody cases would have to take both parents’ combined income into account when setting a payment rate for basic child support. The current system is based only on the income of the non-custodial parent.

To figure out the exact amount, the bill would direct judges to use statistics from a



Barbara Starr from Ham Lake testifies March 4 before the House Civil Law Committee about a bill that changes family law statutes, including provisions relating to marriage dissolution, child custody, child support, maintenance, and property division.

2001 U.S. Department of Agriculture report to dictate how much money it will cost to raise the child or children. The report lists the average cost of raising children for parents of various incomes. For example, the report specifies the average urban Midwestern family earning \$3,000 a month (\$36,000 a year) spends 22.5 percent of its income on raising a child, 36.3 percent if there are two children, and 41.9 percent for three.

That percentage would then be divided according to each parent’s contribution to the monthly income total to determine what the non-custodial parent must pay in child support. That amount would then be reduced by 20 percent in recognition of the higher cost of maintaining two separate households.

Smith said the system he proposes bases child support orders on “what it actually costs to raise a child” rather than on only one parent’s income.

Provisions in the bill also provide for separate child support calculations for low-income parents, parents with joint custody, and families with more than six children. Parents could agree on a separate division of child support costs with a judge’s approval.

The bill would also make it easier for parents to request a hearing six months after the initial court ruling to establish whether both parents are complying with the order.

Apart from the new child support system, the 177-page bill represents a massive recodi-

fication of existing family law. While most of the language in the state’s divorce and child custody laws would remain, it would be reorganized within the law books into sections Smith says would be simpler to understand and easier for judges and attorneys to navigate.

The bill next goes before the House Judiciary Policy and Finance Committee. It currently has no Senate companion.

★ GOVERNMENT

Deleting PrintComm

The Department of Administration’s printing and duplication services are slowly being eliminated.

Legislators in the House Governmental Operations and Veterans Affairs Policy Committee heard testimony March 4 on how the division has continued to lose money for the state, and why it’s in the middle of a lawsuit between the state’s unions and the state itself.

Current law says the administration commissioner is appropriated money annually to operate a central duplication and printing service, called PrintComm. In addition, all state agencies must make reasonable efforts to determine if a state employee is available before entering into a contract for professional or technical services.

A bill (HF555) sponsored by Rep. Phil Krinkie (R-Shoreview) would repeal those statutes.

He said there are two reasons why the print shop let go 34 employees in December when administrators tried to shut the facility. Business has declined because people now have desktop printers, thereby eliminating a need for sending orders to the state division. Also, the department hadn’t spent large amounts of money to update equipment, so it’s more beneficial to contract out printing jobs.

Representing the Minnesota Association of Professional Employees, Brian Bergson said, “PrintComm never had a fair shake.” Because the previous administrations ignored the statutes, the state unions sued over the portion of law relating to using state employees for services, he said.

Kirsten Cecil, deputy commissioner for the Department of Administration, said PrintComm has lost roughly \$200,000 since a judge issued an order for it to continue operations and about \$800,000 in the previous three years. Eight people work there now. She said private sector printing companies are also seeing a decline in business because printing is an optional expense.

Rep. Loren Solberg (DFL-Grand Rapids)

asked if the department was violating the law by eliminating the majority of jobs in the printing division. Krinkie said by enacting HF555, the lawsuit would be void.

Rep. Bill Haas (R-Champlin) said the printing division has been looked at extensively and "it should be self sufficient, but it couldn't be," and therefore couldn't compete with the private sector. He also said the more responsible approach is to save money by contracting out printing to the private sector.

The bill was approved and goes to the State Government Finance committee. There is currently no Senate companion to the bill.

★ HEALTH

Notice before an abortion

Lawmakers on the House Health and Human Services Policy Committee approved this session's first abortion-related bill March 4.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF668 would require abortion providers to provide women with certain information at least 24 hours before performing an abortion.

Under the bill, a physician would be required to explain to a woman seeking an abortion, in person or over the phone, the risks associated with the abortion procedure, the probable age of the fetus at the time of abortion, and the medical risks associated with carrying a child to term.

Additionally, the bill would require that a woman be told about the father's obligation to support the child if it were carried to term and any state Medical Assistance benefits that might be available for prenatal, childbirth, and neonatal care. Women would also be given the opportunity to review pictures and printed information about the probable physical and physiological development of the fetus.

Women would be required to certify in writing before the abortion that they received the required pieces of information.

The bill would also define an "unborn child" as a human from fertilization until birth. Rep. Thomas Huntley (DFL-Duluth) called the language vague and said it could apply even to embryos created in fertility clinics but never meant for producing a pregnancy. An amendment that would have stricken the definition from the bill was defeated.

A handful of other amendments sponsored by DFL representatives were also defeated. Among them was one moved by Rep. Michael Paymar (DFL-St. Paul) that would have exempted rape and incest victims from the 24-hour information review requirement.



Andrea Rau, *left*, representing Minnesota Citizens Concerned for Life, testifies before the March 4 meeting of the House Health and Human Services Policy Committee in support of a bill that would require women seeking abortions to be given specific information at least 24 hours prior to the procedure being performed. She is holding a photo, illustrating a living embryo. Testifying against the bill is Teresa Nelson, *right*, representing the Minnesota Civil Liberties Union.

Another, proposed by Rep. Neva Walker (DFL-Mpls), would have required abortion providers to also provide women with information about family planning and birth control options.

The bill has no Senate companion. It goes next to the House Civil Law Committee.

Safe drinking water

People interested in building or buying homes in one portion of Washington County would be informed that their drinking water is polluted, under a bill discussed March 4 by a House committee.

The House Commerce, Jobs, and Economic Development Policy Committee took no action on HF276, sponsored by Rep. Eric Lipman (R-Lake Elmo), and the committee is expected to continue discussing the bill at a future meeting.

The bill applies specifically to the Baytown special well construction area, which includes

portions of the cities of Bayport and Lake Elmo and the townships of Baytown and West Lakeland. The area was designated in 1987 with the discovery in the drinking water of trichloroethylene, a chemical agent used to degrease airplane parts and is known to cause cancer. At low levels, said Lipman, it can cause headaches and skin irritation. At higher levels it can knock a person unconscious.

The risk can be eliminated, however, through the use of carbon water filters that Lipman said cost \$2,000.

"It's not Chernobyl," said Lipman, but the risk is nonetheless significant.

The bill, he said, addresses how potential homebuilders and buyers should be informed of the pollutant and by whom. This is particularly important as the area develops, Lipman added.

Current statute, according to Cindy Weckwerth with the Washington County Public Health and Environment Department, requires that real estate agents, developers and land sellers disclose only the presence of a well



Cindy Weckwerth, program manager with Washington County's Department of Public Health and Environment, urged members of the House Commerce, Jobs, and Economic Development Policy Committee March 5 to approve a bill requiring disclosure about the presence of trichloroethylene in their local drinking water, whenever property is sold within the Baytown special well construction area.

and its level of functionality. It does not require that potential buyers be told of contaminants.

The committee was given three letters written by homeowners who didn't know of the trichloroethylene until they began drilling wells on their property.

But Susan Dioury, representing the Minnesota Association of Realtors, said current disclosure measures simply need enforcement. The larger environmental problem shouldn't wait until the point of sale to be addressed, she added.

The pollution source is under investigation, but it's believed to be related to the dumping of several hundred gallons of recycled trichloroethylene off the Lake Elmo airport runway in the 1970s, Lipman said.

A companion bill (SF163), sponsored by Sen. Charles Wiger (DFL-North St. Paul), awaits a hearing before the Senate Judiciary Committee.

★ HIGHER EDUCATION

Joint convention elects regents

The House and Senate met in joint convention March 3 to elect nine members of the University of Minnesota Board of Regents. Four of those elected were previously appointed by Gov. Jesse Ventura.

The 12-member board, which must be elected by the Legislature, governs the university. By law regents must be selected by May 7 of each odd-numbered year. Terms are staggered, resulting in one-third of the board coming up for appointment every two years.

This year's selection included so many candidates because the Legislature was unable to reach agreement on regents in 2001, and Ventura was left to appoint members that would be officially elected by the Legislature during the subsequent regular round of elections.

Though some observers suggested this year's election might be contentious, there was relatively little discussion of the candidates during the joint convention's lengthy voting process. No other candidates were nominated other than the slates approved by the joint education committee Feb. 26, though several members abstained from voting or specifically named other candidates in their votes.

The members elected by the Legislature that were previously appointed by Ventura include:

- Peter Bell, current chairman of the Metropolitan Council, will represent the Fifth Congressional District for the remaining four years of his term;

- Lakeesha Ransom, at-large student representative to the board who is currently a graduate student at the Twin Cities campus, has four years remaining on her term;
- Frank Berman, at-large representative for four more years; and
- Richard "Pinky" McNamara, at-large representative with four years remaining on his term.

In addition, the Legislature elected current board chairwoman Maureen Reed to fill the remainder of a term vacated by the death of William Peterson. Reed was not renominated to fill the Sixth Congressional District seat she held previously. However, the education committee nominated Reed to fill the at-large seat that Ventura appointed former-Regent Jean Keffeler to fill in 2001. The full Legislature confirmed Reed's nomination.

In addition, three new members and one reappointed one, who will all serve six-year terms, were elected to the board:

- Dr. Patricia Simmons, a pediatrician from Rochester, will represent the First Congressional District;
- David Metzen, current regent from Sunfish Lake, will represent the Fourth Congressional District;
- John Frobenius, a retired health care executive from St. Cloud, will represent the Sixth Congressional District; and
- Clyde Allen Jr. of Moorhead, the state revenue commissioner under Gov. Al Quie, will represent the Seventh Congressional District.

Potential tuition costs

University of Minnesota President Robert Bruininks said he cannot see how tuition at the university will not increase by at least double digits in each year of the upcoming biennium.

"We'll do all we can to keep tuition rates down and live within the 15 percent," he said, referring to Gov. Tim Pawlenty's request that tuition be capped annually at that percent increase to deal with proposed cuts to the university.

Speaking March 5 before the House Higher Education Finance Committee, Bruininks said tuition at the Twin Cities campus is currently \$6,280 annually, and about the same at the Crookston, Duluth, and Morris campuses. He said the total cost for a student with all associated costs, such as room, food, and books, is now in the \$12,000 to \$14,000 range.

As part of the governor's budget reduction plan for the 2004-05 biennium, the university is to be cut by \$179 million in general fund dollars (\$89.5 million each year) to \$540.7 million in fiscal year 2004 and nearly \$543.9 million in 2005.

Bruininks said that those base numbers, if approved, would be the lowest since 1998. Since that time, he said, tuition has gone up roughly 80 percent, including 30 percent in the last two years. A 15 percent increase would likely generate \$52.5 million annually.

He also expressed concern that higher tuition rates may force some top students to look to other states, especially in the areas of science, medicine, and technology — areas that he said are vital to helping position the future of the state. "I'm concerned that we'll lose the capacity to keep our quality of life and maintain our lifestyle," Bruininks said. "This is an historic opportunity to think about what kind of future we want for us all."

The university has a four-pronged approach to dealing with the financial woes, Bruininks said, meaning that students will not face the entire brunt of reduced state revenue.

Bruininks said other the areas include a reduction in administrative and operative costs; targeting eliminations, reductions, and consolidations; and enhancing institutional revenues, such as charging more for some services.

The university president isn't a fan of the Pawlenty plan to take \$30 million from the university and \$30 million from the Minnesota State Colleges and Universities (MnSCU) and give it to the Higher Education Services Office to be used for state grants. "I'm not sure that it makes sense to take from our core budget," he said. He said 40 percent of the university's students are at the graduate, professional, or non-degree levels meaning they get no state grant dollars.

★ INDUSTRY

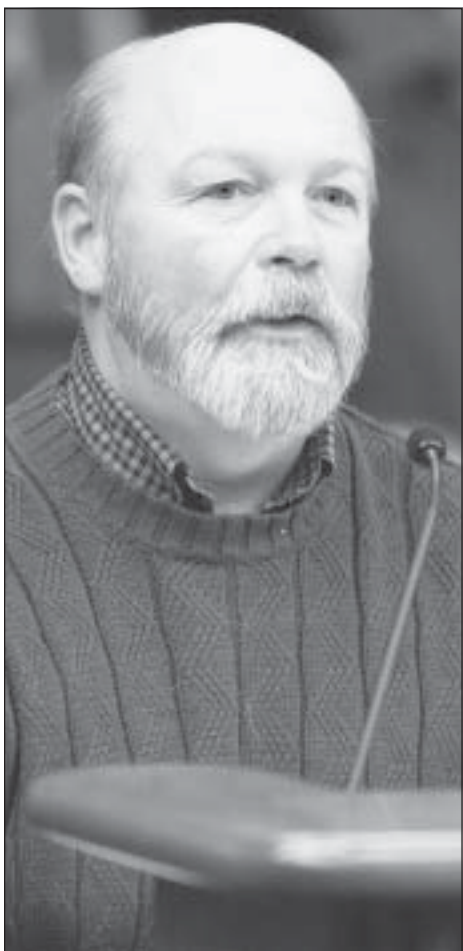
Keeping plants marketable

Mining plants closing due to bankruptcy and other factors would be required to complete specific maintenance duties to keep the plant salable, under a bill approved March 4 by the House Commerce, Jobs and Economic Development Policy Committee.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF359 now moves to the House floor.

Current law, passed in 1993, specifies that plant owners must perform maintenance for two years following plant closure. The idea is to keep the plant salable while the state and economic development groups seek a new owner. But believing the bill lacked "teeth," changes have been recommended by steelworkers, many of whom won't testify for fear of losing their jobs, Rukavina said.

Jerry Fallos, representing the Steelworkers



Jerry Fallos, president of Local 4108 of the United Steelworkers of America, testifies March 4 before the House Commerce, Jobs, and Economic Development Policy Committee in support of a bill that would specify duties mining owners and operators must perform when a mining operation is closed.

of America, said the bill could prevent a recurrence of a 1980s situation. Then, the Erie Mining Company plant (which later became an LTV Steel Mining Company plant) in Hoyt Lakes closed its south side. The owners' initial diligence to maintenance later waned, and the fine ore in the machines became like cement. Only jackhammers could clean it up.

"In essence it cost millions and millions of dollars to get the south side back into running shape," Fallos said.

When LTV closed again, this time in 2001 under different owners, many maintenance chores also were left undone, he added.

Under the bill, plant owners would be required to rotate major equipment, keep the facility heated to enhance machinery lubrication, and maintain fire prevention systems, security, and utilities.

Cliff Tobey, a National Steel worker, said such duties are not extraordinary and are typically performed during annual maintenance shutdowns.

Rep. Arlon Lindner (R-Corcoran) expressed

concern that the bill micromanages plant operations. And Bill Brice, director of the lands and minerals division of the Department of Natural Resources, said plant closures are best dealt with individually, and should not be dictated by statute.

However, Rep. Tony Sertich (DFL-Chisholm) said the state could be left funding closure costs of about \$38,000 per plant. Two mining operation bankruptcies are pending on the Iron Range, he added.

A Senate companion bill (SF308), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits a hearing before the Senate Jobs, Housing, and Community Development Committee.

★ INSURANCE

Ambulance costs

Insurance costs for ambulances have skyrocketed in the past year and operators want to know why, as well as what they can do about it.

They would get help in studying the situation through a bill (HF177) approved Feb. 27 by the House Commerce, Jobs, and Economic Development Policy Committee. The bill now moves to the House Jobs and Economic Development Finance Committee.

According to O.J. Doyle, representing the Minnesota Ambulance Association, vehicle and malpractice insurance premiums for ambulances have risen so dramatically that some providers found it extremely difficult to obtain this year. The largest ambulance provider, unnamed by Doyle, saw general liability premiums rise from \$3,497 in 2001-02 to \$128,650 in 2002-03. Vehicle liability premiums shot up from \$31,251 in 2001-02 to \$112,473 to 2002-03.

There has not been a spate of lawsuits, leaving the industry perplexed at the increases, Doyle said.

The problem is exacerbated, he added, by changes in federal Medicare reimbursement policies for medical transportation.

In April 2002, ambulances throughout the United States were placed on a national fee schedule and are prohibited from billing Medicare patients for the non-reimbursable amount. Medicare accounts for about 40 percent of all ambulance revenue in Minnesota, he said.

"The ambulance services in Minnesota are facing a true crisis," Doyle said.

Ambulances are examining a myriad of cost reduction methods, including looking at insurance premiums. HF177, sponsored by Rep. Greg Davids (R-Preston), would help the industry address this particular element.

The study would be overseen by the Department of Commerce. Two options exist — either a low-cost study by the House or Senate research staff, or a study by Department of Commerce staff at a cost of \$25,000. However, the committee was told the department does not have the time to perform a thorough study and would require the assistance of a consultant. In either case the Minnesota Joint Underwriting Association would also be asked for help.

Doyle said ambulance services would help gather study information, bringing down the cost.

The bill would require the study to be submitted to the Legislature by Jan. 10, 2004.

A Senate companion bill (SF299), sponsored by Sen. Dallas Sams (DFL-Staples), awaits a hearing before the Senate Commerce and Utilities Committee.

★ LAW

Public notice required

The House Governmental Operations and Veterans Affairs Policy committee approved a bill March 4 that would require a public notice to be sent out when an administrative law judge uses the "good cause exemption."

Sponsored by Rep. Marty Seifert (R-Marshall), HF534 would also allow the chief administrative law judge to review any disapproved rules by another administrative judge proposed under the exemption.

Kenneth Nickolai, chief administrative law judge in the Office of Administrative Hearings, said the process has created uncertainty in the public, because the agency doesn't have to inform the public when enacting an exemption, and has "lessened public trust in rulemaking." The mission of the office is to "provide a fair, prompt and impartial hearing process for citizens who disagree with actions taken by government."

According to its Web site, the office hears and decides cases in three main areas: Administrative Procedure Act (APA) state agency contested cases and rulemaking hearings, local government licensing and personnel cases, and workers' compensation benefit hearings.

The judges in the independent state agency can enact a "good cause exemption" in four sets of circumstances, including: to address a serious and immediate threat to the public health, safety, or welfare; and to make changes that do not alter the sense, meaning, or effect of a rule.

Under the bill, a public notice would include an electronic notice on the state's Web site, and a notice sent by mail or electronic mail to people who have registered to receive this type

of notification. The contents of the information must include an explanation of why the good cause exemption was justified, and a statement that interested parties have five business days to submit comments to the office of administrative hearings.

The bill now goes to the House floor. A companion bill (SF30), sponsored by Sen. Don Betzold (DFL-Fridley), was passed by the Senate March 3.

★ LOCAL GOVERNMENT

Paying more for a hospital

Cook County property owners could be subject to higher taxes for their district's hospital operations, under a bill approved March 4 by the House Local Government and Metropolitan Affairs Committee.

HF312, sponsored by Rep. David Dill (DFL-Crane Lake), now moves to the House Taxes Committee.

Currently, the hospital district can levy for taxes up to \$300,000 in a year. HF312 would allow the hospital district to annually raise the levy by 3 percent for inflation without voter approval.

A similar measure was requested last year, but legislators were unable to agree on the matter, according to nonpartisan House research staff.

Rep. Carla Nelson (R-Rochester) expressed concern about the tax levy being raised without voter approval. But Rep. Ron Abrams (R-Minnetonka) said this provision could be discussed further in the taxes committee, which he chairs.

The hospital, located in Grand Marais, is the only hospital for many miles in any direction. The district operating the hospital was created in 1989 and is controlled by an elected board of directors.

A Senate companion bill (SF161), sponsored by Sen. Tom Bakk (DFL-Cook), awaits a hearing before the Senate Taxes Committee.

★ RECREATION

Twin Cities region jewels

The Twin Cities metropolitan area regional parks system includes 34 parks, 10 reserves, four special recreation areas, and 135 miles of multi-purpose trails.

"It's really our public jewel here for our quality of life in the region," said Rep. Kathy Tingelstad (R-Andover) in support of a biennial regional parks funding bill she presented to the House Environment and Natural Resources Finance Committee March 5.

The bill (HF462) would appropriate \$8 million in 2004-05 to the Department of Natural Resources for grants to the Metropolitan Council to operate and maintain the regional parks system. In addition to state funds, park operations and maintenance are supported by local property taxes and user fees.

The system is jointly managed by the Metropolitan Council together with Anoka, Carver, Dakota, Ramsey, and Washington counties; the Three Rivers Park District of Hennepin and Scott counties; the cities of Bloomington and St. Paul; and the Minneapolis Park and Recreation Board.

"I find that they are very frugal in how they spend their money and that's very refreshing here at the Legislature," Tingelstad said of the park system management and volunteers. "This money goes a long way with our community and with our citizens."

Park visits have increased from 5 million per year when the system was first created by the 1974 Legislature to nearly 30 million annually.

"The parks attract tourism and the dollars that flow into the state from tourism," said Anoka County Parks and Recreation Director John VonDeLinde.

Other benefits of a thriving parks system include promoting fitness, reducing youth crime, and nurturing family ties, VonDeLinde said. Regional trails also offer alternative transportation routes and support 525,000 commuter trips annually, he added.

"The rationale behind state funding is that regional facilities serve the same function for metropolitan area residents that state parks do in other parts of the state, and that the state as a whole should pay its fair share of the acquisition and development of the regional system as it does for state parks based on visitor origin data and tax origin data," according to the Metropolitan Council's Regional Recreation Open Space Policy Plan.

The bill will be considered for inclusion in the omnibus environment and natural resources finance bill. The Senate companion (SF647) sponsored by Sen. Ellen Anderson (DFL-St. Paul) awaits a hearing in the Senate Finance Committee.

Young officials

Youths between ages 11 and 14 would be allowed to work as sports officials for youth sports events without filing for a child labor law exemption, under a bill approved Feb. 27.

The bill (HF446), sponsored by Rep. Lynn Wardlow (R-Eagan), was approved by the House Commerce, Jobs, and Economic Development Policy Committee. It now moves to the House floor.

Wardlow said the bill arose when youth

sports organizations were facing investigation from the Minnesota Department of Labor and Industry for employing children between 11 and 14 years old as referees, umpires, and officials.

The Child Labor Standards Act states that no child younger than 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field.

Exemptions can be granted by the state on an individual basis. The bill, however, would outright allow 11- to 14-year-olds to officiate at sporting events.

It includes safety mechanisms by restricting youth sports officials to overseeing games played by children younger than themselves. Adult supervision by a member of the relevant state or local sport organization would be required on the playing ground, as well as written acknowledgement by the child's parent.

Reps. Paul Kohls (R-Victoria) and Ray Vandever (R-Forest Lake) wondered aloud if the bill wouldn't set a trap by prohibiting youth sports officials from overseeing older age bracket games. An unintentional violation, such as having a younger official fill in if a regularly scheduled official becomes ill, could subject the child's employer to a \$500 fine. Both representatives, however, voted for the bill.

Testifying in favor of the bill were the department and numerous Minnesota youth soccer and hockey organizations.

"With the growth of hockey within Minnesota, the local organizations rely on this age level to officiate for their younger games," said Bill Leslie, chief referee for Minnkota Hockey, a division of USA Hockey.

Added John Olson, president of the Lakeville Soccer Club, "It's a learning experience for them not only as players, but once they earn their certification as a United States Soccer Federation referee they also learn other aspects of the game that they haven't been exposed to previously."

No Senate companion bill has been introduced.

Trail connections

Rep. David Dill (DFL-Crane Lake) introduced himself at new member orientation last fall as the only legislator who drove a snowmobile to work that day.

He meets regularly with snowmobile clubs in the northeastern region of the state to discuss the "joys and concerns over recreational opportunities up there," he told the House Environment and Natural Resources Finance Committee March 5 in support of a bill he is sponsoring that would help complete a 2,100-mile snowmobile trail around Lake Superior.

The bill (HF255) would provide the Department of Natural Resources with \$300,000 from the snowmobile trails and enforcement account in the natural resources fund to purchase easements between a Hermantown section of the Willard Munger State Trail and the North Shore State Trail just outside of Duluth.

Clubs must obtain formal permission from landowners to create trails along private property. These are friendly propositions in most cases, but snowmobile trail easements are "like a daisy chain," Dill said. "They can be interrupted anywhere along the line."

Although it is unusual to purchase a permanent snowmobile trail easement, Dill said, "the Hermantown land is in play at all times." Development pressures are making it more difficult to finalize negotiations, Dill said. "We are trying to close the final gap of 50 to 70 landowners."

Dill assured the committee that easement funds would come strictly from snowmobile dollars generated by registration fees and the gas tax. Easement rights would be held by St. Louis County.

The bill will be considered for possible inclusion in the omnibus environment and natural resources finance bill. The Senate companion (SF173) sponsored by Sen. Tom Bakk (DFL-Cook) awaits a hearing in the Senate Finance Committee.

Seasonal property leases

Escalating lease rates on prime state-owned property could drive a few elderly tenants away from their cabins along the North Shore, the House Environment and Natural Resources Finance Committee was told March 5.

A bill, sponsored by Rep. David Dill (DFL-Crane Lake), would modify the lease rates for three seasonal properties on Horseshoe Bay in Cook County.

"It is absolutely one of the most beautiful places in all of Minnesota," Dill said of the land in question.

Rates for the current leases are based on appraisal values, Dill said, and two of the three lessees are very near forfeiting at this point because of rates that have risen more than 60 percent to \$4,500 per year.

The current lease agreements are finite and the land will return to the state when the lessees die and their heirs are reimbursed for the value of the structures and improvements to the property. The bill (HF498) would not modify those terms, but it would adjust the rate structure.

Dill said the proposal was not something he would normally present to the Legislature given his background in civic affairs, but his

initial reservations were tempered by the knowledge that these are the only cases in Lake, Cook, or St. Louis counties.

The lessees live on fixed incomes, Dill said, and sometimes public policy decisions should be made "erring toward accommodating people and their lives."

"I had some sensitivity to this," he explained, because similar concerns caused his mother to give up land in Voyageurs National Park.

Rep. Denny McNamara (R-Hastings) said the bill would set a bad precedent. It's sad, he agreed, but the issue is bigger than these examples.

"We've set bad precedent before," countered Rep. Tony Cornish (R-Good Thunder). "It helps us look more humane" to show compassion for people in their elderly years.

The state could lose between \$3,000 and \$8,000 per year under the modified rates, according to Paul Pojar of the Department of Natural Resources Lands and Minerals Division. The department does not feel this is a good policy, but due to the circumstances will not oppose the bill, Pojar said.

McNamara suggested that the committee could look at other ways to restructure the terms such as recouping the lost lease income from the final payoff to the lessees' beneficiaries.

The bill will be considered for possible inclusion in the omnibus environment and natural resources finance bill.

A Senate companion (SF465), sponsored by Sen. Tom Bakk (DFL-Cook), has been referred to the Senate Environment and Natural Resources Committee.

SAFETY



Extinguishing costs

Fire departments would gain another mechanism to be reimbursed for extinguishing car fires, under a bill approved March 4 by the House Local Government and Metropolitan Affairs Committee.

The bill now moves to the House Transportation Policy Committee.

Sponsored by Rep. Greg Blaine (R-Little Falls), HF213 requires the commissioner of transportation, as a last option, to reimburse fire departments for expenses incurred while extinguishing motor vehicle fires in trunk highway or interstate rights-of-way. The maximum reimbursable amount is \$300 per incident.

However, fire departments would be required to employ other reimbursement methods prior to seeking money from the account. The bill creates another such method by

allowing fire departments to ask county auditors to add the vehicle fire fee to the person's property tax bill.

Currently, most vehicle owners pay fire department fees resulting from vehicle fires through their auto insurance policy. If the vehicle owner doesn't have comprehensive insurance coverage or simply ignores the bill, the fire department can turn to a collection agency. But this is often an expensive endeavor, said John Dooley, legal counsel for the Minnesota Association of Townships.

The new provision allowing a property lien would not work, however, if the vehicle owner is a renter or does not otherwise own taxable property, Dooley said. It is in this situation that fire departments would most likely seek reimbursement from the state account, he said.

The account would not receive any state money, but would instead be funded by fire service bills paid by people whose vehicles caught on fire.

However, it's unlikely that the commissioner of transportation would collect much money for the account from bill payers, Dooley said.

In response to a question, Rep. Morrie Lanning (R-Moorhead) was told by Dooley that HF213 could lead to similar legislation allowing fire departments to seek reimbursement for responding to vehicle accidents.

A Senate companion bill (SF78), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), was approved by the Senate State and Local Government Operations Committee and referred to the finance committee.

A similar bill was passed by a number of House and Senate committees last biennium, but failed to survive when the Senate transportation funding bill died.

TAXES



Pay more for cigarettes

Minnesota is missing out on a revenue enhancer and health care cost reducer by not raising cigarette taxes, according to the Minnesota Smoke-Free Coalition.

The non-profit entity, representing more than 300 organizations, testified Feb. 27 to the lack of a cigarette sales tax increase in Gov. Tim Pawlenty's proposed 2004-05 budget.

Raising the tax by \$1 would generate an additional \$260 million annually and save the state \$1 billion in long-term health care costs, Jeremy Hanson, the group's advocacy director, told the House Taxes Committee. More importantly, he added, is how the increased cost could prevent 63,300 children from smoking.

Every year 5,600 Minnesotans die from

tobacco-related illnesses. "That's like having a small town, like my home town, Ada, Minn., disappear completely from the state every six months," said Hanson.

Since 1992, Minnesota has imposed a 48-cent sales tax on a 20-cigarette pack. Tobacco products, such as cigars, pipe tobacco, snuff, and chewing tobacco, are subject to a separate tax that equals 35 percent of the product's wholesale price.

According to nonpartisan House Research staff, the two tobacco taxes will generate \$182 million between fiscal years 2002 and 2005.

Hanson said 21 states increased their cigarette tax in 2002 and each saw a decrease in cigarette consumption and an increase in state revenues.

A 2002 statewide poll found that 63 percent of Minnesota voters support a \$1 tax increase. "In fact, the cigarette tax is possibly the only tax that voters actually like to increase," Hanson said.

The Minnesota Smoke-Free Coalition recognizes that many legislators have taken a no-new taxes pledge, Hanson said. But, he added, legislators could raise the cigarette tax while decreasing other taxes.

Rep. Fran Bradley (R-Rochester) has introduced a bill (HF29) that would raise the cigarette tax by \$1 in order to repeal the gross earnings and health insurance gross premium taxes charged of MinnesotaCare hospitals and health care providers. A Senate companion bill

(SF114) has been introduced by Rep. Sheila Kiscaden (IP-Rochester). Both await committee hearings.

TRANSPORTATION



Replenishing the airports fund

The House Transportation Finance Committee is considering a bill that would replenish any funds taken for budget-balancing purposes from the state's airports fund.

The bill (HF251), sponsored by Rep. Michael Beard (R-Shakopee), was heard March 5, and will be considered for the committee's omnibus finance package.

Gov. Tim Pawlenty had proposed taking \$15 million from the balance of the state airport fund to balance the 2003 budget. However, the move would have required legislative action, and since the Legislature did not reach agreement on the 2003 cuts, Pawlenty could only unallot general fund money – which does not include the airports fund.

The airports fund is administered by the Minnesota Department of Transportation (MnDOT), specifically by the office of aeronautics, which also takes its operating money from the fund. Revenue collected from three major areas supports the fund: aviation fuel tax, airline flight property tax (imposed on commercial airlines in lieu of property taxes), and aircraft registration taxes.

The fund has a balance of \$16.5 million.

Beard said the intent of the bill is to recover



Brian Ryks, chair of the Minnesota Council of Airports, testifies March 5 before the House Transportation Finance Committee in support of a bill that would restore state airport funds if they are used to help balance the budget. Others appearing before the committee are, *from left*, Bill Towle, general manager of the St. Cloud Airport, and Glenn Burke, vice chair of the Minnesota Council of Airports.

any money in the fund that may be used to help balance the 2004-05 budget whenever surpluses again become available – whether that's at the end of fiscal year 2005 or some future biennium.

"This is a specific user group," Beard said, referring to the fact that the fund is fully supported by aeronautics-related taxes. "This is not general fund money."

Brian Ryks, executive director of the Duluth Airport Authority and chair of the Minnesota Council of Airports, testified about the airports fund situation on behalf of the Minnesota Council of Airports. The organization presented specific issues they hope the Legislature will address with regard to the fund:

- Borrowing up to \$10 million from the fund for budget-balancing in 2004-05, to be repaid by July 1, 2006;
- Increasing flexibility for airports to meet matching requirements for state and federal funds;
- Spending unreserved balances in the fund for construction and maintenance grants;
- Increasing the capacity for the hangar loan program; and
- Appropriating \$1.5 million in the coming biennium from the fund to complete a long-range radar system in Alexandria.

TAXING DISCUSSION



PHOTO BY TOM OLMSCHEID

Tax Research Director Dick Gebhart, *right*, explains the Department of Revenue's 2003 Tax Incidence Study during a March 5 hearing of the House Taxes Committee. Assistant Commissioner of Revenue Raymond Krause, *left*, and Rod Hoheisel, tax research assistant director, also appeared before the committee.

Glenn Burke, director of the South St. Paul airport, said the airport council is concerned about the lack of traffic control coverage in the Alexandria area.

"It's the black hole of Calcutta," Burke said, describing how the Federal Aviation Administration only allows one plane in the area at a time because there's no other way to assure safety without radar.

Ray Rought, director of the aeronautics office for MnDOT said the project was slated for 2004-05, prior to the Pawlenty plan to use the balance in the airports fund to reduce the general fund deficit.

The committee took no action on the bill at the meeting. Its Senate companion (SF223), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Finance Committee.

MnDOT cutbacks questioned

Members of the House Transportation Finance Committee received a more detailed breakdown to the proposed reductions to the Transportation Department's state road operations budgets March 4.

Gov. Tim Pawlenty's budget proposes \$53.5 million in reductions to state road operations for 2004-05, all paid for from the trunk highway fund. The reductions represent about 3 percent of the \$1.9 billion state road budget.

Department officials testified that the reductions would not affect road construction projects, but are intended to accommodate any additional road construction funding the governor may propose. The cuts would be absorbed by three general areas of service in the department: infrastructure investment and planning, infrastructure operations and maintenance, and electronic communications.

Dick Stehr, program support director for the department, discussed the \$17.5 million in proposed reductions to infrastructure investment and planning. The cuts would

specifically reduce administration and district operating costs, as well as reduce central support for district operations in such areas as training, troubleshooting for project development, and other technical problem solving.

In addition, the proposed reductions would slow the replacement cycles for equipment, including computers, Stehr said.

Also, materials and research to support the MnRoad data collection and analysis project would be reduced.

Stehr said the MnRoad project, which has been in operation for about 15 years, helps the department time its seasonal weight restrictions and has extended pavement life as a result. He estimated at least \$20 million in savings from the research.

In the areas of operations and maintenance, the department proposes trimming \$35 million, primarily in reduced service levels to maintenance and operations activities such as snow and ice removal, roadside mowing, and litter and graffiti removal along state highways and interstates. The proposal also includes closing some rest areas in the state to save about \$4 million.

Bob Winter, district manager for the department, said the reductions would affect a number of performance measures for the division, including travel time reliability, pavement marking visibility, rest areas, and the life cycle of vehicles in the maintenance fleet.

Rep. Alice Hausman (DFL-St. Paul) questioned how the department chose the reductions it did, particularly when they could affect safety.

"Safety is a paramount concern," Winter said. The department is trying to keep the state positioned "to continue to develop and expand our existing system," and those considerations drove the decision-making, he said.

In addition, the governor's budget proposes a \$1 million reduction to electronic communications functions in the department. Andy Terry, director of the office, said the department provides the primary technical support

for high-frequency radio and electronic communications for all state agencies, though the agencies purchase their own equipment and contract for service.

The reductions, Terry said, would slow replacement of general equipment by 50 percent, and eliminate about 90 percent of the department's scientific equipment replacement budget. He said the reductions could have long-term implications regarding the ability of public safety radio systems to be able to communicate with one another statewide. He emphasized, however, that the department's primary goal with regard to the communications system is public safety.

The committee took no action on the proposals at the meeting.



NOTES

The conversation in the House Environment and Natural Resources Finance Committee March 4 strayed ever so briefly to speculate on the cause of fatalities on Minnesota's frozen lakes.

"Gender, alcohol, and snowmobiles," declared Rep. Phyllis Kahn (DFL-Mpls).

Committee chair Rep. Dennis Ozment (R-Rosemount) said he could see a "Kahn bill" coming, in reference to some of her past proposals, including a bill that would eliminate the prohibition of marriage between first cousins.

"So, if I want to marry my first cousin..." asked Rep. Joe Hoppe (R-Chaska) in jest.

"Don't do it on a snowmobile while you're drunk," replied Kahn.

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About the same

February forecast represents smallest anticipated change in a decade, some additional reductions necessary

By PATTY JANOVEC

At the Feb. 27 release of the state's February forecast, state Finance Commissioner Dan McElroy said that although "there are no big surprises" in the financial document, both Minnesota and the nation as a whole face an uncertain economic future.

As the budget situation now stands, the state will have to make up to \$125 million in reductions to balance the budget through fiscal year 2005.

Finance Department officials explained to members of the House Ways and Means Committee that the forecast indicates an additional \$25 million deficit from the previous forecast. However, the department accelerated forecasts for human services and educational programs so Gov. Tim Pawlenty could include some of those numbers in his budget recommendations Feb. 18. As a result, an additional \$100 million in reductions must be made to Pawlenty's 2004-05 budget recommendations.

As a result, the new forecast deficit is \$125 million more than the previous \$4.2 billion projected for 2004-05.

Assistant Commissioner Peggy Ingison testified that Pawlenty accounted for the reduced spending projections in human services and education, but information regarding decreased revenues was not yet available when he put together his budget recommendations. That created the \$100 million difference.

McElroy told the committee that the additional \$11 million in cuts for fiscal year 2003 could be expected from the governor in early March, along with any other adjustments he will make to the budget. He also emphasized the February forecast was the "smallest change between two forecasts in a long time." The last forecast was done in November 2002.

Various sources are used to determine the state's outlook including how much the state spends, how much is collected in revenue, and the state's budget reserves.

Reductions in spending account for part of the balancing act in the current and next

biennium. The forecast shows a reduced \$80 million in K-12 education funding, based on fewer pupils in the system for calculation purposes. Health and human services spending show a \$40 million reduction due to drops in spending associated with the General Assistance Medical Care program, and Medical Assistance long-term care waivers.

Forecasts also measure the overall economic outlook both nationally and in Minnesota, where the economy continues to lag behind the national averages for employment growth.

More than 64,000 jobs have been lost in the past two years in Minnesota, about 40,000 of those are in manufacturing.

The forecast says employment in transportation, communications, and the utilities sector fell significantly more in Minnesota than nationally and government in Minnesota, while growing, did not increase as rapidly as national averages.

The forecast indicates that the national recession appears to be over, but the U.S. economy is emerging slowly and continues to struggle. However, the impending war with Iraq, said State Economist Tom Stinson, makes this forecast the most uncertain since the November 1990 forecast prior to the Gulf War.

The Department of Finance used forecasting models by an economic consulting company, Global Insight Inc. The company's predictions depend on two factors, possible war with Iraq and a federal economic stimulus package.

On those topics, the models assign

probabilities to how the economy will react to both factors. As a result, the models suggest there's a 60 percent chance of a short, successful war with Iraq and substantial economic stimulus package in late 2003 or early 2004; a 20 percent chance of a favorable victory without war scenario; and a 20 percent likelihood of a pessimistic outlook with war extending until at least summer 2003. The latter also contains a two-quarter recession for 2003.

Rep. Loren Solberg (DFL-Grand Rapids) asked Stinson if he would "bet the farm on it" referring to his confidence in the predictions. Stinson said he would not.

Explaining the outcomes further, Stinson said when he last talked with Global Insight

representatives, they were less optimistic, but he doesn't know where they are today. Furthermore, he said, a no-war scenario isn't necessarily good for the economy unless one of two things happen: Saddam Hussein has a heart attack, or the United States continues to posture as if we're going to go to war.

Stinson explained there will be a special forecast done in the fall to see if anything material has changed. McElroy indicated one could be done before the end of the legislative session if necessary.

Both House Republicans and Senate DFL responded in press conferences to the forecast.

Senate DFL leaders said although not much has changed, the outlook doesn't look as positive as the governor continues to assume.

Senate Majority Leader John Hottinger (DFL-St. Peter) said there are a lot of "ifs" in the budget forecast with the potential for continual downfall in Minnesota's economy. "Details do make a difference," Hottinger said.

Republicans continue to hold the line on "no new tax burdens" for Minnesotans said House Speaker Steve Sviggum (R-Kenyon). Sviggum said the additional cuts make it "more difficult rather than less difficult."



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

The Department of Finance's February forecast shows that Gov. Tim Pawlenty's 2004-05 proposed budget does not account for another \$125 million in cuts necessary to balance the state's budget by June 2005.

Court concerns

Officials paint a dire picture for what governor's funding proposal would mean for timely justice in the state

By Jeff Jones

The difference between what Gov. Tim Pawlenty is proposing for the state's judicial system in the next biennium and what officials say they need could have a dire effect on the way cases are handled in Minnesota, court system officials say.

The Minnesota Constitution requires the governor, as head of the executive branch, to recommend a balanced budget. However, the other branches may also submit budgets to legislators for consideration. For that reason, two separate budget proposals for the state's judicial branch sit side by side in legislators' thick budget books — one from the governor, and one from the courts themselves.

For his part, Pawlenty recommends a 10 percent cut from the base budget of

In a letter accompanying the governor's budget, Minnesota Supreme Court Chief Justice Kathleen Blatz said the state runs the risk of running afoul of the state constitution if anything less than current funding levels are maintained. In fact, she suggests an overall increase in court budgets in order to maintain "core justice operations."

State Court Administrator Sue Dosal said the governor's proposal would result in a 30 percent reduction in court staff due to rapidly rising insurance prices, the high cost of layoffs, and fixed costs like rent and judges' salaries that cannot be reduced.

In a court system already stretched to the limit, such massive layoffs would have a devastating effect, Dosal said. "The bottom line today is we are handling a mountain of cases,"

she said. A recent report from the legislative auditor found that Minnesota judges handle 49 percent more cases each year than comparable states. Iowa, with a smaller population than Minnesota, has more judges.

Even at current funding, the report found, significant delays in case processing are caused by too few judges, too

few public defenders, and little time for attorneys to prepare for cases.

Despite delays, Second District Chief Judge Thomas Mott said the system has handled the problem well so far, but can't be asked to sustain any more cuts. "We have clearance rates of cases of about 100 percent. As many cases that come in a year, we resolve in a year and go out," he said. "This 30 percent reduction in

staff will mean the annual clearance rates for all cases will drop to 78 percent." After a year, Mott anticipates 500,000 cases would be backlogged. "Do that for two years, and we're buried so far under in the mess, that you'll never get out," he predicted.

Mott said backlogs would result in slowdowns in child custody hearings, delays in issuing restraining orders for battered women, injured people unable to collect damages, contract disputes put on hold, and criminal cases dismissed for lack of reliable evidence.

"You've got cases deteriorating over time, witnesses disappearing, memories fading," he said. And he fears fewer out-of-court settlements would occur because attorneys wouldn't face the urgency of going before a jury.

Besides the administrative mess that could result, court officials say that delays of such magnitude could be in direct conflict with the Minnesota constitution. Among the state's Bill of Rights, is the guarantee of judicial remedy in civil and criminal actions that occurs "promptly and without delay."

"The upshot of all this is that it results I think in a very clear constitutional violation," Mott said. "This is not to say that we're going to be irresponsible about the way we approach this. We will look at case processing priorities and certainly a homicide case is going to take priority over a speeding trial."

Federal requirements that courts appoint a *guardian ad litem* to all children in all cases of child abuse or neglect have never been met, according to Blatz, putting the state at risk of losing some federal funding. State requirements that judges appoint similar guardians in cases of truancy and run-away children are also expensive. Committee Chair Rep. Steve Smith (R-Mound) suggested the committee could look into giving judges more discretion in such cases. Mott said without such relief, courts would incur \$2.9 million in further expenses.

Other suggestions include increased use of video or telephone conferencing in trials, closing some court facilities in Greater Minnesota, changing certain laws to reduce caseloads, and raising court user fees or filing fees.

As for raising fees, Rep. Keith Ellison (DFL-Mpls) said courts need to retain the right to waive filing fees in cases of hardship.

The committee took no action at the hearing.



PHOTO BY ANDREW VON BANK

Court officials are concerned that Gov. Tim Pawlenty's proposed budget cuts for the judicial branch will create backlogs of thousands of cases.

Minnesota's judiciary for the next biennium. A letter from Finance Commissioner Dan McElroy says the governor suggests the courts should "individually redesign their operations to increase efficiencies while minimizing the disruption to public services as much as possible."

Court officials told the House Judiciary Policy and Finance Committee Feb. 27 that is impossible.

Guided by his past

Backgrounds in business, religion, transportation have led Beard to the House of Representatives

By Jeff Jones

Rep. Michael Beard (R-Shakopee) says even a cloudy day is a nice day in Minnesota.



Rep. Michael Beard

That might be easy to say for an amateur pilot like Beard, who enjoys soaring above the clouds at least as much as driving beneath them, but that optimism has deeper roots.

Growing up in the foothills of Pennsylvania, Beard often lived in the shadow of mountains. "The sun would come up at 6:30 in the morning, but you wouldn't see it 'til after nine," he said. "The sun might not set 'til eight in the middle of the summer but the last you saw of it was after six."

And on cloudy days? "They'd be right down in the hills and we just felt kind of claustrophobic. Here (in Minnesota), the clouds can be 600 feet above the ground and you can still see halfway to Hutchinson. It looks like a nice day to me."

When he and his wife, Karen, came to Minnesota to attend Bible college, they knew they wanted to spend their lives here. "There was more of an entrepreneurial spirit about the place," Beard said. "We liked it, we wanted to come back here and raise our kids."

It also gave him the opportunity to work for himself.

He started Beard Communications, which produces a variety of Christian publications, in 1987 and purchased the nondenominational *Minnesota Christian Chronicle* newspaper in 1995. Now 25 years old, the publication has a bi-weekly circulation of more than 20,000.

Beard professes great respect for anyone trying to "make a go" in business. "You have to be out there every day selling yourself, selling your concept, your services, your business, your idea," he says. "Whether you're selling corn or you're selling newspapers."

Operating and building a company hasn't

always been easy. One of his business ventures failed and he has presided over difficult budget decisions to make ends meet. "I'm intimately familiar with fear and terror," he says. "Like, 'Yikes, it's payday and I don't have any money in the bank.' That's a terrible thing to face."

Those experiences guide his work as a freshman representative while the Legislature tries to balance the state's budget for the upcoming fiscal year. "Cutting budgets is never any fun, but it's a very necessary thing," he says. "And after you've done it for 10 or 12 years — fattening up in the good times and cutting back in the lean times — you get a little less emotional about it."

"We've got a great state that has done a lot of things. Some great things. Some good things. But a budget crunch like we're in now gives us an opportunity to get connected to reality. What is the best stuff? We may have to sacrifice the good to retain the best."

— Rep Michael Beard

Along with his business experience, Beard brings a strong faith background to his work as a legislator. His daughter, Amy, is the bookkeeper and general manager for the *Minnesota Christian Chronicle*, where her father still serves as publisher. "He wants to make the world a better place," she says. "He isn't in charge, but he's a tool being used."

Beard says his relationship with God keeps him from thinking too much of himself. "He's the king, I'm a creature, I understand the relationship there," he said, laughing.

His employees have seen his faith at work. "He spends a lot of time in prayer before he makes a big decision," says Michael Norman, the *Chronicle's* graphic designer. "He likes to know all sides of a problem before making a decision."

Lisa Beard calls her father a visionary. "He has big ideas," she says. "His ability to network is amazing."

Beard is happy to be sitting on the House Transportation Policy and Transportation Finance committees. "If it floats, if it rolls, if it

flies, I enjoy it. I'm in love with it," he said.

After college, Beard returned home and worked as an engineer trainee for the Pennsylvania Central Railroad, which he calls the best job he ever quit.

He left the job after a couple of years to come to Minnesota, but admits to missing it at times. "There's something about rolling through town and blowing your whistle and waving at the kids that's just every boy's dream come true. There's nothing like pulling that throttle and feeling 14,000 horsepower kick you in the butt."

Transportation is among the things government ought to be about, Beard says. When it comes to building roads and infrastructure, maintaining a court system, and providing quality education, state dollars are well spent. Beyond that, though, he suggests taking a hard look at the way sales taxes are collected from cities and counties, the way money is distributed to local governments, and the way social services are administered.

"We've got a great state that has done a lot of

things. Some great things. Some good things," Beard said. "But a budget crunch like we're in now gives us an opportunity to get connected to reality. What is the best stuff? We may have to sacrifice the good to retain the best."

DISTRICT 35A

2002 population: 36,485

Largest city: Shakopee

County: Scott

Location: southwest Twin Cities metropolitan area

Top concern: "We have an excellent opportunity to withdraw from things that we shouldn't be in and reorient government to the issues at hand: education, transportation and the judicial system. We must be about those."

— Rep. Michael Beard

Part of the plan

From the time she was a little girl, Brod has been preparing for her a life of public service and her new role as legislator

By PATTY JANOVEC

While the siblings of Rep. Laura Brod (R-New Prague) were watching cartoons, she turned her attention, during her formative years, to the news of the day. She said that her father claims she has been interested in government since the tender age of 5.



Rep. Laura Brod

Her attention to the functions of local government led her into urban and regional studies at Minnesota State University, Mankato. She said that education helped her land a position on the New Prague City Council, an experience, she said that helped in her understanding of how local government works.

Said Jerry Bohnsack, city administrator for New Prague, "She was only with us for four years, but we miss her."

When Brod was first elected to the council, Bohnsack said she reminded him of a "little girl," listening and gaining knowledge on issues. Later, he said, she tackled a street reconstruction project and, "she asked questions you wouldn't think of." Her perspective, he said, lent valuable insight into a complex situation.

Bohnsack said Brod would later stand up to a Citizen's League report that surveyed taxes in several communities, including New Prague. The report labeled the city with the highest taxes in the seven-county Twin Cities metropolitan area. He said Brod "got to know the tax system, asked a lot of questions" and the city was eventually excluded from the survey after she found that potentially unfair comparisons were made. He says she is "super intelligent, but yet has a lot of common sense."

As a legislator Brod now represents a district comprised of small towns, where the largest population of any municipality is nearly 5,000. "It's a fabulous collection of small towns that are individual," she said. "They each have

their own different characteristics."

Brod said that her campaign agenda included focusing on economic development, which can draw young people back to the rural areas, like New Prague with its welcoming and warm atmosphere. That's exactly what she and her husband, Wade, decided to do when they had two children — now ages 7 and 5. Following redistricting and discussion with her family, she decided to run for state office. Brod admits that balancing family life is a challenge, but she said, "luckily I have extended family that live in my town, and my husband has a flexible job."

Along with her job as a legislator, Brod is an appraiser of agricultural and residential property. Because of the experience, she said that

communities would be at the greater end of the cap" in her district, Brod said.

Much like she did as a new city councilor, Brod has spent much of her time as a new legislator "really getting my arms around the mechanics of this place."

"I'm on a quest for information, a quest for understanding how the Legislature works from the inside," Brod said. "Once I understand that I'll be able to present my arguments, present my issues, and represent my district better than if I just dove in."

The first bill Brod sponsored (HF450) would give people who drive vehicles operating on fuel with an 85 percent ethanol blend the ability to use the high-occupancy vehicle (HOV) lanes. Brod said a citizen brought forth the idea at a town meeting.

She said that at a time of possible war alternative fuels are important and that the state needs to increase the ethanol market by understanding the need to reduce reliance on foreign oil.

HF450 awaits a hearing by the House Transportation Policy Committee. Its Senate

"I'm on a quest for information, a quest for understanding how the Legislature works from the inside. Once I understand that I'll be able to present my arguments, present my issues, and represent my district better than if I just dove in."

— Rep. Laura Brod

she understands market values, growth, and tax issues. And with two children in public schools, she said she can relate to the educational needs of the area, as well.

Schools, education, and economic development are all important to her district, Brod said. But transportation is also coming more to the forefront since more residents drive into the Twin Cities metropolitan area to work. Minnesota needs to get people moving, she said, and "if there is a way we can increase the ability for people to get to their jobs without losing money by sitting on a highway, I'm all for it."

Also becoming important, Brod said, is local government aid. She said her area, like many rural communities, depends heavily on those funds. Although Gov. Tim Pawlenty has proposed caps on the cuts, "most

companion (SF466), sponsored by Sen. Thomas Neuville (R-Northfield), also awaits a committee hearing.

DISTRICT 25A

2002 population: 36,729

Largest city: New Prague

Counties: Le Sueur, Scott, Sibley

Location: south-central Minnesota

Top concern: "When I talk to people, the budget is definitely one, two, three and four. We're talking about the specific cuts, the ways government can work better, ways that government is being wasteful, quality of employees that work in government."

— Rep. Laura Brod

Unlikely lawmaker

From aspiring priest to city prosecutor, Lesch hopes to connect with constituents as new member of the House

By MICHELLE KIBIGER

Rep. John Lesch (DFL-St. Paul) says he never really imagined himself as a lawyer, or even a legislator. In fact, as a teen, he began studying to become a priest.



Rep. John Lesch

But a few key experiences in his life led him to the Minnesota House of Representatives and gave him a passion for public service.

He was initially drawn to the Legislature through an internship with former Rep. Andy Dawkins during the 1997-98 session. Lesch said he became fascinated with the legislative process and the commitment to public service that members exhibited, including Dawkins.

"He was not a typical legislator," Lesch said of Dawkins. "He had an idea and he ran with it, no matter what people thought of it."

Now Lesch says he's trying to employ the same principles in his new role as legislator. He has established two goals for this term: one successful piece of legislation addressing a need among his constituents, and meeting more residents of District 66A, which includes parts of north and east St. Paul.

"Many people don't feel connected to what's going on at the Capitol because they've never been asked what their opinion is," Lesch said. "And I tried to do that when I went out to hit the doors (last) summer. But that was before I was elected, too, so I want to get to know a lot more of the folks."

Lesch grew up in Brooklyn Park. When he was 17, he moved to Madison, Wisc. to attend Holy Name Seminary. During those formative years, Lesch said he learned some important values that he carries with him today.

He said he was always taught to be the kind of person who means what he says, says what he means, and is true to his word.

"If I say I'm going to do something, I (try to) follow through on it or break myself trying," he said. "And there are times that I haven't

followed through on it – just the guilt is overwhelming. Being raised that way is, I think, really important, because there's the perception that people like lawyers and politicians overpromise and underdeliver."

He said he hopes to reach a balance in that.

Fellow freshman member Rep. Doug Meslow (R-White Bear Lake) has become a close colleague of Lesch's, whom Lesch says he enjoys bouncing ideas off of to get Meslow's conservative viewpoint, and to help hone the idea and refine it.

"I know that I can trust what he says, and when John tells me that's the way it is, then that's good enough for me," Meslow said.

"Many people don't feel connected to what's going on at the Capitol because they've never been asked what their opinion is. And I tried to do that when I went out to hit the doors (last) summer. But that was before I was elected, too, so I want to get to know a lot more of the folks."

— Rep. John Lesch

"I think John is going to be a star in the House – a bright guy who is very committed to what he is doing."

After seminary, Lesch said the order sent him to Saint Louis University to continue his studies. But after meeting and seriously dating the woman who would become his wife, Lesch decided not to continue pursuing the priesthood, and ultimately he returned to the Twin Cities to attend the Hamline University law school. Lesch and his wife, Tina, settled into an apartment near the Hamline campus. The couple now have a young daughter.

He said over the next several years they have chosen to stay in the neighborhood, moving about a half-mile east in each of their new residences.

"The district that he lived in and that he volunteered in and he got known in was the district he was elected in," Dawkins said.

Now a prosecutor with the city of St. Paul, the 30-year-old Lesch works with community

law enforcement programs – the kind that work to enhance the livability of neighborhoods by reducing crimes such as prostitution and drug dealing.

He said he hopes to stay connected with his district by continuing to stay active in the community and listen to the needs of his constituents. He also said he will work to stay aware of their concerns, such as housing, jobs, economic development, and public safety.

Lesch said he's keenly aware that a number of people in his district live paycheck to paycheck. He said all they want is the opportunity to have a good paying job and a roof over their heads.

"When they need something like busing or when they need employment or when they need housing, it's critical," he said. "It's the difference between stability and poverty in a single paycheck."

In addition, Lesch said, he thinks that government has been standing in the way of developers who are willing to build quality

housing in the locations that need them most. He hopes to help ease regulations so builders can provide the housing that people need.

DISTRICT 66A

2002 population: 36,523

Largest city: St. Paul

County: Ramsey

Location: north and east St. Paul

Top concern: "You hear employers, Republican business owners, complaining about housing, because they also know that part of the reason we don't have housing is because government has regulated it out. You can't even approach the job issue, until you have a housing arrangement at least. That's number one."

— Rep. John Lesch

True to his roots

From township board to St. Paul, Lindgren wants to continue sculpting quality legislation for his area

By TOM LONERGAN

Wherever Rep. Doug Lindgren (R-Bagley) goes, a bit of his creativity is not far behind.

In his House office in St. Paul, there's a small reception table Lindgren welded together from car engine parts. On the campaign trail last year, a 1963 Jeep that Lindgren restored pulled a caterpillar-like 16-foot-long welded piece of empty Freon tanks. Painted green, Lindgren's "recycle-pillar" had spark plugs for antennas. The piece "became a visual trademark of my campaign," he said. "The kids got a kick out of it."

Lindgren has made a number of art pieces from car parts and other scrap material readily available from the family-run gas station he owns in Bagley, west of Bemidji.

Creating legislation as a freshman representative, Lindgren said, may prove to be a bit more challenging than his sculpture. "It's really hard coming down here and getting hit with this huge budget deficit," said the 52-year-old Navy veteran. "A lot of your pre-conceived notions are stripped away."

For 18 years, Lindgren served on the Copley Township Board of Supervisors. His wife, Colleen, is the Bagley city clerk and accountant for the family business. His first taste of making government work, Lindgren recalled, came when he wanted a road repaired in front of his house. "I was told, 'Run for the township board and fix it yourself,'" Lindgren said.

As with many new Republican representatives, Lindgren was encouraged to run for the House by Speaker Steve Sviggum (R-Kenyon). "I didn't know him," Lindgren said. "He called and said he wanted to meet me." After lunch and a week to think about it, Lindgren said he was "hooked." He won last November's election by just 443 votes (2.94 percent).

Lindgren said he's the first conservative elected from the district in many decades. Yet, during his introduction to the House, he said

he's found a different tone than strict partisanship. "I'm finding out it's more issue-based," Lindgren said. His committee assignments include the House Environment and Natural Resources Finance, Environment Policy, and Agriculture Policy committees.

The difficulties small towns in Greater Minnesota are having due to declining population and slack economic development will be uppermost in his approach to issues, Lindgren said. Jobs are scarce in towns like Bagley, and the southern portion of his district – which includes popular recreation areas like Itasca State Park – offers mostly seasonal jobs, he added.

State tax breaks for new or expanding busi-

nesses in economically depressed areas are important, Lindgren said, "but I'm not for giving stuff away." He favors approaches like tax increment financing which, he said, has been "a boon for Bagley." The incentive approach helped the town land Team Industries, a company that makes transmissions for Polaris. In a tax increment district, a company's tax bill is relieved initially, but eventually paid as the business prospers, Lindgren said.

He said he plans to take a "strong look" at the funding formula for local government aid. "I have a hard time understanding why Minneapolis, St. Paul, and Duluth get local government aid when they have a tax base and can create revenue," Lindgren said.

"How does Bagley create a tax base? It's just not there," he said. With a population of just over 1,000, losing 60 people a year is "a big deal" in Bagley.

And education is a key issue, with a son in college and a daughter in high school, he said.

Lindgren's gas station, which he worked at as a young man and now run by his son, Jeremiah, provides service at the pump, with windshield washing, an oil check, small repairs, and daily shoptalk. Lindgren said the latter helped him develop a "common sense" approach to issues.

"He sure has a knack for that political thing," Jeremiah said. "He's a pretty good talker and he really, really listens to people."

"During the campaign we heard from a lot of

"I have a hard time understanding why Minneapolis, St. Paul, and Duluth get local government aid when they have a tax base and can create revenue."

— Rep. Doug Lindgren

nesses in economically depressed areas are important, Lindgren said, "but I'm not for giving stuff away." He favors approaches like tax increment financing which, he said, has been "a boon for Bagley." The incentive approach helped the town land Team Industries, a company that makes transmissions for Polaris. In a tax increment district, a company's tax bill is relieved initially, but eventually paid as the business prospers, Lindgren said.

He said Gov. Tim Pawlenty's proposal to create up to 10 tax-free zones for businesses in rural Minnesota, "sounds like a good deal but it could create a lot of controversy between different cities." But, Lindgren added, the state needs to respond to neighboring states like South Dakota "enticing business away with tax breaks."

Local government aid is another issue that hits close to home. The state's financial assistance provides 30 percent of Copley Township's annual budget, he said. "We didn't like unfunded mandates" from the state, Lindgren added, "but then I get here and see why they happen."

people that lawmakers in general seem more concerned about the Twin Cities area and lump everywhere else as Greater Minnesota." Jeremiah said. He said his father will "represent this area and he's serious about listening to people here."

Asked if he or his dad is the boss when they work together, the younger Lindgren said, "Mom's the boss. She writes the paychecks."

DISTRICT 2B

2002 population: 36,482

Largest city: Park Rapids

Counties: Beltrami, Clearwater, Hubbard, Pennington, Polk

Location: northwest Minnesota

Top concern: "Government is moving away from the common man. I don't like what that looks like. Common sense and accountability has left government and we need to bring that back."

— Rep. Doug Lindgren

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Unofficial list as of 1/15/03

Monday, March 3

HF668—Holberg (R)**Health & Human Services Policy**

Woman's right to know act requiring informed consent of a female upon whom an abortion is performed, and providing civil remedies.

HF669—Holberg (R)**Health & Human Services Policy**

Woman's right to know act requiring informed consent of a female upon whom an abortion is being performed, and providing civil remedies.

HF670—Holberg (R)**Health & Human Services Policy**

Woman's right to know act requiring informed consent of a female upon whom an abortion is performed, and providing civil remedies.

HF671—Gunther (R)**Regulated Industries**

Telephone company service promotions and packages regulated.

HF672—Gunther (R)**Jobs & Economic Development Finance**

Trade and economic development redevelopment account funding provided for grants in and out of the metropolitan area, bonds issued, and money appropriated.

HF673—Haas (R)**Commerce, Jobs &****Economic Development Policy**

Comprehensive health association authorized to offer policies with higher annual deductibles, writing carrier contract extension permitted, and other provisions clarified.

HF674—Latz (DFL)**Governmental Operations &****Veterans Affairs Policy**

Local impact notes for state-mandated actions provisions expanded to include school districts.

HF675—Clark (DFL)**Judiciary Policy & Finance**

Right to obtain judicial review of DWI-related vehicle forfeiture notice required to be printed in Somali language.

HF676—Boudreau (R)**Health & Human Services Policy**

Persons who qualify as voluntary patients for treatment of a mental illness clarified as not subject to civil commitment.

HF677—Erickson (R)**Governmental Operations &****Veterans Affairs Policy**

Licensure requirements modified for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers.

HF678—DeLaForest (R)**Civil Law**

Civil commitment technical correction provided.

HF679—Anderson, B. (R)**Ways & Means**

Claims against the state payment provided for persons injured while performing community service and sentencing to service work, and money appropriated.

HF680—Urdahl (R)**Education Policy**

Hearing required for the termination or non-renewal of a licensed or unlicensed coach or assistant coach.

HF681—Urdahl (R)**Environment & Natural Resources Policy**

Greenleaf Lake State Park established in Meeker County.

HF682—Kielkucki (R)**Education Policy**

School bus safety training, safety responsibilities, and type III vehicle standards modified.

HF683—Harder (R)**Agriculture & Rural Development Finance**

Agriculture and food sciences academy pre-design and design funding provided, bonds issued, and money appropriated.

HF684—Erickson (R)**Education Policy**

Special education; Congress and the president memorialized by resolution to stop unfunded mandates and laws that support the over-identification of children with mental disorders in special education.

HF685—Ozment (R)**Environment & Natural Resources Finance**

Minnesota Zoological Garden; Phase I of the facilities and business master plan funding provided, bonds issued, and money appropriated.

HF686—Fuller (R)**Regulated Industries**

Sale of alcohol to underage persons minimum administrative penalties provided.

HF687—Simpson (R)**Regulated Industries**

Public Utilities Commission membership required to include at least two members from outside the Twin Cities metropolitan area.

HF688—Krinkie (R)**Transportation Policy**

Regional rail authorities in the seven-county Twin Cities metropolitan area abolished.

HF689—Buesgens (R)**Local Government & Metropolitan Affairs**

Metropolitan Council use of energy forward pricing mechanisms authorized.

HF690—Knoblach (R)**Civil Law**

Guardian and conservator licensing provided, licensing board established, fees limited, and notices required.

HF691—Hausman (DFL)**Environment & Natural Resources Finance**

St. Paul Como Park Conservatory restoration project funding provided, bonds issued, and money appropriated.

HF692—Abeler (R)**Health & Human Services Policy**

Pharmacists scope of practice modified to include administration of influenza and pneumococcal vaccine.

HF693—Thissen (DFL)**Health & Human Services Policy**

Municipally operated ambulance services exempted from certain license application requirements.

HF694—Abeler (R)**Health & Human Services Policy**

Massage and Asian bodywork therapist registration system established, rulemaking authorized, and criminal penalties imposed.

HF695—Marquart (DFL)**Taxes**

Proposed property tax notice earlier delivery required.

HF696—Lesch (DFL)**Judiciary Policy and Finance**

Criminal sexual conduct in the third- and fourth-degree crimes expanded.

HF697—Sykora (R)**Education Policy**

Charter school eligible sponsors expanded to include certain nonprofits.

HF698—Opatz (DFL)**Education Policy**

Profile of Learning repealed, state standards for educational excellence set, and legislative approval required.

HF699—Opatz (DFL)**Education Policy**

Profile of Learning repealed, state standards for educational excellence set, educational accountability provided, and legislative approval required.

Thursday, March 6

HF700—Eastlund (R)**Civil Law**

Civil action immunity provided for good faith reports to or requests for assistance from law enforcement.

<p>HF701—Opatz (DFL) Health & Human Services Policy Wholesale drug distributor requirements modified to include reporting of pricing criteria.</p>	<p>HF714—Seifert (R) Judiciary Policy & Finance Counties permitted to keep proceeds from forfeited bail.</p>	<p>HF727—Wilkin (R) Health & Human Services Policy Health coverage proposed mandates evaluation provided.</p>
<p>HF702—Hausman (DFL) Jobs & Economic Development Finance St. Paul Raspberry Island and Upper Landing improvements funding provided, bonds issued, and money appropriated.</p>	<p>HF715—Greiling (DFL) Education Finance HIV/STI education in schools regional training site funding provided, and money appropriated.</p>	<p>HF728—Clark (DFL) Jobs & Economic Development Finance HIV/AIDS in the workplace education provided and money appropriated.</p>
<p>HF703—Krinkie (R) Governmental Operations & Veterans Affairs Policy Legislators removed from various executive branch boards.</p>	<p>HF716—Rhodes (R) Transportation Policy Taxicab vehicle qualifications requirements provided for the Metropolitan Airports Commission, quarterly payment of fees permitted, and permit transfers authorized.</p>	<p>HF729—Smith (R) Judiciary Policy & Finance Judicial standards board money appropriated.</p>
<p>HF704—Brod (R) Taxes Motor vehicle dealers authorized to pay sales tax or use tax for use of a vehicle other than for demonstration purposes, and loaner vehicles exempted from the motor vehicle sales and use tax.</p>	<p>HF717—McNamara (R) Regulated Industries Hastings authorized to issue additional on-sale liquor licenses.</p>	<p>HF730—Howes (R) Commerce, Jobs & Economic Development Policy Statutory home warranty exclusions for liability of vendor and home improvement contractor amended, statutory cure of defects provided, and limitation of actions based on breach specified.</p>
<p>HF705—Severson (R) Regulated Industries Sartell authorized to issue additional on-sale liquor licenses.</p>	<p>HF718—Beard (R) Environment & Natural Resources Policy Scott County surplus state land sale authorized, funds deposited in the wildlife acquisition account, and money appropriated for wildlife acquisition.</p>	<p>HF731—Kohls (R) Judiciary Policy & Finance Property manager background checks on Minnesota computerized criminal history system provided.</p>
<p>HF706—Severson (R) Local Government & Metropolitan Affairs Municipal ordinance authority clarified relating to affordable housing.</p>	<p>HF719—Beard (R) Regulated Industries Brewpubs authorized to make retail and wholesale sales, and municipal liquor license limit removed.</p>	<p>HF732—Brod (R) Jobs & Economic Development Finance Rural challenge grant program modified, contamination cleanup grant program administrative funding limitations increased, and obsolete references eliminated.</p>
<p>HF707—Thao (DFL) Civil Law Hmong marriage solemnization form provided.</p>	<p>HF720—Dempsey (R) Taxes Long-term care individual income tax credit increased.</p>	<p>HF733—Walker (DFL) Taxes Volunteer assistance delivery to low-income taxpayers facilitation grant money appropriated.</p>
<p>HF708—Stang (R) Higher Education Finance Higher Education Services Office, Minnesota State Colleges and Universities, University of Minnesota, and Mayo Medical Foundation appropriations provided with certain conditions.</p>	<p>HF721—Sykora (R) Education Finance Referendum revenue voter-approved adjustment authorized.</p>	<p>HF734—Kielkucki (R) Governmental Operations & Veterans Affairs Policy Linked bingo gaming provided.</p>
<p>HF709—Thao (DFL) Health & Human Services Finance Hennepin County new chance program funding provided, and money appropriated.</p>	<p>HF722—Erhardt (R) Transportation Policy Weight restriction exemptions provided for garbage trucks and recycling vehicles.</p>	<p>HF735—Marquart (DFL) Civil Law Background study requirement exclusion for spouses provided.</p>
<p>HF710—Atkins (DFL) Commerce, Jobs & Economic Development Policy Obsolete mandatory retirement language deleted.</p>	<p>HF723—Erhardt (R) Transportation Policy Seat belt law exemption provided for certain garbage trucks.</p>	<p>HF736—Marquart (DFL) Local Government & Metropolitan Affairs Lake improvement district board of directors election procedure provided and certain notices required.</p>
<p>HF711—Dill (DFL) Environment & Natural Resources Policy St. Louis County tax-forfeited land sale authorized.</p>	<p>HF724—Latz (DFL) Transportation Policy High-occupancy vehicle lane usage by certain other vehicles allowed.</p>	<p>HF737—Lesch (DFL) Judiciary Policy & Finance Defendant attorney fee for certain appeals payment by government units not required.</p>
<p>HF712—Vandever (R) Environment & Natural Resources Policy Washington County ditch maintenance provided.</p>	<p>HF725—Biernat (DFL) Judiciary Policy & Finance Fire marshal permit required for indoor fireworks displays.</p>	<p>HF738—Howes (R) Environment & Natural Resources Finance Reforestation bonds authorized and money appropriated.</p>
<p>HF713—Hornstein (DFL) Commerce, Jobs & Economic Development Policy Video game sale or rental to minors prohibited for certain games defined as restricted.</p>	<p>HF726—Hackbarth (R) Education Finance Independent School District No. 15, St. Francis, student safety improvements funded through proceeds from sale of certain school property.</p>	<p>HF739—Borrell (R) Civil Law Certain University of Minnesota claim data and food safety regulatory data classified as nonpublic.</p>

HF740—Hilstrom (DFL)
Governmental Operations & Veterans Affairs Policy
General employees retirement plan certain retiree revocation of retirement annuity applications and disability benefit adoption allowed.

HF741—Howes (R)
Commerce, Jobs & Economic Development Policy
Motor vehicle dealer advertising regulated.

HF742—Wilkin (R)
Higher Education Finance
Legislative approval of certain student fees required.

HF743—Greiling (DFL)
Education Policy
Nonpublic school compliance with state high school graduation requirements required under certain conditions.

HF744—Erickson (R)
Local Government & Metropolitan Affairs
State Building Code municipal reporting requirements modified.

HF745—Adolphson (R)
Transportation Policy
Southwest metropolitan area transit corridor certain rail and bus transit actions by commissioner of transportation, Metropolitan Council, and Hennepin County regional rail authority prohibited.

HF746—Cox (R)
Higher Education Finance
Meningococcal disease information reception and signature of written waiver by higher education students residing in on-campus housing required.

HF747—Greiling (DFL)
Education Policy
Pupil fair dismissal law compliance by nonpublic schools required in certain instances.

HF748—Gunther (R)
Jobs & Economic Development Finance
Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

HF749—Haas (R)
State Government Finance
Legislative and general administrative state government expense funding provided, and money appropriated.

HF750—Smith (R)
Judiciary Policy & Finance
Corrections, public safety, courts, and other agencies funding provided; and money appropriated.

HF751—Abrams (R)
Taxes
Job opportunity building zone establishment authorized, related tax incentives, zone aid, and levy limits provided; and money appropriated.

HF752—Harder (R)
Agriculture & Rural Development Finance
Environmental, natural resources, and agricultural funding provided; and money appropriated.

HF753—Knoblach (R)
Ways & Means
Transportation funding transferred and previous appropriations cancelled, and money appropriated.

HF754—Osterman (R)
Civil Law
Displaced person definition changed to correspond with federal law.

HF755—Abeler (R)
Agriculture Policy
Monitoring agricultural chemicals in groundwater responsibility transferred to commissioner of health, definition of pollutant modified, pesticide restrictions authorized, pesticide fee increased, money appropriated.

HF756—Rhodes (R)
Local Government & Metropolitan Affairs
County levy authority modified to fund statewide public safety radio system.

HF757—Tingelstad (R)
Transportation Policy
Special license plate authorization and issuance procedures established and "Rotary member" license plates authorized.

HF758—Sertich (DFL)
Education Finance
Independent School District No. 695, Chisholm, fund transfer authorized.

HF759—Abrams (R)
Taxes
Property, income, corporate franchise, sales and use, gross earnings, and other taxation administrative changes and corrections provided and obsolete laws and rules repealed.

HF760—Abrams (R)
Taxes
Income, property, estate, sales and use, cigarette and tobacco product, and other taxation policy and administrative changes made, Internal Revenue Code conformity provided, civil and criminal penalties provided.

HF761—Blaine (R)
Education Finance
Independent School District No. 486, Swanville, fund transfer for handicapped access improvements to school buildings authorized.

HF762—Vandever (R)
Transportation Finance
Significant local roads and local road improvement fund bonds authorized and money appropriated.

HF763—Vandever (R)
Governmental Operations & Veterans Affairs Policy
Congress memorialized to work to protect America's savings permanently.

HF764—Vandever (R)
Taxes
Congress memorialized to permanently repeal the death tax.

HF765—Davnier (DFL)
Education Policy
Sexually transmitted diseases program provision modified.

HF766—Greiling (DFL)
Local Government & Metropolitan Affairs
Arden Hills, Blaine, Circle Pines, Mounds View, New Brighton, Roseville, and Shoreview multi-city housing authority established.

HF767—Sertich (DFL)
Education Finance
Alternative facilities program district eligibility expanded.

HF768—Anderson, J. (R)
Governmental Operations & Veterans Affairs Policy
Military certificates of discharge classified as private data, and release procedures provided.

HF769—Erhardt (R)
Governmental Operations & Veterans Affairs Policy
Public safety radio communications operators included in definition of essential employee.

HF770—Solberg (DFL)
Environment & Natural Resources Policy
Aitkin County Long Lake Conservation Center fund made a separate county enterprise fund.

HF771—Solberg (DFL)
Health & Human Services Policy
Itasca County capitation payments recalculated.

HF772—Swenson (R)
Agriculture Policy
Minnesota Agriculture Education Leadership Council expiration date eliminated.

HF773—Hilty (DFL)
Judiciary Policy & Finance
Electronic security system company employees and license applicant background checks required, procedures provided, discharge authorized, license endorsement disqualification authorized, and criminal penalties imposed.

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MONDAY, March 10

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF391 (Olsen, S.) School districts authorized to convert, by election, from election by district to election at large.

HF390 (Erickson) Elections conducted by mail; county auditor approval requirement eliminated.
HF612 (Knoblach) Legislative candidate expenditure reporting requirements provided.

HF212 (Abeler) Health occupations advisory committees extended, including acupuncture, respiratory care practitioner, licensed traditional midwifery, and health professionals services program advisory committees.

Higher Education Finance

Room: 5 State Office Building

Chair: Rep. Doug Stang

Agenda: Higher Education Services Office (HESO) response to governor's FY04-05 budget.

Witness: Robert Poch, Director, HESO

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Informational hearing on the economics and market structure of radiation oncology.

3:00 PM

THE HOUSE MEETS IN SESSION

TUESDAY, March 11

8:15 AM

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: Conclusion of MnDOT budget presentation: federal funds, general support and buildings.

Metro Transit budget presentation.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Department of Natural Resources budget.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Governor's Workforce Council.

Luke Weisberg.

HF176 (Davids) Rushford Institute for Nanotechnology grant provided, and money appropriated.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: Continuation of Presentation of governor's budget proposal by the Minnesota Department of Human Services.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: Presentation of preliminary work of the Academic Standards Committee by Commissioner Cheri Pierson Yecke and department staff.

HF580 (Erickson) School district curriculum and instruction required premised on abstinence until marriage.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: Continuation of governor's 2004-2005 budget review.

HF160 (Abeler) A bill for an act relating to education finance; reducing the revenue reserved for staff development activities from 2 percent to 1 percent of a district's basic general education revenue.

HF422 (Abeler) A bill for an act relating to education; removing certain restrictions on distribution of staff development revenue.

HF423 (Abeler) A bill for an act relating to education finance; reducing the required

revenue reserved for staff development activities from two percent to one percent of a district's basic general education revenue.

HF558 (Abeler) A bill for an act relating to education; authorizing school districts to pursue additional revenue sources.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HFXXXX Department of Revenue Technical Bill.

Possibly other bills to be determined.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: HF110 (Smith) Family law reform and recodification including provisions relating to marriage dissolution, child custody, child support, maintenance, and property division.

HF664 (Eastlund) Child support guidelines provided.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF681 (Urdahl) Greenleaf Lake State Park established in Meeker County.

HF327 (Hackbarth) Shooting range generally accepted practices defined; and relation to local ordinances, closing and relocations, and nuisance liability provided.

12:30 PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: Overview of renewable fuels.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: Presentation by MnDOT on congestion management.

Presentations by transit advocacy groups.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF426 (Kuisle) Water quality assessment process rulemaking required.

HF517 (Demmer) Department of Children, Families and Learning renamed the Department of Education.

HF564 (Borrell) Open meeting law violations administrative remedy provided, and civil penalties prescribed.

Commerce, Jobs and Economic
Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF645 (Paulsen) Technology business licensing provisions modified.

HF547 (Davids) Farm implement dealers warranty work payment regulated, and definition of heavy and utility equipment modified.

HF710 (Atkins) Obsolete mandatory retirement language deleted.

2:30 PM

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkie

Agenda: Department of Administration: Update on status of long-term lease-purchase agreements for Health, Agriculture, and Human Services office facilities authorized in Laws 2002, Chapter 393, Section 13, subs 7 & 8.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Fiscal overview of the Legislature and Legislative Coordinating Commission.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF415 (Borrell) Rockford removed from the jurisdiction of the Metropolitan Council.

HF554 (Buesgens) Title examiner alternative means of compensation provided.

HF444 (Swenson) Municipal contract judgment awarding of attorney fees authorized in certain cases.

Civil Law

Room: 10 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: Overview; cost shares child support reform, R. Mark Rogers, economic consultant.

HF513 (Kohls) Seat belt evidence admissibility prohibition repealed.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: HF687 (Simpson) Public Utilities Commission membership required to include at least two members from outside the metropolitan area.

HF317 (Hackbarth) Anoka County facilities use for commercial wireless service providers authorized, and lease of sites for public safety communications equipment permitted.

HF671 (Gunther) Telephone company service promotions and packages regulated.

WEDNESDAY, March 12

8:15 AM

Environment and Natural Resources
Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Department of Natural Resources budget.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Presentation by the Association of Minnesota Counties.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: National Federation of the Blind, Jennifer Dunnan; Blind Incorporated, Dick Davis; Blind Citizen, Wally Hinz.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF321 (Cox) Authorize Northfield to establish and operate related medical facilities at a site outside the city limits.

HF441 (Kohls) Carver County hospital construction moratorium exemption provided.

HF647 (Swenson) Nicollet county nursing home construction moratorium exception provided; special moratorium exceptions modified.

HF437 (Bradley) Alternative quality assurance licensing system expanded, sunset eliminated, and money appropriated.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Overview of governor's recommendations by Uniform Laws Commission and Ombudsman for Corrections HF432 (Meslow) First-degree murder definition modified relating to child abuse.

HF550 (Hilstrom) Life imprisonment without possibility of release penalty provided for persons causing the death of a child under 14 with premeditation and intent.

12:30 PM

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: HF649 (Swenson) Chronic wasting disease control and wildlife health management provided, and money appropriated.

Legislative Report on Chronic Wasting Disease.

Governmental Operations and Veterans
Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: To be announced.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: HF500 (Erhardt) Eminent domain; increasing the limit for reimbursement of appraisal fees.

HF532 (Howes) Modifying provisions governing use of highway right-of-way by snowmobiles. Other bills may be added.

2:30 PM

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkie

Agenda: Description of Higher Education capital project ranking/scoring methodologies: University of Minnesota; MNSCU.

Civil Law

Room: 10 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF668 (Holberg) Woman's right to know act requiring informed consent of a female upon whom an abortion is performed, and providing civil remedies.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF407 (Howes) Minnesota Conservation Corps transferred to the Friends of the Minnesota Conservation Corps, assets transferred, and money appropriated.

HF294 (Eastlund) Military reserve; state employees called to active duty authorized to receive payment of a salary differential, and local governments authorized to pay similar salary.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: To be announced.

THURSDAY, March 13

8:15 AM

Environment and Natural Resources
Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Department of Natural Resources budget.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF697 (Sykora) Charter school eligible sponsors expanded to include certain nonprofits. HF471 (Knoblach) School district election primaries required.

HF509 (Fuller) Indian scholarship program authority transferred to the Higher Education Services Office.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF151 (Seifert) Children eligible for adoption assistance exempted from the prepaid medical assistance program.

HF278 (Bradley) Health care provider expenditure reporting requirements eliminated. HF412 (Abeler) Council on Disability sunset removed.

More bills may be added.

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF340 (Cornish) Natural Resources Department enforcement authority modified relating to recreational areas.

HF648 (Swenson) Private wildlife shooting preserves authorized anywhere in the state.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Bills, to be determined.

12:30 PM

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: To be announced.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Minnesota State Colleges and Universities (MnSCU) response to the governor's FY04-05 budget.

Witness: James H. McCormick, Chancellor, MnSCU.

Laura King, Vice Chancellor and Chief Financial Officer, MnSCU.

Reflections

With its strong Scandinavian heritage is it any wonder that the Minnesota Legislature has been filled with those whose last names end in "son" or some close variation?

A record 87 lawmakers since 1858 have carried the Johnson surname and an additional three held the name of Johnston. The first Johnson in the Territorial Legislature was Parsons K. Johnson from St. Paul (1849 and 1856). In 1859 R.M. Johnson from Anoka became the first Johnson to serve in the state's Legislature.

The Legislature now has four individuals with Johnson as a surname: Sen. Dean Johnson (DFL-Willmar), now in his seventh term, and three members now serving their second term: Sen. Debbie Johnson (R-Ham Lake), Rep. Jeff Johnson (R-Plymouth), and Rep. Sheldon Johnson (DFL-St. Paul).

Despite the popularity in the Legislature, just one person named Johnson has served in the state's top post. That was Gov. John A. Johnson from St. Peter who served one term in the Senate before he became the first governor to occupy the new Capitol building in 1905.

Of the 11 John Johnsons who served, another John A. Johnson from Preston, served eight years in the House, including three terms as Speaker of the House (1925-31). He then returned as a senator for another eight years. Two other Johnsons – Alfred I. (1941-58) and George W. (1925-36) – also served as speakers, from 1955-58 and 1935-36, respectively.

Minnesota has also had two people named Johnson represent the state in Congress: Dewey W. Johnson from Minneapolis (1937-39) and Magnus Johnson of Kimball (1923-25, 1933-35). Both also served in the Minnesota House, and Magnus Johnson also served in the state Senate.

Harold J. Anderson, who recently called to renew his *Session Weekly* subscription, is one of 59 Andersons who has served in the Legislature.

He represented Minneapolis from

1951-61 and 1963-71. For 12 of his 18 years in the House, he shared his first and last name with Harold R. Anderson (1949-1965) from North Mankato.

The two were in the Legislature in 1955 when the Chief Clerk's office had the duty of not only keeping accurate voting records for the two Harold Andersons, but for four other Andersons, as well. In the Senate, the clerks had three Andersons to keep track of that year.

The first Anderson elected to state office in 1859 was John A. Anderson from La Crescent. The newest Anderson to hold office is freshman Rep. Jeff Anderson (R-Austin).

At the other end of the longevity scale is Rep. Irv Anderson (DFL-Int'l Falls) now serving his 16th non-consecutive term. His 30 years of experience tie him for being the most senior member in the House.

Irv and Jeff are currently joined in the Legislature by two others with the same surname: Rep. Bruce Anderson (R-Buffalo Township) in his fifth term, and Sen. Ellen Anderson (DFL-St. Paul) in her fourth term.

Three lawmakers — two Andersons and one Andersen — also served as governors of the state: Wendell Anderson (1971-76), C. Elmer Anderson (1951-55), and Elmer L. Andersen (1961-63).

Also, one Anderson (Sydney) and one Andersen (Herman C.) represented Minnesota in Congress. Herman Andersen was a state House member in 1935 before he was elected to Congress in 1939. Sydney Anderson served in Congress from 1911 to 1925.

Only one other Andersen served in the state Legislature: Rep. Richard Andersen from New Brighton (1967-74).

While a prolific number of Andersons and Johnsons have contributed to the legislative process over the years, hundreds of others with very different names and backgrounds continue to contribute to the well-being of the state by making laws.

— LECLAIR GRIER LAMBERT

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Unemployment in Minnesota

The state's unemployment rate in January 2003 (not seasonally adjusted),	
as percent	5.1
Percentage in January 2002	5.2
Percentage in January 1993	6.3
Percentage in January 1983	10.3
National unemployment rate in January 2003	6.5
Percentage in January 2002	6.3
Percentage in January 1993	8.0
Minnesota's seasonally adjusted unemployment rate for December 2002,	
as percent	4.3
State rank	42
National percentage rate	6.0
December 2002 (not seasonally adjusted) unemployment rate in	
Duluth-Superior area, as percent	4.1
St. Cloud area	4.0
Twin Cities metropolitan area	3.5
Rochester area	3.0
Unemployment rate in highest counties in December 2002 (Marshall and	
Red Lake), as percent	10.4
Percentage in lowest counties (Clay and Jackson)	2.3
Estimated number of job vacancies in Minnesota from October to	
December 2002	55,200
Number in the Twin Cities metropolitan area	32,100
Approximate number of jobs available for every 10 unemployed	
workers in fourth quarter of 2002	5
One year earlier	7
Percentage decline in the number of job vacancies in Minnesota	
between the fourth quarters of 2001 and 2002	31
Percentage decline between the second and fourth quarters of 2002	16
Of vacant jobs in the fourth quarter of 2002, percentage that were full-time	57
Median wage offer for all job vacancies in the fourth quarter of last year,	
per hour	\$9.50
In 2001	\$9.31
Of all job vacancies in fourth quarter 2002, percentage in healthcare area	22
Percentage in retail trade	18
Manufacturing	7

Sources: *Fourth Quarter 2002 Minnesota Job Vacancy Survey*, Minnesota Department of Economic Security, Minnesota WorkForce Centers, Bureau of Labor Statistics.

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EDUCATION STANDARDS PRESENTED

STATE BLIND SERVICES, CONGESTION DEBATE, AND MORE

HF774-HF905

Session Weekly

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On the cover: A visitor climbs a staircase of the Capitol to the first floor.

— Photo by Tom Olmscheid

Replacing the profile

New English and math standards compiled by a committee are designed to better measure student achievement

BY TOM LONERGAN

Now they come in the form of a 50-page document to be pored over by legislators, educators, and a fair share of parents.

Eventually, the proposed state academic standards in language arts and math may provide the guideposts to measure public school student achievement for kindergartners to seniors in high school.

Draft standards in English and math, developed in three weeks by volunteer committees working with the Department of Children, Families and Learning, were presented March 11 to the House Education Policy Committee by Commissioner Cheri Pierson Yecke.

The new grade-level content standards that could possibly replace the state's unpopular Profile of Learning, were "a fine starting point for discussion," Yecke said. The committee took no action on the proposed standards.

There wasn't a lot of discussion among committee members who received the proposed standards for the first time. "You get to read and memorize this," joked Rep. Barb Sykora (R-Excelsior), the committee chair.

The House voted to scrap the Profile of Learning standards Feb. 17 and directed the education commissioner to develop new standards in English, math, science, history, and geography. Though the profile repeal is not yet law, department officials are moving ahead with plans to develop new standards. In fact, the English and math standards are on a faster timeline to meet a federal requirement to have specific tests for grades three through eight and high school by the 2004-05 school year. The state does not currently test students in all of those grades.

Academic standards have been a contentious issue in the Legislature for the past five years. Attempts to change the profile standards have "crashed before," warned Rep. Mindy Greiling (DFL-Roseville). "We have one idea in the House and one idea in the Senate and end up with nothing."

Yecke also presented drafts of the proposed standards to the Senate Education Committee. The Senate has taken no action on bills

that would repeal the profile and replace it with new standards. Senate DFLers are expected to propose a different set of standards than the commissioner's.

Rep. Lyndon Carlson (DFL-Robbinsdale) asked Yecke, "What happens if there's no agreement (on standards) this session?" Yecke said assessment of student achievement would then be developed using the profile standards.

The state requires two sets of tests to measure student progress and academic achievement. The basic skills test and profile-related Minnesota Comprehensive Assessments are taken by grade school and high school students. State test results alone do not determine whether a child progresses from grade to grade or graduates from high school, Yecke said. The tests are one of many student performance criteria considered by teachers, she added.

The proposed standards are considered a guide for school districts to develop curriculum and instruction plans with teachers. One criticism of the profile standards from teachers and school administrators was that they were too vague.

"There is no perfect curriculum," said Ellen Delaney, a North St. Paul math teacher, who served on the subcommittee proposing high

school math standards. "Math is more about resources and the approach to teaching," she said. "The profile had the right idea, but there was a lack of specificity and guidelines for teachers." Delaney had also served on an academic panel that reviewed profile standards.

Yecke said the proposed standards were "setting the bar" for measuring student progress. "What we want are high expectations at the end of the school year," she said. "You don't want the bar so low that there's nothing to strive for." New state tests will also be developed to measure the new academic standards.

Rep. Jim Davnie (DFL-Mpls), an eighth-grade

social studies teacher, said the proposed standards, "appear challenging but achievable." He questioned how the Pawlenty administration expected school districts to prepare students for new standards when it was proposing cuts in funding for after-school and summer school programs.

Yecke said the administration planned to pursue more federal funding provided through the federal No Child Left Behind Act. "Minnesota is not getting its fair share," she said. "We plan to pull down more federal funds and be creative with existing funding to implement the standards."

Yecke praised the 65 volunteers who, she said, have cumu-

latively spent approximately 3,000 hours since mid-February reviewing other state and national academic organization standards, national studies on reading and math, and a variety of instructional curricula toward developing the proposed state academic standards. The volunteers included parents,



PHOTO BY TOM OLMSCHEID

State Education Commissioner Cheri Pierson Yecke presents the preliminary work of the Academic Standards Committee to members of the House Education Policy Committee March 11. The committee is working on standards to replace the Profile of Learning.

teachers, school administrators, and representatives from higher education and business. Each committee also included a representative from statewide superintendents and principals organizations and the state teachers union.

For sixth-grade, the proposed reading standards, for example, would expect a student to "read narrative and expository text fluently and accurately, both aloud and silently." One of the writing standards proposed for the ninth-graders would measure the student's ability to "write in a variety of styles to express meaning: narrative and expository writing."

The literature standard for high school seniors would require the student to "respond to, analyze, evaluate, and appreciate a wide variety of fiction and nonfiction texts," meeting eight specified criteria, including reading and analyzing the development of American, British, or world literature.

In math, a fourth-grade student, for example, would be required to "demonstrate mastery of the multiplication tables for numbers between 1 and 12." Seventh-grade students would show their ability to "multiply and divide fractions and mixed numbers," as well as "identify the reciprocal of a given fraction."

For high school students, two sets of math standards are proposed. One set of standards covering algebra, patterns, and functions would apply to all students. A set of additional standards would be geared towards "post-secondary preparation in math related fields."

Public hearings, which began March 13 and are expected to continue through the end of the month, would provide more suggestions, Yecke said, "so the standards are set appropriately." Another draft of the standards is scheduled to be provided to the education policy committee on April 1. 🐾

Standards through the years

1998 – Legislature adopts Profile of Learning academic standards.

2000 – Legislature allows schools flexibility to implement the Profile of Learning.

2002 – Federal No Child Left Behind Act adopted, requiring stricter state learning standards; reporting of student and school performance.

2003 – House repeals Profile of Learning and directs the state education commissioner to propose new academic standards. Senate expected to repeal Profile of Learning and draft new standards.

2003-04 – Pending Legislature approval, new academic standards implemented in school districts.

2004-05 – New state assessment tests, based on new standards, provided to school districts for grades three through eight and high school.



From game warden to conservation officer

Enforcement of the state's natural resources laws their role since late 19th century

When historians chronicle Minnesota's early days, they praise the bounty that the state's land and natural resources provided, particularly in relation to the abundance of trees, water, hunting, and fishing.

Many a resident enjoyed the state's resources for business and for pleasure. And for the most part, the state's natural resources went unregulated until the late 19th century.

An essential part of the regulation of those resources were the wardens appointed to enforce laws regarding natural resources. The Legislature authorized the state's first and only game warden at the time in 1887. A fish warden was appointed two years later. By 1891, the state had established a five-member Board of Game and Fish Commissioners to oversee activities related to fish and wildlife resources.

That board evolved into the Game and Fish Department in 1915.

All during this time, the divisions which would eventually come under the jurisdiction of the Conservation Department, and later the Natural Resources Department, were being created as separate entities and creating their own administrative policies. A state fire warden was created in response to the Hinckley fire in 1894. And the state auditor was given jurisdiction over state parks and the state's mineral lands.

The state had 120 game wardens and deputy wardens in 1906 to oversee 30,000 licensed deer hunters.

In 1931, all the departments that were overseeing the state's natural resources were collected under the Department of Conservation. A DNR account of the department's first 50 years noted that game wardens held very little sway in Greater Minnesota at that time.

"Local juries and citizens in outstate communities considered game and fish laws unnecessary and game wardens themselves an intolerable nuisance," wrote Greg Breining in the account.

Even when game wardens would catch an offender, juries would not impose significant penalties, the report said, and people were unwilling to turn in their neighbors for poaching.

According to accounts of former game

wardens, the few people who did say a kind word about the wardens were somehow involved in public affairs. And working in his hometown was tough for a game warden; tact was an indispensable skill.

In 1967, the Legislature passed a law that reorganized the Department of Conservation. That move primarily renamed and reconfigured the organizations within the department. And game wardens received new titles: conservation officers.

At the time, there were 147 conservation officers. According to a booklet produced in the late 1960s, *Your Minnesota Department of Conservation*, the state had as many as 3 million fishing licenses, 1 million hunting licenses, and 72,000 trapping licenses in the state.

Conservation officers were also responsible for a significant portion of the public relations and outreach for conservation policies. According to the report, the officers attended about 2,000 meetings with an interest in conservation to discuss policies.

The agency's name was changed to the Department of Natural Resources in 1971.

Today, about 130 conservation officers enforce the natural resources laws in the state.

According to the DNR Web site, conservation officers are responsible to enforce the following: state laws and regulations related to hunting, commercial and sport fishing, trapping, and fur buying; rules pertaining to state parks, campgrounds and recreational areas under DNR jurisdiction; all-terrain vehicle, boating, off-highway motorcycle, and snowmobile regulations; laws dealing with the alteration of lake beds, streams and wetlands; shooting preserve rules; and laws governing the harvest of Minnesota's wild rice crop.

In addition, the officers work with outdoors and conservation organizations and other volunteers to administer several training programs including advanced hunter education, bowhunter education, firearm safety, snowmobile safety, and off-highway motorcycle and all-terrain vehicle safety.

(M. KIBIGER)

Photo courtesy of the Minnesota Historical Society



Game warden John Salvator changing a pheasant hunting sign in 1943.

★ AGRICULTURE

Their fair share?

A half-dozen people told the House Agriculture and Rural Development Finance Committee March 6 that the Agriculture Department would bear a "disproportionate" share of cuts if Gov. Tim Pawlenty's proposed 2004-05 budget is approved.

A 14 percent reduction in the department's budget, combined with a proposed 50 percent cut in ethanol producer payments, means state spending on agriculture would be cut 38 percent during the next two years, said Al Christopherson, president of the Minnesota Farm Bureau Federation. "We're being asked to do more than our fair share," Christopherson said. The 34,000-member group does not support a tax increase to balance the state budget, he added.

Representatives of milk, pork, and turkey producers and county fairs also provided testimony.

A grant program that helps dairy farmers increase profitability and plan efficiency improvements should be maintained at full funding, said Bob Lefebvre, executive director of the Minnesota Milk Producers Association. The governor's budget proposes a \$200,000 cut in the more than \$1 million program. "This is definitely a blow to us," Lefebvre said. Investment in agriculture "has been declining as a percentage of the state budget," he added.

If the governor's budget proposal stands, agriculture would represent "one-quarter of 1 percent of the state budget," said former state representative Doug Peterson, now president of the Minnesota Farmers Union. "On balance," he said, "rural Minnesota got more of a severe hit than our city cousins" in the governor's proposal.

The Pawlenty administration also proposes to eliminate \$359,000 in grants that county agricultural societies use to partially fund county fairs.

The state aid, which dates back some 135 years, should be maintained, said Sharron Wessel, chair of the Minnesota Federation of County Fairs. The fairs provide "a chance to educate the public on what agriculture is," Wessel said. A similar amount for county fairs was cut from the current year budget in the governor's unallotments last month.

Representing the fair group, Jerry Schoenfeld said that county fairs collected \$207,000 in sales tax revenue for the state last year. A pair of representatives from each party indicated that they would support restoring state aid to the fairs.

The committee took no action on the governor's budget proposal at the meeting.

Significance of ethanol

Ethanol advocates told the House Agriculture and Rural Development Finance Committee March 11 that continued state support is critical to the fuel additive industry's growth in rural Minnesota and would help smaller plants survive.

Gov. Tim Pawlenty's 2004-05 biennium budget proposal cuts state producer payments to ethanol plants in half, a \$32.5 million savings to the state's general fund. The payments are based on a per gallon rate that's capped at 15 million gallons produced by a plant. Pawlenty proposes that the rate be cut, effective July 1, 2003, from the current 20 cents per gallon to 10 cents. Ethanol producers told the committee they could live with 16 cents per gallon.

The Legislature "really made a contract" with the ethanol industry when the producer payments began more than a decade ago, said Rod Jorgenson of Kasson, a farmer and president of the Minnesota Coalition for Ethanol. "I can't think of a better economic program for rural Minnesota."

Randall Doyal, chief executive officer of the Alcorn Clear Fuel ethanol plant in Claremont, said the state's incentive program "forced development" to rural areas because it capped production capacity, leading smaller plants to seek locations near corn suppliers.

When the federal government attempted to stimulate growth in ethanol production in the 1970s, Doyal said, the incentive was, "I'll write you a big check." Minnesota's program, he said, was based on an ethanol plant successfully starting before the state provided financial support.

"Today, we're here saying, 'Where's the check?'" Doyal said. He said most of the 13 ethanol plants receiving producer payments "doubled their production facilities with the anticipation that the state would stand behind its commitment."

Rep. Maxine Penas (R-Badger) said the state's hard financial times means it must make "hard choices." She requested that ethanol plants provide their latest annual audit to prove that a 16 cents per gallon producer payment is needed. "You need to make a profit," she said. "If you get a subsidy, we need to know the facts."

From fiscal year 1986 to fiscal year 2002, the state has invested about \$206.3 million in the

ethanol industry, according to the state Agriculture Department.

Last year, ethanol production topped 300 million gallons. Corn production during 2002 was 1 billion bushels, the first time in Minnesota history that level has been reached, according to the state Corn Growers Association. According to the department, about 13 percent of that crop was made into ethanol and livestock feed.

Regulating repairs

Warranty work performed by farm equipment dealers on behalf of farm equipment manufacturers would be regulated under a bill approved March 11.

Sponsored by Rep. Greg Davids (R-Preston), HF547 was approved by the House Commerce, Jobs, and Economic Development Policy Committee and now moves to the House floor.

The bill received support from three implement dealers in Caledonia, Fergus Falls, and Madison, as well as from the Farm Equipment Dealers Association, based in Owatonna.

According to the dealers association, almost all farm equipment manufacturers offer warranties on equipment sold to farmers through authorized dealers. However, some do not reimburse dealers adequately for repairs done under the warranty. Many manufacturers lack written warranty reimbursement policies or agreements.

Dealers are expected to provide service at a rate far below their established labor rates, and are not reimbursed for handling and freight costs when replacement parts are shipped, said Rich Strom, the dealer association's executive director.

"The dealer is faced with subsidizing the manufacturer's warranty or charging the customer for the un-reimbursed amount," he said.

HF547 would require manufacturers to reimburse dealer's labor expenses at a reasonable rate, and to reimburse for parts at a rate 15 percent higher than the dealer's net price.

In addition, the bill would require that manufacturers approve or disapprove the dealer's reimbursement claims within 30 days, and pay claims that have been approved within 30 days.

According to Bob Klug of Caledonia Implement, Minnesota has a similar law for warranty work on lawn and garden equipment, all-terrain vehicles, boats, snowmobiles, and licensed motor vehicles.

Fifteen states have similar warranty laws, including North Dakota and South Dakota,

said Donald Lund of Lund Implement in Madison.

A Senate companion bill (SF674), sponsored by Sen. Dallas Sams (DFL-Staples), awaits a hearing before the Senate Agriculture, General Legislation, and Veterans Affairs Committee.

★ CHILDREN

Substitute teachers

The House passed a bill March 6 that would allow licensed child-care providers more flexibility in filling-in for absent teachers.

HF419, which passed 132-0, would allow "experienced aides" to continue filling in for classroom teachers without supervision for up to one-quarter of a center's daily hours. Centers must notify parents that they use experienced aides and post notice in the classroom where the aide works.

Under the bill, experienced aides must be at least 20 years old, be certified in first aid and CPR, and have two years or more of child-care experience, including at least four months at that child-care center. They are not required to be full-time employees or certified teachers.

Similar legislation signed into law in 1999 is set to expire this year.

On the House floor, Rep. Nora Slawik (DFL-Maplewood) asked if the bill would affect the quality of child-care in the state.

The bill's sponsor, Rep. Barb Sykora (R-Excelsior), said child-care providers have been pleased with the practice since it was first allowed in 1999. Since they are already employees of the center, experienced aides are familiar with the students they would supervise, she said. "So when they fill in for a teacher on a day when they need a substitute it really works out better than a substitute might," Sykora said.

"There was never a serious problem of any kind with experienced aides," she added.

Changes suggested by opponents of the 1999 law were incorporated into this year's version and some of those former opponents testified in favor of the bill in House committees.

The bill now moves to the Senate.

★ CRIME

Child murder sentence

The number of crimes punishable by life imprisonment without possibility of release would increase, under a bill approved by the House Judiciary Policy and Finance Committee March 12.

Murdering a child under age 14 with

premeditation and intent would explicitly become first-degree murder under HF550, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center). The bill would also add that crime to the list of first-degree offenses requiring life in prison without the possibility of release.

Hilstrom said she proposed the bill at the request of the state Attorney General's Office, which hopes to deter crime against children and give prosecutors additional leverage when handling such cases.

If approved, she said the sentence would likely be applied in only one case each year.

Current law calls for a life sentence, which means a person must serve at least 30 years behind bars before being eligible for supervised release for the rest of the criminal's life.

Other crimes eligible for a penalty of life in prison without the possibility of release include the following:

- Murder while committing or attempting to commit criminal sexual contact in the first- or second-degree with force or violence,
- Murder in connection with a kidnapping,
- Murdering a prison guard while he or she is performing their duty, and
- Murder in connection with terrorism.

The bill has no Senate companion and next goes before the full House. A similar bill received committee approval last year, but never came up for a vote on the House floor.

Child abuse murders

The killing of any child by a person with a pattern of previous child abuse would garner a harsher sentence under a bill approved March 12 by a House committee.

Sponsored by Rep. Doug Meslow (R-White Bear Lake), HF432 would extend a first-degree murder charge to a known abuser who kills a child during an act of child abuse. Current law only provides for the charge if the suspect has a history of abusing that particular child, otherwise the crime is a second-degree offense.

"Our concern is to target (people) who abuse children repeatedly, whether it is the same child or multiple children," said Assistant Hennepin County Attorney Judy Johnston.

The bill was approved by the House Judiciary Policy and Finance Committee and referred to the House floor.

A Senate companion bill (SF136), sponsored by Sen. Leo Foley (DFL-Coon Rapids), was approved by the Senate Judiciary Committee and awaits a hearing in the Senate Finance Committee.

The fact that this bill, like one proposed by Rep. Debra Hilstrom (DFL-Brooklyn Center) that would toughen penalties for killing a child under age 14, was deemed to have no fiscal impact on the state budget surprised Rep. Eric Lipman (R-Lake Elmo). Lipman said when legislators propose tougher penalties, the prison system generally requires more beds, which requires more money from the state. "If they are putting a marble into the bucket, they should take a marble out of the bucket," he said.

Hilstrom said she supports decreasing penalties for some less-serious offenses. "Our job is to put away the most heinous criminals," she said.

Funding the corrections ombudsman

State Corrections Ombudsman David Larson told lawmakers March 12 that the cost of just a few lawsuits from prisoners would

IDENTITY THEFT PROPOSAL



PHOTO BY ANDREW VON BANK

With visual aids and the help of a page, John McCullough, representing the Retailers Protective Association, testifies before the House Judiciary Policy and Finance Committee March 13 in support of a bill that would prohibit mail theft and provide a venue for identity and mail theft prosecution.

more than outweigh the money saved by eliminating his office.

Larson told the House Judiciary Policy and Finance Committee the ombudsman's work — investigating and resolving complaints about the state corrections system — has helped avoid costly litigation.

The office of Ombudsman for Corrections was created in 1973 and given broad access to prison records and facilities in order to investigate complaints of unlawful actions, unsafe or unjust conditions, or other reported misconduct by corrections officials in state jails and prisons. "Ours is considered a model for many other states' ombudsman's offices," Larson said.

The office has sustained dramatic cuts in the last three years and is pegged for elimination under Gov. Tim Pawlenty's proposed fiscal year 2004-05 budget. After losing funding for seven employees since 2000, the office now operates with Larson and one part-time deputy.

Of the 1,500 calls Larson expects to receive this year, he said he would only be able to investigate 250, one-sixteenth the number of cases the office could handle three years ago.

"I have to wait for them to cluster up someplace before I can act," he said.

Larson said he spends two days a week taking calls from prisoners, families, the public, and the occasional lawmaker, he said. The other three days are spent visiting facilities to investigate complaints and talk to prisoners and officials to try and resolve reported problems.

Rep. Keith Ellison (DFL-Mpls) said he was disappointed to see the governor's recommendation, especially at a time of rising prison populations and looming overcrowding. Ellison said he feared the consequences would go beyond the financial costs of lawsuits.

"When inmates feel they have nowhere to turn and no one to talk to ... that's what causes riots," he said.

Rep. Jim Rhodes (R-St. Louis Park) said Minnesota prisons don't have the problems encountered in other states because they are well-run and administered by the Department of Corrections.

According to the governor's proposal, eliminating the office will save the state \$336,000 in the upcoming biennium.

The committee took no action on the proposal at the meeting.

★ EDUCATION

Mandate opt out

The House Education Policy Committee approved a bill March 6 that could relieve school districts from following certain state policy mandates.

Sponsored by Rep. Mark Olson (R-Big Lake), HF472 was referred to the House State Government Finance Committee.

Effective with the 2003-04 school year, the bill would establish a procedure, including public hearings, for school districts to notify the state that they want to opt out of a state mandate.

Olson said the bill was "not targeting any mandate in particular." Its purpose, he said, was to foster "intergovernmental communication, a vehicle which does not exist today."

Opponents said it could potentially allow school districts to seek release from special education, transportation, health, and safety standards or the state's public employee bargaining law, among other mandates. Olson said it was not the bill's intent to allow districts "to avoid the responsibility of a mandate."

Under the bill, if 10 percent (approximately 35) of the state's school districts were to notify the state during a regular legislative session that a required mandate does not apply to them, both the House and Senate must each respond by taking timely action during the session on any bills related to the issues the school districts raised.

The bill would require a district to state the reason it wants to be relieved of a state mandate and "indicate how the school district will otherwise meet the objectives of the mandate." A local school board would be required to hold at least one public hearing on the issue and identify the district's costs of mandate compliance that would exceed state and federal funds the district receives. The district would also have to identify the state or federal revenue it could lose by opting out of the state mandate.

State mandates districts could not opt out of include election law, property taxes, and financial accounting and audit requirements.

A companion bill (SF737), sponsored by Sen. Michele Bachman (R-Stillwater), awaits a hearing in the Senate Education Committee.

Parental involvement

The House Education Policy Committee approved a bill March 6 that would give local school boards the option to create parent-teacher committees to evaluate parent involvement programs in schools.

Sponsored by Rep. Keith Ellison (DFL-Mpls), HF218 would establish parent involvement review committees on a two-year pilot

basis with the goal to improve the academic achievement of all students, including at-risk students. The bill does not require school boards to establish new programs.

Parental involvement in schools is "spotty," Ellison said. "We want to say as a Legislature that parents need to be engaged. This is a way to do that."

Several committee members questioned why the bill was necessary.

Zona Sharp-Burk, executive director of the Minnesota Academic Excellence Foundation, said nearly all school districts in the state have parent involvement programs, but they're often of the "one page fits all" type. "Do they (districts) do them well and evaluate? No," Sharp-Burk said.

The committees a school board could establish under the bill would consist of two-thirds parents and one-third teachers. They could evaluate the effectiveness of district-wide parental involvement programs or those at a specific school. The bill would require that a majority of committee members be parents of students enrolled in the school district.

Participating district and school site evaluation committees would have to report to the school board by March 1 of the school year.

The bill, which would be effective for the 2003-04 and 2004-05 school years, was referred to the full House.

A Senate companion bill (SF346), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits a hearing before the Senate Education Committee.

Limiting teacher leave

Leaves of absence for public school teachers to teach at a charter school would be limited to five years, under a bill passed 132-0 by the House March 6.

Sponsored by Rep. Carla Nelson (R-Rochester), HF424 would amend state law by placing a defined length on charter school leaves granted by a school district. The law now allows a leave to be granted for the number of years a teacher requests. The bill would also give school boards the authority to consider extending a teacher's leave beyond five years. The law now requires a school district to extend the leave at the teacher's request.

Nelson said school district associations and the teachers' union support the bill, which was requested by Rochester Public Schools. Unlimited leaves have made it hard for the district to find long-term substitute teachers to replace those who moved to a charter school, Nelson said.

There are 78 charter schools operating in the state, under a law approved in 1991. School districts must grant a teacher's written request

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

for a leave to teach in a charter school. Teachers maintain reinstatement rights to the position they vacated, as well as seniority, salary, and insurance rights under their union contract with the school district.

The bill would take effect the day after enactment and apply only to approvals of leaves or extensions of leaves made after that date. It now moves to the Senate.

ELECTIONS



School board elections

A bill that would allow a school district to switch from electing its members by ward to electing them on an at-large basis was approved March 10 by a House committee.

Sponsored by Rep. Stephanie Olsen (R-Brooklyn Park), HF 391 was approved by the House Governmental Operations and Veterans Affairs Policy Committee and now moves to the House Education Policy Committee.

Current law allows school districts to elect board members a number of ways — either by ward, by a combination of wards and at-large seats, or all at-large seats. While a district may change from an at-large system to a ward system, it may not elect to do the reverse. The bill would allow that option.

Bob Meeks, director of governmental relations with the Minnesota School Boards Association, said an example of the need for the bill occurred when the Lake of the Woods School Board wanted to close a building due to declining enrollment. The district had the option of electing members at-large, avoiding bias toward ward-elected members who wouldn't vote for the closing because it affected their ward. He says the addition to law "empowers" people.

A special election would need to be held to make the change to at-large elections. It could be called by a school board acting on its own or by a petition of 50 people or a number equal to 10 percent of the votes cast in the most recent school general election.

Rep. Bill Hilty (DFL-Finlayson) expressed concern that the bill could allow a population center to elect every member to its school board, meaning rural areas might not be adequately represented.

Meeks replied that the process is very similar to a representative's election in a district, and currently consolidated districts can do exactly what Hilty described.

An amendment successfully offered by Rep. Marty Seifert (R-Marshall) would require that any change be voted upon at a general election, rather than a special election. He says a rural resident might "not put as much effort" into getting to the polls on a snowy day for a special election, as they would a general election where they might

be voting for president.

Olsen says the bill has good things in it, because it encourages school board members to visit all areas of a consolidated school district.

A Senate companion (SF451), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action in the Senate Rules and Administration Committee.

EMPLOYMENT



Passing along information

The House approved a bill March 10 that would make it easier for employers to relay certain information about current and former employees to other prospective employers without the fear of lawsuits.

Sponsored by Rep. Jim Knobloch (R-St. Cloud), HF480 would let companies pass along basic employment information such as wages and job description as well as written disclosures of any instances of theft, harassment, violence, or other illegal conduct that has been documented in the employee's record. The employee's consent would not be required for disclosure of this information.

Knobloch said many companies are reluctant to pass on significant information about employees to other companies for fear of expensive lawsuits resulting when an employee thinks the information shared hurt their chance to get a job. The consequences can be dangerous, he said, when the information failing to be passed along deals with violent behavior, illegal activity, or sexual misconduct in the workplace.

Employees wanting to bring suit under the bill would have to meet a high burden of proof by showing clear and convincing evidence that the information was both knowingly incorrect and harmful to them.

A provision in the bill dealing specifically with school districts would require districts to share documented information about sexual misconduct or violence towards a student.

On a 128-0 vote, the House defeated an amendment by Rep. Anthony Sertich (DFL-Chisholm) to remove the language dealing with schools.

Representatives of Minnesota's business community testified in a House committee Feb. 26 that the bill would help them hire the best possible workers and ensure the safety of their employees and the public.

Labor union representatives testified against the bill, saying employees would not be made aware of what information had been shared between employers. They also claimed the high burden of proof would make it virtually impossible for employees to successfully prove an employer lied about their work record and that they were convincingly harmed as a result.

A similar bill passed both houses of the Legislature in 2001, but did not make it past a conference committee.

This year's bill now moves to the Senate.

Future jobs

The future of Minnesota's workforce and the measures the state government must employ to meet that workforce's needs are spelled out in a report presented March 11 to the House Jobs and Economic Development Finance Committee.

The Governor's Workforce Development Council presented an inventory of publicly funded workforce development programs and a strategic plan.

Among the report's findings is that a long-term labor shortage will be witnessed again in Minnesota. By 2010 there will be nearly 3.3 million jobs in the state, an increase of 400,000 from 2000. This 13.1 percent gain in jobs compares to only a 12 percent projected gain in the workforce in the same period.

The workforce will be increasingly diverse. In 1990, 6.3 percent of the state's population identified themselves as non-white or Hispanic, or both. In the 2000 census, 11.8 percent were non-white. No future projections were given for this demographic.

"This presents an excellent opportunity to continue and expand efforts to welcome and attract immigrants to Minnesota," stated the report.

Also on the horizon is a shortage in fundamental worker skills, as well as in the skills areas of scientific and technical, managerial and administrative, human services, and medical skills. Some of these shortages can be addressed through primary and secondary level education, according to the report.

"Although we face other challenges in growing Minnesotans' income over time, (it's clear) that Minnesota's economy supports many jobs that require little or no experience or advanced training. ... We could do more to help prepare and place many high school students who will not, at least in the short term, pursue advanced education and training," stated the report.

The report concluded that addressing the long-term labor and skill shortages would require:

- Creating greater mobility in the labor market by making benefits, such as health care and pension coverage, portable;
- Finding additional people to enter the labor market, such as immigrants, people with disabilities, older workers, welfare recipients, ex-offenders, and others; and
- Encouraging a workforce with skills, specifically in the high labor demand area of nursing.

The committee took no action on the report.

★ ENERGY

More nuclear waste storage

A bill that would allow additional radioactive waste storage at the Prairie Island nuclear power plant and remove the Legislature's authority to determine future waste storage requests at either the Prairie Island or Monticello nuclear plants received a first hearing March 12 before the House Regulated Industries Committee.

There was no action on HF775, sponsored by Rep. Torrey Westrom (R-Elbow Lake), the committee chair. The hearing was continued to March 18.

Westrom said the bill would "keep the lights on" in the state, noting that nuclear plants provide 20 percent of the state's energy supply.

Xcel Energy has said it needs additional dry storage casks for spent nuclear fuel rods at Prairie Island or it would have to shut down the plant in 2007.

The bill would allow Xcel to add an unspecified number of dry storage casks to the 17 currently at Prairie Island that the Legislature approved under a 1994 compromise with the utility. Federal regulations would allow up to 48 casks on the site. That 1994 legislation, which allowed the off-site storage silos and committed the utility to develop renewable

energy resources, was the culmination of a several-year legal battle between the utility, the Public Utilities Commission, environmental groups, and the Indian community that lives on Prairie Island.

Jurisdiction over future nuclear storage facilities or dry cask storage units at Xcel's two nuclear plants would return to the Public Utilities Commission, according to the bill.

The bill would also reduce Xcel's financial obligation to fund renewable energy development, now at \$8.5 million annually, with a preference for projects in Minnesota. That amount is based on \$500,000 per 17 dry casks at Prairie Island. The bill would reduce the annual amount for renewable development to \$6 million (\$500,000 per each of 12 casks) and direct \$2.5 million to be spent toward a potential settlement with the Mdewakanton Dakota Tribal Council.

The tribal council opposed additional dry cask storage in an appearance before the committee last month, but said it was negotiating with the utility.

Westrom said the parties may be close to an agreement on such issues as emergency access off the island, movement of the plant's high-powered transmission lines, and possible relocation of reservation members who live close to the plant.

The Minnesota Chamber of Commerce and representatives of four businesses who are Xcel customers testified in support of the bill.

George Crocker, executive director of the North American Water Office, spoke against the bill. He said it would reverse the state's commitment to develop renewable fuel sources as potential alternatives to nuclear power. "Why make a commitment to a terribly unforgiving technology?"

★ ENVIRONMENT

Battling animal disease

The House Agriculture Policy Committee approved a bill March 12 that would provide more regulatory tools for the state's Board of Animal Health and Department of Natural Resources to track and control chronic wasting disease, which is fatal to deer and elk.

Sponsored by Rep. Howard Swenson (R-Nicollet), the committee chair, HF649 was referred to the House Environment and Natural Resources Policy Committee. The bill, Swenson said, would help "control the disease and hopefully prevent it from becoming a major issue in our state."

Chronic wasting disease is a slow progressive brain disease caused by an abnormal protein that's fatal to animals of the cervidae

family, including white-tailed deer, elk, moose, and caribou. The state's first cases of the disease were found last summer in two farm elk, part of herds near Aitkin and Sauk Centre.

There are 30 elk herds currently quarantined in the state, said William Hartmann, executive director of the state Board of Animal Health. Along with the Departments of Agriculture and Natural Resources, the board has been monitoring both captive and wild deer and elk more closely since chronic wasting disease was found in Wisconsin wild deer in February 2002. That led to quick legislative action a year ago to control the threat of the disease in Minnesota and restrict imports of deer and elk.

A legislative report on the disease, required by the 2002 law, recommended the animal health board be provided \$600,000 to increase its regulatory program.

Swenson's bill would require owners of deer, elk or other live cervidae to register with the animal health board by Jan. 1, 2004, provide a verified inventory of farm herds, and report any movement of animals in a herd to another location within 14 days. The bill would also require that all perimeter fences for elk or deer herds be at least eight feet high, and that import restrictions on deer and elk that are due to expire June 1, 2003 be made permanent.

James Byrne, president of the Minnesota Elk Breeders Association, said his 250-member group supports the bill. "Our farmers are willing to go the extra step," he said. "It benefits our market to have a disease free state."

About 230 herds have participated in the animal health board's voluntary program to monitor the disease. The bill would require all 770 of the state's deer and elk farms to participate and submit brain samples of deceased animals for testing.

The bill would also give the commissioner of natural resources wide-ranging authority to take emergency action to prevent or control wildlife diseases and would prohibit the taking of wild or native deer as pets.

A companion bill (SF548), sponsored by Sen. Steve Dille (R-Dassel) was approved by one Senate committee and referred to the Senate Agriculture, General Legislation, and Veterans Affairs Committee.

Wastewater treatment

A bill that would repeal recently published rules regarding water quality standards was approved by the House Governmental Operations and Veterans Affairs Policy Committee March 11.

Sponsored by Rep. Bill Kuisle (R-Rochester), HF426 would require the Minnesota Pollution Control Agency to adopt new water



Tom Clarke, left, who opposes more nuclear waste storage casks at Xcel Energy's Prairie Island nuclear power plant, talks with Diane Peterson, right, who brought her sign to the House Regulated Industries Committee meeting March 12. The committee took no action on a bill that would, among other things, allow additional dry storage casks at the facility and reduce the company's obligation to fund renewable energy development.

quality assessment rules by Jan. 1, 2004, instead of those published in the State Register on Jan. 27 of this year.

The rules are used to satisfy a federal requirement whereby states must submit a list of "impaired water" sites to the Environmental Protection Agency every two years. At issue is what definitions the PCA uses to determine whether water is impaired.

For bodies of water deemed to be impaired, states must then adopt total maximum daily loads for the problem pollutants. Counties and municipalities say they don't have the money to fund the costly process to treat wastewater.

Citing a likely reduction in local government aid and other mandates continually being put on cities by the state, Kuisle said test costs should not be "passed onto to local units of government."

Steven Nyhus, an attorney for the Coalition of Greater Minnesota Cities, said the words are so vague that the expensive process could be applied to any accumulating water body, even a golf course pond. Nyhus said PCA rules specify every single body of water must be protected for "aquatic life and recreation."

Nyhus also said attempts have been made to have definitions clarified by agency officials, but no clear explanation has been received.

Keith Nelson, director of public works in Winona, said, "this is a powerful hammer the PCA can use against our communities."

Agency officials said the bill would undo two years of agency rulemaking that cost about \$475,000.

Marvin Hora, program administrator in the agency's executive office, called the bill "unreasonable" considering the process of how the rules were developed. He said the coalition, along with a myriad of groups, asked the agency to come up with the rules that defined the waters that should be put on the list.

Faye Sleeper, program administrator in remediation for the agency, said it is still in the process of deciding how to address the total maximum daily loads, and if the bill became law, the Legislature would be placing the "stakeholder process before the rulemaking process."

Mark Ten Eyck, advocacy director for the Minnesota Center for Environmental Advocacy, said "These definitions are not new," noting they have been in the program for 25 to 30 years and the language hasn't caused problems before. "Golf courses haven't been closed," he said.

The bill moves to the House Environment and Natural Resources Finance Committee. A companion bill (SF419), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Environment and Natural Resources Committee.

★ ETHICS

Complaint filed

House DFLers filed an ethics complaint March 11 against Rep. Arlon Lindner (R-Corcoran) for remarks he made about gays and history.

On the House floor one day prior, Lindner reiterated his belief that homosexuals may not have been persecuted during the Nazi Holocaust.

Lindner is also the sponsor of a bill (HF341) that would remove sexual orientation as a protected class under the state Human Rights Act and in other statutory provisions.

"What I'm trying to prevent is the holocaust of our children getting STDs, AIDS, and various other diseases that's going to affect their lives the rest of their lives," he said. "If you want to sit here and wait until America becomes another African continent, well then, you do that, but I'm going to try to do something about it."

The complaint offers two counts against Lindner: that his conduct "violates accepted norms of House behavior" and that his comments "bring the House into dishonor or disrepute." The complaint is signed by five Minneapolis DFLers (Rep. Karen Clark, Rep. Keith Ellison, Rep. Frank Hornstein, Rep. Margaret Anderson Kelliher, and Rep. Neva Walker), Rep. Lyndon Carlson (DFL-Robbinsdale), House Minority Leader Matt Entenza (DFL-St. Paul), and Rep. Ron Latz (DFL-St. Louis Park).

On the House floor Rep. Dennis Ozment (R-Rosemount) said Lindner has the right to free speech under the First Amendment whether someone agrees with him or not.

Entenza agrees, but said a day later, "The question is has he brought the House into dishonor and disrepute." Entenza says yes. House rule 6.10 says an ethics complaint may be brought against a member if his or her conduct does that.

The next step in the process would be a hearing before the House Ethics Committee, which under existing rules must occur within 21 days of the receipt of the complaint by the committee chair, Rep. Sondra Erickson (R-Princeton). She received the complaint March 12. The committee has options ranging from doing nothing to expelling Lindner from the House.

DFLers are asking for Erickson to be removed from the proceedings because she is a co-author on HF341. House Speaker Steve Sviggum (R-Kenyon) doesn't intend to do that, saying, "That will not affect Rep. Erickson's decision in any way, shape, or form. I have the utmost faith in Rep. Erickson, but I will speak to her about it."

DFLers are also calling for the removal of

Lindner as chair of the Economic Development and Tourism Division of the House Commerce, Jobs, and Economic Development Committee.

Sviggum said he "strongly considered" doing that, but chose not to.

"Even though his words were offensive to me and my caucus, and wrong, think of the chilling effect that would be done to debate on the House floor or in committees if the speaker by one person could say 'These words were offensive so there is going to be a consequence. There's going to be a removal of a committee assignment or chairmanship,'" Sviggum said. "That would be really dampening to this process we believe in so strongly in relationship to the right of free speech."

"I think Rep. Lindner needs to face the consequence of his own words and his own actions. He has a good heart but it seems every word he uses gets him in a worse position."

★ GOVERNMENT

Requiring impact notes

A bill that builds on another moving through the Legislature was approved by the House Governmental Operations and Veterans Affairs Policy Committee March 12.

Sponsored by Rep. Marty Seifert (R-Marshall), the bill (HF624) would require the commissioner of finance to prepare a fiscal impact note, upon the request by a governing body, if proposed administrative rules cost the entity more than \$10,000 over a one-year period. Such rules are enacted by state agencies and have the full force of law. Seifert said that currently only the chair of the House Taxes Committee can request a fiscal note.

Seifert said he "cleaned up" the bill, and added townships to the governing bodies that can request a fiscal note. In addition, he said he lowered the fiscal impact number from \$100 million over a 10-year period, as was suggested in the previous bill.

Rep. Phyllis Kahn (DFL-Mpls) raised questions regarding how the timeline would work for the commissioner to supply a fiscal impact note. For example, she said, what if a governing body requested one 10 minutes before a meeting. She offered an amendment that would give the commissioner 10 days to calculate the impact. The amendment was adopted.

Rep. Stephanie Olsen (R-Brooklyn Park) said the \$10,000 was a "low threshold" considering large school districts such as Minneapolis and counties such as Hennepin County. Seifert responded that an amendment could be offered to "exempt the metro area ... if you want to let the mandates flow."

Kahn raised the question that the bill doesn't address a cost versus cost scenario where a city could pass the financial burden onto another city. Seifert said as the bill moves forward to the State Government Finance committee, he is willing to work on the bill's language to address those concerns.

There is no Senate companion for HF624.

The Senate companion to Seifert's previous bill, (SF61), sponsored Sen. Don Betzold (DFL-Fridley), was passed March 3 by the Senate. SF61 passed the full House March 13.

Legislative, commission plans

A number of employees could lose their jobs, and services would be reduced if Gov. Tim Pawlenty's planned 2004-05 budgets for the Legislature and areas falling under the Legislative Coordinating Commission heading ultimately become law.

"This is not a pleasant task for any of us to go through," Rep. Bill Haas (R-Champlin), chair of the House State Government Finance Committee, said at the March 11 meeting.

House Controller Paul Schweizer said the estimated need for current operations to continue status quo would mean that \$59.5 million would be needed in the 2004-05 biennium. However, the governor is proposing \$48.3 million.

Schweizer said options are being formulated as to how the target will be met, but that a reduction in services and staff would be necessary.

He said that he has not heard how the Senate would address its equal 15 percent reduction, to \$36.1 million for the biennium.

That status quo includes \$2.8 million that has already been trimmed by the House in fiscal year 2003. In addition to \$2 million in salary and staff savings from things such as voluntary leaves of absence, keeping permanent positions vacant, and reducing the number of temporary staff, \$315,000 has been saved by eliminating out-of-state travel and canceling committee budgets, and \$485,000 has been saved in miscellaneous ways, such as postponing equipment purchases and eliminating newspaper subscriptions, over-the-counter medications, coffee, and some bottled water.

Rep. Paul Thissen (DFL-Mpls) said he has heard from many people wanting to know if television coverage would still be available.

Schweizer said that both the House and Senate allocated an additional \$95,000 for the current fiscal year to keep legislative television on the air through the end of session. Pawlenty canceled grant money for this purpose when he resolved the current deficit. That would have meant

no over-the-air programming as of mid-March.

The Legislative Coordinating Commission serves as an umbrella organization over joint agencies and legislative commissions. Among those are the Office of the Revisor of Statutes, Legislative Reference Library, and the Office of the Legislative Auditor and Legislative Audit Commission.

Representatives from 11 areas said they are all looking at ways to save money as well, but few had any ideas set in stone.

"We're scouring for areas in the budget to

eliminate without hurting services," said LCC Director Greg Hubinger, "but we will probably need to eliminate some staff."

For example, Legislative Auditor James Nobles said they will reduce their workspace to hopefully decrease their rent in the Centennial Office Building by \$40,000 annually, and employee salary saving leaves of 80 hours will be recommended. He said even with those reductions he anticipates having to keep nine vacant positions unfilled, and let go another 8-10 people from his current staff of 70.

"We've pared everything we can find, but it will cut into people," said Robbie LaFleur, director of the Legislative Reference Library, which is looking at an 18.8 percent funding reduction. "We're in the process of seeing all that we can do."

The committee took no action on the proposal at the meeting

SILENT RALLY



PHOTO BY TOM OLMSCHIED

Crystal Martinez, a freshman in the deaf program at St. Louis Park High School, holds a string of hands provided by students in the sign language program at Chaska High School to demonstrate the importance of services to deaf, deaf blind, and hard of hearing individuals during a March 11 rally in the Capitol Rotunda.

★ HEALTH

Long-term protection

A bill passed by the House March 6 would give state protection to holders of long-term care insurance in the event their insurer goes out of business or declares bankruptcy.

Approved 131-0, HF51 would put long-term care insurance in the same category as health and life insurance.

Under Minnesota law, if a company providing those types of insurance goes bankrupt, the state protects its clients by ensuring up to \$300,000 in claims, under the Minnesota Life and Health Insurance Guarantee Association.

The bill's sponsor, Rep. Greg Davids (R-Preston), said he was surprised to learn that long-term care was not explicitly covered under that protection. He said that his bill was to clarify potential confusion and was not in response to any specific problems that have arisen.

Long-term care insurance mainly covers costs associated with nursing home care. Even though only a small percentage of Minnesotans currently have the insurance, Davids said those who do should be protected.

The Minnesota Life and Health Insurance Guarantee Association is funded by money collected from the insurance companies it protects.

The bill now moves to the Senate.

★ HIGHER EDUCATION

Student concerns

In the late-1980s, John Hoverman had to leave the University of Minnesota-Duluth because he could no longer afford to pursue a

degree in electrical and computer engineering.

He said that since then he has had trouble finding jobs because companies want someone with a degree. By his estimates, he has lost \$450,000 in income since he left the university. He said in his best year he made less than \$30,000.

When he left school, Hoverman said he needed to begin repaying student loans. With his income it was a struggle to pay them off, and they went into default at one point.

Now, Hoverman is back at the Duluth campus in large part he said because his family was able to help him pay off his thousands of dollars in loans.

"My story is that this can happen to others," he told the House Higher Education Finance Committee March 6.

Hoverman was one of nine students to tell legislators what might happen if the reductions in higher education funding, as proposed by Gov. Tim Pawlenty for the next biennium, become law. The students were part of the University of Minnesota's student advocacy day.

"We're poor kids, poor students," said Nicole Lisk, a junior in the pre-nursing program at the Twin Cities campus. "We can't afford the governor's proposal."

The governor's plan calls for a general fund reduction of \$179 million to the university in the next biennium. University leaders, who say that with other proposed reductions the total adds up to almost \$200 million, also say that raising tuition will have to be part of the solution.

Nate Saete, a sophomore at the Crookston campus, said students there mainly come from middle-income families. He said that not only would some students no longer be able to afford college, but also the number of classes could be reduced, meaning fewer elective choices.

"We can deal with colder classrooms and things like that," said Cendy Gonzalez, a sophomore at the Morris campus, citing other ways to reduce costs. But she, too, questioned how some students would deal with higher costs.

One of the larger concerns is a Pawlenty plan to take \$30 million from the base budgets of the university and Minnesota State Colleges and Universities (MnSCU) system and put it in the state grant program.

Lisk said that is not fair to public school students, because the money would go from their institutions, and into a system where more than 50 percent of the funds are distributed to students at private colleges and universities. "That money needs to be kept in the institutions," she said.

The committee took no action on the budget proposal at the meeting.

HESO budget effects

The 2004-05 biennial budget proposed by Gov. Tim Pawlenty could offer good news for some students, but not enough to ease concerns about tuition increases.

Robert Poch, director of the Higher Education Services Office (HESO), told the House Higher Education Finance Committee March 10 that the governor's plan calls for a \$60 million increase in funding for the state grant program. He said \$54 million of the amount would go towards meeting the increase in demand from fiscal year 2003, and the remainder would help offset tuition and fee increases of about 3 percent in both 2004 and 2005.

However, a number of committee members noted that the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system are anticipating tuition increases far greater than 3 percent.

Poch said that if there is insufficient money to cover needed grants, the governor's plan calls for money to be transferred from the state work-study program and then from child-care grants. The programs are proposed to receive \$12.4 million and \$4.7 million in each year of the next biennium, respectively.

With the anticipated tuition rates, Rep. Ron Latz (DFL-St. Louis Park) said that the governor might as well say that work-study and child-care grants will be zero in the next biennium because the money would go to state grants.

If the transfer of that money were still not



Robert Poch, director of the Higher Education Services Office, tells the House Higher Education Finance Committee March 10 what the governor's proposed budget would mean for the State Grant Program and other financial aid programs.

enough, the third option would be to place a surcharge on families, and the fourth option would be to increase the student share by at least 1 percent.

Poch reluctantly admitted that if aid is reduced it could ultimately lead to students not being able to attend a post-secondary program.

Upon questioning from Rep. Jeff Anderson (R-Austin), Poch said that Minnesota ranks high in regards to giving financial aid to students, but it is too early to tell how the current situation will affect the state's rank. "It depends on what other states do," he said.

The governor's recommendation also cuts funding for a program that provides grants to low-income students in grades 7-11 to attend a summer program at a post-secondary institution. Higher Education Services Office officials say the program reinforces or initiates student plans for higher education. The 2001 Legislature allocated \$275,000 for the program for each year of the current biennium, an amount later reduced to \$200,000 by last year's Legislature.

Additionally, grants for students achieving a certain grade in an Advanced Placement/International Baccalaureate high school class would be zero for the next biennium. Nearly 130 awards have been granted at either \$625 or \$525 per student this fiscal year.

Poch said if the plan were approved, both programs would be eliminated. He said there would be no staff savings because those administering the programs had the duties tacked on to their additional activities.

The committee took no action on the proposals at the meeting.

★ INSURANCE

Health care costs

A state health insurance plan for high-risk enrollees would be allowed to offer higher deductibles for clients desiring smaller premiums, under a bill approved by the House Commerce, Jobs, and Economic Development Policy Committee March 6.

HF673, sponsored by Rep. Bill Haas (R-Champlin), now moves to the House floor.

The Minnesota Comprehensive Health Association (MCHA), a nonprofit corporation created in 1976 by the Legislature, offers health insurance to Minnesotans who have been denied private health insurance coverage due to pre-existing health conditions. Under state law, all health insurance companies doing business in the state must belong.

Among 30 high-risk pools in the United States, Minnesota is the second oldest and the largest, according to Association President Lynn Gruber. It counts 31,000 members, of which 60 percent

live in Greater Minnesota. Individuals seeking coverage must have lived in Minnesota for six months and have proof of rejection by a private health insurance carrier. Pre-existing conditions are not covered under the client's first six months on the program.

State law mandates that premiums be offered at prices 1 percent to 25 percent higher than private market rates to individuals in the program. Client premium rates vary by age and deductible plan, but not by gender or medical history. The average age of members is 50, with premiums varying from \$590 a month to \$856 a month.

The plan currently offers premiums with annual deductibles of \$500, \$1,000, and \$2,000. HF673 would add optional deductibles of \$5,000 and \$10,000. Gruber said clients have requested higher deductibles in order to lower premiums.

In addition, the bill would add language pertaining to employees who have lost work, in part, to international competition under the Federal Trade Act of 2002. Under this federal provision, individuals can receive a tax credit for 65 percent of their premiums. The six-month residency requirement is waived, as is the pre-existing condition limitation.

Currently, the risk pool contracts with Blue Cross and Blue Shield of Minnesota for health care services. HF673 would allow extension of the contract for three years.

One-half of the association's costs are covered through premiums, with state law requiring that member insurance companies be assessed the remaining costs. Companies in turn pass the assessment on to clients, which in today's market are usually small businesses and individuals. Medium- and large-size entities, including the State of Minnesota, often opt to self-insure.

Therefore, small businesses bear the brunt of the association's assessment, Gruber said. To ease the pain felt by small businesses, the association received appropriations from the Legislature of \$200,000 in 1978, \$30 million in 1999, and \$15 million in 2000.

Gruber said no money would be requested this year. "As long as the state has a deficit we are not going to be coming to the Legislature looking for dollars," she said.

HF673 has no Senate companion.

LAW



Allocating settlement money

Money collected from lawsuits brought by the Minnesota Office of the Attorney General must continue to be deposited in the state's general fund, under a bill that passed the House March 6.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF106 makes a 2001 law permanent by removing its 2004 expiration date. The law requires that damages or settlement money collected on behalf of the state go into the general fund rather than to any special fund or outside entities.

Wilkin cited the historic tobacco settlement as an example of the practice the law seeks to stop.

In that settlement, \$202 million was put into a fund dedicated to anti-smoking programs that he said is now "out of reach" of the Legislature. He also noted a settlement between the state and US Bank that specified money must be given to the non-profit group Habitat for Humanity.

"The Legislature should have deciding authority over where taxpayer dollars are allocated and not the courts," Wilkin said.

Rep. Ron Latz (DFL-St. Louis Park) said the law represented a dangerous precedent.

"The Legislature should not be in the business of interfering with the litigation process and the settlement process," Latz said. He added that sometimes it's a good idea to keep money away from the Legislature. Referring to the tobacco settlement money he said, "If this Legislature had the opportunity to touch that money, I'm sure it would."

Rep. Eric Lipman (R-Lake Elmo) responded that the constitutional obligation to spend the state's money lies with the Legislature, not the executive branch. "Taxpayers are entitled to a little accountability from the Attorney General's Office," he said.

Wilkin said the law only applies when the state brings suit on behalf of the taxpayers, not when it is suing for a specific fund or on behalf of a particular group of people.

The bill passed 83-49. It now moves to the Senate.

LOCAL GOVERNMENT



Community withdrawal

The City of Rockford will be allowed to withdraw from the regional planning agency serving the seven-county Twin Cities metropolitan area under a bill approved March 11.

Sponsored by Rep. Dick Borrell (R-Waverly), HF415 passed the House Local Government and Metropolitan Affairs Committee and now moves to the House floor.

Under current law, the Metropolitan Council serves the seven-county metropolitan area, save for three cities. Removed in 1978 was New Prague; 1980, Northfield; and 1983, Hanover.

Rockford has 1,100 homes in Wright County, which does not fall under Metropolitan Council purview, and 84 homes in

Hennepin County, which is in the council's jurisdiction. It's unnecessary, said Borrell, for the city to follow Metropolitan Council policies requiring submittal of long-range plans, low-income housing reports, and other paperwork for a small portion of the city.

"It's quite a burden for a small number of homes," Borrell said.

Rockford Mayor Mike Beyer added that Rockford's city limits extend into Hennepin County by 11 acres. The acreage is undeveloped, hilly, and has been for sale for quite some time. The growth of the city is occurring in another direction, he added.

Rep. Mark Buesgens (R-Jordan) said he not only supported HF415, but also hopes to discuss at a later date allowing all local governmental units within Metropolitan Council jurisdiction to withdraw.

Rep. Frank Hornstein (DFL-Mpls), a former Metropolitan Council member himself, said, "I think it (the bill) makes sense to me in terms of the way the city is growing." However, he said, he doesn't support drawing a conclusion from it about the overall relevance of larger metropolitan governing bodies.

A balance must be struck, added Hornstein, between local control and the need to plan as a region for growth and land use.

A companion bill (SF512), sponsored by Sen. Mark Ourada (R-Buffalo), awaits action from the Senate State and Local Government Operations Committee.

RECREATION



Shooting ranges under fire

Though gun ranges are unusual in urban settings, whether range operators should pay for relocation when cities expand toward the ranges in more rural areas is up for debate.

A bill that would prohibit local governments and neighbors from limiting the operation of



David Gross, representing the Minnesota Gun Owner's Civil Rights Alliance, testifies before the House Environment and Natural Resources Policy Committee March 11 in support of a bill that would define shooting range practices in relation to local ordinances, closing and relocations, and nuisance liability.

shooting ranges was approved by the House Environment and Natural Resources Policy Committee March 11 and sent to the House floor.

The bill (HF327) would direct the Department of Natural Resources to develop generally accepted operation practices for shooting ranges and protect those ranges who comply with the guidelines from nuisance lawsuits. The measure also would require local governments to pay for noise buffering when development approaches within one mile of an established shooting range.

"We are telling local governments, 'Please don't encroach on shooting ranges because they are a valuable asset to the state of Minnesota,'" said bill sponsor Rep. Tom Hackbarth (R-Cedar).

"Shooting ranges are a precious and, I'm sorry, fragile resource," said David Gross of the Minnesota Gun Owners Civil Rights Alliance. Towns have "moved out and we've got more people, more development, and there is more pressure on this resource."

Shooting ranges and preserves are one of the largest industries in Minnesota, Gross said. He described the fiscal impact of shooting ranges as a "ripple effect" that contributes as much as \$4 billion to the state's economy.

Rep. Rebecca Otto (DFL-Marine on St. Croix) said she does not know of any other industry where the taxpayers have to pick up the tab if they don't like the emissions.

"He who calls the tune must pay the piper," Gross replied, and suggested that there is a lot more room for cooperation than local governments admit.

Several associations representing cities, towns, and counties oppose the bill because it would unnecessarily restrict local planning and zoning authorities, they say.

Craig Johnson, an intergovernmental relations representative with the League of Minnesota Cities, said the bill would allow the property rights of a shooting range owner to supersede the rights of all other surrounding property owners.

"That's what zoning is all about — striking the balance of competing needs regardless of their use," said Kent Sulem, an attorney with the Association of Minnesota Townships. "This bill does not provide the balance."

A companion bill (SF462) sponsored by Sen. Jim Vickerman (DFL-Tracy) has been referred to the Senate State and Local Government Operations Committee.

Future park acquisition

The most significant growth years for Minnesota's state parks system were 1937, 1957, and 1963, according to the Department of Natural Resources. Today, the system



Bill Morrissey, director of the Department of Natural Resources Parks and Recreation Division, testifies before the House Environment and Natural Resources Policy Committee March 11 about a bill that would establish a new state park in Meeker County.

includes nearly a quarter of a million acres of land and could grow by 1,140 acres under a proposal (HF681) brought to the House Environment and Natural Resources Policy Committee March 11.

"It's an undeveloped piece of land that we can't afford to lose," bill sponsor Rep. Dean Urdahl (R-Grove City) said of the parcel on Greenleaf Lake in Meeker County. The land is available and affordable now, he said, in response to the question on everyone's mind — why the state would do this under the current budget situation.

This is the beginning of a process that may take six to eight years, Urdahl said. It's an "expression of faith to the future."

The Department of Natural Resources has taken a neutral position on the bill, although they have served in an advisory capacity, said DNR Parks and Recreation Division Director Bill Morrissey.

The parcel meets the criteria for state parks set forth in statute, Morrissey said. It is a "transition zone between big woods and prairie landscape," he explained.

In addition to the potential for hiking, camping, boating, fishing, skiing, and snowmobiling, there is an opportunity for public education because "the Dakota Conflict of 1862 really started here," Morrissey said.

The cost to the state could be in the neighborhood of \$1 million to establish basic facilities, Morrissey said, and he tossed out the following ballpark figures:

- \$300,000 for a headquarters station;
- \$500,000 for a medium-sized campground; and
- \$200,000 to build roads and trails.

The Parks and Trails Council of Minnesota strongly supports the initiative and would be willing to provide some private funding to acquire the land now and seek reimbursement from the state at a later date, said Executive Director Dorian Grilley. The council does not make a profit from the sales, Grilley said.

Mark Geyer, a Greenleaf Lake landowner

speaking on behalf of Ellsworth Township residents, said local support for the park is strong. Geyer mentioned endorsements from the Litchfield and Hutchinson chambers of commerce and Meeker County Board, and he cited a 93 percent approval rating of the park initiative from respondents to a recent local newspaper poll.

The measure will be considered for possible inclusion in the omnibus lands bill. The Senate companion (SF610), sponsored by Sen. Steve Dille (R-Dassel), has been referred to the Senate Environment and Natural Resources Committee.

★ SAFETY

Seat belt usage

A 40-year-old law prohibiting evidence about seat belt use in personal injury cases would be repealed under a bill approved by the House Civil Law Committee March 11.

Civil cases involving injury or property damage due to a car accident currently cannot include evidence of whether the injured person was wearing a seat belt at the time of the incident.

The sponsor of HF513, Rep. Paul Kohls (R-Victoria), said the prohibition can result in unfair awards because a person's injuries may be enhanced due to their own failure to wear a seat belt. Juries should have all the relevant information and be able to assign some percentage of blame to the victim of the accident if they see fit to do so, he said.

An exception to the current law, passed in 1999, allows seat belt evidence in cases where equipment in an automobile is defective. The Legislature passed the exception over the veto of then-Gov. Jesse Ventura, who supported repealing the seat belt evidence prohibition altogether.

Olmsted County Sheriff Steve Borchardt called the bill a "consistent, common sense" approach and said the state sheriffs' association hopes the change would promote



Olmsted County Sheriff Steve Borchardt testifies before the House Civil Law Committee March 11 in support of a bill that would repeal the seat belt evidence admissibility prohibition.

increased seat belt usage. Borchardt said the association would also support making failure to wear seat belts a primary offense.

While most drivers and front seat passengers are required to wear seat belts in Minnesota, law enforcement officers cannot stop drivers merely for failing to wear seat belts. Most back seat passengers, and drivers in some specific instances, are excluded from the requirement.

Opponents said repealing the law would give defense lawyers a way to pass the blame from bad drivers to good ones and result in a windfall to insurance companies.

Mike Bryant, a Minneapolis attorney, said a legislative commission explored the proposal in the 1990s and decided against repealing the law. He said the change would require someone to assume they are going to be in an accident, and punish them if they don't.

Rep. Joe Atkins (DFL-Inver Grove Heights) said allowing seat belt evidence would result in a parade of expert witnesses coming before juries to speculate on what injuries would and would not have been prevented by a seat belt. That, he said, would take time and money from the court system.

Rep. Steve Smith (R-Mound) requested an estimate of the fiscal impact the bill would have on the state's court system when it next goes before the House Judiciary Policy and Finance Committee, which he chairs.

A Senate companion (SF467), sponsored by Sen. Don Betzold (DFL-Fridley), awaits a hearing in the Senate Judiciary Committee.

★ TRANSPORTATION

Metro Transit cuts detailed

At the March 11 House Transportation Finance Committee meeting, Metropolitan Council transit officials detailed strategies to absorb an \$18.9 million reduction in its general fund budget for 2004-05 proposed by Gov. Tim Pawlenty.

The governor proposed a \$106.9 million biennial general fund budget for Metro Transit, in addition to other sources of funding, including 20.5 percent of motor vehicle sales tax revenues and some federal funds.

To handle the cuts, said Nacho Diaz, transportation planning director for the council, Metro Transit will do a combination of the following:

- Increase fares,
- Reduce service,
- Reduce underlying costs of service,
- Shift some federal funding to cover specific operating costs, and
- Reduce administrative overhead costs.

Specifically, Diaz said, Metro Transit is proposing to raise peak fares on local service

routes, and both peak and off-peak fares on express routes and for Metro Mobility services. He also said they are proposing to expand the afternoon peak fare period by 30 minutes.

In addition, the system proposes reducing some regular route service, particularly in routes that are more elastic, Diaz said. Metro Mobility service hours would be adjusted to minimum requirements under the Americans with Disabilities Act, as well.

Diaz said, however, that these measures are all just proposals right now, and would require public hearings prior to implementation. "We are going to have extensive public hearings throughout the region," Diaz said.

The bus system could lose about 1 million riders per year, Diaz said, or about 1.5 percent.

The plan would also shift federal funding for capital expenditures to cover some operating costs. Diaz said that is allowable in some circumstances, such as maintaining the fleet of vehicles or providing ADA services.

In addition, the system will take over operating costs for the Hiawatha Light-Rail Transit line, set to begin partial operations in early 2004. Estimates suggest the line will require \$13.4 million per year to operate, and Pawlenty has recommended dividing operating costs between the state and local governments, with the state picking up 40 percent (or slightly more than \$5 million) and Hennepin County and the cities along the line accounting for 60 percent.

No formal agreement has been established for funding the line.

The discussion prompted a number of questions from committee members regarding how metropolitan transit is funded. Key among the debated items was the degree of benefit such transit lines provide to local governments and the state, as well as providing for operating costs prior to building new transit infrastructure.

Said Rep. Dan Larson (DFL-Bloomington) about plans for dividing the Hiawatha operating costs, "I frankly think the proposal's obscene, and it's clearly unfair."

In response, Rep. Bill Kuisle (R-Rochester), the committee chair, suggested policymakers should take more care in developing transportation infrastructure without providing for future operating costs.

"This whole debate should have happened before we built it," he said.

The committee took no action on the proposal at the meeting.

Counties call for change

Several county officials testified before a joint meeting of the House Transportation Finance and Policy Committees March 12, saying that state regulations, particularly those governing the environment, have been

driving the cost of construction projects.

Dennis Berg, Anoka County commissioner, and Doug Fischer, Anoka County engineer, testified about the environmental regulations that could have potentially delayed a significant project in the county and did drive up costs of the final project.

The project involved the reconstruction of a county state aid highway from Interstate 35W to the intersection with State Highway 14. As part of the reconstruction, the interchange with I-35W was redone, Fischer said, which dictated a very tight project timeline.

State regulations in many cases are stronger than those required by the federal government, Fischer said. He called the requirements "a paper chase" that didn't really improve the environmental conditions that the project affected, but forced the county to spend more money solving the issues.

He described some new regulations that were recently put in place requiring several different permits for stormwater sewer systems. As part of the permit process for the project, the county had to have a series of public hearings and accommodate other public outreach efforts.

"We're already doing a lot of this stuff, but now we've got to go through the process of documenting all these things," Fischer said. "It's a lot of administrative work with zero benefit to the environment."

Fischer estimated that 20 people at the county level had worked on the permit application in some way throughout the process.

Rep. Frank Hornstein (DFL-Mpls) asked Fischer what could be wrong with involving the public in the process. Fischer said that a public hearing is a little thing. But a number of them, with all the notification, for the same project created a large amount of additional work for staff. He said the county also hired a private consultant to help sort through the permit regulations.

The county replaced between 25 and 27 acres of wetland as part of the project. In addition, three endangered species were identified in the project area. The county paid the state \$500,000 to receive a permit regarding construction where the species were, down from an original price tag of \$1 million, Fischer said.

"We bought our way out of delays on this project, which is frustrating," he said.

Several members asked that Department of Natural Resources and Pollution Control Agency officials come before the committee to testify about the background of the regulations and the necessity for permits and fees.

Fischer and other engineers said they aren't against preserving the environment, they just wish the regulations weren't so stringent.

"We can't do a project in our county without affecting a DNR protected water or (Wetland Conservation Act) wetland," Fischer said. "No one is asking for us to be absolved of our responsibility when we impact" the environment.

Witnesses also testified regarding prevailing wage law concerns, historic preservation regulations, and a desire for the Legislature to fully fund wetland replacement efforts through the Board of Water and Soil Resources.

The committee took no action at the hearing, but Rep. Bill Kuisle (R-Rochester), chair of the Transportation Finance Committee, said he plans for the committee to further examine ways to streamline the permit acquisition process.

VETERANS



Identity theft

A bill that would classify veterans' military discharge papers as private was approved by the House Governmental Operations and Veterans Affairs Policy Committee March 12.

Michael Pugliese, deputy commissioner for the Minnesota Department of Veterans Affairs, testified that HF768 would protect veterans from identity theft. He said "currently anyone can walk in (to the department) and get DD214 papers." Identity theft would be easy to do he said, because those papers contain large amounts of private data for a person. Examples include social security number, date of birth, and last mailing address.

Rep. Jeff Anderson (R-Austin), the bill's sponsor, said the agency came to him with the legislation.

Rep. Paul Thissen (DFL-Mpls) submitted a nearly identical bill (HF667) to the

committee last month, and asked why it has not been given a hearing. Rep. Jim Rhodes (R-St. Louis Park), the committee chair, said because this bill is a department bill "it leads." Rhodes suggested Thissen could sign onto HF768 as a co-sponsor.

Rep. Loren Solberg (DFL-Grand Rapids) expressed concern that persons studying ancestry, under this bill, would not be able to obtain papers that could help in their tracking of family.

Pugliese said there are ways for spouses and children to get copies of a veteran's discharge papers, if a veteran passed away. Solberg asked if a fourth-generation family member could obtain copies. Pugliese said they could not under the bill, but there were other means for them to get information through the National Personnel Records Center.

The bill now goes to the House Civil Law Committee. It has no Senate companion.



Value-added agricultural products aren't all about fuel additives like ethanol.

During her testimony before the House Agriculture and Rural Development Finance Committee March 11, Janet Lundebrek, president of First Security Bank in Benson, brought a couple of bottles of vodka made in Minnesota using an ethanol by-product.

"There's an \$8.1 billion vodka market in the country," said Lundebrek, who was also representing the Chippewa Valley Ethanol Co.

As committee members examined the

bottles, Rep. David Dill (DFL-Crane Lake) remarked, "I'm glad to know we're going to have less dependence on imported vodka."

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Seeing their need

Committee members urged to minimize the impact of proposed cuts to State Services for the Blind

By MIRANDA BRYANT

Knowledge is power and never more so than in this age of information. But for the state's blind and visually impaired population, access to that information is often dependent on alternative devices.

Money spent offering those alternatives devices — such as dial-in news, talking books and Braille materials — would be reduced under Gov. Tim Pawlenty's 2004-05 proposed budget.

His budget calls for a \$1.3 million reduction over the next two years to State Services for the Blind, according to House fiscal analysts. The cuts come on the heels of a 45.5 percent budget cut in 2002 and a 47 percent budget cut in 2003, which together equalled \$505,000.

State Services for the Blind is the main state agency serving the estimated 87,500 blind and visually impaired children and adults in Minnesota. Its focus is training blind and visually impaired adults for work, and finding jobs for them.

Thirteen positions have been eliminated due to budget reductions, said Bonnie Elsey, State Services for the Blind director. Five additional vacant positions will remain open.

Blind vendors who contract to serve vending machines at state highway rest areas would be affected by Minnesota Department of Transportation budget cuts. As part of its reduction plan the department may close many rest areas in the state.

Since most of the State Services for the Blind's money comes from the federal government, proposed state budget cuts will likely fall to divisions largely supported by state funds: services for seniors and communications.

The communications division is a special library and transcription service center that produces Braille and taped transcriptions, radio programming, and dial-in news programming. It also distributes special equipment for the Library of Congress. The division employs 29 people and engages 620 volunteers, Elsey said.

The self-sufficiency unit served 2,399 individuals in fiscal year 2002. Of those, 1,348 accomplished their self-care goals, a 32 percent increase from the year prior, Elsey said.

The agency employs about 100 people, she



PHOTO BY TOM OLMSCHIED

Shellie Nelson of Eden Prairie and her guide dog, Glenda, appear before the House Jobs and Economic Development Finance Committee March 12 to testify about the importance of the State Services for the Blind, slated for cuts in 2004-05.

said. About half the employees are assigned to the agency's primary purpose of workforce development and are located in 10 state workforce centers through the state that serve anyone interested in finding work.

State Services for the Blind's workforce development unit set a record last year by finding jobs for 179 of its 1,595 clients, Elsey said. The average wage earned was \$12.28 an hour, and the jobs were as varied as are those gained by people without visual barriers.

Elsey said her agency spends more than \$1 million annually on adjustment-to-blindness training, such as white cane use and Braille, and \$500,000 on assisted technology systems for alternative communication.

In fiscal year 2002, 93 State Services for the Blind customers attended college or junior colleges classes. An additional 18 clients attended

vocational training programs or business schools.

The budget cuts, including those enacted and those proposed, have generated intense criticism of State Services for the Blind.

Elsey, who has been the director since February 2000, has been accused by the National Federation of the Blind's Minnesota chapter and Blind Inc. of directing budget cuts to everything but the agency's administration, of not placing enough blind people on her staff, and of forcing blind clients into private sector jobs without sufficient training.

"Blindness is quickly becoming a very minor part of the agency," said Jennifer Dunnam, vice president of the National Federation of the Blind's Minnesota chapter. She said the state agency has reduced direct services, but not cut administration.


Shawn Mayo, assistant director for marketing and outreach of Blind Inc., asked that legislators insist that nonprofit groups contracting with State Services for the Blind do not bear the brunt of its budget cuts. She also asked that the cuts be reduced and more evenly distributed among other state agencies and departments.

Blind Inc. is one of three entities the agency contracts with to provide adjustment-to-blindness training for clients.

But six people representing various advocacy programs told the House Jobs and Economic Development Finance Committee since March 6 that Elsey deserves praise for innovative and fresh approaches.

"State Services for the Blind has made some significant steps in the past two to three years," said Steve Fischer, executive director of Vision Loss Resources, which also provides adjustment-to-blindness training under contract for the state agency.

Elsey said she had added a few employees to the administration division. But they were hired with money appropriated for a specific task that was no longer available at the task's completion. Elsewhere, the agency is beginning a study of the three agencies that it contracts with for adjustment-to-blindness training; such an examination has never been done. The study will ensure that clients can determine which agency will best meet their training needs.

Elsey acknowledged that some individuals would like her to resign. But not everyone agrees. Outcomes in all of her agency's divisions are better than ever, particularly in the workforce division unit, she added. "They are real people and they're in real jobs." 

Enforcing laws

Conservation officers' authority to search questioned before the Minnesota Supreme Court

By NICOLE WOOD

One of the struggles in a democratic society is balancing individual rights with the need for public order. While debate over Fourth Amendment protections often revolves around the propriety of traffic dragnets or wiretaps, the discussion in Minnesota has recently been extended to regulated recreational pursuits and taken all the way to the State Supreme Court.

At issue is whether anglers should have a reasonable expectation of privacy under the Fourth Amendment or purchasing a fishing license and dropping a line in public waters should imply prior consent to fish house, boat, or cooler searches.

The Minnesota Supreme Court ruled last year that Department of Natural Resources (DNR) conservation officers must have

there was no evidence of wrongdoing and their catch was within legal limits.

The Minnesota Court of Appeals overturned the conviction last summer, concluding that the officer did not have probable cause to request an inspection of the boat.

If the Supreme Court upholds that decision, enforcement officers have said they will be left wondering whether a person is hiding something by declining to open a cooler or just exercising his or her Fourth Amendment rights.

With more than 15,000 lakes and less than 150 conservation officers in Minnesota, establishing probable cause by staking out fishing parties or waiting for a tip would be a considerable expenditure of time and effort, they say, and violations of species quantity and size limits are easily hidden.

"We acknowledge the difficulty a conservation officer faces in acquiring probable cause for fishing violations that are committed essentially in private," the appeals court decision reads. "And while we agree that the analysis of constitutional requirements and the construction of the statute should not simply be mechanistic, we are not persuaded that public policy concerns raised by the state can override otherwise applicable constitutional protections or statutory

limitations."

"Further, we cannot conclude that the Legislature has clearly expressed an intent to prefer the enforcement of the fish laws to individual privacy rights."

Supporters of Colosimo's case have said the DNR could hire more conservation officers or the Legislature could pass a law declaring that simply possessing a license means an angler

Select constitutional and statutory provisions related to conservation officer searches

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

— Fourth Amendment, U.S. Constitution

Hunting and fishing and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good. [Adopted, November 3, 1998]

— Article XIII, Sec. 12, Minnesota Constitution

When an enforcement officer has probable cause to believe that wild animals taken or possessed in violation of the game and fish laws are present, the officer may: (1) enter and inspect any place or vehicle; and (2) open and inspect any package or container.

— Minnesota Statutes 97A.215 subd. 1(b)(1)



PHOTO BY ANDREW VON BANK

A conservation officer visits with a boat owner near a public access point.

permission, a warrant, or probable cause to enter privately owned ice fishing shacks.

In a parallel case, the court heard arguments March 10 from John Mark Colosimo, a Virginia, Minn. attorney who was convicted in St. Louis County for refusing to allow a conservation officer to search his boat at a landing. Although Colosimo and friends told the officer they had been fishing, they maintained

has already consented to a search.

However, the state's budget situation makes the former solution highly unlikely and, "I haven't heard of anyone talk about forwarding legislation yet," said Rep. Tony Cornish (R-Good Thunder) of the latter.

Cornish spent 22 years as a conservation officer before he came to the Legislature. When asked if he had ever met up with anyone who declined a compliance check, he said there were "none that refused all the way," although some had to be talked into it.

A typical enforcement scenario, Cornish explained, would be an officer encountering a group of people sharing a large cooler on a pontoon boat.

"It's crucial to enforcement and regulation to be able to check a cooler when they come off a lake," he said.

A ruling is expected by mid-summer, although Cornish said he would like to see a decision by the fishing opener in May. 🐾

Monitoring costs

One organization says another exploits a federal loophole in cancer treatment regulations and could affect price people pay

BY JEFF JONES

When someone has cancer, the relationship with their doctor becomes a bond of trust and confidence. Patients work together with their oncologist (cancer specialist) to make sensitive, life-altering decisions about treatment, care, and lifestyle choices. They listen carefully to their oncologists' advice and often follow it without regard to cost.

But one group of Minnesota cancer treatment specialists worries that sacred bond is being exploited by physicians who may be putting profit before patients' best interests. And with dramatic changes in the state's cancer care landscape and 21,000 new cancer diagnoses expected statewide this year, the issue takes on added importance.

Representatives of Minneapolis Radiation Oncology, a professional association specializing in radiation treatment for cancer patients, told the House Health and Human Services Policy Committee that a new partnership between two other care organizations amounts to a lucrative kickback scheme not in the best interests of patients or the state.

In an informational hearing March 10, lawyers for the association testified that a partnership between one of the state's largest medical oncology groups, the Minnesota Oncology Hematology Professional Association, and U.S. Oncology, the nation's largest for-profit cancer care network, exploits a loophole in federal law that allows doctors to refer patients to a treatment facility in which they hold financial interest. The natural conflict of interest, said Minneapolis oncology lawyer Peter Coyle, results in unnecessary treatment, higher costs, and an anti-competitive environment.

The two groups only recently became competitors in the increasingly lucrative market for cancer treatment. For many years, Minnesota Oncology specialized in medical oncology — the advising and referring of cancer patients for specialized treatment. Minneapolis Radiation specialized in providing radiation treatments for patients referred to it. But in 1998, Minnesota Oncology entered the treatment business when it opened a radiation treatment center in Maplewood. Under the management of



PHOTO BY ANDREW VON BANK

Mary O'Keefe, a cancer survivor and Minnesota Oncology Hematology Professional Association patient, tells members of the House Health and Human Services Policy Committee March 10 that she is opposed to any restrictions on cancer patients' ability to choose their own treatment facility.

U.S. Oncology, which serves 15 percent of the nation's cancer patients, the group has further expanded treatment options at the facility.

Minnesota Oncology President Thomas Flynn said the model of care exemplified at the Maplewood facility provides a truly integrated experience for patients who want care as easily and quickly as possible. Patients can consult with their medical oncologist and, if they choose, receive treatment right down the hall, he said. His association also offers support group services for patients and their families.

Minneapolis Radiation officials warned against allowing "physician self-referral" — when physicians invest in treatment facilities that are not their own, but to which they may refer patients. Since those physicians have a stake in the profits from that facility, opponents of the

practice say, they become more likely to refer patients there. Self-referral became increasingly popular among health providers in all areas of medicine in the 1980s and 1990s.

Believing it amounted to legalized kickbacks that clouded doctors' judgments and resulted in higher medical costs, Congress wrote laws banning the practice for certain Medicare-covered services, including radiation treatments.

The laws included an exception for group practices, however, so larger entities such as Rochester's Mayo Clinic would not be affected. Using that exception, U.S. Oncology has partnered with groups such as Minnesota Oncology to provide combined referral and treatment services to patients in 14 states.

Minneapolis Radiation's Coyle told legislators that U.S. Oncology's entrance into Minnesota represents a "deal with the devil" and will siphon business from hospitals and other stand-alone treatment providers who may be better suited to a patient's needs or closer to their location.

Minnesota Oncology's Flynn disputed the claim, noting 60 percent of its radiation treatment referrals go to facilities unassociated with his organization.

Coyle also testified on a study of U.S. Oncology services in Texas that showed a much higher rate of referral than the national average, indicating, he said, the organization's oncologists were more likely to recommend unnecessary treatments, substantially raising health care costs for patients and taxpayers.

Flynn said such practice would be a violation of medical ethics and his company's own guidelines. He testified the group practice exception his association relies upon was "created specifically to preserve the recognized advantages such practice arrangements bring to patients."

A bill (HF611) sponsored by committee chair Rep. Lynda Boudreau (R-Fairbault), which was not considered at the hearing, would specify that medical oncologists in Minnesota could not refer patients to radiation therapy facilities in which they have an investment interest. The restriction would not apply to large multi-specialty providers like hospitals or the Mayo Clinic, but would apply to groups such as Minnesota Oncology.

Representatives of hospitals and physicians organizations said they opposed such regulation because it would limit patients' options. Mary Gilbert, representing HealthEast hospitals, said her organization would likely benefit financially from such a law but opposes it because it may "handicap" patients from using nearby facilities. 🐼

Are we there yet?

House committee examines causes, potential solutions to traffic congestion in context of tight budget times

By MICHELLE KIBIGER

In the 30 years that closed the 20th century, commuters in the Twin Cities metropolitan area exhibited a series of “dramatic” changes, in the words of transportation officials.

On the whole, as the population grew so did trips per person and vehicle miles traveled. But freeway lane miles have not kept pace, according to transportation models. And projected growth predicts those gaps will only increase during the next 20 years.

Analysis shows that from 1970 to 2000, peak hour congestion on the metropolitan freeway system grew from 10 miles to 183 miles. That equates to about 12 percent of the freeway system being congested, according to state Department of Transportation criteria, during peak travel periods.

And while lanes of freeway construction in the metropolitan area has slowed considerably since peak construction in the late 1950s and 1960s, officials suggest highway construction alone will not solve the problem, leaving lawmakers to grapple with what combination of fixes will alleviate metropolitan congestion without exacerbating sprawl to outlying communities.

Highways are part of the answer, said Tim Henkel, transportation planning director for the state Department of Transportation. “More highways are necessary and other transportation options are necessary for us to fill those gaps.”

Henkel testified before the House Transportation Policy Committee March 11. It was the second of three hearings addressing congestion and potential solutions.

He offered a number of statistics, based on analysis of population and job growth in the seven-county Twin Cities metropolitan area between 1970 and 2000. They showed the following items:

- Population in the area grew 14 percent per decade and will continue to grow about 12 percent every 10 years.

- Households in the area increased by 26 percent per decade with continued growth of about 16 percent.
- A growing percentage of all metropolitan households are in developing cities just outside the Interstate 494/694 beltway.



As is the case on many freeways in the Twin Cities metropolitan area, eastbound traffic on Interstate 94 begins to back-up during the evening drive time.

PHOTO BY TOM OLMSCHIED

- Employment in the area has grown three-times faster than population.
- A growing number of jobs are located in first- and second-tier suburban communities than are in the central cities of Minneapolis and St. Paul.
- Commuters make more trips per day per capita, and the average trip has grown from 5.1 miles to 7.9 miles within the seven-county area.

- Principal highways account for at least half of the vehicle miles commuters travel, due in large part to the length of trips.
- Twin Cities commuters spend an average of eight minutes longer on roads than cities of similar size. However, those cities' commuters are already spending an average 30 minutes longer as a result of congestion.

Barb Thoman from Transit for Livable Communities, a group that advocates a balanced transportation system achieved through both transit and transportation-related development, suggested that the numbers do more than explain congestion. What it suggests is the need for a balanced solution to congestion and a realistic view of the problem.

Testifying before the committee March 12, she said that even though the Twin Cities metropolitan area experiences significant congestion, it ranks low in comparison to other cities of its size in a few areas.

For example, she said, the Twin Cities are 14th nationally for peak-hour highway congestion and the metropolitan area also ranks 14th in size. In addition, the metropolitan area has the eighth highest ratio of freeway lane miles per capita, she said, and cities with more lane miles actually have worse congestion problems. Successful cities have a transit system and other transportation options that allow drivers to avoid congestion, she said.

Congestion is a reality for vital, vibrant communities, she said. “Successful urban areas have congestion.”

The statistics Henkel presented March 11 confirmed concerns delivered by a number of transportation- and local government-related groups who testified March 5, calling on lawmakers to do something this session to solve the area's congestion problems.

Representatives from city economic development organizations, regional transportation planning groups, trucking companies, and officials of suburban communities all testified that the congestion problem affects more than commuters – it's a significant economic development issue.

Russ Thorfinnson, a city councilor from Eden Prairie, spoke on behalf of the I-494 Corridor Commission, which represents six communities along I-494 in the southern met-

Continued on page 31

Farmer friendly

As one who lives off the land, Koenen looks to improve the livelihood for many rural Minnesotans

By JEFF JONES

A string of Christmas lights lines the window ledge of Rep. Lyle Koenen's (DFL-Maynard) new office. They are yellow



Rep. Lyle Koenen

and green and in the shape of John Deere tractors. Regarding them with an expert eye, Koenen says, "That's a model 4020. I've actually got one of those."

A life-long farmer, Koenen has spent years keeping an eye on legislative policies that affect agricultural Minnesota. Koenen started making trips to St. Paul when he became active in farm organizations such as the Minnesota Farmer's Union. "I started coming down here to lobby legislators on proposed bills that were being written and trying to influence those decision-makers on what they would do because of the direct effect it would have on farmers and working people," he said.

That interaction with lawmakers led him towards political action. "I came to the realization that it was impossible to outwork poor policy decisions," Koenen says. "That led to the next step — helping the candidates that I felt best represented the ideals that I was looking for." He would soon become a candidate himself. After an unsuccessful run for the Senate in 2000, Koenen won the House seat vacated by now-Sen. Gary Kubly (DFL-Granite Falls).

Like many Minnesota farmers, Koenen has been forced to take a second job to make up for sagging crop prices. Over the years he has driven school busses and hauled milk from dairy farms to processing plants to earn extra money, but he hopes his newest job will give him the chance to make life a bit easier for his fellow farmers.

"I would love to see that farmers could get their entire income from the farm," he said. "I'd like to see livestock on every farm, too, or almost

every farm. That would be ideal because then it would be full-time work. In the wintertime you'd have livestock to take care of."

Koenen owned livestock himself until earlier this year when he sold his herd of beef cows. For him the decision wasn't economic, but a necessity of his work at the Legislature. "There's no way I can be here and take care of livestock so they had to go," he said. "Otherwise I would have kept them, but I can't do both."

Other rural DFL legislators elected Koenen to chair the House DFL Rural Caucus, which meets weekly to discuss rural issues.

In that capacity, Koenen hopes to work with rural Republicans to deal with issues of common interest. "There's so many of the votes that

good roads are necessary for safe transportation of livestock, grain and fertilizer. "They don't need to necessarily be four-lane roads in those light population areas but they do need to carry heavy traffic," he said.

Maintaining school funding is another important issue in his district. Declining enrollments result in lost state dollars, he says. "Our school districts get clobbered. Every year they have budget issues to deal with."

Koenen has remained close to his roots. The farm where he and his wife, Sandy, live with their two children sits outside Maynard, where he went to high school. He has attended the same church all his life, the Reformed Church of Clara City. "The reformed church is socially pretty conservative, so I tend to be that way myself," Koenen said. "Being a Democrat, you wouldn't think of being to the right on that issue. I'm maybe not as far over as the church is, but it draws me to that side."

One thing he learned growing up was to always be evenhanded in the decisions he makes. "Fairness is the first thing," he said. "Other than

"I came to the realization that it was impossible to outwork poor policy decisions. That led to the next step — helping the candidates that I felt best represented the ideals that I was looking for."

— Rep. Lyle Koenen

really aren't partisan. I would say way over half aren't partisan," he said.

Bills to improve veterinary facilities at the University of Minnesota and to encourage rural economic development are among the issues receiving bipartisan support from rural lawmakers, he said.

Koenen has signed on to a bill that would provide tax incentives for job creation and retention in rural Minnesota. "We both represent rural Minnesota and we have common concerns," says Rep. Dean Urdahl (R-Grove City), the bill's sponsor. "Lyle brings a sincerity and dedication to the job."

Koenen serves on both House agriculture and both environment committees.

Economic development is among the issues Koenen puts at the heart of his agenda.

One obstacle to development, he said, is the deterioration of roads in rural areas. He said

that, my own life experiences affect the way I look at things, and then I always, always, think back to the district and what is best for the district or what the majority would like to see. And so you roll all that together and that's where my positions come from."

DISTRICT 20B

2002 population: 36,953

Largest city: Montevideo

Counties: Chippewa, Renville, Yellow Medicine

Location: west-central Minnesota

Top concern: "When all budget considerations are made, they'll be done fairly."

— Rep. Lyle Koenen

Right at home

After years as a prosecutor, referee, and school board member, Meslow's career brings him to St. Paul

BY TOM LONERGAN

One might say Rep. Doug Meslow (R-White Bear Lake) has a pretty close relationship with rules.



Rep. Doug Meslow

As a high school football referee, he enforces them. As a prosecutor, he attempts to prove others have broken them. And as a freshman legislator, he's involved in making, changing, or repealing them.

One set of rules Meslow is quite familiar with is the state's criminal statutes. "I don't think we need to create more (definitions of) crimes," he said. However, he added, some laws already on the books can be improved.

Meslow has sponsored a bill (HF499) that would increase the penalty (from misdemeanor to a gross misdemeanor) for a person who refuses to take a chemical test and is convicted of driving while intoxicated. "The penalty for someone who cooperated shouldn't be higher than for the person who refused," Meslow said. A gross misdemeanor carries a possible 30-day jail sentence.

He's also co-sponsoring a bill to reduce the state definition of driving while intoxicated from the current 0.10 percent blood-alcohol concentration to 0.08 percent, the standard in 34 states. "Anything that reduces drinking and driving is a plus," Meslow said. There's also a practical side to changing the law, he added. "We need to do it to get more federal highway funding."

Federal highway safety grants to states under the 1998 Transportation Equity Act are tied to the 0.08 alcohol standard for drunken driving. If the level is not changed by Oct. 1, 2003 the state could lose federal transportation dollars.

For 12 years, Meslow has prosecuted adults accused of non-felony crimes like drunken driving, domestic assault, and theft. "Some were bad people and deserved to be locked up,"

he said. "Most were good people who did something they shouldn't have done. My role is not to condemn them."

Former Rep. Harry Mares, who co-chaired Meslow's campaign, approached Meslow about running for the House after the four-term legislator decided not to seek re-election last year. Meslow said he wasn't actively looking at getting involved in politics. "I was involved in my community. Politics found me."

Meslow's committee assignments include the House Education Policy, Higher Education Finance, and Judiciary Policy and Finance committees.

Examining the state's complicated K-12 funding formula for public schools will be among his long-term legislative priorities, said

education, resulting in tuition increases. "My guess is there's not much chance to avoid a tuition hike," Meslow added. Century College, a two-year community and technical college with 10,300 students, is in his district.

Meslow has been a high school football referee for 21 years, continuing a family tradition of sports officiating that's included his parents, brothers, and wife, Jenny. His dad, Bob Meslow, is director of football officials for the Minnesota State High School League.

"Apples don't fall very far from the tree," said Bob, noting that his son became a high school official while he played football at St. Olaf College. "Now he's an umpire and gets right behind those big hulks on the defensive line," he added. "He's learned how to step in and bring peace to opposing factions."

Rep. Meslow, who has been part of the officiating team for several high school championship games, said, "I like to be in the middle of the action. I like the energy and excitement high school students have."

An avid runner, Meslow has a statue of his political hero in his office. It's Popeye, the

The state's Profile of Learning academic standards "did not do the job they were created to do. Success or failure was defined by very subjective, very vague standards. We need high standards."

— Rep. Doug Meslow

Meslow, who served for seven years on his local school board, and has two teenage sons. "During the last 35 years, there have been so many extras added to the basic formula," he said. "State funding no longer aligns with basic fundamental fairness. It's so complicated, no one can understand who the winners and losers are and why."

The state's Profile of Learning academic standards "did not do the job they were created to do," said Meslow, who voted for the House bill to repeal the profile. "Success or failure was defined by very subjective, very vague standards," he said. "We need high standards." Meslow said he "liked the idea that (the profile) was performance based."

Meslow said taxes and the state budget are district residents' top concerns.

"Given the size of the budget deficit and the problems we have to tackle, we're going to have to do things we don't want to do," Meslow said. That could include state aid cuts to higher

education, resulting in tuition increases. "My guess is there's not much chance to avoid a tuition hike," Meslow added. Century College, a two-year community and technical college with 10,300 students, is in his district.

education, resulting in tuition increases. "My guess is there's not much chance to avoid a tuition hike," Meslow added. Century College, a two-year community and technical college with 10,300 students, is in his district.

DISTRICT 53B

2002 population: 36,699

Largest city: White Bear Lake

County: Ramsey

Location: northeast Twin Cities metropolitan area

Top concern: "The deficit is so big, we're not going to reduce it just by being more efficient. It's a challenge to maximize what the state does best and limit the amount of pain that will come from the cuts we have to make."

— Rep. Doug Meslow

A new perspective

From parks and local development to education, Nelson brings real life experience to the House of Representatives

By PATTY JANOVEC

Rep. Carla Nelson (R-Rochester) says government is "all about who sits at the table."

Her first taste of politics was when she noticed a neighborhood being plotted without a park next to her home, which would be against a city regulation about to take effect. She spearheaded a group to work with the planning and zoning commission, and the city council to make sure a park would be built. They won, and she said of the experience, "It showed me the importance of normal average citizens being involved in their local government."

She moved on to serve on the executive board of her local Republican Party, was elected to state level positions, and has worked on a number of campaigns. After doing all of those, she said, "I never really thought about running myself."

That changed when former Rep. Dave Bishop retired, and state and community leaders urged her to run. "I enjoy working in the political arena. I know it's important, so I talked it over with my family," Nelson said. She said her 21-year-old son told her, "You have to do that Mom. You're full of integrity." With a laugh, she said she knew he'd been raised right when he told her, "It's the perfect job for you."

Former Minnesota Supreme Court Chief Justice A.M. "Sandy" Keith says he contributed to Nelson's campaign because "this woman is going to be great. I'm an old DFLer, and we need em' good." Along with her "political presence" she has real life experiences and is a good listener, Keith said.

He first met Nelson at the 2002 Minnesota Republican convention, and he said he was greatly impressed with how she dealt with opposing views. Nelson is pro-life, and he observed the way she spoke with pro-choice

supporters while "not offending them." Said Keith, "She has a wonderful presence that's hard to describe." Those qualities will make her a "very outstanding legislator" he said.

One of four Republican representatives from the Rochester area, Nelson serves residents "in the heart of Rochester" she said. That's appropriate since the district houses the Mayo Clinic, one of the leading health care providers in the world, she said.

Nelson brings her own set of skills in education. She has a master's degree in teacher leadership from the University of Minnesota, and she has taught elementary and secondary education classes. "Children are tied into what our future is," she said.

Education is one of the most important concerns she found on the campaign trail, she said. Before agreeing to run, she said, she

for higher education opportunities, yet the area doesn't have a comprehensive four-year university. She said the community is one of the largest cities in the nation without a four-year higher education institution.

She says she is a strong advocate for local government. "If I look at bills or policies, I always get the best results when those decisions are made at the local level." She says it's like a lens she always views policy through.

That's how she views the state's budget situation.

She says there are two key goals: The first being the need to make tough choices now. Nelson said she was elected to lead and to gather all the information to be able to make choices that are in the best interest for Minnesotans.

The second goal is to "differentiate between the revenue producers and the revenue users." Restructuring government is important so it is more efficient, effective, and programs are not duplicated, she said.

There are always several points of view to an issue, and "it's very important that you look at those different perspectives," she said. It's one of her three goals she's learned from

"If I look at bills or policies, I always get the best results when those decisions are made at the local level."

— Rep. Carla Nelson

specifically requested to be on House Higher Education Finance and Education Policy committees, which she is now, particularly because of her expertise in education. She's also on the House Local Government and Metropolitan Affairs Committee.

Also, "Rochester has a real concern and need for more higher education opportunities," she said. She explained that the city has one of the premiere two-year institutions in the region, Rochester Community and Technical College. Also private colleges, like the Twin Cities-based Augsburg College, have programs in the area, and the Mayo Clinic offers academic programs. The Minnesota State Colleges and Universities system offers courses through Winona State University.

Nelson said Rochester has a real unique situation with many existing collaborative efforts

working in local government. The other two are building coalitions, and looking for win-win situations.

DISTRICT 30A

2002 population: 36,890

Largest city: Rochester

County: Olmsted

Location: southeast Minnesota

Top concern: "My personal expertise and energies are in the area of education. Education is a real concern for all Minnesotans."

— Rep. Carla Nelson

Keeping the tradition

Nelson followed his father's footsteps into business, and again as a member of the House of Representatives

By MIKE COOK

There is an old adage that the two things people never want to actually see being made are sausages and laws.



Rep. Pete Nelson

Don't tell that to Rep. Pete Nelson (R-Lindstrom).

When not in St. Paul crafting laws, Nelson owns and operates an award-winning meat shop, Community Market & Deli, in his hometown. "I enjoy them

both," he said. "I take great pride in the quality of sausage I make, and I take equal pride in making quality legislation." Nelson was enshrined in the American Cured Meats Hall of Fame in 1994.

He likes to tell the story about when Luciano Pavarotti performed for the first time at St. Paul's Xcel Energy Center, "They flew in bread and wine from Italy, but they had this Dane who lives in 'America's Little Sweden' make the Italian sausage genuine for that thing."

After leaving the Marine Corps in 1968, Nelson began to work at the shop his father, Howard, started in 1936. A few years later, Nelson bought out his elder, who at age 90 still helps out six days a week.

But it wasn't just the business that Pete Nelson followed his dad into.

Howard Nelson was a House member from 1958-60 and served in the Senate for two terms beginning in 1963.

"He was a strong leader in the Senate," Nelson said. "If it was an ag-related bill, he was always on the conference committee, and both houses always deferred and pretty much let him write how the legislation was. He wrote the first meat inspection act that Minnesota had."

His great uncle, George, served in the Wisconsin Assembly, ran for governor of Wisconsin, and ran for vice-president in the mid-1930s with the Socialist Workers Party.

Yet, Nelson learned a lesson from George that he still believes in today: "The important thing that you should remember is sometimes you need to change your mind."

He said that is especially true in the political arena. "That's one of the few — if not the only — reason I did not sign the no new taxes pledge because I want to make sure I have the ability to change my mind if given new information."

Nelson admits he never had a real interest in running for political office, yet he served for four years on the Lindstrom City Council and four years as mayor before winning an open seat in the House created by redistricting.

"Opportunities come along in life and

"Opportunities come along in life and sometimes we accept that opportunity and sometimes we pass it up. I had a lot of people that came to me and said 'We need somebody down there that leads like you.'"

— Rep. Pete Nelson

sometimes we accept that opportunity and sometimes we pass it up," Nelson said. "I had a lot of people that came to me and said 'We need somebody down there that leads like you.'"

Keith Carlson, a 20-year council member, replaced Nelson as Lindstrom's mayor. "I've known Pete all my life," Carlson said. "He's a guy that'll work hard for you. He'll put in the time and effort."

"What people found with me was they could come into the butcher shop and I would listen to them, give my opinion if they wanted it, and if they wanted a commitment from me to whatever degree, they knew they had it," Nelson said. "I did not go around behind their back and undo what they were trying to do even if I disagreed with them. So even when we disagreed they still respected me."

Nelson sits on the House Taxes Committee and both transportation committees.

The latter is especially important, as 80 percent of the Chisago County's workforce commutes to the Twin Cities metropolitan area, Nelson said. He said that county has been one of state's three fastest growing counties in each of the last 10 years.

The environment is also important to Nelson, who is sponsoring a bill (HF657) that authorizes counties to require the dedication of land for public parks from land or fees received from developers. It awaits committee action.

During Nelson's Lindstrom tenure, an ordinance was enacted whereby developers are told where a park would be created in their development, instead of developers putting greenspace wherever it fit in their plans.

He talks of a city park refurbishment in Lindstrom where the city received some state grant money, used volunteer sweat equity, and had some in-kind contributions of labor and materials to create a facility that was recognized in two national trade publications.

Nelson said he is happy just to be here after

fighting off a stage-four cancer in his neck. "They say I am now cancer-free," he said. "They took out 82 lymph nodes, a bunch of neck and shoulder muscle, and beat me up with radiation, but I'm a lucky guy. God was good to me."

DISTRICT 17B

2002 population: 36,732
Largest city: North Branch
County: Chisago
Location: east-central Minnesota
Top concern: "With the growth in our area, transportation is a big issue and taxes is a big issue to everybody."

— Rep. Pete Nelson

Monday, March 10

HF774—Abeler (R)

Health & Human Services Policy
Human Services Department background studies act adopted.

HF775—Westrom (R)

Regulated Industries
Radioactive waste management facility definition modified, dry cask storage at Prairie Island facility authorized, and commission approval required for additional storage capacity for spent nuclear fuel.

HF776—Davnie (DFL)

Governmental Operations & Veterans Affairs Policy
Minneapolis fire relief association survivor benefit eligibility requirements waived for a specified individual.

HF777—Klinzing (R)

Governmental Operations & Veterans Affairs Policy
Voting equipment grant account distribution modified.

HF778—Holberg (R)

Civil Law
Marriage dissolution pension plan asset distribution provisions clarified.

HF779—Ozment (R)

Environment & Natural Resources Finance
Environment and natural resources funding provided, and money appropriated.

HF780—Wardlow (R)

Education Finance
School districts permitted to pay insurance premiums for teachers on an extended leave of absence.

HF781—Seagren (R)

Education Finance
Kindergarten through grade 12 education funding provided, child-care and early childhood programs provided, and money appropriated.

HF782—Seagren (R)

Education Finance
Department of Children, Families and Learning administrative amendment provided, and specified kindergarten through grade 12 education provisions repealed.

HF783—Magnus (R)

Environment & Natural Resources Finance
Floodplain management funding provided for Area II, Minnesota River Basin Projects Inc.; and money appropriated.

HF784—Powell (R)

Judiciary Policy & Finance
Emergency communications interference prohibited.

HF785—Buesgens (R)

Local Government & Metropolitan Affairs
Metropolitan government provisions modified relating to reporting requirements, Metropolitan Parks and Open Space Commission abolished, and dischargers directly assessed wastewater treatment user fees.

HF786—Holberg (R)

Civil Law
One call excavation notice system liability provided.

HF787—Entenza (DFL)

Commerce, Jobs & Economic Development Policy
Sprinkler system requirements provided for places of public assembly, fireworks displays prohibited, surcharges imposed, civil and criminal penalties provided, and money appropriated.

HF788—Walker (DFL)

Civil Law
Children in need of protection or services permanency review requirements eliminated.

HF789—Hoppe (R)

Environment & Natural Resources Policy
Game and migratory waterfowl refuge provisions modified, suspension of license and permit privileges provided, turkey license provisions modified, and walleye possession size limits provided.

HF790—Hoppe (R)

Environment & Natural Resources Policy
Migratory game bird shooting hours modified.

HF791—Kielkucki (R)

Governmental Operations & Veterans Affairs Policy
Election requirements and procedures modified.

HF792—Tingelstad (R)

Civil Law
Gestational surrogacy agreements authorized relating to assisted reproduction.

HF793—Gerlach (R)

Governmental Operations & Veterans Affairs Policy
Public employee salary and wage rate freeze instituted.

HF794—Gunther (R)

Education Finance
Education telecommunications fund established, support provided to kindergarten through grade 12 schools and public library telecommunications networks, access fee imposed, and money appropriated.

HF795—Hornstein (DFL)

Transportation Policy
Minneapolis to Lakeville I-35W bus rapid transit study required, study advisory committee created, and report required.

HF796—Holberg (R)

Governmental Operations & Veterans Affairs Policy
Essential employee definition expanded to include employees operating and maintaining the metropolitan disposal system.

HF797—Wilkin (R)

Health & Human Services Policy
Planned closure rate adjustment provided for certain nursing facilities.

HF798—Anderson, J. (R)

Education Policy
Teacher representative notification required prior to placement of a student with a history of violent behavior.

HF799—Otremba (DFL)

Health & Human Services Policy
Prescription drug rebate program established, and money appropriated.

HF800—Hackbarth (R)

Commerce, Jobs & Economic Development Policy
Fireworks regulation provided, fees authorized, and local regulation limited.

HF801—Wasiluk (DFL)

Education Finance
Public library closing hearing required.

HF802—Mullery (DFL)

Local Government & Metropolitan Affairs
Hennepin County Housing and Redevelopment Authority clarified.

HF803—Johnson, S. (DFL)

Environment & Natural Resources Policy
Pollution control equipment required in coal-fired power plants by 2010.

HF804—Solberg (DFL)

Transportation Policy
Gross weight restrictions regulated on vehicles and combinations hauling raw or unfinished farm or forest products.

HF805—Severson (R)

Transportation Finance
St. Cloud Regional Airport land acquisition funding provided, and money appropriated.

HF806—Kielkucki (R)

Civil Law
Liability limits provided for nonprofits providing day training and habilitation services for adults and children with mental retardation and related conditions.

HF807—Seifert (R)

Governmental Operations & Veterans Affairs Policy
Campaign materials prohibited from containing distorted photographs of candidates.

HF808—Dill (DFL)

Judiciary Policy & Finance
Radio equipment capable of receiving police emergency transmissions use and possession requirements clarified.

HF809—Abrams (R)

Taxes
Direct mail delivery or distribution sales and use tax exemption provided.

HF810—Howes (R)

Environment & Natural Resources Policy
State land acquisition provided, Mississippi whitewater trail modified, outdoor recreation system modified, mineral coordinating committee established, and surplus state land sale authorized in St. Louis and Beltrami counties.

HF811—Stang (R)

Taxes
Tax increment financing duration extensions authorized to eliminate deficits caused by 2001 property tax changes.

HF812—Clark (DFL)

Health & Human Services Policy
Apology requested of the governor by resolution on behalf of all persons with mental illness or other disabilities who have been wrongfully committed to state institutions.

HF813—Davnie (DFL)

Education Finance
Professional teaching standards promotion funding provided, and money appropriated.

HF814—Davnie (DFL)

Commerce, Jobs & Economic Development Policy
Non-renewals of homeowner's insurance regulated, and insurance discriminatory practices prohibited.

HF815—Thissen (DFL)**Taxes**

Property tax payment compensation required for lost property tax base when real property is acquired by a governmental entity and becomes tax-exempt.

HF816—Thissen (DFL)**Local Government & Metropolitan Affairs**

Airport impact zone established in cities surrounding the international airport, airport mitigation fund created, metropolitan area property tax levy authorized, and money appropriated.

HF817—Mahoney (DFL)**Civil Law**

Commissioner of health responsibilities eliminated relating to occupational safety and health, and certain penalty limits increased.

HF818—Tingelstad (R)**Civil Law**

Artificial insemination parentage provisions modified.

HF819—Bradley (R)**Higher Education Finance**

University Center Rochester capital improvement funding provided, and money appropriated.

HF820—Buesgens (R)**Education Policy**

Area learning center assignments by school districts authorized.

HF821—Paulsen (R)**Judiciary Policy & Finance**

Identity theft reporting procedures and venue provided.

HF822—Buesgens (R)**Education Policy**

Direct judicial review of district exclusion and expulsion decisions allowed.

HF823—Cornish (R)**Environment & Natural Resources Policy**

Natural resources commissioner's authority modified relating to employees, gifts, and grants; state parks working capital fund modified; and other natural resources administrative provisions modified.

HF824—Peterson (DFL)**Environment & Natural Resources Finance**

Prairie Farm Preservation Education and Exhibit Center funding provided, bonds issued, and money appropriated.

HF825—Peterson (DFL)**Agriculture Policy**

Ethanol plant sales restricted.

Thursday, March 13**HF826—Seifert (R)****Higher Education Finance**

Higher education financial aid requirements modified to include a service requirement for certain stipends.

HF827—Severson (R)

Governmental Operations & Veterans Affairs Policy
Capitol Area Architectural and Planning Board enabling law revised to remove obsolete language.

HF828—Paymar (DFL)**Governmental Operations & Veterans Affairs Policy**

St. Paul Port Authority employees included in the general employees retirement plan of the public employees retirement association, and prior service credit purchase authorized.

HF829—Urdahl (R)**Education Policy**

Probationary teacher evaluation requirements provided.

HF830—Kahn (DFL)**Governmental Operations & Veterans Affairs Policy**

Sports wagering, pools, and bookmaking authorized under the state lottery; bookmaking tax imposed; and Minnesota active recreation fund established.

HF831—Gunther (R)**Commerce, Jobs & Economic Development Policy**

Unemployment insurance trust fund solvency provisions increased.

HF832—Seifert (R)**Commerce, Jobs & Economic Development Policy**

Prevailing wage requirements repealed.

HF833—Hilty (DFL)**Higher Education Finance**

Fond du Lac Tribal and Community College baccalaureate programs established in elementary education and sustainable development.

HF834—Slawik (DFL)**Transportation Policy**

School zone speed limit of 25 miles per hour established.

HF835—Samuelson (R)**Education Finance**

Independent School District No. 14, Fridley, severance levy authorized.

HF836—Slawik (DFL)**Transportation Finance**

Ramsey County I-94 at Century and McKnight interchange project funding provided, bonds issued, and money appropriated.

HF837—Olson, M. (R)**Environment & Natural Resources Policy**

Clearwater River Watershed District authorized to charge facilities for disposing sewage, and other waste.

HF838—Krinkie (R)**Transportation Policy**

Trunk highway maintenance county contracting provided.

HF839—Nelson, M. (R)**Governmental Operations & Veterans Affairs Policy**

City managers allowed to revoke elections to be excluded from membership in the public employees retirement association.

HF840—Solberg (DFL)**Environment & Natural Resources Policy**

Timber sale on tax-forfeited land provisions modified to allow county boards to impose restrictions.

HF841—Fuller (R)**Governmental Operations & Veterans Affairs Policy**

Bemidji City Council member authorized to terminate public employees retirement association general plan coverage.

HF842—Zellers (R)**Regulated Industries**

Maple Grove authorized to issue additional on-sale liquor licenses.

HF843—Seifert (R)**Higher Education Finance**

Higher education financial aid requirements modified to include service requirement for certain stipends.

HF844—Smith (R)**Governmental Operations & Veterans Affairs Policy**

Full actuarial value service credit purchase provisions made permanent in teachers retirement association, first class city teacher fund associations, MSRS, PERA, and various other plans.

HF845—Abrams (R)**Local Government & Metropolitan Affairs**

Hennepin County Medical Center and health maintenance organization exempted from contracting requirements.

HF846—Adolphson (R)**Environment & Natural Resources Policy**

Wetlands replacement ratios for public transportation projects modified.

HF847—Anderson, B. (R)**Health & Human Services Policy**

Mental health care patients health records access provided to family members.

HF848—Lipman (R)**Transportation Finance**

Trunk Highway 5 safety improvements funding provided, bonds issued, and money appropriated.

HF849—Walz (R)**Jobs & Economic****Development Finance**

Displaced homemaker program funding provided by increasing the marriage license fee.

HF850—Brod (R)**Environment & Natural Resources Policy**

Rush River wayside unit of the Minnesota Valley state recreation area local management agreement by natural resources commissioner required.

HF851—Stang (R)**Commerce, Jobs &****Economic Development Policy**

Motor vehicle sales and distribution regulated.

HF852—Lipman (R)**Commerce, Jobs &****Economic Development Policy**

Motor vehicle retail installment sales regulated.

HF853—Magnus (R)**Transportation Finance**

Traffic control sign replacement grant program bonds issued and money appropriated.

HF854—Rhodes (R)**Commerce, Jobs &****Economic Development Policy**

Mechanical contractors bond requirement established and filing fee authorized.

HF855—Abeler (R)**Education Policy**

Substitute teacher attainment of continuing contract or tenure status allowed.

HF856—Dempsey (R)**Governmental Operations & Veterans Affairs Policy**

Teacher retirement coverage election deadline for Minnesota State Colleges and Universities system service extended.

HF857—Koenen (DFL)**Jobs & Economic****Development Finance**

Olivia center for agriculture innovation bonds issued and money appropriated.

HF858—Howes (R)**Health & Human Services Policy**

Hubbard County facility nursing home bed moratorium exception provided.

HF859—Lindgren (R)**Environment & Natural****Resources Policy**

Timber sale provisions modified and criminal penalties provided.

HF860—Gunther (R)**Regulated Industries**

Conservation reporting requirements exemption provided for municipal utilities.

HF861—Otremba (DFL)**Agriculture Policy**

Livestock development provision eliminated.

HF862—Seifert (R) Higher Education Finance State grant eligibility for students attending private, for-profit higher education institutions eliminated.	HF874—Otremba (DFL) Health & Human Services Policy MinnesotaCare gross income definition modified.	HF885—Seifert (R) Health & Human Services Policy Food establishments exempted from equipment design or construction rules under certain conditions.	HF896—Johnson, J. (R) Commerce, Jobs & Economic Development Policy School conference and activity employment leave technical clarifications provided.
HF863—Peterson (DFL) Taxes Re-refined motor oil and recycled paper sales and use tax exemptions provided.	HF875—Pugh (DFL) Taxes Levies exceeding charter limits as property tax aids decrease allowed.	HF886—Holberg (R) Local Government & Metropolitan Affairs Metropolitan Council agency long-range policy plan regional improvement cost analysis required.	HF897—Erickson (R) Education Finance Minnesota state library board established.
HF864—Stang (R) Higher Education Finance Higher Education Services Office modified.	HF876—Pugh (DFL) Health & Human Services Policy MinnesotaCare provider taxes repealed, tobacco settlement funds disposition provided, and purchaser savings pass-through required.	HF887—Abeler (R) Health & Human Services Policy Immunization and vaccination data requirements provided for children enrolling in schools or child-care facilities.	HF898—Thissen (DFL) Civil Law Eminent domain; inverse condemnation by a business when a governmental entity occupies the market.
HF865—Powell (R) Health & Human Services Policy Psychology board independent examination of a practitioner required.	HF877—Otremba (DFL) Health & Human Services Policy Partial-birth abortion ban act of 2003 adopted.	HF888—Hilstrom (DFL) Judiciary Policy & Finance Adult court jurisdiction provided over traffic offenses committed by juveniles age 16 and above.	HF899—Dorman (R) Commerce, Jobs & Economic Development Policy Ethanol content of 10 percent required in all gasoline sold in Minnesota.
HF866—Powell (R) Health & Human Services Policy Psychologist emeritus registration provided.	HF878—Knoblach (R) Commerce, Jobs & Economic Development Policy Tattooing of minors prohibited.	HF889—Hilstrom (DFL) Local Government & Metropolitan Affairs Metropolitan Council project local approval required for projects for which real property will be acquired by eminent domain.	HF900—Howes (R) Health & Human Services Policy Nursing facility wage and benefit distribution plans approval procedures modified.
HF867—Powell (R) Health & Human Services Policy Psychologist supervised practice provisions modified.	HF879—Knoblach (R) Civil Law Housing and real property benefit data classified.	HF890—Smith (R) Governmental Operations & Veterans Affairs Policy Minnesota State Retirement System and Public Employees Retirement Association definitions modified, clarifications provided, and pension asset disposition provided after death of certain employees.	HF901—Thao (DFL) Health & Human Services Finance Medical Assistance reimbursement rates for certain outpatient rehabilitation services increased.
HF868—Powell (R) Health & Human Services Policy Psychology practice definition clarified.	HF880—Kuisle (R) Education Finance Independent School District No. 806, Elgin-Millville, handicapped access and fire safety improvements levy authorized.	HF891—Nelson, C. (R) Agriculture Policy Ethanol producer payments suspended to producers after majority ownership of a plant is transferred.	HF902—DeLaForest (R) Transportation Finance Native grass seeds purchase prohibited with dedicated highway funds.
HF869—Brod (R) Commerce, Jobs & Economic Development Policy Rural challenge grant program modified, contamination cleanup grant program administration funds increased, world trade center duties transferred, and report eliminated.	HF881—Kielkucki (R) Education Policy Minnesota State High School League directed to adopt a policy on corporate sponsorship; and other league budget, investment and review provisions repealed.	HF892—Gunther (R) Regulated Industries Independent telephone companies deregulated.	HF903—Cornish (R) Environment & Natural Resources Finance Individual sewage treatment system contractor license fee increased, surcharge imposed, report required, and individual sewage treatment system program staffing increased.
HF870—Fuller (R) Transportation Finance Sewage treatment system pumper vehicle seasonal weight limitation temporary exemption provided.	HF882—Cox (R) Environment & Natural Resources Policy Electronic products with cathode ray tubes prohibited from mixed municipal solid waste, recycling and recovery standards compliant products list established, and anticompetitive conduct immunity provided for participating manufacturers.	HF893—Howes (R) Transportation Policy Utility vehicle gross weight provisions sunset repealed.	HF904—Bradley (R) Health & Human Services Policy Public assistance, health care, continuing care, and children's services provisions modified; community services act adopted; medical assistance estate recovery provisions and local public health grants modified, and money appropriated.
HF871—Smith (R) Governmental Operations & Veterans Affairs Policy Disability benefit certification by licensed psychologist provided.	HF883—Wilkin (R) Local Government & Metropolitan Affairs Metropolitan Airports Commission chair subjected to confirmation by the Senate, and members' terms of office clarified.	HF894—Pugh (DFL) Commerce, Jobs & Economic Development Policy Manufactured homes certificates of title provisions modified.	HF905—Bradley (R) Health & Human Services Policy Child-care programs, Minnesota economic opportunity grants, and food shelves funding provided; and money appropriated.
HF872—Anderson, J. (R) Higher Education Finance Higher education reciprocity agreements, state grants, fees, and Minnesota College Savings Plan clarifying, conforming, and technical changes provided; revenue bond limit increased, and learn and earn money usage clarified.	HF884—Pelowski (DFL) Higher Education Finance Higher education financial aid provisions modified to include a service requirement for certain stipends.	HF895—Kuisle (R) Transportation Policy Eminent domain; property owners provided access to appraisal data, costs and attorney fees provided, and appraisal and negotiation requirements established before eminent domain proceedings for transportation projects can proceed.	
HF873—Dorman (R) Governmental Operations & Veterans Affairs Policy County records examination by private accountants authorized and state audit mandate by state auditor removed.			

MONDAY, March 17

12:30 PM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF373 (Nornes) Optometrist drug prescription limitations, prescription of controlled substances; standards provided.

HF653 (Olsen, S.) Postadoption services rules modified to require release of non-identifying history of birth family.

HF230 (Abeler) Establish a board of licensed professional counseling.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF494 (Huntley) Independent School District No. 709, Duluth, at-large school board member reduction authorized.

HF668 (Holberg) Woman's right to know act requiring informed consent of a female upon whom an abortion is performed, and providing civil remedies.

3:00 PM

THE HOUSE MEETS IN SESSION.

TUESDAY, March 18

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: HF541 (Sertich) Family homeless prevention and assistance program funding provided, and money appropriated.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Department of Natural Resources budget.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Presentation by Rep. Bradley and officials from the administration of the Pawlenty Administration's HHS Finance Bill and Child Care Finance Bill.

(Meeting may continue after 4:15 p.m. in Room 5 of the SOB, if additional time is required).

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: HF395 (Abeler) Driver's license revocation reinstatement fees increased and reallocated.

Presentations by Department of Natural Resources, Pollution Control Agency, and Board of Water and Soil Resources.

Education Policy

Room: Room 200 State Office Building

Chair: Rep. Barb Sykora

*** Note: *** Change in Agenda

Bill(s) Added

Agenda: HF580 (Erickson) School district curriculum and instruction required premised on abstinence until marriage.

HF390 (Erickson) Elections conducted by mail; county auditor approval requirement eliminated.

HF391 (Olsen, S.) School districts authorized to convert, by election, from election by district to election at large.

HF535 (Nelson) Independent School District No. 535, Rochester, authorized to begin school year on any date set by school district.

HF788 (Anderson, J.) Teacher representative notification required prior to placement of a student with a history of violent behavior.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: HF517 (Demmer) A bill for an act relating to education; renaming the Department of Children, Families and Learning to Department of Education; making conforming changes to reflect the department name change.

HF782 (Seagren) A bill for an act relating to education; providing for the Department of Children, Families and Learning administrative amendment and repeal of certain statutory provisions relating to kindergarten through grade 12.

HF781 (Seagren) A bill for an act relating to education; families and early childhood education; kindergarten through grade 12; providing for child care programs, early childhood programs, prevention, self-sufficiency and lifelong learning, general education, other general programs, nonpublic pupil programs, charter schools, desegregation programs, American Indian programs, accountability and reform, programs for special populations, special programs, facilities and technology, nutrition programs, libraries, and state agencies; renaming the department of Children, Families and Learning to Department of Education; appropriating money.

HF205 (Goodwin) A bill for an act relating to education finance; creating an alternative to the detachment and annexation process for residential property parcels that are split among school districts.

HF365 (Johnson, J.) A bill for an act relating to education; eliminating unneeded mandates affecting kindergarten through grade 12 public schools.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF529 (Hackbarth) Mourning dove hunting season authorized, and stamps and report required.

HF530 (Hackbarth) Mourning dove hunting season authorized and report required.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: Department of Public Safety overview of Office of Justice Programs Reorganization Plan.

Minnesota Center for Crime Victim Services Grant Program.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Continue Hearing on HF 760 (Abrams) Income, property, estate, sales and use, cigarette and tobacco product, and other taxation policy and administrative changes made, Internal Revenue Code conformity provided, civil and criminal penalties provided.

Presentation on Administration Supplemental Budget Proposal.

12:30 PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: Renewable Fuels - A look at emerging technologies: Dr. Robert Elde, Dean, College of Biological Sciences, University of Minnesota; Greg Cuomo, Head, West Central Research and Outreach Center, Morris, MN; David Gaffaney, USDA Rural Development Business and Industry Program Specialist; Bruce Stockman, Executive Director, MN Corn Growers Association; Al Doering, Staff Member, Agricultural Utilization Research Institute, Waseca, MN; Paul Kramer, Vice President of Malt Operations, Rahr Malting Co. Shakopee, MN; Loren Forest, Project Coordinator/Farmer, Generation II Ethanol, LLC, Luverne, MN; Carl Nelson, Program Manager, The MN Project; Henry Fischer, Business Community Development Manager,

East Central Energy; Wayne Marzolf, Interim Director, MDA Rural Finance Authority; Deputy Commissioner Edward Garvey, MN Dept. of Commerce; Mike Taylor, State Program Administrator, MN Dept. of Commerce.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: Presentation on long-range planning for rural transportation.

Commerce, Jobs and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF732 (Brod) Rural challenge grant program modified, contamination cleanup grant program administrative funding limitations increased, and obsolete references eliminated. HF561 (Gerlach) Tobacco sales to minors uniform mandatory penalties imposed, mitigating circumstances defined, and electronic age verification required.

HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

2:30 PM

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF297 (Haas) Health commissioner directed not to adopt certain rules, and specified data collection and research initiative provisions repealed.

HF678 (DeLaForest) Civil commitment technical correction provided.

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: HF 775 (Westrom) Radioactive waste management facility definition modified, dry cask storage at Prairie Island facility authorized, and commission approval required for additional storage capacity for spent nuclear fuel.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF578 (Brod) Arlington regional sludge management project grant contract extended. HF575 (Gerlach) Art expenditures in state-financed buildings limited.

HF555 (Krinkie) Duplicating and printing service requirements relating to Administration Department repealed, and outside service contracts authorized.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF444 (Swenson) Municipal contract

judgment awarding of attorney fees authorized in certain cases.

HF744 (Erickson) State Building Code municipal reporting requirements modified.

HF588 (Brod) Township authority granted to require natural gas utilities to obtain a franchise from the township.

HF609 (Kelliher) Minneapolis authorized to establish a community planning and economic development department.

Health and Human Services Policy

Licensing Subcommittee

Room: 300N State Office Building

Chair: Rep. Jim Abeler

Agenda: HF346 (Abeler) Speech language pathology or audiology practice provisions.

HF496 (Abeler) Nurse temporary licensure provisions modified.

To testify on these bills, please call Andy Gildea at (651) 296-5065.

WEDNESDAY, March 19

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF316 (Hackbarth) Anoka County park-and-ride lot funding provided, bonds issued, and money appropriated.

HF570 (Gerlach) Bloomington; Cedar avenue bus transit way funding provided, bonds issued, and money appropriated.

HF481 (Meslow) Rush Line corridor transitway funding provided, bonds issued, and money appropriated.

HF511 (Hilstrom) Brooklyn Center transit center construction mandated through the Metropolitan Council.

HF271 (Hausman) Central Corridor transit way between St. Paul and Minneapolis funding provided, bonds issued, and money appropriated.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Public comments on Administration's HHS Finance Bill and Child Care Finance Bill.

To testify, please call Andy Gildea at (651) 296-5065.

(Meeting may continue after 4:30 p.m. in Room 10 of the SOB, if extra time is required).

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Department of Natural Resources budget.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Hearings on bills to be announced.

12:30 PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Mayo Medical School response to governor's FY04-05 budget

Witnesses: Dr. Tony Windebank, Dean, Mayo Medical School; Dr. Dave Agerter, Chair, Family Medicine Department.

University of Minnesota faculty presentation.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: HF 772 (Swenson) Minnesota Agriculture Education Leadership Council expiration date eliminated.

HFXXXX (Blaine) Enhancing markets for dairy and other nutritional products; regulating the availability and sale of certain beverages in public schools; prohibiting certain provisions in contracts between beverage vendors and schools or school districts.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: Tour of the University of Minnesota's high tech lab and transportation research initiatives sponsored by the University's Center for Transportation Studies.

2:30 PM

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF760 (Abrams) Income, property, estate, sales and use, cigarette and tobacco product, and other taxation policy and administrative changes made,

Internal Revenue Code conformity provided, civil and criminal penalties provided. Addressing Article 3, Sec. 3, Subd. 1

HF756 (Rhodes) County levy authority modified to fund statewide public safety radio system.

HF756 (Severson) Municipal ordinance authority clarified relating to affordable housing.

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF778 (Holberg) Marriage dissolution pension plan asset distribution provisions clarified.

HF565 (Borrell) Government data practices complaints administrative remedies provided.

HF447 (Blaine) Farm land ownership restrictions modified and penalties imposed.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF585 (Nornes) Certified public accountants authorized to perform annual audits for county nursing homes.

HF472 (Olson, M) School district opt out procedures provided regarding certain state mandates.

Regulated Industries

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: To be announced.

THURSDAY, March 20

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Department of Natural Resources budget.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: Presentation by Lisa Graham Keegan, Education Leaders Council, on No Child Left Behind.

Bills may be added.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Public comments on Administration's HHS finance bill and child-care finance bill.

To testify, please call Andy Gildea at (651) 296-5065.

(Meeting may continue after 2:15 p.m. in Room 10 of the SOB, if extra time is required).

10:15 AM

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF 623 (Hackbarth) Vapor recovery equipment required for gasoline deliveries in the metropolitan area.

Other bills to be added.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Hearings

HF3 (Magnus) Tax-free property zones established, exemptions provided for individuals and businesses, state aid and repayment of tax benefits provided, and money appropriated.

Other business that may appropriately come before the committee.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

12:30 PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Representative Elaine Harder

Agenda: Overview of the Dairy Development and Profitability Enhancement Program.

Commerce, Jobs and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF748 (Gunther) Economic development, housing jobs, and state government finance funding provided, and money appropriated HF894 (Pugh) Manufactured housing bill.

FRIDAY, March 21

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Public comments on Administration's HHS Finance Bill and Child Care Finance Bill.

To testify, please call Andy Gildea at (651) 296-5065.

Hearings will continue until testimony is concluded.

People in Hawaii will be paying more for beverages in a couple of years, but they have the option of getting some change back.

Beginning Jan. 1, 2005, Hawaii will charge a nickel deposit for each aluminum beverage can and glass or plastic bottle sold in the state. Consumers will be refunded the deposit when the container is redeemed at a recycling center, or reverse vending machine.

A handling fee of up to 1.5 cents per container, designed to generate funds to cover the recycling and administrative costs, will be nonrefundable.

The fees are exempt from the state sales tax.

Former Gov. Ben Cayetano signed the "bottle bill" into law June 25, 2002, making Hawaii the 11th state to require that customers pay extra for beverage containers. It was the first time in 16 years that a state adopted a new beverage deposit law, according to the Container Recycling Institute.



Deposit 5¢

Hawaii is latest state to adopt bottle-bill legislation

Critics argued that the law would be an added burden on retailers and residents and that some will refuse to pay the extra cost.

Cayetano disagreed.

"I think if you were to sit down with an average person on the street and ask that person if they would be willing to pay a fraction more so that we can keep the environment clean, I'm confident that the overwhelming majority of Hawaii's people will say yes."

Linda Lingle, who was elected governor last November, opposed the legislation saying it is another tax for Hawaiians. She also told the *Honolulu Advertiser* that the law does not create a market for recyclable products and "all you have is separated garbage."

"On average, 75,000 beverage containers are thrown in the trash every hour statewide," said Jeff Mikulina, director of the Sierra Club's Hawaii chapter. "States with bottle bills recycle over 80 percent of their beverage containers, while Hawaii currently recycles only about 20 percent."

In Minnesota, a similar bill (HF2266/SF2099) was introduced in 2001 by Rep Carl Jacobson (R-Vadnais Heights) and Sen. Mady Reiter (R-Shoreview), but stalled in committee.

(M. Cook)

ropolitan area. He said that cities in the corridor represent a significant number of jobs. Improvements to the freeway are slated for 2012, but Thorfinnson said the area needs improvements to 494 and I-35W sooner.

"The I-494 corridor will continue to lose business to other less congested areas," he said.

His thoughts were echoed by David Lindahl, economic development director for Eden Prairie. "This is business's problem, too. They're having a hard time getting people to the workplace."

Representatives from the trucking industry also expressed concern about the area, saying congestion delays delivery, causing trucking companies to build delays into their pricing structures and causing the price of goods to increase.

A number of testifiers also addressed transit, saying the system needs more flexibility in order to serve commuters who come north across the Minnesota River, but travel along the 494 corridor, rather than to either downtown.

According to the Transportation Department, improvement projects throughout the metropolitan area are planned, to help alleviate congestion. Portions of Highways 12, 52, 55, 94, 100, 494, and 610 are set for construction by 2005. Congestion relief efforts along Interstates 35E, 35W, 94, 494, 694 and Highways 36, 41, 100, 169, 280, and 52 are planned through 2012.

The questions for lawmakers – how to fund the projects and what volume of projects the department and construction industry can support each year.

Based on revenue projections through 2025, Henkel said the state can anticipate about \$5.56 billion for transportation. However, needs analyzed in 2003 dollars will approach \$15 billion by 2025.

Members of the committee requested more detailed information about how the state could create additional revenue, such as what combination of bonding and gas tax increases would cover the needs. 🐾



PHOTO BY TOM OLMSCHIED

Tim Henkel, transportation planning director for the Department of Transportation, testifies on traffic congestion management during a March 11 meeting of the House Transportation Policy Committee.

Reflections

With much of the legislative session focusing on the state budget, money is a main topic of conversation for many.

Having income is so important that it controls every aspect of managing state government and the lives of its residents. But how did dollars or money become the driving force for making or breaking a state, a business, the stock market, or even individual investors?

Long before pictures of dead presidents appeared on paper currency, items were bought and sold, or business conducted with a wide variety of tender used as currency. Early colonists and Native Americans learned to trade items each found to be of value – furs, trinkets, tools, lumber, land, and other goods.

For example, in 1626, the Dutch sea merchant, Peter Minuit, purchased New York's lower Manhattan for the equivalent of \$24 in wampum — hand-made stringed beads made from clam shells — trinkets, and knives.

Wampum soon lost its value with the advent of the steel drill and the activities of a few entrepreneurs who began to mass produce strings of factory made wampum. Milled gold and silver coins then became the high commodity for trade. As paper currency became available, states and private sources printed so much in the form of bank notes that it soon cost more to print the money than what it was worth. Even so, coins soon became scarce and lost their value.

As colonists, fur traders, and others moved westward and into Minnesota Territory in the early 1800s, the direct bartering of "trade goods" — blankets, flour, sugar, cloth, and tobacco — ruled the area's economy with fur trading as the dominant resource.

From 1812 to about 1832, a popular monetary item was a paper currency called "beaver money" issued by the American Fur Company. Beaver fur was an expensive item on the East Coast and in Europe, so the American Fur "bankers" stockpiled pelts and issued loans in paper currency to be repaid to them based on the worth of the furs.

A first quality beaver pelt or "plus" was the standard of value. A plus was worth one bear, one otter, one lynx, three martens, and 15 muskrats.

Worthless paper currency printed in other states, cheap bank notes, and merchants seeing losses by

selling on credit, caused businesses to close and bank repositories to fail just before statehood. The first Legislature of 1858 passed legislation for banks to issue their own currency, which briefly solved the financial crisis.

Since Civil War days, the federal government has regulated paper currency, while worthless bank notes and scrip that was subject to easy counterfeiting no longer exists. Yet with the use of present-day technology, "funny money" has escalated through massive counterfeiting of millions of fake dollars. In order to try and halt its increase, a U.S. \$20 greenback will soon be the first to have its background changed to the color of blue, gold, or amber.

Maybe it would be easier to keep private printers of paper money out of the market by using a beaver money or trade goods standard without the paper currency. Then a classified ad could read something like: "2003 vehicle for sale — three beavers, one otter, and 75 muskrat pelts. No scrip accepted."

— LECLAIR GRIER LAMBERT



Wampum

Photo courtesy of PBS Web site

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MINNESOTA INDEX

Driving and crashing in Minnesota

Statewide seat belt usage rate in a summer 2002 study, as percent	80.1
Percentage in 2001	74
Percentage in 1986	33
Seat belt usage rate in Iowa during summer 2002 study, as percent	81
In Wisconsin	66.6
In North Dakota	57
Child restraints issued by the Department of Public Safety between 2000 and 2002 using fine money from child passenger safety and seat belt violations	7,940
Fatalities and serious injuries from crashes in Minnesota in 2001	3,517
In 1986	6,135
Crash fatalities in Minnesota in 2002	614
In 2001	568
Decrease in overall crash fatalities from 2000 to 2001, as percent	9.1
Of 2001 fatalities, percentage in rural areas	68
Percentage of Minnesota drivers involved in fatal crashes from 1995 to 2001 that failed to yield	16
National average, as percent	8
Percentage of fatal crashes where inattentive driving was a contributing factor	13
National average, as percent	7
Economic impact to Minnesota of crashes in 2001, in billions	\$1.6
Economic impact in 2000, in billions	\$1.2
Number of state alcohol-related traffic deaths in 2001	211
In 2000	245
Consistent percentage of all traffic deaths in past decade related to alcohol	40
Driver's license reinstatement fee for a drug or alcohol offense, as of	
July 1, 2002	\$395
Before then	\$290
State's current blood-alcohol concentration percentage that defines a drunken driver	0.10
What it must be by Oct. 1, else risk losing federal transportation dollars	0.08
Estimated millions to be lost in federal fiscal year 2004 without the change	\$6.64
Anticipated federal money lost each year beginning in 2007, in millions	\$26.6
Number of uniformed Minnesota State Patrol personnel	536
Approximate percentage of Minnesota drivers that also have a motorcycle license	10
Percentage of all registered vehicles in 2000 that were motorcycles	3.2
Average number of motorcyclists killed annually in crashes in last 10 years	35
Percentage of those not wearing a helmet	77.1

Sources: Minnesota Department of Public Safety, Office of Traffic Safety; www.stateline.org; Minnesota Motorcycle Safety Center; Minnesota Safety Council; National Highway Traffic Safety Administration

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SESSION Weekly

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MARCH 21, 2003

VOLUME 20, NUMBER 11

In this issue:

RENEWABLE FUELS, APPRENTICES

HEALTH AND HUMAN SERVICES BUDGET, AND MORE

HF906-HF1091

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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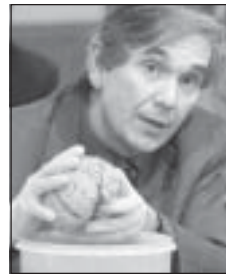
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On the cover: The Capitol dome is reflected in a pool of melting snow March 14 when the temperature exceeded 60 degrees.

— Photo by Andrew Von Bank

Getting an earful

Care providers, those receiving state assistance express concerns about governor's budget for health and human services

By Jeff Jones

Weeks before Gov. Tim Pawlenty released his proposal for shoring up a projected \$4.2 billion state budget deficit for the upcoming biennium, the House Health and Human Services Finance Committee was hearing testimony about it.

Dubbed "Do More With Less" hearings, committee members heard pleas and suggestions from state agencies, local governments, residents, hospitals, insurance companies, social service providers, and not-for-profit groups of all stripes. Most explained the importance of the services their organization provides and encouraged continued support.

best pinch its pennies from the perspective of the groups it partners with to provide services.

Bradley turned to that pile upon release of Pawlenty's budget plan for fiscal year 2004-05. Health and human services programs are the second biggest piece of the state's spending pie, and with K-12 education funding mostly immune from the budget knife, those programs received the largest spending reductions in the governor's proposal.

Under the plan, the state would save \$1.1 billion, or 12 percent of the projected 2004-05 funding, in the Human Services Department alone, by reducing spending levels and raising fees.

"While a \$3 or \$6 co-payment may not seem like a lot of money to you and me, for people living on very low incomes, it creates a significant barrier," said Sue Abderholden of the National Alliance for the Mentally Ill, testifying about the effects of new co-payments required from state Medical Assistance clients. "If you had three medications and a doctor's visit, you may be looking at paying 2 to 3 percent of your income per month. On a legislative salary, that would be equivalent to almost \$80 a month," Abderholden said.

Administration officials said the Health and Human Services departments were returning to their role as "safety net" agencies. In a letter to the committee, Human Services Commissioner Kevin Goodno said his department "worked to identify those people who are 'most vulnerable' and services that are 'most critical' to their well being. Anything falling outside this definition was reduced or eliminated in order to preserve these core services."

Some DFLers said they think the sheer volume of cuts is unrealistic.

"Lots of middle class families that have children with disabilities will be summarily hurt by this budget," said Rep. Thomas Huntley (DFL-Duluth). "There's mentally ill people that won't get their pharmaceuticals. 50,000 people are going to lose health insurance. Most of those are working people."

Bradley agrees the governor's numbers are staggering. "I think my caucus likes most of what the governor's done," he said. "But there's some areas where we have trouble and we're doing everything we can to sort of mitigate some of those troubles that we have."

And that's where his five-inch stack of ideas comes in.

"We tried to pull out from those the ideas that really were relevant, ideas that had some merit, had substance to them, that we thought were reasonable, and compiled that into a kind of 'Here's your set of opportunities, go out and engage with the appropriate advocate groups, industry groups or whoever and see what you can come up with.'"

"The system can hopefully be reformed a bit so that when the monies return, which they will, we can return to greener days," said Rep. Jim Abeler (R-Anoka). "Then we can add money back in a better way and it will go even farther and serve better."

Abeler said he hopes to reduce the impact of budget reductions on people with disabilities. He said there is wide disparity among counties in how much funding is provided for



PHOTO BY ANDREW VON BANK

Lisa Salinas of Eagan testifies about the Consumer Support Grant Program before the House Health and Human Services Policy Committee March 19 as her son, Erik, who has cerebral palsy, looks on.

Many also supplied suggestions on how the cash-strapped state might deliver services more efficiently, provide oversight more effectively, distribute funding more flexibly, and hopefully, save money more easily.

Committee Chair Rep. Fran Bradley (R-Rochester) estimated that after eight hours of hearings, he had a pile of paper five inches thick detailing how state government could

Bills reflecting the administration's proposals were reviewed in the Health and Human Services Policy Committee March 18 and committee members heard several additional hours of public input over the next two days.

Critics called the funding reductions extreme and said the governor was balancing the budget on the backs of some of Minnesota's most vulnerable citizens.

the disabled to receive individualized care.

Under the governor's proposal many nursing homes would pay higher fees to the state and be required to reduce rates or decrease capacity in their facilities. Grant funding for Meals on Wheels and senior dining programs would also be eliminated.

"We are being told to go into next year and either reduce the number of nursing home beds or take a 4 percent reduction (in state funding)," said Barbara Ruppe, a nursing home administrator in St. Paul. With rapidly rising insurance costs, she said, her facility would have to dramatically reduce its staff to make up for the lost funds. "I am concerned that you are asking us to be more efficient, when the best indicator of the type of care residents receive is the actual time direct care staff spend with them."

Plans in the bill regarding the state's welfare system would require anyone applying for the Minnesota Family Investment Program to meet with a job counselor to develop an employment plan. Recipients attending school would be required to work 25 hours a week. Families' cash grants would not increase if they have another child while on the program, under the proposal.

Justine White, a disabled mother of two from Lake Elmo, testified that a cut to welfare recipients who also receive Supplemental Security Income would make it impossible for her to afford her family's rent. "When I hear that the governor wants to take \$175 a month out of my children's MFIP grant because I get SSI, the first thing I thought was, 'How will I take care of my children?' We are barely getting by now. ... That's almost 20 percent of my income."

The proposal would combine the General Assistance Medical Care and MinnesotaCare health insurance programs and would limit subsidized insurance eligibility for single adults to those making less than 75 percent of federal poverty guidelines, which were \$18,100 for a family of four in 2002. Those between 75 percent and 175 percent could pay full price for the same coverage. Parents earning below 200 percent of federal poverty guidelines could receive subsidized coverage. Parents making up to 275 percent could pay full price.

Another part of the governor's plan is to reduce state payments to medical providers.

Representatives of Minnesota hospitals said they would have to raise prices for insured patients or shut their doors. Brock Nelson testified that eliminating health coverage for undocumented immigrants alone will cost St. Paul's Region's Hospital \$2.25 million a year when they come in for emergency care.

"When you cut out eligibility, people don't go away," Rep. Huntley said. "They're still going to go to the hospital. They're still going to get health care treatment. It's simply a matter of who pays for it," he said. 🐾



Heavy load

Interim committee investigated misconduct in 1930s Highway Department

Practices in the Minnesota Department of Highways were under close scrutiny by an interim committee appointed in 1939, chaired by Sen. A.O. Sletvold. Shortly after taking office, then-Attorney General J.A.A. Burnquist, who would later become governor, ordered an audit of the department's books as part of an overall investigation of state government.

The department, which became the modern-day Transportation Department, was alleged to be ignoring laws governing construction project practices, abusing political ties in hiring practices, and generally wasting dollars that officials said should be designated for road projects.

According to the committee's report to the 1939 Legislature, "Under past departmental practices, it is often found difficult to place direct responsibility for waste of state funds. Millions of dollars have been paid out without verified or even written claim therefor by the claimant."

The report detailed four areas of concern in the department: personnel, equipment rentals, "emergency" contracts, and purchases.

As far back as 1933, the committee found, the commissioner of the Highway Department had ordered all maintenance and shop employees to receive the local county Farmer-Labor committee's approval in order to retain their jobs. A large number could not gain that approval and were let go, the report said, and they were replaced by those hand-picked by Farmer-Labor committees.

"The engineers could neither hire nor fire without political approval," the report said. "Discipline was a thing of the past and morale was lowered."

"Under this system, it was shown that the department payrolls were heavily overloaded with incumbents who performed no useful service to the state."

According to the report, the payroll for central office maintenance was 122 employees. Six months later, that number was down to 49, which the report indicated was sufficient for full division operations.

Next, the report suggested the department used equipment rental practices to grant construction projects without public bid letting, as required by law. More than

\$3 million was spent on equipment rental alone over a three-year period from 1936 to 1938. Two projects in particular accounted for many of the funds – work along Highway 61 along the North Shore totaling more than \$700,000 and \$311,000 on a Houston County highway.

The practice did not allow for the state to capture federal funds, the report noted, and it left nearly \$2.5 million in unused aid.

The committee also found the department expended nearly \$1 million on "emergency" contracts authorized to the commissioner's discretion in a case requiring immediate action.

Purchases of greater than \$500 were regularly authorized without public bidding processes, as well, according to the investigation. Among those purchases were very large amounts of bituminous road material – enough to patch large segments of highway and for routine maintenance. However, the costs exceeded going rates by more than \$8 per ton – nearly three times the regular rate.

"The last commissioner's scheme of equipment rentals and emergency contracts hereinbefore reported compels conclusions that are inescapable," the report said. "The system was designed to favor, and did largely favor certain individuals. It was carried out in violation of statute. The direct financial loss to the state reached a sum running into millions of dollars, a sum, which cannot here be accurately computed. No laudable purpose can be cited."

Though the report does not specifically name those to blame for the misuse of funds, it does name a number of officials who did not have any participation in the actions. It also suggests that most of the engineers and maintenance personnel did nothing wrong in performing their duties for the department.

However, a number of others headed to court. At the time the report was released, one criminal trial was in progress, several indictments were pending, and 10 civil actions for recovery were underway.

The committee also recommended legislative relief, in the form of limiting when certain powers could be exercised and tightening laws requiring a public bid process.

(M. KIBIGER)

★ ARTS

Dollars for art

A plan to limit the amount of money spent on art in state buildings was approved by the House State Government Finance Committee March 18.

In 1983, the Legislature enacted a law that is the basis for the Minnesota Percent for Art in Public Places Program. Under the program, state buildings with a construction or renovation appropriation of at least \$500,000 may designate up to 1 percent of the construction budget to the purchase or commission of original artwork.

Sponsored by Rep. Chris Gerlach (R-Apple Valley), HF575 would make the appropriation for art be the lesser of \$100,000 or the 1 percent. The bill would not affect any building for which appropriations have been made.

"I'm not opposed to art in buildings," Gerlach said. "I'm just questioning the amount."

He said that under current law the new \$39 million building for the Bureau of Criminal Apprehension allows for \$390,000 in art (\$361,200 has been budgeted), and a new building to house laboratories for the departments of Agriculture and Health with its \$60 million price tag would allow for \$600,000 in art. "This bill is prudent financial management as buildings become more expensive," Gerlach said.

Robert Booker, executive director of the Minnesota State Arts Board, which administers the program with the Department of Administration, spoke against the bill. He said some of the large numbers for art relate to the size of some buildings, like the Judicial Center or the Minnesota History Center, which combined had more \$720,000 allocated for art when they were constructed.

"If this bill passes we would see an art reduction in the largest, most prestigious state buildings," Booker said.

Rep. Jim Rhodes (R-St. Louis Park) said some of the 1 percent now allocated could go towards the cost of the building itself. "We can still have art in the buildings," he said. "It's a question of what can we afford."

Gerlach said a similar law in Wisconsin calls for two-tenths of 1 percent of a building's appropriation to go towards art, but the money may become part of that state's budget-balancing solution.

It would be tough to explain to constituents how the state can spend hundreds of thousands of dollars on art, while at the same time cutting funding for things like nursing homes,

said Rep. Marty Seifert (R-Marshall).

The bill now moves to the House Capital Investment Committee.

A companion bill (SF910), sponsored by Sen. Claire Robling (R-Jordan), awaits a hearing before the Senate State and Local Government Operations Committee.

★ BUSINESS

Consistent penalties

An effort to make uniform the penalties assessed for selling cigarettes and tobacco products to minors was approved March 18, but without a measure that would have required use of electronic age verification machines.

HF561, sponsored by Rep. Chris Gerlach (R-Apple Valley), was approved by the House Commerce, Jobs, and Economic Development Policy Committee. It now moves to the House Local Government and Metropolitan Affairs Committee.

The bill was amended several times, and drew testimony by convenience store owners who favored it and health professionals who opposed it.

Current law allows cities to exceed state mandated minimum fines for businesses and

clerks found to be selling cigarettes to youth under 18 years old. Also left to local control is the number of days a business's tobacco license may be revoked, should suspension be invoked.

Some cities have imposed fines and license revocation periods so extreme that businesses have lost substantial income, and in some cases have had to close, Gerlach said.

Tom Schlangen, who owns a New Hope convenience store, said the city suspended his license for three days in 1999 following his second compliance check failure. Customers who couldn't buy cigarettes from him took their business elsewhere, which also affected gasoline and car wash sales.

Schlagen said he has lost \$50,000 a year since then because he never regained those customers, who in the convenience store business are creatures of habit.

"These are (the result) of cashier errors," he said. "No one wants to sell to minors."

But allowing cities to impose their own penalties, which are often times more strict than state mandates, has had a proven positive effect on adolescent smoking, said Jean Forester, a University of Minnesota professor.

The bill would impose a \$75 fine for the first violation, a maximum of \$200 for the second violation, and a \$500 fine, a license

★ FLAG RAISING



PHOTO BY TOM OLMSCHIED

Historical Society textile curator Ann Frisma, *right*, lays a heavily fragmented Civil War flag of the Ninth Minnesota Infantry on a table during a condition examination March 19 of the 21 Civil and Spanish American War flags that are on display in the Capitol Rotunda. Fonda Chomsen, *left*, a specialist in flags and banners of Textile Conservator Associates in Keedysville, Md. assists with the examination. Capitol Site Manager Carolyn Kompelien, *center*, watches as the curators work.

suspension of up to seven days, or both for a third violation.

An amendment removed a measure that would have required sellers to verify customer age through a driver's license age verification machine. Such machines can retain driver's license information, and therefore constitute an invasion of privacy, said some legislators. The bill does require, however, limited use of information obtained from driver's licenses when retailers choose to use such machines.

The bill does not yet have a Senate companion.

★ CRIME

Reporting, prosecuting identity theft

When Dawn Lewis Anderson realized her credit card information had been stolen, she immediately called the police. But she was told her local police department wouldn't take her complaint because the crime wasn't committed in their jurisdiction. Anderson told a House committee March 13 that without knowing just where or how the information was stolen, she had few places to turn.

A bill approved by the House Judiciary Policy and Finance Committee would make it easier for victims to report the crime, and prosecutors to charge the perpetrator.

Sponsored by House Majority Leader Erik Paulsen (R-Eden Prairie), HF821 would allow local law enforcement agencies to take reports of identity theft from people living or working within their jurisdiction even if the crime occurred somewhere else. It also permits prosecutors to bring charges against identity thieves in either the county where the theft occurred or the county where the victim lives or works.

Paulsen said his bill would allow flexibility for law enforcement and eliminate a lot of headaches for victims.

Bill Gillespie, executive director of the Minnesota Police and Peace Officers Association, called the bill "something that should have occurred a long time ago." Currently, he said, a person has to return to the place where their identity was stolen to file a police report.

Such reports, he said, are crucial not only for prosecuting crimes, but for victims to receive relief from banks or insurance companies. "A bank or company wants a 7-digit number," he said, referring to the complaint number that is a part of any police report.

Under the bill, reports filed in a county other than where the crime took place would not count towards that county's property crime statistics.

The bill, which has no Senate companion, next goes before the full House.

Tougher penalties

Identity thieves who victimize multiple people would face an increased penalty if a bill heard March 13 by the House Judiciary Policy and Finance Committee becomes law.

Under HF431, if eight or more people are directly victimized by the information theft, the accused can be sentenced to up to 20 years in prison and face a \$100,000 fine. The same penalty applies if any identity theft crime results in more than \$35,000 in losses to the victims.

"We're going after the ring-type situations," said the bill's sponsor, Rep. Doug Meslow (R-White Bear Lake). He said his bill sends the message that identity theft is no less important than other theft crimes.

Using another person's identity without permission while committing a crime would be considered an aggravating factor under the bill, and courts would be allowed to add appropriate additional penalties to a sentence.

Another provision would allow courts to impose consecutive sentences for defendants with six or more previous criminal convictions. Meslow said the provision would primarily affect property offenders with a long criminal history.

Because the bill would have a fiscal impact on the state Corrections Department, committee members will consider it for inclusion in the committee's omnibus finance bill.

A Senate companion (SF254), sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits a hearing in the Senate Crime Prevention and Public Safety Committee.

Mail theft punishment

The House Judiciary Policy and Finance Committee approved a bill March 13 that would create the crime of mail theft in Minnesota.

Sponsored by Rep. Tom Pugh (DFL-South St. Paul), HF463 would impose a three-year felony sentence and a fine of up to \$5,000 for stealing or opening mail addressed to someone else.

Pugh said it is increasingly common for identity thieves to obtain and use private information contained in letters stolen from mailboxes or post offices. That information can include photographs, ID cards, bank or credit card numbers, medical information, and social security numbers.

"It's an epidemic out there right now," Pugh said.

While already a federal crime, Pugh said federal courts and prosecutors do not have the resources to deal with any but the biggest instances of mail theft. He said the United States Postal Service crafted the language in his bill

and encourages states to pass it in hopes of cracking down on the crime.

"These lower-level crimes need to be dealt with and we don't have a real good venue in the federal courts," Pugh said.

The bill allows Minnesota prosecutors to file mail theft charges in either the county where the theft occurred or the county where the victim lives or works in order to give them more flexibility in prosecuting the crime.

The bill now moves to the House floor. Its Senate companion (SF514), sponsored by Sen. Wes Skoglund (DFL-Mpls), awaits action in the Senate Crime Prevention and Public Safety Committee.

Making methamphetamine

Accompanying Minnesota's sharp increase in methamphetamine usage is an increase in the number of children being subjected to the dangerous chemicals used to create the illegal drugs, Minnesota law enforcement and health officials told a House committee on March 17.

The methamphetamine labs springing up across the state, especially in rural areas, are dangerous places full of highly reactive substances, causing a risk to anyone near them. And more and more, said Paul Stevens of the Minnesota Bureau of Criminal Apprehension, officials investigating such labs are finding children on the premises.

Labs can be set up virtually anywhere. "They're cooking (methamphetamine) in their bathtubs and basements...while children are running free," Flanagan said.

Seeking to deter the trend, the House Judiciary Policy and Finance Committee approved a bill (HF652) that would make manufacturing a controlled substance in the same building as a child under age 14 an act of child endangerment, punishable by up to five years in prison and a \$10,000 fine.

The bill's sponsor, Rep. John Lesch (DFL-St. Paul), said prosecutors currently must provide proof that immediate bodily harm is being done to a child before endangerment charges can be filed. But the harmful effects of exposure to the chemicals used in methamphetamine manufacturing are often not immediately evident, he said. In addition, the risk of labs exploding puts anyone nearby in immediate danger.

"These are not geniuses," Stevens said of the drug makers, who tend to be young adults often with young children. He said the bill would enable prosecutors to bring the charges against anyone, not just a parent, who knowingly puts children at risk by bringing them in contact with such dangerous activities.

The bill will next go before the full House. A Senate companion (SF597), sponsored by

Sen. Staveer Chaudhary (DFL-Fridley), awaits a hearing in the Senate Crime Prevention and Public Safety Committee.

Punishing drug manufacturers

A bill designed to help the state prosecute would-be methamphetamine manufacturers gained the support of House Judiciary Policy and Finance Committee members March 19.

Attorneys and law enforcement officials told lawmakers the dramatic rise in methamphetamine usage and production in Minnesota is becoming a serious health, safety, and environmental risk to many communities, especially in rural areas.

Southern Minnesota counties are being especially hard-hit by an influx of manufacturers crossing the border from Iowa, which has stricter methamphetamine laws, according to Mower County Sheriff Terese Amazi.

HF416, sponsored by Rep. Jeff Anderson (R-Austin), takes a cue from Iowa statutes by making it a felony to attempt to manufacture methamphetamine. Currently, police must catch someone in the act before they can be charged with a felony, Anderson said.

Even if officers discover someone carrying large quantities of chemicals and equipment used to make the drug, current law doesn't give them the authority to act, said Austin Police

Chief Paul Phillip. "We know what they're doing. They know we know what they're doing. But they also know there's nothing we can do about it," he said.

One of the challenges in combating the problem is that most of the necessary ingredients are readily available to consumers, Phillip said. The bill would create a list of chemicals — from decongestant tablets to sulfuric acid — that are commonly used to make methamphetamine. Someone convicted of carrying one of the listed substances with intent to produce methamphetamine would be eligible for 15 years in prison and a fine up to \$500,000.

The committee expressed support for the bill and will consider it later for possible inclusion in its omnibus finance bill.

The bill's Senate companion (SF500), sponsored by Sen. Wes Skoglund (DFL-Mpls) awaits a hearing in the Senate Crime Prevention and Public Safety Committee.

Funds for brain injuries

A bill that would increase the fee charged to individuals seeking to have a driver's license reinstated following incidents of drunken driving, vehicular homicide, or failing a chemical test was heard March 18 by the House Transportation Finance Committee.

The committee will consider the bill for possible inclusion in its omnibus finance bill.

The bill (HF395), sponsored by Rep. Jim Abeler (R-Anoka) would increase the reinstatement fee from \$250 to \$300 and would reallocate proceeds as follows:

- 17 percent to the trunk highway fund,
- 56 percent to the general fund,
- 7 percent in a separate account to the state Bureau of Criminal Apprehension for laboratory and investigation related to drug activity and gambling, and
- 20 percent in a separate brain and spinal cord injury account for resources and to maintain a registry.

Under current law, the breakdowns are 20 percent, 56 percent, 8 percent, and 5 percent respectively.

In addition, the bill would provide for the funds in the brain injury account to be divided so that 86 percent be disbursed by the commissioner of health to community-based organizations to provide services and resources to injury victims and their families and so that 14 percent would be used to maintain an injury registry.

A surcharge of \$145 is added to the current \$250 reinstatement fee. As of July 1, that surcharge will increase to \$380.

Tom Gode, executive director of the Brain Injury Association of Minnesota, said brain injuries affect about 12,000 Minnesotans who

are receiving Medicare and Medicaid benefits. He also said that the unique nature of each brain injury makes treating them very expensive. A moderate injury can cost \$3 million per year, while a serious one may cost an estimated \$10 million to \$14 million annually.

Abeler said the brain injury fund began initially as a pilot project with a four-year demonstration grant from the federal government. He also said the individuals causing these injuries are drivers who are breaking the law.

Officials from the Department of Public Safety said that 32,000 driver's licenses were revoked in 2002. Statistics regarding how many are reinstated each year were not available at the meeting.

Rep. Mary Liz Holberg (R-Lakeville) asked when the additional reinstatement fee would be high enough that the state would lose revenue because it would preclude individuals from actually applying to have their licenses reinstated and would instead drive illegally. She said court officials have approached her suggesting they have struggled to recover those costs.

Rep. Bill Kuisle (R-Rochester), the committee chair, said it's important that the state not lose revenue in the long run because the surcharges are too expensive.

★ EDUCATION

Promoting abstinence

A bill that would require public schools to emphasize sexual abstinence in health education classes was approved March 18 by the House Education Policy Committee.

Sponsored by Rep. Sondra Erickson (R-Princeton), HF580 would amend state law to require that school districts "provide students with a curriculum and instruction in abstinence until marriage premised on risk avoidance." Current law requires a school district's health education program on sexually transmitted infections and diseases to include "helping students abstain from sexual activity until marriage."

"This is taking what's already in the law and emphasizing it," Erickson said. "I'm sending a message here."

The bill was referred to the full House.

During a vigorous debate, opponents and supporters of the bill disagreed on such issues as condom use, whether schools encourage students to be sexually active, and if abstinence programs are an effective method in teaching sex education.

Barbara Anderson, representing the Minnesota Family Council, objected to comprehensive sex education programs in schools with content that, she said, includes "human



PHOTO BY ANDREW VON BANK

Austin Police Chief Paul Phillip testifies in front of the House Judiciary Policy Committee March 19 in support of a bill that would make possessing the items to manufacture methamphetamine with the intent of doing so a crime.

reproduction, birth control methods, homosexuality, sexually transmitted diseases, sexual identity, orgasm, and masturbation." She said some programs teach students "how to engage in all sorts of sex acts without guilt."

Bonnie Young Johnson, a health teacher in Eden Prairie, said abstinence "is not ignored or slighted" in school curriculums. She said the bill repeats what already exists in state law and "could lead to omission (of information) rather than giving as much as possible."

An amendment, sponsored by Rep. Jim Davnie (DFL-Mpls) that emphasized prevention of sexually transmitted infections and retained teaching of abstinence but removed the words "until marriage" in existing law, was defeated.

Rep. Nora Slawik (DFL-Maplewood) said teens have been sexually active "for ages. You can't teach morality," she said. "You can't legislate morality."

Her bill is not "needless education," Erickson said. "We need to provide students an opportunity to learn to say no."

Rachel Hicks, a senior from Brooklyn Park, said 55 percent of high school seniors in the state are or have been sexually active. Students would "tune out" an abstinence-only message, she said.

A companion Senate bill (SF747), sponsored by Sen. Betsy Wergin (R-Princeton), awaits a hearing in the Senate Education Committee.

Charter school sponsors

Local chambers of commerce would be allowed to become sponsors of public charter schools, under a bill approved March 13 by the House Education Policy Committee.

Sponsored by Rep. Barb Sykora (R-Excelsior), the committee chair, HF697 would specifically allow the St. Paul Area Chamber of Commerce to sponsor the Minnesota Business Academy, a charter high school in St. Paul, effective in the 2003-04 school year.

Joanne Benson, chief education officer of the academy, said the St. Paul School District, the current school sponsor, supports the change. Now in its third year, the 400-student high school emphasizes a business-oriented curriculum. "This will be of great benefit to us," said Benson, who is also a member of the chamber's board of directors.

Chamber President Larry Dowell said if the bill becomes law, "there won't be a rush of local chambers to sponsor schools."

The bill would amend state law to allow nonprofit organizations with a 501(c)(6) federal tax status to "sponsor one or more charter schools if the nonprofit corporation has existed for at

least 25 years." State law now allows nonprofit organizations with a 501(c)(3) federal tax status and a year-end fund balance of \$2 million to sponsor charter schools. Under the bill, a chamber of commerce organization or a board of trade or exchange would not have to meet the \$2 million financial requirement.

There was no opposition to the bill voiced at the hearing.

Jan Alswager, representing Education Minnesota, the state teachers union, urged legislators to show more caution in expanding charter school sponsorship. "Almost anyone can start a charter school at this point," she said. The Legislature should examine charter schools in total, she added. "What have you learned? What works? What doesn't?"

There are nearly 80 charter schools in the state. They can be sponsored by school boards, intermediate school districts, private and public colleges and universities, community and technical colleges, as well as nonprofit organizations.

The House Education Finance Committee March 19 approved a Sykora amendment that limits a chamber of commerce to sponsoring a charter school that has operated for at least three years. "We can't really afford to start-up any new charter schools," she said.

The finance committee will consider the bill for inclusion in its omnibus finance bill.

The bill's Senate companion (SF611), spon-

sored by Sen. Geoff Michel (R-Edina), awaits a hearing in the Senate Education Committee.

Substitute teachers

More of the state's 35,000 retired teachers would be eligible for short-term substitute duty under a bill passed 128-0 by the House March 13.

Sponsored by Rep. Sondra Erickson (R-Princeton), HF219 would amend state law to allow retired teachers to substitute for 15-day periods once they are granted "a lifetime qualified short-call substitute teaching license" by the state Board of Teaching.

Erickson said "the perk" in the proposed legislation for retired teachers would be an exemption from required completion of continuing education credits. Only retired teachers granted the proposed lifetime short-call license would be exempt from the requirement. A retired teacher, Erickson holds a lifetime teaching license. She said she would not personally benefit from the bill.

The bill would also allow licensed retired teachers from accredited nonpublic schools to substitute teach on a short-term basis, as well as retired teachers holding an out-of-state teaching license. The bill would begin in the 2003-04 school year.

According to the Department of Children, Families and Learning, about 20,000 of the state's 56,000 teachers will retire in the next 10 years. Finding licensed substitute teachers locally has been a problem for school districts.

The bill's Senate companion (SF491), sponsored by Sen. Gen Olson (R-Minnetrissa), awaits a hearing in the Senate Education Committee.

Earlier school start

The school year for Rochester students may start earlier under a bill approved March 18 by the House Education Policy Committee.

Sponsored by Rep. Carla Nelson (R-Rochester), HF535 would permanently exempt the Rochester school district from state restrictions against starting the school year before Sept. 1. The bill was referred to the full House.

The district's current school year is 192 days long, including teacher and staff development days, and extends to June 9, 2003. The bill would permit the local school board to annually adjust the school calendar.

Jerry Williams, superintendent of Rochester Public Schools, said 2,000 of the districts students are involved in school activities prior to the traditional post-Labor Day opening of the school year. Other students who are involved in post-secondary summer school classes have had occasions where college

NO CHILD LEFT BEHIND



PHOTO BY TOM OLMSCHEID

Lisa Graham Keegan of the Education Leaders Council answers questions after making a presentation on the federal No Child Left Behind act to the House Education Policy Committee March 20.

classes have already begun while their high school is still in session in the spring.

The Minnesota Association of Innkeepers and the Congress of Minnesota Resorts oppose the bill.

Changing the law for Rochester "has the potential to encompass all schools in Minnesota," said Mike Wilmer, president of the innkeepers association. That "could be devastating" to the state's summer resort and tourist industry, he said.

State statutes currently provide only one exception to the Sept. 1 school year start date, according to the nonpartisan House Research Department: if a district has at least a \$400,000 construction or remodeling project that affects use of a school building. On a case-by-case basis, the Legislature has authorized other one-time exemptions from the start date.

A Senate companion bill (SF391), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits a hearing in the Senate Education Committee.

Indian scholarship office

The House Education Policy Committee approved a bill March 13 that would move the state's Indian Scholarship Program to the Higher Education Services Office and establish the program's administrative office in Bemidji.

Sponsored by Rep. Doug Fuller (R-Bemidji), HF509 would transfer the program from the Department of Children, Families and Learning, based in Roseville. The bill was referred to the House Governmental Operations and Veterans Affairs Policy Committee.

Established in 1955, the Indian Scholarship Program has provided an average of 1,000 scholarships per year for American Indian students to attend post-secondary educational institutions. The average student award is \$1,858 per year.

State budget cuts in 2002 led to the closing of the scholarship program's offices in Bemidji and Duluth. The program had an office in Bemidji since its inception. The Pawlenty administration's 2004-05 biennium budget proposes \$3.8 million in funding for the program with its administration to remain in Roseville.

Peter White, chairman of the Leech Lake Band of Ojibwe, spoke in favor of the bill. "It was disturbing to me that (Bemidji) was taken away," he said. "Education should not be subject to politics." He said 70 percent of the state's Indian people live within a 60-mile radius of Bemidji State University, which has offered free office space to the state to house the program.

White said his tribal council would also help the state fund the office if it were re-opened in Bemidji. The scholarship program "has impacted a greater number of Indian people than any other program in state history," White said.

The department would prefer the program stay under its jurisdiction, said Jim Batholomew, the department's government relations director. "It's running well," he said. "We can service the needs of the students."

Yvonne Novack, the scholarship program manager, said 54 percent of the schools that benefit from the scholarship money are in the Twin Cities metropolitan area. She said one-third of the students receiving scholarships live and attend colleges in the Twin Cities area and one-third attend colleges and post-secondary programs in Bemidji.

According to the Minnesota Indian Education Committee, 667 students receiving scholarships in 2001-02 were from northern Minnesota and 334 were from the Minneapolis-St. Paul area.

The bill would take effect the day after the governor signs it into law. A Senate companion bill (SF258), sponsored by Sen. Rod Skoe (DFL-Clearbrook), has been approved by one committee and awaits action by the Senate Education Committee.

Reducing school board size

The Duluth School Board would shrink in size if a bill passed March 17 by the House Governmental Operations and Veterans Affairs Policy Committee becomes law.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF494 would reduce the board size from nine to seven members. The bill, which Huntley said would help "reduce the size of government," now moves to the House floor.

The bill would allow for the district to reduce from five to three the number of at-large members elected every four years. The four other members are elected by district.

The school board would have to approve the provisions of the bill, by resolution, and the change would take effect for the November 2003 election. Residents would not be able to vote on the change.

Speaking on behalf of the district, Ronald Soberg said its very long, narrow, and odd shape could have had something to do with the law in 1969 that required nine members. He said the school district has held several public meetings discussing the reduction, and there has been no response from the public.

Rep. Marty Seifert (R-Marshall) expressed concern about the public having no say in the matter, noting the committee is known for "letting the people decide for themselves."

Huntley said the issue has been in the newspaper, on radio, and on television throughout the area. He said he hasn't "received one letter or one phone call related to the issue."

A companion bill (SF577), sponsored by Sen. Yvonne Prettnier Solon (DFL-Duluth), awaits action in the Senate Education Committee.

Single, not double, taxation

Should the owner of a parcel of real estate in two school districts have to pay taxes to both?

A bill approved by the House Education Finance Committee March 18 would provide the owner of a split residential property a procedure to have the parcel declared to be in one school district.

Sponsored by Rep. Barb Goodwin (DFL-Columbia Heights), HF205 was referred to the House Taxes Committee.

Under the bill, a property owner could petition the county auditor to unite the residential property in question into one school district. Currently the county board must be petitioned.

Goodwin said a residential block of homes in her legislative district are split between the boundaries of the Columbia Heights and Fridley school districts. There are a few areas in the state where residential properties are split between school districts, Goodwin said. Rep. Alice Seagren (R-Bloomington), the committee chair, said a similar situation existed in her district.

School district borders don't necessarily "line up with municipal boundaries," according to a nonpartisan House Research Department summary of the bill. "In some cases, a house may be split so that some bedrooms are in one school district and other bedrooms are in a different school district," the summary stated. In such cases, a portion of the house is taxed in one district and the remainder is taxed in the other.

"Developers came in and paid no attention to school district boundaries, that's how this happened," Goodwin said. "A homeowner can't vote in two school districts, but has to pay property taxes to two districts." There were no testifiers for or against the bill at the committee hearing.

The bill would require the county auditor to issue an order within 60 days of the receipt of the property owner's petition to transfer the affected parcel into one school district as of the next July 1, and notify the affected districts. The transfer would subject the property to all of the taxes of the new school district.

There is no Senate companion to the bill.

★ ENERGY

Agreement reached

The House Regulated Industries Committee approved a bill March 19 that would allow additional dry cask radioactive waste storage at the Prairie Island nuclear power plant near Red Wing.

Sponsored by Rep. Torrey Westrom

(R-Elbow Lake), HF775 would allow Xcel Energy, the plant's owner, to store spent nuclear fuel rods in at least 11 additional dry cask storage silos on the site.

The bill would alter renewable energy development initiatives mandated by 1994 legislation the state negotiated with Xcel to allow the existing 17 storage casks at Prairie Island. It would also return authorization for additional storage capacity — beyond what the bill would provide — at either Prairie Island or Xcel's Monticello nuclear plant to the Public Utilities Commission.

Xcel said it would have to shut down the Prairie Island plant in 2007 if the Legislature does not approve additional waste storage capacity at the site. The additional storage would keep the plant's two nuclear units operating until federal licenses expire in 2013 and 2014. The bill does not set a limit on the number of storage casks.

Westrom said the bill attempts to balance a number of issues, from meeting the state's energy demand, providing annual funding for a tentative settlement Xcel and the Prairie Island Indian Community has reached on longstanding disputes regarding the plant, to continued funding of renewable energy resource initiatives.

"I think we're going in the wrong direction given the past performance of Xcel," said Rep. Dan Larson (DFL-Bloomington), who opposed the bill. "This is not a good decision for our state."

The bill would initially fund the proposed settlement between Xcel and the community with \$25 million from a renewable energy development fund created in the 1994 legislation. Xcel collects money for the fund from its ratepayers. Community members are expected to complete a vote on the proposed agreement by April 17. The settlement would provide for a health study of island residents, improve emergency access off the island, and purchase land to relocate residents that want to move.

If approved, the tribal council would not oppose additional dry cask storage at the plant. The multi-million dollar settlement proposes annual funding for the tribe for as long as the Prairie Island plant is operating.

The agreement with Xcel was "not cause for celebration," said Byron White, representing the Prairie Island Tribal Council. "There's no guarantee that nuclear waste will ever be removed from Prairie Island." The tribal council was a third party to a 1994 agreement the Legislature negotiated with the utility.

That issue — the unknown length of time the nuclear storage casks will remain on the island — was cited by dozens of opponents of additional nuclear storage during many days of hearings the committee held on the issue. A

national storage site the Prairie Island nuclear waste would be moved to is not expected to be available for at least 14 years, according to Xcel officials.

The bill was referred to the House Environmental and Natural Resources Policy Committee.

A Senate companion bill (SF794), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Commerce and Utilities Committee.

Savings plan

A bill making it easier for schools and municipalities to enter into long-term energy savings plans passed the House March 13.

RENEWABLE FUEL

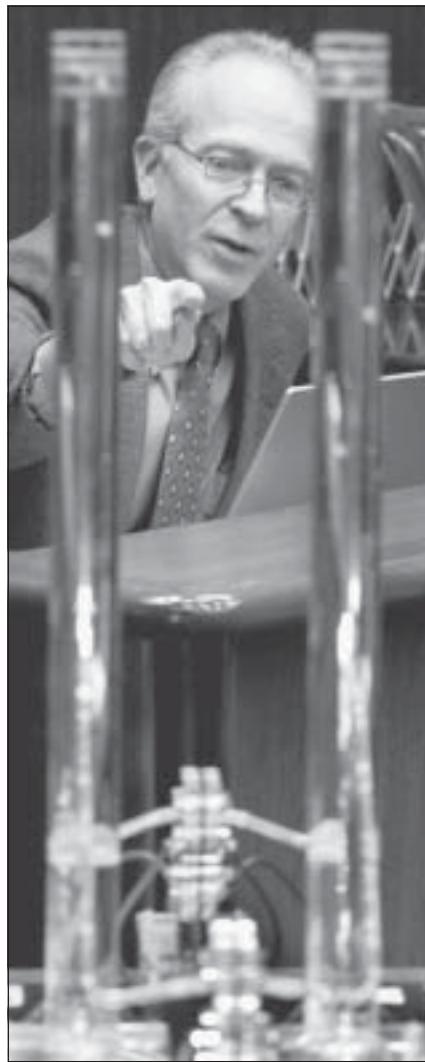


PHOTO BY ANDREW VON BAK

Dr. Robert Elde, dean of the College of Biological Sciences at the University of Minnesota, demonstrates a working model of a hydrogen generator during a discussion of renewable fuels and emerging technologies during the March 18 House Agriculture and Rural Development Finance Committee meeting.

HF394, sponsored by Rep. Lynn Wardlow (R-Eagan), was approved 116-11. The bill now moves to the Senate where it is sponsored by Sen. Steve Kelley (DFL-Hopkins).

The bill would extend the maximum length of a guaranteed energy savings contract from 10 years to 15 years. Under a 1983 law, school districts and municipalities can enter into agreements for energy efficiency improvements, such as new lighting and heating and cooling systems. The upgrades are paid from the energy cost savings over a period of time; no upfront cash payment is required. The entity receives the full benefit of lower energy costs after the upgrades have been paid.

Extending the maximum contract length would make it easier for entities to purchase back-up generators, which often can't be paid off in 10 years due to the cost of the machine and the amount of the rate rebate from the utility company.

The bill does not require that contracts be fixed at 15 years; a lesser number of years would be allowed.

In voting against the bill, Rep. Philip Krinkie (R-Shoreview) and Rep. Tim Mahoney (DFL-St. Paul) said they thought that local units of government should not have to wait 15 years to reap the benefits of an energy savings plan.

Rep. Mark Buesgens (R-Jordan) said those against it were essentially saying that if benefits can't be realized under current law's 10 years, the cost-savings measure shouldn't be instigated.

Added Rep. Rebecca Otto (DFL-Marine on St. Croix), "I think if we can encourage energy savings that's what we want to do."

Forty-seven states in the nation have similar statutes, with the maximum contract length varying from 10 to 25 years.

★ ENVIRONMENT

Burning permits enter electronic age

Prior to the passage of a burning permit law in 1918, Minnesotans could burn whenever and whatever they wanted. Today, approximately 3,000 volunteer fire wardens together with Department of Natural Resources (DNR) forestry offices issue more than 60,000 burning permits each year at a cost to the state of \$170,000, according DNR figures.

The department would like to change the way burning permits are issued from the current paper method to the same electronic system used to issue hunting and fishing permits.

"We need to move into the modern age," DNR Forestry Division Director Mike Carroll told the House Environment and Natural Resources Finance Committee March 19. "The

change is you lose a little of the neighborhood connectivity, and I've been taking a little heat on that." And, he added, people would have to pay for what once was free.

The department has proposed instituting a tiered fee system:

- \$6 for a one-time burn;
- \$12 for up to four burns annually; and
- \$50 for an expanded use permit.

Rep. Denny McNamara (R-Hastings) expressed concern that the new fees might cause people to ignore the permit requirements altogether.

The DNR estimates that fees would generate approximately \$400,000 annually. "Fees will not over-recover costs or build up excess funds," according to a DNR fact sheet submitted to the committee.

It would be a dual system for the first year, Carroll said, meaning permits would still be available from fire wardens and approximately 1,700 electronic licensing vendors would be phased in.

Another benefit to the electronic delivery system, Carroll said, would be that the department could track those issued permits and revoke permits more easily when wildfire risks are high.

The committee did not take any action on the proposal.

★ ETHICS

Process begins

An ethics complaint filed against a House member must have its first hearing by April 2. That was the word from the House Ethics Committee at its March 17 meeting.

The committee met to lay out its rules for the current two-year session. Those rules will be put into action right away to respond to the two-count complaint filed by eight DFLers against Rep. Arlon Lindner (R-Corcoran) on March 11. It says his conduct "violates accepted norms of House behavior" and "brings the House into dishonor or disrepute."

On the House floor March 10, Lindner reiterated his opinion that gays may not have been persecuted during the Nazi Holocaust. He also is the House sponsor of a bill that would remove sexual orientation as a protected class under the state Human Rights Act.

Lindner did not attend the March 17 meeting.

The next step will be a probable cause hearing, which must occur within 21 days of the receipt of the complaint by the committee chair, Rep. Sondra Erickson (R-Princeton). That happened March 12.

After that hearing, if a majority of the four

voting committee members "fails to find the facts more probably true than not" the complaint is dismissed. If that does not occur, a hearing is necessary to obtain and evaluate the evidence for and against discipline and make a final determination. The committee's recommendation for discipline can range from a reprimand to expulsion. The full House ultimately decides a member's punishment. The process needs to be complete by the time members adjourn *sine die* in May 2004.

All materials, proceedings, meetings, hearings, and committee records must be public. However, rules allow for the committee to meet in executive session in three instances: to determine probable cause, to consider a member's health records, or to protect the privacy of a victim or third party.

Committee rules state: "A final committee determination on a complaint shall be held in public except insofar as the committee votes to meet in executive session." There was some discussion, but no consensus, on whether a public meeting must be held to make the vote known. However, as a practice since those rules were first adopted, a final public meeting has been held to release results of closed sessions.

An amendment offered by Rep. Tom Pugh (DFL-South St. Paul), would have made the votes of committee members public. He said that executive session should be "to conduct frank discussions on sensitive issues," and not a place to vote. It was rejected on a 2-2 committee vote.

Rep. Greg Davids (R-Preston) expressed concern that he could vote based on what was said in executive session, only to not be able to say why he voted the way he did. "I want to be able to explain my vote," he said.

★ GAME & FISH

Mourning dove season

Minnesota's bird hunters would have a mourning dove season for the first time since 1947, under a bill (HF530) approved by the House Environment and Natural Resources Policy Committee March 18 and sent to the House floor.

A second bill (HF529) that would establish both a mourning dove season and a \$5 mourning dove stamp was approved and referred to the House Environment and Natural Resources Finance Committee.

Both measures are sponsored by Rep. Tom Hackbarth (R-Cedar).

Mourning doves presently are hunted in 37 of the 48 contiguous United States. Minnesota's season likely would be established for September after the birds nest and before they head south for the winter.

The season would allow for a meaningful and rewarding outdoor experience for Minnesota youth, said John Schroers, legislative coordinator for the Minnesota Outdoor Heritage Alliance. "Kids and dogs: great combination – you can't beat it."

Mourning dove hunting would add to the approximately \$62 million in retail sales generated annually by upland bird hunters, DNR Wildlife Division Assistant Director Ed Boggess said. Southern and western Minnesota counties would stand to gain the most from the estimated 50,000 hunters who would participate, according to DNR projections.

"This would be totally underpinned on scientific wildlife management framework" and would not affect the mourning dove population levels in the state, Boggess said.

Kevin Ausland, representing the newly established 60-member Dove Sportsman's Society, described dove hunting as a social event similar to the state's walleye opener.

"If we have an abundant renewable resource, let's use it," he said.

Opponents testified that many people consider mourning doves to be songbirds rather than gamebirds and questioned the ethics of shooting birds that yield approximately two ounces of meat.

Howard Goldman, speaking on behalf of Friends of Animals and their Environment, the Humane Society of the United States, and the Fund for Animals, said that of every 10 mourning doves shot during a hunt, three are not retrieved, according to a University of Illinois study.

"Ethical hunters will make every effort to retrieve these birds," countered Lance Ness, a Fish and Wildlife Alliance representative. There are no scientific or biological reasons not to hunt mourning doves, Ness said.

"This is a prelude to hunting," said Linda Hatfield, a wildlife rehabilitator from Minneapolis. "It's an opportunity for hunters to get out in the field in early September and target shoot."

Sen. Pat Pariseau (R-Farmington) awaits action on her companion bills



Representing the Dove Sportsman's Society, Kevin Ausland testifies before the House Environment and Natural Resources Policy Committee March 18 in support of a bill that would create a mourning dove hunting season.

(SF697 and SF698) in the Senate Environment and Natural Resources Committee.

★ GOVERNMENT

Cost disclosure

A bill that its House sponsor calls a "further reform of the rulemaking process" received House approval March 13.

Sponsored by Rep. Marty Seifert (R-Marshall), the bill (HF64/SF61*) passed 128-0.

Under current law when a state agency proposes a rule change it must provide a Statement of Need and Reasonableness to the extent that the agency can ascertain the information, such as what the likely costs will be to make the change and who will bear those costs. Administrative rules enacted by state agencies have the full force of law.

The bill provides that the cost information must specify the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

For example, Seifert said, "If a Department of Health rule comes down in the rulemaking process and they are going to mandate something to our nursing homes, they have to spell that out in the Statement of Need and Reasonableness, or if we have the Department of Agriculture mandating a rule on farmers, they are to identify the probable costs that will be borne by the farmer."

Rep. Jean Wagenius (DFL-Mpls) successfully offered an amendment that would also require the costs or consequences of not adopting the proposed rule be included in a statement.

"The agencies should be able to comply with this quite easily," Seifert said. "I think it's very fair and reasonable."

In the Senate, where Sen. Don Betzold (DFL-Fridley) is the sponsor, the bill was passed 65-0 March 17. If signed by the governor, the measure would take effect July 1, 2003.

★ GREATER MINNESOTA

Foreign trade zones

Establishment of a federal foreign trade zones would be possible in Koochiching County under a bill that allows creation of a port authority there.

HF199, sponsored by Rep. Irv Anderson (DFL-Int'l Falls), was approved March 13 by the House Commerce, Jobs, and Economic Development Policy Committee. It now moves to the House Transportation Finance Committee.

Koochiching County wants to apply to the federal government for a foreign trade zone, Anderson explained, but discovered that it must first establish a port authority for matters related to its railroad port.

Foreign trade zones are industrial sites located in or near U.S. Customs ports of entry where merchandise is considered legally outside the service's territory. Foreign goods can be shipped to the zone and held duty free for as long as needed. In addition, U.S. quotas do not apply to zone-imported goods. By using the foreign trade zone, a company can assemble a product with foreign parts, store the product in the zone, and postpone duty payments until product sale.

Koochiching County's city of Ranier receives trains each day carrying containers from Canada and points east.

Ranier ranked third behind Detroit and Heron, Mich., for the number of trains and containers entering northern U.S. ports of entry. This is based on a count of 3,332 trains and 27,205 containers during a sample period between October 2001 and August 2002, according to Steve Anderson, administrator for the Greater Metropolitan Foreign Trade Zone Commission.

Anderson said he hopes that companies will have their train-imported products undergo modification or enhancement in the Ranier industrial park, allowing those products to enter duty free.

"That's the purpose of the foreign trade zone," he said. "It's an attempt at economic development ... thus creating jobs."

More than \$250 billion worth of goods falls under zone status in the United States, including more than \$400 million in the Minneapolis-St. Paul foreign trade zone, according to Anderson.

The commission oversees six foreign trade zones in Minnesota, which include the Minneapolis-St. Paul International Airport, the Minneapolis Convention Center, 960 acres in the Mid-City Industrial Park in Minneapolis, 13 acres in an Eagan industrial park, and 45 acres in Bloomington. A sixth site, 12 acres in St. Paul, has never been utilized.

HF199 would not apply strictly to Koochiching County. It would expand current law to allow any city, county, town, or other political subdivision in Minnesota to apply for federal foreign trade zone status. Now, only port authorities and economic development authorities may apply.

A Senate companion bill (SF67), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids) awaits a committee hearing.

Research center funding eliminated

A nonprofit research center that examines the myriad of issues unique to rural Minnesota would close if its state funding is eliminated, as proposed in Gov. Tim Pawlenty's 2004-05 budget.

The Center for Rural Policy and Development, located in St. Peter, is a nonpartisan, nonprofit entity. Established in 1997 by the Legislature, it is charged with researching Greater Minnesota social and economic issues, including health care, transportation, housing, crime, and job training.

According to Center President Jack Geller, the Metropolitan Council and the Center for Urban and Regional Affairs at the University of Minnesota examine metropolitan area issues. But only the Center for Rural Policy focuses on Greater Minnesota matters.

Minnesota Planning does some rural research, he added. But under a reorganization plan recently ordered by the governor, it will be eliminated and its duties moved to the Department of Administration.

"Who's going to do the research on rural Minnesota?" Geller said. "Who's there?"

The governor's proposed budget eliminates \$150,000 in both fiscal years 2004 and 2005. While a detailed explanation is not provided, Pawlenty's plan says, "The rural policy center does not rely solely on this money for administrative costs or program activity."

"These funds, while modest, are really our foundation," said Geller on March 13 before the House Jobs and Economic Development Finance Committee. Foundations and corporations contribute \$150,000 to \$200,000 annually. The committee took no action on the proposal.

The center is unique in that it does not employ researchers. Studies are instead conducted in conjunction with universities and institutes.

According to the center's Web site, in recent years it has issued reports on rural Minnesota Internet use, immigrants in rural Minnesota, employer involvement in affordable housing, resource inequality in public schools, rural health care, and teacher shortages.

Most recently it released an eight-page analysis of tax-free zones and how similar zones work in Michigan and Pennsylvania. A bill (HF3) to establish up to 10 tax-free zones to spur economic growth in Greater Minnesota is making its way through the House this session. The governor favors tax-free zones, and in fact proposed such legislation when he was a state representative.

Rep. Dan Severson (R-Sauk Rapids) said without the center legislators would lose the vision necessary to determine what rural issues to focus on.

HIGHER EDUCATION

Faculty concerns

Dr. Tim Ebner carried a bag to the testifier's table and asked if it was OK to use props during his presentation. Once approval was received he pulled out a Tupperware container and put on a pair of latex gloves.

He then opened the lid, reached in, and pulled out a human brain.

Ebner, chair of the University of Minnesota's Neuroscience Department at the Academic Health Center, was one of six university professors to tell the House Higher Education Finance Committee March 19 about the importance of their work to the state and what would happen as a result of proposed budget cuts.

The committee took no action at the meeting.

In his department, Ebner said students and professors are looking at how different areas of the brain operate, from the basics to the very complex. He said the university is becoming well known in the area of Alzheimer's research.

As a whole, "The medical school has been transformed in recent years and major budget cuts would hurt the trajectory we are on," Ebner said.

It isn't just in the medical areas that the

university is serving more than just its students.

John S. Adams, a geography professor on the Twin Cities campus, spoke about how he and his students prepared a study that looked at the correlation between patterns of low density development around the state and if traffic volumes on trunk highways near the centers are rising in response to patterns of development around those centers. He said part of their research was used by the Minnesota Department of Transportation for a study on transportation and growth.

"We see our roles as people that need to give back and share our areas of expertise," said Guy Charles, a political science professor on the Twin Cities campus.

Fred Morrison, a law professor at the Twin Cities campus, expressed concern that the budget cuts could mean top faculty members may leave for other universities. He used Charles as an example, saying he has had other offers, "but so far we've been able to keep him here."

He said a proposed biennial wage freeze may keep top professors on campus for a year, but he isn't so sure about two.

MnSCU concerns

Leaders of the Minnesota State Colleges and Universities (MnSCU) system are likely to make some difficult choices in the next few months.

Speaking before the House Higher Education Finance Committee March 13, Chancellor James McCormick said that the 2004-05 biennial budget proposed by Gov. Tim Pawlenty would reduce the system's base by \$174 million. When combined with the money Pawlenty wants to take from the system and put into the state grant program, McCormick said the number increases to \$204 million.

The governor also is proposing a 15 percent cap on tuition increases for MnSCU, unlike the University of Minnesota where the governor is only encouraging that a tuition increase stay within 15 percent.

McCormick said that if MnSCU implements the maximum tuition increase, the system would still be \$34 million short of meeting the \$204 million total. Mary Choate, chair of the MnSCU Board of Trustees, said the board has not decided what the tuition increase would be. If the shortfall were made up all in staff cuts, McCormick said that number would be around 1,900 jobs.

"We will balance our budgets but at the expense of programs that create good jobs and quality of life," McCormick said. He said no decisions have yet been made on cuts.

Rep. Gene Pelowski Jr. (DFL-Winona) said

the committee wants to hear from campus presidents about what cuts they would propose to meet the shortfall.

Not only is McCormick concerned about the short-term future but the state's long-term quality of life as well.

He said that when MnSCU submitted a proposal in January to increase its base by \$107.6 million for the next biennium, included in that amount was \$28.3 million in strategic investments. "We must be responsive to the needs of Minnesotans," he said.

For example, he said the state is now short about 3,000 nurses, a number expected to double by 2008. He said the system now has a waiting list of about 1,000 people waiting to get into a nursing program. Part of the strategic investment would facilitate an increase in the nursing program to produce 440 more registered nurses by 2005. "Without the additional funds we'll not be able to expand as quickly as we hoped in this area."

It was also noted the cuts could hurt the system's part-time students and prevent some students from low-income families from attending college. "We need to be cautious not to underserve the underserved," said Wilson Bradshaw, president of Metropolitan State University.

The committee took no action on the proposal.

HOUSING

Preventing homelessness

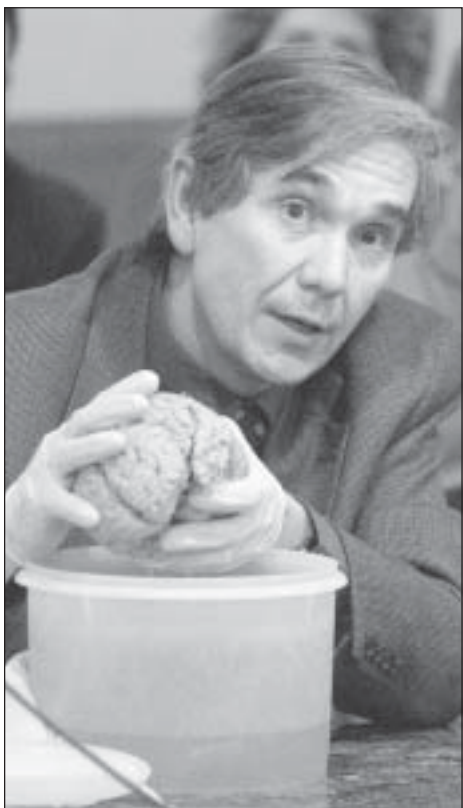
A program that aims to prevent homelessness through a number of measures would receive \$2.6 million during the next two fiscal years, under a bill heard March 18.

Sponsored by Rep. Tony Sertich (DFL-Chisholm), HF541 will be considered for inclusion in the House Jobs and Economic Development Finance Committee's omnibus bill.

The family homeless prevention and assistance program is administered by the Minnesota Housing Finance Agency. It received a 2002-03 appropriation of \$7.5 million, of which \$250,000 was one-time funding through federal Temporary Assistance for Needy Families (TANF) funds.

The program is a flexible grant program designed to assist families, youth, and individuals who are homeless or are at risk of homelessness. The program has three objectives: preventing homelessness; shortening the length of stay in homeless shelters by obtaining safe, affordable housing; and eliminating repeated episodes of homelessness.

In fiscal year 2002, the program gave grants



Dr. Tim Ebner, chair of the Neuroscience Department at the University of Minnesota's Academic Health Center, shows a human brain to the House Higher Education Finance Committee March 19 as part of a presentation on what some faculty are doing and the importance of their work to Minnesotans.

to 16 coalitions serving 57 counties. This assisted 8,003 households, which includes more than 17,000 children, at an average cost of \$427. The median income of people served was \$7,740, according to the Minnesota Coalition for the Homeless.

Many individuals and families need financial support provided by the coalitions to help them survive until their unemployment check arrives, said Richard Amos, program manager for St. Stevens Housing Services in Minneapolis.

Amos said he receives phone calls every day from people who have been laid off, who have spent all their savings, and already asked relatives for money. One was a nurse with cancer who was too fatigued to work and therefore couldn't afford housing costs. Others are on the verge of losing their homes due to an inability to pay their mortgage.

"To say 'no' hurts my heart," Amos said, adding that not enough money exists to help all in need.

In rural areas, helping a family stay in its home is crucial as there are often fewer housing opportunities than in a metropolitan area, said Gale McEvoy, representing Three Rivers Community Action and the Southeast Minneapolis Housing Network.

A Senate companion bill (SF196), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits a hearing before the Senate Finance Committee.

Providing shelter

Rep. Karen Clark (DFL-Mpls) recalls winter solstice as the day homeless people who died in Minnesota were honored in a memorial service.

"It was a very human reminder of why we need the funding," Clark told the House Jobs and Economic Development Finance Committee March 18 in pitching an emergency shelter and transitional housing bill she is sponsoring. The bill (HF272) will be considered for inclusion in the committee's omnibus bill.

HF272 would provide \$3.7 million in 2004-05 for the transitional housing program, and \$1 million for a homeless shelter grant program. The Department of Children, Families and Learning currently administers both, though they will be transferred to the jurisdiction of the newly created workforce development department in July.

The money would replace a one-time appropriation of \$3.7 million that expires June 30. That funding originated when the Legislature dedicated federal Temporary Assistance for Needy Families (TANF) funds to

the transitional housing program for 2002-03.

Clark said the TANF appropriation was known to be a temporary measure. "We have a hole in our safety net that is going to be state-wide," she added.

According to Michael Dahl, executive director of the Minnesota Coalition for the Homeless, 1,000 people are turned away each night from shelters. That number would double without further funding, he said. An additional 13,000 people are on the verge of becoming homeless in Minnesota.

Two formerly homeless people testified in support of the bill. Karine and Tony Barnett said they left Chicago and arrived in Minnesota with \$5 and six children. The Stearns County Sheriff's Department directed them to the Housing Coalition of the St. Cloud Area.

"From that point on it's been all uphill," said Tony Barnett.

The family lived in a homeless shelter for five months, then in transitional housing for three months. With the help of the coalition, the couple has secured permanent housing and jobs.

The transitional housing program has proven effective, according to the Department of Children, Families and Learning. Of those who successfully complete the mandatory self-sufficiency component of the program, 95 percent move into independent housing. The average income per participant increases 26 percent at program completion.

A Senate companion bill (SF185), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits a hearing before the Senate Finance Committee.

LAW



Open meeting law

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill March 19 that would allow the commissioner of administration to issue a written opinion regarding the open meeting law.

Rep. Dick Borrell (R-Waverly), the sponsor of HF564, explained that the bill would give "much more access to an average citizen."

If a resident contested the action of a governing body that had a closed meeting, the person could avoid court costs by filing a complaint with the commissioner of administration. The commissioner would then have 20 days to issue an opinion, but that deadline could be extended for one additional 30-day period, if needed. If no opinion is to be issued, the commissioner must say so within five days of receiving the complaint.

There would be a yet-to-be-determined fee

to request an opinion, which Borrell said would be less costly than taking the issue to court. "A fee of \$200 might keep government entities from seeking an opinion," he said.

The commissioner's issuance of an opinion would not be binding. A person could take a complaint to the attorney general if he or she were not satisfied with the commissioner's opinion. Any attorney general's opinion would take precedence over one issued by the commissioner. Borrell stressed the bill doesn't limit a person from taking the issue to court.

Mark Anfinson, an attorney with the Minnesota Newspaper Association, said the bill attempts to create a "simple, cheap, quick mechanism." He said he's dealt with thousands of questions about the open meeting law, and as the law gets more complex, it's "not a good deal for the average citizen."

Rep. Loren Solberg (DFL-Grand Rapids) said he was concerned about whether the commissioner of administration was the "proper person to advise a city."

Don Gemberling, director of public information policy and analysis for the Department of Administration, said he's dealt with questions for more than 30 years on the open meeting law because "citizens couldn't get quick answers."

Solberg responded that the law is going to be around a long time after Gemberling would be with the department. Gemberling responded it's up to him to hire and train a person to continue to deal with the open meeting law. If he didn't hire a competent person, he wouldn't be doing his job, he said.

The bill now moves to the House Civil Law Committee.

A Senate companion (SF316), sponsored by Sen. John Marty (DFL-Roseville), awaits action in the Senate Judiciary Committee.

Legislative removal

A bill removing legislators from membership on commissions or boards with executive powers is headed to the House floor. Sponsored by Rep. Philip Krinkie (R-Shoreview), HF703 was approved by the House Governmental Operations and Veterans Affairs Policy Committee March 18.

Under the bill, the following boards would have to remove legislators: Capitol Area Architectural and Planning Board, Agriculture Education Leadership Council, Agriculture Utilization Research Institute, St. Anthony Falls Heritage Board, Amateur Sports Commission, and the Iron Range Resources and Rehabilitation Board.

Krinkie said the bill is necessary because he deems the board to be in conflict with the

Minnesota Constitution's separation of powers provisions.

As an example, he referred to Article 4, Section 5 which states, "No senator or representative shall hold any other office under the authority of the United States or the state of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the Legislature by tendering his resignation to the governor."

Only boards that have legislators appointed by the Senate, House, or governor, and have executive powers such as directing state monies, would have to remove members.

Krinkie said the situation came to light after examining how the Amateur Sports Commission may have appropriated money not within the legislative intent originally determined for the funds. The commission spends money out of the state's general fund, and operates like an executive agency. The House, Senate, and governor each appoint one member to the commission.

Rep. Phyllis Kahn (DFL-Mpls) said the original organization of the commission had no intention of including legislators on the board.

Rep. Loren Solberg (DFL-Grand Rapids) raised concern with respect to the Iron Range Resources and Rehabilitation Board. He said the funds supporting the board are derived from property taxes of the area. He said with one exception of a fund where the board directs the commissioner to spend money, the board only has the power to advise a commissioner of where to spend dollars.

Krinkie said if a board doesn't want legislators removed, then it needs to be made a non-state agency.

The bill has no Senate companion.

unsuccessful bid. The bill would still disallow awarding damages, but would allow attorney fees, provided the contractor wins the lawsuit and the court deems that awarding attorney fees is appropriate.

Local government units are required by law to request bids when monetary thresholds are met for the sale or purchase of supplies, materials, and equipment (including rentals), or the construction, alternation, repair, or maintenance of property. State law requires that the lowest responsible bidder be chosen for the job. The word "responsible" allows for consideration of the bidder's work quality.

Dean Thompson, legislative chair of the Minnesota Bar Association's construction law section, said prior to 1997 the law allowed awarding attorney fees. And today attorney fees may be awarded if a bidder successfully sues the state.

But the League of Minnesota Cities and the Minnesota School Boards Association opposed the bill, saying it would lead to an increase in the number of lawsuits.

"We think they have some sort of encouragement to bring these kinds of action," said Tom Deans, legal counsel for the association.

Countered Thompson, "There is absolutely no evidence that this has led to more suits."

Rep. Rebecca Otto (DFL-Marine on the St. Croix) was concerned that the bill would cost taxpayers more money by forcing municipalities to pay attorney fees. And Rep. Carlos Mariani (DFL-St. Paul) said it's not always clear which bidder is the lowest, as contractors often do not properly complete complicated and lengthy bidding papers.

A Senate companion bill (SF414), sponsored by Sen. Tom Bakk (DFL-Cook), awaits action in the Senate State and Local Government Operations Committee.

form of light-rail transit or rapid-bus transit along the corridor to alleviate congestion.

I-94 traffic is anticipated to increase 48 percent by 2020, said Sue Haigh, Ramsey County commissioner. Expansion options and additional bus capacity for I-94 are limited because of its landlocked position.

The corridor is expected to generate 38,000 transit passenger trips per day by 2020, Haigh said, which is higher than anticipated ridership for the Hiawatha corridor when the project was in the final planning stages.

The bill would provide \$2.65 million in bonding funds for capital costs related to transit development in the area, including planning, final environmental impact statements, and preliminary engineering.

The project will require about \$10.6 million for planning and preliminary engineering. That state portion was previously allocated but was cut in Gov. Tim Pawlenty's first round of unallotments. The money is necessary to capture \$8 million in federal money.

Haigh said that preliminary studies estimate a transit option in the area would require \$13.4 million per year to operate – or \$2.8 million more than current options along the University Avenue route.

In addition, studies show a rapid bus transit option would cost \$240 million to develop and light-rail would cost \$840 million. But studies show the bus capacity would be insufficient to alleviate congestion, Haigh said.

Several business leaders from Minneapolis, St. Paul, and the neighborhoods along the corridor testified in favor of the bill, saying it provides necessary infrastructure for economic development and viability.

Committee members suggested business and local leaders should consider ways for funding the corridor transit in advance of receiving approval to avoid a funding crunch when it may be finished years down the road, as the state is now facing with the Hiawatha corridor line set to open later this year.

The bill's Senate companion (SF249), sponsored by Sen. Mee Moua (DFL-St. Paul) awaits committee action.

★ LOCAL GOVERNMENT

Paying fees

Contractors who win lawsuits against counties, cities, school districts, and other local government units could be awarded attorney fees by the courts, under a bill approved March 18.

HF444, sponsored by Rep. Howard Swenson (R-Nicollet), was approved on a split vote by the House Local Government and Metropolitan Affairs Committee. It now moves to the House Civil Law Committee.

The bill amends the Uniform Municipal Contracting Law, which currently states that when the validity of a municipal contract is challenged that the court shall not award damages or attorney fees, but may award the unsuccessful bidder the costs of preparing an

★ METRO AFFAIRS

Central corridor transit

A bill that would create a transitway for either light-rail or bus transit along the Interstate 94 corridor was heard March 19 by the House Transportation Finance Committee.

HF271, sponsored by Rep. Alice Hausman (DFL-St. Paul), may be considered as part of the committee's bonding recommendations for later this year or the 2004 bonding bill.

The Central Corridor extends along University Avenue from downtown St. Paul, through the University of Minnesota, to downtown Minneapolis. It would connect with the Hiawatha line near the Metrodome. Studies are currently underway in the 11-mile corridor to develop additional transit options, either in the

Cedar Avenue busway

A bill that would authorize \$5 million in bonds for a bus transitway along Cedar Avenue in the southern Twin Cities metropolitan area was heard by the House Transportation Finance Committee March 19 and will be considered for possible inclusion in the committee's bonding recommendations.

The transitway would extend along Cedar Avenue and serve the Mall of America and the communities of Apple Valley, Burnsville, and Lakeville. Specifically, the line would help

NO-HANDS DRIVING



PHOTO BY TOM OLMSCHIED

MTC bus driver Mark Kitzrow controls the speed of the TechnoBus while surrounded by monitors of a global positioning system and navigational technology steer the bus. After a road is mapped out with a computer, the bus can drive within centimeters of its programmed route without going off course. The House Transportation Policy Committee got a first-hand look and ride March 19 on the bus developed by the University of Minnesota's Intelligent Transportation Systems Institute. The institute developed the TechnoBus to relieve drivers' stress during rush-hour traffic when buses driving on shoulders come within inches of stopped cars.

bring commuters north and south across the Minnesota River and create additional connections for those communities to the metropolitan transit system.

The bill (HF570), sponsored by Rep. Chris Gerlach (R-Apple Valley), would provide \$2 million to match federal funds and \$3 million for planning, development, and some station and other improvements.

Gerlach testified that the Legislature provided \$500,000 in 2001 to study the circumstances surrounding a dedicated busway in the area. The Metropolitan Council supported those planning efforts with an additional \$400,000. Gerlach also said Congress has pledged an additional \$1 million to develop the project.

Buses would travel primarily on shoulders and in existing high-occupancy vehicle lanes until a dedicated busway is complete, Gerlach said.

The bill's Senate companion (SF518), sponsored by Sen. Dave Knutson (R-Burnsville) awaits action in the Senate Finance Committee.

Northern metro transit option

A bill that would provide \$1 million in bonding proceeds for a bus transitway in the northeastern metropolitan area was heard March 19 in the House Transportation Finance Committee.

The bill (HF481), sponsored by Rep. Doug Meslow (R-White Bear Lake), will be considered for possible inclusion in the committee's bonding recommendations either for this session or for the 2004 bonding bill.

The Rush Line Corridor Busway would extend 80 miles north along Interstate 35E between St. Paul and Hinckley. The money could be used for right-of-way acquisition, planning, engineering, and matching federal funds, according to the bill.

Meslow testified development in the corridor is part of the Metropolitan Council and the state Department of Transportation long-range plans. By 2020, population in the area is expected to increase by 24 percent, employment by 27 percent, and work trips by 45 percent, Meslow said.

In addition, planners expect traffic in the area to jump 25 percent in that same time period.

"The counties and the communities along the line have come together to try and deal with this" growing congestion issue, said Ramsey County Commissioner Victoria Reinhardt. The line would go through four counties. Currently, bus service to the area is very limited, she said.

Initially the project proposed in the bill allowed for a transitway, which could include buses or rail. The bill was amended in the committee to include a busway only, and to appropriate the

money to the commissioner of transportation, rather than the Metropolitan Council.

The Senate companion (SF619) is sponsored by Sen. Becky Lourey (DFL-Kerrick). It awaits action in the Senate Finance Committee.

★ SAFETY

Emergency communication

Radio communication between law enforcement and safety personnel during a terrorism emergency would be helped under a bill approved March 19.

Under the 2002 state anti-terrorism act, 23 Minnesota counties were given temporary authority to sell bonds to design, construct, and acquire public safety communication system infrastructure and equipment for use on the statewide, shared public safety radio system.

HF756, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would expand the law to give all counties temporary authority to sell bonds to fund the system. It was approved by the House Local Government and Metropolitan Affairs Committee and now advances to the House Taxes Committee.

The updated system is crucial during large, multiple-jurisdiction emergencies. Currently, law enforcement and safety personnel, such as snowplow operators, must communicate through a dispatcher, which is difficult during high radio traffic periods.

"Obviously, in the time we're living in now it's more important than ever," Rhodes said.

Some Twin Cities metropolitan area counties have already updated their equipment under the federal anti-terrorism act, said Brian Erickson, a captain with the Minnesota State Patrol.

"It has worked very well," Erickson said.

In response to a question from Rep. Frank Hornstein (DFL-Mpls), Erickson said the majority of promised federal homeland security funds have yet to arrive. However, planning for the update system continues, he added, as some federal funds are expected.

In last session's bonding bill, \$13 million was allocated for a statewide public safety radio communications system, but former Gov. Jesse Ventura vetoed it.

The bill has no Senate companion.

Allowing more blue lights

A bill that would allow emergency vehicles to display blue lights passed the House 129-0 on March 13.

The bill (HF314), sponsored by Rep. Dale

Walz (R-Brainerd), now moves to the Senate, where it is sponsored by Sen. Carrie Ruud (R-Breezy Point).

Specifically, the bill would allow all emergency vehicles to place flashing blue lights facing toward the front of the vehicle on the passenger side only. Blue lights are currently only allowed on snowplows and transportation maintenance equipment.

"Blue is a much more visible light, especially in inclement weather," Walz said. He also said he didn't know of any opposition to the bill.

During committee discussion earlier in the session, several members questioned whether it would be confusing to motorists if an emergency vehicle used blue lights when they may be accustomed to only seeing plows or maintenance vehicles with blue lights. Walz indicated the motive of the bill was to increase safety, and he didn't anticipate that kind of confusion being a problem.

★ TAXES

Extra filing fee

Tax preparers who continue filing state income tax returns on paper as opposed to electronically would be charged \$5 per claim, under a bill that is in keeping with Gov. Tim Pawlenty's 2004-05 budget proposal.

The provision is included in HF751, sponsored by Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee. It was presented to the committee March 19 by the Department of Revenue.

Though Abrams is sponsoring the bill, he said he doesn't approve of the tax preparer fee. About 200,000 people using tax preparers still file their claims via the postal service. The fee would likely be passed on by preparers and would therefore be a charge to individuals for filing their taxes, he said.

"I wouldn't be counting on this one," Abrams said, indicating that the provision may not be included in the committee's omnibus bill. However, he acknowledged that removing it would force him to find the budgeted revenue elsewhere.

Since 2000, tax preparers have been required to file returns electronically if they filed more than a certain number of returns the previous year. In 2000, the threshold was 500. It decreased in 2001 to 250, and in 2002 to 100.

However, penalties have not been assessed to preparers who have chosen not to file electronically.

According to the department, it costs \$5 to process a paper claim and \$1.24 to process an electronic claim.

The department estimates the state would

gain \$1.2 million in fiscal year 2004 if the fee becomes law, and \$800,000 in each of the following three years. The measure would take effect for the 2003 tax year, if approved.

Several representatives expressed concern about the fee, including Rep. Jerry Dempsey (R-Red Wing). "This is kind of in a sense a punishment," he said, questioning whether an incentive to file electronically would be more appropriate.

Campaign write-off

Minnesota taxpayers contributing to candidates for state office and to political parties would be on their own to a larger degree if changes to campaign contribution laws are approved.

The changes, proposed in Gov. Tim Pawlenty's 2004-05 budget, drew concern March 19 before the House Taxes Committee.

According to the Department of Revenue, the amount taxpayers could write-off for contributions to state office candidates and political parties under the Political Contribution Refund program would be reduced from 100 percent to 50 percent.

Currently, individuals and married couples can receive a 100 percent cash refund for contributions to candidates for state office and political parties. The maximum refund is \$50 for an individual and \$100 for a married couple.

The Political Contribution Refund costs the state about \$5 million each year. The department is assuming that the number of contributors would drop by one-third if the proposal were adopted. Therefore, it assumes the state cost would decrease to \$2.7 million in fiscal year 2004, and to an average of \$3.2 million in fiscal years 2005, 2006 and 2007.

Revenue Commissioner Dan Salomone said taxpayers in 2000 filed for write-offs for 39,500 individual and 58,500 campaign contributions, for a total state cost of \$5.2 million. In 2001, taxpayers filed for write-offs for 20,900 individual and 55,500 campaign contributions, for a total state cost of \$4.2 million.

Some legislators said reducing the write-off reads like protection for incumbents because it lessens the pool of money for first-time campaigners who aren't as likely to gain big contributions.

"I do think the Legislature will be criticized for protecting incumbents," said Rep. Ann Lenczewski (DFL-Bloomington).

The governor is also proposing changes to the vehicle by which contributions to the elections campaign fund are made.

Currently, an individual may designate on

his or her state income tax forms that \$5 go to help candidates for state office pay for campaign expenses. The individual decides if the \$5 is for a political party or for the state general campaign fund, which is distributed among candidates of all major political parties. The check-off does not reduce the taxpayer's refund or amount owed.

As proposed, the program would change to a taxpayer-designated amount. Individuals would be allowed to contribute up to \$25 and married couples up to \$50. The amount designated by the taxpayer would be reduced from that individual's refund or be added to the amount owed the state.

The department is assuming that the number of individuals utilizing the check-off would drop by half, should the proposal be adopted. Therefore, instead of the state subsidizing campaigns, it would earn an estimated \$600,000 in each of the next four fiscal years, beginning with 2004.

According to Salomone, the number of individuals utilizing the check-off has dropped from 22.3 percent in 1974 to 8.2 percent in 2002.

The committee took no action on the proposals, but will consider them for inclusion in its overall omnibus bill.

Racing tax break

Auto racing tracks could get a tax break by being eligible for the Minnesota Open Space Property Tax Law, under a bill considered March 19 by the House Taxes Committee.

The committee did not act on the bill, but will consider including it in its overall omnibus bill.

Under HF421, sponsored by Rep. Mark Buesgens (R-Jordan), auto racing would be counted as a recreational use eligible for open space valuation and tax deferment. Current law allows the value of private outdoor recreational open space and parkland to be deferred if its value has increased due to the value of adjacent property, such as residential or commercial land.

Eligible properties continue paying taxes, but do so based on the current market value. The difference between this tax rate and what would be charged under the higher rate is deferred. The deferred taxes constitute a lien on the property. Taxes must be paid when the property no longer qualifies for deferment, and are levied for the last seven years that the property was assessed under the open space law.

The deferment only benefits property when taxes have risen due to the value of neighboring property. For instance, a racetrack in a rural area would not benefit from HF421 if the

value of adjacent land were assessed at a lower rate.

According to Gerald Brandenhoff, an attorney representing Elko Speedway and other privately owned tracks, auto-racing tracks are frequently surrounded by high-end homes "and that tends to unfairly raise the tax."

In the case of Elko, said Rep. Ron Abrams (R-Minnetonka), the speedway was built "in the middle of nowhere" and has become surrounded by development in the past 30 years.

"It's a significant issue," Brandenhoff said.

There are five asphalt and 10 dirt auto racing tracks in Minnesota.

Recreational uses currently eligible for the open space law include golf, skiing, lawn bowling, croquet, archery, and firearms ranges.

The bill has no Senate companion.

★ TRANSPORTATION

Environmental regulations

Representatives from the state Department of Natural Resources (DNR), Pollution Control Agency (PCA), and Board of Soil and Water Resources appeared before the House Transportation Finance Committee March 18 to discuss environmental regulations that affect the progress of road construction projects.

County officials testified March 12 regarding what they perceive to be onerous requirements regarding permits and mitigation of environmental concerns. They called for a number of regulations to be changed, but committee members wanted more information from the aforementioned departments regarding why the regulations are in place.

All three agencies testified that efforts have been made to try and streamline the process by which local governments obtain permits for road construction projects.

Tom Balcom, planning director for the Natural Resources Department, said the department has an agreement between a number of agencies, including the state Department of Transportation and the PCA, to get involved in the planning processes for projects early and identify potential problems. Specifically, the department is concerned about instances where projects may affect lakes, rivers, streams, wetlands, endangered plant and wildlife species, old-growth forests, and historical and cultural land features.

Agencies at all levels are included in the department's efforts, Balcom said, including the federal government and local units of government.

Leo Raudys, administrator for the state PCA, testified regarding the different water-related issues that may affect transportation projects.

County officials testified that new regulations from the agency are difficult to nail down and seem to be more burdensome than previous regulations placed upon local governments.

Raudys said there are three major areas the agency regulates that transportation projects affect: noise regulations, air quality, and storm water. The latter has been regulated since the early 1990s and affects all kinds of construction projects, including roads, housing developments, and others.

Since the early 1990s, Raudys said, phase I regulations have governed transportation project permits. Though they may be easier to understand, they're fairly restrictive, he said, and don't allow for local governments to use a range of options to deal with the issues. Phase II regulations, he said, are now in effect, and govern industrial, municipal, and construction impacts on storm water.

Though some local governments are initially objecting to changes, Raudys said he thinks they will actually be good in the long run because they allow for more flexibility.

Permits are typically issued 48 hours after applications are received, he said. The agency will only deny a permit if there is a significant problem with the application.

Wetland concerns were addressed by Ron Harnack, executive director of the Board of Soil and Water Resources. Harnack said the board has worked since 1996 to streamline requirements of the state's Wetland Conservation Act. In fact, the board has enacted policies whereby local governments merely need to report the wetlands they need to replace, and the board takes care of facilitating that replacement.

The board works with a number of state and federal agencies to make sure all replacement requirements are met. In essence, locals only have to report to the board for wetland issues, Harnack said. However, former Gov. Jesse Ventura vetoed funding for this year's projects, and Harnack said without some funding, the board will not be able to perform any wetland replacement projects in 2003.

Members were concerned that the agencies are duplicating services and requiring local governments to obtain permits from several agencies, thereby delaying projects and driving up costs.

Balcom said the DNR isn't providing duplicative services, but is merely assuring that all the bases are covered for a particular project.

Activity bus drivers

A bill that would extend a short-term provision regarding drivers of school activity buses now moves to the Senate, after receiving House approval March 13.

On a vote of 127-0, HF259, sponsored by Rep. Bill Kuisle (R-Rochester), would remove the July 1, 2003 sunset date for a 2001 provision regarding who may drive school activity buses. Under the 2001 law, people with class D driver's licenses may drive the special vehicles without a commercial driver's license endorsement under certain criteria.

Those criteria include that they must only drive the vehicles to and from an activity, not operate a bus route, they must pass a background check, they must not have committed certain driving offenses including drunken driving, and must have certified they met the requirements.

The law was initially brought as a way to accommodate coaches, daycare center teachers, and others who had occasion to transport students to and from activities, such as games or field trips, but were not certified as commercial drivers. Generally, a person must have a commercial driver's license to operate the special vehicles, including small buses, 15-passenger vans, and other 10+ passenger vehicles.

In addition, the bill would require drivers of special activity vehicles to meet the requirements that all other school bus drivers are required to meet with regard to criminal backgrounds, particularly certain sex offenses and drug offenses that might not appear on a criminal background check.

Rep. Mary Murphy (DFL-Hermantown) offered an unsuccessful amendment on the House floor to reinstate the sunset date for the program. She said that given the difficult budget times school districts face, the Legislature should give the law another two-year trial to make sure it meets their needs.

She objected further, saying parents think their children being transported in these vehicles are in the hands of a professional vehicle driver and this bill would not require that.

The additional sunset would serve "just to give a measure of information to the public and to make parents feel a little more secure that it's going to be evaluated," Murphy said.

The Senate sponsor of the measure is Sen. David Gaither (R-Plymouth).

Extending special vehicle life

A bill that would extend the legal life of certain special transportation vehicles passed the full House 129-0 March 13.

The bill (HF348), sponsored by Rep. Tony Kielkucki (R-Lester Prairie), would extend the

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

usable life for special transportation vehicles from 10 years to 12 years.

The vehicles in question include passenger cars, station wagons, vans, and small buses, generally intended to carry 10 or fewer people including the driver. These vehicles may be used for student transport, but are often maintained by districts to send groups of teachers or small groups to seminars or special events.

Under current law, the life of the vehicle is limited to 10 years, regardless of condition. Kielkucki said the extension would allow districts some flexibility to continue using vehicles that are in good condition and have low miles, though they may be older.

Kielkucki called the bill one step in making it easier for school districts to continue to use vehicles in workable condition, particularly in times when budgets are tight.

Rep. Tom Rukavina (DFL-Virginia) questioned whether Kielkucki had chosen to increase the useful life of a car in terms of years, rather than using safety evaluations or mileage. He agreed that some vehicles appear in good running condition even when they are 10 years old, but he suggested some of the other standards may help assess the safety of the vehicles better.

"You're right, common sense does tell you to look at the vehicles," Kielkucki said. "The condition of the vehicle is what's important in this process."

The bill now moves to the Senate, where it is sponsored by Sen. David Tomassoni (DFL-Chisholm).

Brookdale transit hub

A bill that would require the Metropolitan Council to relocate the transit hub adjacent to Brookdale Center in Brooklyn Center will be considered for inclusion in the House Transportation Finance Committee's omnibus finance bill.

The bill (HF511), sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), was heard by the committee March 19.

The city has been working to relocate the hub since 1997, when Brookdale Center began discussions to expand and redevelop its existing site between Highway 100, Brooklyn Blvd., and Bass Lake Road, Hilstrom said. Since that time, Brookdale developers have actually evicted Metro Transit from its property, she said, forcing it to build a temporary hub near the mall property.

However, city officials are concerned about the temporary hub because it has created traffic hazards, they say. The buses stop in the traffic lanes, said city manager Mike McCauley, and pedestrians are crossing the street at places other than the intersections. The buses make

it difficult for other motorists to see, force motorists to make right turns from the left-hand lanes, and make left turns from the right-hand lanes because the bus stops are so close to the intersection.

After months of discussion, a site for a new transit hub with shelters and restroom services much like transit hubs in outlying communities was in the works late last fall, Hilstrom said, north of the Brookdale property. However, Metro Transit plans suggested the site was only an alternative and was moving forward with plans for a hub nearer the existing temporary hub, Hilstrom said.

The bill specifically designates the property north of the site as the intended transit hub location – north of Bass Lake Road, east of Shingle Creek Parkway, and west of Highway 100. The bill would also require the hub to be operational by June 1, 2004.

Hilstrom testified that \$4 million has been allocated for the project previously. She is only seeking to designate the site for the hub in her bill.

The Brookdale transit hub provides service to 11 bus routes.

A Senate companion (SF513), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits committee action.

VETERANS



Renaming a road

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill March 19 that designates Victory Memorial Drive as a historic district.

Sponsored by Rep. Joe Mullery (DFL-Mpls), HF456 now goes to the House floor.

Bordering Minneapolis and Robbinsdale, the drive established in 1921, is one of the largest World War I memorials in the country.

Originally, 568 elm trees were planted in straight military-style rows in memory of the fallen soldiers from Hennepin County. In 1928, a marker was placed in front of each tree with the name, rank, and company of a soldier. Dutch Elm disease forced some trees to be cut down and replanted.

Barbara Johnson, Minneapolis city councilor for the area, said the drive is eligible for historic preservation grants by designating it a historic district. Mullery said the grant monies would help with the cost of maintenance.

After reading the last stanza of the poem, *In Flanders Fields*, Patricia Schon, past national president of the Department of Minnesota Ladies Auxiliary Veterans of World War I, asked the committee to "take the torch for all our veterans."

There was no opposition to the bill voiced at the meeting.

A Senate companion (SF511), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action in the Senate Jobs, Housing, and Community Development Committee.

SOLDIER SUPPORT

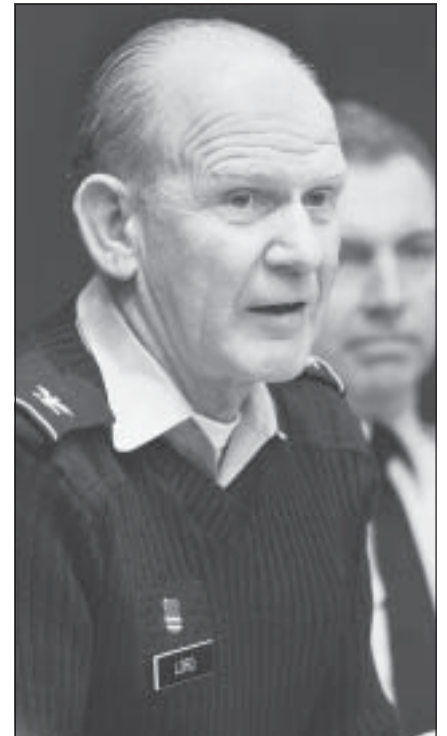


PHOTO BY TOM OLMSCHIED

Col. Dennis Lord, *left*, of the Minnesota Department of Military Affairs testifies March 20 before the House Ways and Means Committee in support of a proposal that would authorize state employees called to active military service to receive payment of a salary differential. At right is 1st Sgt. William Ash.

Correction

A story in the March 14 issue of *Session Weekly* inadvertently described insurance premiums through the Minnesota Comprehensive Health Association as monthly. The premiums listed are quarterly.

We apologize for any inconvenience.

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In the bank

A proposed fee for apprentices would pay for a program that trains dislocated workers for better jobs

By MIRANDA BRYANT

A plan to sustain state oversight of the more than 11,000 construction and occupational apprentices in Minnesota while also helping the unemployed has some lawmakers concerned about competing interests.

Presented March 13 by the Department of Labor and Industry to the House Jobs and Economic Development Finance Committee, the initiative calls for charging apprenticeship sponsors \$50 per apprentice. The revenue would go to the dislocated workers program.

That program helps anyone who has lost work through a massive layoff, has exhausted their unemployment benefits, or has limited opportunities to return to a similar occupation in their region.

The committee took no action on the plan.

The fee, which would generate about \$1 million in the 2004-05 biennium, is part of Gov. Tim Pawlenty's proposed biennium budget. The goal, said Grace Schwab, director of governmental relations for the Labor and

Industry Department, is to make the apprenticeship program self-sufficient.

But some legislators, as well as labor and union representatives, question the plan, asking whether it would pit one group of workers against another — the apprentices against the unemployed.

"I have a commitment to pay my mortgage, but I don't ask my mortgage company to pay it for me," said Rep. Tony Sertich (DFL-Chisholm).

Countered Schwab, "The agency is truly committed to the program. ... As you know and remember, Gov. (Jesse) Ventura recommended the program be abolished and that's how we came up with the funding from the workplace development fund. This would be a way it could be self-sustaining, self-supporting."

The state's apprenticeship program began in 1939. Since then, more than 110,000 apprentices have been registered in Minnesota in 105 occupations. Today, apprenticeship programs exist in many occupations, including secretarial, auto repair, printing, and carpentry fields.

An apprenticeship is a formal system that combines on-the-job training with technical instruction. The apprentice and his or her sponsor establish a written contract, which is approved and registered by the state, and specifies the length of training, school hours, skills to be learned, and wage to be received. A sponsor can be an employer, group of employers, public institution, or a union.

Employers and employees benefit. Employers contribute to the pool of available workers and ensure that industry standards are upheld through properly trained employees. Workers benefit by gaining access to career advancing opportunities and higher paying jobs.

The state program is limited to oversight; it does not provide on-the-job training for apprentices. Training is provided either by the employer or by unions, the latter of which includes training expenses in employer-employee negotiations. Millions of dollars are spent by the private sector on training each year, said Dick Anfang, president of the Minnesota State Building and Construction Trades Council.

In the 2002-03 biennium, the state funded the apprenticeship program through \$1.4 million from the workforce development fund and a \$72,000 federal grant for veterans becoming apprentices, said Cindy Farrell, the Labor and Industry Department's chief financial officer. The workforce development fund is derived from a per-employee fee charged of all businesses in the state to help the unemployed.

The 2004-05 budget is proposed at slightly more than \$1 million, equating to a biennium reduction of \$406,000.

To manage the cuts, Farrell said, the program would lay off three of its eight employees and bring the program and the labor standards division under one director. An additional \$408,000 would be saved by eliminating the Labor Education and Advancement Program, which helps women and minorities become apprentices. Other operating cuts are also proposed to the workplace service division, which oversees the apprenticeship program.

Several legislators and trade representatives questioned how creating a new fee to help the dislocated workers fund would help the state's general fund.

"The main thing is it doesn't save the general fund any money because it's not funded out of the general fund," said Brad Lehto, legislative director for Minnesota AFL-CIO, in an interview



PHOTO BY TOM OLMSCHEID

Jeff Sawyer, a sheet metal apprentice at Northwest Sheet Metal in St. Paul, welds an elbow joint. The House Jobs and Economic Development Finance Committee heard testimony March 13 about an initiative that would charge apprenticeship sponsors \$50 per apprentice.

Continued on page 35

Again and again

Renewable fuels could allow state to spend less on energy consumption, economically help parts of Greater Minnesota

By TOM LONERGAN

From wind power on the Buffalo Ridge to a waste wood cogeneration plant in downtown St. Paul, renewable energy — scattered in small developments throughout the state — is building a promising foundation in Minnesota.

“Renewable energy provides an opportunity to develop an economic base and economic strength in rural Minnesota,” said Greg Cuomo, head of the West Central Research and Outreach Center at the University of Minnesota-Morris.

Cuomo and Robert Elde, dean of the university’s College of Biological Sciences, were among a group of presenters that gave members of the House Agriculture and Rural Development Finance Committee a summary March 18 on renewable energy and fuels in the state.

Cuomo said plans are in the works for a renewable energy center that will develop hybrid energy production utilizing wind, biomass, and hydrogen. “Western Minnesota has the resources we need,” he said. The center will be “a living laboratory,” Cuomo said, providing a bridge between university researchers, state residents, and industry to “encourage development of a new energy industry.”

Elde suggested the state “capitalize on indigenous resources” such as biomass in its forests, wind energy in southwest Minnesota, solar power, and hydrogen to “foster development of renewable energy.”

He said such an approach would “help reverse the economic drain” in rural Minnesota and allow the state to keep its energy consumption dollars, “rather than shipping dollars out to Montana and Wyoming for coal.”

The 20th century’s industrial economy, based on fossil fuel-generated energy, was based on “photosynthesis that occurred 50 million years ago,” Elde said. New technologies are emerging, he said, to “convert last summer’s photosynthesis into energy.”

A bill (HF775) approved by the House Regulated Industries committee March 19, which would provide additional nuclear waste storage in the state, also calls for renewable

energy development funds to be used for research on solar, hydrogen, and biomass capabilities. The bill would allow about \$4 million annually from the renewable fund to support research at the University of Minnesota.

As the fourth largest producer of ethanol in the country, the state is poised to use the corn-based fuel additive for other energy resources, according to the Minnesota Corn Growers Association.

“Ethanol may be one of the best forms of energy to provide hydrogen used in fuel cell technology,” said Gene Sandager, treasurer of the corn growers group. Fuel cells are the technology of converting hydrogen to electricity without combustion. Using ethanol as the hydrogen source in fuel cell technology, Sandager said, produces electricity and water. “The process creates no other emissions or pollution,” he said.

The state-funded Agricultural Utilization Research Institute evaluates agricultural products and processing co-products as potential renewable fuels. Biomass energy sources are abundant in the state and show great promise as economical sources of renewable energy, said Al Doering, a staff member from the research institute’s Waseca lab. “There is a lot of potential for farmers out there,” he said.

Biomass development has been part of the state’s renewable energy development fund that was established in 1994 legislation allowing nuclear waste dry cask storage at Xcel Energy’s Prairie Island plant. The fund generates \$8.5 million a year from the utility’s ratepayers, based on \$500,000 per each of the 17 dry cask storage units at the plant site.

The Public Utilities Commission must approve renewable energy projects that Xcel

develops with third parties. Two biomass energy projects supported by the fund are expected to begin operating in 2003 and 2004. They are the St. Paul cogeneration plant that will use waste wood to generate 25 megawatts of electricity and the Fibrominn plant in Benson that will utilize approximately 500,000 tons of poultry litter annually to produce 50 megawatts of electricity.

Paul Kramer, vice president of Rahr Malt-ing Co., in Shakopee, told committee members about a biomass-to-energy project his family-owned company is developing. The company has been producing malt from barley since 1847.

By using corn stalks, other crop residue and low value agricultural byproducts, the biomass plant would produce 20 megawatts of electricity — enough power for 8,000 homes, Kramer said. The biomass project would ensure the long-term viability of the company, protect the jobs of 100 people, and increase



PHOTO BY KRISTINE LARSEN

Advocates for renewable resources gathered in the Capitol Rotunda March 19 to discuss the importance of local water planning.

employment by up to 22 jobs, he said. Kramer encouraged the committee to “develop islands of reliable power” across the state.

Developing renewable sources to be part of the state’s energy future will continue to be “very, very challenging,” said Edward Garvey, deputy commissioner of the state Commerce Department.

More than 70 percent of the state’s electricity comes from coal-fired sources, 20 percent is provided by nuclear plants, and the remaining 10 percent is “everything else,” Garvey said. The power source must be reliable, affordable and environmentally sensitive, he said. “The need is very important and worthwhile of exploration.”

Expanding his commitment

DeLaForest moves to new aspect of public service as a state legislator, after years in military service

By JEFF JONES

Talk of legislators "battling it out" over the state budget, gun control, and other heated issues that come before them doesn't sound



Rep. Chris DeLaForest

quite right to Rep. Chris DeLaForest (R-Andover). The freshman lawmaker served four years in the U.S. Army at Ft. Knox, Ky., and he says images of war shouldn't be applied to the political process.

"In a very real sense, it trivializes the experience of those who have experienced actual combat," he said. "While we deal with very complex and very powerful issues here in the Legislature, it really isn't life or death. At the end of the day, opponents of an issue and proponents of an issue can still shake hands and be friends."

"Politics is a contact sport," he says, "but it definitely is not the same thing as real bullets flying."

DeLaForest sees his job as a legislator as another expression of his commitment to public service and expects his Army background to come in handy in his work here.

"When you're under the kind of stress that military training can force on you, you learn a lot about the human condition and human nature," he said. "And I think that has served me particularly well as a candidate and now hopefully as a legislator in forming the kind of personal relationships that are necessary to be successful."

DeLaForest's political career extends from his college days at St. John's University, where in addition to ROTC programs, he was a member of the College Republicans. His degree is in political science, and after his active duty military service he was campaign manager for Rep. Kathy Tingelstad (R-Andover). He became a candidate himself when redistricting created an open seat in his area last spring. "Rep. Tingelstad encouraged me to step up to the plate and run," he said.

Transportation tops the list of issues

important to his Anoka County constituents, DeLaForest says. As a member of both the House Transportation Policy and Transportation Finance committees — and a daily commuter — he hopes to steer state funding to road projects in his area to help bring transportation infrastructure up to date.

DeLaForest co-sponsored legislation to repeal the Profile of Learning and he said residents of his district want to ensure quality education while making sure their tax dollars are spent wisely.

He also said he sees himself as an advocate for outdoors enthusiasts in his area. "There are a lot of sportsmen and anglers in Anoka County, myself included. And so we are very interested in ensuring Minnesota remains a

require women to receive specific information at least 24-hours before obtaining an abortion. Civil Law Chair Mary Liz Holberg (R-Lakeville) sponsors the bill. "He did a really wonderful job chairing that committee with a very tough issue," Sviggum said.

DeLaForest is sponsoring legislation that would create an anti-terrorism account in the state's budget funded by sales of a special "United We Stand" license plate. Money from the account would go to the state's National Guard and law enforcement units for special anti-terrorism projects and training.

"I'm a veteran, so I have been involved in various anti-terrorism programs on the consumer end of the policy," he said. "Having a dedicated source of revenue to help secure Minnesota's borders and thus America's borders is really one of the foremost priorities of government."

Though he never saw combat during his military service, DeLaForest said he understands the feelings of troops involved in the current conflict in the Middle East. "The people who least want war are soldiers. The

"In a very real sense, it trivializes the experience of those who have experienced actual combat. While we deal with very complex and very powerful issues here in the Legislature, it really isn't life or death. At the end of the day, opponents of an issue and proponents of an issue can still shake hands and be friends."

— Rep. Chris DeLaForest

quality place to enjoy those pursuits," he said.

His job as an attorney specializing in labor relations earned him a seat on the House Civil Law Committee, where he has the distinction of being the committee's vice-chair in only his first term.

"It was a little bit of a surprise to be appointed to Civil Law and it was very much of a surprise to be appointed vice-chair of that committee," he said.

The man in charge of committee assignments, House Speaker Steve Sviggum (R-Kenyon), said DeLaForest has the expertise, talent, and enthusiasm for the job. "I see Chris as being a real leader and up-and-comer within the Republican majority for years to come," Sviggum said.

Already, DeLaForest has had to lead the committee through some contentious issues, including the abortion-related bill that would

people who are required to carry a rifle into combat hope least that they will be asked to do so," he said. "But America has challenges and guaranteeing our security and guaranteeing peace in the world often entails a price to be paid."

DISTRICT 49A

2002 population: 36,574

Largest city: Andover

County: Anoka

Location: northern Twin Cities suburbs

Top concern: "Anoka County is in desperate need for a real infusion of transportation funding to help bring infrastructure up to 21st century standards."

— Rep. Chris DeLaForest

Desire to serve

Having helped serve people throughout her life, Samuelson is now doing the same in the House of Representatives

By JEFF JONES

Though her life's work has centered on providing care to the elderly, freshman Rep. Char Samuelson (R-New Brighton) is not a stranger to the legislative process.



Rep. Char Samuelson

As an administrator for HealthEast senior care division, she successfully lobbied legislators for a bill to move the company's Bethesda Care Center for senior services to a new location in South St. Paul. As a result of the legislation, she said, the center is doing well and serving the needs of citizens in that area.

Serving people, especially the elderly, has always been at the heart of Samuelson's work. She began her career as a registered nurse at Mounds Park Hospital and worked in chemical dependency centers and nursing homes before returning to school for an administrator's license.

Since then, she has worked for Unicare and HealthEast health systems and after an unsuccessful run for the Legislature in 2000, she began consulting for a variety of clients in the area of long-term care. She currently works for Health Service Innovations, a consulting firm that provides a broad range of services including nursing home administration, senior citizen housing research, executive searches, and interim feasibility studies.

Having worked both one-on-one with patients and as an administrator, Samuelson said she has a hard time deciding which she enjoys more. But all of her work, she says, stems from a desire to serve others. That desire comes from "just a basic concern and care for other people, to try to make a difference — a positive difference in what happens to people."

She sees her new role in the Legislature as another way to continue that mission. She is glad to put her expertise to work on the House Health and Human Services Policy and Fi-

nance committees, and the chair of the finance committee, Rep. Fran Bradley (R-Rochester), says he is glad to have her.

Bradley said that Samuelson brings a strong base of knowledge to the committees and she is quick to learn new concepts and ideas that are crucial to the legislative process. "She's really a gutsy person," Bradley said. "She doesn't shy away at all from jumping into areas that may be controversial. She sees the needs for major reforms."

In thinking through those reforms, Samuelson said she struggles with how government and health care should properly mix.

"I think it's important for government to be involved, and the question is how involved should government be?" she said. "I know that with the demographics the way they are and an influx of older people, we're looking at ways — through insurance or other means — of

"I think it's important for government to be involved, and the question is how involved should government be (in healthcare)?"

— Rep. Char Samuelson

paying for long-term care and services. Because it's very costly."

She said she hopes to explore "good ideas" that may break the traditional model of caring for the elderly such as long-term care insurance, alternative care grants, and elderly waivers that allow people to have services in their homes or assisted living facilities. "We need to look for methods that cost less but still meet the needs of our individuals," she said.

Samuelson describes her committee experience so far as "very good, but very scary."

"The good part of it is, I think we've been educated quite well," she said. The scary part is the decisions committee members will be forced to make about how to reconcile funding for important services with the state's projected budget deficit. "Behind every dollar is a face. We're not dealing with inanimate type objects," she said.

Having been a nine-year member of the

New Brighton City Council, Samuelson is also concerned with proposals to reduce aid to local governments. "Phasing it down I think is definitely the way to do it, rather than just chopping it off," she said.

New Brighton Mayor Steve Larson said he hopes Samuelson and other legislators will find a way to let residents determine the level of services they want from their government. "Char was always a person concerned with the rights of citizens," Larson said.

In her free time, Samuelson enjoys staying active. During the winter months, she enjoys bowling, and in good weather she walks and plays golf. "I'm a horrible, horrible golfer. But I do it anyway," she said.

Most of all, Samuelson and her husband, Gerald, like to travel. She says their favorite destination is the coast of Maine. "We try to go back there as much as possible," she said. "We kind of go back to the same old haunts and do the same things, and just relax."

For now though, the rigors of legislative life occupy her attention full-time. Samuelson says she didn't realize how busy life gets at the Capitol. "You're busy from the time you get here 'til the time you get home. Maybe you can sneak in a lunch or an apple to keep you

going," she said. "But it's productive busy and I think that's real important."

DISTRICT 50B

2002 population: 36,953

Largest City: Fridley

Counties: Anoka, Ramsey

Location: northeastern Twin Cities suburbs

Top Concern: "Health care and community based services, because I think it's very important to have community-based services for our elderly and our disabled."

— Rep. Char Samuelson

Coming home

After living outside of Minnesota during many years of military service, Severson jets into the House of Representatives

By TOM LONERGAN

When Rep. Dan Severson (R-Sauk Rapids) was 9 years old, his brother-in-law took him up in a Cessna 172 for his first plane ride.

"I always wanted to fly," said the 48-year-old freshman House member representing District 14A, north of St. Cloud.



Rep. Dan Severson

After earning a degree in physics from St. Cloud State University, Severson was trained as a Naval officer. Commissioned in 1979 to conduct flight training, he's more than fulfilled his boyhood dream.

During 22 years in the Navy, Severson flew fighter jets as a non-combat pilot, was a squadron leader, and spent three years in Washington D.C. in naval personnel and policy development. The latter experience gave him "a taste for the political structure," Severson said.

Following his retirement from the military in 2000, Severson and his family moved back home to Minnesota. He worked in a business creating new applications for light emitting diodes. Severson still flies regularly, although not during winter. He said he misses "flying fast airplanes and pulling a lot of G's (g-forces)."

In his first run for public office last November, Severson beat his DFL opponent by 315 votes. Last spring, it took 10 ballots for him to gain the Republican endorsement for a newly redistricted House seat over former five-term Rep. Steve Dehler. Redistricting had placed Dehler in the same district as Rep. Doug Stang (R-Cold Spring). Dehler moved so he could run in the new district.

Stang said he and Severson share similar concerns on economic development in central Minnesota, education equity funding, and the area's transportation needs. "Dan worked extremely hard campaigning," Stang said. "I was impressed at how aggressive he was. He's realizing the campaigning doesn't really end. That's going to serve him well."

Small cities such as Rice, St. Stephen, Sartell,

and Sauk Rapids are part of the district that Severson described as, "conservative, strong pro-life, and growing economically." He said he wants to provide "good representation of the conservative values of the district" and "be the voice for economic development."

Minnesota has a tradition as an "innovative, forward-thinking state with a very progressive education system," Severson said. However, he added, the state's "aggressive tax policy" and regulations have placed "constraints on business. We've kind of put the kibosh on economic development."

As a member of the House Jobs and Economic Development Finance Committee, he plans to support legislation to create tax free zones for qualifying businesses. In addition,

"We're not seeing business in a friendly way. The state's message to business, he said, is not, 'We're here to help.' It's more like, 'You're honored to be able to operate in our state.'"

— Rep. Dan Severson

Severson said he'd like to see the state relax some other requirements on business such as workers' compensation and unemployment insurance compensation.

"We're not seeing business in a friendly way," Severson said. The state's message to business, he said, "is not, 'We're here to help.' It's more like, 'You're honored to be able to operate in our state.'"

Severson is also a member of the House Local Government and Metropolitan Affairs and Transportation Policy committees.

"Economic development and transportation are linked," said Severson, who favors a multi-modal approach to transportation planning. "Rail has a place in our future." He supports the development of the Northstar commuter rail line from St. Cloud to Minneapolis. Starting the project "will be tough in this economic environment," Severson said, but the potential economic impact will be "a real positive."

He's the lone sponsor of HF487, which

proposes a 4 percent cut to the salaries of legislators and the state's constitutional officers – governor, lieutenant governor, attorney general, secretary of state, and state auditor – for 2004-05. Their salaries were increased beginning in 2003 based on provisions in a 2001 law.

Severson said he agreed to sponsor the House companion to a bill (SF220) first introduced by Sen. Dave Kleis (R-St. Cloud), because, "we need to lead by example. My military background taught me to always lead from the front, not behind." Neither bill has had a committee hearing.

Legislators are paid \$31,140 annually, an amount not increased since a 5 percent bump in 1999. Salaries for constitutional officers, except the governor, now range from 65 percent to 95 percent of the governor's \$120,303 salary.

Moving every three years during his military career brought his family closer together, Severson said. His daughter and son attend St. Cloud State University. He met his wife, Cathy Jo, on a blind date arranged by their parents. She's a real estate broker who, Severson said, "put me through college," while working as a

dental assistant in the 1970s.

As he completes his third month in the House, Severson said he enjoys the "personal interface with different people." The best part of the job, he said, is, "I'm finally beginning to feel that I can get on top of what's been going on."

"Probably the hardest thing is trying not to look stupid."

DISTRICT 14A

2002 population: 36,887

Largest city: Sauk Rapids

Counties: Benton, Stearns

Location: central Minnesota

Top concern: "Property values in central Minnesota have increased 93 percent over the past 10 years. The cost of housing for seniors on fixed incomes has skyrocketed as a result. I want to freeze property valuations to allow seniors to be able to stay in their homes."

— Rep. Dan Severson

A fresh perspective

Sieben says her youth is an asset as a new legislator in finding new ways to solve state concerns

By MICHELLE KIBIGER

Given her family tree, it may not be a surprise that Rep. Katie Sieben (DFL-Newport) decided to run for the House of Representatives.



Rep. Katie Sieben

Her father, Mike, served in the House from 1973 to 1982 and uncle, Harry, was Speaker of the House for several years in the early 1980s.

But Katie Sieben, who was 5 when her father finished his tenure in the House, says she wasn't looking to hold public office. She was enjoying serving the public as a member of U.S. Sen. Mark Dayton's staff.

An open seat presented an opportunity she felt she couldn't let pass her by.

"Running for office wasn't something that was on the forefront of my mind," said Sieben, who celebrates her 26th birthday March 23. "So then when the seat opened up people started talking to me about it, I figured this was a once in a lifetime opportunity where this is an open seat in the town where I'm from."

Sieben has lived her entire life in District 57A, with the exception of a few years away at Colorado College and in Washington, D.C. working for Dayton. She says that knowledge of the district gives her a good perspective on the issues that concern residents.

High among those concerns are education and property taxes.

Constituents perceive that many students are receiving decreased educational opportunities, either because their families can't afford the costs of extra-curricular activities or because of decreased course offerings, she said. It also seems, she said, that the education students are getting in the public schools is not as high quality.

"I'm afraid that the education that I got less than 10 years ago in public schools is not the

same as kids today are being offered," she said.

As for property taxes, Sieben said she's concerned about the affect local government aid cuts may have to three communities in her district: Newport, St. Paul Park, and South St. Paul. She said many of the homes in the area did not benefit as much from property tax relief laws in the past few years, and now their taxes may increase to cover the lost state aid.

"I'm really concerned about property taxes going up," she said. "It's forcing our seniors especially, or people on fixed incomes, out of their homes. So that's something that I want to call attention to and work on proposals that make it more easy for people to stay in their homes and try to mitigate the affects of property tax increases."

Sieben serves on both the House

trying to learn about the tax structure," Marko said. "I really respect and admire somebody who really wants to get in there and learn as much as they can."

Marko also said that Sieben exhibited the ability to connect with people on the campaign trail, particularly because of her age. "One of the best parts was seeing how she could really invigorate the young people at getting involved in politics and relating the importance of that to them," Marko said.

Sieben views her youth as a way to bring a different perspective to the Legislature. She said she and other younger colleagues have the opportunity to look toward the future and determine what they hope the landscape of education, communities, transportation, and other facets of public life will be like for future generations.

"I think being younger," Sieben said, "I can bring a different perspective perhaps just because of when I grew up."

She's also been spending a lot of time reaching out to groups of students and young girls to help interest them in the Legislature and the legislative process. She recently sponsored a

"I can be a voice for the people in my district and speak up about things that I feel are important."

— Rep. Katie Sieben

Transportation Policy and Taxes committees.

From the perspective of a first-term legislator, Sieben is enjoying the experience as a way to learn much more about the legislative process and convey that to her constituents. From her experience in Sen. Dayton's office, she said, she learned that it's key to build good relationships with colleagues to help get things done.

"I can be a voice for the people in my district and speak up about things that I feel are important," she said.

Sen. Sharon Marko (DFL-Cottage Grove), who formerly represented Sieben's district in the House, said she admires Sieben's drive and ambition. New legislators often have a great deal of new information to understand and may not ask to tackle complicated issues such as taxes.

"She's diving in with both feet and really

girls' day at the Capitol.

Said Marko, "I think the young people of Minnesota have a wonderful role model."

DISTRICT 57A

2002 population: 36,710

Largest city: Cottage Grove

Counties: Dakota, Washington

Location: southeastern Twin Cities suburbs

Top concern: "I'm really concerned about property taxes going up. Really, I just see it as a shift onto the community — communities that are least able to afford it are going to bear the brunt of it."

— Rep. Katie Sieben

Monday, March 17

HF906—Holberg (R)

Education Policy

Student survey notice requirements provided.

HF907—Tingelstad (R)

Education Policy

School boards directed to adopt a policy prohibiting intimidation and bullying, and existing harassment and violence policies consistency required.

HF908—Rhodes (R)

Taxes

Hopkins food and beverage sales tax authorized to fund public arts.

HF909—Lipman (R)

Judiciary Policy & Finance

Chain of custody documentation authorized admission in evidence.

HF910—Erickson (R)

Governmental Operations & Veterans Affairs Policy

Political subdivision employee city and county of residence defined as public information.

HF911—Carlson (DFL)

Governmental Operations & Veterans Affairs Policy

Minneapolis teachers retirement fund association prior service credit purchase authorized for a specified individual.

HF912—Kielkucki (R)

Governmental Operations & Veterans Affairs Policy

State soldiers' assistance fund clarified limiting benefits to state residents.

HF913—Ellison (DFL)

Civil Law

Harassment restraining order actions exempted from mandatory alternative dispute resolution requirements.

HF914—Hilty (DFL)

Governmental Operations & Veterans Affairs Policy

State contracts prohibited with tax haven countries.

HF915—Blaine (R)

Education Policy

Dairy and other nutritional product markets enhanced, availability and sale in public schools regulated, and certain contract provisions prohibited between beverage vendors and schools.

HF916—Abeler (R)

Health & Human Services Finance
Lead hazard reduction project funding provided, and money appropriated.

HF917—Otremba (DFL)

Civil Law

Marriage dissolution orientation program attendance required.

HF918—Urdahl (R)

Commerce, Jobs & Economic Development Policy
Economic development advisory committee established.

HF919—Kielkucki (R)

Civil Law

Nonprofit corporation residential treatment center, group home, and private child-placing agency liability regulated.

HF920—Fuller (R)

Judiciary Policy & Finance

Corrections Department forensic pathologists authorized to issue death certificates.

HF921—Soderstrom (R)

Judiciary Policy & Finance

Sex offender treatment co-pays authorized.

HF922—Kielkucki (R)

Governmental Operations & Veterans Affairs Policy

Public hospital employees exempted from any salary and wage rate freeze.

HF923—Westrom (R)

Local Government & Metropolitan Affairs

Township officer conflict of interest law exception provided.

HF924—Huntley (DFL)

Health & Human Services Finance

Compulsive gambling prevention and education funding provided, and money appropriated.

HF925—Hilty (DFL)

Taxes

Cloquet local sales tax authorized and fund use specified.

HF926—Holberg (R)

Local Government & Metropolitan Affairs

Metropolitan Council service improvement plan authority repealed.

HF927—Wilkin (R)

Transportation Policy

St. Paul segment of I-35E speed limit established.

HF928—Nornes (R)

Health & Human Services Finance
Fergus Falls veterans home dementia special care unit addition funding provided, bonds issued, and money appropriated.

HF929—Brod (R)

Local Government & Metropolitan Affairs

Metropolitan Mosquito Control District provisions modified to include the rest of Carver County, property tax levy base restored, per diems eliminated for commissioners, and other conforming changes provided.

HF930—Hilstrom (DFL)

Local Government & Metropolitan Affairs

Local approval process provided for Metropolitan Council projects for which easements will be acquired by eminent domain.

HF931—Sykora (R)

Local Government & Metropolitan Affairs

Public contracting requirements modified relating to labor organizations.

HF932—Vandevor (R)

Local Government & Metropolitan Affairs

Property appraisal provided every five years.

HF933—Borrell (R)

Civil Law

County local welfare agency reporting of at-risk newborns provided, and Hennepin County mental health services data sharing authorized in certain circumstances.

HF934—Pelowski (DFL)

Higher Education Finance

Teaching experience evaluation of education faculty at Minnesota State Colleges and Universities required.

HF935—Urdahl (R)

Agriculture Policy

Food rule references clarified, enforcement provisions clarified, and milk storage requirement modified.

HF936—Nelson, C. (R)

Education Policy

Special education pilot program established to exempt school districts from special education mandates beyond those required by federal law.

HF937—Smith (R)

Civil Law

Child support enforcement data clarified; and procedure, support enforcement, and funding provisions clarified.

HF938—Sykora (R)

Regulated Industries

Wine off-sale licenses authorized for supermarkets.

HF939—Nelson, C. (R)

Education Policy

English as a Second Language instruction completion certificates provided.

HF940—Kelliher (DFL)

Regulated Industries

Distributed generation cooperatives formation authorized.

HF941—Hausman (DFL)

Environment & Natural Resources Policy

Off-highway vehicle usage restricted on state land, civil citation authority provided, motorized trail grants-in-aid modified, and money appropriated.

HF942—Stang (R)

Environment & Natural Resources Finance

Natural resources and environment projects funding provided, bonds issued, and money appropriated.

HF943—Rhodes (R)

Governmental Operations & Veterans Affairs Policy

State finance practices and procedures modified, and state treasurer duties transferred to the commissioner of finance.

HF944—Holberg (R)

Local Government & Metropolitan Affairs

Local public notice newspaper designation requirements exception provided.

HF945—Nelson, P. (R)

Civil Law

Washington and Chisago county taxpayer data disclosure sunset extended.

HF946—Johnson, J. (R)

Commerce, Jobs & Economic Development Policy

Insurance guaranty association regulation provided.

HF947—Dempsey (R)
Governmental Operations & Veterans Affairs Policy
Red Wing environmental learning center employee eligibility in the public employees retirement association general employees retirement plan clarified.

HF948—Clark (DFL)
Regulated Industries
Minneapolis authorized to issue an on-sale liquor license to the American Swedish Institute.

HF949—Dorman (R)
Jobs & Economic Development Finance
Minnesota Project Innovation grant provided to assist businesses in obtaining federal contracts, and money appropriated.

HF950—Dempsey (R)
Local Government & Metropolitan Affairs
City or county assessors prohibited from holding additional offices.

HF951—Walker (DFL)
Commerce, Jobs & Economic Development Policy
Point of purchase debit entries on customer accounts notice and authorization requirements and procedures established, and enforcement actions and remedies provided.

HF952—Kelliher (DFL)
Higher Education Finance
Minneapolis Community and Technical College land acquisition authorized, bonds issued, and money appropriated.

HF953—Anderson, B. (R)
Health & Human Services Policy
Dental assistant licensure created.

HF954—Abrams (R)
Taxes
Public safety radio communication system sales and use tax exemptions provided.

HF955—Solberg (DFL)
Governmental Operations & Veterans Affairs Policy
Counties authorized to have a private certified public accountant examine books, and state auditor audit mandate removed.

HF956—Magnus (R)
Health & Human Services Finance
Veteran's homes fund usage clarified relating to wood shops.

HF957—Borrell (R)
Taxes
St. Michael tax increment financing district creation authorized.

HF958—Krinkie (R)
Regulated Industries
Hydrogen energy economy goal declared, incentive payments for hydrogen production provided, hydrogen energy research and development supported, and fuel cell and motor vehicle excise tax exemption provided.

HF959—Walker (DFL)
Civil Law
Expungement of eviction information provisions modified.

HF960—Walker (DFL)
Commerce, Jobs & Economic Development Policy
Financial transaction card issuance regulated.

HF961—Smith (R)
Health & Human Services Policy
Human services program hearing procedures established.

HF962—Osterman (R)
Commerce, Jobs & Economic Development Policy
Unfair cigarette sales regulated.

HF963—Dorman (R)
Education Finance
Independent School District No. 500, Southland, disabled access levy extended.

HF964—Beard (R)
Regulated Industries
Cleaner innovative energy sources permanent pilot program established; financial and regulatory incentives, eminent domain, and tax exemptions provided; and customer purchase of power supply services from pilot projects authorized.

HF965—Beard (R)
Transportation Finance
Cities authorized to impose transportation utility fees.

HF966—Davids (R)
Governmental Operations & Veterans Affairs Policy
Veterans service office grant procedures modified.

HF967—Swenson (R)
Agriculture Policy
Feedlot upgrade expenditure limits modified.

Thursday, March 20

HF968—Magnus (R)
Transportation Policy
State highway routes modified, repealed, and vacated.

HF969—Penas (R)
Agriculture Policy
Emergency food embargo authority provided to commissioner of agriculture in times of national security or peacetime emergency.

HF970—Atkins (DFL)
Jobs & Economic Development Finance
Dakota County senior assisted living facility funding provided, bonds issued, and money appropriated.

HF971—Gerlach (R)
Commerce, Jobs & Economic Development Policy
Government-controlled or owned insurance companies prohibited from transacting business.

HF972—Solberg (DFL)
Taxes
Itasca County local lodging tax authorized, and municipalities within the county prohibited from imposing a separate tax.

HF973—Brod (R)
Governmental Operations & Veterans Affairs Policy
Veterans affairs commissioner authorized to access taxpayer identification information to notify veterans of health hazards that might affect them.

HF974—Greiling (DFL)
Commerce, Jobs & Economic Development Policy
Waste hauling contracts regulated.

HF975—Jacobson (R)
Governmental Operations & Veterans Affairs Policy
Local government pay equity responsibilities transferred to the state auditor, and rulemaking and fees authorized.

HF976—Jaros (DFL)
Taxes
School meal sales tax exemption modified.

HF977—Erickson (R)
Education Policy
Minnesota State High School League authorized to determine required pool depth for high school diving in pools constructed before 1995.

HF978—Otremba (DFL)
Agriculture Policy
Country of origin labeling required of certain food products.

HF979—Beard (R)
Regulated Industries
Alternative forms of regulation of telephone companies provisions modified.

HF980—Davids (R)
Commerce, Jobs & Economic Development Policy
Anti-skimming act adopted prohibiting use of electronic scanning devices to capture encoded information from a credit card.

HF981—Holberg (R)
Civil Law
Right-of-way acquisition provided from common interest ownership communities.

HF982—Klinzing (R)
Education Policy
Charter school students allowed to fully participate in extracurricular activities of resident school districts.

HF983—Lenczewski (DFL)
Ways and Means
Inflation accounted for in the revenue forecast.

HF984—Swenson (R)
Commerce, Jobs & Economic Development Policy
Minnesota cooperative associations act adopted authorizing businesses to organize as cooperative associations.

HF985—Westrom (R)
Transportation Policy
Gross weight restriction maximum increased for certain vehicles and combinations on non-interstate trunk highways.

HF986—Zellers (R)
Transportation Finance
Northwest busway connecting Minneapolis to Rogers funding provided, bonds issued, and money appropriated.

HF987—Solberg (DFL)
Transportation Policy
Counties authorized to transfer jurisdiction and ownership of vacated county highways.

HF988—Magnus (R)
Transportation Policy
Railroad lands replacement authorized when needed for a trunk highway.

HF989—Jacobson (R)
Taxes
Roseville tax increment financing district authorized.

<p>HF990—Howes (R) Education Policy Independent School District No. 2170, Staples-Motley, property detached to form a new school district.</p>	<p>HF1001—Boudreau (R) Health & Human Services Policy Adverse health care events reporting system established, certain health data classified, and money appropriated.</p>	<p>HF1012—Osterman (R) Jobs & Economic Development Finance Job training program grants provided and money appropriated.</p>	<p>HF1022—Eken (DFL) Higher Education Finance Regressive tax, tuition, and fee increases and new regressive taxes or fees prohibited.</p>
<p>HF991—Fuller (R) Environment & Natural Resources Finance Bemidji; Paul Bunyan state trail construction funding provided, bonds issued, and money appropriated.</p>	<p>HF1002—Solberg (DFL) Transportation Finance Mille Lacs County Highway 169 recreational bridge funding provided, and money appropriated.</p>	<p>HF1013—Olson, M. (R) Transportation Finance Public debt allowed for loans for personal rapid transit systems and constitutional amendment proposed.</p>	<p>HF1023—Abeler (R) Education Finance School bus emission reduction encouraged and repairs and technologies to protect students from emissions by school districts permitted.</p>
<p>HF992—Erickson (R) Health & Human Services Policy Birth records filed for birth resulting in stillbirth.</p>	<p>HF1003—Strachan (R) Governmental Operations & Veterans Affairs Policy Political subdivision compensation limit exclusion provided.</p>	<p>HF1014—Olson, M. (R) Education Finance School districts and Department of Children, Families and Learning prohibited from accepting federal or non-governmental grants where the actual costs of implementing the program exceed the amount of the grant.</p>	<p>HF1024—Kuisle (R) Governmental Operations & Veterans Affairs Policy State contracting and state printing services provisions modified.</p>
<p>HF993—Solberg (DFL) Transportation Policy Counties authorized to designate county highways as cartways.</p>	<p>HF1004—Solberg (DFL) Local Government & Metropolitan Affairs Real property acquisition by exchange authority expanded.</p>	<p>HF1015—Rukavina (DFL) Governmental Operations & Veterans Affairs Policy State motor vehicle leasing for the exclusive use of any state official or employee except the governor prohibited.</p>	<p>HF1025—Lenczewski (DFL) Local Government & Metropolitan Affairs Local government state age eligibility clarified for building components of the region-wide public safety radio and communications system.</p>
<p>HF994—Swenson (R) Agriculture Policy Ethanol development provisions modified.</p>	<p>HF1005—Westerberg (R) Commerce, Jobs & Economic Development Policy No-fault personal injury protection automobile coverage amended, health care provider prompt billing incentives provided, and insurance fraud reduced.</p>	<p>HF1016—Wilkin (R) Health & Human Services Policy Medicare supplement insurance regulated and state law conformity with minimum federal standards provided.</p>	<p>HF1026—Kohls (R) Health & Human Services Policy Medical assistance capitated payment option authorized for waived services, day training and habilitation services, and intermediate care facility services for persons with mental retardation or a related condition.</p>
<p>HF995—Cox (R) Regulated Industries Notice and plan requirements modified for excavating around utility facilities, emergency exception allowed, and damage report rules required.</p>	<p>HF1006—Boudreau (R) Governmental Operations & Veterans Affairs Policy Help America Vote Act conformity provided, complaint process created, and penalty imposed.</p>	<p>HF1017—Abrams (R) Education Finance Referendum revenue cap increased by the rate of inflation.</p>	<p>HF1027—Hoppe (R) Regulated Industries Emergency 911 telecommunications provisions modified governing fee submission procedures and audits.</p>
<p>HF996—Wilkin (R) Commerce, Jobs & Economic Development Policy Automobile no-fault personal injury protection coverage modified, arbitration provisions changed, and insurance fraud reduced.</p>	<p>HF1007—Erhardt (R) Transportation Policy Highway 62 treatment as interstate system highway required for purposes of municipal approval.</p>	<p>HF1018—Hackbarth (R) Environment & Natural Resources Policy Petroleum tank release cleanup fund provisions modified.</p>	<p>HF1028—Mullery (DFL) Commerce, Jobs & Economic Development Policy Tenant applicant screening fee provisions modified.</p>
<p>HF997—Mullery (DFL) Governmental Operations & Veterans Affairs Policy Plumbers and pipefitters local pension fund exception to restriction on public fund contributions authorized.</p>	<p>HF1008—Zellers (R) Transportation Policy Organ donation choices provided on driver's license application modified.</p>	<p>HF1019—Davids (R) Commerce, Jobs & Economic Development Policy Minnesota No-Fault Automobile Insurance Act applied to horse drawn vehicles and insurance requirements established.</p>	<p>HF1029—Lindgren (R) Education Policy Triploid grass carp authorized for aquatic vegetation control.</p>
<p>HF998—Kelliher (DFL) Transportation Policy Community preservation route categories established in county and municipal highway and street systems.</p>	<p>HF1009—Rhodes (R) Education Finance Alternative facilities bonding and levy program qualifying criteria modified.</p>	<p>HF1020—Haas (R) Governmental Operations & Veterans Affairs Policy Casino authorized to be operated by the state, revenue sharing with Native American governments provided, tax imposed, revenue use specified, on-sale liquor license authorized, bonds issued, and money appropriated.</p>	<p>HF1030—Otremba (DFL) Health & Human Services Policy Drug and alcohol counselor temporary practice supervision requirements modified.</p>
<p>HF999—Olsen, S. (R) Higher Education Finance Regent Candidate Advisory Council of the University of Minnesota membership expanded to include students.</p>	<p>HF1010—Nelson, M. (R) Governmental Operations & Veterans Affairs Policy Iraq conflict; support for armed forces in conflict with Iraq and military families in the United States urged by resolution to the president and Congress, and governor called on to declare a day of prayer.</p>	<p>HF1021—Lenczewski (DFL) Ways & Means July revenue forecast required.</p>	<p>HF1031—Otremba (DFL) Health & Human Services Policy Nonpublic assistance IV-D child support services eligibility standard established.</p>
<p>HF1000—Rhodes (R) Transportation Policy Provisional driver's license use restricted, and all passengers required to use seat belts in vehicle operated by provisional license holder.</p>	<p>HF1011—Howes (R) Health & Human Services Policy Occupational therapists license requirements modified when licenses have lapsed for more than four years.</p>		<p>HF1032—Slawik (DFL) Civil Law Minnesota false claims act adopted.</p>

<p>HF1033—Abrams (R) Taxes State general tax on commercial-industry property converted to a tax based on land value.</p> <p>HF1034—Dill (DFL) Taxes Beaver Bay sales and use tax authorized and fund use specified.</p> <p>HF1035—Strachan (R) Judiciary Policy & Finance DWI breath-testing instruments provisions modified.</p> <p>HF1036—Seifert (R) Judiciary Policy & Finance Inmate meal frequency provided, and desserts to inmates prohibited.</p> <p>HF1037—Ellison (DFL) Judiciary Policy & Finance Controlled substances offenses modified to include six degrees.</p> <p>HF1038—Urdahl (R) Education Finance Hazardous pupil transportation levy authorized.</p> <p>HF1039—Davids (R) Commerce, Jobs & Economic Development Policy Financial institution exam, applications, loans, and organizational provisions regulated, standard non-forfeiture law for individual deferred annuities revised, and obsolete rules repealed.</p> <p>HF1040—Wilkin (R) Governmental Operations & Veterans Affairs Policy Health care nonprofessionals classified as essential employees.</p> <p>HF1041—Urdahl (R) Governmental Operations & Veterans Affairs Policy Reapportionment requirements modified once each 20 years to provide for uninterrupted four-year Senate terms and constitutional amendment proposed.</p> <p>HF1042—Wardlow (R) Local Government & Metropolitan Affairs Metropolitan Sports Facilities Commission name changed to Minnesota Sports and Entertainment Commission, and commission membership modified.</p> <p>HF1043—Anderson, B. (R) Transportation Policy Infrastructure certificate funding provided.</p>	<p>HF1044—Brod (R) Health & Human Services Policy Health care professional boards costs and penalties relating to disciplinary proceedings clarified and civil penalties provided.</p> <p>HF1045—Eastlund (R) Governmental Operations & Veterans Affairs Policy Support obligations of certain persons called into active military service modified.</p> <p>HF1046—Kielkucki (R) Education Finance Minnesota learning resource center funding provided, and money appropriated.</p> <p>HF1047—Thao (DFL) Judiciary Policy & Finance Identifiable minor defined for purposes of the law prohibiting use of minors in sexual performances.</p> <p>HF1048—Penas (R) Jobs & Economic Development Finance Trade and economic development, Housing Finance Agency, natural resources, and transportation funding provided, bonds issued, and money appropriated.</p> <p>HF1049—Rhodes (R) Education Policy Student instruction in personal financial management and investment provided.</p> <p>HF1050—Zellers (R) Transportation Finance Northwest busway appropriation usage clarified and specified.</p> <p>HF1051—Wagenius (DFL) Environment & Natural Resources Policy Cumulative environmental impact information review required.</p> <p>HF1052—Marquart (DFL) Taxes Personal property tax payment specified before manufactured home title transfer.</p> <p>HF1053—Seifert (R) Judiciary Policy & Finance Double bunking in jails allowed and sheriffs and boards of county and regional jails contracts with private prisons for care, custody, and rehabilitation of jail inmates authorized.</p> <p>HF1054—McNamara (R) Environment & Natural Resources Policy Solid waste plan requirements modified.</p>	<p>HF1055—Westerberg (R) Commerce, Jobs & Economic Development Policy Residential mortgage originator employee registration required.</p> <p>HF1056—Abrams (R) Transportation Finance Metropolitan area transit and paratransit capital expenditure financing provided and bond issuance authorized.</p> <p>HF1057—Dempsey (R) Taxes Indian reservation tax revenue state sharing with counties required.</p> <p>HF1058—Walz (R) Judiciary Policy & Finance Silencing devices for firearms authorized for law enforcement tactical emergency response operations, and obsolete prohibition on sale of slungshot or sand clubs repealed.</p> <p>HF1059—Osterman (R) Jobs & Economic Development Finance Housing Finance Agency clarifying and technical changes to programs provided, debt ceiling increased, and civil service pilot project extended.</p> <p>HF1060—Wagenius (DFL) Regulated Industries Nuclear reactor phaseout and replacement of nuclear energy with alternative sources provided, metropolitan emissions reduction plan acceleration adopted, and conservation improvement funding increased.</p> <p>HF1061—Wilkin (R) Education Policy Profile of Learning repealed and replaced; and legislative review of proposed core academic standards in language arts, mathematics, science, history, and geography required.</p> <p>HF1062—Abeler (R) Higher Education Finance Tuition increases for public postsecondary education limited.</p> <p>HF1063—Abeler (R) Higher Education Finance Higher education state grant calculation changed.</p> <p>HF1064—Samuelson (R) Governmental Operations & Veterans Affairs Policy State employee technical and house-keeping changes provided.</p> <p>HF1065—Holberg (R) Governmental Operations & Veterans Affairs Policy Legislature size specified and legislative and congressional districts coordinated.</p>	<p>HF1066—Zellers (R) Judiciary Policy & Finance State hazardous materials team provisions modified.</p> <p>HF1067—Sykora (R) Health & Human Services Policy Surgical assistant licensure provided, rulemaking authorized, and civil penalties provided.</p> <p>HF1068—Lenczewski (DFL) Environment & Natural Resources Finance Bloomington; old Cedar Avenue bridge maintenance for hikers and bikers funding provided, bonds issued, and money appropriated.</p> <p>HF1069—Stang (R) Taxes Benton and Stearns counties aggregate tax exception repealed.</p> <p>HF1070—Slawik (DFL) Transportation Policy Road authorities and adopt-a-highway volunteers cooperation encouraged.</p> <p>HF1071—Seifert (R) Transportation Policy Paved two-lane highway speed limits of 65 miles per hour during daytime and 55 miles per hour during nighttime provided.</p> <p>HF1072—Stang (R) Environment & Natural Resources Policy Deer tag transfer prohibition exception provided to persons age 65 or over or persons with a permanent physical disability.</p> <p>HF1073—Stang (R) Environment & Natural Resources Finance Lake Koronis state trail funding provided, bonds issued, and money appropriated.</p> <p>HF1074—Kielkucki (R) Governmental Operations & Veterans Affairs Policy Casino authorized in the seven-county metropolitan area by constitutional amendment, tax imposed, and money appropriated.</p> <p>HF1075—Eken (DFL) Environment & Natural Resources Policy Norman County tax-forfeited land sale authorized.</p> <p>HF1076—Cornish (R) Environment & Natural Resources Finance Wildlife management area acquisition funding provided, bonds issued, and money appropriated.</p>
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HF1077—Hackbarth (R)
Environment & Natural Resources Policy
Off-highway motorcycle registration provisions modified, state forest adopt-a-trail program created, local law enforcement grants provided, Iron Range off-highway vehicle recreation are funding provided, and money appropriated.

HF1078—Paymar (DFL)
Governmental Operations & Veterans Affairs Policy
Help America Vote Act of 2002 voter registration and identification requirements implemented.

HF1079—Lanning (R)
Jobs & Economic Development Finance
Border city enterprise zone additional allocations provided.

HF1080—Brod (R)
Governmental Operations & Veterans Affairs Policy
National Guard tuition reimbursement program extended.

HF1081—Lindgren (R)
Agriculture Policy
Anaplasmosis in cattle testing requirement repealed.

HF1082—Samuelson (R)
Governmental Operations & Veterans Affairs Policy
State auditor outdated language updated, duties modified, and accrued liability determination clarified.

HF1083—Lanning (R)
Commerce, Jobs & Economic Development Policy
Petroleum product specifications updated.

HF1084—Borrell (R)
Civil Law
Federal contracts and agreements data classification provided.

HF1085—Juhnke (DFL)
Health & Human Services Policy
Small environmental laboratory certification requirements established.

HF1086—Smith (R)
Governmental Operations & Veterans Affairs Policy
Teachers Retirement Association and first class city teacher plans military service credit purchase provisions modified, and Internal Revenue Code compliance provided for all retirement plans.

HF1087—Osterman (R)
Commerce, Jobs & Economic Development Policy
Wage and employment data use authorized by agency designated as the performance accountability and consumer information agency.

HF1088—Eken (DFL)
Education Finance
Small school sustainability component of general education aid created, alternative facilities aid eliminated, statewide general property tax growth dedicated, and money appropriated.

HF1089—Marquart (DFL)
Taxes
Citizens' investment and local government excellence program established to encourage citizen input into the budget process, and aids provided to participating cities and counties.

HF1090—Demmer (R)
Agriculture Policy
Plant pest, pest control, and seed laws recodified and clarified.

HF1091—Anderson, B. (R)
Iraq; support for our troops in the war against the Iraqi regime expressed by resolution to the president and Congress, and the governor requested to call for a day of prayer for those who have been called to arms.

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MONDAY, March 24

12:30 PM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: To be announced.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Academic Health Center response to governor's FY04-05 budget.

Witnesses: Dr. Frank Cerra, Senior Vice President, Academic Health Center.

MNLink and Minitex overviews.

Witnesses: Ken Behringer, Executive Director, MnLink; Bill DeJohn, Director, Minitex.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF 646 (Buesgens) Gaming machines provided, and horse racing purse payments established.

HF171 (Lenczewski) Casino; state-operated or state-licensed gambling facility prohibited in a city which has adopted a resolution of disapproval.

3:00 PM

THE HOUSE MEETS IN SESSION

TUESDAY, March 25

8:15 AM

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: HF114 (Olsen, S.) Trunk Highway 610 project completion funding provided, bonds issued, and money appropriated.

HF848 (Lipman) Trunk Highway 5 safety improvements funding provided, bonds issued, and money appropriated.

HF396 (Nelson, P.) North Branch; Trunk Highway 95 bridge construction funding provided, bonds issued, and money appropriated.

HF574 (Latz) St. Louis Park Trunk Highway 100 reconstruction and expansion authorized, bonds issued, and money appropriated.

Highway Construction Industry Council needs assessment study.

Environment and Natural Resources

Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Department of Natural Resources budget.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: HF645 (Paulsen) Technology business licensing provisions modified to provide exemptions from the Minnesota Electrical Act. Electricity Board budget discussion.

HF58 (Severson) St. Stephen municipal water and wastewater systems funding provided, bonds issued, and money appropriated.

HF280 (Dempsey) Wabasha; National Eagle Center construction funding provided, bonds issued, and money appropriated.

LEAP Program/Minneapolis Urban League.

Tom Tiller, CEO, Polaris.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF212 (Abeler) Health occupations advisory committees extended, including acupuncture, respiratory care practitioner, licensed traditional midwifery, and health professionals services program advisory committees.

HF228 (Knoblach) Nursing facilities designated as metropolitan facilities for purposes of medical assistance reimbursement.

HF595 (Abeler) Supportive housing and managed care pilot project funding provided, and money appropriated.

HF647 (Swenson) Nicollet County nursing home construction moratorium exception provided, and special provisions for moratorium exceptions modified.

HFXXXX (Bradley) Increasing an intergovernmental transfer payment, and increasing the county nursing home payment adjustments.

HF668 (Holberg) Woman's Right to Know Act requiring informed consent of a female upon whom an abortion is performed, and providing civil remedies.

Education Policy

Room: Room 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF391 (Olsen, S.) School districts authorized to convert, by election, from election by district to election at-large.

HF906 (Holberg) Student survey notice

requirements provided

HF682 (Kielkucki) School bus safety training, safety responsibilities, and Type III vehicle standards modified.

HF881 (Kielkucki) Minnesota State High School League directed to adopt a policy on corporate sponsorship; and other league budget, investment and review provisions repealed.

HF820 (Buesgens) Area learning center assignments by school districts authorized.

HF822 (Buesgens) Direct judicial review of district exclusion and expulsion decisions allowed.

10:15 AM

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF3 (Magnus) [continued] Tax-free property zones established, exemptions provided for individuals and businesses, state aid and repayment of tax benefits provided, and money appropriated.

HF507 (Hornstein) Clean-fuel vehicles exempted from the motor vehicle sales tax.

HF704 (Brod) Motor vehicle dealers authorized to pay sales tax or use tax for use of a vehicle other than for demonstration purposes, and loaner vehicles exempted from the motor vehicle sales and use tax.

HF733 (Walker) Volunteer assistance delivery to low-income taxpayers facilitation grant money appropriated.

HF809 (Abrams) Direct mail delivery or distribution sales and use tax exemption provided.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF 775 (Westrom) Radioactive waste management facility definition modified, dry cask storage at Prairie Island facility authorized, and commission approval required for additional storage capacity for spent nuclear fuel.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

12:30 PM

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: HF893 (Howes) Utility vehicle gross weight provisions; sunset removed.

HF722 (Erhardt) Weight restriction exemptions provided for garbage trucks and recycling vehicles.

HF723 (Erhardt) Seat belt law exemption provided for certain garbage trucks.

HF343 (Abeler) Used vehicle dealers sales to other dealers allowed and vehicle donation to individuals by licensed limited used vehicle dealers sales tax exemption provided.

HF795 (Hornstein) Minneapolis to Lakeville I-35W bus rapid transit study required, study advisory committee created and report required.

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF852 (Lipman) Motor vehicle retail installment sales regulated.

HF501 (Meslow) Travel clubs regulated.

HF438 (Lindner) Interest rates on rental security deposits provided.

HF894 (Pugh) Manufactured homes certificates of title provisions modified.

HF374 (Sieben) Crib safety definitions provided, sale and commercial use of certain cribs prohibited, and penalties provided.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

*** Note: *** Change in Agenda

Bill(s) Added

Agenda: HF414 (Cox) Soil and water conservation district law updates provided.

HF935 (Urdahl) Food rule references clarified, enforcement provisions clarified, and milk storage requirement modified.

HF1081 (Lindgren) Anaplasmosis in cattle testing requirement repealed.

12:30 PM

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF769 (Erhardt) Public safety radio communications operators included in definition of essential employee.

HF674 (Latz) Local impact notes for state-mandated actions provisions expanded to include school districts.

HF179 (Jaros) Lawful gambling lawful purpose expenditures modified.

HF183 (Kielkucki) Townships authorized to regulate and impose investigation fees on lawful gambling organizations.

HF360 (Lenczewski) Lawful gambling expenditures authorized for utility buildings used as primary headquarters for certain fraternal organizations.

HF619 (Rhodes) Sports board gambling authorized.

HF620 (Kielkucki) Social dice game conduct provisions clarified.

HF642 (Stang) Fantasy sports leagues authorized at retail establishments licensed to sell alcoholic beverages.

HF734 (Kielkucki) Linked bingo gaming provided.

HF807 (Seifert) Campaign materials prohibited from containing distorted photographs of candidates.

HF791 (Kielkucki) Election requirements and procedures modified.

Additional bills may be added.

2:30 PM

Civil Law

Room: 5 State Office Building

Chair: Rep. Steve Smith

Agenda: HF739 (Borrell) Certain University of Minnesota claim data and food safety regulatory data classified as nonpublic.

HF700 (Eastlund) Civil action immunity provided for good faith reports to or requests for assistance from law enforcement.

HF628 (Kohls) Emergency notification actions liability limitation provided.

HF707 (Thao) Hmong marriage solemnization form provided.

Regulated Industries

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: HF588 (Brod) Township authority granted to require natural gas utilities to obtain a franchise from the township.

HF860 (Gunther) Conservation reporting requirements exemption provided for municipal utilities.

HF671 (Gunther) Telephone company service promotions and packages regulated.

HF892 (Gunther) Independent telephone companies deregulated.

HF794 (Gunther) Education telecommunications fund established, support provided to kindergarten through grade 12 schools and public library telecommunications networks, access fee imposed, and money appropriated.

And other bills to be announced.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Legislative Auditor's Management Letter on the Department of Finance.

Additional agenda items may be added.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF886 (Holberg) Metropolitan Council agency long-range policy plan regional improvement cost analysis required.

HF926 (Holberg) Metropolitan Council service improvement plan authority repealed.

HF944 (Holberg) Local public notice newspaper designation requirements exception provided.

HF689 (Buesgens) Metropolitan Council use of energy forward pricing mechanisms authorized.

HF785 (Buesgens) Metropolitan government provisions modified relating to reporting requirements, metropolitan parks and open space commission abolished, and dischargers directly assessed wastewater treatment user fees.

WEDNESDAY, March 26

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF213 (Blaine) Local fire departments reimbursed for extinguishing certain motor vehicle fires, local authority granted to collect unpaid bills for certain emergency services from nonresidents, and money appropriated.

HF902 (DeLaForest) Native grass seeds purchase prohibited with dedicated highway funds.

HF199 (Anderson, I.) Koochiching County authorized to establish a port authority, and local government units authorized to apply for foreign trade zone powers.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

Public Utilities Commission.

Bureau of Mediation Services.

Humanities Commission.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Minnesota Department of Natural Resources budget.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To Be Announced

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: To be announced

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF790 (Hoppe) Migratory game bird shooting hours modified.

HF789 (Hoppe) Game and migratory waterfowl refuge provisions modified, suspension of license and permit privileges provided, turkey license provisions modified, and walleye possession size limits provided.

12:30 PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: HF746 (Cox) Meningococcal disease information reception and signature of written waiver by higher education students residing in on-campus housing required.

Witnesses: Nora Stewart, Lockridge, Grindal, Nauen; Jane Hession; Maddonna McDermott, Health Director, University of St. Thomas.

HF 833 (Hilty) Fond du Lac tribal and community college baccalaureate programs established in elementary education and sustainable development.

HF 872 (Anderson) Higher education reciprocity agreements, state grants, fees, and Minnesota college savings plan clarifying, conforming, and technical changes provided; revenue bond limit increased, and learn and earn money usage clarified.

HF 864 (Stang) Higher education services office modified.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: MNDOT Agency Bills.

HFXXXX (Magnus) Trunk highway turnbacks.

HFXXXX (Magnus) Railroad property reimbursement or replacement land.

HFXXXX (Howes) Northern zone load study amendments.

HFXXXX (Holberg) Acquisition of right-of-way

from common interest communities.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

*** Note: *** Change in Agenda

Agenda: Continuation of Tues., March 25 agenda.

Please Note: The government operations Committee will also be meeting Wednesday and Thursday evening.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

*** Note: *** Change in Agenda

Bill(s) Added

Agenda: HF1090 (Demmer) Plant pest, pest control, and seed laws recodified and clarified.

HF969 (Penas) Emergency food embargo authority provided to commissioner of agriculture in times of national security or peacetime emergency.

HF978 (Otremba) Country of origin labeling required of certain food products.

2:30 PM

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkie

Agenda: Update on information requested from the Amateur Sports Commission related to National Youth Golf Course Review of the Prairie Expo project and discussion of the cost to the state.

Civil Law

Room: 5 State Office Building

Chair: Rep. Mary Liz Holberg

*** Note: *** Change in Agenda

Agenda: HF564 (Borrell) Open meeting law violations administrative remedy provided, and civil penalties prescribed.

HF937 (Smith) Child support enforcement data classified; and procedure, support enforcement, and funding provisions clarified.

HF806 (Kielkucki) Liability limits provided for nonprofits providing day training and habilitation services for adults and children with mental retardation and related conditions.

HF792 (Tingelstad) Gestational surrogacy agreements authorized relating to assisted reproduction.

HF818 (Tingelstad) Artificial insemination parentage provisions modified.

HF768 (Anderson, J.) Military certificates of discharge classified as private data, and release procedures provided.

HF264 (Biernat) Housing violation summons and hearing scheduling requirements modified.

Additional bills may be added to this schedule.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: Governor's State Government Finance Bill (HF749).

Anyone wishing to testify on the Governor's bill please contact Jared Jordal at 296-5318.

Additional agenda items may be added.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF321 (Cox) Northfield medical facilities related to the municipal hospital authorized.

HF390 (Erickson) Elections conducted by mail; county auditor approval requirement eliminated. HF923 (Westrom) Township officer conflict of interest law exception provided.

HF625 (Westrom) Central Lakes Region sanitary sewer district established.

HF561 (Gerlach) Tobacco sales to minors uniform mandatory penalties imposed, mitigating circumstances defined, and electronic age verification required.

Regulated Industries Liquor Subcommittee

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: Note: Full committee will not be meeting at this time. Instead, the liquor subcommittee will be using the room to hear local liquor bills for marking up the omnibus local liquor bill.

The following bills will be heard:

HF57 (Borrell) St. Michael on-sale liquor licenses authorized.

HF269 (Klinzing) Woodbury additional on-sale liquor licenses authorized.

HF290 (Westerberg) Blaine additional on-sale liquor licenses authorized.

HF310 (Kelliher) Minneapolis Historic Pantages Theatre on-sale liquor license authorized.

HF342 (Buesgens) Elko Speedway on-sale liquor license authorized.

HF356 (Dempsey) State fair on-sale liquor license authorized for sale of Minnesota-produced wine.

HF613 (Kahn) Minneapolis authorized to issue an on-sale wine and malt beverage license to the Southern Theatre.

HF621 (Ellison) Minneapolis authorized to issue an on-sale wine and malt liquor license to the Guthrie Lab.

HF705 (Severson) Sartell authorized to issue additional on-sale liquor licenses.

HF717 (McNamara) Hastings authorized to issue additional on-sale liquor licenses.

HF719 (Beard) Brewpubs authorized to make retail and wholesale sales, and municipal liquor license limit removed.

HF842 (Zellers) Maple Grove authorized to issue additional on-sale liquor licenses.

HF948 (Clark) Minneapolis authorized to issue an on-sale liquor license to the American Swedish Institute.

And other bills to be announced.

5:30 PM

**Environment and Natural Resources Policy
Land Subcommittee**

Room: 300N State Office Building

Chair: Rep. Tom Hackbarth

Agenda: Land Subcommittee agenda to be announced.

THURSDAY, March 27

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

Indian Affairs Council.

Council on Black Minnesotans.

Chicano Latino Affairs Council.

Council on Asian Pacific Minnesotans.

**Environment and Natural Resources
Finance**

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Education Policy

Room: Room 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: Bills to be announced.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: To be announced.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: HF 718 (Beard) Scott County surplus state land sale authorized, funds deposited in the wildlife acquisition account, and money appropriated for wildlife acquisition.

HF823 (Cornish) Natural resources commissioner's authority modified relating to employees, gifts, and grants; state parks working capital fund modified; and other natural resources administrative provisions modified.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda:

HF263 (Rukavina) Nursing home levy for non-county-owned public nursing homes required. HF461 (Pugh) Estate tax federal exemption amounts adopted.

HF495 (Johnson, J.) Metropolitan fiscal disparities law abolished.

HF514 (Lenczewski) Metropolitan Revenue

Distribution Act abolished.

12:30 PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: HF843 (Seifert) Higher education financial aid requirements modified to include a service requirement for certain stipends. HF449 (Kuisle) Higher education grant eligibility modified.

**Commerce, Jobs and Economic
Development**

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF800 (Hackbarth) Fireworks regulation provided, fees authorized, and local regulation limited.

Other bills to be announced.

**Agriculture and Rural Development
Finance**

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: To be announced.

5:00 PM

Meeting Time Note: After Session Adjourns
**Governmental Operations and Veterans
Affairs Policy**

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: Continuation of the Wed., March 26 agenda.

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following the committee meeting. "It's going to end up being a tax on apprentices."

Also left to opinion is whether the sponsors would pass the registration fee onto their apprentices, and whether that fee would lead to a decrease in apprentices.

"I've heard that your department ... expects at least 1,000 or better apprentices to drop off from the program because of this charge," said Rep. Tim Mahoney (DFL-St. Paul), who was an apprentice himself before becoming a journeyman pipefitter.

Replied Schwab, "As I hear people talk about the program and how it's improved their lives and how important it is to them, I'm finding that harder and harder to believe this would stop people from participating in this kind of quality program."

According to Department of Labor and Industry information, the average hourly wage for apprentice program graduates is significantly higher than for beginning apprentices. Beginning and ending average hourly wage examples are: secretary, \$14.89, \$18.16; auto mechanic, \$9.70, \$18.40; printer, \$16.38, \$27.30; and carpenter, \$13.33, \$25.24. 🐼

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Reflections

Overland routes up the Mississippi River from the Missouri and Wisconsin territories and down from Canada were American Indian trails that became established modes for modern-day travel in Minnesota. Explorers and fur traders in search of new land and resources through the wilderness followed these paths that became the first roads of the midwestern territories.

Pioneers Le Sueur, Radisson, DuLuth, Faribault, Nicollet, Hennepin, Pike, and others also followed American Indian canoe routes along the shores of Lake Superior and the St. Croix River; up the Red and Minnesota rivers in the western and central areas of the state; and up the Mississippi River from Iowa, Missouri, and Illinois.

Late in the 19th century, others who helped develop a road system were railroad barons like James J. Hill, and lumber magnates who included Thomas Shelvin, Henry Akeley, and Frederick Weyerhaeuser. Hill helped to improve the importance of roads by often building train tracks along existing roads. The lumbermen supplied materials for use in rail cars and in private and commercial vehicles. Special requirements for transporting lumber also helped to improve routes for getting goods to their customers.

Rural postal deliveries, commercial transportation, and later, automobiles contributed to pressures for better roads. Many roads were impassable during bad weather and automobile use was very disorganized. The need for a full-time highway department to address these issues was eminent.

A state highway commission was formed in 1905. One of its appointed members was Charles M. Babcock, a strong supporter of the "Good Roads Movement" that began around the end of the 1800s. Babcock became the first highway commissioner in 1917 when a state highway department was

authorized by the Legislature.

During this period, 90 percent of the roads in the state were dirt roads, most impassable in bad weather. While campaigning across the state to get a "Good Roads" amendment passed, Babcock and state Sen. Patrick McGarry had to dig themselves out of 300 mud holes. Babcock's amendment to fund the construction of better roads passed by an overwhelming majority.

In the 1920s, Babcock successfully advocated for the passage of a gasoline tax amendment to the constitution to build and maintain public roads. Babcock is responsible for Minnesota building the first trunk highway system in the country.

When Babcock became a member of the American Association of State

Highway Officials, he played a key role in the planning and implementation of a federal highway system. Babcock became president of the organization in 1923.

He and his national colleagues advocated for and persuaded the federal government to provide aid for building a federal public highway system across the country, from north to south and east to west.

The new U.S. highway system, along with a numbering system to replace named highways, followed Babcock's state trunk highway plan. One of Babcock's trunk highways in the state was the old Roosevelt Highway – the first to be paved in the state. It became the present day Highway 10 under the federal highway system.

Charles M. Babcock's strong determination led him to "Get Minnesota out of the mud."

— LECLAIR GRIER LAMBERT



Even up to the middle of the last century, many roads in the United States were unpaved, making them virtual quagmires after a hard rain.

Photo courtesy of the Federal Highway Administration Web site.

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MINNESOTA

I N D E X

Tax time

Millions of tax returns processed by the state Department of Revenue in 2002	2.4
Millions projected this year	2.5
Percentage of electronic filers in 2002 that received their state refund	
within five days	85
Taxes paid by Minnesotans per capita in 2001	\$2,722
National rank	4
U.S. average, per capita	\$1,969.44
Minnesota collections in state and local taxes in 2000, in billions	\$17.6
As percentage of total income	11.2
Projected 2005 state and local tax collection, in billions	\$20.6
Projected percentage of income	11
Approximate percentage of 2000 total collected at state level	71.9
Anticipated percentage in 2005	73
Income taxes collected as percent of total tax collections in 2000	37.3
Projected in 2005	36
Property taxes as percent of 2000 total tax collections	30.3
In 2005, projected	31.4
Year 2000 income tax collection, as a percent, borne by Minnesotan residents	96
Percentage of general sales tax paid by Minnesota residents	83
Percentage of property taxes on industrial property paid by Minnesotans	11.7
Approximate number of Wisconsin residents working in Minnesota or	
vice versa	75,000
Wisconsin's last approximate income tax reciprocity payment to Minnesota	
(December 2001), in millions	\$48
State corporate income tax rate for tax year 2003	9.8
States with higher maximum rates	3
State sales tax rate, as percent	6.5
States that have higher rate, as of January 2003	3
States with same rate	2
Excise tax per pack of cigarettes, as of January, in cents	48
State rank	26
Tax in highest state (Massachusetts)	\$1.51
State motor fuel excise tax rate per gallon of gas as of Jan. 1, in cents	20
States with higher rate	23

Sources: 2003 Minnesota Tax Incidence Study, March 2003, Department of Revenue, other department publications, Federation of Tax Administrators, U.S. Census Bureau

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

MARCH 28, 2003

VOLUME 20, NUMBER 12

In this issue:

STATE OPERATED CASINO

TAX-FREE DEVELOPMENT ZONES, AND MORE



HF1092-HF1301

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Terry Eiswald of Hopkins holds his 4-year-old son, Taner, during a March 22 rally at the State Capitol in support of the troops in Iraq. An estimated 20,000 people were present for the rally.

— Photo by Tom Olmscheid

A winning combination?

Plan for slot machines at Canterbury Park would put money in state coffers, but critics wonder what long-term costs may result

BY PATTY JANOVEC

A plan to allow slot machines at Canterbury Park, with proceeds going into state coffers, is moving forward, though with some hesitation.

Members of the House Governmental Operations and Veterans Affairs Policy Committee forwarded the bill (HF646), sponsored by Rep. Mark Buesgens (R-Jordan), to the House Taxes Committee without recommendation March 24.

A companion bill (SF576), sponsored by Sen. Dick Day (R-Owatonna), awaits committee action.

Buesgens' bill would authorize the gaming machines at Canterbury Park, a horse racing facility in Shakopee, that he calls "the jewel of entertainment in Minnesota." The Minnesota State Lottery would own, maintain, and control the gaming machines, but the casino would be owned and operated by Canterbury Park.

Under the proposal, which dubs the facility a racino, track owners would foot the approximately \$90 million bill for construction costs. Plans call for a 100,000-square foot horse racing-themed slot and gaming room, an Olympic-scale equestrian center, an agricultural event facility, a 250-room hotel and conference facility that would overlook the racetrack, and restaurants. With the state's budget problems looming, Buesgens emphasized that the profits from gambling would help the state with fiscal shortfalls.

The bill calls for 40 percent of the gross gaming machine revenues to go to the state, 15 percent to the state lottery, 7.25 percent to horse racing purses and a breeders fund, and 1 percent to local governments. After expenses and taxes are subtracted, the casino proceeds are expected to be in the 5.75 percent range.

"Based on analysis of other tracks we believe this is a fair allocation," said Randy Sampson, president and general manager of Canterbury Park Holding Corp. He said the percent allocated to the state would be more than existing track operations provide. In fiscal year 2002, the state received \$241,000 in pari-mutuel taxes, according to the Minnesota

Racing Commission.

Sampson said that as of November 2002 six other states had racinos: Delaware, Iowa, Louisiana, New Mexico, Rhode Island, and West Virginia. In addition 14 states are considering racino legislation.

States where racinos are now located "have been remarkably successful at increasing purses and increasing the horse racing industry, as well as generating significant revenues for state governments," Sampson said.

For example, at Prairie Meadows, which opened outside of Des Moines, Iowa in 1995, purses have increased from \$1 million in 1994 to \$19 million in 2002. Last year, gross revenues to the state totaled \$97.2 million.

Sampson said that the racino would generate at least \$150 million for the state in its first two full years of operation, and it would be the first slot-gaming facility to pay state gaming taxes.

In addition, the proposal would mean construction jobs in the short term, and 1,400 new jobs at the casino. Critics claim those jobs would come from other casinos.

He said a temporary facility could be open by the end of this year, but the full racino would take two years to construct, meaning the state would begin receiving revenue from the facility in the next biennium.

Sampson said his group is not alone in its support for a racino.

Among the studies cited was one commissioned by the track in February 2002 that showed 53 percent of Minnesotans support the idea, and 33 percent were against. That same study, he said, showed that state residents support using new gaming revenues for core state functions.

Shakopee Mayor Bill Mars said the proposal has the backing of his community and the Scott County board. "I think this is a tremendous opportunity for the state, county, and city," he said.

In addition to the money going to the state, those in the horse and agricultural areas have expressed support. They say it will increase the purses at Canterbury Park, which in turn brings in more horses, and more Minnesota-made products such as hay will be needed, as well.

Others said expanding gambling in Minnesota is not a direction lawmakers should take.

"This would establish groundwork for a

major gambling expansion throughout the state," said John McCarthy, executive director of the Minnesota Indian Gaming Association. "Turning Minnesota into a Las Vegas is bad for Minnesota, bad for tribal governments, and bad for the people who use gambling revenue to benefit their tribal members and residents in rural communities where they are located. Others that depend on gambling will be hurt by state-sponsored competition." Among those he mentioned were charities that depend on pull-tab money to help support their needs.

If approved, the casino would be the first facility of its kind to operate separate from

an American Indian reservation in Minnesota.

Others expressed concern that the proposal would increase gambling addictions in Minnesota.



PHOTO BY ANDREW VON BANK

Randy Sampson, president and CEO of Canterbury Park Holding Corp., testifies before the House Governmental Operations and Veterans Affairs Policy Committee March 24 in support of a bill that would provide gaming machines at the Shakopee horse racing facility.



Rally time

Capitol Rotunda provides a forum for a wide range of ideas and advocates

"I'm concerned that the state is almost promoting activities that are destructive to individuals of this state," said Tom Pritchard, president of the Minnesota Family Council. He said that addiction, welfare, broken marriages, and the corruption of youth will all be consequences of the plan. "There are already enough severe gambling problems in the state."

Rep. Eric Lipman (R-Lake Elmo) successfully offered an amendment that would increase the percentage of revenues going to programs that offer treatment to compulsive gamblers from 1 percent to 5 percent. The number is included in the 40 percent already going to the state's general revenue account.


In answering a question from Rep. Sondra Erickson (R-Princeton) concerning whether tribal casinos are required to contribute funds for gambling addiction treatment, Lipman said the state has no authority to require tribal units to do that, although the state can accept contributions.

David Strom, executive director of the Taxpayers League of Minnesota, questioned whether getting into the casino business is the proper role of government. "Government should not be involved in profit-making enterprises," he said. "This is a road we don't want to go down."

If the racino idea fails to become reality, and state casino backers try to place one elsewhere, there could be limitations on where it could be built.

The committee approved HF171, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), that would allow a local unit of government to reject a state-run facility. She explained the legislation came about because two former legislators "used to try and put a casino next to the Mall of America" located in her district.

On its way to the House Local Government and Metropolitan Affairs Committee, the bill would allow a municipality by resolution to disapprove the location of a gambling facility within the city. The bill excludes racetracks and establishments where lawful gambling is conducted.

A companion bill (SF133), sponsored by Sen. William Belanger, Jr (R-Bloomington), awaits action in the Senate State and Local Government Operations Committee. 

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The Capitol Rotunda is like a marketplace of issues.

For decades, groups of many political persuasions representing a myriad of issues have gathered under the ornate dome while the Legislature is in session, protected from Minnesota's wintry blasts, and within earshot of the governor and legislators.

As the undertone of protestors was heard in the House chamber during his State of the State address Feb. 6, Gov. Tim Pawlenty went off script to acknowledge their presence while he outlined the difficult challenges facing legislators in tackling the state's record budget deficit.

Minnesota measures up favorably, compared with its neighboring states, on access to the Capitol for group gatherings, be they protests or informational rallies. The Capitol Rotunda is available for public events for two-hour periods during normal business hours. Groups or individuals sponsoring public rallies must apply for a permit from the state Department of Administration seven days before the event.

In fact, throughout the history of the state, the three Capitol buildings have served as the people's building for stating their case on various issues. One notable rally in the current Capitol involved several supporters of a Depression relief bill in 1937. A group called "The People's Lobby" occupied part of the Capitol, and according to the state historical society, 200 protestors heckled legislators and spent the night in the Senate chamber.

During a regular session of the Legislature, an average of 175 permits are approved by the state for use of the Capitol building's public gathering and display areas, said Bernie Steele, Capitol complex services manager.

State capitols are public buildings, with generally unrestricted access. Like Minnesota, neighboring states require a permit for large gatherings.

In Madison, the Wisconsin State Capitol is a bit too cramped to host rallies, according to a spokeswoman for the Capitol

Police. Rallies are located outside the building and participants often walk through the Capitol as part of the event.

In Bismark, N.D., Memorial Hall is the site for numerous public events, but access to the office tower is restricted while the state legislature is in session.

"Only activities with an educational, cultural, or entertainment purpose will be allowed in Memorial Hall during legislative session," according to a policy statement on

the state's facility management office Web site. "Special functions that facilitate the goals and objectives of state government as a whole may also be allowed."

Public meetings and rallies can be scheduled for the first floor rotunda in Iowa's Capitol Building in Des Moines. Group

access to the second floor is regulated by the legislature.

According to the state's Web site, limited public display and use on the first and second floors is permitted in the South Dakota State Capitol in Pierre.

While Minnesota's Capitol Rotunda provides a prime gathering spot for issue advocates, the floor's distinctive north star, directly under the dome, is strictly off limits.

"The star in the Rotunda is not to have items put on it or straddle it in any way," according to the Administration Department's rules of conduct for Capitol public space users. "No people are allowed to be present on the star."

Also not allowed in the Rotunda are smoking, "balloons of any kind," or musical events "during the last six weeks of the legislative session," according to the rules. And, "no dinners in the Capitol Building at any time."

Lobbyist organizations are common public event sponsors at the Capitol. State law allows denial of a rally permit, if "the rally is to be held for the sole purpose of advertising any product or goods or is designed to be held all or in part for private profit."

(T. LONERGAN)



Members of The People's Lobby express their opinions from the House Gallery in 1937.

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Doing a body good

A bill that would promote milk sales in schools, define nutritional beverages, and regulate contracts between school districts and beverage vendors received its first hearing March 26 before the House Agriculture Policy Committee.

Sponsored by Rep. Greg Blaine (R-Little Falls), HF915 would also prohibit school sales of nutritional beverages, as defined in the bill, at a higher price than non-nutritional beverages. The committee took no action on the bill and may continue the hearing at a future meeting.

Blaine said the bill would "enhance the sale and availability of milk in schools." Soft drink sales would not be banned, he said, nor would the bill limit a school's "vending profits."

Joan Archer, president of the Minnesota Soft Drink Association, said there was "no need for the bill." School vending machines provide milk, water, and sports drinks, she said, in addition to soft drinks. She added that the bill would establish "price controls," and its definition of a nutritional beverage lacked "scientific background."

A nutritional beverage, as defined in the bill, would include milk; "a fluid product that contains milk" and meets at least 20 percent of the federally recommended daily value of calcium per serving; fruit drinks containing at least 50 percent fruit juice; "electrolyte replacement beverages," and noncarbonated drinking water.

Ed Jostak, a Rochester dairy farmer representing the Minnesota Milk Producers Association, testified in support of the bill. "It's good for agriculture because it's good for kids," Jostak said. He said it was "not the case" that schools were providing "milk and juice options alongside soda pop."

"If it is true that schools have made the transition," Jostak said, "the bill will nudge the remaining schools that have not."

A school or school district that allows the sale of packaged beverages to students during the school day "must implement policies" that encourage milk and other nutritional beverages, according to the bill.

The bill would take effect July 1, 2003, or at the expiration of a school's contract with a beverage vending service.

A Senate companion bill (SF903), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action by the Senate Agriculture, General Legislation and Veterans Affairs Committee.

Safety embargo

The House Agriculture Policy Committee approved a bill March 26 that would provide the agriculture commissioner power to embargo geographic areas of the state in a declared emergency.

Sponsored by Rep. Maxine Penas (R-Badger), HF969 would only take effect in the event of an emergency declared by the governor. The bill, which was referred to the House Civil Law Committee, was requested by the state Agriculture Department, Penas said.

Authority to declare an embargo would be needed as part of a state emergency response to "potential threats of terrorism" or an accident at nuclear power plants located near Red Wing and Monticello, said Kevin Elfering, the department's interim director of dairy, meat, and food inspection.

If a food product contaminated with botulism, for example, were to enter the state, Elfering said, the agriculture commissioner would use his embargo authority to isolate a geographic area where the product was first detected.

"We would embargo a geographic area as part of an investigation when we don't know the origin of a contaminated product," Elfering said. The embargo would likely be restricted to food products "susceptible to the emergency," he added.

The bill states, "If the commissioner finds or has probable cause to believe that a food or consumer commodity within a specific area is likely to be adulterated because of the emergency ... the commissioner may embargo a geographic area that is included in the declared emergency."

The commissioner would be required to notify the public and those in custody of the product "in as thorough a manner" as practical, according to the bill.

A Senate companion bill (SF1000), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action by the Senate Agriculture, General Legislation and Veterans Affairs Committee.

Pest protection

A bill that would strengthen the Agriculture Department's ability to protect the state's horticultural resources from harmful globally based plant and agricultural pests was approved March 26 by the House Agriculture Policy Committee.

Sponsored by Rep. Randy Demmer (R-Hayfield), HF1090 is a comprehensive bill that updates 80-year-old state laws with

existing federal and international plant pest-related regulations and horticulture industry guidelines. The bill was referred to the House Civil Law Committee.

The bill covers plant protection and export certification, urban forests, mosquito control, nursery industry regulation, seed law, and enforcement of fertilizer and pesticide laws.

"Minnesota's burgeoning global economy has opened a virtual 'freeway' for harmful plant, agricultural pests, and invasive species to enter the state," according to an information packet the Agriculture Department provided the committee. "With more than 400 million tons of goods now moving through the state each year, invasive species will find it easier than ever to enter our borders."

Tim Power, of the Minnesota Nursery and Landscape Association, testified in support of the bill. The group has worked with the Agriculture Department "since the first step" three years ago to update the set of regulatory laws, Power said.

"Minnesota's environment must be kept free of plant pests and we want to do our part," he said.

The bill would establish a new fee structure that would allow the state's nursery inspection program to be fee supported through a dedicated fund. Funds from nursery inspection and other fees now go to the Agriculture Department's general fund.

The agriculture commissioner would have authority, under the bill, to impose a quarantine to address the introduction or spread of a plant pest. The quarantine restrictions would cover the production, movement or existence of plants, plant products, agricultural commodities, crop seed, or farm products.

The bill would also create a public registry of tree care and tree trimming companies. Tree care providers would report business identification information to the department and a list of the counties in the state where they work. The registry would provide a way for state regulators to trace the movement of infested wood, tree branches or brush from one area of the state to the other.

A Senate companion bill (SF1065), sponsored by Sen. Julie Rosen (R-Fairmont), awaits action in the Senate Agriculture, General Legislation and Veterans Affairs Committee.

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

BUSINESS

Wine, liquor licenses

A glass of wine may be available with dinner at the 2003 Great Minnesota Get-Together.

A bill (HF356), sponsored by Rep. Jerry Dempsey (R-Red Wing), that would allow state fair concessionaires to sell Minnesota-produced wine by the glass was forwarded March 26 by the Liquor Subcommittee of the House Regulated Industries Committee to the full committee.

The bill included 14 liquor license-related measures the subcommittee forwarded as a local liquor omnibus bill to be approved by the full committee.

Wine sales at the state fair would be a first in the event's 140-year history, said Steve Pooch, assistant manager of the fair. "This will work well with our public who want a glass of wine with dinner," Pooch said. He said two or three vendors that sell food would likely be allowed to sell wine by the glass.

The Minnesota State Agricultural Society, which runs the fair, supported the bill to allow sale of state-produced wine that was initiated by the Minnesota Grape Growers Association. The bill was amended by the subcommittee to include state-produced wine from "grape juice, other fruit bases or honey," in addition to grapes.

Pooch said state law has prohibited alcohol

sales at the state fair, except for "3.2" beer, a weaker malt beverage that's a holdover from the Prohibition laws of the early 1930s.

Included in the bill were additional liquor license authorization requests from seven cities: Blaine, Hastings, Maple Grove, Sartell, St. Michael, Waconia, and Woodbury.

Authorization for the city of Elko to issue a liquor license for Elko Speedway was also amended into the bill, as were requests for liquor, wine, or malt beverage licenses at four theaters and the nonprofit American Swedish Institute in Minneapolis.

Held out of the bill for further investigation was a request to allow brew pubs in the state to obtain "off-sale" liquor licenses. The license would allow the restaurants which brew beer on the premises to sell half-gallon containers for customers to take home.

Representatives of the state public safety department and the Wine, Beer, and Spirits Federation of Minnesota requested that the bill (HF719), sponsored by Rep. Michael Beard (R-Shakopee), not be forwarded to the full committee. The type of container the beer would be sold in and compliance with existing state laws were among the concerns.

CONSUMERS

Vacation advertising

Travel clubs offering fraudulent and fictitious free and reduced vacations would find it harder to do business in Minnesota, under a bill that would set up more intense regulations.

Jan Rapheal of White Bear Lake told the House Commerce, Jobs, and Economic Development Policy Committee March 25 that legislation is needed to prevent repeats of the situation she and her husband faced.

"It was just one total rip-off," she said.

Rapheal described receiving a phone call informing the couple that they had won a free vacation. They attended a presentation, which revealed that they needed to buy access to a travel bureau system, which would provide a 5 percent discount on each trip booked, a free mini-vacation, and a seven-day stay in a condominium.

The price for a one-year membership started at \$8,000, but dropped to \$1,058 after the Rapheals were paraded before one salesperson after another, she said.

The couple purchased the package and set off for a three-day trip to Florida. But with three connecting flights coming and going, Rapheal said only one day was truly a vacation. In addition, the couple was required to pay a \$100 deposit and \$108 in airport tax. The

Rapheals discovered that the seven-day condominium stay required a \$500 deposit and had the staff choosing which location was applicable. Furthermore, she said, the 5 percent discount on travel bookings was only valid if the couple purchased airline tickets at a premium price.

"I just think in Minnesota we don't need things like that," Rapheal said.

Eric Dregni, a writer with the *StarTribune*, testified about his own experience with the same high-pressure travel service. Since writing about the matter in the Minneapolis newspaper, he has received about 50 phone calls from others who had similar stories.

"I haven't talked to anyone yet who was actually able to go on the free trip," he said.

HF501, sponsored by Rep. Doug Meslow (R-White Bear Lake), is targeted at nonlegitimate travel clubs. Unaffected would be major credit card issued services and agencies such as the American Automobile Association, better known as AAA.

The bill would prohibit:

- offering enticements that result in the club member paying more than would have been paid without membership;
- misrepresenting features of the travel, fares, and charges; and
- selling charter transportation under the misrepresentation that the arrangements have been finalized.

The committee approved the bill. It now goes to the House Civil Law Committee.

A Senate companion (SF420), sponsored by Sen. Charles Wiger (DFL-North St. Paul), awaits action on the Senate floor.

CRIME

DWI sentencing option

An unconventional sentencing technique has been reducing drunken driving cases and saving money in Isanti County, and a House committee has decided it's time to try it statewide.

For the last five years, 10th District Judge James Dehn has been using a technique he calls "staggered sentencing" to achieve lower incidences of repeat drunken driving in his area. Other judges have followed his lead and the House Judiciary Policy and Finance Committee approved a bill (HF387) March 20 that would explicitly allow the practice under state law. The bill only deals with multiple repeat drunken driving offenders.

In staggered sentencing, a judge may impose a jail sentence on someone convicted of drunken driving. The defendant immediately serves some portion — usually a third — of



During a March 26 hearing of the Liquor Subcommittee of the House Regulated Industries Committee, John Marshall of Great River Vineyard and Nursery in Lake City testifies for a bill that would allow wines made in Minnesota to be sold at the Minnesota State Fair.

that sentence in jail. The judge orders another one-third of the sentence to be served a year later, and the remainder a year after that. However, defendants can earn "forgiveness" of each year's incarceration if they stay sober and get the backing of their probation officer. A certain amount of the probation is usually spent on remote electronic alcohol monitoring, which requires random breath tests from a device connected to a defendant's telephone.

Defendants are required to request a new hearing each year to determine their compliance under the program. Dehn said he makes sure he is the judge for each of the defendant's subsequent hearings to ensure consistency and to develop a relationship.

A preliminary study by the nonpartisan House Research Department showed offenders given staggered sentences were re-arrested for drunken driving violations about half as often as other drunken driving offenders. A fiscal note prepared for the bill indicates the decreased use of jail time would save local governments between \$800,000 and \$1.6 million annually.

The bill, sponsored by Rep. Doug Fuller (R-Bemidji), will be considered for possible inclusion in the committee's omnibus spending bill.

Its Senate companion (SF389), sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action by the Senate Judiciary Committee.

★ DEVELOPMENT

Seeking funds

Three major development projects — two in St. Paul and one at the Stillwater prison — will be considered for inclusion in the state bonding bill following presentation March 20 to the House Jobs and Economic Development Finance Committee.

HF324, sponsored by Katie Sieben (DFL-Newport), would appropriate \$3 million from state bond proceeds to clean up contaminated land along the Mississippi River in St. Paul. The former meatpacking plant and stockyard site was previously cleaned of pollution, leading to the 52-business, 4,000-employee BridgePoint Business Park. However, additional acreage remains contaminated.

HF702, sponsored by Rep. Alice Hausman (DFL-St. Paul), would appropriate \$5 million from bond proceeds for river-edge improvements and redevelopment of a public park on Raspberry Island, located under the Wabasha Bridge, across from downtown St. Paul.

A Mississippi River paddleboat excursion, originating in New Orleans, will culminate on July 4, 2004, at Raspberry Island. Redevelopment

of the island, which is now "a pile of dirt," is crucial, Hausman said.

HF262, sponsored by Rep. Eric Lipman (R-Lake Elmo), would appropriate \$1.6 million in bond proceeds to the city of Bayport to complete the storm sewer system extending from a Minnesota Department of Natural Resources pond through the Stillwater prison grounds to the St. Croix River.

The current system, built in 1907, is in serious deterioration. However, it cannot be accessed due to the existence of prison buildings that were built on the land atop it.

The problem dates back to 1987 when the state advised Bayport that it would no longer maintain or repair the old sewer system. Later, the last 350 feet of the sewer line collapsed. To avoid erosion, the city built a temporary ditch through the private property of Andersen Window Corp. to the river.

Following a \$2.7 million legislative appropriation in 2000, the first phase of a two-part improvement plan was completed in the fall of 2001.

Funding for the second stage was approved by the Legislature in 2002 but was later vetoed by former Gov. Jesse Ventura, as was funding for Raspberry Island and the Mississippi River cleanup at BridgePoint Business Park.

Senate companion bills for all three projects await committee action.

★ EDUCATION

Pledge recitation

A bill that would require public and charter school students to recite the Pledge of Allegiance at least once per week passed the House 113-19 March 24, but not before it became embroiled in the ongoing debate among House members regarding repeal of the Profile of Learning.

Sponsored by Rep. Bruce Anderson (R-Bufalo Township), HF6/SF287* would allow a school board or charter school directors to annually waive the pledge requirement and would not penalize students or teachers who choose not to participate.

On an 88-44 vote, the House approved an amendment, sponsored by Rep. Marty Seifert (R-Marshall), which added social studies, including civics and economics, to the subject areas for new academic standards to replace the Profile of Learning. The House voted to repeal the profile standards Feb. 17.

The amendment was significant because the bill now returns to the Senate, which has not repealed the profile and differs with the House on drafting new academic standards. The Senate previously approved the Pledge of

Allegiance bill, which differs from the House bill in that it specifically calls for a week dedicated to certain aspects of education about the flag and the pledge. The Senate version is sponsored by Sen. Steve Murphy (DFL-Red Wing).

"I hear the death knell ringing now if you send this over to the Senate," said Rep. Al Juhnke (DFL-Willmar), who voted against the amendment and the bill.

An amendment, sponsored by Rep. Phyllis Kahn (DFL-Mpls), to make the House bill similar to the Senate's was defeated. She said the Seifert amendment would "make a mockery of the bill by messing it up with another controversial political subject."

Seifert said the amendment removed "confusing" language about natural law that the House approved as guidelines for new standards when it voted to repeal the profile in February. The amendment directs the state education commissioner to draft standards for civics and economics, as well as English, math, science, history, and geography to replace profile standards in those subjects.

The House also defeated two attempts by Rep. Tom Rukavina (DFL-Virginia) to amend the bill with requirements that flags be manufactured in the United States. DFLers contended that China is the main manufacturer of U.S. flags.

Rep. Philip Krinkie (R-Shoreview) opposed the amendment. "Every one of us has the freedom to decide what American flag we're going to buy," Krinkie said. "I don't need this Legislature to make that decision for me."

High school league money

The Minnesota State High School League would be allowed to seek more advertising revenue to support athletic events and other programs, under a bill approved March 25 by the House Education Policy Committee.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF881 would allow the league's board to adopt a policy on "corporate sponsorships and similar agreements." Current law is "restricting a revenue stream that could be helping the state high school league," Kielkucki said.

The bill was referred to the House Governmental Operations and Veterans Affairs Policy Committee.

League Commissioner Roger Aronson said the bill would allow additional advertising in programs for league-sponsored tournaments. It would also help the league's fundraising by allowing sporting goods companies like Rawlings, Wilson, or McGregor to sponsor "the official basketball of the state tournament," Aronson said. The league could raise

an additional \$100,000 annually if corporate sponsorship restrictions were relaxed, he added.

State law prohibits the league's board from entering into corporate partnerships with any business or commercial organization that sells products or services used by student participants in league activities. Besides sports, the league also sponsors fine arts activities for high school students.

No tobacco product advertising would be allowed "under any circumstances," Aronson said. Tobacco use by athletes under age 18 is a violation of the league's rules. Shoe contracts and similar agreements providing equipment for an individual athlete would also not be allowed, he added.

Rep. Mindy Greiling (DFL-Roseville) opposes the bill. "We don't need to make our schools and our students into commercial enterprises," she said. Kielkucki said the bill would only allow corporate sponsorships of activities "outside the school day," sponsored by the league.

A similar bill passed the House and Senate education committees in 2002, but was not considered by the full Legislature.

A Senate companion bill (SF870), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action in the Senate Education Committee.

Safety training

Additional school bus safety training for some elementary and high school students would be required, under a bill approved March 25 by the House Education Policy Committee.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF682 would require school districts to provide students in kindergarten through the third grade with school bus safety training twice during the school year.

The bill, referred to the House floor, would also require ninth- and 10th-grade students to "receive training in the laws and proper procedures when operating a motor vehicle in the vicinity of a school bus."

State law requires school districts to provide students in kindergarten through 10th grades with "age-appropriate school bus safety training." It also requires nonpublic schools located within a school district to provide training to its students who are "transported by school bus at public expense."

Representatives of the Minnesota School Bus Operator's Association and the Minnesota Association of Public Transportation testified in support of the bill. There were no testifiers against it.

SEA OF SIGNS



PHOTO BY TOM OLMSCHIED

About 20,000 people came to the front steps of the State Capitol March 22 to rally in support of the troops in Iraq.

The bill would exempt a "type III," school bus – including vans and cars – from the state requirement to stop at railroad crossings. Kurt Schumann, of the school bus operators group, said requiring the cars and vans to stop at a crossing creates a potential traffic hazard because of the possibility of being rear-ended by another vehicle.

The bill would also repeal state designation of the third week of school as "School Bus Safety Week."

A Senate companion bill (SF627), sponsored by Sen. Gen Olson (R-Minnetrista), awaits action in the Senate Finance Committee.

Student survey consent

A parent or guardian's written consent would be required prior to a school district obtaining information about a student or their family via surveys and other similar means, under a bill approved March 25 by the House Education Policy Committee.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF906 would provide similar privacy protection as outlined in the federal No Child Left Behind legislation.

The bill "limits information gathered from students without parental consent," Holberg said, through surveys, assessments, evaluations, or similar means. The bill was referred to the House Civil Law Committee.

When seeking consent for student participation, the bill would require school districts to provide parents with a copy of the instrument used to obtain information.

The bill would prohibit a school district from revealing the following information

about a student, through a survey or other means, without a parent's or guardian consent: political beliefs; psychological problems; sexual behavior or attitudes; illegal or antisocial behavior; legally recognized privileged relationships; religious practices or affiliations; and income or income-related information required to determine eligibility for financial assistance.

There was no additional testimony in support or opposition to the bill at the committee hearing.

The bill has no Senate companion.

Fiscal note request

The chair or ranking minority member of the House or Senate tax committee can now request a local impact note from the Department of Finance when proposed legislation affects a city or county.

HF674, sponsored by Rep. Ron Latz (DFL-St. Louis Park), would add affected school districts to the list.

The bill was approved March 25 by the House Governmental Operations and Veterans Affairs Policy Committee and referred to the full House.

Latz said school districts "make up 40 percent of the state budget" and the Legislature should make "well-educated and informed decisions" on unfunded mandates that might have an impact on local schools.

Bob Meeks, director of governmental relations with the Minnesota School Boards Association, said the organization supports the bill.

He said the state assumed more

responsibility for education funding in tax adjustments within the past few years, and asked the committee how schools could be “funded adequately if you don’t know the impact on school districts.”

The bill also adds the chairs or ranking minority members of the House Ways and Means and Senate Finance committees to the list of legislators who can request a fiscal note.

The bill has no Senate companion.

★ ELECTIONS

Federal funds account

An account could be established to receive federal funds for elections, under a bill passed by the House March 24.

Rep. Jim Rhodes (R-St. Louis Park), the sponsor of HF195, said that the state would receive \$6.5 million in federal dollars under the Help America Vote Act, signed into law by President Bush last year. An additional \$14 million could be added to the fund, if the state provides a \$700,000 match.

The appropriated money can be used in a variety of ways, including: training election officials such as judges and county administrators, educating voters, and buying voting systems.

Several amendments have changed aspects of the bill.

In its original form, state and federal contributions to the fund would be carried over from year to year. During the March 13 House Ways and Means Committee meeting, Rep. Philip Krinkie (R-Shoreview) raised concerns over a possible accumulation of funds. The language was changed so the state’s contributions would not be carried forward, but returned to the general fund.

Rep. Bill Hilty (DFL-Finlayson) unsuccessfully attempted to amend the bill on the House floor, by allowing the Legislature to have “scrutiny” over changes in election law by the Secretary of State.

He said the Senate companion, SF152, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), contains similar language. That bill awaits committee action.

Rhodes suggested that Hilty address the issue in another elections-related bill. Rep. Lynda Boudreau (R-Fairbault) is sponsoring HF1006, that establishes detailed rules on conforming with the Help America Vote Act.

The House bill now moves to the Senate.

★ EMPLOYMENT

Union issues

State and local governments would be prohibited from requiring contractors and subcontractors from paying union wages and adhering to union rules if they are not subject to a union agreement, under a bill narrowly approved March 26 by a House committee.

Heard by the House Local Government and Metropolitan Affairs Committee, the bill drew a lengthy testimony from union proponents and those who operate independently. Sponsored by Rep. Barb Sykora (R-Excelsior), HF961 was approved on a 10-8 vote.

The bill deals with project labor agreements, which are contracts requiring all bidders on a construction project to adhere to union work rules even if they are not union companies.

Union officials say such agreements lower a project’s costs, ensure timely project completion because labor strikes are avoided, improve quality, and increase safety. Others say the agreements discriminate against non-union jobs, drive up costs, require workers to pay union fees for benefits never received, and create an anti-competitive climate.

Sykora said she believes it is inappropriate to force contractors who are paid with state taxpayer dollars to oblige by union rules. “I don’t believe it’s right that contractors should be coerced into paying union wages for that period of time,” she said.

She added, “I don’t care whether people decide to be union or nonunion,” but that Minnesotans appreciate a “level playing field.”

Seventy-five percent of workers at construction projects are nonunion, she added.

Three contractors and a representative from the Association of Building Contractors testified in favor of the bill.

“I think (the practice) does raise the cost of the projects,” said Chris Grant, a fire sprinkler contractor.

Testifying against the bill were one contractor and Dick Anfang, president of the Minnesota State Building and Construction Trades Council. Anfang said project labor agreements guarantee use of local workers and do not reduce the pool of qualified bidders.

In response, Rep. Carla Nelson (R-Rochester) said the bill would prohibit local government units from requiring project labor agreements, but does not state that they can’t be used.

Rep. Frank Hornstein (DFL-Mpls) wondered aloud whether there was a deeper issue at hand. Information distributed by those in favor of the bill referred to inflated wages and regulations. But, he said, union wages are living wages and union rules are often invoked to ensure worker safety.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee. A Senate companion (SF1161), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate State and Local Government Operations Committee.

Essential employees

Two groups of employees could become essential state workers under bills approved March 25 by House Governmental Operations and Veterans Affairs Policy Committee.

Under the classification, the employees give up their right to strike, and they must go to arbitration if labor negotiations do not result in an agreement.

Rep. Ron Erhardt (R-Edina), the sponsor of HF769, said public safety radio communications operators serve a “highly skilled technical area. You can’t just fill someone in.”

Col. Anne Beers, chief of the Minnesota State Patrol, explained there are 10 centers around the state and that the operators, who “are essential to the state patrol,” receive nearly 650,000 emergency calls a month.

During the October 2001 state employees strike public safety radio communications operators were forced to join in, or cross the picket line.

Beers said the department called sheriffs and chiefs to have the 911 calls transferred to their stations but they refused, meaning troopers and supervisors had to quickly fill in because of the concern for public safety. In addition, troopers were going to take the department to court because they were taken off the road to perform dispatch functions, which was a violation of their contracts. Beers explained that because of the “high learning curve” in the dispatch language and code words, it would have been hard to use other resources, such as the National Guard, to fill the roles.

Representatives from the unions that represent state employees — the American Federation of State, County, and Municipal Employees (AFSCME) and the Minnesota Association of Professional Employees — testified against the legislation. Both groups said they oppose any expansion of essential employees.

Beers said a poll of dispatchers done last year showed 56 out of 66 operators favored the classification to essential.

Rep. Marty Seifert (R-Marshall) said, “We have a common sense bill here.” Although he said he understood the unions’ positions of not wanting more essential employees, to make the operators choose between crossing the picket line to assure public safety, or continue a strike, put them in a very difficult situation.

A similar bill (HF796), sponsored by Rep. Mary Liz Holberg (R-Lakeville), would make Metropolitan Council operating engineers, electrical workers, pipefitters, and machinists employed by the metropolitan disposal system essential employees.

The bill would affect 360 employees, of which 250 are operating engineers.

Bill Moore, general manager of the Metropolitan Council Environmental Services, said if the employees strike it would cause a "multi-plant failure" sending untreated wastewater into rivers.

Rep. Loren Solberg (DFL-Grand Rapids) inquired whether the plant had ever discharged untreated water into the rivers. Moore responded no, and explained the plant has had only one strike in its history, in the 1970s. At the time they were one day away from the "plant on the verge of failure."

Dwight Mattson, an engineer with the plant, said the employees opposed being classified as essential, and they have never been surveyed for their opinion.

Both bills now move to the House floor. Their Senate companions await committee action.

★ ENERGY

Storage plan advances

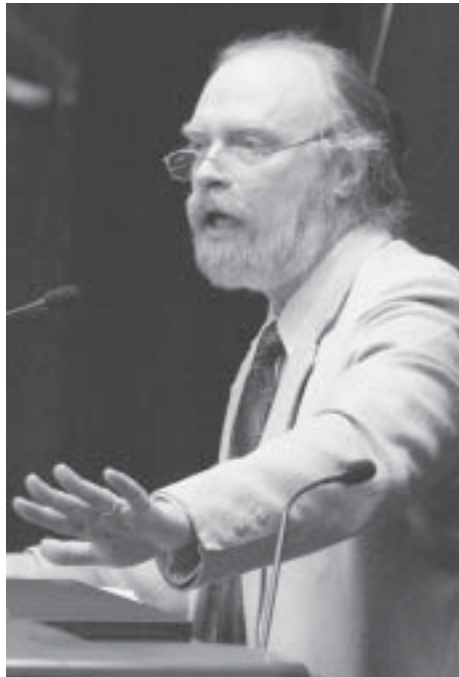
The House Environment and Natural Resources Policy Committee approved a bill March 25 that would allow Xcel Energy to expand nuclear storage at its Prairie Island facility and shift future oversight of the utility from the Legislature to the Public Utilities Commission.

Bill sponsor Rep. Torrey Westrom (R-Elbow Lake) said HF775 was balanced because it also supported renewable energy development, particularly wind power, and addressed the concerns of the Mdewakanton Dakota Tribe who lives near the Prairie Island plant. The tribe did not testify at the hearing, though there was extensive testimony before the House Regulated Industries Committee in previous weeks.

Rep. Dennis Ozment (R-Rosemount) successfully amended the bill to require environmental impact statements for new or expanded dry cask storage facilities to ensure compliance with state groundwater standards.

Rep. Aaron Peterson (DFL-Madison) failed to win support for an amendment, promoting Minnesota's "homegrown" energy resources, that outlined the risks of continued reliance on nuclear energy and called for the state to transition away from nuclear power.

The Peterson amendment also would have



George Crocker, executive director of the North American Water Office, testifies before the House Environment and Natural Resources Policy Committee March 25 in opposition to a bill that would authorize dry cask storage of radioactive waste at the Prairie Island nuclear power plant and require Public Utilities Commission approval for additional storage capacity for spent nuclear fuel.

kept the oversight of Xcel's nuclear facilities with the Legislature and increased the amount of money directed by the utility toward energy conservation efforts.

"In short, this amendment moves Minnesota away from nuclear power and toward renewable energy," said Peterson, whose legislative district encompasses 467 wind turbines along Buffalo Ridge in the western part of the state.

"I think that a beautiful area of Minnesota has been polluted with wind turbines," said Rep. Bill Haas (R-Champlin).

"We think they are beautiful," former state senator and current Lincoln County commissioner Jim Nichols replied when asked how the residents along the ridge feel about the turbines. The production over a one-year period is very reliable, he said, and the cost for wind energy "has exceeded our wildest dreams at how cheaply it's produced."

Other amendments addressing security, nuclear reactor license renewal, facility closure costs, and the federal process surrounding storage capacity at Yucca Mountain in Nevada also failed to win committee approval.

George Crocker, executive director of the North American Water Office, raised questions about the level of security at Minnesota's nuclear facilities. The security is "sufficient to keep the graffiti man out, but the graffiti man is not who we are afraid of," he said.

"I have a high confidence level that our plants are hardened and secure," said Mike Wadley, senior vice president of government affairs and development for the company that manages the nuclear plants.

Gov. Tim Pawlenty recently called National Guard members to active duty to provide additional security at the state's nuclear plants and water treatment facilities. He removed them from the plants March 26.

Crocker also said he opposed the bill because of inherent dangers in nuclear waste management. "You can't suspend the second law of thermodynamics," he said. This scientific principle addresses the tendency of energy not to stay localized and to disperse if it has an opportunity to do so, whether along a brief or lengthy timeline.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee.

A Senate companion (SF794), sponsored by Sen. Steve Murphy (DFL-Red Wing), has been referred to the Senate Commerce and Utilities Committee.

Reporting requirements

A bill that would relax state required conservation reporting requirements for small municipally owned electric utilities was approved March 25 by the House Regulated Industries Committee.

Sponsored by Rep. Bob Gunther (R-Fairmont), HF860 would exempt small municipal utilities from certain conservation program reporting and allow the use of conservation funds for the improvement of municipal district heating and cooling systems. The bill was referred to the House floor.

The state's 20-year-old conservation improvement program requires a municipality to spend 1.5 percent of its gross operating revenues from the sale of electricity on conservation improvement and investments. The conservation law also applies to a cooperative electric association that provides retail service to its members, and privately owned large utility companies like Xcel Energy.

The law requires a municipality or cooperative to file a detailed overview every two years with the state Commerce Department regarding its conservation program that analyzes increased efficiency and cost effectiveness.

The bill would allow a municipality with less than \$2.5 million in annual gross revenues from retail electricity sales to satisfy the reporting requirement with a letter that certifies the utility has spent the required amount on conservation programs.

"The changes are appropriate," said

Gunther. "They aren't going to hurt this program."

Greg Oxley, of the Minnesota Municipal Utilities Association, said there are 126 municipally owned electric utilities and 34 gas utilities in the state. He said the small utilities have found the conservation reporting requirements to be "a daunting task."

The bill would also allow a municipal utility to use up to 50 percent of its required conservation spending to refurbish steam-powered district heating systems. Some of the heating systems in five small cities are nearly 80 years old, Oxley said. The bill would establish a sunset date of July 1, 2007 for a utility to use conservation funds to improve a district heating system.

A Senate companion bill (SF866), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action by the Senate Commerce and Utilities Committee.

★ ENVIRONMENT

Vapor recovery

Twin Cities metropolitan area residents might breathe easier under a bill that would require gasoline haulers and retail outlets to reduce the risk of public exposure to benzene, volatile organic compounds that contribute to the production of ozone, and other toxic substances.

The bill (HF623) would require the installation of special equipment designed to capture 95 percent of the hazardous substances released during the transfer of gasoline between trucks and storage tanks. The measure is limited to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sponsored by Rep. Tom Hackbarth (R-Cedar), the bill was approved by the House Environment and Natural Resources Policy Committee March 20 and the House Local Government and Metropolitan Affairs Committee March 26.

Under the bill, every underground gasoline storage tank at retail locations and the tankers that deliver the gasoline within the region would be required to have special fittings known as stage I vapor controls by Jan. 1, 2006. Retailers and haulers would be eligible for reimbursement from the state Petroleum Tank Fund up to \$3,000 per location or vehicle.

"It is a consistent, manageable way to have vapor recovery installed in the seven-county metropolitan area," said Bob Krogman, Minnesota Petroleum Marketers Association representative. The industry had requested the legislation after a voluntary program "didn't seem to go."

Currently, 40 percent of the gasoline sold in the Twin Cities metropolitan area is from stations using stage I vapor control, said Leo Raudys, Minnesota Pollution Control Agency metro region manager.

"This really is one of the most cost effective, easiest ways out there to control ozone," he said.

Exposure to ozone can damage lungs and airways, and benzene is a known carcinogen, explained Paula Maccabee, Sierra Club Air Toxics Campaign program coordinator. The Sierra Club supports the concept, Maccabee said, but disagrees with limiting the program to just the metropolitan area.

Amendments offered by Rep. Jean Wagenius (DFL-Mpls) and Rep. Carlos Mariani (DFL-St. Paul) to take the program statewide failed to win approval in their respective committees. Mariani's amendment would have required the program statewide by 2008.

The bill now moves to the House Jobs and Economic Development Finance Committee. The Senate companion (SF636), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), has been referred to the Senate Environment and Natural Resources Committee.

Native grass debate

A bill that would prohibit the purchase of native grass seeds, which are planted along highways in the state, with trunk highway funds or county and municipal aid funds created a lengthy debate before the House Transportation Finance Committee March 26.

HF902, sponsored by Rep. Chris DeLaForest (R-Andover), was tabled by the committee and may be considered at a later date.

Proponents suggest that native grasses are more expensive and do not provide sufficient benefit in regard to preventing erosion and eliminating road runoff.

The state Department of Transportation maintains standards for vegetation within right-of-way property adjacent to the roadways in the state. Seeding and other right-of-way vegetation maintenance is part of the cost of road projects. The department produces a seeding manual that provides guidelines for engineers and other establishing vegetation portions of road projects.

David Gamez, sales representative for Twin City Seed in Edina, said non-native grasses often establish themselves more quickly, which prevents erosion. He also said that Wisconsin tends to pay considerably less per acre for its roadside vegetation than Minnesota does.

A letter to Lt. Gov. Carol Molnau, included in materials presented to the committee, from Tom Ehrhardt of the Albert Lea Seed House



Joe Schaffer of Minnesota Native Landscapes in Foley testifies for the continued use of native grass seeds for roadside vegetation by the state Department of Transportation during a March 26 meeting of the House Transportation Finance Committee.

noted that "it is not uncommon to have native mixtures costs as much as \$300 per pound."

However, native seed producers and department officials say those price estimates are inflated and that native grass seed has significantly better results in terms of long-term maintenance and overall environmental benefit. And testifiers said the plants do a better job at absorbing water, thereby avoiding runoff, and preventing erosion.

Bob Jacobson, a plant ecologist and program manager for the department, said non-native grasses cost an average of \$152 per acre, and native grasses cost an average of \$196 per acre.

"I think you're getting numbers that really aren't accurate on what we're doing on roadside seeding," Jacobson said.

He clarified that one project, cited by Gamez as costing between \$60,000 and \$80,000, involved significant wetland replacement, which required the department to use seed with more wildflowers in the mix. The seed producers all noted that wildflower seeds are much more expensive than grass seeds alone.

"This is not a very good project to use for general reference as far as what we do for roadside seeding," Jacobson said.

Jacobson said that only about 20 to 30 acres per year are seeded with the expensive wetland restoration grasses that are required under permits from the U.S. Army Corps of Engineers and the state Department of Natural Resources. Those are driven by regulations, he said, while general roadside seeding is fairly economical.

He also said that the root systems are deep and long lasting. In addition, he said they require mowing and spot spraying for weeds only once every five years, while non-native species require much more frequent mowing and weed spraying.

The bill has no Senate companion.

FAMILY

Surrogate parents

For the second year in a row, a bill regulating the practice of surrogate pregnancies will not make it out of a House committee.

On March 26 the House Civil Law Committee tabled HF792, which would have created a legal framework for parents unable to have children naturally to reach agreement with a surrogate mother. Under the practice an embryo from the biological parents is implanted into a surrogate mother. At birth, the biological parents take full legal responsibility for the child.

Though the practice already takes place legally nationwide, the bill spells out certain legal guidelines for parents and surrogates and requires a set of legal agreements clarifying all parties' rights and responsibilities in the arrangement.

The bill's sponsor, Rep. Kathy Tingelstad (R-Andover), said the bill would be a model for other states because it incorporates so many different elements of the surrogacy process, from requiring psychological assessments of all parents, to limiting the amount of money a surrogate could be paid.

Under the bill, all parents would have to be at least age 21, the intended mother must prove she is unable to bear healthy children herself, and at least one intended parent must be biologically related to the child. The intended parents would also be required to accept any resulting child, regardless of its health or physical condition.

Tingelstad said the goal is to build happy families. "These are families who really want children," she said. "They're able to do (surrogacy) now, but there's a lot of hoops to jump through and a lot of uncertainty. This would give it some certainty."



Kris Binsfeld of St. Martin gives tearful testimony before the House Civil Law Committee March 26 in support of a bill that would authorize gestational surrogacy agreements relating to assisted reproduction.

Some committee members were visibly moved by testimony from Kris Binsfeld, who told about experiencing five miscarriages and spending thousands of dollars on ineffectual fertility treatments. Her cousin, Mia, volunteered to carry Binsfeld's child. "Mia was incredible. She shared everything... we got to go to every doctor's appointment. I even gained weight with her," said Binsfeld, of St. Martin, Minn.

Her son is now 4 years old. "He will tell you if you ask how he came into this world, 'Mom, I started in your heart and went from Mommy's tummy to Mia's tummy and then back into your arms,'" she said.

Opponents of the bill, including the Minnesota Catholic Conference, said it would turn embryos into commodities to be bought and sold. Tom Prichard, president of the Minnesota Family Council, told legislators the bill redefines the concept of motherhood and encourages "baby selling."

Some legislators said they liked the bill because it could seem to confer rights on a child even before birth. But some also said they were disappointed it included no requirement for marriage between the intended parents, allowing the possibility of single parents or same-sex couples to use the practice.

Tingelstad said the prevalence of infertility

among otherwise wonderful parents makes it necessary to reconsider the traditional notion of motherhood. "We have this idea, that is kind of old-fashioned, that whoever delivers the baby is the mother. Now we have so many more things we can do with science," she said.

She expects it will take a high-profile court case on the issue before legislators will decide to approve any legislation regulating the practice.

The bill's Senate companion (SF813), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action in the Senate Health and Family Security Committee.

GAMBLING

Legalizing fantasy leagues

An establishment that sells alcoholic beverages would be permitted to conduct fantasy sports leagues, under a bill approved March 26 by the House Governmental Operations and Veterans Affairs Policy Committee.

Rep. Doug Stang (R-Cold Spring), the sponsor of HF642, acknowledged that many people, including himself, are already participating in the leagues. Currently "you can practice legally outside bars, this brings it inside bars," he said.

The bill does not authorize sports bookmaking or wagering on the outcome of an individual sporting event.

No revenue would be generated to an establishment that holds a league, but legalizing the location would allow for more revenue when customers purchase drinks, said Stang. HF642 designates that bar owners cannot handle the exchange of funds, but by hosting an event, the bar can promote and market the leagues.

Other restrictions under the bill are:

- total payout to all members must be equal to the total paid in by all members;
- no individual can receive more than a \$250 payout; and
- the establishment has no interest in the outcome and cannot participate financially.

The legislation would help charitable gambling said Rep. Sondra Erickson (R-Princeton).

Currently, some locations have sports betting, but because the practice isn't legal, the charities could lose their licenses by participating. Erickson explained with declining enrollments in organizations like the Lions Club, this is an opportunity for marketing the associations and bringing in more memberships.

HF642 now goes to the House State Government Finance Committee.

A Senate companion (SF723), sponsored by Sen. Michelle Fischbach (R-Paynesville),

awaits action in the Senate State and Local Government Operations Committee.

Bigger prize pools

Bingo prize money could be pooled together by several locations for a live electronic game statewide with a jackpot as high as \$8,000 to \$9,000, under a bill approved March 26 by the House Governmental Operations and Veterans Affairs Policy Committee.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF734 now goes to the House State Government Finance Committee.

King Wilson, executive director of Allied Charities of Minnesota, said the plan is "very similar to Powerball." The idea is to have 30 places across the state contribute \$300 to a single pool, and have a live feed to each hall as the bingo game is conducted. Current state law caps a bingo payout at \$300.

Wilson explained the original plan was to be live in a television studio, such as how the numbers for the Minnesota Lottery's Gopher 5 used to be drawn. The other plan was to move from location to location, but he said the charities soon realized the cost would be too great. A live feed is expected to link each site, although no specifics have been drawn. Hopefully, "it will get additional people in the halls to make more money," said Wilson.

Rep. Paul Thissen (DFL-Mpls) asked if there were problem gamblers associated with bingo. Kielkucki said, "As with anything in life, there are," but explained the numbers are not as high as with other forms of gambling.

A Senate companion (SF666), sponsored by Sen. Jim Vickerman (DFL-Tracy), is awaiting action in the Senate State and Local Government Operations Committee.

Sports board approval

Fans of the Minnesota Vikings or some other professional team could be watching games with more than just a rooting interest, under a bill approved March 26 by the House Governmental Operations and Veterans Affairs Policy Committee. They could have a financial reason to watch, too.

Sponsored by Rep. Jim Rhodes (R-St. Louis Park), HF619 would permit sports boards to be added to the list of lawful charitable gambling.

The bill defines a sports board as "a game in which a participant buys a square, line, or other chance on a board with the winner determined by the outcome of a professional sporting event." Under the proposal, the maximum prize for a single board would be \$500.

However, Tom Barrett, executive director of the Minnesota Gambling Control Board, said the

bill could violate federal laws because betting on professional sports teams is illegal in most states.

Joseph Bagnoli, representing the Minnesota Licensed Beverage Association, said he checked with the Office of the Revisor of Statutes on language in the bill, and said, "We shouldn't have any problems."

Charities are "100 percent behind it" said King Wilson, executive director of Minnesota Allied Charities. He said sports boards could "raise a lot of money for charity and the state."

The bill now moves to the House State Government Finance Committee. Rep. Bill Haas (R-Champlin), the committee chair, said he would address any issues of possibly violating federal law in his committee.

A Senate companion (SF604), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate State and Local Government Operations Committee.

SHOWING THEIR HAND



PHOTO BY TOM OLMSCHEID

James Anderson, *left*, of St. Paul and Dennis Buckanaga of Red Lake, came to the Capitol Rotunda March 26 as part of a coalition of Red Lake and White Earth Bands of Chippewa Indians showing their support for HF1020, which would authorize the state lottery to operate gaming machines at a facility in the Twin Cities metropolitan area operated by one or more American Indian tribal governments.

★ GOVERNMENT

Cost disclosure

A bill designed to reform the rulemaking process is now law after being signed by Gov. Tim Pawlenty March 24.

When a state agency proposes a rule change, it must, under the law, specify the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals. The costs of not adopting the proposed rule must also be specified.

Under prior law, agencies were required to provide a Statement of Need and Reasonableness, which would identify the costs associated with a proposed rule change, to the extent that the agency can ascertain the information.

Signed
by
the
governor
★ ★ ★

Administrative rules enacted by state agencies have the full force of law.

For example, said House sponsor, Rep. Marty Seifert (R-Marshall), "If a Department of Health rule comes down in the rulemaking process and they are going to mandate something to our nursing homes, they have to spell that out in the Statement of Need and Reasonableness, or if we have the Department of Agriculture mandating a rule on farmers, they are to identify the probable costs that will be borne by the farmer."

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

The law takes effect July 1, 2003, and applies to a rulemaking proceeding for which notice of intent to adopt rules is published in the State Register following that date.

HF64/SF61*/CH3

★ HEALTH

Hospital safety

Saying that Minnesota's hospitals are not as safe as they should be, Rep. Lynda Boudreau (R-Faribault) brought a bill before the House Health and Human Services Policy Committee March 20 that would create a statewide reporting system for medical errors and other adverse health care events.

Dr. Gordon Mosser, executive director of the Institute for Clinical Systems Improvement, said medical mistakes are the eighth leading cause of death in the country. He cited statistics that show between 44,000 and 98,000 Americans die each year because of mistakes made in hospitals.

Twila Brase, president of the Citizens Council on Health Care, said she is concerned the state would use the data to "shape and mold the direction of health care," eventually leading to a system of government-directed health care. Brase said the numbers of deaths reportedly caused by hospital error are inflated because many of the patients counted would have died anyway.

No matter what the actual numbers are, "it's still a lot of lives involved," said Rep. Fran Bradley (R-Rochester), who supported the measure.

As approved by the committee, HF1001 would give the Minnesota Department of Health authority to collect information and create a database of those events in order to find ways to prevent them in the future.

It identifies six categories of reportable events:

- surgical, including surgery performed on the wrong body part or leaving a foreign object in a patient;
- product, including a malfunctioning device

or contaminated medications;

- patient protection, including discharging babies to the wrong person or patients disappearing for more than four hours;
- case management, including administering a wrong blood type or other medical errors;
- environmental, including burns, electric shock, or falls; and
- criminal, including care by someone impersonating a doctor, kidnapping, or sexual assault.

The information would include data about the hospital reporting it, but no personally identifiable information about patients involved would be included. The information would not be admissible in court cases, including malpractice suits or settlements.

Mosser said the root cause of harm in hospitals is not the errors themselves, but the systems that allow those errors to happen. As an example, he told of a pharmacist dispensing the wrong medication to a patient because a clerk transcribed the doctor's written prescription incorrectly. While the clerk caused the error, hospitals and pharmacies would be wise to switch to an electronic prescription system, eliminating at least one point of possible error.

"We will gain from (the proposal) if and only if it fosters a movement to change our systems," Mosser said.

The committee referred the bill to the House Civil Law Committee. A companion bill (SF1019), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits a hearing in the Senate Health and Family Security Committee.

Protecting students

A bill designed to help ensure the health of college students may be included in the House Higher Education Finance Committee omnibus bill.

Sponsored by Rep. Ray Cox (R-Northfield), HF746 would require post-secondary institutions in Minnesota to provide information on meningitis to every new student living in campus housing.

Each year in the United States about 3,000 people get meningococcal meningitis, an inflammation that affects the brain and spinal cord. About 300 of them die and another 450 who survive have permanent disabilities, including the loss of limbs, mental retardation, and deafness.

According to the Centers for Disease Control, freshmen living in dorms are 7.67 times more likely to get the disease compared to college students overall.

Since 1998, Cox said that 11 college students in Minnesota have gotten the disease, and two died.

Meningococcus, a bacterium that commonly is the cause of meningitis, is spread by droplets or by direct contact. The bacteria are sprayed into the air through sneezing and coughing, with shared items, such as cigarettes or drinking glasses, or through intimate contact.

The disease strikes quickly. For example, a Stillwater resident attending the University of Wisconsin-River Falls was taken to the hospital about 11 a.m. on a Sunday last November and died 14 hours later. Symptoms include a high fever, nausea and vomiting, severe headache, and a skin rash of bright red spots.

Jane King Hession from Edina appealed to legislators to pass the bill. She lost her 17-year-old son, Brendan, to the disease in 1997. She said that while she understands that meningitis strikes relatively few people in a year, when your child is one of the few, statistics matter very little.

Cox admits that many schools already offer such information, but the bill is to ensure that all schools do.

"This bill is about getting information to students to make decisions about getting vaccinated," he said, emphasizing his bill does not require a vaccination.

Maddona McDermott, health director at the University of St. Thomas, said she has noticed that more freshmen in the past two years already have the vaccination. "I support any measure to increase health awareness," she said.

Rep. Gene Pelowski, Jr. (DFL-Winona) said that when he was first informed about the possibility of such a bill it came from the drug company that makes the vaccine. He said that he might move to amend the bill, when it is further discussed at a later date, so that the fiscal cost be paid by the drug company.

A companion bill (SF641), sponsored by Sen. Claire Robling (R-Jordan), awaits action by the Senate Education Committee.

Nurse titles

A bill approved March 24 by the House Health and Human Services Policy Committee would give official protection to the title of "nurse" under Minnesota law.

Representatives of the Minnesota Board of Nursing and Minnesota Nurses Association said under current law, people without proper certification and training can claim to be nurses without the threat of punishment. They said HF496, sponsored by Rep. Jim Abeler (R-Anoka), would protect consumers.

Susan Stout, representing the Minnesota Nurses Association, said some organizations providing health-related services such as weight loss, advertise they have nurses on their staff to gain an image of credibility when those

individuals are not actually trained nurses. She said the bill would close the loophole permitting that practice. "The public expects a certain level of training," she said.

Thirty-seven states currently protect the title.

Even though "licensed practicing nurse" and "registered nurse" are already protected titles under state law, supporters said most people associate the generic term nurse with a certain level of training and expertise and should be protected from people who claim to be nurses without that training.

Rep. Tim Wilkin (R-Eagan) called the bill unnecessary because the state already protects the official nursing titles. "In my opinion, it's too generic," he said. He expressed worries that other hospital staff who are perceived to be nurses would be subject to discipline under the bill.

Stout said that would not be a problem. "We're not attempting to be heavy-handed to people perceived to be a nurse," she said, "only people who hold themselves out as a nurse."

People or organizations violating the law by claiming to be nurses would be informed of the law and told to desist before any formal action would be taken, said Rene Cronquist, Minnesota Board on Nursing assistant director for nursing practice.

A separate provision of the bill would allow graduates of foreign nursing schools to work in nursing facilities if they have completed a competency evaluation and a medication training program.

The bill next goes before the full House. Its Senate companion (SF223), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits a vote on the Senate floor.

Eye care prescriptions

Minnesota optometrists would see their authority to prescribe medications expanded if a bill approved by the House Health and Human Services Policy Committee March 20 becomes law.

HF373, sponsored by Rep. Bud Nornes (R-Fergus Falls), would allow optometrists some of the prescribing authority currently reserved for ophthalmologists, who hold medical degrees. Optometrists, who are not medical doctors but hold degrees in optometry, traditionally specialize in prescribing glasses and contacts. In 1993, legislators gave them authority to prescribe topical medications like eye drops. Nornes' bill would allow them to prescribe certain oral medications as well.

Optometrists framed the bill as a way to reduce medical costs and provide greater access to care by providing more places for patients to receive their necessary prescriptions.

In their view, too many patients are sent to expensive medical doctors for prescriptions optometrists could easily write themselves.

Dr. Kerry Beebe, a Brainerd optometrist and chair of the Clinical Care Division of the American Optometric Association, said oral medications to deal with eye conditions fall within optometrists' realm of expertise and most states already grant such authority.

Opponents said the bill would further blur the line between optometrists and ophthalmologists and risks taking the state down a slippery slope. Some suggested optometrists ultimately want to enter the lucrative laser eye surgery market.

Dr. Gary Schwartz, a St. Paul ophthalmologist, asked lawmakers to look at the difference in medical training between the two groups when considering who can prescribe oral medications. Since the additional schooling required of ophthalmologists requires more anatomy classes and training in systemic medicine, they are aware of the effects oral medications will have on areas of the body other than the eye.

He fears optometrists, who focus only on eye care, will over-prescribe oral medications without realizing harmful side effects or interactions with other medications. Any money saved by fewer doctor visits under the bill would likely be spent on unnecessary medication, he said.

The committee approved an amendment offered by Rep. Tim Wilkin (R-Eagan) that would limit the scope of the new authority to less powerful oral medications. Strong narcotics, such as Tylenol III, would not be allowed under the amendment.

The bill now goes to the House floor.

A companion bill (SF418), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action in the Senate Health and Family Security Committee.

HIGHER EDUCATION



Changes proposed

A bill that would add one position to the governor's cabinet was approved March 26 by the House Higher Education Finance Committee.

Sponsored by Rep. Doug Stang (R-Cold Spring), the committee chair, HF864 would require the governor to appoint the director of the Higher Education Services Office (HESO). The governor recommended the idea in his proposed 2004-05 budget.

Susan Heegaard, a policy manager in the governor's office, said it "makes sense to try to elevate the importance of higher education in the executive branch."

"We're at the point (where) we need to make some changes," Stang said. "This in no way ensures that their projections will be accurate." The services office has previously been criticized for requesting money for state grants and then not using it. The money was then cancelled back to the state's general fund instead of being used elsewhere for higher education.

In addition, Stang said there has been concern about how forthcoming the office has been with information, and some of its reliability. He said that both legislators and financial aid administrators at schools have expressed concern.

Office Director Robert Poch was not at the meeting.

Stang does not worry about the position becoming political. "Often differences in higher education cross party lines," he said.

The bill would also change the name of the Higher Education Services Office to the Office of Higher Education, and change the composition and responsibilities of the Higher Education Advisory Council.

Among the changes, the bill would increase the council's size from nine to 16 members and change the board's makeup.

Currently the board is comprised of the president and senior vice president for academic affairs of the University of Minnesota; Minnesota State Colleges and Universities (MnSCU) chancellor; the associate vice chancellors of the state universities, community colleges, and technical colleges; the commissioner of the Department of Children, Families and Learning; the president of the Minnesota Private College Council; and a representative from the Minnesota Association of Private Post-Secondary Schools.

The bill would drop the MnSCU associate vice chancellors and University of Minnesota vice president for academic affairs. It would add five citizens and five student members (two from MnSCU, and one each from the University of Minnesota, private colleges, and private vocational schools).

Derek Hudyma, vice-president of the Minnesota State College Student Association, said that a student representing community and technical colleges should be added because those schools generally have a different mission. Stang said he is open to working on an amendment so that all students are represented.

Rep. Lyndon Carlson (DFL-Robbinsdale) said he prefers to see a smaller board. He handed out a possible amendment that would keep the board at nine members, but chose not to offer it, saying he may do so when the bill returns for possible inclusion in the committee's omnibus bill.

The bill now moves to the House

★ HOUSING

Security deposits

Landlords would not have to pay as much interest to their tenants when returning their security deposits under a bill approved March 25 on a split vote by the House Commerce, Jobs, and Economic Development Policy Committee.

Under current law, landlords must accumulate interest on the deposits and give that interest to the tenant, along with whatever portion of the deposit is returnable, when the tenant moves. The interest rate is 3 percent until May 1, 2004, and at 4 percent thereafter.

HF438, sponsored by Rep. Arlon Lindner (R-Corcoran), would reduce the interest rate to 1 percent after Aug. 1, 2003. Lindner said the proposed change reflects the market in which interest earnings are on average between zero and 1 percent.

Other legislators, however, said renters could ill afford any changes that take money from their wallets.

Landlords did well in the state's 2001 tax bill "and now we're here today nicking the consumer a little bit again," said Rep. Tom Rukavina (DFL-Virginia), who said he was "appalled" by the legislation.

Rep. Karen Clark (DFL-Mpls) said moving into an apartment is costly as renters must pay not only a deposit, but the first month's and often last month's rent in advance. And the security deposits have risen from one-quarter to one-half of one month's rent to a full month's rent, she said.

A two-bedroom apartment costs \$900 to \$1,000 a month, Clark added. "So it's a fairly big investment."

Rep. Laura Brod (R-New Prague) said she supported the bill as security deposits keep renter costs in check. Without them, landlords would absorb the cost of damage repairs and would likely pass those expenses onto renters in the form of higher rents, she said.

The payable interest amount has been changed numerous times to reflect market changes since the law was enacted in 1973. The current rate of 3 percent was set in 1996, and has remained at 3 percent during three subsequent reviews, said Jack Horner, representing the Minnesota Multi-Housing Association.

The bill now moves to the House Civil Law Committee. A Senate companion bill (SF645), sponsored by Sen. James Metzen (DFL-South St. Paul), awaits action on the Senate floor.

★ LAW

Hmong marriages

Seeking to maintain age-old cultural traditions while also conforming to state legal standards, Rep. Cy Thao (DFL-St. Paul) has introduced a bill to officially recognize traditional Hmong marriage ceremonies in Minnesota.

HF707, approved by the House Civil Law Committee March 25, would provide a process for solemnizing Hmong wedding ceremonies by vesting power in the mej koob, a group of two or more people designated as go-betweens for the families. The mej koob would be responsible for solemnizing the marriage and signing and submitting the marriage certificate.

Sher Lee, a board member at the Hmong Cultural Center in St. Paul, called the bill "very powerful" for the growing population his organization serves. He said the purpose of the bill is "to help the Hmong people maintain the Hmong marriage traditions and also support this country."

However, opponents testified it would only make legal provision for a sexist tradition and do nothing to resolve long-standing problems in the Hmong community.

"I don't think this bill has had adequate community input, particularly from Hmong women," said concerned resident Ka Vang. "This bill cannot address a 4,000 year old issue such as polygamy or arranged marriages



Ai Vang of Hugo testifies before the House Civil Law Committee March 25 in support of a bill that would provide a Hmong marriage solemnization form.

or forced marriages. These are issues that deserve more community discussion."

Thao admitted the bill's purpose is not to address those problems.

"The issues I admit exist, but they will be addressed at a later time in a different bill," Thao said. "There are statutes in (current) marriage law that prohibit these practices. This bill's not seeking to undue any of these."

Other opponents said the bill arbitrarily singles out mej koob as the ones to officially solemnize the marriage. Out Vang said mej koob are always men, require no specific training or experience, and are sometimes involved in arranging marriages against a woman's wishes.

"This bill does not give the intended parties a say in their marriage, especially brides. The mej koob (and) the parents marry them, but she really can't say 'yes' or 'no,' she has no voice," Out Vang said.

The bill would add Hmong and Buddhists to the list of religious and ethnic groups — including Baha'i, Hindus, Muslims, Quakers, and Native Americans — who may solemnize marriages through traditional practices under state law.

The committee will consider it for possible inclusion in a family law omnibus bill. A Senate companion (SF827), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Judiciary Committee.

Moua and former Rep. Andy Dawkins (DFL-St. Paul) pulled a similar bill from consideration last year after heavy criticism led them to seek more community input.

Report protection

Broadcasters who unknowingly disseminate incorrect information as part of an emergency broadcast would be immune from liability for

First deadline approaches

House and Senate leadership have set the following deadlines for committees to complete their business this session:

- **Friday, April 4** — Bills must be out of policy committees in the house of origin.
- **Friday, April 11** — All House and Senate files must be out of all policy committees in the other body.
- **Tuesday, April 29** — Omnibus finance bills must be out of House and Senate finance committees.

There are exceptions to these deadlines. For example, bill sponsors may appeal to the rules committee to have rules suspended so a bill may be considered after the deadline. In addition, the taxes committee is not bound by the deadlines.



Patty Wetterling, co-founder of the Jacob Wetterling Foundation, testifies before the House Civil Law Committee March 25 in support of a bill that would provide limitations to emergency notification actions liability.

damages that occur as a result, under a bill approved by the House Civil Law Committee March 25.

Sponsored by Rep. Paul Kohls (R-Victoria), HF628 would protect Web sites, broadcast and cable television stations, and radio stations from civil actions resulting from information relayed through the Emergency Alert System, Amber Alert System, or other emergency notifications. Those systems are designed to quickly spread word of emergency information in the event of severe weather, war, or child abduction.

Under the bill, broadcasters cannot be held liable for damages if such broadcasts are unintentionally inaccurate and cause damage.

Jim du Bois, president and CEO of the Minnesota Broadcasters Association, said television and radio stations are only required to broadcast messages from the president and may choose which other emergency alerts to air. He worries stations will choose not to air important information if they fear being sued as a result.

"The immunity it grants will protect broadcasters from frivolous lawsuits and encourage greater participation," du Bois said.

Though he knows of no lawsuits in the United States arising from any of the instances

the bill would protect, he said Minnesota's new Amber Alert System has the potential to further complicate matters because of the potential for naming names. If the wrong person is identified as the kidnapper and is subjected to ridicule as a result, that could result in lawsuits.

Many Minnesota radio stations are independently owned and operated, and cannot afford to purchase insurance against defamation claims, du Bois said. "The cost of civil litigation would bankrupt many of these local broadcasters and deprive communities of what is often their only electronic source of news and information.

The bill next goes before the full House.

A companion bill (SF673), sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits a vote by the full Senate.

★ LOCAL GOVERNMENT

Eagle center construction

Proponents of a project to showcase American bald eagles in Minnesota are asking a House committee to allocate \$500,000 to replace earlier money tapped by the governor during the 2003 budget crisis.

The money would be given to the City of Wabasha for construction of the National Eagle Center, under HF280, sponsored by Rep. Jerry Dempsey (R-Red Wing).

"We need to preserve America's legacy, which is the bald eagle," Dempsey said March 25 before the House Jobs and Economic Development Finance Committee.

Dempsey said the money was previously appropriated by the Legislature, but was taken by Gov. Tim Pawlenty to help solve a fiscal year 2003 state budget crisis. The city, with a population of 3,000, has raised \$1 million in matching funds, as required by the previous and current legislation.

Center Director MaryBeth Garrigan said the city's only eagle facility is a 2,000-square foot makeshift storefront, which serves as a temporary visitor center. It was busy the third and fourth weekends in March, the latter of which saw 3,000 visitors when 200 to 300 eagles passed overhead.

Records show that 22,000 visitors signed the registry last year at the temporary visitor center. However, that number represents only one-third to one-half of the estimated visitors, many of whom don't sign in because they go directly to the 24-hour observation deck near the Mississippi River, Garrigan said.

"People love their bald eagle," she explained, adding that all 50 states and 60 nations were represented by visitors to the center in 2000.

In response to legislators' questions, Garrigan said the city does not charge admission at the eagle facility now. However, donations are encouraged. Any new facility would charge \$3.50 for adults and up to \$2 for children and senior citizens.

The National Eagle Center is the only congressionally designated project dedicated to the nation's symbol of the bald eagle. And, Garrigan added, it serves as an economic driver for both Wabasha businesses and the state.

The bill will be considered for inclusion in the committee's bonding recommendations for the biennium.

A Senate companion bill (SF290), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Finance Committee.

★ METRO AFFAIRS

Proper employee benefits

Should Metropolitan Council employees — government workers with salaries paid by taxpayers — be allowed to share in profits realized through cost-savings measures that they recommend?

Such was the question at the heart of a lively debate on HF926 before the House Local Government and Metropolitan Affairs Committee March 25.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), the bill would disallow gain-sharing at the Metropolitan Council, a regional governing and rulemaking body that oversees waste management, metropolitan transit, and regional planning for the seven-county Twin Cities metropolitan area.

Holberg said 110 of Metropolitan Council's employees shared about \$250,000 for submitting a \$500,000 cost-saving measure in 2002 relating to multiple operational facets of the agency's incinerator.

Metropolitan Council employees are the only state employees allowed to partake in a gain-sharing program, which was authorized in a 1998 law. Since then, the only cost-savings suggestion submitted to the council's board was the \$500,000 measure that captured Holberg's attention.

It's one thing for a profit-making business to share with employees, but it's quite another if that entity is a government agency "consuming taxpayer dollars," she said.

Distributed to committee members was a memo from one Metropolitan Council employee stating that the cost-saving measure was not original, but was largely extrapolated from manufacturing operating manuals, or reflects current or past industrial practice.

Other legislators said the program is a good idea.

"If this is happening ... it seems innovative and maybe something others should be doing," said Rep. Frank Hornstein (DFL-Mpls), a former Metropolitan Council board member.

Holberg said she is not opposed to the program goals. Rather, she said, suggestions should be submitted by public employees because they have high values, want to do what's right, and want to preserve jobs.

"I'm just wondering why a plaque doesn't work," said Rep. Laura Brod (R-New Prague).

The Metropolitan Council opposed the bill, saying that without the program it would not have saved nearly as much money.

On a split vote, the committee approved the bill. It now moves to the House floor.

No Senate companion bill has yet been introduced.

Transit options for I-35W

The House Transportation Policy Committee approved a bill March 25 that would call for a study to measure the feasibility of a bus rapid transit system on Interstate 35W between Minneapolis and Lakeville.

The bill (HF795), sponsored by Rep. Frank Hornstein (DFL-Mpls), now moves to the House Transportation Finance Committee.

Bus rapid transit involves high-speed bus travel on dedicated busways with a limited number of stops. The buses are lower to the ground, accommodating quicker boarding and exiting of the vehicle. In addition, the buses travel between stations more like those on rail systems where the fares are collected as riders enter the station rather than as they board the bus.

"It does not look like our regular bus system," said Rep. Margaret Anderson Kelliher (DFL-Mpls).

Hornstein said the systems are very efficient and effective modes of moving commuters. He also said that the federal government is endorsing bus rapid transit and is authorizing federal funds for such systems. While buses currently use the shoulders on freeways, he said that option is not a long-term solution to meeting commuter needs in the area.

The bill provides for a study to determine whether such a system is feasible along I-35W. It would utilize the existing joint powers agreement between the communities that are part of the I-35W Corridor Commission, according to the bill. The corridor has been identified as one of the more heavily used and congested areas in the Twin Cities metropolitan area freeway system.

"I think a bus rapid transit option would service both areas very well," Hornstein said.

Rep. Bill Kuisle (R-Rochester) asked how the study would be paid for since the bill included no specific appropriation. Hornstein said the goal was to use existing resources in the state Department of Transportation and the Metropolitan Council to complete the study.

The mention of the new technology prompted members of the committee to question whether the study should include personal rapid transit options, as well. Personal rapid transit systems involve individual cars that operate on a network of guideways, and riders select a destination and the car takes them there, bypassing all other stops.

"It might be kind of an exciting thing to see if we could use that from Lakeville to Minneapolis," said Rep. Alice Seagren (R-Bloomington). "This might be something that might be better than a bus system" for the needs of the area.

Hornstein said he was open to studying the option at a later time, but preferred limiting this bill to just bus rapid transit.

The bill currently has no Senate companion.

MILITARY



Funding National Guard activity

A bill to appropriate extra money to help pay for National Guard activity was approved by one House committee March 26 and forwarded to another.

Sponsored by Rep. Bill Haas (R-Champlin), HF1094 would allocate \$500,000 in the current fiscal year to the Department of Military Affairs.

"With the war starting the state had to activate National Guard members so we need to appropriate additional money," he said, testifying before the House State Government Finance Committee.

Col. Dennis Lord, executive director of the Minnesota National Guard, said the personnel were activated to generally provide security at water treatment facilities, nuclear plants, and oil refineries in the Twin Cities metropolitan area. Other members helped out at the state's emergency operations center. The initial number of those activated was 232, but Lord said that number would likely be reduced to about 24 by the end of the month. He said that he expects the Guard to have a presence for the next week to 10 days.

Haas said the money would come from the reserves that Gov. Tim Pawlenty left in the current budget. Any money not used would be carried forward and used for disaster relief aid in the future.

The bill, which has no Senate companion, next goes to the House Ways and Means

Committee. Pawlenty reduced the number of guards stationed at the above facilities on March 26.

SAFETY



Crib concerns

An emotional father urged a House committee March 25 to pass legislation limiting the use and resale of old and potentially unsafe children's cribs.

"I cannot explain what it's like to lose a child," said Rick Torgerson of Lino Lakes to the House Commerce, Jobs, and Economic Development Policy Committee. A large, framed photo of his son, Luke, was displayed on the witness table.

Torgerson explained that his son's death was a result of an unsafe crib at a daycare. The daycare's cribs were inspected one business day prior to Luke's death as part of biannual county inspections, he said. However, the inspection was only visual.

"Things may look and appear to be in good condition, but, in my son's case, far from it," Torgerson said.



Rick Torgerson tells the House Commerce, Jobs, and Economic Development Policy Committee how hard it was to lose his 13-month-old son, Luke, as he testifies for a bill that would prohibit the use and sale of used cribs. His son died in a crib accident at a day care that was using a crib purchased at a garage sale.

HF374, sponsored by Katie Sieben (DFL-Newport), would require child-care providers to conduct monthly crib safety inspections. The mandatory records of such examinations would be reviewed during official inspections.

Additionally, child-care providers would be required after Jan. 1, 2004 to: maintain documentation for each crib, stating its brand name and model number; to annually certify that their cribs are not identified as unsafe by the Consumer Product Safety Commission; or to certify that the cribs have been modified to be safe. The provider's documentation would be maintained on the Internet for viewing by parents and the commissioner of human services.

Safety inspections would account for spacing between side slats, the height of railings, and the integrity of hardware, among other items.

In addition, HF374 would:

- prohibit the sale or resale of unsafe cribs;
- prohibit hotels and motels from lending unsafe cribs to patrons; and
- allow retrofits of unsafe cribs where the Consumer Product Safety Commission has approved the retrofit and where the retrofit is disclosed at the time of sale.

Sieben said the bill would not prohibit the sale of potentially unsafe cribs at garage sales due to the state's inability to enforce such a measure.

The bill was approved and forwarded to the House Civil Law Committee.

A companion bill (SF377), sponsored by Sen. Ellen Anderson (DFL-St. Paul), was approved by one committee and awaits action by the Senate Health and Family Security Committee.

Checking security installers

David Frings assured legislators that he would pay for the long distance phone call he made during a committee hearing March 25.

Using his laptop computer to make the call, Frings, the manager of a security alarm company, demonstrated just how easy it is for security company workers to tap into surveillance cameras all over the nation. As members of the House Judiciary Policy and Finance Committee watched live images of a New Jersey parking lot, Frings explained why Minnesota needs to do a better job certifying the people who install and maintain security systems in the state.

"Right now, how security systems actually work is getting to be pretty scary. We can do just about anything," he said.

Minnesota currently does not require background or criminal history checks for security company workers. It also does not require any specific training to be qualified for the job. Frings said that could put just about anyone

in a position of trust.

"We're supposed to be the good guys," he said. "When we're in your house, you're expecting us to be installing something that's going to keep your family safe versus us casing your place."

Committee members approved a bill (HF773), sponsored by Rep. Bill Hilty (DFL-Finlayson), which would attempt to remedy the problem by disqualifying people with prior felony convictions from employment in electronic security system companies. Under the bill, businesses would pay the state Bureau of Criminal Apprehension to conduct background checks on prospective employees.

Frings said many schools and businesses don't have personnel to follow his camera installers around the building. "Usually what they do is give us a set of keys and they say, 'Here, they're yours'.... Once we put on our security identification, we're never questioned in the building," Frings said.

Since most security companies in Minnesota employ only a handful of workers, Frings said the bill is necessary to prevent the wrong kind of people from entering the business.

Rep. Keith Ellison (DFL-Mpls) said he thought the bill would disqualify too many people. He suggested only disqualifying people who have committed certain felonies or putting a time limit on how recently the crimes were committed.

He said criminal laws tend to have a disparate effect on low-income people and minorities. "And of course those people often have the most trouble getting employed even when they don't have a prior criminal record," he said. "So it seems to me that we need to tailor this more towards who we're really afraid of."

Hilty said he would consider making such changes before the bill's next hearing in the House Ways and Means Committee.

A companion bill (SF797), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Crime Prevention and Public Safety Committee.

TAXES



Vehicle tax break

Alternative-fuel vehicle purchasers and those buying fuel efficient automobiles would be eligible for a sales tax break, under a bill being considered by the House Taxes Committee.

Under HF507, sponsored by Rep. Frank Hornstein (DFL-Mpls), a motor vehicle sales tax exemption would be in place from July 1, 2003 to June 30, 2007 for automobiles:

- certified with a fuel efficiency of at least 45 miles per gallon on the highway and 35 mpg in the city; or

- powered solely from an alternative fuel source; or
- powered partially from a rechargeable energy storage system and partially from regular or alternative fuel, or both.

Alternative fuels include alcohol fuels, natural gas, liquefied petroleum gas, hydrogen, coal-derived liquid fuel, fuels derived from biological products, and electricity, including solar power.

Hornstein told the House Taxes Committee March 25 that the measure would help the United States reduce reliance on imported oil, improve global warming, and lead to fewer cases of cancer and asthma for those living along busy transportation corridors.

"If we can be known as an alternative fuel state, that will also enhance our ability to develop economically," Hornstein said, adding that 20 other states offer similar incentives.

Whether the state can afford the estimated \$8.9 million loss in taxes during the four-year period is another question, said Rep. Ron Abrams (R-Minnetonka), the committee chair. Regardless, Abrams said the bill prompts members to begin pondering how government would fund road construction and maintenance when a drop in gasoline consumption, and gas tax revenues, results.

The U.S. Department of Energy identified 2,657 alternative-fuel vehicles in use in Minnesota in 1997 and 6,267 in 2000, for an average annual increase of 1,203 vehicles.

The average price of vehicles qualifying for exemptions under the bill is \$19,000. On the market today are the Toyota Prius, Honda Insight, and Honda Civic Hybrid. On the way are nine vehicles by six automakers, according to literature supplied by Hornstein.

HF507 will be considered for inclusion in the tax omnibus bill. A Senate companion bill (SF405), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Taxes Committee.

TRANSPORTATION



Donating vehicles

A bill that would change provisions governing donation and resale of vehicles by nonprofit organizations was approved March 25 by the House Transportation Policy Committee.

The bill (HF343), sponsored by Rep. Jim Abeler (R-Anoka), now moves to the House Transportation Finance Committee.

Abeler testified that the need for the bill was brought to his attention by the Free 2B group that works in Anoka County to help individuals become self-sufficient by providing

Continued on page 35

Turf battles

Tax-free zone plan revised to include additional incentives for business development to thrive and stay in Greater Minnesota

By MIRANDA BRYANT

A much-touted proposal to waive taxes in 10 competitive rural Minnesota zones to arouse economic vitality is raising questions among metropolitan legislators.

The tax-free zone plan, also known as Jobs Opportunity Building Zones or JOBZ, is perceived to have wide support from Republicans and rural legislators alike, as well as from Gov. Tim Pawlenty, who introduced similar legislation in the 2002 session while serving as a legislator.

Under the direction of its sponsor, Rep. Doug Magnus (R-Slayton), HF3 has been significantly rewritten since its early introduction in an effort to reduce the problems that occurred under similar legislation in Pennsylvania and Michigan.

At every opportunity, Magnus tells of the growing income disparity between the Twin Cities metropolitan region and areas such as his southwest Minnesota district. He speaks of shrinking populations and businesses being wooed away by neighboring states.

"Do we have a level playing field, especially for rural Minnesota? No, we don't," Magnus told the House Taxes Committee March 20.

But some metropolitan area legislators have questioned everything from whether the lost taxes sufficiently surpass the economic gain, to whether the focus should instead be on proposed drastic cuts to local government aid (LGA) to cities.

"I think we may be kind of poking ourselves in the eye with this proposal when we ought to be focusing on LGA cuts," said Rep. Joe Atkins (DFL-Inver Grove Heights).

When the bill was before the House Jobs and Economic Development Finance Committee on Feb. 27, Rep. Karen Clark (DFL-Mpls) questioned why the program is only for rural Minnesota and not also for poorer inner-city districts also in distress.

Furthermore, Rep. Tony Sertich (DFL-Chisholm) and Rep. Tom Rukavina (DFL-Virginia) have wondered aloud whether the bill would encourage businesses to stay in rural areas once the 12-year tax-free status expires. Both

have seen businesses partake of state-offered incentives only to leave years later, creating unemployment and economic development disasters.

Also against it is the American Federation of State, County, and Municipal Employees (AFSCME). Political Action Director Chris Cowen cited as reason for the group's opposition a study by the National Governors' Association on rural economic development. The study said states should embrace "industry clusters," promote entrepreneurship, and encourage value-added agriculture and agricultural diversification. Not mentioned, said Cowen, were tax-free zones.

Under HF3, the state Department of Trade and Economic Development would designate 10 business zones of up to 5,000 acres and five agricultural zones throughout Greater Minnesota. The zones would be in place for 12 years.

Cities, counties, townships, and school districts could apply individually or jointly for a zone later this year, if the bill were to become law. Qualifying businesses would forgo sales, income, and property taxes. Individuals investing in zone businesses would be exempt from applicable income and capital gains taxes.

In addition, businesses would receive a monetary credit from the state for creating full-time jobs paying more than \$30,000 a year.

Businesses could not, however, forgo property taxes resulting from school levies or local general obligation bonding measures already in place. Furthermore, the property tax waiver applies to commercial and industrial property, but not to land.

Absent from the bill is an early provision to exempt residential property taxes.

The tax-free status would apply to businesses within the zone at the time of

designation, as well as those that begin anew, expand, or relocate from other states.

To prevent Minnesota businesses from simply moving to the zone to avoid taxes, relocating businesses must increase employment by 20 percent in the first year, or make a capital investment in the zone equaling 10 percent of its previous year's gross revenues, under the bill. If neither measure is met on an annual basis, that business must pay the waived taxes.

The program would cost the state \$4.7 million in lost tax revenue in 2004-05 and \$9.4 million in 2006-07, according to current estimates.

While the state designates the zones, the communities will determine the success of the plan, said Matt Kramer, commissioner of the state Department of Trade and Economic Development. It's not enough to simply have a zone. Infrastructure must be in place, as well as local economic development strategies, and worker training opportunities, he added.

In analyzing the legislation, the Center for Rural Policy and Development in St. Peter found that similar zones in Michigan and Pennsylvania have appeared to help the job market, and business viability and cash flow.

However, zones have not had any major transformational impacts, the analysis stated.

"... Economically depressed areas are still depressed, areas of high poverty are still high, and areas of high unemployment still face employment challenges."

Many communities are on board with the legislation, including the cities of Albert Lea, Chisholm, Buhl, Kinney, Hibbing, and the Town of Balkan.

Rep. Pete Nelson (R-Lindstrom) said the bill would help businesses — and the jobs they provide — stay in Minnesota.

Said Nelson, "In my county we're losing businesses to the state of Wisconsin. The score is about 15-0 right now and climbing. I think that we've been losing far too long."

HF3 will be considered for possible inclusion in the omnibus tax bill.

A Senate companion bill (SF496), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits committee action.



Tax-free zones could be divided into smaller zones, as illustrated above, at the discretion of the community granted authority to develop the zone.

Graphic courtesy of the Minnesota Department of Trade and Economic Development

Fresh ideas

After a decade as mayor, Atkins brings his interest in the budget and innovative problem solving to the Legislature

By MIKE COOK

Rep. Joe Atkins (DFL-Inver Grove Heights) has spent most of his adult life making policy at the local level, and he is now doing the same in St. Paul.



Rep. Joe Atkins

After three years on a school board, Atkins became mayor of Inver Grove Heights at age 27. While some may have seen his youthfulness as a negative, Atkins did not. "We did things that other people never thought would work, and I think it's because I didn't know any better."

For example, a community center was built without using tax dollars. "I made a comment after the referendum failed that people wanted the community center but they didn't want to pay for it," he said. "I said 'Why can't we do it without tax dollars?' and you could have heard a pin drop because people knew that you just couldn't do it that way. The next thing you know, after about 300 meetings later in people's kitchens and living rooms seeking donations, we built a community center." The city also partnered with its school district and with some civic organizations.

"Once we did that it was like, 'Well if we can do this what about these other good things?'" In his hometown, that has included improvements to the city's main street, and the construction of a library and an indoor aquatic center.

Atkins, now 37, believes similar ideas can be repeated across the state.

"We've talked about revenue and expenses, but what everybody seems to be missing is the partnership component," he said. "There are thousands of civic organizations that can play a role in the state's business. We did \$30 million in public improvements without tax dollars in a city that only had 25,000 people."

As mayor, Atkins filled a seat once held by his father, Gene, who served from 1971 to 1978.

"I learned a ton from him, but I learned as much from my mom, 'Andy,'" he said. "She quietly and doggedly presses on no matter the obstacle."

Atkins said the family mayoral tradition might now have to wait until the youngest of his three children gets a little older.

"My kids and I were driving along one day, and my son, John, turns to me and says 'Dad, I'm not going to be mayor. I want to be a fireman.' Then my son, Tom, says 'Dad, I'm not going to be mayor, either. I'm going to be a football player.' Finally my daughter Katie, who was 3 at the time, says 'Daddy, I'll be mayor.'" His children are now 9, 8, and 6. At home, Atkins said his wife, Julia, is considered the mayor.

Atkins calls himself a numbers wonk. His 63-page senior paper in law school was on the

"I volunteered for the tax committee," he said. "I can talk with Rep. Ron Abrams (the committee chair) for an hour. I love the numbers. I just hope we get an opportunity to get our hands dirty in the budget."

To solve the deficit, Atkins said he thinks everyone must contribute. "I want to be sure that at the end of the day the Pawlenty family and the Atkins family are pitching in our fair share. If that happens then I think it's going to be a fair kind of budget solution," Atkins said.

Education is also a top issue. "Many people have lost sight that education is an investment, it's not merely a cost. We've got to make sure we're getting the best return we can on that investment," said Atkins, who has previously taught classes at a community college.

Being mayor was the best job Atkins said he's had, but that he stepped down because "the state needs more help than the city did."

He replaces his friend, eight-term Rep. Bob Milbert, after the latter chose not to seek re-election.

There is one worry that Pugh has about Atkins: his choice of sports.

Pugh and Milbert are hockey players. Atkins is into basketball. "That's a big drawback,"

"We've talked about revenue and expenses, but what everybody seems to be missing is the partnership component. There are thousands of civic organizations that can play a role in the state's business. We did \$30 million in public improvements without tax dollars in a city that only had 25,000 people."

— Rep. Joe Atkins

equities of school finances.

"He's coming in as though he's mayor of Minnesota, in terms of the budget in sitting down with the books and trying to make the numbers match up, without ever having served a day on an appropriations committee," said Rep. Tom Pugh (DFL-South St. Paul). The two have been law partners since 1996.

While Atkins is doing his best to understand all the numbers, Pugh said, one of his strengths is being able to put what he knows into terms every resident can understand.

That is important as Atkins sits on the House Taxes Committee, as well as the Civil Law and Commerce, Jobs and Economic Development Policy committees.

Pugh said, laughing. "In fact, I think he's only skated a couple of times. That's the only grave concern we have about him."

DISTRICT 39B

2002 population: 36,656

Largest city: Inver Grove Heights

County: Dakota

Location: southern Twin Cities suburb

Top concern: "The budget and education issues are probably the things I heard the most about as I traveled door-to-door."

— Rep. Joe Atkins

Like father, like son

Eken looks to fight for family farms, quality of life for all as member of the House of Representatives

By TOM LONERGAN

Representing a rural district that has townships named Rosebud, Silver Leaf, and Wild Rice, Rep. Kent Eken (DFL-Twin Valley) says he doesn't think bigger is always better, whether the enterprises are farms, businesses, or cities.



Rep. Kent Eken

The idea that "you can never be big enough" is extreme, Eken said. "The quality of life is declining both in rural and metropolitan areas," the 39-year-old first-term House member added. "We need some balance."

As the number of farms and businesses dwindles and population declines in his district, northeast of Fargo-Moorhead, Eken said the economic and social consequences of those trends aren't limited to Greater Minnesota. Metropolitan areas have traffic congestion and school districts straining to handle more students, he said, while rural communities are harmed economically, with underutilized infrastructure and schools forced to close.

"It's not in anyone's interest to see more migration to cities," Eken said. "We all have a common interest here. I don't see this as a rural versus metro issue at all."

A former economics, government, and history teacher at Saint John's Preparatory School in Collegeville, Eken interrupted pursuit of a doctorate in history to run for the Legislature.

His election last November marked the first time Saint John's "lost a teacher to the Legislature," said Fr. Ian Dommer, upper school principal. "Instead of teaching about government, he (Eken) wanted to be in it," Dommer said. "He enjoys the political process."

Said Eken: "The seat opened up (due to redistricting in 2002) and I saw the chance of following in my dad's footsteps." Willis Eken was a House member from 1971 to 1984, including four years as House majority leader.

Eken serves on the House Agriculture Policy, Education Policy, Education Finance, and

Local Government and Metropolitan Affairs committees.

He's concerned that legislators share "the importance of agriculture issues," Eken said, as metropolitan area representatives become more removed physically and generationally from the state's farm communities.

"When dad was here, there were as many rural (legislative) districts as urban, if not more," Eken said. "We all need food. This isn't just a rural issue."

Preserving family farms and casting a critical eye toward policies that favor "absentee owners," are among his agriculture issue priorities, Eken said. "The bulk of farms (in the state) are still family owned and I'd like to keep it that way."

Eken said he defines so-called factory farms as those "controlled by absentee owners and not controlled by the people who live in the

(HF1088) that would create "small school sustainability revenue" as part of state general fund aid to school districts. Rural districts could use the revenue to attract teachers, finance information technology improvements and enhance curriculums.

"If we implement technology the right way," Eken said, "small schools can offer as many options as large schools."

His hobbies, Eken said, include reading "lots of history," as well as hiking, camping, and canoeing with his wife, Lori, and their three children, who range in age from 16 months to 9 years old.

The children helped Eken in parades during the campaign, along with "Little Bertha," a donkey from the family farm that was supposed to pull the children in a campaign wagon. Eken said he ended up "pulling the wagon more than Bertha."

Prior to redistricting, Rep. Bernie Lieder (DFL-Crookston) represented much of the geographic area that's now in Eken's district.

"He is really pretty sharp," said Lieder, now in his 10th term. "You can't change the world overnight, and I think he's starting to realize that."

"When dad was here, there were as many rural (legislative) districts as urban, if not more. We all need food. This isn't just a rural issue."

— Rep. Kent Eken

community. It's not that they're evil," he said. "It's not their community, so they're not going to be concerned about it."

On education issues, the former high school teacher said he "has a problem with the No Child Left Behind act," the federal legislation governing K-12 public schools.

"I think we could call it 'No Child Left Untested,'" Eken said. "We're trying to test our way into excellence." The federal law mandates increased state testing of elementary grade students and public disclosure of schools that fail to meet minimum academic standards.

Education's primary function, Eken said, should be encouraging students "to think in an analytical way and get them interested in learning."

High academic standards and "rigorous testing" are necessary, Eken said, "but that's secondary to schools and teachers having the resources they need." He's introduced a bill

Eken said he's felt "hamstrung" during his first three months in the House by the state budget deficit and the DFL's minority position. "I'm in a defending mode," he said, regarding education issues and local government aid for cities, counties, and townships in his district.

DISTRICT 2A

2002 population: 36,566

Largest city: Ada

Counties: Becker, Clearwater, Mahanomen, Norman, Polk

Location: northwest Minnesota

Top concern: "I'm hoping to broaden the debate. We shouldn't be looking at just the short-term, bottom line. We need community impact statements to help people in rural communities protect existing businesses and family farms."

— Rep. Kent Eken

A man of many hats

Heidgerken brings experience as teacher, coach, businessman, and local official to the House of Representatives

BY JEFF JONES

Rep. Bud Heidgerken (R-Freeport) has been called many things in his life — teacher, business owner, coach, board member, director,



Rep. Bud Heidgerken

city councilman, husband, father, and grandfather — but do not call him a freshman.

“I demand the same respect as anybody else down here and I realize that some of the people have been here a long time,” said the first-term

legislator. “I look upon them as being younger than me, a lot of them. I look upon me as bringing more experience to the table than what they have. They may have it at the state level, but they don’t have it at the local level like I do.”

Heidgerken said he’s paid his dues in 21 years as a high school teacher, 12 years as a business owner, and by serving on dozens of boards and commissions, including economic development councils, recreation boards, and the school boards and city councils in Freeport and Brooten.

And to top it off, Heidgerken still works 40 hours each weekend at the award-winning Charlie’s Cafe in Freeport. He takes care of the bookkeeping and scheduling for the restaurant’s 30 to 40 workers, many of whom have worked there more than 25 years. His wife, Ann, is in charge in the kitchen. “I take care of one end, she takes care of one end and it really works out very well. We’ve had a very successful business,” he said.

In addition to his two full-time jobs, he continues to run the largest fast-pitch softball league in the Midwest, which he has done for 40 years. He also spent 27 years as a wrestling coach, and until two years ago, he coached youth basketball.

Heidgerken ran for the House as a DFLer in 1988 and lost by 150 votes. He said the experience was disappointing, but very important.

“It taught me to be humble. It taught me to go out and pick myself up like I’d been teaching my kids to do when I was a wrestling coach,” he said.

Last year, Heidgerken switched party affiliation and the man who beat him in 1988, former Rep. Sylvester Uphas, served as honorary chair for his campaign.

“Deep down, the first time he ran as a teacher and a strong union man,” Uphas said. Since then Uphas said he thinks Heidgerken has fallen in line with the conservative fiscal views of the district. “He’s become more realistic now that he’s in business for his own ... to realize that people have to perform before they can get a raise,” Uphas said.

Heidgerken says the well being of his district depends on the success of its farmers, for whom he is a strong advocate.

“I demand the same respect as anybody else down here and I realize that some of the people have been here a long time. I look upon them as being younger than me, a lot of them. I look upon me as bringing more experience to the table than what they have. They may have it at the state level, but they don’t have it at the local level like I do.”

— Rep. Bud Heidgerken

On behalf of dairy farmers, he is encouraging Minnesota schools to take steps to promote milk among students. “We’re seeing what happens to little kids. They’ve got their mouths full of rotten teeth because the only thing they drink is pop,” he said. “They don’t know what milk is.”

He has also been a vocal opponent of Gov. Tim Pawlenty’s proposal to significantly cut subsidies for ethanol producers, which he says would force three of the state’s ethanol plants to close, resulting in lower corn prices for farmers. He calls ethanol “the one positive thing that we have going on in our district.”

Heidgerken said he isn’t afraid to break with his party over issues he finds important. “You have to represent what you really feel is right

for your district, and my area is farmers, and they’re very, very important to me. And yet at the same time I’m a businessman and I can see that end of it. At the same time, I was an educator and I can see that end of it, too,” he said.

He says his experience as a teacher makes him wary of the governor’s plan to freeze the pay of public employees. “I have problems with telling people who have been working for years that their salaries are frozen,” he said. “I had that happen to me in the Nixon era. Nixon froze my salary. I’ve never forgotten that.”

Always curious, Heidgerken says his favorite part about being a legislator is sitting on committees. He says he tries to put himself in the shoes of whoever is testifying and identify with their point of view. “I love the knowledge that is thrown at me,” he said. “They’re giving me more and more literature to read at night. I’m usually here until midnight reading. And I try to get myself informed on as many issues as possible.”

With four busy committees — he sits on both agriculture and education policy and finance committees — he says getting all the information he wants is hard to do. Still, it’s

no surprise to hear him say, “I love it. I wouldn’t mind being on a fifth.”

DISTRICT 13A

2002 population: 36,758

Largest city: Sauk Centre

Counties: Kandiyohi, Pope, Stearns

Location: west-central Minnesota

Top concern: “If I could help my rural economy, it would be number one. ... If agriculture’s doing well, our rural economy is doing well. Then my little towns are going to do well, and everything else is going to do well. We’re all in it together.”

— Rep. Bud Heidgerken

Persistence pays off

After three failed tries at winning a seat in the House of Representatives, Urdahl fulfills another of his life goals

By MICHELLE KIBIGER

Rep. Dean Urdahl (R-Grove City) has had three major goals for his life: become a teacher, become a published writer, and become a legislator.



Rep. Dean Urdahl

Urdahl has been teaching in the New London-Spicer school district for 31 years. His first book was published in March 2001, with a second to follow a month later. And in November 2002, he realized his

third goal, though it took him four tries to make it happen.

He ran in 1992 and lost by 1,200 votes. He ran in 1994 and lost by 175 votes. He ran in 1996 and was defeated in the primary. When the new districts were drawn in 2002 and he ended up in a district where incumbent Bob Ness had decided not to run, he decided to give it one more try.

"This is my last shot," Urdahl said. "If I'm ever going to make it, it's got to be this time."

Urdahl said his family's support, particularly that of his wife, Karen, made his election to the Legislature possible. His three sons – one a history teacher, one a lobbyist, and one a newspaper editor, were also supportive, he said. "It was a long hard trip to get here, but we made it."

He said he's been interested in running for public office since high school. "I've always had a desire to work in public service," Urdahl said, "and this provides the best opportunity for the abilities that I have."

Since that time, he has been involved in a number of political capacities, including working on campaigns, working for late Congressman John Zwach, and serving in leadership positions in both the state and local Republican parties.

Urdahl also decided at a young age that he wanted to be a teacher. For all but one of his years, he has taught seventh-grade social

studies. He jokes that he's been stuck in the seventh grade for 30 years. He's also coached three state championship cross country teams at the high school level, including last year's team that earned the title three days before the general election.

"Even if I wasn't a teacher, I think it's natural to realize that our children are the future and we have to insure success in the future by doing right by kids today," Urdahl said.

Though education issues are important to Urdahl, it's his ties to the history of his district and his enthusiasm for all history that prompted him to become a history teacher. He says he hopes to transfer his desire to teach others about history and government to his role as a legislator in helping his constituents connect to government.

"When you're excited about something,

with House Speaker Steve Sviggum (R-Kenyon) back in the 1970s.

"Dean didn't have a jump shot then and he still doesn't now," joked Sviggum. "Thirty years later he still can't get off the ground."

All joking aside, Sviggum described Urdahl as a hard worker who is truly concerned about the needs of constituents in his district. Sviggum said Urdahl's strengths include his ability to listen, respond, and care. He also said Urdahl appreciates the need for legislators to work together and desire the success of their colleagues.

These are attributes Sviggum said he observed many years ago when he and Urdahl first became friends.

"You develop a kind of neat relationship in athletics," Sviggum said. "And you develop a mutual respect that's important. Dean and I were able to do that many years ago before he even ran for office."

Urdahl said he's focusing on all aspects of rural economic development in his first term. Specifically, he's looking at park developments that can help stimulate the local economy, agricultural initiatives that may help the farmers in his district, and items to help create jobs.

"Even if I wasn't a teacher, I think it's natural to realize that our children are the future and we have to insure success in the future by doing right by kids today."

— Rep. Dean Urdahl

sometimes you want to impart your excitement to others," Urdahl said.

Urdahl's family moved to Meeker County in 1856, just as conflicts with the American Indian tribes in the area were breaking out. He said his great-great-grandfather helped bury some of the initial casualties in the conflict.

His grandfather ran the first all-electric farm in the country. His father was a dairy farmer in the area until Dean was 3, and the family then moved into Litchfield. His father then ran a painting business, which Urdahl still operates, and his mother was a nurse.

He said he still runs into people in the towns in his district who knew his parents and grandparents.

Urdahl also remembers playing basketball

"Because I want to help the people that I serve, and we can clearly see that (economic development) is an area where help is needed, it's natural for me to be interested," Urdahl said.

DISTRICT 18B

2002 population: 36,654

Largest city: Litchfield

Counties: Meeker, Wright

Location: central Minnesota

Top concern: "Many of the things that I'm doing one way or another tie into economic development."

— Rep. Dean Urdahl

Monday, March 24

HF1092—Davids (R)
Commerce, Jobs & Economic Development Policy
Expedited form and rate filing provided for specified life, accident, and health insurance.

HF1093—Lanning (R)
Local Government & Metropolitan Affairs
Legislative commission on unnecessary mandates established.

HF1094—Haas (R)
State Government Finance
Military Affairs Department funding provided for forces called to state active duty by the governor, and money appropriated.

HF1095—Bradley (R)
Health & Human Services Policy
Construction deadline extended for previously approved nursing home moratorium exception projects.

HF1096—Harder (R)
Agriculture Policy
Rural economic infrastructure opportunities expanded, and annual appropriation established for ethanol production and other rural infrastructure.

HF1097—Nelson, P. (R)
Local Government & Metropolitan Affairs
Local government public employment equitable compensation relationship reporting requirements eliminated.

HF1098—Olson, M. (R)
Education Policy
Children, Families and Learning Department and other state agencies prohibited from entering into a contract with a federal agency under the provisions of the No Child Left Behind act of 2001.

HF1099—Kohls (R)
Governmental Operations & Veterans Affairs Policy
State contribution for employee hospital, medical, and dental premiums limited.

HF1100—Kohls (R)
Governmental Operations & Veterans Affairs Policy
State contribution for public official hospital, medical, and dental premiums limited.

HF1101—Walz (R)
Jobs & Economic Development Finance
Tourism office performance-based revolving account established, and money appropriated.

HF1102—Sykora (R)
Education Policy
Kindergarten through grade 12 education, special programs, educational excellence, nutrition, and family and early childhood education policy provisions modified.

HF1103—Swenson (R)
Environment & Natural Resources Policy
Water and soil resources board membership expanded.

HF1104—Lipman (R)
Environment & Natural Resources Finance
Stillwater; Brown's Creek environmental protection capital improvements funding provided, bonds issued, and money appropriated.

HF1105—Dorman (R)
Taxes
Individual income tax check-offs provided for additional funding to K-12 education, health care, higher education, early childhood and family education, and state parks.

HF1106—Koenen (DFL)
Agriculture Policy
Ethanol production goal and oxygen content requirement for gasoline increased.

HF1107—Dorman (R)
Environment & Natural Resources Finance
State park annual permit fee increased.

HF1108—Hausman (DFL)
Environment & Natural Resources Policy
Recreational motor vehicle insurance and drivers license endorsements required; registration requirements modified; education, training, use on stateland, and other programs and studies provided; and money appropriated.

HF1109—Krinkie (R)
Education Finance
School board contracting requirements for certain noninstructional services modified.

HF1110—Koenen (DFL)
Education Finance
Special education aid payments made in full directly to the serving district.

HF1111—Krinkie (R)
Governmental Operations & Veterans Affairs Policy
Administration Department references updated; threshold project amount for designer selection board approval increased; and building code language modified.

HF1112—Adolphson (R)
Governmental Operations & Veterans Affairs Policy
Veterans Affairs Department authorized to access certain state databases to determine eligibility for the state soldiers assistance program.

HF1113—Penas (R)
Environment & Natural Resources Finance
Warren; flood hazard mitigation project funding provided, bonds issued, and money appropriated.

HF1114—Kohls (R)
Commerce, Jobs & Economic Development Policy
Purchase-money mortgage conveyance by spouses provisions modified.

HF1115—Hoppe (R)
Regulated Industries
Telephone assistance plan provisions modified.

HF1116—Walker (DFL)
Health & Human Services Policy
Large institute for children establishment, licensure, and public financing moratorium imposed, and study required on children and families whose needs are not being met by current child welfare or social services.

HF1117—Penas (R)
Transportation Finance
Pennington County joint use vehicle maintenance and storage building funding provided, and money appropriated.

HF1118—Buesgens (R)
Education Finance
Virtual schools funding mechanisms provided.

HF1119—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Election deadlines, procedures, and requirements modified.

HF1120—Hornstein (DFL)
Local Government & Metropolitan Affairs
Metropolitan Airports Commission required to meet annually in airport noise affected neighborhood and report on noise mitigation, and advance notice of proposed budget required.

HF1121—Anderson, B. (R)
Transportation Policy
Transportation commissioner power to enter into agreements to share facilities modified.

HF1122—Adolphson (R)
Local Government & Metropolitan Affairs
Public notice and proceedings publication alternative methods provided.

HF1123—Smith (R)
Judiciary Policy and Finance
Criminal and traffic offenders surcharge increased, public defender applicants required to pay certain copayments, collection authorized through the Revenue Recapture Act, and money appropriated.

HF1124—Osterman (R)
Jobs & Economic Development Finance
Transitional housing loans funding provided, bonds issued, and money appropriated.

HF1125—Abeler (R)
Health & Human Services Policy
Alcohol and drug counselor licensure provisions modified, and board of alcohol and drug counselors created.

HF1126—Haas (R)
State Government Finance
Shared technology systems funding provisions modified.

HF1127—Abeler (R)
Health & Human Services Policy
Continuing care provisions modified.

HF1128—Finstad (R)
Health & Human Services Policy
Human services state-operated services provisions modified.

HF1129—Kuisle (R)
Transportation Policy
Utility relocations necessitated by design-build transportation projects regulated.

HF1130—Howes (R)
Transportation Policy
Gross vehicle weights on interstate highways provisions modified, and nine-ton road weight limits in winter provided.

HF1131—Walker (DFL)
Local Government & Metropolitan Affairs
International airport parking surcharge imposed, and airport impact mitigation account created in the general fund.

HF1132—Gerlach (R)
Commerce, Jobs & Economic Development Policy
Entertainment agency laws repealed.

HF1133—Kielkucki (R)
Governmental Operations & Veterans Affairs Policy
Political subdivision compensation limit exception duties transferred, and state auditor fee authorized.

HF1134—Anderson, I. (DFL)
Environment & Natural Resources Policy
Koochiching County tax-forfeited land sale authorized.

HF1135—Lipman (R)
Civil Law
Data classification provided for computer data, bid and proposal information, and certain burial site data.

HF1136—Abeler (R)
Education Policy
Performance bonds provided for certain school district contracts relating to computer, information, and network systems.

HF1137—Atkins (DFL)
Taxes
College tuition cost income tax credit created.

HF1138—Clark (DFL)
Regulated Industries
Minneapolis authorized to issue an on-sale wine and malt liquor license to the Jungle Theater.

HF1139—Samuelson (R)
Health & Human Services Policy
Human services technical changes provided, and long-term care report required.

HF1140—Soderstrom (R)
Health & Human Services Policy
Nuclear materials regulation agreement under the Atomic Energy Act of 1954 requirements modified.

HF1141—Samuelson (R)
Health & Human Services Policy
Veterans homes statutory language updated and corrected.

HF1142—Anderson, B. (R)
Transportation Policy
Driver instruction permits and provisional drivers' license provisions modified.

HF1143—Severson (R)
Commerce, Jobs & Economic Development Policy
Housing and economic development authorities authorized to create legal partnerships and corporations to engage in housing activities.

HF1144—Atkins (DFL)
Education Finance
Early retirement levy authorized for school districts.

HF1145—Seagren (R)
Education Policy
Crisis services coordinated with removal of certain students, district removal reporting provided, graduation rates of students with emotional or behavioral disturbance increased, and warning signs of mental illness required.

HF1146—Seagren (R)
Education Finance
Care and treatment facility operation of a charter school pilot project authorized.

HF1147—Kielkucki (R)
Education Policy
Postsecondary enrollment options courses authorized at nonpublic schools.

HF1148—Wilkin (R)
Health & Human Services Policy
Health care providers qualified eligibility clearinghouses established to provided eligibility data.

HF1149—Seifert (R)
Taxes
Agricultural homestead county filing deadline provided.

HF1150—Wagenius (DFL)
Transportation Policy
Seat belt violation designated a primary offense, and all passengers required to wear seat belts.

HF1151—Hausman (DFL)
Transportation Policy
Drivers' licenses limited to including only personal information explicitly authorized, including height, weight, eye color, and gender; and reissuance of certain licenses and identification cards authorized.

HF1152—Haas (R)
Governmental Operations & Veterans Affairs Policy
Health care assistance funds disbursement regulated under public safety officer benefits program.

HF1153—Wagenius (DFL)
Taxes
This old house property tax valuation exclusion extended.

HF1154—Juhnke (DFL)
Education Finance
Limited English proficiency programs current funding clarified.

HF1155—Dempsey (R)
Health & Human Services Policy
Goodhue County existing ICF/MR licensing change authorized.

HF1156—Juhnke (DFL)
Agriculture Policy
Animal Health Board emergency quarantine restrictions authority provisions extended.

HF1157—Rhodes (R)
Judiciary Policy & Finance
Final portion of felony commitments authorized to be served in local correctional facilities, and request issued for proposals to provide facilities for persons committed to the state.

HF1158—Bradley (R)
Health & Human Services Finance
County nursing home payment adjustment increased.

HF1159—Jacobson (R)
Taxes
Roseville tax increment financing district extension authorized.

HF1160—Erickson (R)
Education Policy
Curriculum definition clarified under the school district process to plan, provide, and improve instruction and curriculum relating to the state's graduation standards.

HF1161—Abeler (R)
Health & Human Services Policy
Treatment facility notice requirements when releasing persons held for detoxification clarified.

HF1162—Lipman (R)
Civil Law
State lottery electronic transmission data classified.

HF1163—Harder (R)
Health & Human Services Finance
Meals on Wheels and congregate dining program funding provided, and money appropriated.

HF1164—Johnson, S. (DFL)
Judiciary Policy & Finance
Corrections Department biennial report to the Legislature required.

HF1165—Hausman (DFL)
Transportation Policy
High-speed rail transportation provided under the authority of the commissioner of transportation.

HF1166—Hackbarth (R)
Environment & Natural Resources Policy
Sales tax increase provided for natural resources funding, heritage enhancement fund created, and constitutional amendment proposed.

Wednesday, March 26

HF1167—Meslow (R)
Civil Law
Parental liability owed to a victim for certain acts of juvenile offenders increased and victim rights enhanced.

HF1168—DeLaForest (R)
Transportation Policy
User fees for single-occupant vehicles by high-occupancy vehicle "sane" lanes authorized, electronic toll collection allowed, fund deposit provided, petty misdemeanor penalty imposed, and transit improvement appropriations provided.

HF1169—Bernardy (DFL)
Transportation Policy
Collector vehicle usage for general transportation purposes authorized with payment of registration and minimum additional taxes.

HF1170—Sertich (DFL)
Local Government & Metropolitan Affairs
Central Iron Range sanitary sewer district established.

HF1171—Kohls (R)
Taxes
Long-term capital gain individual income tax exclusion authorized.

HF1172—Kuisle (R)
Transportation Policy
Archaeologist involvement limited to known archaeological or historic sites.

HF1173—Bradley (R)
Health & Human Services Policy
Newborn health screening requirements modified.

HF1174—Erickson (R)
Governmental Operations & Veterans Affairs Policy
Advisory committee expiration dates modified.

<p>HF1175—Otremba (DFL) Health & Human Services Policy Hearing instrument dispensers fee and reimbursement provisions modified and certain rule amendments required.</p>	<p>HF1185—Otremba (DFL) Education Finance Independent School District No. 213, Osakis, maximum effort capital loan principal amount reduced.</p>	<p>HF1196—Sertich (DFL) Jobs & Economic Development Finance Central Range Economic Development Initiative grant provided, bonds issued, and money appropriated.</p>	<p>HF1206—Nelson, P. (R) Transportation Policy Government agencies authorized to act as commercial driver training schools.</p>
<p>HF1176—Kuisle (R) Taxes Mileage restriction in the definition of qualified small city eliminated relating to tax increment financing.</p>	<p>HF1186—Kuisle (R) Commerce, Jobs & Economic Development Policy Average pay applied in determination of prevailing wage rate and workers for certain plants prevailing wage law exemption provided.</p>	<p>HF1197—Erickson (R) Civil Law Public employee city and county of residence information classified as private.</p>	<p>HF1207—Fuller (R) Higher Education Finance Higher education asset preservation provided, state bond sale authorized, and money appropriated.</p>
<p>HF1177—Otremba (DFL) Health & Human Services Policy Family planning special projects grants allocation modified and rulemaking required.</p>	<p>HF1187—Kuisle (R) Transportation Policy Highway construction interim pavement striping requirements removed from uniform traffic control manual.</p>	<p>HF1198—Anderson, B. (R) Taxes Monticello extension of time for certain activities in a tax increment financing district authorized.</p>	<p>HF1208—Abeler (R) Governmental Operations & Veterans Affairs Policy Racino; casino gambling at licensed pari-mutuel racetracks and licensed racetrack operation of casinos on licensed premises authorized, constitutional amendment proposed, and money appropriated.</p>
<p>HF1178—Johnson, S. (DFL) Judiciary Policy & Finance 911 access; cell phones for seniors program initiation by commissioner of administration required.</p>	<p>HF1188—Hilty (DFL) Commerce, Jobs & Economic Development Policy Corporation officers and directors required to consider other factors in addition to the interests of shareholders.</p>	<p>HF1199—Abrams (R) Taxes Cigarette transportation for sale regulated.</p>	<p>HF1209—Pugh (DFL) Taxes Homestead property tax computation procedure modified and money appropriated.</p>
<p>HF1179—Wagenius (DFL) Ways & Means Public information technology systems, licenses, and infrastructure public debt allowed and constitutional amendment proposed.</p>	<p>HF1189—Erhardt (R) Commerce, Jobs & Economic Development Policy Minors working as assistant soccer referees exempted from child labor minimum age restrictions.</p>	<p>HF1200—Lenczewski (DFL) Judiciary Policy & Finance DWI; alcohol concentration reduced to .08 for offenses of operating motor vehicles or watercraft, criminal vehicular homicide, hunting, handling explosives, or operating military vehicles.</p>	<p>HF1210—Thissen (DFL) Governmental Operations & Veterans Affairs Policy Reorganization of state government provided, governor's secretaries positions established, powers, duties, and agencies assigned, and implementation plan provided.</p>
<p>HF1180—Rukavina (DFL) Governmental Operations & Veterans Affairs Policy Giants Ridge recreation area card club authorized, and commissioner of public safety powers and duties provided.</p>	<p>HF1190—Hilty (DFL) Commerce, Jobs & Economic Development Policy Convenience store security measures required and penalties prescribed.</p>	<p>HF1201—Bradley (R) Health & Human Services Finance Medical assistance asset and alternative care expenditure recovery provided, alternative care lien established, funding source for certain activities and MinnesotaCare changed, and children's mental health screening required.</p>	<p>HF1211—Mullery (DFL) Taxes Health insurance premium expanded individual income tax deductions authorized.</p>
<p>HF1181—Rukavina (DFL) Transportation Policy Failure to move vehicle safely away from stopped emergency vehicle fine surcharge provided and modifications to Minnesota driver manual required.</p>	<p>HF1191—Bernardy (DFL) Civil Law National Night Out event location classified as public data.</p>	<p>HF1202—Ozment (R) Agriculture Policy Feedlot environmental review modified.</p>	<p>HF1212—Mullery (DFL) Environment & Natural Resources Policy Pollution Control Agency structure modified.</p>
<p>HF1182—Larson (DFL) Environment & Natural Resources Finance Fish and dark house fees modified.</p>	<p>HF1192—Westerberg (R) Transportation Finance Trunk highway funding provided, bonds issued, and money appropriated.</p>	<p>HF1203—Holberg (R) Commerce, Jobs & Economic Development Policy Liability insurance provision to long-term care providers by joint underwriting association required.</p>	<p>HF1213—Cox (R) Agriculture Policy Organic food procedures and requirements modified and federal law compliance provided.</p>
<p>HF1183—Osterman (R) Jobs & Economic Development Finance Biotechnology and health sciences industry tax-free zone establishment authorized, tax exemptions provided, and tax benefit repayment provided.</p>	<p>HF1193—Hilty (DFL) Environment & Natural Resources Policy Carlton County; Fond du Lac Band of Chippewa Indians provided first offer of tax forfeited land within the Fond du Lac Indian Reservation.</p>	<p>HF1204—Seifert (R) Transportation Policy Trunk Highway 23 from St. Cloud to I-90 designation as a high-priority interregional corridor and reconstruction as a multi-lane divided highway required.</p>	<p>HF1214—Nelson, P. (R) Transportation Policy Transportation Department provisions modified relating to state-aid highway and street status, recordkeeping, establishing new divisions within department, and other rulemaking.</p>
<p>HF1184—Osterman (R) Jobs & Economic Development Finance Minnesota employment center for people who are deaf or hard-of-hearing funding provided, and money appropriated.</p>	<p>HF1194—Cornish (R) Judiciary Policy & Finance Criminal and traffic offender surcharge increased and funds used to supplement law enforcement agency responsible for conviction.</p>	<p>HF1205—Nelson, P. (R) Environment & Natural Resources Finance Taylors Falls fire and rescue operations funding provided for support of Interstate Park, and money appropriated.</p>	<p>HF1215—Rhodes (R) Judiciary Policy & Finance Terrorist-targeted nonprofit community-based organizations applications for anti-terrorism equipment and training grants authorized.</p>
	<p>HF1195—Sertich (DFL) Local Government & Metropolitan Affairs Municipal certificates of indebtedness for public safety and road maintenance equipment terms allowed increased.</p>		

HF1216—Rhodes (R)
Transportation Policy
Driver's license and identification card applicant information transferred from Department of Public Safety to Selective Service System.

HF1217—Clark (DFL)
Judiciary Policy & Finance
DWI; aggressive initiative against impaired driving and chemical dependency provided, alcoholic beverage tax increased, technical corrections provided, and money appropriated.

HF1218—Swenson (R)
Agriculture Policy
Agricultural and rural development funding provided; certain programs, activities, practices, assessments, fees, and accounts established, regulated, or modified; and money appropriated.

HF1219—DeLaForest (R)
Transportation Policy
County exemption from permit requirements when reconstructing highway in existing right-of-way provided.

HF1220—Mullery (DFL)
Governmental Operations & Veterans Affairs Policy
Absentee ballot treatment provided following a vacancy in nomination because of death or catastrophic illness.

HF1221—Marquart (DFL)
Environment & Natural Resources Policy
Drainage projects special elections provided.

HF1222—Borrell (R)
Civil Law
School authorization to report certain alleged juvenile offenses to the juvenile justice system clarified.

HF1223—Howes (R)
Environment & Natural Resources Finance
Horseback riding trail user fee established and money appropriated.

HF1224—Meslow (R)
Governmental Operations & Veterans Affairs Policy
Volunteer firefighter retirement plan monthly benefit and monthly benefit/lump sum options support levels revised.

HF1225—Meslow (R)
Judiciary Policy & Finance
Prostitution offenses aggregation of prosecutions allowed.

HF1226—Meslow (R)
Judiciary Policy & Finance
Automobile theft prevention special revenue account fund usage expanded, structure of financial crimes task force and related policies modified, and sunset provision repealed.

HF1227—Meslow (R)
Education Finance
Student access to services that support academic success improved.

HF1228—Buesgens (R)
Local Government & Metropolitan Affairs
Staggered terms of Metropolitan Council members provided, and public meeting requirement to fill Metropolitan Council vacancies within 12 months of initial appointment eliminated.

HF1229—Smith (R)
Judiciary Policy & Finance
Criminal and traffic offenses reclassified, and statutory reporting and case processing standards removed.

HF1230—Kahn (DFL)
Regulated Industries
Public Utilities Commission authorized to order public utility to initiate emissions reduction rider process or to proceed with an approved emissions reduction rider.

HF1231—Entenza (DFL)
Education Finance
Health and safety program expanded to include school safety costs associated with student support services.

HF1232—Lenczewski (DFL)
Taxes
Bloomington fiscal disparities pool additional contribution obligation eliminated.

HF1233—Tingelstad (R)
Transportation Finance
Northstar commuter rail line funding provided, bonds issued, and money appropriated.

HF1234—Ruth (R)
Commerce, Jobs & Economic Development Policy
Cemetery interment errors corrections provided.

HF1235—Ellison (DFL)
Taxes
Lead paint removal property tax valuation exclusion provided.

HF1236—Nelson, M. (DFL)
Commerce, Jobs & Economic Development Policy
Employer misrepresentation of status of employees prohibited.

HF1237—Solberg (DFL)
Environment & Natural Resources Policy
Right to practice forestry act adopted.

HF1238—Solberg (DFL)
Transportation Policy
Seasonal highway zones authorized to allow operation of overweight vehicles on nine-ton roads in winter, and gross weights on vehicles hauling raw or unfinished farm or forest products regulated.

HF1239—Juhnke (DFL)
Transportation Policy
Centerline rumble strips required on certain highway projects.

HF1240—Magnus (R)
Regulated Industries
Wind energy eligible for incentive payments amount increased.

HF1241—Stang (R)
Governmental Operations & Veterans Affairs Policy
Early retirement incentives provided for teachers meeting certain conditions.

HF1242—Stang (R)
Higher Education Finance
State grants for higher education prohibited for summer academic terms.

HF1243—Jacobson (R)
Taxes
Estate tax abolished.

HF1244—Jacobson (R)
Governmental Operations & Veterans Affairs Policy
Lawful gambling clarifying and technical changes provided, definitions provided and modified, resale of certain equipment authorized, and conduct of high school raffles and social dice games clarified.

HF1245—Strachan (R)
Judiciary Policy & Finance
Indeterminate sentencing provided for certain convicted sex offenders and civil commitment prohibited.

HF1246—Seifert (R)
Education Policy
Teaching board authorized to grant annual waivers allowing licensed teachers in alternative schools to provide instruction in a content area outside their licensure.

HF1247—Greiling (DFL)
Education Finance
School building project B3 project guideline compliance required.

HF1248—Marquart (DFL)
Commerce, Jobs & Economic Development Policy
Prevailing wage requirements modified.

HF1249—Seifert (R)
Taxes
Special agricultural homestead annual certification county filing required.

HF1250—Dorn (DFL)
Taxes
Electric generation facility personal property tax exemption provided.

HF1251—Samuelson (R)
Health & Human Services Policy
Home care provider employees single background study authorized, licensed home care agencies excluded from supplemental nursing services law, and certain home care agencies exempted from state survey requirements.

HF1252—Gunther (R)
Jobs & Economic Development Finance
Barber Examiners Board fee provisions modified, and money appropriated.

HF1253—Brod (R)
Local Government & Metropolitan Affairs
Local government pay equity reports required to be filed with the commissioner of employee relations every five years.

Thursday, March 27

HF1254—Harder (R)
Regulated Industries
Biogas; qualified on-farm biogas recovery facility definition expanded for the renewable energy production incentive.

HF1255—Erhardt (R)
Transportation Finance
County state-aid highway fund apportionment provided, motor fuel tax increased to fund trunk highways, transportation sales tax authorized for certain counties, major local projects account created, bonds issued, and money appropriated.

HF1256—Atkins (DFL)
Taxes
College tuition income tax deduction provided.

HF1257—Swenson (R)
Environment & Natural Resources Policy
Drainage authority authorized to compensate landowners for bridge removal.

HF1258—Peterson (DFL)
Civil Law
Domestic violence victims' advocate privilege established.

HF1259—Ozment (R) Local Government & Metropolitan Affairs Board of Adjustment and Appeals decision appeal to the county board authorized.	HF1270—Carlson (DFL) Taxes Golden Valley tax increment financing district extension authorized.	HF1281—Hausman (DFL) Transportation Finance Central corridor transitway project between downtown Minneapolis and downtown St. Paul funding reauthorized, and money appropriated.	HF1291—Klinzing (R) Education Finance School districts required to direct at least 55 percent of their operating revenue directly to regular instruction.
HF1260—Seagren (R) Education Finance Online learning program established, student eligibility defined, online course revenue provided, district review and certification required, and money appropriated.	HF1271—Gunther (R) Health & Human Services Policy Lead; childhood lead poisoning act adopted.	HF1282—Lindgren (R) Agriculture Policy Wild rice labeling provisions modified.	HF1292—Seifert (R) Education Finance Severance pay limited for school superintendents leaving employment.
HF1261—Holberg (R) Transportation Policy Driver's license re-issued eight weeks after cancellation due to diabetes-related driving episode.	HF1272—Gunther (R) Commerce, Jobs & Economic Development Policy New plumbing installation inspection requirements established, and health commissioner allowed to charge fees to hire staff.	HF1283—Clark (DFL) Jobs & Economic Development Finance WomenVenture and the Metropolitan Economic Development Association grants provided, and money appropriated.	HF1293—Seifert (R) Governmental Operations & Veterans Affairs Policy Volunteer firefighter relief association deferred service pension interest crediting options modified.
HF1262—Clark (DFL) Health & Human Services Policy Medical care coverage required for pharmaceutical care.	HF1273—Meslow (R) State Government Finance Reverse auction procedures required for state purchasing.	HF1284—Mariani (DFL) Governmental Operations & Veterans Affairs Policy Capitol Area Architecture and Planning Board and designer selection board placed under the administrative control of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design.	HF1294—Seifert (R) Transportation Policy Transportation commissioner prohibited from requiring counties to lease or purchase mechanical shakers for testing aggregate material.
HF1263—Otremba (DFL) Environment & Natural Resources Policy Well testing model notice required, notice disseminated, and information posted on the Department of Health Web site.	HF1274—Lindgren (R) Ways & Means State spending increase limits provided by proposed constitutional amendment.	HF1285—Severson (R) Health & Human Services Policy Hospital needs study required for central Minnesota.	HF1295—Marquart (DFL) Education Finance Education excellence revenue established as a funding mechanism for rewarding education results.
HF1264—Klinzing (R) Environment & Natural Resources Policy School site pilot program established to provide schools with more local authority and flexibility.	HF1275—Clark (DFL) Health & Human Services Policy Pharmaceutical care demonstration project required.	HF1286—Westerberg (R) Transportation Finance Hazard elimination safety account created in the local road improvement fund, local bridge replacement and rehabilitation and local road improvement program bonds authorized, standards provided, and money appropriated.	HF1296—Kahn (DFL) Governmental Operations & Veterans Affairs Policy Casino; state lottery authorized to lease and operate a casino in the international airport, and money appropriated.
HF1265—Klinzing (R) Education Policy Student-teacher ratios clarified to include only teachers whose primary duty is to provide language arts, math, science, or social studies instruction.	HF1276—Jaros (DFL) Regulated Industries Duluth additional on-sale liquor license authorized.	HF1287—Mullery (DFL) Judiciary Policy & Finance Controlled substance sales crime offenders geographic restrictions policies established, increased sentences provided for repeat offenders in restricted areas, and criminal penalties imposed.	HF1297—Westerberg (R) Commerce, Jobs & Economic Development Policy Mandatory automobile insurance enforcement provisions modified.
HF1266—Sykora (R) Education Finance Learning scholarships established for students with disabilities.	HF1277—Hoppe (R) Taxes State spending increase limits provided, rebate of excess revenues provided, and money appropriated.	HF1288—Cox (R) Higher Education Finance Higher education assigned student responsibility modified.	HF1298—Carlson (DFL) Higher Education Finance Higher education state grant proration procedures modified.
HF1267—Brod (R) Regulated Industries Interest rates paid on consumer deposits by utilities modified.	HF1278—Lipman (R) Judiciary Policy & Finance Predatory offender registration law definitions provided, crime victim input allowed earlier in plea agreement process, child abuse victim video interview disclosure conditions imposed, and rape examination law clarified.	HF1289—Kelliher (DFL) Regulated Industries On-sale and off-sale liquor license municipal limits removed.	HF1299—Buesgens (R) Education Finance Education funding classroom focus provided, efficiencies in state government increased, and duplicative programs eliminated.
HF1268—Severson (R) Transportation Policy Vehicle light display when visibility is impaired provisions clarified.	HF1279—Solberg (DFL) Environment & Natural Resources Policy Itasca County tax-forfeited land sale authorized.	HF1290—Nornes (R) Health & Human Services Policy Hospital construction moratorium exception provided.	HF1300—Peterson (DFL) Education Finance Secondary schools qualifying for sparsity revenue or serving a defined large area revenue increased.
HF1269—Samuelson (R) Health & Human Services Finance Human services biennial information on asset diversion required, senior linkage line information expanded, excess home equity applied to long-term care costs, and income transfers prohibition extended.	HF1280—Mullery (DFL) Transportation Finance Minneapolis; Lowry bridge replacement funding provided, bonds issued, and money appropriated.		HF1301—Peterson (DFL) Education Finance Minnesota economic opportunity grants funding reinstated, and money appropriated.

MONDAY, March 31

12:30 PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: HF188 (Jaros) Minnesota State Colleges and Universities directed to adopt a policy requiring foreign language teaching students to study abroad, and University of Minnesota requested to adopt a similar policy.

HF742 (Wilkin) Legislative approval of certain student fees required.

HF999 (Olsen) Regent Advisory Council of the University of Minnesota membership expanded to include students.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF973 (Brod) Veterans Affairs Commissioner authorized to access taxpayer identification information to notify veterans of health hazards that might affect them.

HF1112 (Adolphson) Veterans Affairs Department authorized to access certain state databases to determine eligibility for the state soldiers assistance program.

HF912 (Kielkucki) State soldiers' assistance fund clarified limiting benefits to state residents.

HF1045 (Eastlund) Support obligations of certain persons called into active military service modified.

HF1099 (Kohls) State contribution for employee hospital, medical, and dental premiums limited.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Some bills may be added. Some bills may be withdrawn.

If additional time is needed, a session will be held 30 minutes after the floor session.

HF0029 (Bradley) Repeal of MinnesotaCare provider taxes; raise tax rates on cigarettes and tobacco.

HF1155 (Dempsey) Goodhue County existing ICF/MR licensing change authorized.

HF1044 (Brod) Health care professional boards costs and penalties relating to disciplinary proceedings clarified.

HF0865 (Powell) Psychology board independent examination of a practitioner required.

HF0866 (Powell) Psychologist emeritus registration provided.

HF0867 (Powell) Psychologist supervised practice provisions modified.

HF0868 (Powell) Psychology practice definition clarified.

HF0201 (Fuller) EMS registration provisions modified.

HF0528 (Fuller) EMS four-year contracts.

HF0436 (Holberg) Family planning grant funds use limited.

HF0279 (Abeler) Expanding authority of physician assistants.

HF0287 (Abeler) Regulating insurance coverage for communication aids or devices.

HF0346 (Abeler) Speech language pathology or audiology practice provisions.

HF0410 (Abeler) Alzheimer's Disease.

HF0551 (Abeler) Adult foster care license capacity expanded.

HF0632 (Abeler) Long-term care insurance availability and quality expanded, and legislative task force.

HF0662 (Abeler) Health coverage for handicapped children to require notice on termination.

HF0692 (Abeler) Pharmacists may administer flu and pneumococcal vaccine.

HF0774 (Abeler) Human Services Department background studies act adopted.

HF1127 (Abeler) Continuing care provisions modified.

3:00 PM

THE HOUSE MEETS IN SESSION

4:30 PM

Meeting Time Note: After session at the call of the chair

Ethics

Room: 400N State Office Building

Chair: Rep. Sondra Erickson

Agenda: Consider request to authorize subpoenas per Minn. Statutes 3.153.

Format of April 7 presentation and hearing.

5:00 PM

Meeting Time Note: One hour after session
Legislative Commission on Pensions and Retirement

Room: Basement Hearing Room

Chair: Rep. Mary Murphy, commission secretary

Agenda: Election of commission officers: chair, vice chair, and secretary.

HF520 (Smith); SF618 (Pogemiller) MFRA; Executive Secretary Maximum Salary Amount (House Omnibus Pension Bill Vehicle Bill).

HF656 (Lenczewski); SF190 (Betzold) Hennepin County Supplemental Plan; Hardship Distribution Request Approval Authority Change (Senate Omnibus Pension bill vehicle bill).

Other items as designated by the commission chair.

TUESDAY, April 1

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Bill(s) Added

Agenda: HF5 (Bradley) Prescription drug program established and money appropriated. HF15 (Mullery) MinnesotaCare eligibility requirements modified for persons with continuation coverage.

HF403 (Solberg) Itasca County nursing home facility construction bonds authorized.

HF901 (Thao) Medical assistance reimbursement rates for certain outpatient rehabilitation services increased.

HF924 (Huntley) Compulsive gambling prevention and education funding provided, and money appropriated.

HF956 (Magnus) Veterans homes fund usage clarified relating to wood shops. More bills may be added.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: Public Testimony on governor's budget proposal for Minnesota Pollution Control Agency, Department of Natural Resources, Office of Environmental Assistance, Board of Water and Soil Resources, Minnesota Zoo, and Science Museum.

Contact committee staff to be placed on agenda (651) 296-5994.

Education Policy

Room: Room 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF936 (Nelson) Special education pilot program established to exempt school districts from special education mandates beyond those required by federal law.

HF680 (Urdahl) Hearing required for the termination or nonrenewal of a licensed or unlicensed coach or assistant coach.

HF822 (Buesgens) Direct judicial review of district exclusion and expulsion decisions allowed.

HF1145 (Seagren) Crisis services coordinated with removal of certain students, district removal reporting provided, graduation rates of students with emotional or behavioral disturbance increased, and warning signs of mental illness required.

HF1246 (Seifert) Teaching board authorized to grant annual waivers allowing licensed teachers in alternative schools to provide instruction in a content area outside their licensure.

HF982 (Klinzing) Charter school students allowed to fully participate in extracurricular

activities of resident school districts.

HFXXXX (Klinzing) Authorizing school pilot sites for independent management with agreement of the school board.

HFXXXX (Seagren) credentialing of paraprofessionals defined; requiring display of teaching licenses

Other bills may be added.

Meeting will continue at 4:30 p.m. in the Basement Hearing Room.

Bills not completed or heard will be carried over to Wednesday.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: 2003 Road Needs Assessment Study (conclusion).

HF343 (Abeler) Used vehicle dealers sales to other dealers allowed and vehicle donation to individuals by licensed limited used vehicle dealers sales tax exemption provided.

HF986 (Zellers) Northwest busway connecting Minneapolis to Rogers funding provided, bonds issued, and money appropriated.

HFXXXX (Ruth) Trunk Highway 14 funding provided.

HF484 (Thissen) Bloomington and Richfield I-494 expansion provided, bonds issued, and money appropriated.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: HF1146 (Seagren) A bill for an act relating to education finance; authorizing a pilot project to demonstrate the effectiveness of a care and treatment facility operating a charter school. HF1109 (Krinkie) A bill for an act relating to education; modifying school board contracting for certain noninstructional services.

HF1088 (Eken) A bill for an act relating to education finance; creating a new component of general education aid to promote small school sustainability; eliminating alternative facilities aid; dedicating the growth in the statewide general property tax; appropriating money.

HF780 (Wardlow) A bill for an act relating to education; permitting school districts to pay insurance premiums for teachers on an extended leave of absence.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: HF175 (Davids) Caledonia public safety officer health insurance benefits reimbursed by the Department of Public Safety.

HF96 (Smith) Public safety officer health insurance benefit reimbursement policy modified, and specified claims reimbursed from available funds.

HF7 (Smith) Public safety officer death benefit paid to officer's estate if there is no eligible spouse or dependent.

HF784 (Powell) Emergency communications interference prohibited.

HF1066 (Zellers) State hazardous materials team provisions modified.

Other bills may be added.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Complete testimony on HF495

(Johnson, J.) Metropolitan fiscal disparities law abolished; and, HF514 (Lenczewski)

Metropolitan Revenue Distribution Act

abolished (30 minutes maximum total time).

Hearing:

HF646 (Buesgens) Racino; gaming machines provided, and horse racing purse payments established.

12:30 PM

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: HF643 (Kuisle) Department of Public Safety bill.

HF1071 (Seifert) Paved two-lane highway speed limits.

HFXXXX (Westerberg) Uninsured motorist.

Other bills will be added.

Please note Transportation Policy Committee hearing will be continued at 4:30 p.m. in room 200 State Office Building.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: HF1202 (Ozment) Feedlot environmental review modified.

HF1213 (Cox) Organic food procedures and requirements modified and federal law compliance provided.

HF1096 (Harder) Rural economic infrastructure opportunities expanded, and annual appropriation established for ethanol production and other rural infrastructure.

HF1282 (Lindgren) Wild rice labeling provisions modified.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF775 (Westrom) Radioactive waste management provisions modified, dry cask storage at Prairie Island authorized, commission approval required for additional storage capacity for spent nuclear fuel, and renewable energy source funding required.

HF1020 (Haas) Casino authorized operated by the state, revenue sharing with Native American governments provided, tax imposed, revenue use specified, on-sale liquor license authorized, bonds issued, and money appropriated.

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF894 (Pugh) Manufactured homes certificates of title provisions modified.

HF831 (Gunther) Unemployment insurance trust fund solvency provisions increased.

HF980 (Davids) Anti-skimming act adopted prohibiting use of electronic scanning devices to capture encoded information from a credit card.

HF1019 (Davids) Minnesota No-Fault Automobile Insurance Act applied to horse drawn vehicles and insurance requirements established.

HF996 (Wilkin) Automobile no-fault personal injury protection coverage modified, arbitration provisions changed, and insurance fraud reduced.

HF1005 (Westerberg) No-fault personal injury protection automobile coverage amended, health care provider prompt billing incentives provided, and insurance fraud reduced.

HF971 (Gerlach) Government-controlled or -owned insurance companies prohibited from transacting business.

HF984 (Swenson) Minnesota cooperative associations act adopted authorizing businesses to organize as cooperative associations.

*** PLEASE NOTE *** Tuesday, April 1 (Room 5, 4:30 p.m. - 12 midnight) *** The committee will meet during this time if the agenda from the normal committee time is not completed ***

2:30 PM

Meeting Time Note: Committee will begin meeting in Room 5, at 4:30 p.m., meeting will continue in room 300 N until 7:00 p.m., and then be continued in Room 10 from 7:00 p.m. until 12 midnight.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: 2:30 p.m. until 4:15 p.m. in Room 5:

HF671 (Gunther) Telephone company service promotions and packages regulated.

HF1115 (Hoppe) Telephone assistance plan provisions modified.

HF1027 (Hoppe) Emergency 911 telecommunications provisions modified governing fee submission procedures and audits.

HF 995 (Cox) Notice and plan requirements modified for excavating around utility facilities, emergency exception allowed, and damage report rules required.

4:30 p.m. until 7:00 p.m. in Room 300N:

HF794 (Gunther) Education telecommunications fund established, support provided to kindergarten

through grade 12 schools and public library telecommunications networks, access fee imposed, and money appropriated.
7:00 p.m. til Midnight in Room 10:
HF719 (Beard) Brewpubs authorized to make retail and wholesale sales, and municipal liquor license limit removed.
HF 979 (Beard) Alternative forms of regulation of telephone companies provisions modified.

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkle

Agenda: HF575 (Gerlach) Art expenditures in state-financed buildings limited.

Civil Law

*** Note: *** Change in meeting room

Room: 10 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF653 (Olsen) Postadoption services requirements modified to require release of nonidentifying history of birth family.

HF817 (Mahoney) Commissioner of health responsibilities eliminated relating to occupational safety and health, and certain penalty limits increased.

HF969 (Penas) Emergency food embargo authority provided to commissioner of agriculture in times of national security or peacetime emergency.

HF501 (Meslow) Travel clubs regulated.

HF754 (Osterman) Displaced person definition changed to correspond with federal law.

HF1001 (Boudreau) Adverse health care events reporting system established, certain health data classified, and money appropriated.

HF919 (Kielkucki) Nonprofit corporation residential treatment center, group home, and private child-placing agency liability regulated.
HF1135 (Lipman) Data classification provided for computer data, bid and proposal information, and certain burial site data.

HF1162 (Lipman) State lottery electronic transmission data classified.

HF906 (Holberg) Student survey notice requirements provided.

HF1032 (Slawik) Minnesota false claims act adopted.

Bills not heard will be carried over to the next meeting.

Meeting Time Note: The Local Government and Metropolitan Affairs Committee will recess at 4:15 p.m., and reconvene at 5:00 p.m. in Room 500 South if needed.

Local Government and Metropolitan Affairs
Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF883 (Wilkin) Metropolitan Airports Commission chair subjected to confirmation by the Senate, and members' terms of office clarified.
HF1228 (Buesgens) Staggered terms of Metropolitan Council members provided, and public meeting requirement to fill Metropolitan

Council vacancies within 12 months of initial appointment eliminated.

HF1042 (Wardlow) Metropolitan Sports Facilities Commission name changed to Minnesota sports and entertainment commission, and commission membership modified.

HF932 (Vandever) Property appraisal provided every five years.

HF800 (Hackbarth) Fireworks regulation provided, fees authorized, and local regulation limited.

HF30 (Lipman) Comprehensive planning local control re-established, Metropolitan Council review of local plans repealed, and conforming changes provided.

HF199 (Anderson, I.) Koochiching County authorized to establish a port authority, and local government units authorized to apply for foreign trade zone powers.

HF889 (Hilstrom) Metropolitan Council project local approval required for projects for which real property will be acquired by eminent domain.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF624 (Seifert) Local government impact notes provided for state agency rule proposals, and aggregate cost of compliance determined.

HF619 (Rhodes) Sports board gambling authorized.

HF734 (Kielkucki) Linked bingo gaming provided.

WEDNESDAY, April 2

8:15 AM

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: Bills may be added. Some bills may be withdrawn. Some bills may be carried over from Monday's hearing. If additional time is needed, this hearing will be continued 30 minutes after the floor session.

HF1095 (Bradley) Construction deadline extended for previously approved nursing home moratorium exception projects.

HF590 (Haas) Child-care assistance fraud prevention provisions.

HF1026 (Kohls) Medical Assistance capitated payment option on waived services, day training and habilitation, and Intermediate Care Facility services for mentally retarded.

HF727 (Wilkin) Health coverage proposed mandates evaluation provided.

HF1016 (Wilkin) Medicare supplement insurance regulated and state law conformity with minimum federal standards.

HF326 (Samuelson) Payments for dental loan forgiveness program; donated dental services

program.

HF491 (Samuelson) Nursing facility regulatory requirements and standards modified.

HF572 (Samuelson) Adult foster care license capacity expanded.

HF1139 (Samuelson) Human services technical changes provided, and long-term care report required.

HF1141 (Samuelson) Veterans homes statutory language updated and corrected.

HF1251 (Samuelson) Home care provider employees background check; home care exempt from survey requirements.

HF885 (Seifert) Food establishments exempted from equipment design or construction rules.

Environment and Natural Resources

Finance

*** Note: *** Change in meeting room

Room: 500N State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Education Policy

*** Note: *** Change in meeting room

Room: Room 5 State Office Building

Chair: Rep. Barb Sykora

Agenda: Continuation of Tuesday's agenda (if needed). Bills may be added. Meeting will continue at 4:30 p.m. in Room 5 (if needed). Bills not completed or heard will be carried over to Thursday.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF4 (Westerberg) Trunk highway improvement bonds issued, and money appropriated. ***Delete-everything amendment will be offered to insert the language of HF1192 (Westerberg) Highway bonds authorized and money appropriated.

HFXXXX (Beard) Transportation coalition funding proposal.

HF1255 (Erhardt) County state-aid highway fund apportionment provided, motor fuel tax increased to fund trunk highways, transportation sales tax authorized for certain counties, major local projects account created, bonds issued, and money appropriated.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: HF381 (Strachan) Corrections prohibition on double bunking inmates at custody level five and six institutions eliminated.

HF1157 (Rhodes) Final portion of felony commitments authorized to be served in local correctional facilities, and request issued for proposals to provide facilities for persons committed to the state.

HF1053 (Seifert) Double bunking in jails allowed and sheriffs and boards of county and regional

jails contracts with private prisons for care, custody, and rehabilitation of jail inmates authorized.
HF502 (Seifert) Prison privatization proposals requested, prison services contracting standards established, and report required.
HF1036 (Seifert) Inmate meal frequency provided, and desserts to inmates prohibited.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: HF1118 (Buesgens) A bill for an act relating to education finance; providing funding mechanisms for virtual schools.

HF202 (Olsen, S.) A bill for an act relating to education finance; expanding the referendum equalization aid program; eliminating alternative facilities aid.

HF1291 (Klinzing) A bill for an act relating to education finance; requiring school districts to direct at least 55 percent of their operating revenue directly to the classroom.

HF206 (Seagren) A bill for an act relating to education; repealing the January 15 contract deadline date and penalty.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Hearings on bills to be announced.

12:30 PM

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: HF399 (Kuisle) Special license plate authorization.

HF1007 (Erhardt) Highway 62 treatment as interstate system.

HF1214 (Nelson, P.) Repeals obsolete rules.

Other bills will added.

Governmental Operations and Veterans Affairs Policy

Room: Basement Hearing Room

Chair: Rep. Jim Rhodes

Agenda: HF1074 (Kielkucki) Casino authorized in the seven county metropolitan area by constitutional amendment, tax imposed, and money appropriated.

HF830 (Kahn) Sports wagering, pools, and bookmaking authorized under the state lottery; bookmaking tax imposed; and Minnesota active recreation fund established.

HF1244 (Jacobson) Lawful gambling clarifying and technical changes provided, definitions provided and modified, resale of certain

equipment authorized, and conduct of high school raffles and social dice games clarified.

HF943 (Rhodes) State finance practices and procedures modified, and state treasurer duties transferred to the commissioner of finance.

HF873 (Dorman) County records examination by private accountants authorized and state audit mandate by state auditor removed.

HF975 (Jacobson) Local government pay equity responsibilities transferred to the state auditor, and rulemaking and fees authorized.

HF1133 (Kielkucki) Political subdivision compensation limit exception duties transferred, and state auditor fee authorized.

HF1003 (Strachan) Political subdivision compensation limit exclusion provided.

HF1006 (Boudreau) Help America Vote Act conformity provided, complaint process created, and penalty imposed.

HF777 (Klinzing) Voting equipment grant account distribution modified.

HF1064 (Samuelson) State employee technical and housekeeping changes provided.

HF1111 (Krinkie) Administration Department references updated; threshold project amount for designer selection board approval increased; and building code language modified.

HF1024 (Kuisle) State contracting and state printing services provisions modified.

HF793 (Gerlach) Public employee salary and wage rate freeze instituted.

HF1152 (Haas) Health care assistance funds disbursement regulated under public safety officer benefits program.

HF283 (Vandever) Income tax checkoff provided to fund benefits for survivors of law enforcement officers and firefighters and to maintain peace officer and firefighter memorials.

HF1040 (Wilkin) Health care nonprofessionals classified as essential employees.

HF1035 (Strachan) DWI breath-testing instruments provisions modified.

HF772 (Swenson) Minnesota Agriculture Education Leadership Council expiration date eliminated.

HF230 (Abeler) Licensed professional counseling board established, license requirements provided, and money appropriated.

HF931 (Sykora) Public contracting requirements modified relating to labor organizations.

HF864 (Stang) Higher Education Services Office modified.

HF1145 (Seagren) Crisis services coordinated with removal of certain students, district removal reporting provided, graduation rates of students with emotional or behavioral disturbance increased, and warning signs of mental illness required.

HF785 (Buesgens) Metropolitan government provisions modified relating to reporting requirements, Metropolitan Parks and Open Space Commission abolished, and dischargers directly assessed wastewater treatment user fees. More may be added.

Agriculture Policy

Room: 5 State Office Building

Chair: Rep. Howard Swenson

Agenda: Continuation of the April 1 agenda plus additional bills to be announced.

Commerce, Jobs, and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF946 (Johnson, J.) Insurance guaranty association regulation provided.

HF 854 (Rhodes) Mechanical contractors bond requirement established and filing fee authorized.

HF1039 (Davids) Financial institution exam, applications, loans, and organizational provisions regulated, standard nonforfeiture law for individual deferred annuities revised, and obsolete rules repealed.

HF 851 (Stang) Motor vehicle sales and distribution regulated.

HF 896 (Johnson, J.) School conference and activity employment leave technical clarifications provided.

HF 1234 (Ruth) Cemetery interment errors corrections provided.

*** PLEASE NOTE ***Wednesday, April 2 (Room 300S, 4:30 - Midnight) ***The committee will meet during this time if the agenda from the normal committee time is not completed. ***

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: HF862 (Seifert) State grant eligibility for students attending private, for-profit higher education institutions eliminated.

HF1242 (Stang) State grants for higher education prohibited for summer academic terms.

2:30 PM

Meeting Time Note: Committee will begin meeting in Room 5, at 4:30 p.m. meeting will continue in room 300N until 7:00 p.m., and then be continued in room 10 from 7:00 p.m. until 12 Midnight.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: 2:30 p.m. until 4:15 p.m. in Room 5:

HF958 (Krinkie) Hydrogen energy economy goal declared, incentive payments for hydrogen production provided, hydrogen energy research and development supported, and fuel cell and motor vehicle excise tax exemption provided.

HF964 (Beard) Cleaner innovative energy sources permanent pilot program established; financial and regulatory incentives, eminent domain, and tax exemptions provided; and customer purchase of power supply services from pilot projects authorized.

4:30 p.m. until 7:00 p.m. in Room 300N: Continuation of agenda.

7:00 p.m. until midnight in Room 10:
Continuation of agenda.

State Government Finance
Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: To be announced

Meeting Time Note: The Local Government and Metropolitan Affairs Committee will recess at 4:15 p.m., and reconvene at 5:00 p.m. in Room 500 South if needed.

Local Government and Metropolitan Affairs
Room: 200 State Office Building
Chair: Rep. Jerry Dempsey

Agenda: HF561 (Gerlach) Tobacco sales to minors uniform mandatory penalties imposed, mitigating circumstances defined, and electronic age verification required.

HF473 (Olson, M.) Local government opt out procedures provided regarding certain state mandates.

HF929 (Brod) Metropolitan Mosquito Control District provisions modified to include the rest of Carver County, property tax levy base restored, per diems eliminated for commissioners, and other conforming changes provided.

HF1122 (Adolphson) Public notice and proceedings publication alternative methods provided.

HF1253 (Brod) Local government pay equity reports required to be filed with the commissioner of employee relations every five years.

HF389 (Hornstein) Minneapolis City Council authorized to establish unclassified service positions.

HF171 (Lenczewski) Casino; state-operated or state-licensed gambling facility prohibited in a city which has adopted a resolution of disapproval.

Civil Law

Room: 10 State Office Building
Chair: Rep. Mary Liz Holberg

Agenda: HF933 (Borrell) County local welfare agency reporting of at-risk newborns provided, and Hennepin County Mental Health Services data sharing authorized in certain circumstances.
HF1084 (Borrell) Federal contracts and agreements data classification provided.

HF852 (Lipman) Motor vehicle retail installment sales regulated.

Any bill not heard will be carried over to the next meeting.

Bills may be added to this schedule.

THURSDAY, April 3

8:15 AM

Education Policy

Room: Room 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: Continuation of Tuesday's agenda. Bills may be added.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: HF407 (Howes) Minnesota Conservation Corps transferred to the Friends of the Minnesota Conservation Corps, assets transferred, and money appropriated. Other bills may be added.

Health and Human Services Policy

Room: 10 State Office Building

Chair: Rep. Lynda Boudreau

Agenda: HF0961 (Smith) Human services program hearing procedures established.

HF1128 (Finstad) Human services state-operated services provisions modified.

HF1140 (Soderstrom) Nuclear materials regulation agreement under the Atomic Energy Act of 1954 requirements.

HF1148 (Wilkin) Health care providers qualified eligibility clearinghouses established to provide eligibility data.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Environment and Natural Resources Policy

Room: 5 State Office Building

Chair: Rep. Tom Hackbarth

Agenda: To be announced.

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: Hearings on bills to be announced.

12:30 PM

Agriculture and Rural Development Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: To be announced.

Commerce, Jobs, and Economic
Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: To be announced

FRIDAY, April 4

10:30 AM

Civil Law

Room: 10 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF444 (Swenson) Municipal contract judgment awarding of attorney fees authorized in certain cases.

HF1045 (Eastlund) Support obligations of certain persons called into active military service modified.

HF778 (Smith) Family law omnibus bill.

HF971 (Gerlach) Government-controlled or owned insurance companies prohibited from transacting business.

Additional bills will be added to this schedule.

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B-5 Capitol 296-6741

Emergency 296-2100

Continued from page 19

transportation and child care. The group receives and distributes donated cars to those in need, and provides low or no cost car repairs to individuals who qualify.

Cliff Korkowski, executive director of the group, testified that occasionally the group receives a vehicle, such as a four-wheel-drive pickup truck, that would be too expensive for typical recipients of the group's vehicles. In those cases, Korkowski said, the group would like to be able to sell that vehicle to a dealer and use the money to repair more economical vehicles.

The bill would allow such groups with a "limited use vehicle dealer" license to sell vehicles directly to dealers, rather than going through the auto auction process as they are required to do under current law. In a letter submitted to the committee, Korkowski suggested the dealer auctions are overloaded with vehicles, so direct sale to another dealer is a better option.

In addition, the bill would provide that any vehicle donated by a nonprofit to an individual be treated as vehicles given to others as gifts, and therefore be exempt from motor vehicle sales tax.

The bill's Senate companion (SF262), sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action in the Senate Finance Committee.

VETERANS



Preserving history

The House passed a bill March 24 that would designate Victory Memorial Drive as a historic district. The vote was 134-0.

Bordering Minneapolis and Robbinsdale, the drive established in 1921 is one of the longest World War I memorials in the country stretching approximately three miles.

Originally, 568 elm trees were planted in straight military style rows in memory of the fallen soldiers from Hennepin County. In 1928, a marker was placed in front of each tree with the name, rank, and company of a soldier. Dutch Elm disease forced some trees to be cut down and replanted.

The bill (HF456) allows the drive to be eligible for historic preservation grants by designating it an historic district. Rep. Joe Mullery (DFL-Mpls), the bill's sponsor, said the grant monies would help with the cost of maintenance.

The bill now moves to the Senate, where it is sponsored by Sen. Linda Higgins (DFL-Mpls).

Reflections

Nebraska — being the first, and presently the only, state to function with a unicameral legislature — was not the first state to elect its members without party designation. That honor goes to Minnesota, which in 1913, became the first state to have its legislators' names placed on the ballot with a nonpartisan label.

Nebraska's legislature did not vote to have nonpolitical party affiliation until it reorganized in 1934 and became a one-body system.

Minnesota's nonpartisan Legislature, which lasted until 1973 in the House and 1975 in the Senate, evolved from a movement to reform government, both statewide and nationally.

As Republican and Democratic lawmakers with progressive viewpoints went into the state's 1913 session, their ideologies of whether the state or counties should be alcohol wet or dry complicated the process of making laws. The issue went beyond party lines as, in addition to being called by their party affiliation, all lawmakers came to be known by their beliefs as "wets" or "drys." Drys were in the majority, as well as the Republicans who controlled the House and Senate in the Legislature, the executive branch and the judicial branch.

The plan to eliminate party designation began in 1912 when Sen. Julius E. Haycraft, a progressive Republican, introduced a bill to extend that year's nonpartisan primaries law to include judges, and all city and county officers.

Sen. A. J. Rockne, a conservative Republican, opposed the bill by arguing that political parties were necessary to the democratic system of American government. Rockne believed he could kill the bill — with assurance from House Speaker Henry Rines — by having it die in the House Elections Committee with an amendment attached that would add legislators to the list of nonpartisan county officials.

Haycraft opposed the amendment and got assurance from Speaker Rines that the bill would not pass the House or go to conference committee if the bill included legislators. With general knowledge that the amended bill would die in the House Elections Committee, the bill passed the Senate 53-8.

However, the elections committee removed the provision for legislators and city officials.

But progressives and lobbyists for the liquor and beer industry seized the opportunity by convincing the drys, which were mostly Republicans in the majority, to vote in favor of the bill. The bill reached the House floor with the exclusion of county officials and state lawmakers, but those positions were restored to the list by an amendment on the House floor, before the bill was passed by that body.

Only after Haycraft reported that he was still opposed, but would go along with the majority did it pass out of the subsequent conference committee.

When it again reached the floor in the House, member attendance was light and it could have failed with no absolute majority available. With much parliamentary maneuvering, a motion to reconsider was passed. Although the drys tried unsuccessfully to adjourn when the bill was once again presented, it passed on a vote that split within the ranks of wets and drys. The Senate subsequently adopted the report.

In the final analysis, C.J. Buell, a writer and prohibitionist said, "It is to be hoped that the time is near when (public officials) will be chosen ... upon their honesty and fitness instead of national issues that have no relation to state and local affairs."

— LECLAIR GRIER LAMBERT

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MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Talkin' baseball

Year the Minnesota Twins franchise began as the Washington Senators	1901
Year the team moved to Minnesota	1961
Twins record on opening day	20-22
Times the Twins and Detroit Tigers have met on opening day, including this year	6
Attendance at Metrodome in 2002	1,924,354
In 2001	1,782,926
Number of Twins to be named American League Most Valuable Player	3
Cy Young Award winners	2
Rookies of the Year	5
Number of uniform numbers the team has retired, including Jackie Robinson's	6
Rod Carew's batting average in 1977388
Last year the Twins played in Metropolitan Stadium	1981
Distance, in feet, of Harmon Killebrew's home run on June 3, 1967 at Metropolitan Stadium	520
Career record of Twins television analyst Bert Blyleven	287-250
Record as a Twin	149-138
Terry Felton's career record as a Twin (1979-82)	0-16
Consecutive road losses in the World Series by the Senators/Twins franchise	14
Last year they won a road World Series game	1925
Team record for consecutive wins against an opponent (Boston 1965-66)	17
Air miles the Twins were scheduled to fly in 2002	26,581
Amount the team spent lobbying the State Legislature in fiscal year 2002	\$826,489
Year the Minneapolis Millerettes played in the All-American Girls Professional Baseball League	1944
First year of the Minneapolis Millers	1884
Final year	1960
Members of the Baseball Hall of Fame who were with the Millers at one time	17
Batting average of Willie Mays during 35 games with the Millers in 1951477
Year of St. Paul's first entry in the Western League	1884
First year of the current St. Paul Saints	1993
Year the St. Paul Gophers defeated the Chicago Leland Giants for the unofficial championship of Negro baseball	1909
Number of NCAA championships won by the Minnesota Gophers	3
Year of the last title	1964

Sources: Minnesota Twins 2002 Record and Information Book; www.twinsbaseball.com;
www.spsaints.com; www.stewthornley.com; *Lobbying Disbursement Summary July 2001 to June
2002*, State of Minnesota Campaign Finance and Public Disclosure Board; *Official 2003 Baseball
& Softball Record Records*, National Collegiate Athletic Association.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

APRIL 4, 2003

VOLUME 20, NUMBER 13



In this issue:

RAISING CIGARETTE TAXES

NEWEST HOUSE MEMBERS, AND MORE

HF1302-HF1468

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Thomas A. Roman, a professional engineer with ElectroSoft Engineering Inc., makes his way up the front steps of the State Office Building on a windy and rainy April 3 to visit with his legislators about issues that affect Minnesota's engineers.

— Photo by Tom Olmscheid

An extra buck a pack

Plan to raise the state tax on cigarettes and other tobacco products clears one House committee

By Jeff Jones

Legislation featuring the words “tax in crease” can expect a cool reception from many lawmakers this session, but on March 31 one such bill gained a warm, bipartisan endorsement from a House committee.

Starting July 1, purchasing a pack of cigarettes in Minnesota would become \$1 more expensive if HF29 becomes law. On that same day, the cost of medical care would go down 1.5 percent because of the elimination of a state tax on medical providers.

That tradeoff, according to the bill’s sponsor, Rep. Fran Bradley (R-Rochester), means the proposed legislation amounts to a revenue shift rather than an outright tax hike and wouldn’t run afoul of Gov. Tim Pawlenty’s pledge not to raise taxes. House Speaker Rep. Steve Sviggum (R-Kenyon) said he supports the legislation as long as it produces a true dollar-for-dollar offset.

The bill gained compliments and approval from House Health and Human Services Policy Committee members and will next go to the House Health and Human Services Finance Committee, which Bradley chairs, for evaluation of its fiscal impact.

Under the bill, the tax on a pack of cigarettes would go from 48 cents to \$1.48, and taxes on other tobacco products would rise by the same proportion. If passed, Minnesota would have one of the highest tobacco taxes in the nation.

Previous proposals to eliminate the provider tax would have used money from the state’s general fund surpluses or tobacco settlement fund to make up for lost revenues, but the projected budget shortfall forced supporters to get creative.

Bradley said a cigarette tax is an appropriate alternative given Pawlenty’s proposal to drain the tobacco endowment to help balance the budget. “It gives us an alternative which quite frankly...is superior to anything else we’ve managed to do in terms of reducing the incidence (of smoking), particularly among young people,” Bradley said.

Jeremy Hanson, advocacy director for the



PHOTO BY ANDREW VON BANK

Jeremy Hanson, from the Minnesota Smoke-Free Coalition, testifies before the House Health and Human Services Policy Committee March 31 in support of a bill that would raise tax rates on cigarettes and tobacco.

Minnesota Smoke-Free Coalition, said the proposal would reduce teen smoking by about 63,000, or more than 18 percent, and ultimately saving the state \$1 billion in medical costs associated with tobacco-related ailments. Adult smoking rates would also go down an estimated 5.7 percent, lawmakers were told.

Both aspects of the bill have the support of medical organizations. Dr. Gary Hanovich, president of the Minnesota Medical Association, said tobacco use is the single most preventable cause of death in the country. “We physicians see the disease caused by tobacco use daily and we hate it,” he said. “The data is clear: Increasing the tobacco tax decreases tobacco use and saves lives.”

William Moyers, vice president for external affairs at the Hazelden Foundation, an addiction treatment and recovery center, said his organization would save more than \$500,000 annually if the state eliminates the health care provider tax. “We believe in helping people who cannot help themselves,” he said, “but we are convinced that taxing the sick is not the answer.”

Provider taxes accounted for 1.4 percent of the state’s budget in 2002, according to the nonpartisan House Fiscal Analysis Department, and are primarily assessed on health care providers, including hospitals, physicians, dentists, psychologists, and others. Money collected from the tax goes into the state’s Health Care Access Fund, which finances the MinnesotaCare subsidized health insurance program for low- and moderate-income families and individuals. The current tax rate is 1.5 percent of a provider’s gross expenditures, and is scheduled to jump to 2 percent in January 2004.

Bradley told committee members about \$260 million in revenue is shifting from one tax to the other.

However, the fundamental difference between the two taxes — their potential for growth — may change the zero-sum game relatively quickly. While taxing tobacco is, by design, aimed at decreasing smoking in the state, it may ultimately result in lower revenues from the tax. The health care provider tax, in contrast, is appealing because the income it generates grows consistently as health care costs rise. The sharp increase in costs in recent years has made the tax all the more lucrative for the state.

Bradley said that’s why it has been so difficult to repeal. “The provider tax is a really sweet tax if you just look at revenue,” he said. “It will automatically increase at 10 percent a year. And if you like to expand government programs and do more stuff, it fits.”

Beyond the revenue, however, provider tax opponents call it bad public policy because it augments already skyrocketing health care costs. While it’s assessed on health care providers rather than patients themselves, the cost is usually just passed through to insurance providers and consumers, and state law specifically allows them to do so. Language in the bill would require providers to similarly pass along the savings they receive from elimination of the tax.

“It’s going to reduce the cost of care by



2 percent," said Rep. Thomas Huntley (DFL-Duluth), who co-sponsors the bill. "That's not a big amount, but if you have a 15 percent increase in your premium, 13 percent is better."

Huntley and other supporters said the provider tax is also one of the most regressive in the state, disproportionately affecting low-income Minnesotans who can least afford higher medical costs.


Critics argue the tobacco tax is the state's most regressive because low-income individuals are much more likely to smoke than more affluent individuals. The Minnesota Medical Association's Hanovich agrees, but said the costs of tobacco use are even more regressive.

"Low-income individuals do smoke at higher than average rates, but they also become ill and die at higher rates from the diseases of tobacco use," he said. "I would hope that all of you would be more concerned about the regressive nature of tobacco-related death and illness than the regressive nature of tobacco taxes."

Like the provider tax, money generated by a tobacco tax would go into the dedicated Health Care Access Fund, under the proposed legislation. If that fund were eliminated, as the governor proposes in his budget plan, the money would go directly into the state's general fund.

MinnesotaCare would also change under the governor's plan, which proposes combining it with the General Assistance Medical Care program and decreasing participation by tightening eligibility requirements.

With all the proposed changes, Bradley said tobacco tax income would be sufficient to cover MinnesotaCare costs for the next three or four years. "I'm confident that the will of the Legislature will continue to be there to protect MinnesotaCare," he said. "I think we're going to see a more sensible organization of all our health plans."

Bradley also challenged Senate lawmakers to examine a Senate companion bill (SF114), sponsored by Sen. Sheila Kiscaden (IP-Rochester), which currently awaits a committee hearing. 

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High places

1931 case brought Minnesota's first Supreme Court justice back to his roots

He's probably not the first Minnesotan on the nation's high court that comes to mind, but Pierce Butler was indeed the first from the state to serve as an associate justice on the U.S. Supreme Court.

But he left indelible marks on the court's history. And about halfway through his tenure, he got the opportunity to rule on a legal matter from home.

Butler was born in 1866 in Dakota County. He attended Carleton College and went on to serve as Ramsey County attorney in the late 1890s. He made one unsuccessful run at the Legislature in 1906. Instead, he served 18 years on the University of Minnesota Board of Regents.

For most of his career, Butler was a corporate attorney, representing some of the nation's largest railroads. Even after he was appointed, as a Democrat, to the high court by President Warren Harding, a Republican, Butler showed his conservatism by opposing government regulation of business and labor.

He became known as one of the "Four Horsemen" on the Supreme Court, who opposed the constitutionality of nearly every New Deal initiative that came before it.

However, he sided with a state regulation in relation to a 1925 Minnesota law that regulated certain publications.

According to the Supreme Court Historical Society, while the court was deciding a 1925 case where a New York law prohibiting anarchy tripped up a pamphleteer and his First Amendment rights, Minnesota was passing a law that would throw it right into the same stew. Though the pamphleteer's conviction was upheld, the court acknowledged for the first time that First Amendment rights must also be upheld by states under the 14th Amendment.

In 1925, the Minnesota Legislature passed a law that said the publication of certain newspapers constituted a nuisance. In particular, two Minneapolis scandal sheets were believed to gain their livelihood from blackmailing subjects of their reporting. Said historian Theodore Christianson, "In order

to put them out of business, the Legislature in 1925 passed a law giving the courts power to suppress them from injunction."

Hennepin County Attorney Floyd B. Olson, who would later become the state's first farmer-labor governor, brought the first court action related to the law, and drew the attention of a number of other newspapers around the country, who feared the potentially far-reaching implications of the law.

The case was appealed all the way to the Supreme Court, which declared some of

the provisions of the Minnesota law unconstitutional on June 1, 1931. Butler was one of four dissenters, and he objected to the ruling, saying that the state had an interest in curtailing the nuisances such scandal sheets presented.

Said Butler, It "exposes the peace and good order of every community and the business and private affairs of every individual to the constant and protracted false and malicious assault

of any insolvent publisher who may have purpose and sufficient capacity to contrive and put into effect a scheme or program of oppression, blackmail, or extortion."

Though the court saw fit to rule on the case, the Legislature had already seen the writing on the wall and repealed the law, Christianson wrote, acting upon the recommendation of Olson, governor at that point.

Butler continued to serve on the court until his death in November 1939. His later years were marked by dissent, as he dealt with the attempts by President Franklin Roosevelt to pack the court with younger, more liberal justices. According to a history published by the state bar association, though the "packing" plan did not succeed, it prompted a sentiment to grant more broad powers of regulation to state and local governments. This prompted Butler's dissent in 73 cases during his last three years on the court.

(M. KIBIGER)



The Honorable Pierce Butler, Associate Justice, United States Supreme Court in 1935.

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Disease protection

An elk breeder questioned a proposed funding method that would expand the state's effort to control chronic wasting disease in testimony March 27 before the House Agriculture and Rural Development Finance Committee.

The committee approved a bill (HF649), sponsored by Rep. Howard Swenson (R-Nicollet), that would require owners of deer and elk farms to register their herds with the state's Board of Animal Health, provide an annual inventory, meet state requirements for fencing their herds, and submit brain samples of deceased animals for testing. The bill was referred to the House Environment and Natural Resources Finance Committee.

According to the Board of Animal Health, there are an estimated 12,000 captive deer and elk in the state.

The Pawlenty Administration is proposing that the owners of captive deer and elk herds pay an annual inspection fee of \$200 plus \$4 for each animal in the herd.

The state general fund is expected to provide two-thirds of an estimated \$600,000 needed by the Board of Animal Health to annually enforce the chronic wasting disease surveillance program statewide. The remaining \$200,000 would come from the proposed fee. The proposed funding method is not part of HF649, but is expected to be part of an omnibus finance bill the committee will consider.

The elk industry is being "singled out" to provide a substantial portion of the disease control program's funding, even though the program would benefit other agricultural producers, too, said Don Olson of Windom, treasurer of the Minnesota Elk Breeders Association. The 322 member farms in the group average herds of 49 animals each, he said.

Olson said small farmers could potentially be driven out of elk breeding by the expense of the disease control program exceeding the price they could get for their animals. Since the onset of the disease among deer in Wisconsin during the winter of 2002, the market for elk meat has been severely damaged, Olson said.

Deer and elk are part of the cervidae family susceptible to the fatal progressive brain disease caused by an abnormal protein. The state's first cases of the disease were found last summer in two farm elk, part of herds near Aitkin and Sauk Centre.

A companion bill (SF548), sponsored by Sen. Steve Dille (R-Dassel), has been approved

by two Senate committees and awaits action in the Senate Finance Committee.

Review exemption

Feedlots licensed for less than 1,000 animal units would be exempt from environmental review, under a bill approved April 1 by the House Agriculture Policy Committee.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF1202 would amend state law by removing feedlots between 300 and 1,000 animal units from discretionary environmental review by a county government or requested through a citizen petition.

The bill would "provide a little more efficiency in government," said Ozment. He said feedlot operators must meet state environmental standards when applying for a feedlot permit. The permit process is handled at the local level by county governments and is administered by the state Environmental Quality Board.

Tina Rosenstein, director of environmental



Richard Draper of New Richland testifies before the House Agriculture Policy Committee April 1 against a bill that would modify the feedlot environmental review process.

services for Nicollet County, said the bill would relieve county feedlot officers of additional paperwork and time spent on citizen-initiated reviews. "The environmental review doesn't add to the process," she said.

Feedlots are large confined land areas with buildings and manure drainage basins for breeding and raising agricultural livestock. A 1,000 animal unit feedlot, for example, would have 300 sows. There are more than 25,000 poultry, swine, or cattle feedlots in the state.

Opponents of the bill said it would take away residents' rights to question proposed feedlot locations and monitor their environmental compliance. Feedlots with more than 1,000 animal units are required to undergo a state environmental review. Those with fewer than 300 animal units are exempt from review.

"We believe environmental review is one of the bedrock statutes for determining information for the public and local decision makers," said Don Arnosti, policy coordinator for the Minnesota Environmental Partnership. He said the bill would "tie the hands" of county and township officials regarding their ability to question proposed feedlots of fewer than 1,000 animal units.

Representatives for the Minnesota Farm Bureau and livestock organizations expressed support for the bill.

"Opponents of this change have tried to portray farmers as degrading the environment," said Al Christopherson, president of the Minnesota Farm Bureau Federation. "Whether we like it or not, farming has changed and will continue to change."

Conversely, Deb Peterson of Canby, a member of Land Stewardship, said citizen petitions for an environmental action worksheet are needed to assure feedlot operators meet state regulations. A proposed 3,000-hog feedlot near her farm in Lac Qui Parle County is "a more environmentally sound project," she said, after neighbors discovered valid concerns by initiating an environmental review. "Government officials did not protect the environment," she said. "It was the citizens."

The bill was referred to the House Environment and Natural Resources Policy Committee. A companion bill (SF1281), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Agriculture, General Legislation, and Veterans Affairs Committee.

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

Ethanol payments

The House Agriculture Policy Committee approved a bill April 1 that would provide \$35 million for ethanol producer payments, virtually the same amount Gov. Tim Pawlenty has proposed to cut from the program in his 2004-05 biennium budget.

Sponsored by Rep. Elaine Harder (R-Jackson), HF1096 would add what she described as "catch-up" payments for ethanol producer subsidies cut by the governor for fiscal year 2003 and would allow future state money for ethanol production to be spent on "rural economic infrastructure" projects like biodiesel and other renewable fuels.

The bill was referred to the House Agriculture and Rural Development Finance Committee, which Harder chairs.

Harder said the bill would allow the state "to keep its commitment" to ethanol through a proposed annual appropriation and create a pool of funds for "value-added agricultural programs on the horizon."

The state's ethanol producer payments began in 1986. The governor's proposal would continue to fund the program at 10 cents per gallon of ethanol produced, a 50 percent cut from the current rate. The bill would continue to base payments on the 20 cents per gallon rate, with a maximum payment of \$3 million in a fiscal year to a producer.

Jim Boerboom, Agriculture Department assistant commissioner, said the bill was "a good concept." However, he said the department was concerned with the bill restoring payments at 20 cents per gallon, which would be a 1 cent per gallon increase from legislation passed in 2002. The bill "exceeds the governor's recommendation by \$32 million for the biennium," Boerboom said.

Representatives from the ethanol industry and crop growers groups testified in support of the bill.

"For three years farmers put money into ethanol plants and didn't get one thing out of them," said James Simonson, of Pro-Corn, an ethanol plant in Preston. "Please remember the farmer."

The bill has no Senate companion.

Organic promotion

A bill providing for increased state promotion of organic agriculture was approved April 1 by the House Agriculture Policy Committee.

Sponsored by Rep. Ray Cox (R-Northfield), HF1213 would amend state law to define organic production in compliance with federal regulations and create an organic advisory task force to advise the agriculture commissioner on improving organic agriculture, including the marketing of products.

Federal law passed in the early 1990s has

made it possible for states to adopt a single, uniform, national organic food law, according to an analysis of the bill provided by the nonpartisan House Research Department.

That law defines organic production to mean a production system that responds to "site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance and conserve biodiversity."

The bill would also allow the agriculture commissioner to appoint a 14-member task force that would include organic farmers, food wholesalers and retailers, an organic consumer representative, and a representative of an organic food certification agency.

That group would meet twice a year and advise the Agriculture Department on "expanding, improving, and developing production and marketing of the organic products of Minnesota agriculture." The task force would expire on June 30, 2005.

The bill would also allow the agriculture commissioner to spend state and federal funds to assist producers to meet organic certification, conduct education and marketing activities, and address "production or marketing obstacles to the growth and well-being of the industry."

The committee voted to include the bill in an omnibus agriculture policy bill. A companion bill (SF990), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits further action in the Senate Agriculture, General Legislation, and Veterans Affairs Committee.

Farmland easements

A conservation program that retires environmentally sensitive farmland was criticized by several agriculture organizations March 27 during a hearing before the House Agriculture and Rural Development Finance Committee.

Representatives of the Minnesota Farm Bureau Federation, as well as soybean growers and wheat growers associations, opposed using permanent easements to idle farmland in floodplains, wetland areas, and along rivers.

They found allies in the state Agriculture Department and the U.S. Department of Agriculture's Farm Service Agency. The federal Agriculture Department oversees the Conservation Reserve Enhancement Program, which is a partnership with state and local governments. In Minnesota, the program is administered by the state Board of Water and Soil Resources.

The Minnesota River Watershed project, which has idled approximately 100,500 acres of farmland since 1998, was the second conservation reserve enhancement project funded in the United States under the federal agricultural improvement and reform law.

As part of the project, landowners are paid to voluntarily idle farmland.

Higher payments to farmers for permanent easements, versus time defined easement options, "drives the decision rather than resource needs," said Perry Aasness, state Agriculture Department assistant commissioner.

A permanent easement brought a price of \$600 per acre in the Minnesota River project, \$150 more than the 35-year easement option, according to the federal farm service agency's Minnesota office. The vast majority of easement contracts were permanent.

Such decisions, "assume that we stand at the cornerstone of truth for future generations," said John Monson, state director of the Farm Service Agency. The agency's state committee is recommending that future conservation projects eliminate permanent easements, he said.

Wayne Edgerton, agriculture policy director for the state Department of Natural Resources, testified in favor of keeping permanent easements as an option. "Farmers decide if these programs make sense to them," said Edgerton, who also serves on the board of directors of the water and soil resources agency.

Conservation projects are proposed in southeast Minnesota, and the Red River valley in the state's northwest region. A 20 percent state funding share is required by federal law. For the Minnesota River project, that share has been provided through the Reinvestment in Minnesota bonding program.

"Large sections of productive farmland that was marginally environmentally-sensitive has been placed under perpetual easements," said Marc Stevens, president of the Chippewa County Farm Bureau. Approximately 7,800 acres of Chippewa County farmland in the Minnesota River basin was idled in the conservation program. "We strongly oppose perpetual conservation easements," Stevens said.

The committee took no action regarding the program.

ARTS



Dollars for art

A plan to cap the amount allocated for art in state buildings at 1 percent of the construction budget or \$100,000, whichever is less, was approved April 1 by the House Capital Investment Committee.

"Some expenses are getting extremely large," said Rep. Chris Gerlach (R-Apple Valley), sponsor of HF575.

For example, he said for a \$60 million lab to be built for the departments of Agriculture and Health up to \$600,000 could be spent on



Robert Booker, executive director of the Minnesota State Arts Board, tells members of the House Capital Investment Committee April 1 that it would be difficult for his board to administer the Minnesota Percent for Art in Public Places program if administrative fees were reduced from 17 percent to 5 percent.

art under current legislation. Committee members agreed that it was too much.

The Minnesota Percent for Art in Public Places program was established in 1984. It allows for the state to appropriate 1 percent of the cost of a state building or renovation to be allocated for art. Robert Booker, executive director of the Minnesota State Arts Board, said that "no art works are placed in private areas" that taxpayer money goes to support.

Gerlach was also concerned with the amount of appropriations spent on administrative costs, which have averaged about 17 percent annually since the program's inception.

Acknowledging the process could be streamlined along with other state agencies dealing with budget cuts, Booker said they're "willing to toe the line and do the same."

HF575 requires the program, administered by the arts board and Administration Department, to spend no more than 5 percent on administrative costs. Rep. Loren Solberg (DFL-Grand Rapids) offered a successful amendment to change the number to 10 percent.

Booker responded the program could continue to still operate at an established 10 percent, but at 5 percent it would be extremely difficult, if not impossible.

Solberg also tried to change the capped amount to \$150,000. The amendment failed.

A spreadsheet distributed to committee members showed a large number of the projects over the 20-year program were under \$100,000, Gerlach pointed out.

Rep. Margaret Anderson Kelliher (DFL-Mpls) said some buildings might call for more expensive artwork because of their architecture. She gave the example of the Minnesota History Center, which used a total of \$389,968 on art.

Gerlach responded the program could have some exceptions, and might result in "reexamined policy" with adjustments made in the future.

The bill now goes to the House Ways and Means Committee. A Senate companion (SF910), sponsored by Sen. Claire Robling (R-Jordan), awaits committee action.

★ BUSINESS

Tobacco penalties

A bill replacing the rights of cities to set their own fines for tobacco sales violations with state-mandated penalties was amended on a narrow vote April 2.

Sponsored by Rep. Chris Gerlach (R-Apple Valley), HF561 was amended on a 9-7 vote by the House Local Government and Metropolitan Affairs Committee.

Under the amendment, businesses licensed to sell tobacco would be fined up to \$500 for a first violation of the law that prohibits the sale of tobacco products to a person younger than 18. The second violation within 24 months would bring a fine of up to \$1,000; the third violation, a fine of up to \$5,000. Subsequent violations within 24 months would bring a mandatory \$5,000 fine and the possibility of a license suspension lasting no more than seven days.

The original bill would have imposed a \$75 fine for the first violation, a maximum of \$200 for the second violation, and either a \$500 fine or a license suspension of up to seven days for a third violation.

Current law allows each city to exceed current state-mandated minimum fines to businesses and clerks. Also left to local control is the number of days a business's tobacco license may be suspended, if a suspension is applied.

Some cities have imposed fines and license suspension periods so extreme that businesses have lost substantial income, and in some cases

have had to close, Gerlach said.

But public health officials and local government representatives say that allowing cities to set stiffer penalties leads to greater diligence on the part of clerks checking cigarette purchasers' identifications, and therefore decreases teen smoking.

HF561 now moves to the House Civil Law Committee.

A Senate companion bill (SF992), sponsored by Sen. David Knutson (R-Burnsville), awaits action by the Senate Commerce and Utilities Committee.

★ CONSUMERS

Stop skimming

Credit card users would be protected from the unlawful practice of skimming, a form of credit card theft, under a bill approved April 1.

An emerging type of consumer fraud, credit card skimming, occurs when an employee of a store or restaurant processes the customer's card through an electronic device, known as a skimmer, that records the card number. The number is then used illegally for purchases, either over the phone or Internet. In some cases the number is transferred to a blank card, which is then used as if it were a legitimate credit card.

The bill would make illegal the fraudulent use of skimmers, usually small, hand-held devices that can be concealed, and re-encoding devices, used to make fake credit cards.

It also lays out a penalty of up to 90 days in jail or a fine of up to \$1,000 if no money is lost. If money is lost, then the fraud is treated as a theft and punishable according to the amount of money involved.

The House Commerce, Jobs, and Economic Development Policy Committee approved HF980, sponsored by Rep. Greg Davids (R-Preston), and forwarded it to the House Civil Law Committee.

A Senate companion bill (SF969), sponsored by Sen. Ann Rest (DFL-New Hope), was approved March 31 by the Senate Crime Prevention and Public Safety Committee and forwarded to the Senate Finance Committee.

Mortgage employees

Independently owned mortgage companies required to be licensed by state law would now have to register their residential mortgage lending and brokering employees, under a bill approved March 27.

Those employees would also be required to

undergo criminal background checks for determination of any felony convictions, as well as take 30 hours of continuing education during a two-year period. The education must be "relevant and useful" to residential mortgage origination work, and must include nearly four hours pertaining to ethics, Minnesota mortgage laws, and state or federal fair housing and mortgage consumer protection laws.

HF1055, sponsored by Rep. Andrew Westerberg (R-Blaine), was approved by the House Commerce, Jobs, and Economic Development Policy Committee and sent to the House Civil Law Committee.

Pat Martyn, executive director of the Minnesota Association of Mortgage Brokers, said the number of mortgage brokers in Minnesota has increased tremendously in the past decade, and the business is very competitive.

Homebuyers rarely make purchases without using a broker of some sort, he said. "This is the way mortgages are made in Minnesota."

Because a home purchase can be the biggest financial transaction many consumers undertake in their lifetimes, mortgage originators must be well qualified with good ethics, hence the proposed criminal background check, Martyn said.

The employees would not have to register themselves with the Department of Commerce, under the bill. Rather, their employer would do so by listing the individuals' names, and stating that each person has completed the educational requirement and undergone a criminal background check.

Companies that would be exempt are those currently not required by state law to be licensed, including mortgage companies affiliated with banks, credit unions, and financial institutions, said Kevin Murphy, deputy commissioner with the Department of Commerce. "The department is not intending to build a big database," he said, adding that the program is meant to be self-regulating and that the department does not expect to field questions from the public about registered mortgage originators.

A Senate companion bill (SF1083), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits committee action.

Warranty coverage

Buyers of new homes would find stricter rules governing defects covered by warranties, under a bill heard April 1.

HF730, sponsored by Rep. Larry Howes (R-Walker), was approved by the House Commerce, Jobs, and Economic Development Policy Committee and referred to the House Civil Law Committee.

The bill addresses a current situation created by a court ruling. According to Pam Perri Weaver, executive vice president of the Builders Association of Minnesota, the Minnesota appellate court in December 2001 ruled that homeowners do not have to file a warranty claim for defects within the warranty period. This has created a loophole, she said, that is making it difficult for homebuilders to gain insurance.

Supporting the bill was Steve Noble, president of Noble Custom Homes in St. Cloud. He said that most insurance companies are reluctant to insure Minnesota homebuilders due to the ruling.

Noble said he has never had a claim filed against him, yet was dropped by his insurance company due to the situation created by the court ruling. After much searching, he found an insurance company that would insure him, but his rates increased \$30,000.

"If I had one lawsuit against (me) it would wipe my business out," Noble said.

Current law allows a one-year warranty for most defects; two-year warranty for electrical, heating, and plumbing defects; and a 10-year warranty for major defects.

Under the bill, vendors and home improvement contractors would not be liable if the loss or damage was not reported by the homeowner in writing within six months of the defect being discovered. The bill includes many exemptions, including damage from normal shrinkage caused by drying of the home, and damage from dampness and condensation due to insufficient ventilation after occupancy.

Also exempt are claims for defects discovered after one, two, and 10 years, respectively, from the warranty dates covered by current law.

An amendment was voted down by the committee that would have awarded homeowners attorney fees when successfully suing for breach of warranty. It was offered by Rep. Barbara Goodwin (DFL-Columbia Heights).

A Senate companion bill (SF289), sponsored by Sen. Don Betzold (DFL-Fridley), awaits committee action.

Gas content

All gasoline sold in Minnesota would have to contain 9.8 percent ethanol by volume, under a bill approved on a split vote by the House Commerce, Jobs, and Economic Development Policy Committee April 1.

HF899, sponsored by Rep. Dan Dorman (R-Albert Lea), now moves to the House Agriculture Policy Committee, with an additional stop expected at the transportation policy committee.

The bill would amend current law, which

requires that all gasoline sold in the state contain 2.7 percent oxygen by weight. The current law has been in place since October 1995.

Several legislators questioned whether it was appropriate for the state to mandate ethanol. Rep. Tim Wilkin (R-Eagan) wondered aloud why the state keeps trying to mandate products grown in Dorman's district. Perhaps, he said, all corn growers should be mandated to fly only Northwest Airlines, whose headquarters is in Wilkin's district.

Rep. Barbara Goodwin (DFL-Columbia Heights) said as many of her constituents, according to a survey, support alternative fuel as oppose mandates of such fuels.

Dorman responded that the bill is supported by Lt. Gov. Carol Molnau, who sees it as a means of increasing production at value-added agriculture plants that are facing cuts elsewhere in the state budget. In addition, Dorman said, rural cities are not interested in taking state local government aid as much as they are in expanding their own economies.

Also, the bill does not mandate that the ethanol originate in Minnesota, Dorman said, nor that it be produced from corn. At least one location in New York is producing ethanol from garbage, he said.

Rejected on a 9-6 vote was an amendment by Rep. Tony Sertich (DFL-Chisholm) that would have mandated that 50 percent of all steel and iron materials used in constructing public buildings in the state originate in Minnesota.

A Senate companion bill (SF895), sponsored by Sen. Julie Rosen (R-Fairmont), awaits committee action.

★ CRIME

DNA samples

Minnesota would continue collecting DNA samples from convicted felons under a bill approved by the House Judiciary Policy and Finance Committee March 27.

As a part of anti-terrorism legislation passed in 2002 and scheduled to expire this year, the state began taking DNA samples from anyone convicted of any felony-level crime for use in future analyses. The state has required DNA samples be collected from sex offenders since 1988 and from people convicted of certain violent and property crimes since 1999, but the 2002 law was the first to require specimens from all felony offenders. In addition, it also requires anyone currently serving prison sentences for felony crimes to submit DNA samples before release.

HF382, sponsored by Rep. Steve Smith (R-Mound), the committee chair, would make

the 2002 law permanent by removing a July 1, 2003 sunset date.

The law also applies to juveniles convicted of felony-level crimes, but it does not require samples from juveniles currently serving jail time.

Rep. Michael Paymar (DFL-St. Paul) said he thought requiring specimens from non-violent felons was unnecessary, and Rep. Keith Ellison (DFL-Mpls) asked why courts aren't given discretion in ordering DNA samples, especially from juveniles.

Smith responded that his bill merely continues the policy established by a prior Legislature.

A Senate committee amended a companion bill (SF239), sponsored by Sen. Dave Kleis (R-St. Cloud), by extending the law's sunset date from 2003 to 2005. It awaits further committee action.

Scientists in court

Saying the state's forensic scientists are more useful in the laboratory than in courtrooms, Rep. Eric Lipman (R-Lake Elmo) brought a bill before the House Judiciary Policy and Finance Committee March 27 that would make it easier for written reports to take the place of scientists in criminal court hearings.

Sitting next to Bureau of Criminal Apprehension Assistant Lab Director David Petersen, Lipman asked committee members, "Is the best use of his time testifying as to the chain of custody of a lab specimen, or would we rather have him at his lab bench reducing the backlog of specimens and conducting tests on public crime evidence?"

Lipman is sponsoring HF909, which would allow courts to consider a written report about how and when evidence in a laboratory was handled as evidence in a case. Currently, scientists must appear in person to certify that kind of information. Under the bill, defendants could still subpoena scientists to appear up to 10 days before a trial date.

"There were approximately eight or nine times last year when four or five or six scientists, because of the way we now handle evidence within the laboratory, were required to go testify that 'Yes, indeed this is a package I have touched,'" Petersen said. "I hope to be able to increase the efficiency and keep the scientists working in those instances where it really is not necessary for a scientist or staff member to show up in court."

Rep. Keith Ellison (DFL-Mpls) said he worried the bill would put too much pressure on public defenders who already face the prospect of rising caseloads due to budget cuts.

"The thing that I'm worried about is, you've got 120 cases that come up for trial every day. Here comes the deadline. Bam, you missed it. Now you've only got eight days," Ellison said.

"You know you need this witness, but you haven't been able to prepare until the end because of your caseloads."

Lipman said other kinds of lab reports are already subject to the 10-day rule, and having a consistent standard makes preparing for cases easier for everyone.

The committee approved the bill and referred it to the House Floor.

A Senate companion (SF942), sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits committee action.

DEVELOPMENT



Labor contracts

Project labor agreements, which are sometimes included in state and local building projects, could soon be a part of the past, under a bill approved March 31 by the House Governmental Operations and Veterans Affairs Policy Committee.

Rep. Barb Sykora (R-Excelsior), the sponsor of HF931, said it would create "fairness in contracts" and "save taxpayer's money." The bill prohibits the state and local governments from requiring a nonunion contractor to pay workers

union wages or pay dues to labor unions. Currently when the state or local governments accept bids on building projects, part of the negotiation could include project labor agreements. The agreements are not legally required, but can guarantee workers would not strike.

For projects that include both union and nonunion workers, nonunion contractors must pay union prevailing wages. Part of the wage goes to union funds, even if the worker isn't a member of a union.

Robert Heise, president of the Minnesota Association of Builders and Contractors, testified that small business owners are being discriminated against, and the agreements cost taxpayers more dollars because of the requirement of paying union wages to nonunion employees.

Heise said there is an "implied threat" for units of governments if they don't sign an agreement, thus nonunion contractors have to work under the same kind of contract as a union contractor.

Dick Anfang, president of Minnesota Building and Construction Trades Council, acknowledged the threat and said it should be taken as such. He said small nonunion contractors don't have enough workers to complete a large project, so they have to hire union workers and pay corresponding wages.

Citing good success with project labor agreements, Anfang explained that they create a partnership among participating entities. Also, he emphasized the wages taken from a nonunion worker's pay can be obtained by the worker upon joining the union.

"If everybody doesn't win, then nobody wins," said Rep. Bill Hilty (DFL-Finlayson). As a small business owner for 30 years, Hilty said he's always tried to charge the least amount for a product and pay the most to his employees. An opponent of the bill, Hilty added that his business has stayed alive doing that for the common good.

Sykora said the bill has nothing to do with private companies; rather the bill creates a "level playing field."

The bill now goes to House Commerce, Jobs, and Economic Development Policy Committee. A Senate companion (SF1161), sponsored by Sen. Brian LeClair (R-Woodbury), awaits committee action.

MEAL PLAN



PHOTO BY ANDREW VON BANK

Deputy Corrections Commissioner Dennis Benson answers questions from the House Judiciary Policy and Finance Committee April 2 about a bill that would modify the frequency of inmate meals and prohibit desserts to inmates. The bill is proposed as a way to help with the state's budget situation.

EDUCATION



Surcharge for student learning

An education telecommunications fund based on a phone bill surcharge of 25 cents a month would be established under a bill approved April 1 by the House Regulated Industries Committee.

Sponsored by Rep. Bob Gunther (R-Fairmont), HF794 would provide funding to maintain and expand an Internet network in the state that connects K-12 public schools, public libraries, and the state's colleges and universities.

"This is the only network for K-12 schools and public libraries," said Peg Werner, chair of the Minnesota Library Association's telecommunications committee. "If it's gone, there is no Internet," she said. The network has been built over the past seven years with federal funding, as well as incremental state funding that has expired, she said.

The telecommunications fund money would come from a 25-cent surcharge on the monthly bill for each wireless or hardwire line customer for voice or data services. The surcharge is expected to raise \$16 million a year.

The fund would be administered by the Department of Children, Families and Learning, with program oversight by the Minnesota Education Telecommunications Council. Schools and public libraries that receive telecommunications funds from the state would be required to apply for discounted rates from telecommunications service providers.

Buzz Anderson, representing the Minnesota Retailers Association, said the bill was a "bad idea" because it would increase business costs in the state. Large retailers and service companies have "thousands of phone lines," he said.

For rural school districts, the Internet learning network is essential, said Vernae Hasbargen, executive director of the Minnesota Rural Education Association. "It's the one vehicle we have to equalize access to learning opportunities," she said.

The bill next goes to the House Education Finance Committee.

A companion bill (SF766), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Commerce and Utilities Committee.

Fighting an expulsion

The appeal of a public school student's expulsion would go directly to the state Court of Appeals, under a bill approved April 1 by the House Education Policy Committee and referred to the House floor.

Sponsored by Rep. Mark Buesgens (R-Jordan), HF822 would amend state law that now requires an expulsion appeal to go to the commissioner of the Department of Children, Families and Learning.

The bill would remove "the middle step" in appeals of a school expulsion decision, Buesgens said. Current law provides the

judicial review option, but only after the education commissioner has reviewed and ruled on the decision. The bill would allow a school district to implement an expulsion decision during an appeal.

Bob Brick, representing the Coalition for Students with Disabilities, spoke in opposition to the bill. The state education department, he said, "is in a better position than the court of appeals to protect special education students' rights."

Of 1,529 student expulsions in the state during the past five years, Brick said, 14 percent involved students with disabilities. He said 45 expulsion cases were appealed to the education commissioner and four cases were appealed to the court.

Roger Aronson, counsel for the Minnesota Association of Elementary and Secondary School Principals, said, "Districts have a lot of discretion to draft expulsion policies." Keep the discipline process closer to the local level, he said and, "it will be better."

A companion bill (SF1031), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action in the Senate Education Committee.

Coaching change

A school district would be required to provide written reasons for not renewing a varsity head coach's annual contract, under a bill approved April 1 by the House Education Policy Committee and referred to the full House.

The bill states the reasons would have to be given within 10 days of the coach's request.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF680 would amend state law to also require that school boards provide "timely notice" for a dismissed coach and a "reasonable opportunity" for the coach to respond to his or her dismissal at a public meeting.

"It simply is a matter of fairness," said Urdahl, a teacher with 25 years of high school coaching experience. He said the bill would provide coaches, who have annual contracts with a school district, similar hearing rights as those provided a probationary teacher. The bill would apply to unlicensed coaches, as well as coaches who are licensed teachers.

John Erickson, executive director of the Minnesota State High School Coaches Association and Tom Crithley, the group's executive director of boys basketball, testified in support of the bill.

"Some parents want to pick and choose the high school coach," Erickson said. He said the bill would not weaken a local school board's control.

Crithley said there were 70 new high school varsity basketball coaches in the state this past season, a turnover he attributed to younger coaches leaving due to the volatility of the job.

Bob Meeks, representing the Minnesota School Boards Association, did not oppose the bill but said he had concerns about it. Coaches are unique, Meeks said, and can be employed by a school district in a status different from teachers. Their work is "out of the classroom" in a voluntary student extracurricular activity, he said.

He opposed the bill's requirement that school boards hold a public meeting to air grievances related to a coach. "Some reasons should be made public and some should not be," Meeks said.

A companion bill in the Senate (SF708), sponsored by Sen. Steve Dille (R-Dassel), awaits action in the Senate Education Committee.

Contract services

A bill that would allow school districts to negotiate contracts for non-instructional services caused a lively debate April 2 at the House Education Finance Committee meeting.

Sponsored by Rep. Phil Krinkie (R-Shoreview), HF1109 would amend state law to allow school boards to "unilaterally contract or subcontract for services" like food service, building maintenance, and transportation, unless prohibited by a union contract.

The bill would also set a 45-day mediation period for contract negotiations if either the union or management declares an impasse. Either party could terminate the collective bargaining agreement after the mediation period expired, according to the bill.

The committee took no action on the bill.

Krinkie said the bill would provide school boards with the "inherent right to contract with whoever they choose," for noninstructional services.

"All this is is a union busting amendment to current law," said Rep. Barbara Goodwin (DFL-Columbia Heights). "It will be detrimental to school districts in the long run."

Representatives of school boards, school administrator organizations, and business groups testified in support of the bill. Representatives of unions representing school district employees opposed it.

Duane Benson, executive director of the Minnesota Business Partnership, said the bill would provide school districts "the opportunity to save some money" by allowing more contracting.

Charles Kyte, executive director of the Minnesota Association of School Administrators

said, "Even having the option (of more contracting) available will increase efficiency with existing employees."

The bill would "send a bad message" to school district employees, said Chris Cowen, political action director for the American Federation of State, County, and Municipal Employees Council 14.

Frank Miskowicz, president of Service Employees International Union Local 63 in Minneapolis, which represents 400 school custodians, said his union has agreed to pay freezes in the past when the school district faced budget problems. The bill would "open schools to companies that care more about the bottom line than our kids," he said.

Krinkie said it was an "insult" for opponents of the bill to suggest school districts would use contracting of services to "put employees on the street."

A companion bill (SF1315), sponsored by Sen. Gen Olson (R-Minnetrista), awaits action in the Senate Education Committee.

Mandate review

State special education requirements that exceed federal mandates would be examined by the Rochester School District and perhaps three others, under a bill approved April 1 by the House Education Policy Committee.

Sponsored by Rep. Carla Nelson (R-Rochester), HF936 would allow the selected school districts an exemption from certain state requirements for three years while they examine such areas as pre-referral interventions for school students with disabilities and service delivery issues with other agencies. The districts participating in the pilot program would report their findings to the state Department of Children, Families and Learning by Nov. 1, 2005.

Nelson said the bill addresses those state special education mandates "that go over and above the federal law." The bill was referred to the full House.

Jerry Williams, Rochester schools superintendent, said the bill would allow the district to look at four special education mandates to "find efficiencies but still retain quality in the program."

Charles Kyte, executive director of the Minnesota Association of School Administrators, said the bill would provide "a reasonable and modest way to reduce paperwork and bureaucracy associated with special education."

"All school districts in Minnesota will be making reductions in programs in all areas over the next two years," Kyte wrote in a statement provided to the committee. "As these reductions are made, regular education parents will become increasingly frustrated by (a)

school district's requirement to maintain special education services while all other areas sustain reductions."

The bill would allow the state's education commissioner to select up to three other school districts that are geographically diverse to be waived from the special education requirements and study ways services can be more efficiently delivered.

The commissioner would be required to present the results of the district reports to the Legislature by Feb. 1, 2006 and recommend any changes to state law regarding special education.

A companion bill (SF399), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits action in the Senate Education Committee.

ELECTIONS



Distorted images

Rep. Marty Seifert (R-Marshall) says he wants to put a stop to using distorted photographs of opponents in campaign material.

To accomplish that, Seifert presented examples of altered pictures in campaign literature to the House Governmental Operations and Veterans Affairs Policy Committee March 27. In one picture, a candidate's teeth had been changed to appear crooked.

He is sponsoring a bill (HF807) that would take away public funds to candidates running for office, if a legislator were found guilty of the offense. Seifert said the bill would make "everyone be nice to each other." The committee approved the bill and referred it to the House floor.

Minnesota is one of the only states that offers a subsidy program to individuals running for office, said Seifert. "Only Maine has something similar," he added.

Committee members agreed the intent was honorable, but some voiced concerns over the potential violation of free speech. Rep. John Lesch (DFL-St. Paul) said campaigning is one of the "highest forms of free speech" and language in the bill doesn't define a distorted photograph.

Seifert said he was willing to accept any amendments to "fix-up" the bill.

An amendment was added that addressed the questions of "clarity, coloring, or features altered from the original."

Seifert said he doesn't expect the bill to pass and was using it as a measure to bring both political parties together, in hopes of each signing a legally binding document to not deliberately distort photographs in campaign literature.

Rep. Loren Solberg (DFL-Grand Rapids)

asked whether the bill would apply to television ads. An example, he explained, was an ad for U.S. Sen. Norm Coleman in which video of the late Sen. Paul Wellstone giving a speech was used, and the speed of the video was slowed down so significantly that the sound was distorted. Seifert said the ad would be considered campaign material, which would be covered by the bill. But, he added, the bill would only effect state and local elections, not federal.

A suggestion was made by Rep. Paul Thissen (DFL-Mpls) to amend the bill to not allow any use of an opponent's picture. Solberg said although he's never used a photo of someone running against him, he's "reluctant to ban a photo completely."

A companion bill (SF899), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits committee action.

Younger voters

An effort to increase the number of young people at the polls was approved by the House Governmental Operations and Veterans Affairs Policy Committee March 27.

HF440 would require school districts to make voter registration forms available twice a school year to certain students.

"This would further encourage young people to vote," said Rep. Paul Thissen (DFL-Mpls), who sponsors the bill. He said the general idea is to get high school seniors registered, so they can vote in the next election. He said that voting rates for young people are far below rates for other ages.

Acknowledging that some school districts are already providing forms, Thissen explained the bill would extend to all schools in the state.

Rep. Eric Lipman (R-Lake Elmo) asked why the bill requires the distribution to occur in May and September.

Thissen responded that some high school seniors turn 18 in the beginning of the school year, and some near the end.

Questions were raised over language that said school districts "shall provide" the forms thereby making the law a mandate. Rep. Lynda Boudreau (R-Faribault) said schools already have enough tasks to do. An amendment was made to say the schools "shall make available."

"If we can find any way to encourage our young people to become voters, it's the right thing to do," said Rep. Loren Solberg (DFL-Grand Rapids). He said mandates are in the "eyes of the beholder whether it's good or not." He added that this is "an inexpensive one."

The bill now moves to the House floor. A Senate companion (SF658), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits committee action.

★ EMPLOYMENT

Fund depletion

The state paid out more than \$1 billion in unemployment benefits to laid-off and unemployed workers last year. As a result, the state pool paying out the benefits went in the red and began borrowing money from the federal government in February.

A bill (HF831) approved April 1 by the House Commerce, Jobs, and Economic Development Policy Committee would change the formula by which employers pay into the fund in hopes of keeping it solvent. The bill now moves to the House Jobs and Economic Development Finance Committee.

Under current law, the base tax rate paid by all taxpaying employers fluctuates between one-tenth and six-tenths of 1 percent of taxable wages, depending on how much money is in the unemployment insurance trust fund. When the fund is low, a higher rate is collected. The exact amount to be paid for the following calendar year is based on the fund balance on June 30 of each year.

Sponsored by Rep. Bob Gunther (R-Fairmont), the bill would continue to adjust the base rate employers pay to the fund by comparing the fund balance on March 31 of any year to the percentage of total wages paid to employees in the previous year. According to nonpartisan House research staff, this has the effect of comparing the balance to the fund's "exposure." The more being paid in wages, the more the fund may need to pay out in benefits if unemployment rates rise.

Calculations in the bill indicate that the rate would fluctuate between one-tenth and fourth-tenths of 1 percent of taxable wages.

Under the bill, payments to the unemployed could also be delayed. Current law allows the state to delay unemployment benefits for up to four weeks when an employee collects sick leave or severance pay after being laid off. The bill would determine the weeks of delay by dividing the severance package by the employee's weekly pay.

As part of the bill's discussion, Department of Economic Security Commissioner Harry Mares announced that recent Northwest Airlines layoffs are hitting hard in Minnesota. Of the 4,900 layoffs announced, 1,990 are in Minnesota, centered in Rochester, Duluth, and the Twin Cities. The department has applied for a \$13.9 million federal grant to serve those laid-off employees.

A Senate companion bill (SF864), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the full Senate.

Homemaker assistance

A program helping homemakers, forced by misfortune to become breadwinners, gain access to the workforce may have found a way to gain state funding, despite that its budget was zeroed out in the governor's proposed budget.

The Displaced Homemaker Program would earn \$660,000 a year by increasing marriage licenses fee by \$20, under HF849, sponsored by Rep. Dale Walz (R-Brainerd).

The bill was approved by the House Jobs and Economic Development Finance Committee April 2 and now moves to the House Judiciary Policy and Finance Committee.

Yvette Oldendorf, the president emeritus of Career Solutions, said that when the program originally began in 1974 it was funded through an additional fee attached to marriage and divorce licenses.

"We believe this is one partial way of continuing this very important program," Oldendorf said. The proposal would only raise one-third of the program's previous budget, requiring additional fundraising, she added.

In the 2002-03 biennium, the program was funded through \$1 million in state workforce development funds and \$827,000 in federal Temporary Assistance to Needy Families (TANF) funding.

A displaced homemaker is a person who cared for her home and family exclusively for at least two years, but now must seek employment to

support the family due to separation, divorce, or the death or disability of a spouse. It is not as much an employment program as it is a pre-employment program, Oldendorf said.

Many clients do not have proper education or training to enter the workforce. Perhaps they don't have transportation, health care, or childcare. And some suffer from depression.

The 12 regional partner locations throughout the state that offer displaced homemaker services provide workshops, personal and employment support groups, self-esteem building activities, personal and vocational counseling, and leadership development. The aim is to help clients identify skills, and seek training or employment.

Nearly 1,500 people were served in fiscal year 2002. Of those, 35.3 percent became employed with an average wage of \$9.66 an hour, and 20.5 percent engaged in job training or education.

A Senate companion bill (SF835), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action by the Senate Finance Committee.

Sharing personal information

Individuals enrolled in state employment and training programs could find their hours-worked and wages-earned data, as well as their Social Security number, being shared with other state agencies, under a bill approved April 1.

HF1087, sponsored by Rep. Lynne Osterman (R-New Hope), relates to data submitted to the Department of Economic Security, which administers the unemployment insurance system. The data, required of all employers who meet certain employee thresholds, is provided in summary form to workforce centers operated throughout the state.

But the summary format isn't enough, according to John Schaber, management information systems manager with the workforce center in Rochester, which is operated by Workforce Development Inc. Schaber said his agency would like to track the wage data of employed individuals that have benefited from center training and education. Doing so would help the agency evaluate how its services contribute to improved wages.

To extrapolate such specific data, the agency would need the Social Security number, Schaber said. HF1087 would allow the data to be shared by the state with state agencies, such as the workforce center, for up to three years, provided that the individual gave consent at the onset of the training and education program.

Under current practice, all clients sign a data practices act waiver, Schaber said. Furthermore, no private information about the

LIVING INDEPENDENTLY



PHOTO BY TOM OLMSCHEID

Lea Martin, right, of Bloomington wipes a tear as she testifies April 1 before the House Jobs and Economic Development Finance Committee on proposed funding cuts to independent living programs. David Hancox, executive director of the Metropolitan Center for Independent Living, is seated at left.

individual would be shared with the public.

In addition, the bill would allow the sharing of wage and employment data with agencies in other states without an individual's consent for the purpose of comparing the effectiveness of federal Workforce Investment Act programs. The act is intended to improve coordination among organizations engaged in workforce development activities and to enhance employment services.

Several legislators voiced concern about sharing personal data, including Rep. Tom Rukavina (DFL-Virginia). "This sharing of information is frightening," he said.

The bill was heard March 27 and April 1 by the House Commerce, Jobs, and Economic Development Policy Committee and now goes to the House Civil Law Committee. An amendment to add language increasing the state minimum wage, offered by Rukavina, was rejected by the committee, 16-10.

A Senate companion bill (SF687), sponsored by Sen. Don Betzold (DFL-Fridley), was approved by the Senate Jobs, Housing, and Community Development Committee and awaits further action.

Preparing to work

A program that predominantly helps men of color in the Twin Cities metropolitan area would receive state money for continuing to place clients in jobs and helping them stay there, under a bill heard April 2.

Sponsored by Rep. Lynne Osterman (R-New Hope), HF1012 will be considered by the House Jobs and Economic Development Finance Committee for inclusion in its omnibus finance bill.

The bill would provide funding for a non-profit group called "Twin Cities RISE!" and any other program meeting funding qualifications. According to founder and chairman, Steven Rothschild, the program is proposing a unique method of state funding that would only pay for successful graduates, not for the number of individuals served.

"We believe that being paid for numbers served is old thinking and rewards process, not performance," Rothschild wrote in a letter submitted to the committee that accompanied his testimony.

The group aims to provide employers with skilled workers, primarily men from communities of color, by training under-employed and unemployed adults for skilled jobs paying at least \$20,000 annually. RISE! clients have many problems to overcome in gaining employment, Rothschild said — 50 percent are ex-offenders and more than 65 percent have a history of substance abuse.

The bill would pay \$9,000 for placing a program graduate in a job that pays at least \$9 an hour plus health care benefits, and \$9,000 in a retention grant when a client maintains a job for at least one year that pays at least \$10 an hour plus health care benefits.

To qualify for the funding, the bill states that programs must spend at least \$15,000 per graduate on education and training in basic skills, thinking skills, and personal qualities.

Babette Pohtilla, corporate human resources manager with SuperValu, said her company has hired more than 20 graduates of the program. "We feel that the program is very, very important to us."

Program graduate Jesse Mahoney, now an associate at Community Fitness Today, called the program "truly a blessing."

The group expects to serve 1,580 people in the next two years.

A Senate companion bill (SF921), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits committee action.

★ ENVIRONMENT

Recycling faces reductions

Gov. Tim Pawlenty's environmental budget for the next biennium could significantly diminish recycling, waste management, and water planning activities in the state, according to public testimony before the House Environment and Natural Resources Finance Committee April 1.

Under the governor's proposal, SCORE grants through the Office of Environmental Assistance would be cut by \$5 million in fiscal years 2004-05.

SCORE is a commonly used acronym that has retained its name from the Select Committee on Recycling and the Environment, which recommended more than a decade ago the path Minnesota should take toward a comprehensive waste management and recycling system.

There are no net savings in cuts to recycling programs because the money will eventually have to be spent on landfills, Fridley Environmental Planner Julie Jones said. "People don't consume less just because a recycling program isn't there."

SCORE funding supports the educational component that is the "consciousness of recycling," said Tom Troskey, recycling manager for Rock-Tenn Company, an international packaging and recycled paper manufacturer with a plant in St. Paul. Demand for recycled fiber is growing on an international level, Troskey said.

"Recycling adds jobs to the Minnesota economy," said St. Paul-based paper industry union representative Jerry Parzino.

Among the \$6.8 million in proposed reductions to the Board of Water and Soil Resources budget, funding for voluntary local water planning activities outside the Twin Cities metropolitan area would be eliminated.

Those reductions would limit river cleanups and shoreline improvements, said Terry Polsfuss of Clear Lake. Water planning activities are so important to his lake association, he added, that they hold pancake breakfasts and sell bratwursts to leverage as many additional dollars as possible.

"Investment in water management is an investment in the future," said Brad Wozney, Wright County Soil and Water Conservation District water resource specialist.

Water quality was also addressed from a hunter's perspective. "I'm not trying to promote a crisis mentality, but my canary in the coal mine is the mallard duck," said John Schroers of the Minnesota Outdoor Heritage Alliance. Schroers urged the committee to earmark a portion of state lottery dollars allocated to environmental interests for water quality improvements that would sustain larger, healthier flocks of waterfowl.

The committee will consider the testimony as it prepares its omnibus finance bill.

Land swaps and sales

A bill that would authorize a number of state land transactions cleared the House Environment and Natural Resources Policy Committee April 1.

The main policy change, according to bill sponsor Rep. Larry Howes (R-Walker), would allow the Department of Natural Resources (DNR) to acquire certain lands in state recreation areas without first seeking legislative approval.

Under HF810, language authorizing a whitewater trail on the Mississippi River in Minneapolis is modified to be less restrictive in its boundary designation. Currently, the law limits kayakers and others to an area below the Stone Arch Bridge and the bill would clarify that the trail follows a larger route near St. Anthony Falls.

The bill would also grant legislative approval of land sales, exchanges, or acquisitions in the following designated areas:

- Fort Snelling State Park;
- Grand Portage State Park;
- Lake Bemidji State Park;
- Tettegouche State Park;
- Iron Range Off-Highway Vehicle Recreation Area;
- Paul Bunyan State Forest;
- Savanna State Forest;
- Waukenabo State Forest; and

- Big Bog State Recreation Area.

Land would be deleted in the following areas:

- Tettegouche State Park;
- Foot Hills State Forest;
- Kabetogama State Forest;
- Mississippi State Forest; and
- Red Lake Wildlife Management Area.

The bill would also offer the Fond du Lac Band of Chippewa Indians the first option to buy tax-forfeited lands that may become available for sale on the Fond du Lac Indian Reservation. The sponsor of the measure (originally introduced as HF1193), Rep. Bill Hilty (DFL-Finlayson), said the band is in need of land for housing development.

Another provision would permit the state to unload seven city lots in Blackduck for less than appraised value. The parcel has been through three public auctions and an adjoining landowner has approached the DNR with a tentative offer. The forestry division would like to "dispose of this land to eliminate maintenance costs," according to the DNR.

The bill also would authorize the private sale of acreage in Crane Lake near the Canadian border. The DNR has determined the land would serve a better purpose if it were sold to adjacent cabin owners who need to replace their leaking septic tanks with a community system.

Finally, the bill would re-establish the Minerals Coordinating Commission as a state-supported resource to promote research and development of mining assets.

The bill moves to the House Governmental Operations and Veterans Affairs Policy Committee.

A Senate companion (SF935), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

Simplifying timber sales

A bill that the Department of Natural Resources (DNR) and the logging community agree is a way to simplify and standardize timber sales was approved by the House Environment and Natural Resources Policy Committee April 2.

The bill (HF859) is basically two-thirds technical corrections and one-third new provisions to help the economy in northern Minnesota by allowing some flexibility in timber sales, said Doug Ford, DNR timber sales program supervisor.

The bill is sponsored by Rep. Doug Lindgren (R-Bagley).

Much of the statutory language governing timber sales has not been updated since 1925, Ford said. For example, the bill would

consolidate references to timber areas, sale areas, or permit areas under one new term: forestry administrative area.

Under current law, the state has the right to take cut timber if the permit holder has not properly marked the wood.

"It's a little harsh for forgetting to put up a poster, or more likely the poster was vandalized," Ford said. The bill would instead designate the offense as trespassing.

Another provision of the bill is designed to help the logging community, particularly smaller outfits, with bond requirements by offering a "performance deposit" option that would entail a smaller bond amount.

The bill would "simplify cash flows, simplify lives, and simplify business practices" for timber producers and the DNR, according to Wayne Brandt, a lobbyist for the Minnesota Timber Producers Association.

The bill now moves to the House floor.

A Senate companion bill (SF888), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by the Senate Environment and Natural Resources Committee.

Easing bureaucratic burdens

A bill (HF1054) that aims to lessen the administrative weight on solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District was approved by the House Environment and Natural Resources Policy Committee April 2.

The bill now goes before the full House.

When integrated solid waste planning began in earnest in the 1980s, administrators were required to renew their plans with the state every five years, said Rep. Denny McNamara (R-Hastings), the bill's sponsor. The systems are relatively stable now and changing filing requirements to every 10 years would allow solid waste staff to spend more time implementing programs than updating plans, he said.

The bill also modifies Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

"We all know that it's not a one-size-fits-all," said Bob Meier, a pollution control specialist with the office. "We want to make sure the county planning reflects that, as well."

A Senate companion (SF1001), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), has been sent to the Senate floor.

ETHICS



Hearing date set

A hearing for an ethics complaint filed against Rep. Arlon Lindner (R-Corcoran) has been scheduled for April 7 sometime after the House floor session.

The date was finalized during a March 31 meeting of the House Ethics Committee, in which members laid out the process to be used, and discussed whether formal subpoenas should be issued to potential witnesses.

As for the process, each side will be allotted 30 minutes to present their case and can be questioned by the committee for 15 minutes. In addition, Lindner or his representatives will have 15 minutes to question the individuals bringing the complaint. Each side will also be permitted a 15-minute closing statement. The committee may then choose to meet in an executive session to determine if there is sufficient probable cause for a violation. An announcement on the committee's decision would likely come at a separate meeting.

Eight DFL members filed the complaint March 11, saying that when Lindner expressed his belief that homosexuals may not have been persecuted during the Nazi Holocaust, his conduct violated "accepted norms of House behavior" and that his comments "bring the House into dishonor or disrepute." If probable cause for a violation is found, the penalties Lindner could face range from censure to expulsion from the House. Such actions require a majority vote of the full House.

The committee, on a 2-2 vote, also chose not to allow the issuance of subpoenas for those that may testify at the hearing.

Jim Anderson, an attorney representing Lindner, previously said that he wants to subpoena all eight DFLers who filed the complaint against his client.

"We have someone being charged with something that could cost him his seat in the Legislature and to think that this Ethics Committee could deny his defense I think is shameful. There will be no legitimacy to these proceedings if the defense cannot have who they want to testify," said Rep. Greg Davids (R-Preston). "The problem is, what if some complainants don't come."

"My impression is that to issue subpoenas to the complainants is probably not necessary," said Rep. Tom Pugh (DFL-South St. Paul). "There's probably a good chance all eight will be here in any event. ... If in fact something is drastically short in terms of the testimony we receive as to whether or not we can make a decision, we can issue subpoenas and continue the hearing to a later date."

The complaint is signed by five Minneapolis

DFLers (Rep. Karen Clark, Rep. Keith Ellison, Rep. Frank Hornstein, Rep. Margaret Anderson Kelliher, and Rep. Neva Walker), Rep. Lyndon Carlson (DFL-Robbinsdale), House Minority Leader Matt Entenza (DFL-St. Paul), and Rep. Ron Latz (DFL-St. Louis Park).

FAMILY

Custody changes

The House took action March 27 to allow parents to give up custody of a child to someone outside their family, as long as all parties agree to the change.

HF457/SF356*, sponsored by Rep. Mary Liz Holberg (R-Lakeville), changes a law that currently only allows parents to give custody of a child to another family member. "Given that both parents have to agree to this, it seems fair that in some instances maybe it isn't a family member who would be best able to care for the child," Holberg said.

The bill also corrects a "misunderstanding" between the Legislature and the courts over a law allowing *de facto* custody of children. Under a law passed in 2002, individuals or couples who have cared for a child for one year or more without a parent's active participation can take custody of that child. For children under age 3, the time limit is six months.

When courts have implemented the law, they have ruled that the time spent with the people seeking custody must be consecutive. Holberg said this was not the intent of the law.

"What the problem has been is that these children may have lived the entire (time) with their grandparent but they traveled to another relative for a period of two weeks in the summer for a vacation," Holberg said. "The courts have ruled that breaks the time frame and they are no longer able to qualify under this act."

Sponsored by Sen. Richard Cohen (DFL-St. Paul) in the Senate, the bill cleared that body 62-0 March 13. It now goes to the governor.

GAMBLING

Racino dedication change

A bill to add slot and video gaming machines at Canterbury Park in Shakopee cleared one more committee April 2, but with a slight amendment.

The amendment to HF646, offered by the bill's sponsor, Rep. Mark Buesgens (R-Jordan), was approved by the House Taxes Committee. It shifts forward the amount of profits that



Shakopee Mayor William Mars testifies April 2 before the House Taxes Committee in support of a bill that would create a racino at Canterbury Park in Shakopee. The bill was approved by the committee and referred to the House Ways and Means Committee.

must be paid to the state general fund in the first years of the venture's operations.

The original bill had the so-called racino paying 40 percent of the adjusted gross revenues for the 2004-05 biennium to the state. The amendment changes the bill so that 51 percent of the revenues are paid in the 2004-05 biennium, an amount that drops to 34 percent in the 2006-2007 biennium and returns to the original bill's 40 percent in 2008 and thereafter.

The effect is a shift of \$21 million in proceeds to the state general fund from the 2006-07 biennium to the 2004-05 biennium.

Following a 13-11 committee vote, the bill now goes to the House Ways and Means Committee. An amendment to instead send the bill to the House State Government Finance Committee was rejected on a 16-8 vote.

A Senate companion bill (SF576), sponsored by Sen. Dick Day (R-Owatonna), awaits action by the Senate State and Local Government Operations Committee.

Tribal casino plan

A proposed casino that would have been a partnership between the state and one or more American Indian tribal governments was rejected April 1 by the House Governmental Operations and Veterans Affairs Policy Committee.

Sponsored by Rep. Bill Haas (R-Champlin), HF1020 would have permitted the Minnesota State Lottery to operate gaming machines at a facility somewhere in the Twin Cities metropolitan area. The facility would offer both slot machines and card games.

Under the plan, 60 percent of the casino proceeds would go to the Red Lake Nation and White Earth Band of American Indians, groups that currently do not receive gaming revenue that other tribes receive from their own gaming facilities. Among the benefits to the state is a 20 percent tax on gross revenue (wagering minus prize money), 90 percent of which would go to the state's general fund.

The bill was laid over in the committee the previous week so more information could be gathered on how the casino would operate. Haas said the casino would create more than 4,000 jobs, many of those to be filled by tribal members.

"Poverty is (a) far more greater immorality than gaming," said Doyle Turner, chair of the White Earth Reservation. He described to the committee the desolate, poverty-like conditions on the American Indian lands. He said 300 families have no housing at this time, and added "This is a creative solution for all."

Although the state is involved in gambling through the lottery, Rep. Bill Hilty (DFL-Finlayson) said that's not an excuse to make the jump to "another level." Directing his comments to other legislators, he said, "You want to help certain classes of people, but you don't want to pay for it."

Other opponents included the Mille Lacs Band of Ojibwe, who run the Grand Casino Mille Lacs and Grand Casino Hinckley. Tribal representatives claim that the majority of their clientele visit from the Twin Cities and that this bill would allow different tribes to operate a state-run casino. Also, the metro gaming facility could lure employees from outlying casinos.

Haas said all tribes in Minnesota have been offered written chances to become involved in the casino. Only two tribes were included in the plan: Red Lake Nation and the White Earth Band.

A Senate companion (SF966), sponsored by Sen. Sandra Pappas (DFL-St. Paul), awaits committee action.

Sports bookmaking rejected

A bill to authorize sports gaming and issue licenses for sports bookmaking failed April 2 in the House Governmental Operations and Veterans Affairs Policy Committee.

HF830, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would have allowed the gaming to be operated through the Minnesota State Lottery. Kahn said the bill would "authorize real sports wagering" for the state, with proceeds going into the state's general fund, although she said it would be hard to predict the amount.

Under the bill the state would collect taxes ranging from 3 percent to 6.25 percent of gross revenues of sports bookmakers, based on the volume of gross receipts.

Kahn said Minnesotans spend an estimated \$2 billion annually on sports gaming, either through traditional means or online.

Examples of Internet sports gambling were presented to the committee, including a site that allows an individual to bet on games all over the world simply by registering a credit card.

"This would give an outlet for someone to go someplace local," Kahn said. HF830 would have allowed gaming at any facility that offers state lottery games.

George Anderson, director of the Minnesota State Lottery, said several states have legalized sports gaming, citing Oregon as an example. Also, "Europeans do it a great deal," he explained.

Rep. Steve Strachan (R-Farmington) asked how many problem gamblers use sports betting as the main form of gaming.

In a later interview, Don Feeney, research and planning director of the Minnesota State Lottery, said that a study done by the University of Minnesota involving 944 participants surveyed at various treatment facilities across the state showed that 2 percent of compulsive gamblers use sports gaming as their preferred form.

"Would a casino be able to offer (sports betting), as well?" asked Rep. Jim Knoblach (R-St. Cloud). Anderson said because of the way Indian compacts are set up, a tribe would have to request to reopen them. Once that request is made, the state could ask for additional terms.

Other highlights of the bill include the creation of a Minnesota active recreation fund to be used for children's sports programs, amateur sports facilities, and hiking and biking trails. Net proceeds from the sports games are to be deposited into this account.

The bill has no Senate companion.

Prevention programs

Saying it needed more information about how state dollars would be spent, the House Health and Human Services Finance Commit-

tee moved a bill about compulsive gambling along to another committee April 1 without further recommendation.

"I think we are lacking some key information here," said Rep. Fran Bradley (R-Rochester) of HF924, which would annually transfer \$150,000 in unclaimed state lottery winnings to the Minnesota Council on Compulsive Gambling, created by the Legislature in 1988. Bradley said the committee wished to know more about exactly how the council would spend the funds, including what amount would be dedicated to prevention programs.

The bill was referred to the House State Government Finance Committee, but will have to return to the health finance committee, which Bradley chairs, before going to the House floor or being included in an omnibus finance bill.

Rep. Thomas Huntley (DFL-Duluth) sponsors the bill. He equated compulsive gambling to drug, alcohol, and caffeine addictions and said it is especially important to reach teenagers before they begin to gamble. He said unclaimed lottery winnings were an appropriate source of funding for such a program.



Betty George, CEO of North American Training, testifies before the House Health and Human Services Finance Committee April 1 in support of a bill that would provide funding for compulsive gambling prevention and education in St. Louis County.

Part of the money would be earmarked for a program targeting adolescents and providing training for adults working with teens on gambling prevention, said Betty George, the council's executive director. She said the program has been featured on national news programs and children's television shows and has reached about 54,000 students statewide in five different languages with classes, books, newsletters, and targeted school supplies.

George said she would be prepared with a detailed breakdown of the program's spending the next time the bill comes before the committee.

A Senate companion (SF788), sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits committee action.

★ GAME & FISH

Designating fair game and fish

An omnibus game and fish bill that would get duck hunters out of bed earlier on opening day, would allow certain hunting techniques, and targets species that have been outlawed for several decades was approved by the House Environment and Natural Resources Policy Committee April 1.

HF789, sponsored by Rep. Joe Hoppe (R-Chaska), also attempts to get tougher on scofflaws who fail to show up in court or pay court-ordered fines for game and fish violations. Under the bill, those transgressions could result in the three-year revocation of game and fish license privileges.

In response to what the Department of Natural Resources (DNR) said was constituent input that fish size was declining and a desire to "increase the awareness of larger fish," another provision would permit anglers to keep only one walleye longer than 20 inches and one northern pike longer than 24 inches daily. Current law places those selective harvest limits at 24 inches and 30 inches, respectively.

"Our goal is to try to ratchet a little more toward providing a bigger fish for our anglers," DNR Fisheries Director Ron Payer told the committee March 26.

These new restrictions would not apply to border waters, and Lake of the Woods has separate rules. Rep. Larry Howes (R-Walker) successfully amended the bill to also exclude spearfishing from the new lengths. "The fish won't wait there for you to get a tape measure," he said.

Howes also added an amendment to the bill that would allow bear hunters to use hounds, if the DNR decides to authorize such a season.

The technique was not prohibited in the state until bears were protected in the 1970s,

said Ed Boggess, assistant director of the DNR Wildlife Division, but a growing bear population has the potential to cause a lot of trouble for people.

The bill would add mourning doves to the statutory list of game birds and authorize a mourning dove hunting season, which has been prohibited in the state since 1947.

Several bill provisions are aimed at young hunters. The bill would allow turkey hunters under the age of 16 to be accompanied by unlicensed, unarmed adults. Minnesota residents under age 18 would be sanctioned to take up to 25 turtles for nonprofit turtle racing, as long as the turtles are returned to their natural habitat after the race. And the bill clarifies that \$5.50 youth deer licenses without tags are available for archery as well as firearm hunting.

The bill is headed for the House floor.

A Senate companion (SF887), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), has been referred to the Senate Environment and Natural Resources Committee.

★ GOVERNMENT

Finance department changes

A bill that would, among other things, transfer the duties of the former state treasurer position to the Department of Finance was approved April 2 by the House Governmental Operations and Veterans Affairs Policy Committee.

The office was officially abolished in January, and the duties have already been adjusted per an executive reorganization order.

With the potential shifts of treasurer duties to the finance department, Rep. Eric Lipman (R-Lake Elmo) voiced concerns that the areas “are not separated enough.” No changes were made to HF943 to reflect the concerns.

Sponsored by Rep. Jim Rhodes (R-St. Louis Park), the bill also clarifies what the duties are and makes several other changes to the Department of Finance.

The bill strikes language mandating a department report showing the state’s earnings through fees and fee expenditures.

Rep. Loren Solberg (DFL-Grand Rapids) raised the concern in a previous House Ways and Means Committee because of a deadline for the information by the end of January.

Solberg asked how the Legislature is to know “which (fees) should be raised, and which should be lowered” if there isn’t a report.

“My decision was based on staffing issues,” said State Budget Director Peggy Ingison. She added that a survey had been done among legislative staff and found the report “doesn’t give the most meaningful information.”

An amendment was successfully added that

changes the report deadline to November 30 of each even numbered year.

Another amendment was offered by Rep. Paul Thissen (DFL-Mpls) that would have eliminated 50 positions in the executive branch. Thissen explained the amendment reflects “what’s happening in the private sector.”

Rhodes responded he didn’t want to change to bill since all parties affected were not present at the late-evening meeting. The amendment was not successful.

The bill now goes to the House floor.

A Senate companion (SF997), sponsored by Sen. Geoff Michel (R-Edina), awaits committee action.

Fiscal impact notes

A bill that would permit local units of government to better understand how a rule proposed by a state agency would financially affect them cleared another committee April 1.

Sponsored by Rep. Marty Seifert (R-Marshall), HF624 was approved by the House State Government Finance Committee and referred to the House Ways and Means Committee.

According to the bill, “The elected governing body of a city, township, county, school district, or sanitary district may request the commissioner of finance to prepare a local fiscal impact and fiscal benefit note on a rule proposed by a state agency.” Such rules have the full effect of law.

The bill also requires agencies to determine if the anticipated costs of complying with the proposed rule would exceed \$10,000 annually for one person or one entity. If the cost would exceed that mark, the rules cannot take effect until legislative approval occurs. This is not applicable if the Legislature has appropriated money sufficient to fund the expected rule cost or if the rule was prompted by federal mandate.

During the meeting the bill was amended to allow the Finance Department to charge the requesting entity a \$35 hourly fee for time spent preparing the note. “The department says that this would cover their costs,” Seifert said. “Members have said they want this (bill) to be cost-neutral.”

The amendment also says that once a request has been received by the department, the requesting entity must be given an estimate of what the total charge would be and the opportunity to drop the request once the cost is known. A fiscal note states that the department estimates “a typical local impact note will require 21 hours to complete.”

A companion bill (SF1070), sponsored by Sen. David Senjem (R-Rochester), awaits action in the Senate State and Local Government Operations Committee.

★ GREATER MINNESOTA

Increasing rural speed limits

The House Transportation Policy Committee approved a bill April 1 that would increase the daytime speed limit on paved highways outside urban districts that are not freeways or expressways to 65 miles per hour.

The bill (HF1071), sponsored by Rep. Marty Seifert (R-Marshall), now moves to the House Transportation Finance Committee. Night-time speed limits would remain at 55 miles per hour under the bill. It does not specifically define nighttime hours.

Calling it a bill that better reflects the reality of Minnesota drivers, Seifert listed three reasons to support the bill:

- the actual flow of traffic is faster than 55 mph,
- faster speed limits would raise more gas tax revenue as vehicles consume more fuel, and
- vehicles are safer today than they were 30 years ago when the speed limits were established.

“I think what we need to do is acknowledge the reality of our citizens,” Seifert said. “A majority of our residents are blatant violators of the law every day.”

In addition, violations of the 65 mph speed limit that are within 10 miles per hour above would not be entered on a motorists driving record. That exception is currently allowed for the state’s 55 mph speed limits.

According to information Seifert provided to the committee from the Insurance Institute for Highway Safety and the Highway Loss Data Institute, only North Dakota and Montana have different day and night speed limits on the same types of highways as those covered in the bill. In addition, 19 states have speed limits on the roads of higher than 55 mph.

Several committee members questioned Seifert’s logic that because motorists are already traveling above the speed limit, the limit should be raised.

Rep. Alice Hausman (DFL-St. Paul) said she found it an interesting concept that because people are breaking the law, the law should be changed.

Echoing her concerns, was Rep. Peter Nelson (R-Lindstrom). He wondered what happened to the notions of speed killing and the concepts of energy conservation that led to lower speed limits. He also suggested that the increased speed limits might not be appropriate statewide.

“Our topography is a whole lot different than either of the Dakotas,” Nelson said.

Seifert acknowledged that some areas do not have the same kinds of wide, straight roads as there are in the western part of the state.

Rep. Mark Olson (R-Big Lake) said he

supported the bill because speed limits should be set according to what's comfortable for motorists on the road.

During discussion, Rep. Joe Opatz (DFL-St. Cloud) unsuccessfully proposed raising the rural interstate speed limit from 70 mph to 75 mph.

The bill's Senate companion (SF1248), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action in the Senate Finance Committee.

★ HEALTH

Abortion legislation

The House passed a bill March 31 that would require abortion providers to provide women with certain specific information at least 24 hours before performing an abortion.

By a 91-41 vote that crossed party lines, lawmakers adopted HF668 and passed it along to the Senate where a companion bill has not yet received a committee hearing.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), the bill would require that women seeking an abortion receive information from a physician about risks associated with the procedure, the probable age of the fetus at the time of the abortion, and the medical risks associated with carrying a child to term. The information could be conveyed in person or over the phone.

Additionally, the bill would require women be told about the father's obligation to support a child carried to term and about any state Medical Assistance benefits that might be available for prenatal, childbirth, and neonatal care. Women would also be given the opportunity to review printed information about the probable physical and physiological development of a fetus.

Women would be required to certify in writing before the abortion that they received the required pieces of information and physicians would have to report their compliance with the law to the state.

Supporters say the bill is about giving women valuable information to help them make a very important decision.

Opponents criticized it as unnecessary since the state already requires women to give informed consent prior to getting an abortion. Some said the \$488,000 estimated biennial price tag was too high given the looming budget deficit.

Rep. Jean Wagenius (DFL-Mpls) said the bill was not about information but about censorship, "because it is only certain information that we will give women. Not all information, just certain information." She unsuccessfully offered an amendment that would require providing even

more information to women about how to have a safe and healthy pregnancy.

Hers was one of several DFL amendments offered during the two-hour floor debate, all of which were defeated by a significant margin.

Rep. Jim Davnie (DFL-Mpls) proposed allowing women, in consultation with their physicians, to waive their right to the information required under the bill.

Rep. Michael Paymar (DFL-St. Paul) said it would be "humiliating" to make victims of sexual assault hear information about the responsibilities of the father if the child is born. He proposed an amendment to exempt rape and incest victims from the information requirements.

"While certainly a woman is under great stress if she is a victim of sexual assault," Holberg said, "it should not negate her ability to get complete information prior to making this decision."

The bill would also define an "unborn child" as a human from fertilization until birth. Responding to criticism that the definition set a precedent not based on medical science, Holberg said the definition applied only to her bill and would have no effect on other state laws or practices.

Sen. Jim Vickerman (DFL-Tracy) sponsors the Senate companion (SF695).

A procedural move on the House floor April 2 stalled an attempt to attach the bill as an amendment to a different measure that had already passed the Senate.

Family planning grants

A bill that would limit the use of state family planning grants to groups unaffiliated with abortion services was approved by the House Health and Human Services Policy Committee March 31 and now goes to the full House.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF436 would prohibit state family planning funds from going to organizations that provide abortions or consider abortions part of a continuum of family planning services. Under the bill, grant recipients could not refer patients to abortion providers, display information about the legality or accessibility of abortion services, or mention abortion as an option to pregnant women. Organizations could also not be affiliated with any group that provides abortions.

The bill would require groups applying for grant money to submit independent audits certifying their compliance with the bill's requirements.

The family planning grants at issue are part of maternal and child health block grants the state gives for distribution by counties. Grants to eliminate health disparities would also be affected.

"It is a legitimate exercise of the government to make sure that the programs it subsidizes with taxpayers' money are limited to the uses for which they were established," said Andrea Rau, legislative associate for Minnesota Citizens Concerned for Life.

Sarah Stoesz, president and CEO of Planned Parenthood of Minnesota and South Dakota, said the bill severely discriminates against poor women by only imposing restrictions on doctors providing state subsidized services, "but women who do not rely on subsidized services will receive all the counseling that they request and are entitled to." In addition, she said, decreased access to family planning services for the poor will likely lead to more unintended pregnancies and more abortions.

Stoesz said her organization and similar groups might be forced to shut their doors or turn people away if state funds are withdrawn.

Rau told committee members that abortion has become "big business" in Minnesota and that the bill would not prohibit Planned Parenthood from providing any of its services. It could simply not provide them with taxpayer dollars.

Rep. Fran Bradley (R-Rochester) said court rulings require that the state continue to cover abortion services under its subsidized health care programs, but it is reasonable for the Legislature to decide what restrictions to put on grant money allocated to other organizations.

A Senate companion bill (SF431), sponsored by Sen. Thomas Neville (R-Northfield), awaits committee action.

Immunization requirements

The commissioner of health would need to consult with more people and groups when deciding whether to change Minnesota immunization requirements, under a bill approved by the House Health and Human Services Policy Committee March 27.

The health commissioner has authority, granted in a 2001 law, to change immunization requirements as long as those changes are recommended by three national physicians' organizations.

Under the law, the commissioner must also consult with the commissioners of human services and children, families and learning, the president of the University of Minnesota, and the chancellor of the Minnesota State Colleges and Universities system.

HF887, sponsored by Rep. Jim Abeler (R-Anoka), would add six more groups to that list, including the Minnesota Natural Health Coalition, Vaccine Awareness Minnesota, Biological Treatment for Autism Treatment, the Minnesota Academy of Family Physicians, the

American Academy of Pediatrics-Minnesota Chapter, and the Minnesota Nurses Association.

Abeler said the Health Department is already communicating with the groups, and does not oppose requiring their input. "This is going to move the whole discussion along in a positive way," he said.

Rep. Joe Opatz (DFL-St. Cloud) said he thought the bill was resolving a problem that does not actually exist. Rep. Thomas Huntley (DFL-Duluth) also opposed the bill, saying it "puts groups that don't believe in the scientific method on the same level with experts who do."

Abeler proposed an amendment removing language from the bill requiring a "vaccine safety checklist" be given to people getting vaccinations. The checklist would have started with the words, "Sometimes a child should wait before getting certain vaccines, or should not get them at all. ..." The committee approved the amendment.

The bill next goes before the full House. A Senate companion (SF1078), sponsored by Sen. Sean Nienow (R-Cambridge), awaits committee action.

Paying more for care

State workers, legislators, and constitutional officers may have to pay more for health care, according to a bill approved March 31 without recommendation by the House Governmental Operations and Veterans Affairs Policy Committee.

Currently the state pays for 100 percent of state employees' health insurance premiums, if they do not carry a spouse or dependent on their plans. HF1099 would change that to 80 percent.

Rep. Paul Kohls (R-Victoria), the bill sponsor, said the state needs to cut costs and "this is one proposal to address the state budget." Very few employers are paying 100 percent for coverage, he added.

Rep. Loren Solberg (DFL-Grand Rapids) said the legislation is an attack on family and attack on working people, and Health Maintenance Organizations should be the ones to attack.

Kohls responded that the bill represents the "reality of the increasing cost of insurance." He said the money saved by the difference equates to 3,000 state jobs.

Representing Teamsters Local 120, Rob Johnson said the state is going down a slippery slope when it negotiates benefits. He explained that state employees are paid less than their counterparts in the private sector, and good health care coverage is partly why employees continue to work for the state.

The average age of a state worker is 46, said Brian Bergson, legislative affairs director for the Minnesota Association of Professional Employees, which represents about 19,000 state professional workers. They "are getting close to retirement" and changing the health care coverage puts them farther behind the private sector, he said.

Rep. Keith Ellison (DFL-Mpls) asked how much of a pay cut workers would be getting with the potential pay freezes and the change in health benefits. Johnson said the total would be about 23 percent.

The bill now moves to House State Government Finance Committee.

A companion bill, (SF1047), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits committee action.

Giving vaccines

Minnesota pharmacists would be allowed to administer two common immunizations under a bill passed by the House Health and Human Services Policy Committee March 31.

Sponsored by Rep. Jim Abeler (R-Anoka), HF692 permits pharmacists with proper permission and training to give influenza and pneumococcal vaccines to adults. Pharmacists

administering the immunizations would have to do so under agreement with a licensed physician.

Liz Carpenter, director of pharmacy and legislative affairs for the Minnesota Pharmacists Association, said pharmacists have long been involved in promoting and educating people about the value of immunizations. She said 36 other states currently allow pharmacists to immunize patients.

"In other states where pharmacists are immunizing there have been increases in immunization rates," Carpenter said. "In these states the number of vaccines administered have increased in both primary care clinics and in pharmacies because of increased access and awareness."

New pharmacists are already trained in administering vaccinations as part of graduate school curriculum, she said, while many of those same schools offer continuing education programs to train current pharmacists.

The bill would require pharmacists to report the vaccinations to a patient's primary physician.

Rep. Duke Powell (R-Burnsville) asked if distributing flu vaccines to more locations could result in a shortage in certain areas.

A Department of Health official said that should not be a problem. "When we have a situation where vaccine is in short supply, we have criteria for high risk groups, when they can get vaccine and who should be providing them with vaccines," said Kris Ehresmann, manager of the Immunization, Tuberculosis, and International Health Section at the department.

The bill next heads to the House floor.

A companion bill (SF574), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits committee action.

COMMUNICATING NEED



PHOTO BY ANDREW VON BANK

Stacie Leeper of Bemidji testifies before the House Health and Human Services Policy Committee March 31 in support of a bill that would regulate insurance coverage for communication aids or devices. Leeper's 21-month-old son, Kade, was born hearing impaired and requires hearing aid devices.

HIGHER EDUCATION



Student fees

Some fees paid by college students would need legislative approval, under a bill that may become part of the House Higher Education Finance Committee's omnibus bill.

Rep. Tim Wilkin (R-Eagan), the sponsor of HF742, told the committee March 31 that the issue was brought to his attention by parents concerned about the general increase in fees and a constituent's concern about the appropriateness of uses of some fees.

As an example, he referred to a University of Minnesota event called the Sex Workers' Art Show. The show, designed to contradict the stereotypes that surround work in the sex industry, was sponsored by the university's Women's Student Activist Collective.

The bill would require that the Minnesota State Colleges and Universities (MnSCU) Board of Trustees and University of Minnesota Board of Regents receive legislative approval of all mandatory fees paid by students as a condition of enrollment. "I would imagine most fees would be non-controversial," Wilkin said. Currently the boards have final say in student fees.

He said if a fee were not mandatory, students would have to opt-in to pay the fee. If such a fee rises to the need of mandatory, then the schools can come to the Legislature to make it mandatory, Wilkin said. "This puts students in the driver's seat for what their money is used for."

Total fees can easily reach into the hundreds of dollars per semester for each student.

At the university's Twin Cities campus, students registered for six or more credits pay \$280.22 per semester in student services fees, with money going to 28 organizations ranging from 16 cents for the Students for Family Values to \$90.14 for the Boynton Health Services to help promote public health activities. These fees are in addition to tuition, and they do not include course, technology and collegiate fees, and a university fee, which helps cover infrastructure and administrative support costs.

Richard Pfitzenreuter, chief financial officer and treasurer at the university, opposes the bill. "I think we have a good process now for what the fees are," he said, warning that if the bill becomes law many fees will just be rolled into tuition.

However, Dan Nelson, a member of the university's student fees committee, said the Board of Regents does not always follow its organizational funding recommendations. He said it's "fairly common" for the board to reverse the decisions of the committee. Pfitzenreuter said changes are "not that frequent."

Sam Edmunds, student body president at Metropolitan State University and a member of the Minnesota State University Student Association, is also against the bill. "We see this as micromanaging what works well for us," he said. "It's not feasible for students to come to the Capitol to fight for fees."

Rep. Lyndon Carlson (DFL-Robbinsdale) expressed concern that the bill would make the Legislature the ruling body for the institutions.

A companion bill (SF1257), sponsored by Sen. Mike McGinn (R-Eagan), awaits committee action.

State grant eligibility

Students attending a private, for-profit institution may not receive a dime from the state grant program, under a bill heard April 2 by the House Higher Education Finance Committee.

Sponsored by Rep. Marty Seifert (R-Marshall), HF862 will be considered for inclusion in the committee's omnibus bill.

Examples of such institutions are Duluth Business University, National American University at the Mall of America, and Rasmussen College in Eagan, Mankato, Minnetonka, and St. Cloud.

According to numbers from the Minnesota Career College Association, approximately 15 percent of students receiving a state grant attend a private, for-profit college, and receive 18 percent of state grant dollars awarded.

Seifert said that programs offered by many private, for-profit institutions meet many needs for the people of the state, but "this deals with the prioritization of dollars. I want to bring this forward so we can think about where we want to go with state grant dollars."

Any post-secondary educational institution is currently eligible to participate in the state grant program if the Higher Education Services Office, which administers the program, determines that the institution "maintains academic standards substantially equivalent to those of comparable institutions operated in this state."

Philosophically, Seifert said, the committee needs to decide if tax dollars should be put into for-profit institutions and how to measure what the state gets back for the dollars it puts in.

"We're not condemning money to the schools, but you need to prioritize to state institutions first, especially in hard times," said Yorgun Marcel, chair of the Minnesota State University Student Association.

Rep. Ray Cox (R-Northfield) expressed concern about hurting students "that are getting good educations at these schools."

Deana Cavaliere, an interior design student at The Art Institutes International Minnesota in Minneapolis, said that her husband is also a full-time student in an electrical program at Dunwoody Institute. They have a 9-year-old daughter and their family income last year was \$18,000. Cavaliere said without the state grant program, "We would not be able to improve ourselves." She said their goal is to eventually go into business for themselves.

Jeanne Herrmann, director of Globe College, said that many of these schools serve lower income Minnesotans, noting that 48 percent of students attending an association institution have family incomes of less than \$40,000. "Our students need to be given the same choices and funding opportunities as other students."

A companion bill (SF529), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits committee action.

Summer grants

As the House Higher Education Finance Committee looks to make changes within the state grant program, a number of options will be considered.

"Let's lay it all out so we can clearly define what a student can expect for the next two years," said Rep. Doug Stang (R-Cold Spring), the committee chair.

One option examined by the committee April 2 was HF1242, sponsored by Stang. It calls for the elimination of state grants for students attending classes during summer terms.

"This is not being done easily," Stang said. "This is something I pushed for in the past." The program was approved in 1995, but funding was not authorized until 1997.

Stang said the bill is one proposal to address the potential higher education funding shortfall and may help to partially offset projected higher tuition rates. He said the grants would be more focused on students during a traditional school year; meaning amounts could be higher for those students. "This plan minimizes the number of students affected," he said.

Not surprisingly, student groups are against the plan.

"Eliminating these grants will prevent many students from attending school and will increase the length of time it takes others to graduate," said Yorgun Marcel, chair of the Minnesota State University Student Association. He said that the organization would prefer that a student grant be prorated throughout the year. Brent Glass, executive director of the Minnesota State College Student Association, said his group echoes that sentiment.

Also speaking against the proposal was Mike Lopez, Minnesota State Colleges and Universities (MnSCU) associate vice chancellor for student affairs. "Those taking classes in the summer are some of our most serious, goal-oriented students," he said. "They want to get done quickly and no longer drain family funds."

The bill, which will be considered for possible inclusion in the committee's omnibus finance bill, has no Senate companion.

Volunteering for a grant

Some college students may have to work to get money from the state if a bill heard in a House committee becomes law.

Sponsored by Rep. Marty Seifert (R-Marshall), HF843 would require five hours of volunteer service from students that receive more than \$2,000 per semester in state grants. If the volunteer requirement is not met, the grant would be capped at \$2,000.

Heard by the House Higher Education Finance Committee March 27, the bill will be

considered for inclusion in the committee's omnibus bill.

"Minnesota is one of the most generous states in what we give without getting anything from the student," Seifert said. "There needs to be some personal responsibility for the high grant amounts."

Under the bill, students would be required to volunteer at a nonprofit or community organization. Students with disabilities would be exempt from the requirement.

Students would be responsible for providing proof that the requirement has been met, and the institution must then notify the Higher Education Services Office, which awards the grants.

At a time when the state is likely to provide less money to higher education, Rep. Ron Latz (DFL-St. Louis Park) asked what the financial cost would be to the institutions to process the paperwork. Seifert said no fiscal note has been prepared, but he is willing to work with the schools to "make this work."

Seifert called the \$2,000 amount and hours required somewhat arbitrary, but said "if you think about this as a concept you need to start with baby steps."

"We're open to seeing how this works and getting feedback from the students," said Frank Viggiano, executive director of the Minnesota State University Student Association.

Rep. Carla Nelson (R-Rochester) said she agrees with the concept of personal responsibility, but was concerned about balance. If too little voluntarism is required it puts a burden on the institutions, she said, but if too much is required it could distract students from their studies.

Seifert admitted there are other issues with the bill, including that it disproportionately would affect private college students.

According to numbers provided by the non-partisan House Research Department, 4,931 students attending four-year private institutions, and 589 attending two-year private schools received the targeted amount of grants for this school year. By comparison 1,396 public school students surpassed the \$2,000 per semester mark. More than 71,000 students received state grants this year.

A companion bill (SF1105), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits committee action.

Reduced credit aid

Students who need to take more than 120 credits to achieve their collegiate degree may not receive a state grant throughout their entire educational career, under a bill heard in a House committee.

Sponsored by Rep. Bill Kuisle (R-Rochester), HF449 would reduce the time period of eligibility for the state grant award to an equivalent to eight semesters of full-time credits. Currently, the maximum time period for eligibility is 10 full-time semesters. State statute considers a full-time student as one taking 15 credits per semester, so in essence the bill would drop credits for student aid eligibility from 150 credits to 120.

Kuisle told the House Higher Education Finance Committee March 27 that an eligibility increase from eight semesters to 10 occurred two years ago, but "the amount of state grants to go around is now more scarce." The bill does not take money from the state grant program.

The bill, which has no Senate companion, will be considered for inclusion in the committee's omnibus bill.

Rep. Ron Latz (DFL-St. Louis Park) expressed concern that those students who want to take more credits to make themselves more well-rounded would be hurt by this bill.

Conversely, Rep. Jeff Anderson (R-Austin) said that when he was attending a state university he made sure to "stay the course and finish in the least time possible. We should expect the same when the state is paying."

Mike Lopez, Minnesota State Colleges and Universities (MnSCU) associate vice-chancellor for student affairs, said college is a time of career exploration and students oftentimes change their majors, meaning it takes longer to get through school.

Others, including Rep. John Dorn (DFL-Mankato), said that some majors take more than 120 credits to complete.

Craig Swan, vice provost for undergraduate education at the University of Minnesota, said that most degrees on the university's Twin Cities campus require 120 credits, although some require 128, most notably nursing and engineering. Lopez said all state universities except, Metropolitan State and St. Cloud State, require 128 credits for a bachelor's degree.

Missi McLaren, president of the Minnesota State College Student Association, said students need credit flexibility. For example, she said some students must attend full-time to stay on their parent's health insurance plan. "If classes aren't offered, cutting back credits is not an option," she said. Sometimes they may have to take a remedial class, such as math or English before entering a program, she said, or extra classes to meet a foreign language requirement.

★ INSURANCE

Restricting state sales

A bill aimed at stopping the North Dakota state government from selling workers' compensation insurance to North Dakota businesses to cover workplace injuries among their employees working in Minnesota was approved April 2.

HF971, sponsored by Rep. Chris Gerlach (R-Apple Valley), prohibits insurance companies controlled or owned in whole or part by any government from transacting insurance deals in Minnesota.

The bill was amended by the House Commerce, Jobs, and Economic Development Policy Committee, however, to allow the North Dakota state government to open a small insurance company in Minnesota to continue selling insurance to North Dakota businesses whose employees work in Minnesota, but only if the employees are in Minnesota for no more than 30 consecutive days.

According to the nonpartisan House Research Department, an amendment to the bill exempts from the ban the Minnesota Department of Administration, which sells some insurance to local government units, from the ban.

The bill originated after the Minnesota insurance industry protested the neighboring state's selling of insurance, according to House research staff.

The history behind the situation is lengthy, according to Brent Edison, executive director of North Dakota Workers' Compensation, the exclusive provider of workers' compensation insurance in North Dakota.

To protect North Dakota employers needing insurance to cover workplace injuries among their employees working in other states, the North Dakota Legislature proposed reciprocity agreements with other states in 1968. Agreements were successfully negotiated in Idaho, Montana, Nevada, Oregon, South Dakota, Washington, and Wyoming. But Minnesota rejected any agreement.

As a result, North Dakota businesses were penalized as uninsured and were unable to obtain competitive Minnesota coverage for incidental exposures, according to information provided by Edison.

After numerous attempts to broker a reciprocity deal with the Minnesota Department of Labor and Industry, the North Dakota Legislature authorized developing its own insurance carrier, which began insuring relevant businesses in 2002. It did so, according to Edison, upon the recommendation of the Minnesota Department of Commerce.

A Senate companion bill (SF1298), sponsored by Sen. Dan Sparks (DFL-Austin), awaits action.

LAW



Closing guardianship loopholes

By a 121-9 vote, the House approved a bill April 2 that makes changes to state laws governing guardianship of children and incapacitated adults.

Recommended by a committee of the Minnesota Bar Association that spent two years reviewing the laws, HF166/SF112* would repeal and replace dozens of sections of current state law.

The bill's House sponsor, Rep. Paul Thissen (DFL-Mpls), said the bill would leave most state law on the subject intact, but it would close loopholes and clarify some legal processes.

Among other things, the bill would more clearly define the roles of a "guardian" and "conservator" as someone to act on behalf of a person and someone to manage a person's estate, respectively.

In the area of guardianship for minors, the bill would allow a court to appoint a guardian for a child with the parents' consent, if the parents' rights have been terminated, or if they are unable or unwilling to exercise their rights. It specifies who may apply to be a child's guardian and how that application should be made. Guardians would be specifically allowed to apply for state benefits and services, be entitled to "reasonable compensation," and be liable for injury to the child caused by a third party to the same extent a parent would be.

For incapacitated individuals, the bill would allow parents or spouses to appoint a guardian for someone they believe to be incapacitated in the event the parent or spouse is unable to care for the person. They would be given the ability to limit the powers of the guardians they appoint.

Another aspect of the bill would create a list of priorities for judges to use when appointing a guardian for an incapacitated person. In order, those priorities would be the current active guardian; someone appointed under a health care directive; a spouse or someone identified by the spouse in a will; an adult child; a parent or someone identified by a parent in a will; or an adult with whom the person has resided for six months.

The bill would also specify that an incapacitated person would not lose their right to vote unless the court expressly takes it away.

Because it was amended in the House, the bill now returns to the Senate where it previously passed 66-0 on Feb. 20. Sen. Don Betzold (DFL-Fridley) is the Senate sponsor.

LOCAL GOVERNMENT



Fireworks retailer fees

Fireworks retailers would no longer be subject to high inspection and licensing fees from cities when selling sparklers and other legal fireworks under a bill receiving committee approval March 27.

Proponents of HF800 testified that cities throughout Minnesota have been circumventing a 2002 state law allowing the sale of sparklers and small fireworks by imposing excessive licensing, application, and licensing fees, as well as requiring background checks of sellers and high-premium insurance policies.

Sponsored by Rep. Tom Hackbarth (R-Cedar), the bill was approved by the House Commerce, Jobs, and Economic Development Policy Committee.

At the bill's next stop, on April 2 before the House Local Government and Metropolitan Affairs Committee, the bill was amended to delineate annual license fees that municipalities may charge. Those selling only fireworks could not be charged more than \$350. Retailers selling fireworks in addition to other items could not be charged more than \$100.

The bill also states that no local unit of government may prohibit the sale of fireworks legalized by state law in 2002, which include



Eric Robbins of TNT Fireworks tells the House Commerce, Jobs and Economic Development Committee March 27 of the high fees some cities are requiring for tents that sell sparklers and fountain type fireworks.

toy pistols, sparklers, snakes and glow worms, smoke devices, trick noisemakers, and string poppers.

Under the bill, cities also may not impose upon fireworks sellers any financial guarantee requirements — including bonding or insurance provisions — that are not imposed on a similar basis to other licensed businesses.

Testifying in support of the bill were numerous pastors whose churches and youth groups sold fireworks last summer as fundraisers. They said cities were imposing inspection and licensing fees as high as \$1,100 in an effort to keep fireworks from being sold.

Sellers did not anticipate that local government units would impose fees and other restrictions, said Buzz Anderson, president of the Minnesota Retailers Association. "It took some legislators by surprise as well," he added.

Testifying against the proposal were the League of Minnesota Cities and the Minneapolis fire marshal's office. The latter charges a \$500 annual fee, which includes a two- to four-hour inspection of the selling point, and three to four hours of education to the seller's staff, as well as literature for distribution to customers.

"If not used appropriately and supervised appropriately, they're dangerous," said Minneapolis Fire Marshal Tom Deegan, of fireworks.

The bill now moves to the House floor. A Senate companion bill (SF672), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits action in the Senate.

Mandate debate

In a late-night meeting April 2 involving rigorous debate, a bill that would allow local governments a process for opting out of nearly every sort of state mandate was tabled by the House Local Government and Metropolitan Affairs Committee.

The future is now uncertain for HF473, sponsored by Rep. Mark Olson (R-Big Lake), because all bills have to clear all policy committees in their house of origin by April 4 to be considered further.

The committee voted to table the bill after Rep. Jerry Dempsey (R-Red Wing), the committee chair, called for a recess to allow the Republicans to caucus regarding an issue.

Prior to the caucus, Rep. Keith Ellison (DFL-Mpls) offered an amendment that would have disallowed local government units from opting out of the state Human Rights Act.

"I think that certain things should not be a matter of debate, and that (includes) human rights," Ellison said.

Olson said he was willing to follow the committee's lead, but that he intentionally left

to a minimum the mandates that local governments could opt out of. The state government could eventually improve upon laws, he said, by seeing what changes are debated at the local level.

"I don't think the human rights act is perfected," he added.

After debate between Ellison and Olson, Rep. Carla Nelson (R-Rochester) moved to table the bill. With only Nelson and Dempsey voting for the motion, the bill remained open for discussion and action.

A few minutes later, Dempsey called for the caucus recess and members returned and tabled the bill.

HF473 would allow cities, counties, school districts, and townships to adopt a resolution, following a public hearing, to opt out of any state mandate, save for those pertaining to election law, property tax laws, and accounting and financial management procedures and audit requirements.

The bill defines a mandate as any state law or rule related to local government structure, operation, services, programs, or financing that:

- imposes a cost or authorizes imposition of a tax or fee to cover that cost;
- decreases revenue without a commensurate decrease in services required by law;
- establishes mandates goals or practices;
- imposes criminal or civil liability for failure to follow or enforce the law or rule;
- restricts the ability to establish or finance services, programs, or plans; or
- implements or interprets federal law, and thereby changes service levels beyond those required by federal law.

A Senate companion bill (SF700), sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action.

Agency withdrawal

A bill allowing the City of Rockford to withdraw from the Metropolitan Council was passed by the House 127-1, March 27.

On March 24 it passed the Senate 64-0.

The Metropolitan Council is a regional planning agency that serves the seven-county metropolitan area, save for three cities. Removed in 1978 was New Prague; 1980, Northfield; and 1983, Hanover.

In sponsoring the bill (HF415/SF512*), Rep. Dick Borrell (R-Waverly) said that Rockford has 1,100 homes in Wright County, which does not fall under the Metropolitan Council purview, and 84 homes in Hennepin County, which is in the council's jurisdiction. It's unnecessary, said Borrell, for the city to follow Metropolitan Council policies requiring

submittal of long-range plans, low-income housing reports, and other paperwork for a small portion of the city.

The City of Rockford supported the bill.

Sen. Mark Ourada (R-Buffalo) is the Senate sponsor.

The bill was presented to the governor April 1. It awaits his signature.

METRO AFFAIRS



Stopping disparities

Two nearly identical bills that would have abolished a metropolitan area property tax sharing program may not go anywhere this session, despite a pair of committee hearings.

HF514, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), and HF495, sponsored by Rep. Jeff Johnson (R-Plymouth), would abolish the metropolitan area fiscal disparities program. Both were heard by the House Taxes Committee March 27 and April 1, but neither was acted upon.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, said the bills are "dead for this year." In doing so he implied that the state budget crisis would not allow the bills, either one of which are estimated by the Department of Revenue to cost \$6.9 million through fiscal year 2007. Officials anticipate the changes would lead to greater property tax refunds for filers.

Under the program, in place since 1975, cities contribute 40 percent of their growth in commercial and industrial tax base since 1971 to a distribution pool. The money is then appropriated to contributing cities based on a formula accounting for population and property values.

When viewed from a county standpoint, only Hennepin County has given more than it has gained, according to the nonpartisan House research staff. The top gainer in the 2003 program was St. Paul, receiving \$21.9 million. The top contributor was Bloomington, giving \$14 million.

Redistribution of wealth is one thing, Lenczewski said, but she and Johnson believe the current program does this unfairly.

The current distribution formula does not account for local fiscal conditions, unmet needs, or economic pressures, Lenczewski added. While Minneapolis and St. Paul have long served populations larger than those that live within their borders, the corridor between her Bloomington-based district and Johnson's Plymouth-based district has more jobs than Minneapolis.

Both Bloomington and Plymouth are large economic driving forces and have large costs

associated with that — roads to handle commuter traffic being one of them. Yet, Lenczewski added, Bloomington and Plymouth have to give money to other cities under the program.

"Where is the job base?" she said. "Where is the hard-core growth for jobs in the metro area?"

But the Citizens League of Minnesota, according to President Lyle Wray, is against program abolishment.

"This achieves a major public purpose of equalizing tax base at a very low cost," Wray said.

HF514 lacks a Senate companion bill. The Senate companion bill to HF495 is SF635, sponsored by Sen. William Belanger (R-Bloomington). It awaits action.

Opening up HOV lanes

A bill that would open up high-occupancy vehicle lanes to single-occupant vehicles if they pay a fee to use the lanes was approved by the House Transportation Policy Committee April 2.

Sponsored by Rep. Chris DeLaForest (R-Andover), the bill would authorize the department to allow increased use of the lanes, upon receiving federal approval for such uses. Single-occupant vehicles using the lanes would have a transponder located in the vehicle that is recognized by electronic readers upon entering the lanes. Car pools and other multiple-occupant vehicles could still use the lanes free of charge.

Motorists would be charged different rates depending on where they enter the lanes and the level of congestion in the regular lanes. These express lanes are proposed for relieving congestion on Interstate 394 west of downtown Minneapolis.

Other specifics of the plan were not included in the bill, DeLaForest said, to allow the state Department of Transportation flexibility. However, additional revenue raised by the plan would be deposited in an account and those funds would be divided between paying for administrative costs and improving transit and carpool options in the corridor.

The plan would maximize existing infrastructure on I-394 that is currently being underutilized, DeLaForest said.

Said Margaret Anderson Kelliher (DFL-Mpls), a co-sponsor on the bill, "This is not about building more lanes. This is about maximizing capacity ... and moving traffic efficiently."

In addition supporters say this idea is one that not everyone would have to pay for, unlike a gas tax. Information provided to the committee showed that opening up the HOV lanes allow drivers the option of paying to

move along the road more quickly. In addition, those drivers would free up space in the regular lanes of travel that would further alleviate congestion.

In addition, the option places a specific cost of traveling alone, which helps transportation planners measure the true costs of commuting alone, according to the information.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee. Its Senate companion (SF1061), sponsored by Sen. Ann Rest (DFL-New Hope), awaits action in the Senate Finance Committee.

Municipal consent requirements

The 2001 Legislature placed a moratorium on construction in the Highway 62 Crosstown Commons, where the road meets Interstate 35W along the Richfield-Minneapolis border.

Concerns from both local and state officials regarding the impact construction of the project would have on congestion, as a result of proposed lane closures, prompted the requirement that the state Department of Transportation take another look at the project and come up with a better solution.

Betsy Parker, associate department director of governmental relations, said the department has studied the project and developed an alternative plan with the services of a consultant. As it now stands, project bids will be let in September 2005, which means municipal consent for the project must be achieved between November 2003 and March 2004, she said.

As a result, the department has proposed a bill (HF1007), sponsored by Rep. Ron Erhardt (R-Edina), which would allow the project to be deemed an interstate project for the purposes of the municipal consent law. The bill was approved by the House Transportation Policy Committee April 2 and forwarded to the House floor.

State highways and interstate highways undergo different municipal consent procedures, Parker said. While both allow for appeals processes if a community vetoes a project, the appeal is not binding on an interstate project and the commissioner of transportation has the discretion to move forward, based on findings that the project is necessary.

Because both the state and interstate highway share the same roadway through parts of the project, Parker said, it should be considered an interstate project.

Tom Foley, transportation engineer for Richfield, said the revised project is much better than the previous one and that the city does not object to the new concept plan. He said the city does not think the bill undermines the municipal consent process.

However, Scott Benson, a Minneapolis City

Council member, said the bill sets a bad precedent. Though the city is supportive of the new design, Benson said he doesn't think the process should be bypassed.

"Whenever those two projects meet, are we going to divert to the lowest standard of municipal consent?" he asked.

Parker said that because there's no way to predict how the cities will react, even though they are part of the planning process, it's important the commissioner have discretion to construct significant projects of regional import.

Rep. Mary Liz Holberg (R-Lakeville) agreed in part, saying one or two cities should not be allowed to highjack significant regional projects.

Sponsored by Sen. Claire Robling (R-Jordan), the bill's Senate companion (SF1122) awaits action in the Senate Finance Committee.

Met Council changes

The boundaries delineating districts in the Metropolitan Council's jurisdiction would change, as would the commissioners' term lengths, under a bill approved April 1 by the House Local Government and Metropolitan Affairs Committee.

The redistricting map, presented as part of HF1228, sponsored Rep. Mark Buesgens (R-Jordan), drew concern from several legislators.

Rep. Carlos Mariani (DFL-St. Paul), a member of the 2002 House Redistricting Committee, said redistricting is often political and divisive. And, there are purely technical matters to consider in redrawing boundaries. It's difficult to determine if the proposed Metropolitan Council redistricting map is good or bad within the 10 or 15 minutes a bill is before a committee, he added.

"I feel actually pretty uninformed," Mariani said.

Rep. Frank Hornstein (DFL-Mpls) said the proposed map creates a slight loss in representation by forming one district for both Minneapolis and St. Paul. In addition, he said, it would be a tall order for any commissioner to represent both cities.

Rep. Debra Hilstrom (DFL-Brooklyn Center) said one district in particular would be required to work with three counties, a challenging task. Buesgens replied that the commissioner who represents the district encompassing his city would be working with four counties.

Buesgens agreed to work with members to alleviate their concerns before the bill's next presentation at the House Governmental Operations and Veterans Affairs Policy Committee.

The bill would also have the 16 commissioners — all of whom are appointed

by the governor — serve four-year staggered terms, as well as having them serve at the pleasure of the governor. This would allow the governor to make new appointments to maintain philosophical alignments, Buesgens said.

Current law has the commissioners' terms ending with the governor's terms.

When filling unexpected vacancies, the governor could consider applicants from nominating rounds within the last 12 months, under the bill.

The Metropolitan Council is a regional governing and rulemaking body that oversees waste management, metropolitan transit, and regional planning for the seven-county Twin Cities metropolitan area.

A Senate companion bill has not been introduced.

Expanding Interstate 494

Members of the House Transportation Finance Committee are considering a proposal to appropriate \$620 million in bond proceeds to expand Interstate 494 in the southern Twin Cities metropolitan area.

The bill (HF484), sponsored by Rep. Paul Thissen (DFL-Mpls), was heard by the committee on April 1 and 2. It will be considered for inclusion in the committee's omnibus transportation finance package.

Specifically, the bill would provide for four lanes of traffic in each direction on I-494 from its intersection with Cedar Avenue in Richfield and Bloomington to its intersection with Highway 100.

Transportation Department officials testified that the road reached its capacity in the late 1980s. It now carries 175,000 vehicles per day, but its congestion forces another 17,000 vehicles per day onto the local roads along the interstate, said Tom O'Keefe, planning director with the department.

The project would also provide for bus shoulders and high-occupancy vehicle bypasses on the entrance ramps. In addition, as the project is currently planned, it would reserve right-of-way for future expansion if necessary.

Steve Elkins, Bloomington City Council member, said congestion along I-494 is the single most important quality of life issue in his area, as traffic spills over onto the local streets. He said that the communities along the road have been making their own commitments to expanding the road by acquiring right of way.

The project is not currently in the Transportation Department's 10-year development plan. However, it is planned for an unnamed date during the next 20 years.

Thissen noted that other projects in the 10-year plan, such as expansion of U.S. Highway 212, would increase congestion on I-494, and the committee should consider increasing the capacity of the interstate at the same time as the highway.

The bill currently has no Senate companion.

MAC oversight

The unelected body overseeing the Minneapolis-St. Paul International Airport and six regional airports throughout the Twin Cities metropolitan area would have to answer to a legislative committee on a routine basis, under a bill approved on a split vote April 1 by the House Local Government and Metropolitan Affairs Committee.

HF883, sponsored by Rep. Tim Wilkin (R-Eagan), contains provisions recommended in an audit of the Metropolitan Airports Commission issued earlier this year by the Office of the Legislative Auditor. Wilkin said the commission fared well in the audit, but that legislative oversight was recommended.

The governor appoints 13 of the commission's 15 members. The mayor of Minneapolis and the mayor of St. Paul are each allowed to make one appointment.

None of the appointments is subject to legislative confirmation. Commission decisions do not require approval by elected officials, and in recent years the governor has had little contact with the commission, according to the audit.

Under HF883, the Legislative Commission on Metropolitan Affairs would review the commission's proposed operating budgets, work programs, and capital improvement programs. The legislative commission is comprised of senators and representatives.

Airports commission chair Vicki Grunseth said she wouldn't fight the bill's provisions. However, she said, the commission currently reports various components of its business to four separate legislative committees, as well as the Metropolitan Council.

"I guess I just don't have a high level of confidence with the Metropolitan Council over the years," said Wilkin, explaining the legislative commission oversight provision.

An amendment was successfully offered by Rep. Mark Buesgens (R-Jordan) to no longer allow the mayors of Minneapolis and St. Paul to appoint members to the airport commission. The vote was 11-7.

Buesgens said current law dictating where gubernatorial appointees must reside already allows for representation of Minneapolis and St. Paul. Allowing the two mayors to each make appointments leads to over-representation on a body overseeing a statewide asset. Several

metropolitan area legislators disagreed, stating that airport noise and traffic affect their communities more than others.

Also under the bill, the governor's commission chair appointment would be subject to Senate confirmation.

A companion bill (SF602), sponsored by Sen. Ann Rest (DFL-New Hope), was approved by the Senate State and Local Government Operations Committee and awaits further action.

MILITARY



Pay differential

The House passed a bill March 31 that would give state and local government employees in the military reserves a salary differential payment when called to active duty.

HF294, sponsored by Rep. Rob Eastlund (R-Isanti), would require a state employer to pay any net amount of salary lost to an employee if called to service.

As amended on the floor, the bill would apply to salary differential for active service on or after the date of final enactment. The bill previously would have been retroactive to Sept. 11, 2001. With budget concerns looming, Eastlund explained that state agencies might not be able to handle the costs if the bill were retroactive.

During committee testimony, Col. Dennis Lord, executive director of the Minnesota National Guard, explained that lower ranking soldiers are paid less by the military than most civilian jobs. Because of the salary difference, some soldiers are suffering great financial hardship in serving the country for periods of time ranging 12 to 24 months.

Minnesota has about 18,000 reservists, 500 of whom are state employees. Of those employees, he said many are of higher rank in the military so the salary differential wouldn't apply to them. But for the lower ranking soldiers paid less, the bill would help them significantly, he said.

Eastlund told members a yes vote on the bill would set aside differences on the war, and "support the people who are over there providing the freedoms we enjoy here." HF294 passed 132-0.

A Senate companion (SF117), sponsored by Sen. Don Betzold (DFL-Fridley) awaits action in a Senate committee.

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★ RECREATION

Off-highway vehicle trails

A recent legislative auditor's report determined that efforts by the Department of Natural Resources (DNR) to develop a formal trail system for off-highway vehicles, such as all-terrain vehicles, dirt bikes, and 4X4 trucks, have been inadequate.

A bill that aims to break what off-highway vehicle enthusiasts describe as "institutional inertia" and get more designated trails in state forests was approved by the House Environment and Natural Resources Policy Committee March 27.

Sponsored by Rep. Tom Hackbarth (R-Cedar), the committee chair, the bill (HF1077) would exempt state forest motorized trails from the environmental review process for three years. Under the bill, most state forest trails would be designated for motorized recreational vehicle use by 2006.

Other provisions of the bill would require all off-highway vehicles to be registered with the state and allow registration fees to be directed toward local law enforcement agencies for enforcement and public education expenditures. Currently, vehicles used on private lands and racing vehicles are exempt from registration. Qualified clubs would also be eligible for safety and conservation education grant money.

And the bill would establish an adopt-a-trail program to encourage individuals and businesses to provide voluntary trail maintenance and monitoring in state forests.

The environmental review exemptions are "brought to you and born out of our total frustration at getting designated trails on the ground," said Ray Bohn, a lobbyist for the All-Terrain Vehicle Association of Minnesota. "We've been stymied literally the last three or four years by people using the environmental process to stop trails."

Bohn said the bill would create a disincentive for people with environmental concerns to sue because the process would be slowed and then the trails would open automatically. "It's like we have no alternative at this point," he said.

Opponents argued the bill ignores recommendations from the legislative auditor and a motorized trail task force convened by the 2002 Legislature consisting of both off-highway vehicle users and non-motorized forest interests.

"The bill would let the DNR grandfather in and designate any and all of the existing 7,000 miles of unplanned trails — the same unplanned trails that have caused so much environmental damage and public outcry — with no environmental review," according to the Minnesota Center for Environmental Advocacy (MCEA).

"It is an environmental nightmare and a lawyer's dream," said Matt Norton, MCEA forestry advocate. "Minnesotans will be looking at damage after the fact and running to the courts."

The bill now moves to the House Environment and Natural Resources Finance Committee.

The Senate Environment and Natural Resources Committee has reviewed a number of off-highway vehicle bills, including a Senate companion to HF1077 (SF965), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), but has not yet approved any of the measures.

Youth referees

A bill that would allow youths between ages 11 and 14 to work as sports officials without filing for a child labor law exemption was approved by the House March 27.

Sponsored by Rep. Lynn Wardlow (R-Eagan), HF446 passed 128-0 without questions from or debate by representatives.

Under current law, no child younger than 14 may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events, Wardlow said.

About 2,000 exemptions are processed by the state each year for youth sports officials. Eliminating the exemption filing "will save the department time and money," Wardlow said.

The department and numerous Minnesota youth soccer and hockey organizations supported the bill.

"With the growth of hockey within Minnesota the local organizations rely on this age level to officiate for their younger games," said Bill Leslie, chief referee for Minnkota Hockey, a division of USA Hockey.

The bill's Senate companion (SF745), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action on the Senate floor.

★ SAFETY

Handling hazardous material

In response to increased worries about domestic terror attacks, a bill approved by the House Judiciary Policy and Finance Committee April 1 would expand the authority of hazardous materials teams in Minnesota.

Under HF1066, sponsored by Rep. Kurt Zellers (R-Maple Grove), chemical assessment teams would be authorized to deal directly with the hazardous materials they encounter.

Those teams are currently limited to assessment and defensive duties related to protecting the surrounding area. They call in emergency response teams to deal directly with the chemical threat.

State Emergency Management Director Jerry Rosendahl said the potential for long response times from the emergency response teams makes it essential for the chemical assessment teams to be able to take "aggressive proactive action towards the material involved."

Rosendahl said chemical assessment teams have the same training and expertise in handling hazardous materials as emergency response teams.

The bill would also expand the definition of hazardous material to substances intentionally released in connection with a criminal or terrorist act. Current statutes limit the definition to only accidentally released materials. The types of substances included in the definition would also expand to include chemical and biological substances and toxic gasses, in addition to the explosive, corrosive, radioactive, and combustible substances already included.

At the request of the Minnesota Professional Fire Fighters organization, Zellers successfully offered an amendment removing a section of the bill that would eliminate the commissioner of public safety's obligation to implement a statewide hazardous materials incidence response plan.

The bill now goes before the full House.

A Senate companion bill (SF941), sponsored by Sen. Dan Sparks (DFL-Austin), awaits a committee hearing.

Survivor benefits

When Minneapolis Police Officer Melissa Schmidt was killed in the line of duty last August, her family did not qualify to receive money from the state's public safety officer's benefit account.

Under state law, when a Minnesota police officer or firefighter is killed in the line of duty, the state must pay the surviving family \$100,000. The law specifies that money must go to a spouse, any dependant children, or dependant parents. If none of those family members exist, the state will not make a payment.

Schmidt's parents and fellow Minneapolis police officials would like to see a change in the law.

Minneapolis Police Cpl. Lyall Delaney told members of the House Judiciary Policy and Finance Committee April 1 that Schmidt's family would like to start a scholarship fund in her name, using the state benefit money.

The committee approved a bill (HF7), sponsored by committee chair Rep. Steve Smith (R-Mound), which would allow that to hap-

pen in Schmidt's case and any future cases.

The bill specifies that if there is no surviving spouse, dependant children, or dependant parents, the state would pay the money to the officer's estate. The effects of the bill would be retroactive to July 2002, in order to assure payment to Schmidt's family.

The bill next goes to the House Ways and Means Committee. A Senate companion bill (SF189), sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), has been approved by two committees and awaits action by the Senate Finance Committee.

★ TRANSPORTATION

Governor's transportation proposal

Members of the House Transportation Finance Committee heard a presentation from Lt. Gov. Carol Molnau April 2 regarding the Pawlenty administration's proposal for transportation bonding.

The proposal is included in a bill (HF4), sponsored by Rep. Andrew Westerberg (R-Blaine). It provides for \$550 million in trunk highway bonding proceeds for accelerated construction of road projects within the state Department of Transportation's 10-year plan.

In addition, the bonding funds would leverage up to \$550 million through 2009 in advance construction funding authorized by the federal government.

Of the appropriation, \$50 million could be used for transit-related capital improvements to highways, under the bill. It would also authorize the department to spend up to \$5 million in federal funds through 2008 for capital investments for Greater Minnesota transit systems.

In order to finance the additional bonding, Molnau said, the department reduced expenditures by \$84 million for the 2004-05 biennium.

The greatest share of the savings (39 percent) comes from proposed reductions to administration and overhead in the department. Next, at 24 percent, are reductions to information technology-related spending in the department. Other areas facing proposed reductions include road maintenance, reducing assigned vehicles to employees, research, snow and ice removal, rest areas, road striping, and landscaping, according to documents provided by the department.

The key to the plan, Westerberg said, is that it's a beginning to help solve the congestion problems in the state. He said that due to the budget constraints, now is not the time to consider long-term options such as increasing the gas tax, tab fees, and other local taxing options.

"This can all be done without raising taxes to Minnesotans," he said of the governor's



Lt. Gov. and Transportation Commissioner Carol Molnau answers a question during a April 2 hearing of the House Transportation Finance Committee. The committee was hearing a bill that would appropriate money and issue bonds for trunk highway improvements.

plan.

Rep. Ron Erhardt (R-Edina) asked Westerberg why the Legislature shouldn't consider those options.

"There's no future in this," Erhardt said of the bill. "All this is doing is piddling away and taking little bites out of it."

Molnau responded that raising the gas tax is not in itself a solution to future funding options.

"It's not going to be the workhorse that it used to be," she said.

The committee will consider the bill for its omnibus finance plan. An amendment was accepted by the committee to split the bonding proceeds between projects in the Twin Cities metropolitan area and Greater Minnesota.

The Senate companion (SF288), sponsored by Sen. Mark Ourada (R-Buffalo), awaits action in a Senate committee.

License fee revenue

A bill that would increase license tab fees to raise additional revenue for transportation projects was considered by the House Transportation Finance Committee April 2, though the committee did not make a decision regarding its future.

HF1372, sponsored by Rep. Michael Beard (R-Shakopee), will be discussed further the week of April 7 and then considered for possible inclusion in the committee's omnibus finance bill.

In 2000 as part of a budget compromise, Gov. Jesse Ventura chose to reduce license tab and registration fees. Currently, the tax is based on its full value the first year of a vehicle's life. It shall not exceed \$189 in the next year, and is limited to \$99 in each of the following years.

The bill would raise those limits to \$200 in the second year of a vehicle's life, \$175 in the third year, \$125 in the fourth, and would maintain the \$99 limit for the fifth and subsequent years of the vehicle.

In addition, the bill would reduce the percentage of motor vehicle sales taxes dedicated to the highway user tax distribution fund from the current level of 32 percent to 27.46 percent. It also proposes that a constitutional amendment be placed on the 2004 general election ballot to dedicate 100 percent of motor vehicle sales taxes for highway and public transit purposes, beginning in fiscal year 2008.

If voters pass such an amendment, three things would happen: vehicle license tab fees would revert to 2003 levels, 32 percent of the motor vehicle sales tax would be dedicated to the highway user tax distribution fund, and the rest of the sales tax revenue would be used for transit property tax replacement, transit assistance in the Twin Cities metropolitan area and Greater Minnesota, and to major trunk highway projects.

Motor vehicle sales taxes are currently distributed as follows:

- 32 percent to the highway user tax distribution fund,
- 20.5 percent to the metropolitan area transit fund,
- 1.25 percent to the Greater Minnesota transit fund, and
- 46.25 percent to the general fund.

In addition, a metropolitan area transit appropriation account is set to begin in 2004, reducing the contribution to the general fund by 2 percent.

According to the bill, the additional revenue would be available to help fund the \$1.5 billion in trunk highway bonds authorized from 2004 to 2010.

Beard said that the bill builds on Gov. Tim Pawlenty's plan that provides for additional bonding to support transportation projects. He said it also attempts to address the long-term concerns of additional funding streams for transportation, without raising the gas tax, which the governor has said he doesn't support.

David Olson, president of the Minnesota Chamber of Commerce speaking on behalf of the Minnesota Transportation Coalition, said

the coalition has supported a gas tax in the past, but with the political realities this year, they think HF1372 is a reasonable solution.

"We're frustrated that a bill hasn't passed for a number of years," he said. "We're interested in getting something passed."

The bill's Senate companion (SF1372), sponsored by Sen. Dean Johnson (DFL-Willmar), awaits committee action.

Upgrading Highway 14

Owatonna resident Linda Maher blames U.S. Highway 14 for nearly taking her life.

Two years ago, she was on her way to work in Waseca when a truck crossed the median and hit her head-on in the height of rush hour. Her left lung collapsed, her pelvis was broken in two places, her left elbow was shattered, her left shoulder was in pieces, and her left arm was significantly damaged. After six months of surgeries, rehabilitation, and a stay in a nursing home, she returned to work, but would require additional surgery later to adjust some of the pins in her arm.

She receives a daily reminder of the accident when she passes the spot on her way to work. She testified before the House Transportation Finance Committee April 1 to implore members to fund improvements to the road, which is notable for a high occurrence of fatal accidents.

A bill that would provide \$164.6 million for improvements to Highway 14 that crosses southern Minnesota will be considered for possible inclusion in an omnibus transportation finance package to be compiled by the committee.

HF1324, sponsored by Rep. Connie Ruth (R-Owatonna), calls for the reconstruction and improvement of Highway 14 from its intersection with state Highway 60 near Eagle Lake in Blue Earth County, just east of Mankato, to the highway's intersection with Interstate 35 on the south edge of Owatonna.

Officials from cities along the road testified in favor of the proposal, saying they are concerned about the safety of motorists and for economic development reasons. The road is a significant link for commerce in the area, said Waseca Mayor Tom Hagen, even though the proposal would redirect the road away from downtown Waseca. He noted that the road cannot accommodate the large trucks that use the roads, it carries more cars than it was intended to, and the conditions of the road make the 55 miles per hour speeds dangerous.

According to a brochure provided to the committee about the proposed improvements, the project is slated for construction through 2014. If funding were granted for the entire project, it could be completed by 2009.

The bill currently has no Senate companion.

Second time's a charm

After losing in the general election, Otto replaces her initial opponent in the House of Representatives

By PATTY JANOVEC

Rep. Rebecca Otto (DFL-Marine on St. Croix) campaigned for six months last year only to lose her bid for the District 52B House seat.



Rep. Rebecca Otto

However, any disappointment was erased three months later when she won the seat in a Feb. 11 special election, which was needed after former Rep. Mark Holsten (R-Stillwater) was named deputy commissioner for the

Department of Natural Resources.

Most people agree that a democracy is about healthy debate, explained Otto, something that she says many people believed had been lost on a state and national level after the 2002 campaigns. "People, including a lot of Republicans, staunch Republicans who would have never voted for a Democrat, were passionate about getting me elected because they felt there was no balance left," she said.

Otto said she hopes to improve that balance and focus on issues rather than partisanship.

"A lot of people say 'I don't belong to a party, I look at the individual' and I think they are savvy enough to make their own decisions," Otto said.

As for the additional three weeks of special election campaigning, Otto said, "It felt really good, it was really nice, I worked hard." Telephoning people and walking the neighborhoods allowed constituents to ask her questions, she said. "I think the personal contact was very important, people really appreciated it, and they could ask me whatever they wanted to." She defeated her closest challenger in the special election by 10.8 percent of the vote.

Otto and her husband, Shawn, have been small business owners in property management for several years. She moved away from the business to become a seventh grade life

and environmental science teacher. After five years she stopped teaching to stay home with their son, and she quickly got involved with the parent-teacher board and volunteering in the classroom.

That's how she began her pursuit of public office.

She ran a successful campaign for her local school board. She also said she chaired the local levy referendum campaign while running for the board. That experience helped her recognize a "lack of communication and trust between the community and this district," she said.

cared about education," she said. The other top concern is the environment. Otto said the St. Croix Valley area is one of the most beautiful in the state with lakes, trout streams, and the river. Property taxes were also a concern for her constituents, because of the small tax base, she explained.

Passionate about the environment, Otto and her husband built a renewable energy home. A wind generator provides 80 percent of the home's power, and has been featured in local and national publications. She said they've "saved a lot of money and it was a great investment." They use the home to educate people around the state and from other countries by letting them tour the house.

Otto admits that her schedule is a busy one as she serves on four House committees: Agriculture and Rural Development Finance, Agriculture Policy, Environment and Natural Resources Policy, and Local Government and Metropolitan Affairs. "I certainly want to do

"Sometimes when the public institutions are in the worst shape and have the biggest problems, people need to be creative, and step forward and work on it."

— Rep. Rebecca Otto

Lynn Steenblock, superintendent for the Forest Lake Area School District, describes Otto as "an individual who cares about all children." In working with Otto as she ran for the school board, Steenblock said Otto's love for children was clearly apparent. He says she has concerns with the quality of education and "wants the same things for all children in Minnesota."

Those very same instincts that nudged her to become active in the school district, are the same skills "that have brought me to this point in my life," said Otto.

A graduate of Macalester College, she said she was inspired to run by a quote from Kofi Annan, the secretary-general of the United Nations. She paraphrased him, saying, "Sometimes when the public institutions are in the worst shape and have the biggest problems, people need to be creative, and step forward and work on it." Otto said, "I feel like I'm walking into a really tough situation, and there's a lot of hard decisions."

Two distinct concerns became apparent during the campaign, she said. First, "people really

my share," she admits. Otto said that House Speaker Steve Sviggum (R-Kenyon) said he assigned her to the agriculture committees because her family owns a hobby farm, complete with horses and her family bails their own hay.

Otto doesn't mind the fast pace that comes with being a legislator, saying she has the perfect job. "I love to learn, I learn a lot everyday."

DISTRICT 52B

2002 population: 36,813

Largest city: Stillwater

County: Washington

Location: eastern Twin Cities metropolitan area

Top Concern: "Education drives everything. It's one of the soundest economic investments we can make as a state. It determines our future."

— Rep. Rebecca Otto

A tall order

From paramedic to politician, Powell fills seat formerly represented by two top state officials: Ken Wolf and Dan McElroy

By PATTY JANOVEC

Residents in District 40A went from having two representatives in the past year, to one, and then none shortly after the calendar turned to 2003.



Rep. Duke Powell

Last year's redistricting plans put a pair of former representatives, Ken Wolf and Dan McElroy, into the same district, but Wolf then chose not to seek reelection when he was named to a top position

in the state Commerce Department. McElroy won the seat in November, but resigned Jan. 6 to become the state's finance commissioner.

"I decided on pretty short notice that I would run for this seat," said Rep. Duke Powell (R-Burnsville). He and his wife, Julie, have three children.

A paramedic in the Twin Cities metropolitan area since 1980, Powell's been a Burnsville resident and health care activist for 30 years. He had worked as Wolf's campaign manager for years, and says the leap to running for legislator wasn't a big one. He's been involved over the years with policy, and was active with local and state Republican parties, he said.

Elected Feb. 3 and having to dive right into the process, Powell said, "I'm trying to keep up with the pace of the place." Laughing, he said, "I haven't dropped too many balls."

He said he's already hearing from his constituents regarding such issues as the bill that would change requirements for granting concealed weapons permits and a proposed wage freeze on public employees. Those who know him well say he's well-suited to handle those concerns.

Charles G. Erickson, a Republican activist and Burnsville resident for 25 years, worked on Powell's campaign and described him as having "a great savvy for politics." He said the representative "has a thorough understanding of what is needed in our district."

Powell said his constituents' main concern is solving the budget deficit. "That was the platform I ran on," he said.

What he is hearing from constituents is that they want the budget problem solved "without raising taxes," he said. "The tax climate has been fairly poisonous."

As an example, he said that the biggest employer in his district recently moved 1,000 jobs out of state because "we're not competitive." Other states neighboring Minnesota, including South Dakota, are in the position to advertise that they have a more friendly business climate, he described. He said he'd like Minnesota to be able to be in that position, but

"We have a city that's largely made up of people who commute out of the city to other suburbs and inner cities. . . . If we're able to move goods and services around in a more efficient manner" (that could also help the economy).

— Rep. Duke Powell

can't. "We can't do that now," he said. "We're just scrambling to hold onto what we've got."

Powell also explained that the state can "grow revenues by strengthening the economy." There are a lot of things that government does that gets in the way of businesses conducting commerce, he said.

Also important to the district are transportation issues.

"We have a city that's largely made up of people who commute out of the city to other suburbs and inner cities," he said. The district houses a large manufacturing base, and he said the interest is in building higher capacity roads and making better use of transit. "If we're able to move goods and services around in a more efficient manner" that could also help the economy, Powell said. He explained that it "shouldn't be done through taxes, it should be done through production."

He serves on three House committees:

Health and Human Services Policy, Judiciary Policy and Finance, and Regulated Industries. "Whatever impact I can make there to cut spending and (ensure) the core services are funded is something I will be working on," said Powell.

He explained that the committee assignments fit his experiences well. For one, he worked closely with Wolf, whose interests as a legislator involved the topics under the jurisdiction of the House Regulated Industries Committee. As a paramedic, he said he has firsthand knowledge of the issues affecting the health care field. That job also gives him a first-hand perspective on the issues of public safety, he said, which are covered by the House Judiciary Policy and Finance Committee.

Like many freshman legislators, Powell is slowly learning the ropes.

He joked about his early days as a House member. "How am I going to be able to find my office, which turn do I make when I come out of the elevator... although I'm getting

better at it," he said. Sometimes he says he has to wonder if he was able to get anything done in a day because of the fast-moving pace of legislative activity. "I can't believe how quickly the day goes, suddenly I haven't eaten all day and it's 6 o'clock."

DISTRICT 40A

2002 population: 36,882

Largest city: Burnsville

Counties: Dakota, Scott

Location: southern Twin Cities metropolitan area

Top concern: "The economy, take care of the budget deficit, and grow revenues by strengthening the economy. There's a lot of things that government does that gets in the way of businesses conducting commerce."

— Rep. Duke Powell

Out front

As newest member of the House, Zellers moves from behind the scenes advisor to role as decision maker

By PATTY JANOVEC

Becoming a state representative means that Rep. Kurt Zellers (R-Maple Grove) still has the same drive to work each day. It's just that his office has changed.



Rep. Kurt Zellers

Zellers, who was the director of public affairs for House Speaker Steve Sviggum (R-Kenyon), is the newest member of the Minnesota House of Representatives.

Zellers earned that seat when he won a Feb. 25 special election in District 32B. He replaces former Rep. Rich Stanek, who was named the state's public safety commissioner in January. Zellers calls himself a seasoned political activist.

In addition to working with Sviggum, Zellers has worked with former U.S. Sen. Rod Grams, and current U.S. Sen. Norm Coleman. If there's one thing he's learned, he said, it's "that everything you do or have experience with, affects every single person (in Minnesota). I think that's one thing people miss about politics, that's why it gets a bad rap."

His grandmother encouraged him "to be a contributor to your community...bring something back or do something good for those around you." As a child growing up in Devil's Lake, N.D., Zellers said his grandmother encouraged him to read all the time. "When I was in fifth or sixth grade, I read biographies on the former presidents Lincoln, Washington, Jefferson. Those were the big ones," he said.

He said she didn't expect him to devise the next great widget or car, but to be a good person. In his teens, Zellers took the advice to heart, in part, as a student-coach for sports in high school and college. While at the University of North Dakota, he helped another student successfully run for the state legislature, beating an incumbent of six years.

Family continues to direct his path.

When his younger brother died at age 17 from a congenital heart defect nearly two years

ago, Zellers said he realized all of the things he would get to see in life that his brother wouldn't. "I promised myself that if any opportunity ever came along, that I wouldn't be afraid of it, too lazy to do it, or make an excuse," he said. "I would never live with an 'what if' or 'but' ever again."

That was especially true when the opportunity to seek a legislative seat arose. Zellers, who had been working for Coleman, chose not to follow the senator to Washington D.C., instead taking a job with the House Republican caucus. Additionally, Zellers said he was trying to settle down after tying the knot with wife Kim in December.

"I promised myself that if any opportunity ever came along, that I wouldn't be afraid of it, too lazy to do it, or make an excuse. I would never live with an 'what if' or 'but' ever again."

— Rep. Kurt Zellers

Sviggum describes the new representative as a "very outgoing, personable, caring individual."

Those traits were necessary as Zellers did a lot of door knocking during the campaign. He said residents told him they are concerned about making sure they have transportation options to get to and from the urban areas for their jobs, but that they enjoy having all the other services they need right in their local community. "We've got everything we need here, and we love it," he said of their comments. "Don't change anything." He describes the district as "relatively safe" and said the people don't want their taxes raised. School equity is an issue, as well as transportation.

Like his predecessor, Zellers says, "public safety is a big priority." One of the first bills he sponsored, HF1066, would give locally based chemical assessment teams more authority to address situations such as chemical spills, in the same manner as statewide emergency response teams. Under current law only certain functions may be performed by emergency teams.

He serves on three House committees: Capital Investment, Taxes, and Education Policy.

Education was one of the key issues he talked about during his campaign. "My wife is a public school teacher along with a few cousins," said Zellers, who is one semester of college away from being able to teach. He also said he requested a seat on the House Capital Investment Committee because it will possibly be addressing transportation bonding this year, a big issue in his district.

As for the projected budget deficit legislators must answer within the next seven weeks, Zellers added he doesn't think "people realize how many different ways their state, local, and federal government touch their lives every single day. I mean that from a law, a service, from a provider standpoint." He explained that now is the time for state government to "define how it is that we deliver services." Whether it's the arts, the historical society, or paving the roads to make sure people get to work to keep jobs coming in, he said, "Now is a tremendous

opportunity."

There are areas where the state isn't going to be able to be as generous as it has been in the past, he said. Additionally, he said the focus should be on practicality, focusing on the state's needs rather than merely its wants.

DISTRICT 32B

2002 population: 36,525

Largest city: Maple Grove

County: Hennepin

Location: northwest Twin Cities metropolitan area

Top concern: "Balancing the budget without raising taxes. With the time I spent with the federal government and the time I've spent down here, it's fairly obvious there's always room for improvement. We're spending more money. There are some areas where we aren't going to be able to be as generous as we have been in the past."

— Rep. Kurt Zellers

Monday, March 31

HF1302—Lipman (R)
Governmental Operations & Veterans Affairs Policy
 Corporate political contribution law administration provided, activities permitted expanded, penalties modified, and labor organizations required to notify employees of political use of funds.

HF1303—Knoblach (R)
Transportation Policy
 Cartway required where landowner's access is limited to navigable waterway.

HF1304—Penas (R)
Transportation Finance
 Local road improvement fund bonds issued, and money appropriated.

HF1305—Kuisle (R)
Environment & Natural Resources Policy
 Wetland replacement requirements for public transportation projects modified.

HF1306—Westrom (R)
Civil Law
 Breath alcohol testing devices in liquor establishments immunity from liability provisions modified.

HF1307—Westrom (R)
Judiciary Policy & Finance
 Corrections commissioner authorized to contract with private agencies, and requests for proposals relating to privatizing state prison system required.

HF1308—Hornstein (DFL)
Health & Human Services Finance
 Cemetery markers funding provided for regional treatment centers, and money appropriated.

HF1309—Abeler (R)
Education Finance
 Minnesota economic opportunity grants provided, and money appropriated.

HF1310—Thissen (DFL)
Education Finance
 Independent School District No. 280, Richfield, airport runway impact zone aid program implementation delayed.

HF1311—Erickson (R)
Education Policy
 School districts authorized to not comply with mandates unless revenue to comply is identified.

HF1312—Mullery (DFL)
Judiciary Policy and Finance
 Predatory offender law; level III offenders residence locations limited.

HF1313—Murphy (DFL)
Governmental Operations & Veterans Affairs Policy
 Minnesota State Colleges and Universities early separation incentive program authorized.

HF1314—Murphy (DFL)
Governmental Operations & Veterans Affairs Policy
 Minnesota State Colleges and Universities individual retirement account plan included in the combined service annuity portability provision.

HF1315—Murphy (DFL)
Governmental Operations & Veterans Affairs Policy
 Minnesota State Colleges and Universities individual retirement account plan revision in prior retirement benefit coverage elections permitted.

HF1316—Abeler (R)
Health & Human Services Policy
 Long-term care family loan program pilot project established, bonds issued, and sunset provided.

HF1317—Hornstein (DFL)
Governmental Operations & Veterans Affairs Policy
 Governor's Residence Council existence extended.

HF1318—Greiling (DFL)
Education Finance
 Cooperative community education levy authorized for jointly operated recreational or senior citizens programs.

HF1319—Smith (R)
Transportation Policy
 American classic car licensing and registration provided.

HF1320—Smith (R)
Judiciary Policy & Finance
 Lifetime firearms possession prohibition imposed for convicted violent felons, restoration provided, and technical changes made to the definition of crime of violence.

HF1321—Howes (R)
Commerce, Jobs & Economic Development Policy
 Cigarette manufacturers and retailers trade practices regulated.

HF1322—Rhodes (R)
Governmental Operations & Veterans Affairs Policy
 Campaign finance terms clarified, reporting requirements modified, additional civil penalties provided, and obsolete rules repealed.

HF1323—Seifert (R)
Governmental Operations & Veterans Affairs Policy
 State Board of Investment stocks in corporations doing business in France disposed of upon determination of international weapons sale violations.

HF1324—Ruth (R)
Transportation Finance
 Trunk Highway 14 between Eagle Lake and Owatonna reconstruction funding provided, bonds issued, and money appropriated.

HF1325—Erickson (R)
Environment & Natural Resources Finance
 Digital elevation and flood plain management mapping pilot project funding provided, and money appropriated.

HF1326—Latz (DFL)
Civil Law
 Civil actions against the state in federal court provisions clarified.

HF1327—Wagenius (DFL)
Environment & Natural Resources Policy
 Mercury emissions from electric generating facilities capped, emissions increase prohibited, and reduction of emissions in the future required.

HF1328—Wagenius (DFL)
Taxes
 Individual sewage treatment system improvements property tax valuation exclusion provided.

HF1329—Ozment (R)
Governmental Operations & Veterans Affairs Policy
 State lottery annual reports required on maximizing revenues to the environmental trust fund.

HF1330—Westerberg (R)
Regulated Industries
 Liquor retailer payment delinquency posting requirement modified.

HF1331—Wagenius (DFL)
Regulated Industries
 Emergency 911 telephone service fee increased to fund the third phase of the public safety radio communications system, bonds authorized, and money appropriated.

HF1332—Abeler (R)
Health & Human Services Policy
 Social work licenses and fees regulated.

HF1333—Westrom (R)
Agriculture & Rural Development Finance
 Small wind energy conversion system ownership and location requirements clarified relating to the renewable energy production incentive, incentive funding provided from electric utility assessment, and megawatts limit increased.

HF1334—Smith (R)
Governmental Operations & Veterans Affairs Policy
 Minneapolis firefighters relief association refund of member contributions provided upon death.

HF1335—Thao (DFL)
Governmental Operations & Veterans Affairs Policy
 Hmong veterans of the war in Laos during the Vietnam War commemorative statue provided.

HF1336—Seagren (R)
Education Policy
 Qualified teachers and paraprofessionals requirements established.

HF1337—Marquart (DFL)
Agriculture & Rural Development Finance
 Farm wrap network and rural help network grants provided, and money appropriated.

HF1338—Penas (R)
Education Policy
 Teaching license rules required granting a license to chemistry, physics, and biology teachers, and science teachers with continuing license allowed to be certified to teach other subjects after qualifying.

HF1339—Erickson (R)
Education Policy
 Parental access to statewide education assessment tests codified, and annual release of increasingly greater portions of statewide tests required.

HF1340—Howes (R)
Taxes
 Homestead classification provided for certain resorts owned by a limited liability company.

HF1341—Rhodes (R)
Taxes
 Tax petition dismissal 60-day rule modified.

HF1342—Clark (DFL)
Judiciary Policy & Finance
Prostitution data collection and reporting required, and penalty assessments appropriated to the commissioner of public safety.

HF1343—Powell (R)
Governmental Operations & Veterans Affairs Policy
Teacher retirement association service credit purchase authorized for a specified former employee of Independent School District No. 191, Burnsville-Eagan-Savage.

HF1344—Vandevor (R)
Transportation Policy
License plates; special veteran contribution license plates authorized for motorcycles.

HF1345—Klinzing (R)
Local Government & Metropolitan Affairs
Lieutenant governor added to the membership of the Legislative Commission on Metropolitan Government, and legislative approval required for Metropolitan Council operating levies.

HF1346—Goodwin (DFL)
Education Finance
Enrollment options compensatory revenue established allowing compensatory revenue amounts to follow a student to a nonresident school district, and money appropriated.

HF1347—Hoppe (R)
Environment & Natural Resources Finance
State park fund established, state park management and operations provisions established, self-sufficiency required of certain state parks and recreation areas, and money appropriated.

HF1348—Hoppe (R)
Education Finance
School district financial reporting dates adjusted, notification process created for operating referenda and debt elections, and school district elections for obligations regulated.

HF1349—Paymar (DFL)
Health & Human Services Policy
Tobacco use prohibited in certain public treatment institutions.

HF1350—Smith (R)
Education Finance
Independent School District No. 277, Westonka, permanent fund transfer authorized.

HF1351—DeLaForest (R)
Education Policy
Charter school requirements modified.

HF1352—Wagenius (DFL)
Environment & Natural Resources Policy
Water quality testing compliance provided, and money appropriated.

HF1353—Clark (DFL)
Education Policy
Limited English proficiency students enrolled in a Minnesota school district for three or fewer school years allowed to complete alternative English assessment and to complete other assessments in the student's primary language.

HF1354—Fuller (R)
Judiciary Policy & Finance
Probation sanctions conference procedure established, and forms and procedures required.

HF1355—Anderson, B. (R)
Governmental Operations & Veterans Affairs Policy
Campaign signs permitted in highway rights-of-way in state general election year.

HF1356—Anderson, B. (R)
Transportation Finance
Trunk highway corridor-protection revolving loan account established, and money appropriated.

HF1357—Koenen (DFL)
Environment & Natural Resources Policy
Bird Island temporary exception to sewer extension permit requirements authorized.

HF1358—Mullery (DFL)
Environment & Natural Resources Policy
Game and fish licensing agents prohibited from charging a fee on specified licenses.

HF1359—Anderson, B. (R)
Local Government & Metropolitan Affairs
Buffalo; Highway 55 reconstruction and upgrading city bonds authorized.

HF1360—Walz (R)
Judiciary Policy & Finance
State agencies and local government prohibited from spending money on CriMNet until reviews are complete and a risk response plan is implemented, and financial audit of CriMNet required.

HF1361—Finstad (R)
Health & Human Services Finance
County human services initiatives implemented.

HF1362—Anderson, B. (R)
Taxes
Clearwater sales tax authorized to fund a regional community and recreation center.

HF1363—Adolphson (R)
Education Finance
Bus transportation required for students living more than one mile from school, and school boards authorized to charge fee to all students riding buses.

HF1364—Kielkucki (R)
Transportation Policy
Community identification signs distance provision modified.

HF1365—Nelson, P. (R)
Transportation Policy
Government agencies authorized to act as commercial driver training schools.

HF1366—Beard (R)
Judiciary Policy & Finance
Court revenue disposition provided after state takeover, and state aid loss to court administration costs prorating required.

HF1367—Ozment (R)
Environment & Natural Resources Policy
Aquatic plant management funding provided, watercraft surcharge increased, apportionment of gasoline fuel tax for motorboats modified, and money appropriated.

HF1368—Clark (DFL)
Commerce, Jobs & Economic Development Policy
Minnesota Housing Finance Agency advisory consultation with urban Indian organizations required.

HF1369—Clark (DFL)
Health & Human Services Policy
Health and human services commissioner consultation with urban Indian organizations required.

HF1370—Knoblach (R)
Ways & Means
Revenue targets and departmental earnings reports legislative submission dates modified.

HF1371—Eken (DFL)
State Government Finance
Rural-urban migration impact study required for certain budget proposals.

HF1372—Beard (R)
Transportation Finance
Major highway projects account established, maximum license taxes on automobiles increased, trunk highway fund budget base reduced, motor vehicle sales tax dedicated, bonds issued, money appropriated, and constitutional amendment proposed.

HF1373—Rhodes (R)
Local Government & Metropolitan Affairs
Metropolitan Radio Board expiration date extended.

HF1374—Urdahl (R)
Agriculture Policy
Agriculture Department headquarters named the Orville L. Freeman building.

HF1375—Klinzing (R)
Education Finance
Equity revenue funding increased, and compensatory revenue limited to \$1,500 per pupil.

HF1376—Klinzing (R)
Education Finance
Alternative teacher compensation awards program funding increased, and money appropriated.

HF1377—Blaine (R)
Governmental Operations & Veterans Affairs Policy
Service credit purchase authorized for a specified corrections employee.

HF1378—Kuisle (R)
Education Finance
Regional library basic system support grants limitation removed.

HF1379—Kuisle (R)
Taxes
Rental housing property tax valuation provided.

HF1380—Buesgens (R)
Governmental Operations & Veterans Affairs Policy
Public employment contracts financial parameters established.

HF1381—Smith (R)
Transportation Policy
Classic car license designation provisions modified.

HF1382—Davnie (DFL)
Governmental Operations & Veterans Affairs Policy
Fair and clean elections act increasing campaign contribution disclosure, limiting contributions and expenditures, increasing public subsidies for candidates who agree to limit their contributions, and appropriating money.

Tuesday, April 1

HF1383—Boudreau (R)
Health & Human Services Policy
Radiation therapy facilities construction restricted to existing licensed hospitals.

HF1384—Powell (R)
Health & Human Services Policy
Cremation definition modified to include alkaline hydrolysis process.

HF1385—Lenczewski (DFL)
Transportation Finance
Metropolitan fiscal disparities program adjustment for operating subsidies of light rail transit system provided.

HF1386—Krinkie (R)
Governmental Operations & Veterans Affairs Policy
Local public employees phased retirement and voluntary unpaid leave options provided.

HF1387—Kielkucki (R)
Education Policy
Nonpublic school site preference given for instruction for children with a disability who attend the non-public school.

HF1388—Otto (DFL)
Transportation Finance
Local road improvement funding provided, bonds issued, and money appropriated.

HF1389—Abeler (R)
Health & Human Services Policy
Human services commissioner required to develop a plan to secure medical assistance for mental health services provided in out-of-home placement settings.

HF1390—Lindgren (R)
Taxes
Park Rapids sales and use tax authorized and fund uses specified.

HF1391—Anderson, I. (DFL)
Regulated Industries
Electricity board executive secretary appointed by the governor.

HF1392—Vandever (R)
Local Government & Metropolitan Affairs
City charters allowed to prohibit members of the governing body of the city from serving on the charter commission.

HF1393—Magnus (R)
Taxes
Lewis and Clark Rural Water System, Inc.; corporate status clarified for purposes of federal tax law.

HF1394—Fuller (R)
Judiciary Policy & Finance
Methamphetamine labs; grant program established for cities to contain, clean up, and preserve evidence at clandestine meth labs; local match required; and money appropriated.

HF1395—Hausman (DFL)
Transportation Finance
Motor vehicle registration tax depreciation schedule modified and maximum taxes removed, motor fuel taxes increased, highway funds distributed, one-half cent transportation sales tax imposed, bonds issued, and money appropriated.

HF1396—Smith (R)
Local Government & Metropolitan Affairs
Municipal housing code reinspection special assessments authorized.

HF1397—Hilty (DFL)
Civil Law
Constitutional amendment proposing that all references to the word person mean natural person in the state constitution.

HF1398—Hilty (DFL)
Health & Human Services Policy
Immunization requirements modified relating to conscientious beliefs, newborn medical records, and notice to child care providers.

HF1399—Lenczewski (DFL)
Governmental Operations & Veterans Affairs Policy
Economic interest disclosure statement for public officials and candidates modified to include information regarding the individual and each immediate family member.

HF1400—Lieder (DFL)
Education Finance
Independent School District No. 628, Plummer, permanent fund transfer authorized.

HF1401—Cox (R)
Environment & Natural Resources Finance
Phosphorous and other cleaning agents regulated.

HF1402—Hornstein (DFL)
Governmental Operations & Veterans Affairs Policy
Minneapolis teachers retirement association refund repayment without interest authorized for a specified employee.

HF1403—Atkins (DFL)
Regulated Industries
Power line construction prohibited in Sunfish Lake, Inver Grove Heights, Mendota Heights, and South St. Paul until environmental impact statements have been completed.

HF1404—Seagren (R)
Education Finance
General education revenue obsolete language repealed.

HF1405—Huntley (DFL)
Environment & Natural Resources Policy
Boundary Waters Canoe Area school trust land management options analysis required, and trust land disposal temporarily suspended.

HF1406—Howes (R)
Local Government & Metropolitan Affairs
County commissioner vacancies filled by appointment until the next general election.

HF1407—Hornstein (DFL)
Health & Human Services Policy
Alcohol and drug counselor temporary practice requirements modified.

HF1408—Abrams (R)
Taxes
Tax lien sales authorized.

HF1409—Blaine (R)
Judiciary Policy & Finance
Privacy intrusions felony penalties imposed for repeat convictions, violations against a minor, and engaging in a pattern of conduct involving interference with privacy.

HF1410—Kelliher (DFL)
Regulated Industries
Energy conversion grants to schools provided.

HF1411—Walker (DFL)
Health & Human Services Policy
Universal health care system working group established; program requirements provided including focus on preventive care, early intervention, and elimination of bureaucratic costs; and plan required to be implemented by 2010.

HF1412—Hornstein (DFL)
Governmental Operations & Veterans Affairs Policy
Teachers retirement association authorized to use a salary for pension purposes for a certain teacher who is in excess of actual earnings.

HF1413—Otto (DFL)
Education Policy
Student instruction and staff development training three additional days mandate repealed.

Wednesday, April 2

HF1414—Beard (R)
Transportation Policy
Highway rest area lease agreements authorized, lease funds deposited in special revenue fund, and money appropriated.

HF1415—Gerlach (R)
Governmental Operations & Veterans Affairs Policy
State council, commission, advisory committee, and board expiration dates provided.

HF1416—Urdahl (R)
Transportation Policy
Littering offense surcharge imposed for throwing cigarettes from a motor vehicle.

HF1417—Peterson (DFL)
Taxes
Camp fees tax exemption modified.

HF1418—Sviggum (R)
Health & Human Services Finance
Polio patient hospital services reimbursement rate modified.

HF1419—Jaros (DFL)
Taxes
Income tax exemptions and deductions modified, rates adjusted, gasoline and fuel excise tax rates modified, sales taxes imposed on certain services, sales tax and motor vehicle sales tax reduced, and exemptions abolished.

HF1420—Lesch (DFL)
Commerce, Jobs & Economic Development Policy
Large retail stores use permit moratorium provided, and report required.

HF1421—Zellers (R)
Transportation Finance
Osseo; Central Avenue and Jefferson Highway project funding provided, bonds issued, and money appropriated.

HF1422—Carlson (DFL)
Higher Education Finance
Post-secondary student financial aid modified, and money appropriated.

HF1423—Eken (DFL)
Environment & Natural Resources Finance
Mahnom County; Marsh Creek flood mitigation project in the Wild Rice River Watershed District funding provided, bonds issued, and money appropriated.

HF1424—Murphy (DFL)
Taxes
Hermantown local sales tax uses expanded to fund additional capital projects.

HF1425—Holberg (R)
Civil Law
Money judgment stays of execution regulated.

HF1426—Dorman (R)
Commerce, Jobs & Economic Development Policy
Workers' compensation technical changes provided, medical fee schedule conversion factor frozen for one year, and surcharge rate established.

HF1427—Bernardy (DFL)
Taxes
Anoka County public safety radio improvements bonds validated.

HF1428—Goodwin (DFL)
Health & Human Services Finance
Foodshelf programs funding provided, and money appropriated.

HF1429—Borrell (R)
Local Government & Metropolitan Affairs
Local government prohibited from providing services or goods that are provided by private business, municipal liquor stores authority repealed, and study required.

HF1430—Smith (R)
Governmental Operations & Veterans Affairs Policy
Retirement provisions modified for Minnesota State Retirement System general plan, correctional plan, legislators plan, state patrol plan, judges plan, and other plans.

HF1431—Stang (R)
Higher Education Finance
Minnesota State Colleges and Universities clarifying and conforming changes provided, benefit provisions modified, purchasing and contracting authority expanded, and trustees authorized to accept and manage federal money.

HF1432—Ozment (R)
Governmental Operations & Veterans Affairs Policy
State employee voluntary unpaid leave options and early retirement incentives provided.

HF1433—Wasiluk (DFL)
Governmental Operations & Veterans Affairs Policy
Teachers retirement association Rule of 85 authorized.

HF1434—Goodwin (DFL)
Health & Human Services Policy
Automatic external defibrillator acquisition and distribution program established, and money appropriated.

HF1435—Demmer (R)
Governmental Operations & Veterans Affairs Policy
Public Employees Retirement Association police and fire plan survivor benefit authorized for the survivor of a specified deceased member.

HF1436—Jacobson (R)
Taxes
Ramsey County library levies stated separately on tax statements and truth in taxation notices.

HF1437—Cornish (R)
Governmental Operations & Veterans Affairs Policy
Polling disclosure requirements provided.

HF1438—Ozment (R)
Taxes
Electric generation facility personal property exempted from taxation.

HF1439—Ozment (R)
Taxes
Electric generation facility personal property exempted from taxation.

HF1440—Johnson, S. (DFL)
Health & Human Services Policy
Compassionate use act adopted protecting seriously ill patients from prosecution and prison for using medicinal marijuana under a physician's supervision, and imposing criminal penalties.

HF1441—Bernardy (DFL)
Governmental Operations & Veterans Affairs Policy
Lawful gambling revenue deposited into lawful gambling revenue fund, and money appropriated.

HF1442—Krinkie (R)
Taxes
Local government aids reduced to specified cities.

HF1443—Hilty (DFL)
Governmental Operations & Veterans Affairs Policy
Precinct caucuses moved to the third Tuesday in February.

HF1444—Bradley (R)
Health & Human Services Policy
Medical assistance coverage authorized for some over-the-counter drugs.

Thursday, April 3

HF1445—Westerberg (R)
Transportation Finance
Trunk Highway 65 improvements funding provided, bonds issued, and money appropriated.

HF1446—Osterman (R)
Transportation Policy
Highway safety rest area leasing provided.

HF1447—Bernardy (DFL)
Transportation Policy
World War I and II veterans entitled to the same parking privileges as physically disabled persons.

HF1448—Dill (DFL)
Regulated Industries
Minnesota rural communications infrastructure fund established, wireless telephone service fee imposed, 10-year sunset provided, and money appropriated.

HF1449—Harder (R)
Transportation Finance
Transit assistance provisions modified for annually appropriating money for transit operations, and property tax replacement aid program abolished.

HF1450—Lenczewski (DFL)
Transportation Finance
Bloomington trunk highway project funding provided, bonds issued, and money appropriated.

HF1451—Kahn (DFL)
Health & Human Services Policy
Smoking in the workplace prohibited, and smoke-free areas provided in multi-tenant buildings.

HF1452—Urdahl (R)
Agriculture Policy
Feedlot regulation pasture definition clarified.

HF1453—Sertich (DFL)
Taxes
Hibbing tax increment financing district extension authorized.

HF1454—Sertich (DFL)
Governmental Operations & Veterans Affairs Policy
Political party units prohibited from accepting contributions indirectly that they could not accept directly.

HF1455—Nelson, P. (R)
Taxes
Taylors Falls and Franconia border city development zones authorized.

HF1456—Slawik (DFL)
Education Finance
Head Start program transferred to the Department of Human Services.

HF1457—Gunther (R)
Commerce, Jobs & Economic Development Policy
Cigarette delivery sales regulated, and penalties provided.

HF1458—Severson (R)
Agriculture Policy
Farmed cervidae harvest permitted on licensed shooting preserves, and money appropriated.

HF1459—Cornish (R)
Transportation Policy
Highway 14 reconstruction design-build method considered, bonds issued, and money appropriated.

HF1460—Dorman (R)
Agriculture Policy
Ethanol producer business association's shareholder rights clarified, and ethanol producer payments prohibited for associations not in compliance.

HF1461—Lanning (R)
Taxes
Moorhead tax levy extended.

HF1462—Hoppe (R)
Judiciary Policy & Finance
Bureau of Criminal Apprehension required to establish and maintain a Web site containing public criminal history data.

HF1463—Latz (DFL)
Taxes
Sales and use tax provisions modified to conform to streamlined sales tax project.

HF1464—Pugh (DFL)
Environment & Natural Resources Policy
Stormwater pollution prevention program plan grants provided for federally mandated municipalities.

HF1465—Finstad (R)
Education Finance
School boards authorized to use revenue other than state aids to recognize volunteers for extracurricular activities.

HF1466—Smith (R)
Governmental Operations & Veterans Affairs Policy
Teacher retirement plan restructuring actuarial study required.

HF1467—Clark (DFL)
Transportation Policy
Contractors required to take measures for hiring women and minorities for highway projects.

HF1468—Peterson (DFL)
Agriculture Policy
Seed reservation mechanism provided for farmers for purposes of planting seeds in subsequent crop years, and fee authorized.

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MONDAY, April 7

12:30 PM

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF126 (Jaros) State convention center tax exemption clarified.

HF598 (Jaros) Aircraft repair facility construction materials and equipment sales tax exemption provided.

HF954 (Abrams) Public safety radio communication system sales and use tax exemptions provided.

HF1057 (Dempsey) Indian reservation tax revenue state sharing with counties required.

HF1417 (Peterson) Camp fees tax exemption modified.

Education Finance

Room: 5 State Office Building

Chair: Rep. Alice Seagren

Agenda: Continuation of Thursday, April 3 agenda.

HF206 (Seagren) January 15 teacher contract deadline date repealed.

HF1295 (Marquart) Education excellence revenue established as a funding mechanism for rewarding education results.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF29 (Bradley) MinnesotaCare provider taxes repealed, pass-through of savings required, and cigarette and tobacco tax increases provided.

HF858 (Howes) Hubbard County facility nursing home bed moratorium exception provided.

HF1155 (Dempsey) Goodhue County existing ICF/MR licensing change authorized.

HF590 (Haas) Child-care assistance fraud prevention provisions adopted.

HF1001 (Boudreau) Adverse health care events reporting act of 2003 adopted establishing an adverse health care events reporting system, classifying certain health data, and appropriating money.

HF491 (Samuelson) Nursing facility regulatory requirements and standards modified.

HF326 (Samuelson) Dental practice provisions modified relating to student loan forgiveness, dental hygiene requirements modified, donated dental services program required, and dental assistance coverage contracting and metro urgent care clinic provided.

HF1139 (Samuelson) Human services technical changes provided, and long-term care report required.

HF1269 (Samuelson) Human services biennial

information on asset diversion required, senior linkage line information expanded, excess home equity applied to long-term care costs, and income transfers prohibition extended.

HF632 (Abeler) Long-term care insurance availability and quality expanded, and legislative task force established.

More bills may be added.

If necessary, this meeting will continue one hour after session in Room 5 of the State Office Building.

3:00 PM

THE HOUSE MEETS IN SESSION

6:30 PM

Meeting Time Note: The meeting will be after the floor session which may extend within 30 minutes of or past the stated time; in that case the Chair will announce the starting time from the House floor.

Ethics

Room: 10 State Office Building

Chair: Rep. Sondra Erickson

Agenda: Hearing of complainants and respondent regarding complaint filed about Rep. Arlon Lindner; deliberation of probable cause. Introductions and explanation of procedure.

Presentation by complainants (30 minutes).

Questions of complainants by respondent (15 minutes).

Questions of complainants by committee (15 minutes).

Presentation by respondent (30 minutes).

Questions of respondent by committee (15 minutes).

Closing statement by complainants (15 minutes).

Closing statement by respondent (15 minutes).

Close hearing.

Committee deliberation to determine probable cause.

TUESDAY, April 8

8:15 AM

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: HF1048 (Penas) Trade and economic development, housing finance agency, natural resources, and transportation funding provided, bonds issued, and money appropriated.

HF1372 (Beard) Major highway projects account established, maximum license taxes on automobiles increased, trunk highway fund budget base reduced, motor vehicle sales tax dedicated, bonds issued, money appropriated, and constitutional amendment proposed.

HF1255 (Erhardt) County state-aid highway fund apportionment provided, motor fuel tax increased to fund trunk highways, transportation sales tax authorized for certain counties, major local projects account created, bonds issued, and money appropriated.

HF1286 (Westerberg) Hazard elimination safety account created in the local road improvement fund, local bridge replacement and rehabilitation and local road improvement program bonds authorized, standards provided, and money appropriated.

HF1395 (Hausman) Motor vehicle registration tax depreciation schedule modified and maximum taxes removed, motor fuel taxes increased, highway funds distributed, one-half cent transportation sales tax imposed, bonds issued, and money appropriated.

Education Policy

Room: 200 State Office Building

Chair: Rep. Barb Sykora

Agenda: HF829 (Urdahl) Probationary teacher evaluation requirements provided.

HF1136 (Abeler) Performance bonds provided for certain school district contracts relating to computer, information, and network systems.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF904 (Bradley) Public assistance, health care, continuing care, and children's services provisions modified; community services act adopted; medical assistance estate recovery provisions and local public health grants modified, and money appropriated.

HF905 (Bradley) Child-care programs, Minnesota economic opportunity grants, and food shelves funding provided; and money appropriated.

HF1361 (Finstad) County human services initiatives implemented.

More bills will be added.

This meeting may continue one hour after session in Room 10 of the State Office Building.

Environment and Natural Resources Finance

Room: 5 State Office Building

Chair: Rep. Dennis Ozment

Agenda: To be announced.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: HF728 (Clark) HIV/AIDS in the workplace education provided and money appropriated.

HF55 (Mahoney) St. Paul; Phalen corridor contamination remediation grant provided, bonds issued, and money appropriated.

HF237 (Dempsey) Mississippi River Parkway Commission funding provided to promote tourism and economic development along the Great River Road.

HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated. Testimony: Minnesota Film & TV Board.

10:15 AM

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF1250 (Dorn) Electric generation facility personal property tax exemption provided.

HF1438 (Ozment) Electric generation facility personal property exempted from taxation.

HF1439 (Ozment) Electric generation facility personal property exempted from taxation.

HF11 (Mullery) Limited market value phase-out repealed, and sunset provided.

HF241 (Paymar) Limited market value phase-out extended.

HF405 (Erhardt) Limited market value phase-out extended.

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: HF1123 (Smith) Criminal and traffic offenders surcharge increased, public defender applicants required to pay certain co-payments, collection authorized through the Revenue Recapture Act, and money appropriated.

HF1229 (Smith) Criminal and traffic offenses reclassified, and statutory reporting and case processing standards removed.

Overview of proposed court revenue enhancements

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

12:30 PM

Agriculture and Rural Development Finance

5 State Office Building

Chr. Rep. Elaine Harder

Agenda: To be announced.

Transportation Policy

Room: 200 State Office Building

Chair: Rep. Ron Erhardt

Agenda: To be announced.

Commerce, Jobs and Economic Development

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: HF155 (Kohls) Uniform commercial

code revisions enacted.

More bills to be added.

2:30 PM

Civil Law

Room: 10 State Office Building

Chair: Rep. Mary Liz Holberg

Agenda: HF1114 (Kohls) Purchase-money mortgage conveyance by spouses provisions modified.

HF961 (Smith) Human services program hearing procedures established.

HF973 (Brod) Veterans Affairs commissioner authorized to access taxpayer identification information to notify veterans of health hazards that might affect them.

HF1122 (Adolphson) Public notice and proceedings publication alternative methods provided.

HF760 (Abrams) Income, property, estate, sales and use, cigarette and tobacco product, and other taxation policy and administrative changes made, Internal Revenue Code conformity provided, civil and criminal penalties provided.

State Government Finance

Room: 500N State Office Building

Chair: Rep. Bill Haas

Agenda: HF1006 (Boudreau) Help America Vote Act conformity provided, complaint process created, and penalty imposed.

HF873 (Dorman) County records examination by private accountants authorized and state audit mandate by state auditor removed.

HF1133 (Kielkucki) Political subdivision compensation limit exception duties transferred, and state auditor fee authorized.

HF975 (Jacobson) Local government pay equity responsibilities transferred to the state auditor, and rulemaking and fees authorized.

Additional bills may be added and hearing may be continued.

Local Government and Metropolitan Affairs

Room: 200 State Office Building

Chair: Rep. Jerry Dempsey

Agenda: HF433 (Strachan) State and other governmental agency response deadline provisions modified relating to zoning.

HF1003 (Strachan) Political subdivision compensation limit exclusion provided.

HF1373 (Rhodes) Metropolitan Radio Board expiration date extended.

HF1042 (Wardlow) Metropolitan Sports Facilities Commission name changed to Minnesota sports and entertainment commission, and commission membership modified.

SF174/HF204 (Murphy) St. Louis County; political activity restrictions modified for certain officers and employees in the classified service.

Regulated Industries

Room: 10 State Office Building

Chair: Rep. Torrey Westrom

Agenda: HF938 (Sykora)/SF 914 (Scheid) Wine off-sale licenses authorized for supermarkets.

4:00 PM

Meeting Time Note: One hour after the last body adjourns

Legislative Commission on Pensions and Retirement

Room: 200 State Office Building

Chair: Rep. Steve Smith

Agenda: HF253 (Johnson, J.)/SFXXXX Plymouth volunteer firefighter relief association ancillary benefits subjected to general law.

HF427 (Strachan)/SF731 (Marko) Fire state aid apportionment formula modification.

HF489 (Rhodes)/SF449 (Johnson, D.E.) Statewide volunteer firefighter retirement plan study.

HF1224 (Meslow)/SF1332 (Reiter) Volunteer firefighter relief associations monthly benefit and monthly benefit/lump sum options support levels revised.

HF191 (Gerlach)/SF206 (Knutson) MSRS; Authorize refunds for certain employees on medical leaves of absence.

HF284 (Vandever)/SF594 (Bachmann) Providing additional methods for retired state employees to pay for insurance benefits.

HF997 (Mullery)/SF847 (Langseth) Authorizing plumbers and pipefitters local pension fund exception to restriction on public fund contributions.

HF1313 (Murphy)/SF1156 (Pogemiller) MnSCU; Early separation incentive program.

HF282 (Beard)/SF213 (Larson) TRA; Ad hoc post-retirement adjustment for certain pre-1969 teachers.

Other items as designated by the chair.

5:00 PM

Legislative Commission on Minnesota

Resources Executive Committee

Room: 300S State Office Building

Chair: Rep. Dennis Ozment

Agenda: Follow-up and discussion from 4/1/03 LCMR Executive Committee meeting regarding funding.

Follow-up and discussion from 4/1/03 LCMR Executive Committee meeting regarding possible parks study.

WEDNESDAY, April 9

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF1129 (Kuisle) Utility relocations necessitated by design-build transportation projects regulated.

HF1172 (Kuisle) Archaeologist involvement limited to known archaeological or historic sites.
HF1219 (DeLaForest) County exemption from permit requirements when reconstructing highway in existing right-of-way provided.
HF1056 (Abrams) Metropolitan area transit and paratransit capital expenditure financing provided and bond issuance authorized.
HF1385 (Lenczewski) Metropolitan fiscal disparities program adjustment for operating subsidies of light-rail transit system provided.
HF353 (Lieder) Safe routes to school program development and implementation grants provided.

Health and Human Services Policy

Room: 10 State Office Building
Chair: Rep. Lynda Boudreau
Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: To be announced.

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: HF1184 (Osterman) Minnesota employment center for people who are deaf or hard-of-hearing funding provided, and money appropriated.
HF1252 (Gunther) Barber examiners board fee provisions modified, and money appropriated.
HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.
Testimony: MN Housing Partnership, Housing Minnesota, Coalition for the Homeless.
HF831 (Gunther) Unemployment insurance trust fund solvency provisions increased.
HF1283 (Clark) WomenVenture and the Metropolitan Economic Development Association grants provided, and money appropriated.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room
Chair: Rep. Steve Smith
Agenda: HF1354 (Fuller) Probation sanctions conference procedure established, and forms and procedures required.
HF1225 (Meslow) Prostitution offenses aggregation of prosecutions allowed.
HF808 (Dill) Radio equipment capable of receiving police emergency transmissions use and possession requirements clarified.
HF374 (Sieben) Crib safety definitions provided, sale and commercial use of certain cribs prohibited, and penalties provided.

Education Finance

Room: 10 State Office Building
Chair: Rep. Alice Seagren
Agenda: To be announced.

12:30 PM

Transportation Policy

Room: 200 State Office Building
Chair: Rep. Ron Erhardt
Agenda: To be announced.

Agriculture Policy

Room: 5 State Office Building
Chair: Rep. Howard Swenson
Agenda: HF 967 (Swenson) Feedlot upgrade expenditure limits modified.
Additional Bills to be added.

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building
Chair: Rep. Greg Davids
Agenda: To be announced.

2:30 PM

Civil Law

Room: 10 State Office Building
Chair: Rep. Mary Liz Holberg
Agenda: HF933 (Borrell) County local welfare agency reporting of at-risk newborns provided, and Hennepin County mental health services data sharing authorized in certain circumstances.
HF1087 (Osterman) Wage and employment data use authorized by agency designated as the performance accountability and consumer information agency.
HF468 (Davnie) Social security number use and display restricted.
HF1191 (Bernardy) National Night Out event location classified as public data.
HF634 (Holberg) Health data released to county human and social services departments in order to coordinate benefits and services.
HF464 (Biernat) Consumer privacy, confidentiality, and secrecy of financial records protection provided, and consumer authorization required for disclosure of financial information.
HF739 (Borrell) Data practices omnibus bill.

State Government Finance

Room: 500N State Office Building
Chair: Rep. Bill Haas
Agenda: To be announced.

Regulated Industries

Room: 10 State Office Building
Chair: Rep. Torrey Westrom
Agenda: HF1333 (Westrom)/SFXXXX Small wind energy conversion system ownership and location requirements clarified relating to the renewable energy production incentive, incentive funding provided from electric utility assessment, and megawatts limit increased.

HF622 (Strachan)/SF653 (Sams) Emergency 911 telephone system modified to require multiline systems to provide caller location; and special county, city, and school district levies provided.

Local Government and Metropolitan Affairs

Room: 200 State Office Building
Chair: Rep. Jerry Dempsey
Agenda: To be announced.

5:00 PM

Legislative Commission on Minnesota Resources

Room: 500N State Office Building
Chair: Rep. Dennis Ozment
Agenda: Follow-up and discussion from 4/1/03 LCMR Executive Committee meeting regarding funding.
Follow-up and discussion from 4/1/03 LCMR Executive Committee meeting regarding possible parks study.

THURSDAY, April 10

8:00 AM

Legislative Audit Commission

Room: 316 State Capitol
Chair: Sen. Ann H. Rest
Agenda: Election of Legislative Audit Commission Officers: Election of Chair; Election of Vice-Chair.
Appointment of members to Program Evaluation Topic Selection Subcommittee;
Remarks by James Nobles, Legislative Auditor.

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room
Chair: Rep. Bob Gunther
Agenda: HF1101 (Walz) Tourism office performance-based revolving account established, and money appropriated.
HF623 (Hackbarth) Vapor recovery equipment required for gasoline deliveries in the metropolitan area and penalties provided.
HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

Transportation Finance

Room: 500N State Office Building
Chair: Rep. William Kuisle
Agenda: To be announced.

Environment and Natural Resources Finance

Room: 5 State Office Building
Chair: Rep. Dennis Ozment
Agenda: To be announced.

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: To be announced.

10:15 AM

Judiciary Policy and Finance

Room: Basement Hearing Room

Chair: Rep. Steve Smith

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF78 (Kahn) Dairy mixed cocktail separate excise tax provided.

HF331 (Howes) Homestead resort valuation and deferment of property taxes provided.

HF364 (Fuller) Tax deadline date on certain resort property delayed.

HF372 (Howes) Reduced property tax class rate provided for property bordering public waters.

HF815 (Thissen) Property tax payment compensation required for lost property tax base when real property is acquired by a governmental entity and becomes tax exempt.

12:30 PM

Agriculture and Rural Development

Finance

5 State Office Building

Chr. Rep. Elaine Harder

Agenda: To be announced.

Commerce, Jobs and Economic Development Policy

Room: 10 State Office Building

Chair: Rep. Greg Davids

Agenda: To be announced.

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Reflections

Given the way Minnesota's boundaries have evolved over the years, it's obvious its form was never specifically conceived as it now appears today. In fact, Minnesota resulted from the movement of two territorial regions, and was actually part of nine different territories before it became a territory of its own.

The land that makes up the state of Minnesota was actually part of the Louisiana Purchase land and the Northwest Territory.

What ultimately became the north and east part of the state, referred to by historian J.A.A. Burnquist as "No Man's Land,"

belonged to Great Britain and was ceded to the United States in 1783. It was east of the Mississippi River at Lake Itasca, and north to the present Canadian border. It later became part of the Northwest Territory that included land west of Pennsylvania, north of the Ohio River, around the Great Lakes, and across the present Canadian boundary to Oregon.

When statehood came to Ohio in 1803, Minnesota land east of the Mississippi became a part of the Indiana Territory. Two years later the land became the Michigan Territory. When the Illinois Territory was separated from Indiana in 1809, northeast Minnesota and Wisconsin land became a part of that area. In 1834, settlers wanted to establish a new territory as Minnesota, having begun to settle on the western banks of the Mississippi River. That land was all part of the Michigan Territory.

The area known as "No Man's Land" once again came under different control when it became a part of St. Croix County, Wis. Boundaries had been set for a Wisconsin Territory that included the present city of Stillwater, Minn., as a county seat, and later, a provisional seat of government. But before Wisconsin became a state in 1848, boundaries were set to exclude St. Croix County. "No Man's Land" settlers were abandoned one more time while thinking they would be incorporated into the new state of Wisconsin.

In 1847, a Wisconsin delegate introduced a bill to Congress that would

establish a new territory named Minnesota. The bill was referred to the territories committee chaired by Stephen A. Douglas. After much discussion on whether the name should be Itasca, as suggested by Douglas, or Chippewa, Jackson, or Washington, the name Minnesota remained. The bill was tabled until the 1848 session when it failed because some congressmen felt the population out on the frontier was too sparse.

Things were also changing to the south and west of what would become Minnesota.

In 1803, France sold all land west of the

Mississippi out to the Rocky Mountains, then along the Arkansas River down to the Gulf of Mexico. The Louisiana Purchase became for the United States, the best property transaction for

years to come – it bought thousands of miles of land for 4 cents an acre.

By 1812, the northern part of the Louisiana Territory became the Missouri Territory. When the Iowa Territory was carved out of that area in 1838, present-day Minnesota was divided once again. Much of the Louisiana land west of the Mississippi and north of the Missouri rivers became Iowa Territory. Land to the east remained with Wisconsin. When Iowa became a state in 1846, the Congressional Territories Committee, created its present boundaries.

Now that more land was available and squatters were already beginning to settle to the west, some prominent men in the area held a convention at Stillwater in August 1848 to once again petition the president and Congress to create a new territory.

Henry H. Sibley, who was elected as a delegate to Congress from the Wisconsin Territory, and Douglas, through perseverance, helped to get the bill passed. St. Paul was named the capital city of the new Territory of Minnesota that included the land that is now North Dakota and South Dakota. When news reached St. Paul, one pioneer exclaimed, "Thank the Lord. We live in the United States again."

— LECLAIR GRIER LAMBERT



Photo courtesy of the University of Washington Web site.

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MINNESOTA

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Sources: 2002 Annual Report, Minnesota Public Utilities Commission, January 2003; *The Minnesota Utility Data Book*, Minnesota Department of Commerce, June 2002; *Powering Up Minnesota's Energy Future*, Citizens League, December 2002; *Minnesota's Potential for Electricity Production Using Biogas Resources*, Minnesota Department of Commerce, January 2002; Minnesota Department of Commerce Web site, www.commerce.state.mn.us.

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HF1469-HF1527

Session Weekly

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On the cover: Diffused light penetrates the ornamental skylight above the cantilevered staircase in the State Capitol.

— Photo by Andrew Von Bank

Logged on

Education committee examines online education programs, but funding elusive in tight budget times

By TOM LONERGAN

Public and charter schools could expand well beyond traditional classrooms under two House bills that propose ongoing state funding for online learning programs and virtual schools.

Sponsored by Rep. Alice Seagren (R-Bloomington) and Rep. Mark Buesgens (R-Jordan) respectively, HF1260 and HF1118 would not only establish state policy for significant expansion of online learning and virtual schools, but could also initiate a new era in classroom presentation and instruction delivery throughout the state.

The bills would allow school districts and charter schools to expand online courses and establish virtual schools. Both will be considered for inclusion in the education finance omnibus bill. Initial committee hearings on the bills were held April 1 and 3.

Companion bills (SF1211, SF1283), sponsored by Sen. Steve Kelley (DFL-Hopkins), await action by the Senate Education Committee.

Less than 1,000 of the state's estimated 850,000 public school students participate in online learning, which was first funded through state grants in 1995. More than a dozen school districts offer online learning programs and more than 30 percent of schools offer some online courses, according to the Department of Children, Families and Learning, which funds online learning programs after reviewing each proposal. Funds for existing programs will expire on June 30, 2003, the end of the current fiscal year.

Most existing online learning programs offer high school-level classes for working students, those with a serious medical condition, as well as remedial and accelerated classes for students of varying achievement levels. Online programs have also been developed for students in alternative learning centers.

The state's first virtual charter school, based in the Houston School District, began in November 2002.

"We've been grappling for several years on how to do online learning and how to pay for it," Seagren said. "We're going to take all of

these programs bubbling up now and put some law and process around it."

"Online learning is going to be a reality in Minnesota, as it is in other states," said Buesgens. "I hope we can give parents another option in deciding what's the best education choice for their children."

The bills would allow the state to take a leading role in providing publicly supported online learning, said the director of the state's first virtual school. "If public schools don't lead in virtual education, someone will," said Kim Ross, director of the Minnesota Virtual Academy, and Houston Public Schools superintendent.

successfully complete, up to an annual limit of 10 courses per student.

The students could be from another school district under the state's open enrollment law. In such cases, the bill proposes the student's home district would lose the amount of state aid paid to the district offering the online class.

Besides public school students, both bills would allow private and home school students to take online courses. Under the bill the state education commissioner to issue up to 2,400 authorization certificates annually for K-12 private school students to enroll in online courses.

Seagren said a private or home school student enrolling in a district or charter school for an online course would be considered a public school student. She said the state's shared time funding already provides for a portion of the cost when a private school student takes a public school course.

The online learning bill includes \$994,000 each for fiscal years 2004-05 for districts



PHOTO BY TOM OLMSCHIED

A bill being considered by the House Education Finance Committee would allow for expansion of virtual schools and online learning in Minnesota.

About 85 percent of the academy's 150 kindergarten through fifth-grade students are home schooled, he said. The school, which purchases full grade curriculums from a private company, will expand to seven grades next year.

HF1260 would establish a system of paying for online courses based on a percentage of the state's general education formula. Districts offering online learning would be reimbursed for the number of online courses students

offering online courses to private school students. That issue didn't sit well with several committee members.

"We shall not pay for private school students," said Rep. Barbara Goodwin (DFL-Columbia Heights), citing the state constitution.

With the state's budget deficit, spending additional money on private school and home school students should cause "grave concern," said Rep. Mindy Greiling (DFL-Roseville). "It's

irresponsible to start dabbling in constitutional issues like (state) instructional money going to private schools.”

For virtual schools, HF1118 proposes to fund full-time virtual students as if they were students transferring to another school district under the state’s open enrollment option. When that happens, a proportion of state education aid follows the student from district to district.

The bill would also consider a virtual school a site for other state funding and proposes to fund part-time virtual students in the same manner high school students who take post-secondary courses at colleges or universities are funded.

A fiscal note is being prepared on the cost of the virtual schools bill for the 2004-05 biennium.

“We support the direction both bills take,” said Jim Bartholomew, director of government relations for the Department of Children, Families and Learning. The bills would provide “a way of integrating online (options) in the delivery of public education,” he said.

The bills have the potential to not only establish new public policy in the state, but could redefine public schooling, as well, said Jan Alswager, representing Education Minnesota.

While not opposing the bills overall, she cited several areas the teachers union would take issue with. Both bills are silent on the state’s requirement that full-time online students spend at least five hours a week “face-to-face” with a licensed teacher. The bills do require that online instructors and virtual school teachers be licensed.

Alswager also urged committee members to proceed cautiously on the potential of subsidizing private companies that provide instructional curriculums to virtual and home school students.

“We don’t want to be a roadblock to technology and online learning,” she said. “Let’s make sure we have assurances of quality.”

A representative of the Wolf Creek Distance Learning Charter School, sponsored by the Chisago Lakes School District, testified in support of online students being funded “as any student in the state.” Tracy Quarnstrom, chair of the school’s board of directors, said it was “not fair to expect every student to fit in the same box.”

The school’s 65 students have medical conditions and varied needs that restrict their attendance in a regular school setting, she said. None of the students were formerly home schooled, Quarnstrom added.

The head of Cyber Village Academy, which provides about 170 seriously ill students with online classes three days a week, supports additional state funding and less regulation to allow the St. Paul school’s online program to expand.

“We could provide a (statewide) portal to education for sick children,” said Academy Director Bob Bilyk. 🐼



Deep pockets

1894 benefit baseball game a display of both the absurd and generous in St. Peter

The skies during the hot summer of 1894 held an almost constant smoky haze in central and east-central Minnesota, as fires threatened many communities due to extreme drought. Temperatures climbed above 90 degrees many times that summer, and even topped 100 degrees a few times in the late summer months.

On Sept. 1 that year, two smoldering fires converged near Hinckley and in a few minutes devastated that small lumber town and several neighboring communities.

Across the state, communities banded together to raise funds in relief for the fire victims and the families left homeless by the tragedy. And among them was a benefit baseball

game that bordered on the ridiculous, but delivered hundreds of dollars to the victims within a week of the fire.

Regular activities shut down in St. Peter on Friday, Sept. 7, 1894 as the “fats” and “leans” battled on the diamond raising money for the relief efforts. Among the leans was future governor John A. Johnson, an avid baseball player and fan and editor of the *St. Peter Herald*.

The day of the event, the Herald promoted the game and urged the city’s residents to take part. It also noted the craziness that would accompany the event, tongue firmly pressed in cheek.

“What will in all human probability be the greatest event within the sacred or profane history of St. Peter will be the game of baseball at the park this afternoon, the proceeds to be turned to the Hinckley fire sufferers,” wrote the Herald. “It ought to be patronized by everybody. The schools will close, and Mayor Moll visited the business men yesterday and all agreed to close their respective places of business so that everybody will be at liberty to attend.”

“Two hundred dollars can be raised and should be,” the newspaper exhorted.

H.A. Tomlinson, wearing a bright green suit and a sun bonnet, served as umpire for

the game. Strapped to his side was a Colt revolver, which he used to enforce the rules of the game at gunpoint.

In addition, players were arrayed in all manner of costume, according to an account in the *St. Peter Tribune* from Sept. 12. Described as “striking and original,” the costumes included bloomers, items made of Chinese silk, and garb more suitable for the gridiron than the basepath.

In the Herald account, one man wore skirts and flowers, another wore cheesecloth and colored hose, and a third wore a pink jersey with “very loud trunks and tights.”

The game ended in a 13-13 tie, satisfactory to all involved, according to reports. The edition of the Herald following the event praised the community for the turnout at the game, estimated by the Tribune account at 1,000 people.

“St. Peter did not hesitate when called upon to show her sympathy for the forest fire sufferers, but responded with that generosity which has always been characteristic of her people,” the Herald wrote. “The total receipts were \$261.60 which was certainly a very handsome sum.”

Additional contributions from the St. Peter citizenry brought the community’s grand total to just above \$382.

The fires near Hinckley destroyed 480 square miles in parts of five counties and claimed 418 people’s lives, 248 from the town of Hinckley itself. Overall, the state relief commission provided \$184,744 in aid to those affected by the fire, benefiting 2,636 people.

St. Peter’s contributions, however small, were comparable with other cities its size, and the event that raised the money was notably distinct among the list of other contributions.

(M. KIBIGER)



Members of the “Fats” and “Thins” play a benefit baseball game for the victims of the Hinckley fire in 1894. John A. Johnson, who would later be Minnesota’s 16th governor, stands on the far right.

Photo courtesy of the Minnesota Historical Society

Information for this report was provided by the Nicollet County Historical Society.

★ ARTS

No red carpet treatment

Cuts to the Minnesota Film and TV Board budget by Gov. Tim Pawlenty have caused three feature films to head north to Canada's cheaper ground.

Such is according to Board President Craig Rice, who testified about the 2004-05 proposed budget April 8 before the House Jobs and Economic Development Finance Committee.

The governor hopes the Senate and House will agree to eliminate the board's \$341,000 annual appropriation, which is half of the board's annual budget. Already tapped to help cure the 2003 budget deficit was a \$480,000 incentive program called Snobate, for film and television productions.

When Snobate was canceled, Rice said, the film makers of "Paul Bunyan," "Bro," "Sorry Baby," and the TV producers of a new version of "Little House on the Prairie" all turned away from Minnesota. The three films are now planning to film in Canada, where expenses are less due to the price of the U.S. dollar versus the Canadian dollar.

Since its inception in 1997, the Snobate program has granted \$2.4 million in incentives and garnered \$58 million in revenues for Minnesota, according to information from the board.

According to John Stout, who helped create the board 20 years ago, the original vision was to recruit film productions, bolster the local production community, and provide jobs for freelance TV and movie workers in advertising agencies and theaters and with production companies.

In 1984, the board gained official nonprofit status while maintaining a contract with the state. In this way, it is unique and is recognized as a model by other states, Stout said.

Among its accomplishments are the filming in Minnesota of both "Grumpy Old Men" movies and an Arnold Schwarzenegger film.

Rice said the film and TV industry employs about 9,000 people in Minnesota who earn an average of \$45,000 to \$50,000 a year. In 2000, indirect business and payroll taxes paid to the state by the motion picture industry totaled \$33.8 million, according to the Minnesota Department of Revenue.

"This is the kind of business the state needs," Stout said.

Funding for the board may be considered as part of HF748, which represents the overall economic development portion of the state budget.

RED, WHITE, AND BLUE

PHOTO BY TOM OLMSCHIED

Jim Caswell, a resident of the Galtier Health Care Center in St. Paul, braves the wind and snow April 4 to sell car window and antenna flags outside the State Office Building parking ramp in support of the troops in Iraq.

★ BUSINESS

Application assistance

Minnesota businesses would get help in 2004 and 2005 navigating the often complicated paperwork required in applying for federal contracts.

Under HF949, sponsored by Rep. Dan Dorman (R-Albert Lea), a \$1.5 million grant to Minnesota Project Innovation Inc. would be made from the state general fund.

The bill will be considered for inclusion in the omnibus bill from the House Jobs and Economic Development Finance Committee.

"I personally appreciate what (Minnesota) Project Innovation does," said Rep. Bob Gunther (R-Fairmont), the committee chair. "I don't know where we're going to find the money, but we'll work on it."

Randy Olson, executive director of Minnesota Project Innovation, said substantial growth is occurring in federal market opportunities. He cited a \$355 billion budget for the U.S. Department of Defense for 2003, representing a 12 percent increase from 2002; a \$36 billion Homeland Security budget for existing agencies and a \$38 billion appropriation for new spending; \$111 billion from various agencies for federal research and development; and a \$75 billion supplemental appropriations bill.

Founded in 1984, Minnesota Project Innovation is a federally and state-funded private,

nonprofit organization. It provides business, marketing, and technical assistance to companies throughout Minnesota to tap into \$1.5 billion available annually through the federally mandated Small Business Innovation Research and Small Business Technology Transfer programs.

"Our goal is to ensure that businesses in Minnesota understand and know about the tremendous opportunities they have ... and how (we are) here to help them navigate through the federal bureaucracy to win these awards," said Olson, in a press release submitted to the committee.

During 2001 and 2003, Minnesota Project Innovation assisted 50 Minnesota high technology companies win \$35.7 million from 10 federal agencies to conduct research in biotechnology, nanotechnology, homeland security, life sciences, and advanced software.

The \$1.5 million sought by Minnesota Project Innovation would complement a similar amount in federal funds from the Department of Defense and the Small Business Administration.

A Senate companion bill (SF884), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Finance Committee.

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<http://www.leg.mn>

★ CHILDREN

Assistance examination

Concerned that some people are fraudulently taking advantage of government child-care assistance programs, Rep. Bill Haas (R-Champlin) presented a bill to the House Health and Human Services Finance Committee April 7 that would tighten scrutiny over people and companies receiving such assistance.

HF590 would require counties to guard against fraud by verifying information provided on all applications for government-subsidized child-care assistance. That information would include the identity, age, residence, immigration status, income, and social security number of the adults applying for assistance and the presence of a child in their home. Counties are not currently required to collect social security numbers. The bill specifies that failing to provide a social security number alone is not grounds for being denied assistance.

All payments made under the bill, which includes funds from both state and federal sources, would go directly to providers. Currently, assistance funds can go to families as long as they are used for child care. Haas said there is a growing trend of families seeking the funds without using them for child care. Some child-care providers also misstate enrollment numbers to inflate assistance benefits, he said.

Unlicensed providers would have to undergo a criminal background check and meet specific standards before becoming eligible for assistance payments.

The bill allows governments to take back money overpaid to families and providers even if the overpayment was the government's fault. In cases where families and providers worked together to defraud the system, both would be liable for repaying the amount.

The definition of a provider would also be amended under the bill. Currently any person or center providing child-care services, with or without a license, is recognized as a provider in state law. The bill would expand the definition to include people or centers licensed in other states or by American Indian tribes.

"There's a lot of fraud out there," Haas said. "That is money that we can redirect to the waiting lists, for parents who really do need this service but can't get on because of the waiting list."

Because a fiscal analysis predicts a \$271,000 cost to implement the plan in the next biennium, the committee took no action on the bill but will consider it for inclusion in a health and human services omnibus bill. Haas said he contests the cost analysis because counties

should already have the capacity to run the verifications required in the bill.

A Senate companion bill (SF1402), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action by the Senate Health and Family Security Committee.

★ CRIME

Public safety radio users

Volunteers assigned to carry police radios on their person or in their cars in order to help law enforcement officials are, technically, breaking the law in Minnesota. A state law dating back to 1935 makes it a misdemeanor offense to carry radio equipment capable of receiving police emergency frequencies without a proper license.

When a volunteer firefighter in his district was arrested under the law, Rep. David Dill (DFL-Crane Lake) said he knew something needed to change. He told members of the House Judiciary Policy and Finance Committee April 9 that rural law enforcement often relies on such volunteers to provide information and assistance to police, fire, and sheriff's departments. Those duties, he said, require a radio connection.

"Realizing that we are talking about thousands and thousands of volunteers that are routinely using radios to help us respond to ambulance calls and fire calls and helping at community events ... we thought it would be appropriate to streamline the regulations," Dill said.

He sponsors HF808/SF351*, a bill that would permit people to carry emergency radio equipment with the written permission of their local sheriff or police chief. Current law requires that people seeking a license apply with the state Bureau of Criminal Apprehension.

"We rely on volunteers a good bit," said Olmsted County Sheriff Steve Borchardt, head of the Minnesota Sheriff's Association. He said the law exists to prevent criminals from monitoring police communications, but exceptions need to be made for citizens who are legitimately aiding their communities. Especially in rural areas, Borchardt said, volunteers make up a vital part of the "first-response" teams that are called in emergency situations.

"We may even have festivals in our small cities where we rely on volunteers to provide security in the evenings," Borchardt said. "We'll give them a portable radio and they may need to drive around in their car with that portable radio. And technically they're in violation of the law."

The committee approved the bill and sent it to the House floor. In the Senate, where

Sen. Tom Bakk (DFL-Cook) is the sponsor, it was approved 63-0 on April 7.

Probation penalties

Some of Minnesota's probation officers would gain new powers to punish the offenders they monitor if a bill approved by the House Judiciary Policy and Finance Committee April 9 becomes law.

In an effort to take some cases out of overburdened district courts, Rep. Doug Fuller (R-Bemidji) proposed HF1354, which would allow probation officers in certain counties to mete out sanctions to offenders who commit technical violations of the terms of their parole.

Nearly any violation of probationary terms that does not constitute an additional criminal offense would be considered a technical violation. Under the bill, probation officers would set up a meeting with the offender and other interested parties to discuss appropriate penalties for the violation.

The meetings would be voluntary and offenders could request a traditional court hearing before a judge. Any sanctions worked out by a probation officer under the proposal would still have to be formally approved by a judge.

Fuller said his proposal would improve the current system by allowing a more swift response to probation violations. A violation, he said, could be dealt with within a week as opposed to a month or two if it went to court. "I think you're going to see increased compliance (with probation terms) ... because of the swift sanctions that are going to result," Fuller said.

Restrictions the officers could impose include electronic monitoring, community service, required daily reporting to a day report center, random drug testing, education programs, mental health counseling, or chemical dependency treatment or counseling.

Fuller successfully offered an amendment limiting the number of counties, in which the proposal would apply to 29 that use a particular system of probation officers. Those counties include about 13 percent of the state's probationary offenders, according to the non-partisan House Research Department. While he hoped to implement the system statewide, Fuller said some counties wished to see the program in operation before signing on.

The bill now goes before the full House. Its Senate companion (SF1306), sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits action on the Senate floor.

Different penalties

In response to growing caseloads and shrinking state funding, Minnesota court officials laid out a plan designed to raise revenue and cut costs in the state's judicial system.

One of the bills the House Judiciary Policy and Finance Committee heard April 8, HF1229, would turn several misdemeanor offenses into petty misdemeanors that do not require court hearings. Traffic violations such as careless driving, driving without proof of insurance, and driving on a suspended or cancelled license would become punishable by fine only and would not require time in front of a judge.

Other crimes would be similarly downgraded, including trespassing, disorderly conduct, littering, smoking in a public building, misusing a credit card, and receiving stolen property worth less than \$250.

Several offenses, such as theft, trespassing, fraud, and disorderly conduct would see higher fines and possible prison time under the bill, depending on the value of property or damage involved. For example, the maximum penalty for a theft involving \$2,500 in property would increase from 5 years to 10 years in prison and from \$10,000 to \$100,000 in fines.

Sponsored by Rep. Steve Smith (R-Mound), the bill would remove any criminal penalties for writing bad checks worth less than \$100,



State Court Administrator Sue Dosal testifies before the House Judiciary Policy and Finance Committee April 8 during an overview of proposed court revenue enhancements.

but provide an expedited way for people given the checks to seek compensation.

A mandate that court staff assist people in assembling orders for protection, restraining orders, and harassment complaints would be repealed under the bill, though courts would have to provide simplified forms and provide assistance if possible.

Another provision would eliminate a requirement that courts appoint guardians to act in a child's best interest in truancy and run-away cases. State Court Administrator Sue Dosal said courts have never been able to fulfill the mandate because of staffing shortages. She said only a small percentage of these cases necessitate a guardian and removing the requirement would free up staff to work on the most serious cases.

Representatives of business organizations told committee members that decreased criminal penalties would only encourage criminal activity.

"Mark my words, we will see a significant victimization of consumers," said John McCullough, a lobbyist for the Retailers Protection Association. By decriminalizing small-scale thefts, he said, the bill would allow criminals to go from place to place robbing cars and purses without fear of imprisonment.

Said First District Judge Edward Lynch, "Many of the options that are on this list are not anything that we would embrace in normal times...but we feel it incumbent on us to present to the Legislature some options that they can look at."

The financial impact of the proposal is not yet known, though officials estimated a \$1.5 million annual savings if the bill were enacted in its current form.

The bill was laid over for consideration in the committee's omnibus bill.

A Senate companion bill (SF1213), sponsored by Sen. Leo Foley (DFL-Coon Rapids), awaits committee action in the Senate Crime Prevention and Safety Committee.

Increasing fees

State judiciary officials presented a bill to the House Judiciary Policy and Finance Committee April 8 that would increase court revenues in light of expected budget cuts.

One of two bills aimed at enhancing revenue and cutting staff costs, HF1123 would raise several court fees and implement co-payments for defendants using the public defender system.

Under the bill, sponsored by Committee Chair Rep. Steve Smith (R-Mound), the \$28 co-payment for people using a public defender would increase to \$50 for misdemeanors, \$100



Kevin Kajer, chief administrator for the Public Defense Board, testifies before the House Judiciary Policy and Finance Committee April 8 on a bill that would increase the surcharge on criminal and traffic offenders, require public defender applicants to pay certain co-payments, and authorize collection through the Revenue Recapture Act.

for gross misdemeanors, and \$200 for felony charges. In juvenile cases, parents would have to pay a \$200 co-payment if they receive representation from a public defender and \$100 if their child does.

Defendants able to afford a private attorney would be forbidden from using public defender services.

Rep. Mary Murphy (DFL-Hermantown) asked if the co-payments would apply even if defendants were found innocent. "Yes," said Board of Public Defense Chief Administrator Kevin Kajer. "The public defender fee is a fee-for-service as opposed to a criminal surcharge."

Criminal surcharges would, themselves, also increase under the proposal. Surcharges would rise to \$60 from \$35 for anyone convicted of a traffic violation, a petty misdemeanor, misdemeanor, or felony. Parking violations would only result in a new \$3 surcharge.

The committee took no action on the bill, holding it over for consideration in its omnibus bill. A Senate companion (SF1044), sponsored by Sen. Linda Berglin (DFL-Mpls), awaits formal action in the Senate Crime Prevention and Public Safety Committee.

★ DEVELOPMENT

Boulevard beautification

State funding to continue improving what was once described as a "highway of homelessness" in east St. Paul was requested for the Phalen Corridor project April 8.

HF55, sponsored by Rep. Tim Mahoney (DFL-St. Paul), seeks \$8 million in bond proceeds to acquire land for right-of-way and to complete contamination remediation on Phalen Boulevard, between I-35E and Johnson Parkway. The appropriation, if approved, requires an equal match of money from other sources.

Presented to the House Jobs and Economic Development Committee, the bill will be considered for inclusion in a potential bonding bill.

The project has been funded by the Legislature for eight years, said Director Curt Milburn. That money has led to a substantial list of developments and improvements along Phalen Boulevard, an area that has lost 3,000 to 5,000 jobs since 1980. The layoffs, most recently at 3M, led to a sense of hopelessness and distressed housing conditions along what Milburn called a "highway of homeless."

Improvements to date include construction of the Williams Hill Business Center, which includes six businesses employing 650 people; creation of a lake from an unused parking lot; creation of 59 senior citizen and 29 mixed-income housing units; and the addition of a new Wells Fargo bank branch and a Bureau of Criminal Apprehension office.

The project calls for further creation of 2,000 light industrial jobs and 700 units of housing, bike trails, a climbing wall, an extreme skate park, wetlands, and watersheds.

Milburn said the improvements will help serve the immigrants who are coming to the area and finding little opportunity, an ironic situation, he said, considering the area was largely developed by immigrants from Sweden, Ireland, Poland, and Italy.

A Senate companion bill (SF19), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Finance Committee.

★ EDUCATION

Special education scholarships

A plan to allow state-funded private school scholarships for children with disabilities received a spirited hearing April 9 before the House Education Finance Committee.

Sponsored by Rep. Barb Sykora (R-Excelsior), HF1266 would provide scholarships for special education students receiving instruction and services based on an individual education plan, a federal requirement for students diagnosed with learning disabilities.

The scholarships would be funded on a per-student basis through the state's general education revenue and additional state equalization aid to school districts. To be eligible a special education student would have

to be enrolled in a state school district for at least one year.

The committee took no action on the bill, although more testimony was planned for April 10.

Sykora, chair of the House Education Policy Committee, said the bill proposed "a concept worth serious consideration. I thought this was a win-win for everybody," she said, including special education parents satisfied with the public school system. "No one has to do this so no one is losing a right."

The bill's "details need to be worked out," said Jim Bartholomew, director of government relations for the state Department of Children, Families and Learning. Gov. Tim Pawlenty and the education department support the bill, Bartholomew said, because it meets a "policy goal of expanded opportunities."

John Hoffman of Champlin, whose 6-year-old daughter has spina bifida, spoke in opposition to the bill. "Stop this," he said. "I'm opposed to a voucher system whose rallying point is funding and not equal opportunity to education."

Bob Brick, executive director of Pacer Center, a statewide training and information group for special education parents, said: "There are no requests for this type of voucher program. The level of discontent (with public school special education) does not exist."

Florida is in the third year of providing state-funded scholarships to parents who have the option of enrolling their special education children in another public school or a private school.

Robert Metty, director of scholarship programs for the Florida Department of Education, said more than 8,600 students participate in the scholarship program among an eligible pool of 380,000 public school students with disabilities. There are 600 private schools participating in the state's program.

The scholarships are funded by the state's base allocation per student, Metty said, plus a portion of state education aid determined by the severity of a child's learning disability. "We're there to facilitate informed school choice," Metty said, "whether it's public or private."

Federal special education law allows private schools to receive some government funding for learning-disabled student services that a public school district can't provide.

A companion bill (SF1160), sponsored by Sen. Geoff Michel (R-Edina), awaits action in the Senate Education Committee.

'American heritage' curriculum

A bill promoting "American heritage education" was approved April 3 by the House Education Policy Committee and referred to the House floor.

HOUSING NEEDS



PHOTO BY TOM OLMSCHIED

Wendy Hulsebus, left, housing development manager of the St. Cloud Housing and Redevelopment Authority, testifies April 9 before the House Jobs and Economic Development Finance Committee about housing concerns in her area. Others that appeared before the committee are David P. Schooff, center, president and CEO of the Greater Mankato Chamber of Commerce, and Rachel Callanan, right, policy director of the Minnesota Housing Partnership.

Sponsored by Rep. Mark Olson (R-Big Lake), HF476 would ensure that public school students have access to “America’s founding documents that contribute to understanding the principles, character and world view of America’s founders.”

The bill would allow a school principal or teacher to use, read, or post in a classroom or public school building a document or an excerpt “that contains religious content” and is related to the nation’s or state’s history.

“There’s too much anti-American sentiment in our (school) curriculum today,” said Olson. To illustrate his point, he read selected excerpts from the indexes of social studies and history textbooks used in public schools and cited state teacher licensing rules.

“In teacher licensure rules, the Native American view is mandated to be taught,” Olson said. Those rules are also more likely to include references to globalism rather than nationalism, he added.

“This is about mandating academic freedom,” Olson said. “It’s not mandating that a religious item be studied, but (that it be) allowed under the parameters of academic freedom.”

Citing the historical documents listed in the bill, Rep. Lyndon Carlson (DFL-Robbinsdale), a retired teacher, said, “Most of what’s in here is taught in most social studies classes.”

Among more than a dozen document examples in the bill were the Mayflower compact, federal and state constitutions and the Declaration of Independence, the Northwest Ordinance of 1787, and the Federalist Papers.

“Districts may not limit or restrain instruction in American or Minnesota state history or heritage based on religious references,” according to the bill. It also states historical documents and “any other materials must be used for educational purposes and not to establish any religion.”

A companion bill (SF139), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Education Committee.

Ignoring federal mandate

Should the State of Minnesota say, “Thanks, but no thanks” to the federal No Child Left Behind law?

A bill referred without recommendation April 3 by the House Education Policy Committee to the House Education Finance Committee raises that question.

Sponsored by Rep. Mark Olson (R-Big Lake), HF1098 would prohibit the Department of Children, Families and Learning and other state agencies from contracting with the federal government to advance the goals of the

comprehensive federal K-12 education law adopted in 2002.

Because of the financial consequences of noncompliance – the state could lose up to \$200 million annually in federal education funds – Olson, a vice-chair of the education policy committee, suggested the committee not make a recommendation on the bill.

The federal law requires school districts to report failing schools, defined as those schools where the majority of students don’t meet minimum state academic standards, and it mandates reports to parents that include a school’s overall test scores. The law provides parents with federally funded options to seek tutors or other supplemental services to help their children improve academically and to move a child to a different public school either within or outside of the school district.

Jim Bartholomew, director of government relations for the Department of Children, Families and Learning, said the department and the Pawlenty administration “support the goals and objectives of No Child Left Behind.”

An “important distinction” can be made in the law, Bartholomew said, between mandates and how the state develops policies to meet them. An example, he said, is the federal requirement for tests based on academic standards. The state determines the academic standards and develops the tests to measure them, Bartholomew said.

“No Child Left Behind is a lemon,” said Rep. Mindy Greiling (DFL-Roseville), a co-sponsor of the bill. “We should not be lured by small change bait under the guise of helping low-income children.” The federal government is “micromanaging education” through the law, she added.

“Most of us are not as informed as we need to be to make major decisions on No Child Left Behind,” said Rep. Barb Sykora (R-Excelsior), the committee chair.

“We’ve been doing a pretty good job,” Sykora said, citing statewide academic test scores. “But we all know there are a whole lot of kids not learning in our schools.”

A companion bill (SF1018), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Education Committee.

School aid

Small public schools could tap a special state fund to help them survive, under a bill heard April 3 by the House Education Finance Committee.

Sponsored by Rep. Kent Eken (DFL-Twin Valley), HF1088 would create “small school sustainability revenue” by shifting existing state education funds. School districts that would qualify for sustainability revenue could use it to

hire and retain teachers, or for technology and curriculum improvements, and collaborative activities with other school districts.

The committee took no action on the bill. However, it may be considered for inclusion in the committee’s omnibus bill.

“Schools are often the number one employer in rural districts,” said Eken. “When the schools go under, sometimes that’s the death knell for our small communities.”

The bill would create \$28 million in revenue for small schools by eliminating the alternative facilities aid fund primarily used by larger urban districts and shifting money from state education reserve funds.

There are only seven school districts that receive alternative facilities aid from the state. The Minneapolis and St. Paul districts account for \$14.7 million of the \$19.3 million the state allocates for some school districts to renovate older school buildings that meet a size requirement.

Kim Davidson, an elementary school teacher in Crookston Public Schools, testified in support of the bill. “Many teachers in rural Minnesota believe they have been forgotten,” said Davidson, who taught in a large suburban district before moving to the state’s northwest region.

“Schools are an emotional issue in small communities,” she said.

“The real problem we have is people leaving our communities,” said Rep. Randy Demmer (R-Hayfield), who was formerly a school board member in a small rural district.

For fiscal year 2003, approximately 53 percent of public school students in the state were enrolled in seven school districts in the Twin Cities metropolitan area, according to information Eken provided the committee. The next highest percentage was the east-central area of the state with 11 percent of the students. Northwest Minnesota school districts have 4 percent of the state’s public school students.

The bill has no Senate companion.

Contract deadline

A state required deadline for the resolution of teacher contracts with school districts would be repealed under a bill being considered by the House Education Finance Committee.

Sponsored by Rep. Alice Seagren (R-Bloomington), HF206 was heard by the committee April 7 and may be included in its omnibus bill.

The bill would get rid of the Jan. 15 deadline for school boards and the teachers union to sign collective bargaining agreements. If that deadline, in even-numbered years only, wasn’t met, the school district was liable for a state aid penalty based on a per pupil formula.

The 2001 Legislature waived the deadline for

the 2002-03 biennium. It has been in effect for teacher contract negotiations in 10 of the last 16 years.

"I have felt that the mandate is not a good thing for a number of years," said Seagren, the committee chair.

During those years a much higher percentage of teacher contracts were settled by the deadline, said Jan Alswager, representing Education Minnesota. "Jan. 15th forces both parties to compromise," she said.

Representatives of two school board associations and the school administrators association supported repealing the deadline.

"Tough times are coming," said Bob Meeks, representing the Minnesota School Boards Association. "Settlements are going to be very hard to come by. Let us do the job we're elected to do and give us the time it takes."

An amendment by Rep. Jim Davnie (DFL-Mpls) that would have set a contract settlement deadline approximately five months after the state appropriates K-12 education funds to school districts in even-numbered years was defeated.

"The issue for districts is when the Legislature finishes its work," said Davnie. He said a deadline was required to send a message to both sides to "get back to your core mission."

A companion bill (SF1166), sponsored by Sen. David Hann (R-Eden Prairie), awaits action in the Senate Education Committee.

New charter school

Northwood Children's Services, a mental health care and treatment center in Duluth, would become eligible to open a charter school under a bill being considered by the House Education Finance Committee.

Sponsored by Rep. Alice Seagren (R-Bloomington), HF1146 would provide for a six-year pilot project for the residential and day treatment center to operate the charter school. After hearing testimony April 3, the committee delayed action on the bill for possible inclusion in the omnibus education finance bill.

The charter school "will be a public school with open enrollment," said Dr. James Yeager, president of the Northwood treatment center. "We'd just like the opportunity to be innovative, creative and grow," he said. The private, non-profit agency, founded in 1883, is the oldest children's mental health treatment facility in the state, Yeager said.

Special education services at Northwood are provided by the Duluth School District. Bruce Johnson, principal of two residential and day treatment schools in the Duluth area, opposes the bill.

"If we were doing a lousy job, I would not be here," Johnson said. A charter school "would destroy the continuity of the program we provide," he said. A vocational center operated by the Duluth schools, includes 23 students from Northwood. The charter school would have a difficult time finding special education teachers, Johnson said.

Yeager said the charter school would consider hiring the existing special education teachers in the district, some of whom have up to 15 years of experience.

When students transfer to a charter school, the school district loses about \$6,000 per student in state education aid. That money becomes part of the charter school's operating revenue. Children in the center's care and treatment programs would have enrollment preference at the charter school.

Northwood Children's Services would have to apply to the commissioner of the Children, Families and Learning Department to open the school. The charter school would not be eligible for state building lease aid, since it would be located on Northwood's campus.

A companion bill (SF1237), sponsored by Sen. Bob Kierlin (R-Winona), awaits action in the full Senate Finance Committee.

ELECTIONS

Political phone surveys

A person who conducts a phone survey relating to a candidate running for office or any political subdivision could soon be held liable for not giving certain information to a survey taker.

The name, address, and telephone number of the company conducting the survey, and whether it's being done in cooperation with or for the candidate must be revealed at the end of the conversation under HF1437.

If a person refused to give the information, they or the organization conducting the poll could be charged with a misdemeanor.

Rep. Tony Cornish (R-Good Thunder), the bill sponsor, told the House Governmental Operations and Veterans Affairs Policy Committee April 9 that when he was running for office he received a disturbing phone call.

He said a "college-aged student," not knowing she'd reached the candidate the survey was targeting, asked Cornish misleading questions. He explained the questions and answers would have led a constituent to believe untrue political beliefs about him.

Becoming angry he asked the caller to give him the name of the company conducting the survey, or her name, or a supervisor, none of which were given. In the end, the caller hung up on him.

The bill was approved and now moves to the House floor.

A Senate companion (SF1373), sponsored by Sen. Julie Rosen (R-Fairmont), awaits action in the Senate Rules and Administration Committee.

EMPLOYMENT

Negotiation changes

Nearing midnight on April 3, the House Governmental Operations and Veterans Affairs Policy Committee heard testimony on a bill that would significantly change the way unions negotiate salary and benefits for public employees.

Rep. Mark Buesgens (R-Jordan), the sponsor of HF1380, said, "I've heard from a number of constituents and a number of colleagues that are public employees with the statement 'Why do you need to freeze our salaries, why don't you just give us the money?'"

The bill would give bargaining units a specific maximum monetary value to work from. Defined as structural balance, the process would require cuts in expenditures, without affecting the quality of service.

"This is the worst, regressive, anti-public employee legislation that I've seen in 20 years," said Rep. Loren Solberg (DFL-Grand Rapids).

"Of all the bills we've heard tonight, this is a doosey, this is the worst," said Brian Bergson, representing the Minnesota Association of Professional Employees. Along with gutting the Public Employment Labor Relations Act, which defines ways unions can negotiate through collective bargaining, Bergson said, the bill tips the scale in favor of management. He said that it would be easier to just repeal the labor act.

Jan Alswager, representing Education Minnesota, said she's never seen a bill that threatens workers and unions as much as HF1380. Specifically, she said, the bill doesn't allow funds from cuts to be used for salaries, along with not allowing employees to choose who their health insurance provider will be, including the clinic.

"This is not timely, reflective thought about what's good sound policy for the state of Minnesota" said Chris Cowen, political action director for Local 14 of the American Federation of State, County, and Municipal Employees.

There were no testifiers in favor of the legislation.

Rep. Marty Seifert (R-Marshall), who was chairing the committee, motioned for the bill to be laid over for later consideration. "This is a fairly important, serious bill to do with an empty committee room," he said.

A Senate companion (SF1471), sponsored by Sen. David Hann (R-Eden Prairie), awaits committee action.

Freezing public employee wages

As private sector employees continue to feel the effects of the recession, state employees may be facing a possible two-year salary freeze in hopes of saving jobs.

"I think that a public employee salary freeze is a valid option for all of us to consider," said Rep. Chris Gerlach (R-Apple Valley), sponsor of HF793, before the House Governmental Operations and Veterans Affairs Policy Committee April 3.

With Minnesota employers reducing payrolls via layoffs, wage freezes, and wage concessions, Gerlach said, "We can look at freezing wages, trying to hold the line and weather the economic storm we're in, or devastate the ranks of the public employees and hand out the pink slips."

HF793 would also prevent public employees from striking due to an employer's refusal to increase salaries, and arbitrators for unions couldn't issue an award for more pay, as well.

Duane Benson, executive director of the Minnesota Business Partnership Inc., said wage freezes and concessions should apply to public employees.

Labor organization representatives said the wage freeze would not necessarily prevent layoffs.

"The Legislature is once again sticking its nose into collective bargaining," said Brian Bergson, legislative affairs director for the Minnesota Association of Professional Employees, one of the state's two largest employee unions. Public employees benefits and salaries are determined each year through collective bargaining.

Brad Lehto, legislative director for the Minnesota AFL-CIO, rhetorically asked Benson if the businesses he was representing were going to "freeze everything across the board including utility rates, grocery costs, and health costs?" He also said HF793 is an attack on the collective bargaining process.

Bob Meeks, director of governmental relations with the Minnesota School Board's Association, asked legislators to support the wage freeze. "The only way I believe we're going to protect students and protect jobs as much as we can is with some assistance from you," he said.

The temporary two-year freeze was successfully amended in the committee by Rep. Stephanie Olsen (R-Brooklyn Park) to not apply to school districts, cities, counties, and townships. Also excluded are hospital workers and hospital districts.

"How much does your bill save?" asked Rep. Loren Solberg (DFL-Grand Rapids). Gerlach responded the bill would help agencies moderate the anticipated 15 percent reduction in their budgets attributed to the governor's cuts, but there is not a direct savings.

Solberg said there's "no guarantee of

saving any jobs, we're not saving money. ... (We're) taking away negotiation rights for two years. We're telling public employees 'This is what you get.'"

Approved by the committee, the bill was forwarded to the House State Government Finance Committee, which heard it April 8 and will consider it for possible inclusion in its omnibus bill. A Senate companion (SF773), sponsored by Sen. Tom Neuville (R-Northfield), awaits formal committee action by the Senate State and Local Government Operations Committee.

★ ENERGY

Speaking out against assessments

Rural electric utilities and co-operatives are opposing a proposed assessment that would expand a state incentive fund for wind and other small-scale renewable energy projects.

The Minnesota Chamber of Commerce and representatives of utilities that primarily serve small towns and farms in rural Minnesota opposed the assessment proposed in HF1333 during a hearing April 9 before the House Regulated Industries Committee.

The committee took no action on the bill, but is expected to take it up again next week. The House Agriculture and Rural Development Finance Committee approved the bill April 3.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake), the regulated industries committee chair, HF1333 would expand the state's renewable energy production incentive program that has benefited small, rural-based wind energy conversion facilities owned by Minnesota farmers, nonprofit organizations, and cooperatives.

The bill would expand the amount of renewable energy production subsidized in the program from 100 to 250 megawatts of electricity. Officials expect total production will reach the 100-megawatt capacity in May.

Retail electric utilities, including shareholder-owned companies like Xcel Energy, would be assessed an estimated \$7 million annually for continuing the incentive program with the expanded capacity target. The program is now financed through the state general fund, with payments administered by the Department of Commerce.

A payment of 1.5 cents per kilowatt hour is provided to owners of wind energy projects that produce less than 2 megawatts of electricity. The payments are limited to 10 years after a facility begins generating electricity. Other renewable energy projects that can qualify for incentive payments are hydroelectric facilities and anaerobic digester systems using animal waste.

"This is one industry subsidizing another," said Greg Oxley, government relations director for the Minnesota Municipal Utilities Association. He called the proposed assessment on utilities a "hidden, regressive tax."

Laura Bordelon, manager of education, housing, and telecommunications public policy for the Minnesota Chamber of Commerce, suggested the committee "find an incentive that doesn't create a new cost." Xcel Energy is a member of the state chamber.

The Minnesota Wind Energy Association estimates the assessment on utilities for the program would cost their ratepayers a state-wide average of \$1 a year.

The incentive payments are "critical for continued development of small, locally owned projects," said Dan Juhl, representing the Minnesota Wind Energy Association. "Wind energy is viable today," Juhl said. Wind is "part of the answer" to the state's future energy needs.

Ryan and Gina Wolf of Adrian, representing the Minnesota Farmers Union, told the committee about their plan to build a wind turbine on the family farm. "Without the incentive, cash flows for projects like ours are impossible," said Ryan Wolf. Gina Wolf said the incentive program helps determine, "if any of the profits from wind energy stays in the state or lines the pockets of large companies from California and Florida."

A companion bill (SF1228), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action in the Senate Commerce and Utilities Committee.

Seeking tax exemptions

Requests by three proposed electric generation facilities to forgo property taxes on machinery and other personal property will meet different fates, following presentations April 8 to the House Taxes Committee.

The first, HF1250, sponsored by Rep. John Dorn (DFL-Mankato), relates to a 565-megawatt, combined-cycle, combustion-turbine facility fueled by natural gas, proposed in Mankato by Capline Corporation. Construction is slated to begin in 2004 and be completed by 2007.

The estimated value of the facility's attached machinery and related personal property is \$140 million, according to the Minnesota Department of Revenue. If the exemption is approved the state would have to increase homeowner refunds by \$100,000 in fiscal year 2010 to compensate for the increased tax burden.

In the past decade, the Legislature has granted similar exemptions to 17 different electric generation projects in Minnesota. Officials representing the industry noted that

other industries in the state are exempt from property taxes on machinery and other personal property.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said the Legislature has traditionally granted exemptions to high-efficiency, low-pollution, natural gas-fueled plants that do work on an intermittent basis.

"I foresee a good future for House File 1250," Abrams said, adding that it will be considered for inclusion in the committee's omnibus bill.

However, Abrams indicated two other proposals might not gain approval.

HF1438, sponsored by Rep. Dennis Ozment (R-Rosemount), seeks the same exemption for a similar facility that is to produce more than 150 megawatts in Rosemount. It is proposed by Great River Energy Cooperative for one of its subsidiaries, Dakota Electric. Construction is slated to begin in 2004 and be completed by 2009.

No estimates indicating the cost to the state of the property tax exemption were provided to the committee.

However, Tom Novak, director of public services and revenue for Dakota County, announced that the Dakota County Board had voted against the property tax exemption.

HF1438 requires Great River Energy to enter into agreements with both the city and county

to partially mitigate the facility's effect on services, infrastructure, air, water, and noise.

The final proposal, HF1439, was also sponsored by Ozment. It relates to a proposed 250-megawatt electric generation facility to be fueled by coal or petroleum coke, or a combination thereof. It would be built in Rosemount by LS Power Development for Xcel Energy, with construction to begin in 2004 and to be completed by 2009.

Indicating that the bill might not gain approval because the plant would burn coal, Abrams did not allow an amendment to be heard.

Paul Thessen, representing LS Power, said the facility would be equipped with an advanced emissions control system. "Our plant will be clean," he said.

None of the plants has yet received federal or state approval or permits.

Both the LS Power plant and the Capline Corporation plant were selected by Xcel Energy to replace portions of energy produced at the Prairie Island nuclear generating plant, according to Thessen. The nuclear facility would cease operations if the Legislature doesn't approve additional storage for spent fuel rods. The LS Power proposal also addresses a second Xcel contract unrelated to Prairie Island.

Senate companions for all three bills await action by the Senate Commerce and Utilities Committee.

★ ENVIRONMENT

Phosphorus-free dishwashing

The application of phosphorus fertilizers on most Twin Cities metropolitan area lawns will be restricted by law beginning Jan. 1, 2004. Now lawmakers are looking at reducing another household source of phosphorus.

The House Environment and Natural Resources Finance Committee reviewed a bill (HF1401) April 9 that would limit the amount of phosphorus in dishwasher detergents sold anywhere in Minnesota to 0.5 percent by weight or less after Aug. 1, 2005.

Many detergent makers add phosphorus to their formulas to reduce spotting on dishes. The current phosphorus limit is 11 percent by weight, and several leading brands range between 6 percent and 8 percent content by weight, according to the Minnesota Environmental Partnership.

The bill, sponsored by Rep. Ray Cox (R-Northfield), would direct the Pollution Control Agency (PCA) to study the correlation between reduced-phosphorus dishwasher detergents and improved water quality. The study, due Feb. 1, 2004, also would look at how best to assist local governments with removing phosphorus at the wastewater treatment stage.

Phosphorus, a naturally occurring nutrient, makes an excellent fertilizer. Trouble is, studies have shown, once it finds its way into the water stream, it causes algae bloom that can choke other aquatic plants and deplete oxygen in lakes and rivers.

The PCA remains neutral on the bill because they do not yet have the scientific data on phosphorus reduction in dishwasher detergents and they have not studied the chemicals that would be used as alternatives, said Assistant Commissioner Lisa Thorvig.

Representatives from Procter and Gamble, the parent company of Cascade dishwasher detergent, argued that phosphates are still needed to soften water and perform a significant portion of cleaning during the wash cycle.

Jennifer Chiao, a Procter and Gamble chemical engineer with product development responsibilities, said an Arizona market test of a phosphorus-free product resulted in six times the number of calls to their consumer complaint line.

"We broke a lot of trust with product performance," Chiao said, and some of those unhappy customers drove to neighboring states to purchase products containing phosphates.

Water softening and cleaning functions can be performed by other materials, such as sodium citrate, at comparable costs, countered Dr. Martin Wolf, director of quality and technology for Vermont-based Seventh

ETHANOL RIGHTS



PHOTO BY TOM OLMSCHEID

During his April 9 testimony before the House Agriculture Policy Committee, David Kolsrud of Agri-Energy in Luverne displays jars of corn and the end products DDG (dried distillers grain) and ethanol that are produced after the starch is removed by ethanol plants. The committee held an informational hearing on a proposal that would clarify shareholder rights of ethanol producer business associations and would prohibit state payments for associations that are not in compliance with the shareholder rights provisions.



Jennifer Chiao, a Procter and Gamble chemical engineer with product development responsibilities, testifies before the House Environment and Natural Resources Finance Committee April 9 in opposition to a bill that would regulate phosphorous in dishwasher detergent.

Generation. The company is a leading manufacturer of non-toxic household products.

"Maybe we need to accept a few white spots on our dishes to keep green out of our waters," said Rep. Denny McNamara (R-Hastings). McNamara encouraged Procter and Gamble to conduct another market test, this time in Minnesota.

The bill will be considered for possible inclusion in the omnibus environment and natural resource finance bill.

Similar legislation in the Senate (SF203), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action on the Senate floor.

Tri-state water pipeline

Although Minnesota is generally considered a water-rich state, much of the southwestern region struggles with geological conditions that make for shallow wells and tenuous aquifers.

The House Environment and Natural Resources Finance Committee approved a bill April 8 that would contribute another installation of Minnesota's share in a tri-state venture designed to boost economic

development and deliver clean drinking water to approximately 200,000 people in Minnesota, South Dakota, and Iowa.

HF239, sponsored by Rep. Doug Magnus (R-Slayton), would appropriate \$108,000 from the general fund to the Department of Natural Resources for a grant to the Lewis and Clark Rural Water System.

To offset some of the costs, the bill would cancel the sale of \$610,000 in bonds that were approved by the 2000 Legislature for a grant to the Lewis and Clark Joint Powers Board. This would result in a debt service savings of \$224,000 through fiscal year 2007.

Recent estimates place the total project cost at \$363 million, with a financing structure of 80 percent federal, 10 percent state, and 10 percent local. Minnesota's overall share of the design and construction costs would equal approximately \$4.2 million, according to project engineers.

The water would originate in an aquifer near the Missouri River in Vermillion, S.D., and then travel through more than 400 miles of pipeline. Minnesota participants include the cities of Luverne and Worthington, as well as the Rock County and Lincoln-Pipestone rural water systems.

Progress will depend upon the level of funding originating at the federal level, planners say. Under the preliminary construction schedule, the project is slated to reach Minnesota in 2011 and should be completed by 2015.

The bill now moves to the House Capital Investment Committee. The grant provision will be considered for possible inclusion in the omnibus environment and natural resources funding package.

A Senate companion bill (SF199), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Finance Committee.



Members of the House Ethics Committee listen to testimony during the committee's April 7 probable cause hearing regarding a complaint against Rep. Arlon Lindner.

★ ETHICS

Decision pending

The probable cause hearing regarding a complaint against Rep. Arlon Lindner (R-Corcoran) occurred before the House Ethics Committee April 7, but no decision was made.

Instead the committee recessed to review evidence presented. No future meeting date was announced.

Rep. Keith Ellison (DFL-Mpls), one of eight DFLers to file the ethics complaint, said they seek censure of Lindner and his removal as chair of the Economic Development and Tourism Division of the House Commerce, Jobs, and Economic Development Policy Committee. He said one person from Washington wrote a letter saying they may not vacation in the state because of what Lindner said.

"There's a question mark hanging over the State Office Building," Ellison said. "The question is 'Do the people of the state of Minnesota and the legislators that represent them share the viewpoint that people who were victims of Nazi persecution were in fact not victims of Nazi persecution?' Mr. Lindner has insulted not only the House but members of the community at large."

During March 10 floor debate, Lindner expressed doubts that homosexuals suffered persecution by the Nazis during the Holocaust. Regarding health issues, such as AIDS and sexually-transmitted diseases, Lindner, who is sponsoring a bill that would remove gays from protection under the state Human Rights Act, said that he didn't want to "wait 'til America becomes another African continent." Rep. Ron Latz (DFL-St. Louis Park) quoted a doctor who said that about 90 percent of the AIDS cases in Africa were from heterosexual contact and the rest are from improperly

sterilized equipment or improperly tested blood used for transfusions.

"The fact of the matter is his conduct calls for discipline," said Ellison, who added that a censure penalty does not prohibit Lindner from saying what he believes. "It would just be a denunciation, a condemnation, of what he said."

Hinda Kibort, a Holocaust survivor, said Lindner has the right to say what he wants but "as part of a body that represents all Minnesotans, I expect more from Rep. Lindner."

Rep. Greg Davids (R-Preston), a committee member, called Lindner's statements "tremendously outrageous" and "stupid," but said he has the right to say them. He also wondered where the outrage was when a DFL member called State Auditor Pat Awada "Osama Bin Awada" earlier this year. Latz agreed that comment was inappropriate.

Lindner's attorney, James Anderson, said Lindner did not say that the Holocaust did not exist. He called the complaint a "cut-and-paste job."

Lindner expressed sadness that "my remarks on the House floor were edited so as to exclude comments I made declaring my knowledge of the Holocaust and my specific reference to 'Jewish suffering and death.'" He also said, "God has given us the Bible as our guide for living. The Bible teaches me homosexuality activity is wrong, sinful, and harmful." He also said "The Jew shall always be my friend."

Anderson said the House has never rendered an ethics violation for speech. He said throughout time "there have always been those who best knew what other free people should say and think — until now, at least, such efforts have always failed, and may it ever be so."

In closing, Anderson played parts of a March 12 interview Ellison did on a Twin Cities radio station where he said, "People should feel free to express themselves as long as they don't violate the law," and that, "I would never invoke the powers of the state to restrict Arlon Lindner from expressing himself."

Ellison was not given a chance for rebuttal.

★ GOVERNMENT

Selective service registration

All men age 18 to 26 are required to register with the U.S. Selective Service, which operates in the event the government needs to institute a national draft. According to John Fitzgerald, state director of selective service, about 93 percent of Minnesotans do register.

However, it's the other 7 percent that concerns him, Fitzgerald said, because many don't realize they have to register. He's concerned

because if they don't register they stand to lose both state and federal benefits down the line.

A bill that would consider application for a state driver's license, identification card, or learner's permit as consent to registration with selective service was approved April 8 by the House Transportation Policy Committee and forwarded to the full House.

HF1216, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would provide an applicant's name, address, date of birth, and social security number from a driver's license application to the selective service as registration there. Rhodes said the costs would be covered by selective service.

Fitzgerald testified that once a person reaches age 26 and has not registered with selective service, they are guilty of a felony, though those often are not prosecuted, and are subject to a number of lost rights, including:

- federal financial aid;
- federal job training;
- state job training and financial aid in some states, though Minnesota is not among them; and
- in the case of legal immigrants, they may lose the ability to seek citizenship if they were required to register and didn't.

Rep. Frank Hornstein (DFL-Mpls) asked whether the bill would require that a person's immigration status be forwarded as part of the selective service information. Fitzgerald said that only the information required on the selective service application would be forwarded, and immigration status is not part of that application.

Other members objected generally to the idea of the draft and the fact that women are not included. Rhodes urged them not to allow issues of the draft to hold up the legislation. He said that is a federal regulation in place that the state cannot change.

Fitzgerald also noted that the bill is written with gender-neutral language in the event the federal government ever changes selective service requirements with regard to women.

A companion bill (SF1192), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action by the Senate Finance Committee.

★ GREATER MINNESOTA

Investor tax credits

Less than 2 percent of the venture capital invested in Minnesota is seen in rural Greater Minnesota. A bill presented to the House Taxes Committee April 3 aims to change that.

HF355, sponsored by Rep. Dan Dorman (R-Albert Lea), would provide investors a 25 percent individual income and corporate franchise tax credit on investments in a quali-

fying regional angel investment network fund. No one investor could receive more than \$250,000 in credits. And the amount the state can give out in credits would be capped at \$2.5 million in fiscal year 2004. Money remaining in the fund at the year's end could be carried forward to subsequent years.

The bill will be considered for inclusion in the omnibus tax bill.

Angel investor is a financial term used to describe wealthy individuals or business people who provide venture capital, typically in high-risk situations. In addition, they sometimes offer business expertise and may help manage, operate, or market the business they are supporting financially.

Under the bill, up to 10 funds could be designated by the Department of Trade and Economic Development commissioner. According to non-partisan House researchers, each fund would provide equity investments in Greater Minnesota emerging and expanding companies.

To qualify as a regional angel investment network, the fund must:

- be a limited liability company whose members are accredited investors (usually corporate investors or individuals with a net worth of \$1 million or more, or high incomes of \$200,000 or more per year in the past two years, or married couples earning \$300,000 per year in the past two years);
- have a member who is a certified community development financial institution;
- make equity investments primarily in emerging and expanding companies outside of the seven-county Twin Cities metropolitan area; and
- be certified by the Department of Trade and Economic Development.

Dorman said the bill would create jobs paying more than \$40,000. Iowa has a 20 percent tax credit for regional angel investment networks, he added.

Angel investment networks not only invest money, but also provide technical and consulting assistance to start-up and expanding companies, said Steve Mercil, chief executive officer of Minnesota Investment Network Corp.

Creating angel investment networks — particularly in rural areas — without tax credits is difficult, said Henry Savelkoul of Albert Lea. He said his community recently tried to raise \$800,000 but decided to try again later when only \$100,000 was gathered.

A Senate companion bill (SF367), sponsored by Sen. Dallas Sams (DFL-Staples), was approved by the Senate Jobs, Housing, and Community Development Committee and awaits action by the Senate Taxes Committee.

Waiting period, bill two

After hours of debate over two days, language in a bill that would repeal a ban on circuses in Minnesota around the time of the state fair was replaced on the House floor with language requiring women seeking an abortion to receive certain information at least 24 hours before getting an abortion.

The move will force the Senate, which passed the circus repeal 66-0 Feb. 20, to vote on the language, either approving it as is or deciding to call for a conference committee.

In a series of procedural moves, the original language relating to circuses in HF94/SF187* was replaced with language from HF668, sponsored by Rep. Mary Liz Holberg (R-Lakeville), an abortion-related bill that passed the House March 31.

When the circus bill first came before the House on April 3, Rep. Marty Seifert (R-Marshall), the bill sponsor, moved to add a provision repealing what he described as outdated health reporting standards. That amendment was approved on a voice vote. Some DFL members said they had been tricked into allowing the amendment because its intent was not explained and not all members had received paper copies of its text.

Because the amendment dealt with abortion, Holberg was able, under House rules and affirmed via a ruling by the House speaker, to move to replace the bill with text from HF668. Rep. Phyllis Kahn (DFL-Mpls) asked the House to reconsider its vote on the Seifert amendment and asked to delay the vote on reconsideration until April 7, under House rules.

The reconsideration motion failed April 7, and some DFL members then staged an hours-long debate over a series of amendments with which they sought to change Holberg's proposed language, including adding other entire bills. All DFL amendments were either voted down or ruled out of order by House Speaker Steve Sviggum (R-Kenyon).

The amendments included language extending the statute of limitations for victims of childhood sexual assault, language mandating that hospitals provide emergency contraception to victims of sexual assault, and language repealing the state's Profile of Learning education standards that the House passed Feb. 17. DFLers even tried, unsuccessfully, to amend Gov. Tim Pawlenty's 433-page budget for the Health and Human Services departments onto the measure, and to add a requirement that women seeking abortions be given information about the time and place of upcoming circuses.

Holberg's amendment was approved and final passage of the bill came on a 90-39 vote.

House Republican leaders, including Majority Whip Seifert, said replacing the language would give senators a chance to vote on the abortion language, the Senate version of which had not yet received a committee hearing. Sen. Steve Dille (R-Dassel) is the circus bill sponsor in the Senate.

Contract ratification

Signed
by
the
governor
★ ★ ★

Many state employees can breathe easier now that Gov. Tim Pawlenty signed a bill that ratifies labor contracts in limbo for nearly two years April 9.

"This is a very positive statement to the people of Minnesota and the people who work so hard as state employees," said Rep. Rob Eastlund (R-Isanti), a House co-sponsor of the new law, during House debate. The House passed the measure, hours after the Senate did the same.

Some bargaining units were working under interim 2003 contracts that allowed for same sex domestic partner benefits, but in the ratified agreement those benefits are removed. Rep. Karen Clark (DFL-Mpls) unsuccessfully proposed an amendment on the House floor that would reinstate the domestic partner benefits for 77 families currently using the health and dental coverage.

"When discrimination is in front of you, you may have to talk about it over and over ... until people understand," Clark said. The total cost to the state would be nearly \$200,000, she added.

The law allows individuals the ability to use sick or bereavement time for the death of a regular member of the employee's immediate household, including same-sex domestic partners.

"I think there's room for compromise here," said Rep. Keith Ellison (DFL-Mpls) as he introduced a second failed amendment that would have allowed domestic partners to buy into benefits "as other people are allowed to do." He said if money is the issue, then the state could allow partners to purchase their own health care.

Rep. Dennis Ozment (R-Rosemount) said the change would discriminate against heterosexual couples living together, but not married.

Proponents emphasized the need to pass the bill in the form presented on the floor. Because the House adopted the Senate language, any changes or amendments would send the bill to a conference committee, resulting in further delay.

Bargaining units agreed to domestic partner benefits in 2001 contracts, but as the Legislature warned in the previous legislative session, the contracts weren't ratified because of the inclusion. State employees then reverted back to prior contracts. Organizations such as the Minnesota

Nurses Association have been working without a contract or raises since 2001.

The law is effective April 10. House Speaker Steve Sviggum (R-Kenyon) and Senate Majority Leader John Hottinger (DFL-St. Peter) were the sponsors.

HF330/SF293*/CH11

Prescribing medication

Pharmacists in Minnesota would be able to prescribe certain over-the-counter drugs to Medicaid recipients under a bill approved by the House Health and Human Services Policy Committee April 3.

While the state's Medical Assistance program, which administers federal Medicaid services, covers many non-prescription medications, recipients must currently see a physician before getting those drugs. HF1444, sponsored by Rep. Fran Bradley (R-Rochester), would eliminate the need for a doctor's visit by empowering pharmacists to prescribe over-the-counter medications and still receive Medicaid reimbursement.

Greg Whittemore, a South Minneapolis pharmacist, said many patients come to his store needing basic, non-prescription medicine. "They'll say, 'Is this covered by Medical Assistance?' We'll say, 'Yes, it is.' They'll start to hand us their card and we'll say, 'Yeah, but you have to go see a doctor first.'"

Whittemore said the time it takes to see a physician often leads people to give up and forgo any treatment at all. When they do go, visits are expensive, creating even more cost for the state. He said many times a \$9 medication will cost the state \$80 to \$100 for the visit to an urgent care medical facility.

Many afflictions that Medical Assistance benefits will treat should not require a doctor's visit, Whittemore said. "We see this time and time again with mothers of teething kids, kids who are sent home with head lice, skinned knees. They should be able to just go to their pharmacy and have their pharmacist aid them in picking one of these vast over-the-counter items that Medical Assistance does cover."

Dave Renner, director of state and federal legislation for the Minnesota Medical Association, said his organization supports the idea but worries it will lead to giving pharmacists more prescribing authority in the future.

Bradley said the only reason the pharmacists must formally prescribe a medication is so the state can track the transaction and prevent people from abusing the system.

Renner said the change would give prescription power to someone with a financial interest in filling that prescription.

"It treats people on MA just like the rest of us," said Rep. Thomas Huntley (DFL-Duluth),

who co-sponsors the bill. "When we have a tooth problem or something, we go to the pharmacist and ask, 'What can we use?' And he tells us and we get it. This simply allows people on MA to be able to do the same thing."

The bill was heard April 8 by the House Health and Human Services Finance Committee. It will be considered for possible inclusion in the committee's omnibus finance bill.

A Senate companion (SF1411), sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Health and Family Security Committee.

HIV awareness

The Minnesota AIDS Project pitched its case for continued state funding April 8 to the House Jobs and Economic Development Finance Committee.

Under HF728, sponsored by Rep. Karen Clark (DFL-Mpls), the organization would receive \$40,000 in fiscal year 2004 and \$35,000 in fiscal year 2005.

The bill will be considered for possible inclusion in the committee's omnibus finance bill.

According to Clark, the 2001 Legislature appropriated \$150,000 for the current biennium to work toward minimizing the disruptive impact HIV has on the workplace. In a competitive bidding process, the Minnesota Department of Economic Security chose the Minnesota AIDS Project to launch the project.

Minnesota AIDS created the "Wise @ Work" program, according to Bob Tracy, the organization's director of community affairs and education. The Centers for Disease Control believed the new program is a model that should be emulated nationwide, and consequently gave \$60,000.

Minnesota AIDS introduced Wise @ Work by tapping into relationships established through other efforts at 200 businesses. Utilizing such relationships was important to a quick launch, Tracy said. The project only began six months ago and yet Wise @ Work funding expires on June 30, the end of the state's 2002-2003 fiscal biennium.

"Our concern is we will introduce this service and come June 30 we will close down this service," Tracy said.

Wise @ Work's mission is to reduce disruptions in the workplace caused when employees have HIV, and to promote access to services for those with HIV. Seventy percent of new HIV infections in Minnesota affect individuals between age 24 and 44, according to Minnesota AIDS.

In one case, Wise @ Work helped a food service manager keep employed a food prep

employee diagnosed with HIV. The employer was educated and connected to legal counsel, and a strategy developed for keeping that employee on the job.

In other cases, the program has helped businesses update policies about HIV/AIDS in the workplace. It also makes educational presentations to employee groups, including those at AT&T and Wells Fargo.

Clark added that there is no intention to make the contracted services provided by Minnesota AIDS a permanent government service. Therefore, no funding will be sought after the 2004-05 biennium.

A Senate companion (SF690), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the Senate Finance Committee

More essential employees

A bill approved April 3 by a House committee would take away the right to strike for two years from state employees who are health care nonprofessionals.

"I take no pleasure in bringing this bill forth," Rep. Tim Wilkin (R-Eagan) told House Governmental Operations and Veterans Affairs Policy Committee members of HF1040. He said the employees care for "very vulnerable populations who can't just be sent home to live with their families."

"We would have to relocate clients in our

system" if workers went on strike, said Terry Anderson, administrative management director of the Human Services Department.

The bill would affect people who perform hands-on care such as "turning (patients) in their bed, changing diapers," said Cal Ludeman, commissioner of the Department of Employee Relations.

HF1040 would classify health care nonprofessional employees as "essential," lumping them together with firefighters, peace officers, 911 police and safety dispatchers, and others.

"The only thing they can do is withhold their labor, and now you are taking away that right," said Brian Bergson, representing the Minnesota Association of Professional Employees.

When the state last had a general workers strike in October 2001, the National Guard was brought into facilities to perform the work. Wilkin explained with the war in Iraq, it's now not possible to fill those positions in the same way.

Mike Tutessneer, chief executive officer of the Human Services Department, urged committee members to support the bill. He said the department has a "dedicated, competent workforce that has learned how to support very disabled people," and is doing so at 150 sites. He said it would be hard for outsiders to jump right in and take over the broad array of services provided.

Rep. Char Samuelson (R-New Brighton) successfully amended the bill to sunset the legislation in two years.

The bill was approved and now moves to the House floor.

A Senate companion (SF1013), sponsored by Sen. Geoff Michel (R-Edina), awaits committee action.

NICE DOGGIE



PHOTO BY TOM OLMSCHEID

Iyanna Woodson, 3, of St. Paul meets Snoopy during an April 4 rally in the Capitol Rotunda for continued support for crisis nurseries and child abuse prevention.

HIGHER EDUCATION



State grant allocations

Instead of state grant aid being awarded to students from the Higher Education Services Office (HESO) it would likely be awarded by their specific institution, under a bill heard April 9 by a House committee.

Sponsored by Rep. Lyndon Carlson (DFL-Robbinsdale), HF1422 would provide direct appropriations to the University of Minnesota, Minnesota State Colleges and Universities (MnSCU), and the Minnesota Private Colleges Council to distribute state grant awards to their students. In addition, the services office would also receive money to distribute for private colleges that are not part of the private colleges council.

Currently, the office awards all state grant money.

Carlson told the House Higher Education Finance Committee that, under his proposal, the institutions would be authorized to develop their own guidelines for distributing need-based assistance for tuition, work-study, and child care aid.

"This builds in more flexibility to meet the needs of students," he said. "It's tough to tailor a system to where one size fits all."

Jim Schmidt, vice-president for advancement at Winona State University, said under the current plan poorer students and working adults are losing ground. He said under Carlson's plan an institution could decide the best way to divide its allocated grant money.

"I see large numbers of students not served by the state grant program," said Sam Edmunds, student body president at Metropolitan State University. "Less than 10 percent of the students at Metropolitan State get aid because most are part-time, and some of them may need it the most."

Rep. Jeff Anderson (R-Austin) expressed concern that under Carlson's plan two students with the same family income could receive different grant amounts depending on where they go to school. Admitting that was possible, Mike Lopez, MnSCU vice chancellor for student affairs, also said that could be because the cost of attendance is different at the two institutions.

Earlier this session Carlson asked University President Robert Bruininks and MnSCU Chancellor James McCormick if their system would be able to handle their own financial aid distribution. Both responded affirmatively.

Carlson said that the institutions would need to come before the Legislature to request state grant dollars, like they do for state funding and bonding dollars.

"The current state aid program is focused on the needs of students, not the sectors," said HESO Director Robert Poch. "This goes the other way." In addition, Poch said his office advocates for the needs of all students and that some of that would be lost with the proposed legislation.

The committee will consider the proposal for its omnibus bill. It has no Senate companion.

★ INSURANCE

Proof of auto insurance

Minnesota has one the highest rates of uninsured motorists among the upper Midwest states. The House Commerce, Jobs, and Economic Development Policy Committee approved a bill aimed at rectifying this situation April 3.

HF1297, sponsored by Rep. Andrew Westerberg (R-Blaine), was heard by the

House Transportation Finance Committee April 10 and will be considered for its omnibus bill.

The bill requires the Department of Public Safety to conduct a monthly sampling of licensed drivers who own vehicles in order to determine whether they are insured. The sample must represent 2 percent annually of all licensed drivers owning vehicles.

Half of the sample must be random. The other half must be targeted at drivers who within the previous year were convicted of an insurance violation, had their license suspended or revoked due to habitual traffic violations, had no insurance at the time of a reportable accident, or were convicted of an alcohol-related driving offense.

The bill would prohibit sampling based on race, religion, physical or mental disabilities, economic status, or geographic location.

The sampling would involve sending the driver a request for proof of vehicle insurance. The driver would have 30 days to submit the information, which would then be sent by the state to the insurance company for verification.

Drivers who do not respond or provide false information would find their driver's license suspended. To have licenses reinstated, drivers would have to pay \$30 and show proof of insurance for the following 12 months.

Westerberg said the uninsured motorist rate is 14 percent in Minnesota, compared to 12 percent in Illinois, 11 percent in Wisconsin, 8 percent in North Dakota, and 6 percent in South Dakota. New York and New Jersey also have fewer uninsured motorists, he added.

A Senate companion bill (SF1240), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Commerce and Utilities Committee.

Terrorism coverage

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed a new law on April 7 that no longer requires insurance companies to automatically provide terrorism coverage, instead allowing them to offer it for an additional fee.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Linda Scheid (DFL-Brooklyn Park), the law passed the House 130-0 on Feb. 24 and the Senate 66-0 March 31.

The law took effect April 8.

Prior to the new law, federal law required commercial property fire insurance policies to include acts of foreign terrorism, even if the policy expressly stated that terrorism was not covered. That special terrorism measure, which was temporary, was invoked through the federal Terrorism Risk Insurance Act following the Sept. 11 terrorist attacks in 2001.

Now, insurance companies are no longer required to automatically provide terrorism coverage on fire insurance policies. Clients instead will be given the choice to purchase the additional coverage.

The law applies only to commercial property; residential insurance is excluded.

HF267*/SF176/CH10

★ LOCAL GOVERNMENT

City withdrawal

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed into law April 3 a plan that will allow the City of Rockford to withdraw from the purview of the Metropolitan Council regional planning agency.

The council serves the seven-country metropolitan area, save for three cities. Removed in 1978 was New Prague; 1980, Northfield; and 1983, Hanover.

In sponsoring the House bill, Rep. Dick Borrell (R-Waverly) said Rockford has 1,100 homes in Wright County, which does not fall under the Metropolitan Council purview, and 84 homes in Hennepin County, which is in the council's jurisdiction. It's unnecessary, said Borrell, for the city to follow Metropolitan Council policies requiring submittal of long-range plans, low-income housing reports, and other paperwork for a small portion of the city.

The City of Rockford supported the bill.

Sen. Mark Ourada (R-Buffalo) is the Senate sponsor. The Senate passed the measure 64-0 March 24, and the House 127-1 three days later.

The new law takes effect Aug. 1, 2003.

HF415/SF512*/CH8

LGA disbursement study

The future is uncertain for a bill that would require the state auditor to study city enterprising ventures to better determine the formula for disbursing the state's local government aid to cities.

HF1429, sponsored by Rep. Dick Borrell (R-Waverly), was laid over indefinitely by Rep. Jerry Dempsey (R-Red Wing), chair of the House Local Government and Metropolitan Affairs Committee, April 9.

Dempsey said members of the committee had many questions about the bill, and he indicated that it needed additional work by the sponsor.

Borrell said he prepared the bill after the state auditor reported to the House Taxes Committee on local government aid and its effect on city expenditures. Testimony from

cities proved that there are many anomalies to consider in calculating a city's revenues, which in turn plays into how much state money the cities receive.

The intent of the bill, Borrell said, is to get the best possible data to help in reforming the local government aid formula. Gov. Tim Pawlenty has warned that cities will receive \$100 million less in fiscal year 2005 if the Legislature does not adopt a revised formula.

An oral amendment, offered by Borrell, and approved by the committee, would have directed the state auditor to consult with the legislative auditor on the study, estimated to cost \$20,000.

The original version of HF1429 would have abolished any city's right to establish, own, or operate a municipal liquor store. It would have further required cities to sell, transfer, or otherwise dispose of their liquor stores and all stock by Jan. 1, 2005.

Borrell said he was concerned about local governments competing with private business. "We're talking about driving jobs and businesses out of the state," he said.

Paul Kaspszak, representing the Minnesota Municipal Beverage Association, said 230 cities in Minnesota bring in a total of \$20 million annually from the liquor stores. The money is traditionally used to buy police cars, keep libraries open on Saturdays, and maintain parks. However, added Kaspszak, profits are now being deposited straight into the city's general fund to deal with the depressed economy.

The bill has no Senate companion.

METRO AFFAIRS



Cab driver concerns

Action on a bill that would have accommodated licensed taxi drivers at the Minneapolis-St. Paul International Airport was delayed April 9 during the House Local Government and Metropolitan Affairs Committee meeting, at the sponsor's request.

Following testimony by cab drivers and the Metropolitan Airports Commission, Rep. Jim Rhodes (R-St. Louis Park) made the request regarding his bill (HF716). Delaying the bill, he said, allows the commission to address the issues directly. If a solution is not reached, Rhodes said, the matter would be taken up by the Legislature in the 2004 session.

At issue were three provisions the taxi drivers are requesting. The first would have increased from five years to six years the maximum age of taxicabs operated from the airport. The second would have allowed taxi drivers to pay their annual \$2,500 license fee, mandated by the airports commission, in

quarterly installments, as opposed to the current system in which the amount must be paid in full annually. And the third would have permitted a taxi driver's airport operating license to be passed to an immediate family member upon the driver's death.

"I don't feel this is a fair practice to take this away from a family holder," said Sheryl Younkin, speaking to the current system that disallows transfers. Younkin helps her family operate a taxi company.

Taxi driver Gedion Adeda said the cabs should be allowed to be up to six years old. Taxis at the airport are leased by the drivers, operated by only one driver per day, and are driven less than a Minneapolis or St. Paul taxi.

"Our cars are well maintained because they are driven by the owners," he said.

Mitch Kilian, a legislative liaison with the airport commission, said transferring licenses to family members would be ineffective as such licenses must be renewed annually as it is.

Allowing license fees to be paid quarterly would add to administrative duties, he said, and cab drivers are currently allowed to add \$2.25 to each fare to recover the costs. Furthermore, other cities, such as Atlanta, Boston, and Chicago have a maximum age of five years for taxi vehicles.

A Senate companion bill (SF177), sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Finance Committee.

LOCAL LEADERS



PHOTO BY ANDREW VON BANK

Hundreds of city officials, business leaders, and residents gathered in the Capitol Rotunda April 9 for a rally to address the governor's state budget proposal and to seek continued Local Government Aid funding.

Funding light-rail operations

Gov. Tim Pawlenty has proposed that funding the operating costs for the new Hiawatha Light-Rail line, set to open next year, be split so that the state pays for 40 percent and local communities along the line, including Hennepin County, provide 60 percent.

In response, a bill (HF1385), sponsored by Rep. Ann Lenczewski (DFL-Bloomington), would allow cities or counties providing operating costs for light-rail transit to be eligible for a reduction in their contribution to the metropolitan area fiscal disparities program.

The bill was heard April 9 by the House Transportation Finance Committee and was held over for further consideration at a later meeting. The fiscal disparities program, which allows for communities in the seven-county Twin Cities metropolitan area to share the worth of its commercial-industrial tax base, was created in 1971. Each county and the communities within it contributes to a pool based on its net tax capacity for commercial and industrial property.

At its inception, the program had three main objectives:

- supporting a regional approach for development,
- equalizing the distribution of fiscal resources, and
- reducing competition between communities for commercial-industrial development.

An analysis performed by nonpartisan House research staff shows that in 2000, each metropolitan county, except Hennepin, received more of the \$278 million pool than it put in. Hennepin County communities contributed about \$159 million and got about \$108 million back.

Lenczewski argued that while she thinks the fiscal disparities program is itself not equitable, using a regional pool of money to fund a regional interest, such as a transit line, makes more sense than raising local property taxes to fund it. She cited the livable communities program, paid for through the fiscal disparities pool, as a precedent for such an expenditure.

She also said Bloomington and several other communities along the Hiawatha line did not initially support the project and are now being asked to pay for it. She said that since Hennepin County communities are losing money to fiscal disparities, it's only fair that the other counties benefiting from the program, including several whose members of the Legislature approved the project in 1998, help pay for it, since it has regional, if not statewide, benefit.

Lenczewski suggested that the counties would lose more money if they're forced to raise taxes region-wide to pay for the line.

Pawlenty's budget shows that local governments will need to come up with about

\$8 million to operate the line in 2004-05.

Rep. Mary Liz Holberg (R-Lakeville) agreed that the fiscal disparities program is broken, but she said Lenczewski's bill only makes that worse. "We're perverting an already sick system," she said.

The bill has no Senate companion.

★ RECREATION

Metrodome governance

A bill that would create better Greater Minnesota representation on the body overseeing the Metrodome by diminishing the City of Minneapolis' current majority power has been approved by two committees.

HF1042, sponsored by Rep. Lynn Wardlow (R-Eagan), was approved April 8 by the House Local Government and Metropolitan Affairs Committee and April 9 by the House Governmental Operations and Veterans Affairs Policy Committee. It now moves to the House floor.

Created under 1977 state statute to oversee construction of the Metrodome, the Metropolitan Sports Facilities Commission owns and operates the facility. It is comprised of six members appointed by the City of Minneapolis, and a chair, appointed by the governor. The members serve three-year terms.

But Sen. Cal Larson (R-Fergus Falls), sponsor of the Senate companion bill (SF633), told the local government committee that the commission does not reflect the stadium as a state-wide asset.

"It's not the 'Metropolitan Twins,'" he said. "It's not the 'Metropolitan Vikings.'"

Larson added that the Minneapolis City Council should not be allowed to appoint six members to the board when only 10 percent of the state's population resides in Minneapolis.

Both bills would change the name of the commission to the Minnesota Sports and Entertainment Commission; increase the membership to 10 commissioners appointed by the governor, with each congressional district being represented by a member; require the governor to appoint the chair; and increase the commissioners' terms to five years.

Several members opposed the bill. Rep. Mark Buesgens (R-Jordan) prepared an amendment he did not present that would have forced the commission to sell the Metrodome for \$1 to the Vikings and the Twins upon defeasance of the stadium's bonded debt.

Rep. Ann Lenczewski (DFL-Bloomington) said Minneapolis backed the Metrodome bonds that generated construction funds, took the risk associated with that measure, and imposed a temporary liquor tax to raise funds, among other measures. Why, she asked, would

any municipality assume such a large measure of responsibility without guaranteed control?

The City of Minneapolis also opposes the bill, according to city coordinator John Moir.

The Senate bill awaits action in the Senate Rules and Administration Committee.

★ SAFETY

Giving proper information

Assuring that 911 systems exactly identify locations for emergency responders is the aim of a bill heard April 9 by the House Regulated Industries Committee.

Sponsored by Rep. Steve Strachan (R-Farmington), HF622 would require public and private sector building owners of multi-line telephone systems to install corrective technology within four years so 911 calls from a commercial office or government center, for example, would show operators the correct

address of a potential emergency.

The committee took no action on the bill drafted by public safety responders, the telecommunications industry, and emergency medical providers. It may be considered at a future meeting.

Strachan said the bill may resolve a long-standing problem 911 systems have had locating addresses. Multi-line phone systems that require the user to dial "9" for an outside line will often show the emergency operator the address of a business headquarters or a phone line switching location, rather than the location of where the potential emergency call originated.

"This bill is targeted at only those multi-line telephone systems that provide location information that is misleading or inaccurate," said Pete Eggimann, director of 911 services for a metropolitan agency representing the seven-county Twin Cities metropolitan area.

"We must get multi-line telephone system owners to fix this problem," said Eggimann. Such systems are increasingly being installed in residential buildings, he added.

The bill provides exemptions for businesses that have one large location, those with 24-hour security staffs that assist emergency responders, and those that currently provide correct information for public emergency services to respond properly.

Laura Bordelon, manager of education, housing, and telecommunications public policy for the Minnesota Chamber of Commerce, said larger business members of the group were concerned about the potential costs the bill would require for large intra-business phone systems.

Rep. Duke Powell (R-Burnsville), an emergency paramedic, said the bill was a state mandate on business. "Sometimes those mandates are necessary and I think this one is," Powell said.

Rep. Joe Hoppe (R-Chaska) asked Eggimann why his group couldn't work with businesses individually rather than seeking a state law to require phone system upgrades.

"We have worked with people," Eggimann said, "but there's a little bit of denial in this. There's a lot of excuses on why this gets put off."

In 1996, Gov. Arne Carlson vetoed a similar bill, citing its excessive cost for requiring the location of every phone line in a multi-line system to be identified. No fiscal note was offered for the current bill.

A companion bill (SF653), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action by the full Senate.

TRAIL TESTIMONY



PHOTO BY ANDREW VON BANK

Ray Bohn, a lobbyist for the All-Terrain Vehicle Association of Minnesota, testifies before the House Environment and Natural Resources Finance Committee April 9 in support of a bill that would designate motorized trails in state forests.

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Plan gets soaked

A bill that would have required fire protection sprinklers in all existing high rises more than 75 feet tall in Minnesota was rejected by a House committee April 9.

On a 12-9 tally, HF336 failed in the House Commerce, Jobs, and Economic Development Policy Committee. The bill was sponsored by Rep. Dennis Ozment (R-Rosemount) and supported by the Al Ratzloff, deputy director of fire services for the City of Mankato, and Tom Brace, the former state fire marshal.

Prior to the committee's rejection, two members offered amendments to ease the burden of the bill on high-rise owners and tenants.

An amendment by Rep. Karen Clark (DFL-Mpls) and Rep. Joe Mullery (DFL-Mpls) would have exempted government-owned public housing from the sprinkler mandate. That amendment failed 13-5.

Clark and Mullery said the bill would impose a \$17 million unfunded mandate on the Minneapolis Public Housing Authority, which is the largest landlord and direct provider of affordable housing in the state. The agency has 30 properties with 4,124 units that would have been affected by HF336.

Without the amendment, said the agency's deputy director Tom Streitz, the bill "is an unfunded mandate that we simply cannot sustain."

In favor of the amendment were Josephine Johnson, president of the Minneapolis High Rise Representative Council, and Doug Schelskey, a member of the resident advisory board for the Minneapolis Public Housing Authority's property at 1815 Central Ave. The two said that the units are well constructed of noncombustible masonry and that fires have not escaped the unit in which they have occurred.

"I'm convinced our apartments are safe, even when smoke inhalation comes in," Schelskey said.

Johnson said the residents would rather have the Minneapolis Public Housing Authority spend its limited money on security guards and working elevators.

"Sprinklers really are not our main concern," Johnson said.

Testifying against the bill itself were the Minnesota Multi-Housing Association and the Amherst W. Wilder Foundation, the latter of which owns or manages 1,010 units of affordable housing in the Twin Cities metropolitan area.

An amendment approved without debate one day earlier exempted from the sprinkler mandate residential buildings consisting of at least 70 percent owner-occupied units, such as condominiums.

A Senate companion bill (SF295),

sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the Senate Taxes Committee.

Hazard elimination fund

A bill that would create a hazard elimination safety account in the local road improvement fund will be considered for inclusion in the omnibus transportation finance bill.

HF1286, sponsored by Rep. Andrew Westerberg (R-Blaine), was heard April 8 by the House Transportation Finance Committee.

It establishes the safety account to be used primarily by local highway and street projects to eliminate hazards and generally make road improvements that enhance safety.

Particularly the bill provides bond proceeds to accommodate local bridge improvements. The bill specifically authorizes \$15 million in general obligation bonds to replace funds allocated by the 2002 Legislature, but held up by Gov. Jesse Ventura. It also provides another \$150 million in general obligation bonding funds for the local road improvement fund for projects not funded through other sources, including routes of regional significance and corridor improvements affected by trunk highway improvements.

The fund would also allow local governments to more easily capture federal funds, Westerberg said.

Many of the bridges in the state that need repair were built during the period following World War II and are rapidly becoming less structurally sound.

"It is time to rebuild this infrastructure," said Fred Corrigan, executive vice president of the Minnesota Transportation Alliance. "Until we do, we're going to see increasing safety problems."

The bill's Senate companion (SF1392), sponsored by Sen. Keith Langseth (DFL-Glyndon), awaits action by the full Senate Finance Committee.

TAXES



Easing the death tax

The state's wealthiest individuals — some of whom are claiming residence in other states to avoid Minnesota's so-called "death tax" — could see relief under a bill that would partially align the state estate tax law with its federal companion.

HF461, sponsored by Rep. Tom Pugh (DFL-South St. Paul), was heard by the House Taxes Committee April 3. It will be considered for inclusion in the committee's omnibus bill.

Minnesota taxes the estates of individuals

who were living in the state at the time of their death or owned property here. The tax is determined by calculating the estate's fair market value on the date of the owner's death, and taking from it deductions (such as gifts to charitable organizations or one's spouse) and exemptions. In 2002 and 2003, the exemption was \$700,000, with scheduled increases to \$850,000 in 2004, \$950,000 in 2005, and \$1 million in 2006 and thereafter.

The tax rate itself ranges from 4.8 percent to 16 percent, the highest rate applying to estates valued at more than \$10 million.

Minnesota's estate tax was tied for 16 years to the federal tax. For each dollar of paid state tax, the federal tax was reduced by an equal amount, according to nonpartisan House researchers. Therefore, no additional tax burden was imposed on estates as a result of the state death tax.

However, in 2001 this federal credit was repealed and will no longer be in place for those dying after Dec. 31, 2004.

The Minnesota Legislature, in turn, decided to keep imposing the state death tax as if the federal credit hadn't been repealed. The tax now is a stand-alone estate tax and could represent a tax burden on estates and heirs, according to one research analysis presented to the committee.

"It's really quite bonkers," said Bob McLeod, a co-chair of the legislative committee of the probate and trust section of the Minnesota State Bar Association.

McLeod said that wealthier individuals, who are most hard-hit by the state estate tax, are more mobile and own second homes in other states. Some are saying "the heck with it," he said, and are establishing residency in other states. When this happens, the state not only loses estate tax revenues — which are estimated at about \$65 million a year — but also loses individual income taxes.

Under HF461, the heirs of estates would only need to file a Minnesota estate tax return when a federal tax return is required.

Also, it would recognize the federal tax exemptions. Therefore, under the bill and the federal tax law, the exemptions would increase from \$700,000 to \$1 million in 2003, and by increments thereafter through 2010, at which time the federal tax will expire. In 2011, the Minnesota tax exemption will drop back to \$1 million.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, indicated support for the bill. "This is an issue of more than minor significance," he said.

A Senate companion bill has not yet been introduced.

Tribal dollars

All counties in the state claiming a tribal-operated casino receive a share of taxes collected on the reservation. All counties, save for Goodhue County, home to Treasure Island Resort and Casino near Prairie Island, that is.

Rep. Jerry Dempsey (R-Red Wing) is aiming to change that situation with HF1057. The House Taxes Committee heard the bill April 8.

Currently, tribal tax agreements require reservations with casinos to collect general sales and excise taxes. The state then pays a share of the taxes back to the tribal government under a formula that accounts for a per capita amount estimating the taxes paid by tribal members, as well as one-half of the taxes paid by non-tribal members.

In turn, counties in which the tribal casinos are located receive 10 percent of the state's share of reservation tax revenues.

For this distribution process to occur, the tribal government must have a tribal tax agreement. In the case of the Prairie Island band of the Dakota, there is no such agreement. As such, sales taxes are not collected at the Treasure Island casino, hotel, and marina, and Goodhue County receives no tax revenue from the operations.

But state excise taxes are being paid throughout the reservation on cigarettes, liquor, and motor fuel.

"These taxes are collected from wholesalers and, in effect, are passed along as higher prices to customers of the reservation businesses," states a report from the nonpartisan House Research Department.

HF1057 would require that counties hosting a tribal casino but lacking a tribal tax agreement receive 5 percent of excise taxes charged on cigarettes, liquor, and motor fuel.

The measure brings an estimated cost to the state of \$10,000 in 2004, and \$20,000 in years thereafter, according to the Minnesota Department of Revenue.

Roseanne Grosso, a Goodhue County commissioner, said a tribal tax agreement is absent in her county because the Dakota tribe became concerned when the state increased its tax revenue portion from 25 percent to 50 percent. Fearing this would affect their sovereignty, the tribe told the state to keep the money.

Dempsey said other counties collect anywhere from \$43,000 to \$230,000 annually from taxes collected on a reservation.

HF1057 will be considered for inclusion in the committee's omnibus bill.

A Senate companion (SF480), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Taxes Committee.

Limiting contracts

Corporations or their subsidiaries will not be doing work with state agencies if it is incorporated in a tax haven country, under a bill approved April 7 by the House Governmental Operations and Veterans Affairs Policy Committee.

Rep. Bill Hilty (DFL-Finlayson), the sponsor of HF914, said state agencies have previously entered into contracts with businesses that participate in the practice. Hilty said the state has given \$7,700 to those with headquarters offshore. "I feel it's time to do something," he said.

Although there have been only two contracts in the past with little monetary value, it's like "catching a cancer in the first stage," said Ferdinand Schoettle, a law professor at the University of Minnesota.

"A trend that moves corporations out of the state is not in the best interest," Schoettle said, referring to corporations that move their headquarters to tax haven countries to avoid corporate income tax.

HF914 would prohibit any state agency from entering into or renewing any contract with a corporation or its subsidiary if the business is located in a tax haven country if the United States is the principal market for public trading of the corporation's stock. The business would be responsible for notifying the agency's commissioner of their ineligibility.

A tax haven country is defined as a country that has no corporate income tax or has a tax rate of less than 10 percent on income. The bill lists several examples including: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, and Cyprus.

North Carolina has already enacted a similar law, and California introduced similar legislation this year, Schoettle explained.

The bill "comes closest to a no-brainer of anything that's been through this committee" said Rep. John Lesch (DFL-St. Paul).

The bill now moves to the House State Government Finance Committee. Its Senate companion (SF755), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action in the Senate Taxes Committee.

Materials exemption

The city of Duluth is hoping to lure Bombardier Aerospace to town by constructing a 200,000 square-foot aircraft heavy maintenance facility, and further hoping that the world's third largest civil airframe manufacturer will bring with it 300 jobs.

HF598, sponsored by Rep. Mike Jaros (DFL-Duluth), would waive sales taxes for materials, equipment, and supplies used in constructing

the facility. It was presented to the House Taxes Committee April 7 and will be considered for inclusion in the omnibus tax bill.

Current law exempts sales taxes on materials, equipment, and supplies used or consumed in constructing an aircraft heavy maintenance facility if that facility is owned by the state or a political subdivision and leased by an airline. The bill would expand the law to include maintenance facilities leased by an aircraft repair company.

According to the Minnesota Department of Revenue, the bill would cost the state \$290,000 in lost sales tax revenues in 2004 and \$420,000 in 2005.

The project itself is estimated to cost \$21 million, of which \$2.5 million will be spent on soil correction and \$500,000 on road construction. Construction may start before year's end and may not necessarily be conditional on a commitment by the aerospace company to locate in Duluth.

Duluth Mayor Gary Doty said it would be 60 to 90 days before it's known if Bombardier Aerospace will in fact agree to come to Duluth. The Canadian company has outgrown a facility in West Virginia and is looking to move west, he said.

Luring an aircraft repair company to Duluth, Doty said, would help mitigate the 300 layoffs in Duluth recently announced by Northwest Airlines.

"There are a lot of unemployed mechanics at this time," Doty said.

A Senate companion bill (SF524), sponsored by Sen. Yvonne Prettnier Solon (DFL-Duluth), awaits action by the Senate Taxes Committee.

★ TECHNOLOGY

Biotechnology industry zone

A tax-free zone for the biotechnology and health sciences industries would be created under a bill that supporters hope will spur new job and economic growth.

HF1183, sponsored by Rep. Lynne Osterman (R-New Hope), was approved April 3 by the House Jobs and Economic Development Finance Committee and referred to the House Taxes Committee.

The bill states that proper commercialization of the hundreds of discoveries every year at the University of Minnesota, the Mayo Clinic in Rochester, and at other research institutions could improve the quality of life by curing disease, making food safer and more abundant, reducing dependence on fossil fuels and foreign oil, making better use of Minnesota agriculture products, and creating "tens

of thousands of new, high-paying jobs."

Osterman admitted that initially the bill's language laying out the industry's potential seemed "flowery." However, after researching the issue, she said she became convinced the industry is "there for us to grab."

The proposal would waive for up to 12 years individual income taxes, corporate franchise taxes, sales taxes, and property taxes for qualified businesses operating in the zone, as well as exempt relevant taxes for individuals that stem from their investment in those businesses.

Not yet known is the proposed cost to the state.

The zone, only one of which would be allowed, is to be designated by the Department of Trade and Economic Development commissioner. Limited to 5,000 acres, it must be located in proximity to a significant scientific research or higher education institution.

Local government units could apply for zone designation, with a deadline of Oct. 14, 2003. The designation would take effect with the new year.

Businesses relocating to the zone to partake of tax exemptions must increase full-time employment in the first full year by 20 percent or make a capital investment equal to 10 percent of its gross revenues from the previous year.

Several bioscience-related businesses testified in support of the bill, including the Minnesota Biotechnology Industry Organization. "To us, the state needs to lead the way," said David Taus, president and chief executive officer of Acera Biosciences at the University of Minnesota.

A Senate companion bill (SF1067), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Taxes Committee.

★ TRANSPORTATION

Gas tax, local sales tax options

A bill that would raise the gas tax and authorize a local sales tax option in the Twin Cities metropolitan area, all in the effort to increase funding for transportation, was heard April 8 before the House Transportation Finance Committee.

The bill (HF1255), sponsored by Rep. Ron Erhardt (R-Edina), will be considered for the committee's omnibus finance package.

Specifically, it would increase the gas tax by 8 cents per gallon – from 20 cents to 28 cents – and would allow for additional variable increases to pay the costs of financing a \$1.24 billion issue of trunk highway bonds, the proceeds of which would pay for additional transportation-related projects.

Estimates show that the gas tax would increase a total of 14 cents through 2028, under

the bill. The tax would generate an additional \$256 million per year, based on current receipt estimates, and the sales tax would bring in an additional \$200 million, according to testimony.

The bill also authorizes 11 metropolitan-area counties to collect an additional 1/2-cent sales tax in their communities for transportation-related projects if the voters in those communities approve the tax. The revenue would go to a metropolitan transportation fund, 75 percent of which could be spent on highway improvements including bottleneck alleviation, and 25 percent for transit capital projects.

The counties included in the provision are Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright counties.

The bill also calls for an additional \$763.7 million in general obligation bonds for various local road projects. The additional bond proceeds would be divided, under the bill, as follows:

- \$760 million for a major local projects account in the local road development fund,
- \$20 million for local bridge replacement and rehabilitation grants,
- \$2.7 million to the Board of Water and Soil Resources for road project-related wetland replacement, and
- \$1 million for grants to towns to replace road signs.

The bridge and wetland replacement funds are intended, in part, to replace funds that Gov. Jesse Ventura vetoed from the 2002 bonding bill.

The local project fund identified in the bill would be allocated similarly to how projects are funded through the county-state-aid and municipal-state-aid systems, which is largely based on need. In addition, the bill would provide funds for cities with populations below 5,000 that do not currently qualify for any municipal-state-aid funds.

"I think we're beginning to realize ... that we have an enormous problem across the state," Erhardt said. He added that he hopes his bill may be one that gets the attention of Gov. Tim Pawlenty regarding the unmet needs of the transportation system.

A number of organizations representing cities, counties, and townships, both rural and metropolitan, testified in support of the bill. Among them was Hennepin County Commissioner Mark Stenglein, who said the board was willing to put the sales tax issue before the voters.

In addition, "we are asking for equity, not a handout," he said, with regard to distribution of funding. Others suggested the metropolitan area needs the ability to raise additional revenue because the cost of constructing roads

in the metro is more expensive.

Rep. Bill Kuisle (R-Rochester), the committee chair, asked what would prohibit counties from supplanting property tax funds for transportation with the sales tax revenue, when budget times are bad, even though the intent is for it to be an additional source for transportation.

Stenglein said that given the burden of existing unmet needs, Hennepin County, at least, has no intention of supplanting those funds.

A Senate companion (SF1203), sponsored by Sen. Dean Johnson (DFL-Willmar), awaits action by the Senate Finance Committee.

Reallocating funds

The House Transportation Finance Committee heard a bill April 9 that provides for several elements heard in other bills all rolled into one package.

The bill (HF1395), sponsored by Rep. Alice Hausman (DFL-St. Paul), will be considered for inclusion in the committee's omnibus finance bill. It would provide for the following:

- raises the gas tax by 6 cents per gallon – from 20 cents to 26 cents;
- adjusts license tab fees by eliminating the existing caps, imposed during Gov. Jesse Ventura's administration, and accelerating the depreciation schedule;
- changes the distribution for distributing the new revenue to the county state-aid highway fund;
- reduces the portion of the motor vehicle sales tax that goes to the highway user tax distribution fund;
- establishes a new transitways fund; and
- authorizes a 1/2 cent sales tax in the 11 metropolitan area counties if approved through a regional referendum.

In addition the bill would create a metropolitan transportation fund to spend revenue collected from the metropolitan sales tax. It would be divided so that 75 percent would go to the Department of Transportation for metropolitan area projects and 25 percent would go to transit capital improvements.

Hausman said all pieces in the bill are important to consider. She said whatever funding option the committee chooses should reflect a comprehensive transportation system with many modes, including bus rapid transit, light rail transit, road improvements, and improvements to the existing bus transit system.

She also said creating the new transit fund would help the state capture federal funds.

"Without a state match, we lose, and our money goes to another part of the country," Hausman said.



Bill Schreiber with the Metro Transitway Development Board explains the license tab fee increase portion of a transit funding bill being heard by the House Transportation Finance Committee April 9.

The changes to license tab fees would free up the 32 percent of motor vehicle sales tax receipts that currently go to the highway user tax fund. That money replaces funds that would have been raised by license tab fees prior to the changes during the Ventura administration.

Gradually, under the bill, that 32 percent would be shifted from highway funding to a transitways fund for transit improvements and operating costs.

The split would be 80 percent for highways and 20 percent to the transitways fund by 2008, under the bill.

The bill also authorizes the sale of \$1.2 billion in trunk highway bonds through 2008. The additional gas tax revenue would go for additional highway projects and to finance the debt from the bonds.

There is no Senate companion to the bill.

Creating permit exemptions

Some highway projects would be exempt from obtaining permits, under a bill approved April 2 by the House Transportation Policy Committee and being held for possible inclusion in the transportation funding package after an April 9 hearing of the House Transportation Finance Committee.

HF1219, sponsored by Rep. Chris DeLaForest (R-Andover), would exempt all county highway projects that are within right-of-way of an existing county highway from the requirement to obtain permits.

The projects covered by the bill would include reconstruction and maintenance plans. New construction or expansions would not be exempt.

DeLaForest said the bill is an effort to continue streamlining the administrative requirements for road projects in the state. Earlier this session, a number of groups testified before the transportation policy and finance committees that obtaining permits can be expensive and cause project delays.

Doug Fischer, Anoka County engineer, said counties are not asking to be relieved of responsibilities as stewards of the environment, but rather the requirement to have a permit,

which can significantly delay a project.

Opponents to the bill said that without a permit, watersheds have no way to solve problems that may be caused by a project. The permit allows for an enforcement mechanism, particularly when a project leads to unintended consequences.

Said Joel Carlson, a lobbyist for the Minnehaha Creek Watershed District, without a permit, the only enforcement recourse is via court action provided in the environmental rights act.

"We don't believe that this is going to save any time, cost or add any benefit," Carlson said. "You're not taking away the mandate (to regulate watersheds). You're just taking away our tools to do the job."

Tim Kelly, from the Coon Creek Watershed District in Anoka County, also advised committee members to better define what kinds of projects are covered by the exemption. He said only projects that disturb existing water flow would require permits anyway. And the permit itself isn't the difficult part – it's going through the requirements that lead up to it.

Kent Lokkesmoe, director of waters for the Department of Natural Resources, testified that the way procedures work now, if a project has a state permit, it does not need a federal permit from the U.S. Army Corps of Engineers. However, without an actual state permit, local governments would have to apply for the federal permit.

Rep. Alice Hausman (DFL-St. Paul) clarified that removing the mandate for a permit would also remove any portions of law that would require local governments to go through the permit process, too. DeLaForest said the intent of the bill is not to exempt local governments from the permit requirements, just the necessity of having a permit. Hausman asked the testifiers what would make them adhere to permit requirements.

"We're good stewards of the environment," said Fischer in response. He explained the engineers have good working relationships with the watersheds and consider them valuable resources. "We don't want to sidestep those good resources. As professionals, I think we would continue that."

The bill's Senate companion (SF1202), sponsored by Sen. Keith Langseth (DFL-Glyndon), awaits committee action.

VETERANS



Hmong veterans

The Capitol Complex has statues to honor a number of people, including war veterans and civil rights leaders.

A bill sponsored by Rep. Cy Thao (DFL-

St. Paul) would permit a statue honoring Hmong veterans involved in the Vietnam War to be placed in the area.

"I am a soldier of the United States Central Intelligence Agency group," Major Ger Xiong told members of the House Governmental Operations and Veterans Affairs Policy Committee April 3 through Thao's translation. "We ask for your support for HF1335 as a tribute to the struggle that we have gone through as a part of the U.S. war in Southeast Asia," he said.

Michael Yang, director of immigrant and refugee policy with the Urban Coalition, said that statistics show the state has the second largest Hmong population in the country, but he would argue with the figure and say Minnesota actually has the largest.

Explained Yang, "During the Vietnam War in Southeast Asia, our government was involved in a secret war in Laos as part of our containment policy." Thousands of Hmong were trained and given supplies by the CIA to fight in association with the United States against the expansion of communism in Laos, he said.

Hmong soldiers risked everything, including their lives, to gather intelligence, rescue American downed pilots behind enemy lines, cutting off communist supply lines to fight U.S. troops in south Vietnam, and confronting communist elements in Laos to maintain neutrality," said Yang. More than 35,000 Hmong soldiers were killed, along with women and children who tried to escape to neighboring Thailand.

Yang said the statue "will help these veterans, their spouses, widows and families to heal and bring closure to their war memories, and restore integrity, peace, and hope for their futures. Integrity is the only thing they have left."

Xiong said he worked in the secret war from 1961 until 1975. He told the committee, "We have been in a partnership with (the) United States in this war for a long time and we therefore ask for your support to help us commemorate those who are lost."

Funding of the statue would come from non-state sources, particularly the Hmong community, according to testimony. The Capitol Area Architectural and Planning Board would oversee the project.

The bill was approved and now moves to the House Floor.

A Senate companion (SF1282), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the full Senate.

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Reduced speed ahead

Bill to lower speed limits along roads near schools draws emotional testimony from families, debate from members

By MICHELLE KIBIGER

He never saw what was coming.” So said 16-year-old Kevin Marquis about the car that struck and killed his 14-year-old brother, Ryan, near his school in Lindstrom last December. Kevin testified before the House Transportation Policy Committee April 8 in favor of a bill that would change speed limits in school zones.

Ryan Marquis was trying to cross a road near the school where the speed limit was 45 miles per hour. The bill (HF658), sponsored by Rep. Nora Slawik (DFL-Maplewood), would allow school zone speed limits to be reduced from the posted speed limit on the rest of the road by as much as 30 miles per hour. The committee approved the bill, as did the House Transportation Finance Committee April 10. It now goes to the House floor.

“I strongly believe that if the speed limit had been 25 miles per hour, he might have been hit, but he would have lived,” said Kevin Marquis. “It’s common sense that you don’t go 45 miles per hour near a school. It’s just stupid to me.”

Statistics show that 12 percent of children killed in pedestrian accidents are killed within school zones, defined as streets or highways abutting school property. According to the Department of Public Safety, 46 people were killed in pedestrian accidents in 2001. Of all people injured or killed in pedestrian accidents that year, 40 percent were younger than age 25.

In addition, the bill would keep the responsibility for performing speed studies of areas around schools with the state Department of Transportation.

Tim Worke, director of governmental relations for the department, testified that it is responsible for setting speed limits only on the state’s trunk highway system, which affects about 152 of the state’s roughly 2,100 schools. The rest are the responsibility of the community that owns and maintains the road. He said it’s important, however, that the department be allowed to maintain the responsibility for speed studies in all state school zones to keep them uniform.

Others expressed concern over the nature of speed studies. Rep. Mark Olson (R-Big Lake) said in his experience, speed studies examine the conditions of the road and the speed cars are traveling and adjusts the speed limits accordingly, even when residents express that the speed limits should be reduced.

Dan Bryan, who formerly worked at the state Department of Children, Families and Learning with health and safety aid and levies, testified about his professional experience with school zones and as a resident near the intersection in Apple Valley where 14-year-old Spencer Ingvalson was struck and killed in August 2000.

Bryan said that study recommendations



PHOTO BY TOM OLMSCHIED

Kevin Marquis of Lindstrom tells the House Transportation Policy Committee April 8 how his younger brother, Ryan, was killed while crossing Highway 8 on his way to a wrestling match. Committee members were hearing a bill that would modify the safe school zone law relating to speed limits.

from the intersection along 140th Street went back and forth from raising the speed limit to 55 mph, to maintaining the speed limit, to installing stoplights. He also said that a temporary solution of stop signs at the intersection seemed to be effective in slowing and regulating traffic.

Neena Ingvalson, Spencer’s mother, testified that she was told that although studies showed more than 90 children crossed the street where her son was killed, they didn’t count for the study because they didn’t live in the immediate neighborhood. She consulted an attorney about whom she should contact regarding responsibility for the road in question.

“Nobody’s accountable. Nobody’s going to take accountability. You have to change the law,” she said her lawyer told her. “It’s been over two-and-a-half years for me and I still cry every day.”

Expressions on the faces of committee members went from somber to pained as they listened to Ingvalson account for the pain she has experienced since her son’s death. One member wiped tears as she listened.

Dan Brannan, a school zone engineer with the Transportation Department, testified that lowering speed limits along rural highways, where a school is often located between two larger communities abruptly slows down the traffic and could pose other hazards. He also said that those schools typically do not have as much pedestrian traffic.

Rep. Margaret Anderson Kelliher (DFL-Mpls) questioned that notion, saying many more rural areas encourage walking by building safe pedestrian and bicycle trails to and from the school. She noted that district budgets are also changing busing patterns for schools and more students have to walk.

Several members agreed with Brannan’s comment that enforcement of the school zone speeds is key to their success in encouraging safety. “If you enforce it, people will pay attention,” Slawik said.

Said Rep. Pete Nelson (R-Lindstrom), who contradicted Brannan’s comments about the highway in front of the Lindstrom school near where Ryan Marquis was killed, “(The bill) empowers our communities. It makes all jurisdictions accountable ... to the children and to their parents.”

2003 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R)	369	1729	63B Larson, Dan (DFL)	287	7158
43B Abrams, Ron (R)	585	9934	44B Latz, Ron (DFL)	225	7026
42A Adolphson, Peter (R)	597	3964	40B Lenczewski, Ann (DFL)	237	4218
19A Anderson, Bruce (R)	437	5063	66A Lesch, John (DFL)	223	4224
3A Anderson, Irv (DFL)	321	4936	1B Lieder, Bernie (DFL)	323	5091
27B Anderson, Jeff (R)	583	4193	2B Lindgren, Doug (R)	523	4265
39B Atkins, Joe (DFL)	221	4192	32A Lindner, Arlon (R)	417	7806
35A Beard, Michael (R)	451	8872	56A Lipman, Eric (R)	567	4244
51B Bernardy, Connie (DFL)	337	5510	22A Magnus, Doug (R)	515	5505
59A Biernat, Len (DFL)	303	4219	67A Mahoney, Tim (DFL)	289	4277
12B Blaine, Greg (R)	387	4247	65B Mariani, Carlos (DFL)	203	9714
19B Borrell, Dick (R)	545	4336	9B Marquart, Paul (DFL)	311	6829
26B Boudreau, Lynda (R)	559	8237	57B McNamara, Denny (R)	577	3135
29B Bradley, Fran (R)	563	9249	53B Meslow, Doug (R)	377	5363
25A Brod, Laura (R)	581	4229	58A Mullery, Joe (DFL)	209	4262
35B Buesgens, Mark (R)	445	5185	6B Murphy, Mary (DFL)	343	2676
45B Carlson, Lyndon (DFL)	283	4255	30A Nelson, Carla (R)	571	0573
61A Clark, Karen (DFL)	307	0294	46A Nelson, Michael (DFL)	231	3751
24B Cornish, Tony (R)	487	4240	17B Nelson, Peter (R)	433	5377
25B Cox, Ray (R)	413	7065	10A Nornes, Bud (R)	471	4946
31B Davids, Gregory (R)	379	9278	47B Olsen, Stephanie (R)	531	4280
62A Davnie, Jim (DFL)	241	0173	16B Olson, Mark (R)	501	4237
49A DeLaForest, Chris (R)	503	4231	15B Opatz, Joe (DFL)	277	6612
29A Demmer, Randy (R)	371	9236	45A Osterman, Lynne (R)	431	4176
28A Dempsey, Jerry (R)	575	8635	11B Otremba, Mary Ellen (DFL)	247	3201
6A Dill, David (DFL)	315	2190	52B Otto, Rebecca (DFL)	393	3018
27A Dorman, Dan (R)	579	8216	37B Ozment, Dennis (R)	479	4306
23B Dorn, John (DFL)	201	3248	42B Paulsen, Erik (R)	459	7449
17A Eastlund, Rob (R)	449	5364	64B Paymar, Michael (DFL)	253	4199
2A Eken, Kent (DFL)	329	9918	31A Pelowski, Gene (DFL)	295	8637
58B Ellison, Keith (DFL)	229	8659	1A Penas, Maxine (R)	553	9635
64A Entenza, Matt (DFL)	267	8799	20A Peterson, Aaron (DFL)	313	4228
41A Erhardt, Ron (R)	591	4363	40A Powell, Duke (R)	411	4212
16A Erickson, Sondra (R)	407	6746	39A Pugh, Thomas (DFL)	273	6828
21B Finstad, Brad (R)	353	9303	44A Rhodes, Jim (R)	443	9889
4A Fuller, Doug (R)	525	5516	5A Rukavina, Tom (DFL)	279	0170
37A Gerlach, Chris (R)	533	5506	26A Ruth, Connie (R)	415	5368
50A Goodwin, Barbara (DFL)	331	4331	50B Samuelson, Char (R)	423	0141
54A Greiling, Mindy (DFL)	259	5387	41B Seagren, Alice (R)	477	7803
24A Gunther, Bob (R)	485	3240	21A Seifert, Marty (R)	357	5374
47A Haas, Bill (R)	569	5513	5B Sertich, Anthony (DFL)	233	0172
48A Hackbarth, Tom (R)	409	2439	14A Severson, Dan (R)	389	7808
22B Harder, Elaine (R)	509	5373	57A Sieben, Katie (DFL)	211	4342
66B Hausman, Alice (DFL)	245	3824	10B Simpson, Dean (R)	473	4293
13A Heidgerken, Bud (R)	359	4317	55B Slawik, Nora (DFL)	317	7807
46B Hilstrom, Debra (DFL)	239	3709	33A Smith, Steve (R)	543	9188
8A Hilty, Bill (DFL)	207	4308	8B Soderstrom, Judy (R)	439	0518
36A Holberg, Mary Liz (R)	349	6926	3B Solberg, Loren (DFL)	309	2365
34B Hoppe, Joe (R)	537	5066	14B Stang, Doug (R)	375	4373
60B Hornstein, Frank (DFL)	227	9281	36B Strachan, Steve (R)	345	1069
4B Howes, Larry (R)	351	2451	28B Sviggum, Steve (R)	463	2273
7A Huntley, Thomas (DFL)	335	2228	23A Swenson, Howard (R)	517	8634
54B Jacobson, Carl (R)	429	7153	33B Sykora, Barb (R)	403	4315
7B Jaros, Mike (DFL)	291	4246	65A Thao, Cy (DFL)	215	5158
43A Johnson, Jeff (R)	401	5511	63A Thissen, Paul (DFL)	301	5375
67B Johnson, Sheldon (DFL)	243	4201	49B Tingelstad, Kathy (R)	507	5369
13B Juhnke, Al (DFL)	281	6206	18B Urdahl, Dean (R)	521	4344
59B Kahn, Phyllis (DFL)	255	4257	52A Vandever, Ray (R)	529	4124
60A Kelliher, Margaret Anderson (DFL)	261	0171	62B Wagenius, Jean (DFL)	251	4200
18A Kielkucki, Tony (R)	367	1534	61B Walker, Neva (DFL)	213	7152
56B Klinzing, Karen (R)	539	1147	12A Walz, Dale (R)	527	4333
15A Knoblach, Jim (R)	453	6316	38B Wardlow, Lynn (R)	491	4128
20B Koenen, Lyle (DFL)	327	4346	55A Wasiluk, Scott (DFL)	217	1188
34A Kohls, Paul (R)	421	4282	51A Westerberg, Andrew (R)	549	4226
53A Krinkie, Philip (R)	365	2907	11A Westrom, Torrey (R)	381	4929
30B Kuisle, William (R)	565	4378	38A Wilkin, Tim (R)	551	3533
9A Lanning, Morrie (R)	593	5515	32B Zellers, Kurt (R)	557	5502

List as of March 3, 2003.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155

2003 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	301 Cap.	8881	39 Metzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	151 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	317 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	129 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Ranum, Jane (DFL)	120 Cap.	7-8061
42 Hann, David (R)	G-27 SOB	1749	53 Reiter, Mady (R)	132D SOB	1253
58 Higgins, Linda (DFL)	328 Cap.	9246	45 Rest, Ann (DFL)	205 Cap.	2889
23 Hottinger, John (DFL)	208 Cap.	6153	35 Robling, Claire (R)	143 SOB	4123
13 Johnson, Dean (DFL)	121 Cap.	3826	24 Rosen, Julie (R)	G-23 SOB	5713
49 Johnson, Debbie (R)	135 SOB	3219	4 Ruud, Carrie (R)	109 SOB	4913
48 Jungbauer, Michael (R)	115 SOB	3733	11 Sams, Dallas (DFL)	328 Cap.	7-8063
44 Kelley, Steve (DFL)	205 Cap.	7-8065	3 Saxhaug, Tom (DFL)	124 Cap.	4136
31 Kierlin, Bob (R)	127 SOB	5649	46 Scheid, Linda (DFL)	303 Cap.	8869
30 Kiscaden, Sheila (IP)	G-15 SOB	4848	29 Senjem, David (R)	G-17 SOB	3903
15 Kleis, Dave (R)	G-25 SOB	6455	2 Skoe, Rod (DFL)	124 Cap.	4196
37 Knutson, David (R)	133 SOB	4120	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettnier (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	149 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	226 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

*Capitol or State Office Building, St. Paul, MN 55155
For phone numbers, contact Senate Information at 651-296-0504

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1 A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	29 A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	43 A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	57 A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
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4 A Rep. Doug Fuller-(R) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	18 A Rep. Tony Kielkucki-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	32 A Rep. Arlon Lindner-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	60 A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
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10 A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	38 A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	52 A Rep. Ray Vandever-(R) B Rep. Rebecca Otto-(DFL) Sen. Michele Bachmann-(R)	66 A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	39 A Rep. Thomas W. Pugh-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzen-(DFL)	53 A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A Rep. Dale Walz-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	26 A Rep. Connie Ruth-(R) B Rep. Lynda Boudreau-(R) Sen. Dick Day-(R)	40 A Rep. Duke Powell-(R) B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	54 A Rep. Mindy Greiling-(DFL) B Rep. Carl Jacobson-(R) Sen. John Marty-(DFL)	
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Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

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

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

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (www.revisor.leg.state.mn.us:8181/SEARCH/BASIS/hstat/public/www/SF).

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule procedures statement of need and reasonableness requirement clarified and expanded.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical, clarifying, and conforming changes provided.	3/31	
6	744	726*	State building code cumulative fees collection reporting requirement modifications.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford metropolitan council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements ratification.	4/9	

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

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

Monday, April 7

HF1469—Abrams (R)

Taxes

Capital improvement bonds, and other capital and public financing and economic development tools and procedures provided for cities, counties, and other municipalities and local governments.

HF1470—Gerlach (R)

Transportation Policy

Drivers required to stop at the scene of an accident resulting in alleged bodily injury.

HF1471—Soderstrom (R)

Local Government & Metropolitan Affairs

Land conveyance disclosure required in compliance with subdivision regulations.

HF1472—Soderstrom (R)

Taxes

Mora Fire Department facility construction materials sales tax exemption provided.

HF1473—McNamara (R)

Transportation Finance

Red Rock corridor transitway from Hastings through St. Paul to Minneapolis funding provided, bonds issued, and money appropriated.

HF1474—Erickson (R)

Governmental Operations & Veterans Affairs Policy
Minnesota State Colleges and Universities employees retirement plan provisions modified.

HF1475—Mullery (DFL)

State Government Finance

Southeast Asian Problem Gambling Consortium grant provided for prevention and treatment services, and money appropriated.

HF1476—Abrams (R)

Taxes

Walker Art Center construction materials sales tax exemption provided.

HF1477—Lindgren (R)

Education Finance

Independent School District No. 38, Red Lake, construction grant provided, bonds issued, and money appropriated.

HF1478—Osterman (R)

Taxes

New Hope tax increment financing district established.

HF1479—Atkins (DFL)

Taxes

Individual income tax rate brackets adjusted under certain conditions.

HF1480—Juhnke (DFL)

Education Finance

Independent School District No. 2396, A.C.G.C., early retirement and health insurance costs levy authorized.

HF1481—Wilkin (R)

Local Government & Metropolitan Affairs

County maintenance of effort provisions and unnecessary reporting, publishing, and other requirements eliminated.

HF1482—Soderstrom (R)

Judiciary Policy & Finance

Predatory offender registration reporting requirements clarified.

HF1483—Sertich (DFL)

Taxes

Hibbing; state general tax rate treated as a local tax rate for purposes of a Hibbing tax increment financing district.

HF1484—Mariani (DFL)

Regulated Industries

St. Paul authorized to issue a liquor license for the Minnesota Centennial Showboat.

HF1485—Otto (DFL)

Transportation Policy

Town road authority authorized to set speed limit of under 40 miles per hour for unpaved, rural town road.

HF1486—Krinkie (R)

Governmental Operations & Veterans Affairs Policy

State employees right-to-know act requiring annual notice of right to reduce union dues expended for certain purposes.

HF1487—Abeler (R)

Health & Human Services Policy

Dentistry specialty licensure provided as recognized by the American Dental Association, and malpractice insurance requirements provided.

HF1488—Anderson, I. (DFL)

Judiciary Policy & Finance

Ranier; resolution memorializing the president and Congress to provide a vehicle and cargo inspection system machine in Ranier to inspect bulk rail shipments.

HF1489—Anderson, I. (DFL)

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HF1490—Eken (DFL)

Education Policy

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HF1491—Lanning (R)

Taxes

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HF1492—Hornstein (DFL)

Judiciary Policy & Finance

Video game possession by minors restricted.

HF1493—Dorman (R)

Regulated Industries

Municipal liquor store competition geographic restrictions eliminated, bar hours extended to 2 a.m., uniform hour for off-sale of liquor provided in the state, and restriction on number of licenses issued by a municipality removed.

HF1494—Gerlach (R)

Commerce, Jobs & Economic Development Policy

Prevailing wage prevailing hours of labor definition modified.

HF1495—Pelowski (DFL)

Governmental Operations & Veterans Affairs Policy

Veterans of active military service in Operation Iraqi Freedom provided free tuition at public colleges and universities, and money appropriated.

HF1496—Pugh (DFL)

Taxes

Foreign operating corporations deemed dividends taxation provided.

HF1497—Murphy (DFL)

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Traffic violators apprehended by state patrol assessed an additional fine surcharge, trooper training account created, and money appropriated.

HF1498—Davids (R)

Regulated Industries

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HF1499—Seagren (R)

Transportation Finance

I-494 improvements funding provided, bonds issued, and money appropriated.

HF1500—Nelson, M. (DFL)

Transportation Finance

Hennepin County; interchange completion funding provided for the intersection of Trunk Highway 169, County State-Aid Highway 81, and 85th Avenue North; bonds issued, and money appropriated.

HF1501—Juhnke (DFL)

Transportation Finance

Transportation Department prohibited from spending funds on passenger automobiles, mobile telephones, pagers, and travel; spending reductions required; and department required to sell vehicles, mobile telephones, and pagers.

HF1502—Dorman (R)

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Wednesday, April 9

HF1503—Stang (R)

Regulated Industries

St. Joseph additional on-sale liquor licenses authorized.

HF1504—Abrams (R)

Taxes

Tax increment financing tax abatement technical and minor changes provided.

HF1505—Seifert (R)

Health & Human Services Policy

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HF1506—Abrams (R)

Governmental Operations & Veterans Affairs Policy

Precinct caucus, state party nominating election, and primary dates changed; and party certification and notice of endorsed candidates required.

HF1507—Smith (R)
Governmental Operations & Veterans Affairs Policy
Public Employees Retirement Association police and fire fund survivor benefits authorized for a specified spouse of a firefighter.

HF1508—Hackbarth (R)
Taxes
Game farm and hunting preserve fees exempted from the sales and use tax.

HF1509—Gunther (R)
Jobs & Economic Development Finance
Workforce development assessment calculation provided.

HF1510—Olson, M. (R)
Education Finance
Performance bond requirement removed on contracts for the transportation of school children, and capital operating account levy authorized for school buses.

HF1511—Severson (R)
Transportation Finance
Transportation projects funding provided, bonds issued, and money appropriated.

HF1512—Severson (R)
Education Finance
School districts allowed to include bus garages in building lease levy.

HF1513—Anderson, I. (DFL)
Transportation Finance
Highway rest area continuing operation funding provided, and money appropriated.

HF1514—Lenczewski (DFL)
Ways & Means
Local impact notes provided at the request of the House Ways and Means Committee chair or the Senate Finance Committee chair.

HF1515—Harder (R)
Agriculture & Rural Development Finance
Renewable energy for a new economic development horizon act adopted imposing a renewable energy standard and a renewable energy objective.

HF1516—Carlson (DFL)
Commerce, Jobs & Economic Development Policy
Social security number use and display restricted.

HF1517—Juhnke (DFL)
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Dairy stabilization loan program providing dairy farmers with no-interest loans to purchase additional mature dairy cows.

HF1518—Krinkie (R)
Education Finance
School finance simplification, clarification, and equity provided.

HF1519—Juhnke (DFL)
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Quality milk tax credit provided to dairy operators that achieve superior herd health, high herd average production, and high quality milk.

Thursday, April 10

HF1520—Ozment (R)
State Government Finance
State lottery oversight council established, duties and powers established, and report required.

HF1521—Nornes (R)
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Veterans Homes Board funding provided for state share of specified projects, bonds issued, and money appropriated.

HF1522—Sykora (R)
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School district referendum ballot notice modified.

HF1523—Kelliher (DFL)
Transportation Policy
Interagency environmental streamlining committee created to provide transportation recommendations, and model environmental review memorandum of understanding required.

HF1524—Demmer (R)
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Higher education student grants made conditional upon students completing their education.

HF1525—Knoblach (R)
State Government Finance
Surplus state lands sale required.

HF1526—Tingelstad (R)
Environment & Natural Resources Finance
Individual sewage treatment systems funding provided, and money appropriated.

HF1527—Kelliher (DFL)
Jobs & Economic Development Finance
Minneapolis grant provided to pay outstanding bonds for the convention center and for the Target Center, bonds issued, and money appropriated.

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Rep. John Dorn (DFL-Mankato) had taken a seat at the taxes committee witness table in order to talk about his bill regarding an energy company. However, the first words addressed to him had nothing to do with electricity, but rather with his attire.

“If you’re not going to bring food (to share with committee members), you should at least dress correctly,” said Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee.

Dorn was wearing a blue argyle sweater atop a white collared shirt.

So was Abrams. In fact, it was an identical sweater.

MONDAY, April 14

7:00 AM

Legislative Commission on Pensions and Retirement

Room: 400S State Office Building

Chair: Rep. Steve Smith

Agenda: Responses from the Department of Finance, the Department of Employee Relations, and the Minnesota State Colleges and Universities system regarding early retirement incentives; HF1313 (Murphy)/SF1156 (Pogemiller) and HF1432 (Ozment)/SF858 (Pogemiller).

HF780 (Wardlow)/SF664 (Tomassoni) TRA; Extended leaves of absence medical coverage. HF1386 (Krinkie)/SF1361 (Pogemiller) PERA; Phased retirement and voluntary unpaid leave options.

HF1433 (Wasiluk)/SF1323 (Wiger) TRA; Temporary "Rule of 85" early retirement.

HF1474 (Erickson)/SF1420 (Pogemiller) MnSCU; Administrative and plan coverage provisions.

Final action on proposed legislation laid over for potential inclusion in the 2003 omnibus retirement bill.

Other items as designated by the chair.

9:00 AM

Jobs and Economic Development Finance

*** Note: *** Change in meeting room and time

Room: 300N State Office Building

Chair: Rep. Bob Gunther

Agenda: Introduction: HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

10:00 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Presentation of omnibus transportation finance bill.

11:00 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF437-DE1 (Bradley) Alternative quality assurance licensing system expanded, and house health and human services omnibus bill.

Copies of the DE-1 amendment and spreadsheet will be made available on Friday, April 11 at 3:30 p.m. outside of Room 500S State Office Building.

You can also access this bill and spreadsheet after 3:30 p.m. at the House of Representatives

Health and Human Services Finance Committee website at <http://ww3.house.leg.state.mn.us/comm/committee.asp?comm=14>

The committee will take public testimony on HF437-DE1 on this day. The committee will break for session at 3:00 p.m. and come back one hour after session.

12:30 PM

Education Finance

Room: 5 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

*** Note: *** Change in Agenda

Agenda: HF11 (Mullery) Limited market value phase-out repealed, and sunset provided.

HF241 (Paymar) Limited market value phase-out extended.

HF405 (Erhardt) Limited market value phase-out extended.

HF633 (Solberg) Business incubator property tax exemption extended.

HF950 (Dempsey) City or county assessors prohibited from holding additional offices.

HF1341 (Rhodes) Tax petition dismissal 60-day rule modified.

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: Public testimony on higher education finance omnibus bill.

3:00 PM

THE HOUSE MEETS IN SESSION

30 minutes after session

*** Note: *** Change in meeting time

State Government Finance

Room: 200 State Office Building

Chair: Rep. Bill Haas

Agenda: Public testimony on state government finance omnibus bill.

Contact Jared Jordal (651) 296-5318.

TUESDAY, April 15

8:15 AM

Health and Human Services Finance

Room: 10 State Office Building

Chair: Rep. Fran Bradley

Agenda: HF437-DE1 (Bradley) Alternative quality assurance licensing system expanded, and House health and human services omnibus bill.

The committee will take amendments and final action on HF437-DE1 on this day.

Transportation Finance

Room: 500S State Office Building

Chair: Rep. William Kuisle

Agenda: Public testimony on omnibus transportation finance bill.

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: To be determined.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF630 (Marquart) Truth in taxation notice of proposed property taxes and public hearings dates advanced.

HF695 (Marquart) Proposed property tax notice earlier delivery required.

HF1089 (Marquart) Citizens' investment and local government excellence program established to encourage citizen input into the budget process, and aids provided to participating cities and counties.

HF721 (Sykora) Referendum revenue voter-approved adjustment authorized.

HF875 (Pugh) Levies exceeding charter limits as property tax aids decrease allowed.

HF1436 (Jacobson) Ramsey County library levies stated separately on tax statements and truth in taxation notices.

2:30 PM

State Government Finance

Room: 200 State Office Building

Chair: Rep. Bill Haas

Agenda: Amendments and passage of state government finance omnibus bill.

Regulated Industries

Room: 5 State Office Building

Chair: Rep. Torrey Westrom

Agenda: HF1493 (Dorman)/ SF1182 (Ourada) Municipal liquor store competition geographic restrictions eliminated, bar hours extended to 2:00 a.m., uniform hour for off-sale of liquor provided in the state, and restriction on number of licenses issued by a municipality removed. And other bills to be announced.

8:15 AM

Jobs and Economic Development Finance

Room: Basement Hearing Room

Chair: Rep. Bob Gunther

Agenda: Amendments:

HF748 (Gunther) Economic development, housing, jobs, and state government finance funding provided, and money appropriated.

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: Mark-up of omnibus transportation finance bill.

10:15 AM

Education Finance

Room: 10 State Office Building

Chair: Rep. Alice Seagren

Agenda: To be announced.

Taxes

Room: 200 State Office Building

Chair: Rep. Ron Abrams

Agenda: HF1183 (Osterman) Biotechnology and health sciences industry tax free zone establishment authorized, tax exemptions provided, and tax benefit repayment provided. HF688 (Krinkie) Regional rail authorities in the seven-county metropolitan area abolished. HF932 (Vandever) Property appraisal provided every five years.

HF1069 (Stang) Benton and Stearns counties aggregate tax exception repealed.

HF1249 (Seifert) Special agricultural homestead annual certification county filing required.

HF1393 (Magnus) Lewis and Clark Rural Water System, Inc.; corporate status clarified for purposes of federal tax law.

12:30 PM

Higher Education Finance

Room: 300S State Office Building

Chair: Rep. Doug Stang

Agenda: higher education finance omnibus bill

THURSDAY, April 16

No meetings scheduled.

FRIDAY, April 16

House offices closed.

Reflections

Throughout history, some people have projected themselves in such a manner as to leave an indelible mark on the lives of others.

One was Maria Louise Sanford.

She was an educator, patriot, advocate for women's rights, supporter of education for blacks, founder of parent-teacher organizations, a pioneer of the concept of adult education, and one of two Minnesotans honored with a statue in Statuary Hall in the U.S. Capitol.

Born in Connecticut in 1836, her early education was at best stiff, smothering, and dull. But her mother's intellectual influence at home helped to nurture her lifelong quest for knowledge of history, art, new methods for learning, and decorum — all based on a strong religious and spiritual foundation.

When she graduated from the New Britain Normal School with honors at age 19, her stern idealism was already developing. She wrote, "The future lies before us, and we can make it what we will."

Her first job as a teacher was at a country school 40 miles from home, with a salary of \$10 per month.

Later, her teaching skills became so well known, she was recruited to teach in Chester County, Pennsylvania. Known as a dynamic speaker, Sanford was often asked to lecture around the country regarding the art of teaching and objectives of education. This was at a time when women rarely, if ever, spoke before an audience.

Sanford became a professor of history at Pennsylvania's prestigious Swarthmore College in 1869 where she taught for 10 years. By most accounts, she was the first woman to hold such a position in the country. Though she would often forget to take attendance, seats in her classes were always full.

Yet, her colleagues soon complained

about her non-attention to rules and weekly absences when she was on lecture tours. Swarthmore President E. H. Magill, defended her activities but he could not deter the penalty of a pay decrease for her. Added to her increasing woes, she ended a personal relationship with Magill because he was married.

Sanford was excited to receive an offer from the University of Minnesota's first

president, William W. Folwell in 1880. When she arrived, there were 12 freshmen and 300 students total. Soon, all were involved in one of her classes: rhetoric and elocution, general history, art history, or political science.

Like previous teaching positions and lectures, students adored her. She energized their curiosity for investigation and learning — often without "those dull textbooks."

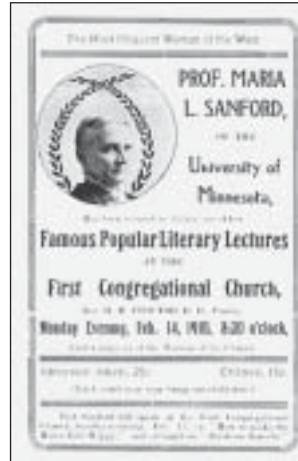
Sanford, who walked everywhere unless it was an exceptionally long distance, was easily recognized. Her demeanor was usually austere.

She was a lean, older lady with chiseled features, hair pulled tightly into a bun at the back of her head. She wore Sears congress shoes that resembled men's footwear, and always was clothed in her distinctive high-neck, ankle-length simple black dress.

While at the university, Sanford continued to give many local and national lectures; many were patriotic speeches about supporting the soldiers of World War I. She also represented the governor at national meetings, worked as an advocate for women's equality, education for all people, conservation, and clean cities until she died in 1920 a day after giving a speech.

Known as "The best loved woman of the North Star State," Sanford always relied on her motto from her high school commencement address, "Fear not, Faint not, Fail not."

— LECLAIR GRIER LAMBERT



A lecture pamphlet from 1910 calling Maria L. Sanford "The Most Eloquent Woman of the West."

Photo courtesy of the Minnesota Historical Society

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MINNESOTA

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Crime and punishment

Incarcerated adults in Minnesota on July 1, 2002	6,946
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Number that were female	273
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In 1975	1,509
In 1965	1,945
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On July 1, 1998	32.7
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Sources: Minnesota Department of Corrections, www.doc.state.mn.us; *Minnesota Data Book for Legislators*, House Research Department, January 2003; *Prisoners in 2001*, Bureau of Justice Statistics, July 2002; *Prison and Jail Inmates at Midyear 2002*, Bureau of Justice Statistics, April 2003; *Crime State Rankings 2002*, April 2002.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

APRIL 18, 2003

VOLUME 20, NUMBER 15

In this issue:

SEXUAL ABUSE CIVIL ACTIONS

2004-05 FINANCE BILLS ADVANCE, AND MORE

HF1528-HF1556

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Alyssa Schlender, a lobbyist for the Minnesota Automobile Dealers Association, reads a bill while sitting in a beam of sunlight at the base of Civil War Col. Alexander Wilkin in the Capitol Rotunda April 14. Wilkin, who served with the Ninth Minnesota Volunteer Infantry, was killed at the Battle of Tupelo, Mississippi on July 14, 1864.

— Photo by Tom Olmscheid

Never too late?

Bill would rewrite the statute of limitations for those who are sexually abused as a child to file charges

By Jeff Jones

Members of the House Civil Law Committee grappled with an often emotional issue in today's context at its April 11 meeting: how old is too old to still be haunted by the memories of sexual abuse and how long organizations should be responsible for such actions.

A bill to extend the amount of time childhood sexual abuse victims have to sue their abusers awaits action on the Senate floor, breathing life into a similar House proposal that had gone unheard before the last-minute Friday meeting.

The House bill's sponsor, Rep. Mary Liz Holberg (R-Lakeville), chair of the civil law committee, said she was frustrated that parties representing the different sides of the issue had failed to meet earlier in the session.

Nonetheless, Holberg said she crafted a compromise of her own in hopes of spurring discussion on the proposal, which has mixed support from legislators.

"It was obvious to me that the bill would not pass the House in its current form," Holberg said of the original version of HF386, which would have allowed up to 30 years for abuse victims to file suit. An amendment the committee adopted would allow a maximum of 14 years under certain circumstances, still a significant increase from the current six-year limit.

Paul Dymit of Crystal, said a teacher continuously abused him while he was a teenager. He testified he did not realize the harm it had done him until he was writing a suicide note at age 29. He said he tried to explain in the note "when it was in my life that things changed so drastically ... and all I could do was think back to when I was in that 'relationship.'"

Dymit said a psychological test concluded that his cognitive development was interrupted at age 14 as a result of the abuse, causing him to relapse to childhood behaviors when life gets too stressful.

Eventually the teacher who abused him was imprisoned, but only after similarly abusing more than 100 other children. "I'm only one of those children that came forward," Dymit said. "And I couldn't do it until I was 29."

Current law would seem to allow people like Dymit to bring civil charges against abusers even later in life. The six-year statute of limitations would start when the victim "knew or had reason to know" their injuries were caused by the sexual abuse. Since Dymit didn't realize the extent of the psychological damage until age 29, the clock would start ticking then.

But the Minnesota Supreme Court ruled that standard too nebulous to be practical. Saying a reasonable person should realize the abuse itself

causes injury, the court said the six years begins with the act of abuse. In the case of children, that limit begins when they reach age 18, effectively setting a deadline at age 24.

Victims said the court's interpretation makes it necessary to change the law.

Susan Fuchs-Hoeschen of Sauk Rapids, a social worker who regularly works with abuse victims, and a victim of childhood abuse herself, said many people don't realize the effect of abuse until their children reach the same age as when they were abused. But by then it's too late to bring suit. "It's a victim's job to forget in order to go forward and eventually a survivor's job to remember," she said.

While no one seems to deny the suffering abuse victims experience, there is wide disagreement about the effects of waiting so long to seek damages from their abuser. At the heart of the issue is the fact that the institutions responsible for overseeing

abusers are also liable for damages under state law if they negligently permitted the abuse to occur.

This means that any bill potentially opening the floodgates for new litigation against abusers also poses a threat to the institutions with which they are or were associated. Since churches and schools top the list of potential litigants, Holberg said there is legitimate reason to provide them some protection.

"(One) issue that continues to concern me is the importance of these institutions in society, whether it be church groups, schools, athletic associations, or camps," she said. "To totally annihilate these institutions can have very negative ramifications on other elements of society as well."

Bankruptcy and skyrocketing insurance rates loom for many groups found liable for a person's abuse or forced to reach a settlement with victims,



PHOTO BY ANDREW VON BANK

Paul Dymit of Crystal gives emotional testimony to the House Civil Law Committee April 11 in support of a bill that would modify childhood sexual abuse personal injury civil action limitations.

according to Ray Frost, a lobbyist for the Minnesota Childcare Association. "One case like this would have an unbelievable effect on whether or not we as an industry can continue to care for kids," he said.

Daniel Connelly, a lawyer and lobbyist for the Minnesota Religious Council, said in many cases organizations are not financially equipped to even respond to charges, especially if the alleged abuse occurred many years ago.

"When you're talking about something 22 years ago, it's very difficult to find out what you know, let alone what you should have known," Connelly said.

Holberg said no matter the limits, it is essential that abuse crimes are reported to police.

"The number one concern is making sure that perpetrators aren't allowed to continue to commit this crime," she said. Abuse would have to be reported to law enforcement before victims would gain any protections from her bill.

Under the bill, victims would have to file civil suit within five years of reporting the crime, but no later than nine years after the abuse occurred. Since the provision would only apply to abuse against minors and limitations don't apply until adulthood, it would mean victims who report when they become adults would have until age 26 to file suit.

Victims who never report the crime would be subject to the standard two-year limit on civil actions, giving them until age 20.

An exception in the bill allows for parents to report the abuse while their child is still a minor. In that case the victim has 14 years — until age 32 — to bring suit. If DNA evidence of the crime is available, there would be no limit to when action may be brought against an alleged abuser.

The bill now goes to the House floor. Holberg said she may convene an informal meeting before the bill is taken up to consider adding other language.

A Senate version of the proposal (SF575), sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits a vote on the floor. It would retain the six-year time limit but redefine what constitutes knowledge of an injury. 🐷

Clarification

A story on feedlot regulations in the April 4 issue of Session Weekly referred to testimony regarding the number of sows on a 1,000 animal-unit farm. The testimony should have been attributed to Dave Preisler from the Minnesota Pork Producers Association.

For more information about the guidelines used to calculate animal unit regulations for feedlots, please refer to the Minnesota Pollution Control Agency's feedlot Web site at <http://www.pca.state.mn.us/hot/feedlots.html>.



Honoring veterans

Hiring preferences date back to early 20th century

For nearly as long as Minnesota has been a state, Minnesota's military veterans have been honored for their service to freedom.

In addition to being revered for their time spent fighting for their country, Minnesota veterans have been given preference through employment, as has been the case in many states since the Civil War.

Minnesota has been very generous and "consistently in support of veterans," said Clint Bucher, veterans' preference officer with the Minnesota Department of Veteran's Affairs.

For example, he said that the state offered veteran's tuition waivers and private employers offered jobs to all soldiers returning from the Spanish-American War.

However, the system was not perfect.

In 1948 a Minnesota Legislative Research Committee was established to review veteran's preference in Minnesota. The committee found problems with preferences because they conflicted with "the merit system," and said the law requires unqualified candidates to be hired for positions.

Noted the committee, "Personnel administrators generally agree that veterans' preference is more of a potential problem than an existing problem." The committee recommended that veterans be given preference upon meeting minimum standards and "should recognize the democratic principle of open competition for public employment."

Another change was suggested in the credit points rating system. At the time, and extending to today, state employers were instructed to use a point system when hiring. A veteran was entitled to receive an additional five points, while a disabled veteran was allotted 10 points.

The committee suggested that extra points only be given at the entrance of service, and not additionally during promotions. The Legislature went through several changes including an amendment during the 1967 Legislative Session that gave veterans a one time set of points during the

promotional examinations. State law currently instructs extra points to be given during the review of the application, and at no other time.

Although today's standards are more stringent, at the time of the research committee, a person who had served as little as 24 hours in the service qualified for hiring preferences. The committee suggested the

time frame for preference to be given to a veteran "should be limited to a period of five years after the war, or five years after discharge from a war service, whichever date is later." Now, active duty must have been at least 181 consecutive days to qualify for preference, and there are no time limits.

A Legislative Research Committee on Factors Affecting a Proposed Veterans Bonus in 1948 acknowledged bonuses paid to "veterans of World War I and veterans of all other conflicts beginning with the Spanish-American War." The report states they were paid by current tax receipts or by property tax levies, and were "uniform without regard to foreign or domestic service."

World War I payments were \$15 per month. This preference is continued today with the Legislature determining the amounts based on the state's fiscal status.

The most recent bonus paid was \$300 for soldiers who served during the Persian Gulf war, with \$600 going to those in the combat zone, Bucher explained. Because of the state's current budget situation, Bucher said most veteran's organizations will most likely wait to address the possible addition of bonuses for Minnesota's soldiers fighting the war in Iraq.

Over time, little has changed in regards to positions where hiring preferences are excluded from certain positions in state and local government. Currently those include civil service employees, private secretaries, teachers, confidential assistants, and heads of departments or chief deputies of elected officials.

(P. JANOVEC)



"On the job" veterans' training at Red Wing in 1948.

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Omnibus finance plan

State funding of the Minnesota Department of Agriculture for 2004-05 would total \$84.9 million under an omnibus finance bill approved April 15 by the House Agriculture and Rural Development Finance Committee. The omnibus bill provides a total of \$90.5 million in agriculture-related funding for the biennium.

Sponsored by Rep. Elaine Harder (R-Jackson), HF752, which outlines the proposed biennial budget for the Agriculture Department and related programs, was referred to the House Ways and Means Committee.

The bill would increase the state general fund appropriation for agriculture by about \$13 million over Gov. Tim Pawlenty's recommended \$72 million.

The total department budget for the next two years would be about \$148 million, including expected federal funding, as well as permit and fee revenue. More than half of the department's operating revenue comes from 300 fee categories that fund regulatory and inspection services in the nursery, horticulture, and seed industries; food inspections; and a portion of dairy and other farm-related inspections.

A major difference between the committee's bill and the governor's budget proposal is funding of the ethanol producer payment program for 2004-05.

The plan proposes nearly \$44.4 million for assisting the state's eligible ethanol producers, \$10.2 million more than recommended by the Pawlenty administration. The bill would base ethanol producer payments at 13 cents per gallon, 3 cents per gallon more than the governor's proposal.

The bill also proposes full restoration of the ethanol program at \$35 million per fiscal year, based on 20 cents per gallon produced. That provision would allow ethanol plants to catch up to the program's level of funding prior to the governor's \$20 million cut in ethanol payments in February to help address the state's fiscal year 2003 budget deficit.

Producers would be able to collect catch-up payments either before or after June 30, 2010, the date under the bill when the ethanol program would end.

Ethanol producers would have to file an ownership and financial disclosure statement to receive payments after July 1, 2003, according to a Harder-sponsored amendment that was approved. The statement, to be filed with the department, would verify that the majority owners in a plant that would benefit from state payments are Minnesota residents.

The Board of Animal Health would remain an independent agency, under the committee's bill, with a proposed two-year budget of \$8.1 million, including federal funds. The governor recommends the board become part of the Agriculture Department.

An amendment, sponsored by Rep. Al Juhnke (DFL-Willmar), to allow the Agricultural Utilization and Research Institute to remain a separate program was defeated. The bill proposes that the research, development, and technical training institute become the department's Agricultural Innovation Center with a budget of \$2 million and offices in Crookston and Marshall. The institute's current funding would be cut by \$5 million.

The bill would also restore \$359,000 in state grant money to agricultural societies for county fairs. The Legislature has appropriated the fair-support money since 1868, but Pawlenty recommended that it end. The grants provide award premiums for youth programs and other fair exhibitors. Narrowly defeated was an amendment by Juhnke that would have restored \$357,000 in county fair payments the governor cut in February.

The bill also proposes increases in 25 categories of food handler and food processing inspection fees, dairy farm re-inspection fees, and would establish new fees and a dedicated account to fund an expanded nursery and horticulture inspection program.

Honoring Governor Freeman

A new office building for the state Agriculture and Health departments would be named in honor of the late Orville L. Freeman, under a bill the House passed 131-2 on April 10.

Freeman, who died Feb. 20 at age 84, was the state's 29th governor, serving from 1955-61, and served in two presidential administrations as the U.S. Secretary of Agriculture from 1961 to 1969. In 1954, he was the first gubernatorial candidate to be elected from the Democratic-Farmer-Labor Party, formed in the 1940s.

Citing Freeman's support of agriculture in the state and nation during his career, Rep. Dean Urdahl (R-Grove City), the sponsor of

HF1374, said, "It's fitting that the Minnesota Agriculture building be part of his legacy."

Noting bipartisan support for the bill, Rep. Bud Heidgerken (R-Freeport) recalled that Freeman "was a friend of the family." Heidgerken's father took Freeman from "farm to farm and small town to small town" in Stearns County, Heidgerken said.

"He was a governor who made government work," said Rep. Irv Anderson (DFL-Int'l Falls), who was first elected to the House during Freeman's service in the Lyndon Johnson administration.

Site preparation for the new \$77.2 million building, to be located just off the main State Capitol complex, began in April, according to the state Department of Administration. Construction is to start this summer with occupancy planned for fall 2005.

The 342,000 square-foot, five-story building will house 1,000 state employees and be connected to a new \$60 million Agriculture and Health Laboratory Building by a skyway across Columbus Street. The office and lab buildings will be connected to the Capitol Area tunnel system.

The Agriculture Department currently leases an office building in St. Paul. The Health Department will move more than 700 employees from a building on the University of Minnesota's Minneapolis campus and other Twin Cities metropolitan area locations.

Gov. Tim Pawlenty recommended the new building be named after Freeman at a Feb. 27 memorial service in the Capitol Rotunda.

A companion bill (SF1263), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action by the full Senate.

Assuring quality work

A bill regulating warranty work performed by independent farm equipment dealers on behalf of farm equipment manufacturers passed the House 121-12 April 14.

Most farm equipment manufacturers offer warranties on equipment sold to farmers through authorized dealers. However, some do not reimburse dealers adequately for repairs performed under warranty. Many manufacturers lack written warranty reimbursement policies or agreements, according to bill proponents.

Sponsored by Rep. Greg Davids (R-Preston), HF547 would require manufacturers to reimburse a dealer's labor expenses at a reasonable rate, and to reimburse for parts at a rate 15 percent higher than the dealer's net price.

What's in the bill:

Selected bills included in HF752:
HF649 (Swenson)
HF1090 (Demmer)
HF1096 (Harder)
HF1202 (Ozment)

In addition, the bill would require that manufacturers approve or disapprove dealers' reimbursement claims within 30 days, and pay claims that have been approved within 30 days.

Rep. Phil Krinkie (R-Shoreview) questioned why the bill didn't address warranties on other products. "It could be automobiles, it could be heating and air conditioning equipment. There are a vast number of products under warranty where dealers have trouble with warranty claims against manufacturers."

Davids, who said he was asked to carry the bill by farm implement dealers, replied that 15 states have similar farm equipment warranty laws. Minnesota has a similar law for warranty work on lawn and garden equipment, all-terrain vehicles, boats, snowmobiles, and licensed motor vehicles.

He added that the independent dealers weren't having problems with major manufacturers, but with smaller manufacturers. "Some of the manufacturers were not honoring their warranties," Davids said.

Replied Krinkie, "I think there's a simple, easy remedy — it's called 'let the independent dealers not sell the manufacturer's product any more.'"

A Senate companion bill (SF674), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action by the full Senate.

BUSINESS



Extending bar closing time

Closing time for Minnesota's bars and restaurants would be extended by one hour under a bill approved April 15 by the House Regulated Industries Committee.

HF1493, sponsored by Rep. Dan Dorman (R-Albert Lea), would allow all Minnesota establishments selling on-sale liquor and beer to sell beverages until 2 a.m., including Sundays. Currently, the time is 1 a.m.

The bill would not require establishments to stay open until 2 a.m., Dorman said, it simply allows them to stay open longer if they choose.

The mayors of both Minneapolis and St. Paul testified in favor of the bill as a way to improve public safety and enhance the economic viability of the downtown areas.

"We see a lot of traffic about 11:30 (p.m.) going from our city to Hudson," said St. Paul Mayor Randy Kelly, referring to individuals driving to Wisconsin where closing time is currently 2 a.m. "And that's pretty dangerous."

Minneapolis Mayor R.T. Rybak said the police officers working downtown on Fridays and Saturdays experience a huge outpouring of crowds from the bars at the 1 a.m. closing time,



Minneapolis Mayor R.T. Rybak, *left*, and St. Paul Mayor Randy Kelly testify in favor of a bill to extend bar hours to 2 a.m. during an April 15 hearing of the House Regulated Industries Committee.

making it more difficult for them to control cars and traffic. A 2 a.m. closing time would spread those patrons out more and help law enforcement control crowds, he said.

"We're compressing all this together, putting everyone out onto the street at once," Rybak said of the 1 a.m. law.

Greg Ortale, president of the Greater Minneapolis Convention and Visitors Association, said the extended bar hours will help the association attract conventions and other events. Many trade shows are timed for 2 a.m. closing times in other states, he said, and the extended time would give businesses more opportunity to meet with potential clients in informal settings.

However, Lynne Goughler, legislative director for the Minnesota chapter of Mothers Against Drunk Driving, said the bill would not increase safety, but rather it would place stresses on an already thinly stretched emergency response system. She said that nearly 40 percent of all fatal crashes in the past 10 years were alcohol-related and nearly 75 percent of fatal accidents each year occur between midnight and 3 a.m.

Jeff Nachbar, a public health specialist with Minnesota Join Together, testified that the bill would lead to higher intoxication levels and create other significant public health concerns. His group works to reduce youth drinking.

"We're throwing the barn door open on alcohol availability, and enforcement is not keeping up," Nachbar said. "It will lead to additional costs, to additional alcohol-related problems."

Rep. Torrey Westrom (R-Elbow Lake), the committee chair, unsuccessfully attempted to

amend the bill to allow establishments to install coin-operated breath testing equipment to instruct patrons on their level of intoxication. Westrom said it would make roads safer and might keep some people from getting in a car and driving because they would know their blood-alcohol concentration is above the legal limit.

The bill now goes to the House Rules and Legislative Administration Committee because it did not meet appointed committee deadlines.

The bill's Senate companion (SF1182), sponsored by Sen. Mark Ourada (R-Buffalo), awaits action on the Senate floor.

CONSUMERS



Taxing certain cocktails

Members of the House Taxes Committee spooned down mouthfuls of a patented low-alcohol ice cream April 10 while hearing from Rep. Phyllis Kahn (DFL-Mpls) about the merits of changing the method by which the product is taxed.

Currently, low-alcohol dairy cocktails are taxed at the same rate as distilled spirits, or at \$1.33 a liter. However, the amount of alcohol in such items, which primarily consist of milk products, is less than 3.2 percent. Kahn's bill (HF78) would change the applicable tax to align it with 3.2 percent beer, which is taxed at 2 cents per liter.

"The proof (of alcohol) is low and the fat content is so high you really can't possibly get

drunk on it," Kahn said, while members enjoyed the flavors of "Brandy Alexander" and "Whiskey Cream."

The bill will be considered for inclusion in the committee's omnibus bill.

Changing the tax status of low-alcohol dairy cocktails would cause the state to lose \$11,000 in tax revenues in fiscal year 2004, \$15,000 in fiscal years 2005 and 2006, and \$16,000 in fiscal year 2007, according to the Minnesota Department of Revenue.

The department assumes that about 100,000 single-serving containers of the dairy cocktail would be sold in Minnesota at a price of 99 cents each, and that sales would increase by 3 percent annually.

Since a liquor license is required for the sale of the dairy cocktails, only bars and liquor stores would be allowed to carry the product, Kahn said. However, she added, she may sponsor legislation later addressing distribution, perhaps to include grocery stores.

Of the items discussed, "Blend's," was invented by the Ice Cream Bar Inc. at the University of Minnesota. Considered a distilled spirit by the federal Bureau of Alcohol Tobacco and Firearms and the Food and Drug Administration, it can only be sold to adults age 21 or older.

According to literature supplied by Kahn, ice cream drinks can be traced back to Irish immigrants. Upon arrival in the United States, immigrants maintained a custom of mixing their first glass of whiskey of the evening with fresh dairy cream.

A companion bill (SF809), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the Senate Taxes Committee.

★ EDUCATION

Updated standards

The House Education Policy Committee reviewed a streamlined, updated set of proposed academic standards in English and math April 15.

Proposed by the Department of Children, Families and Learning, the new graduation standards for elementary and high school students would replace those based on the Profile of Learning.

The committee took no action on the proposed standards. A bill (HF2) passed by the House in February to repeal the profile and replace it with new standards is included in the omnibus education finance bill.

The second draft of proposed math, reading, and writing standards reflect suggestions from state and national education experts, said Cheri Pierson Yecke, the department



Cheri Pierson Yecke, *right*, commissioner of the Department of Children, Families and Learning, listens as Bert Fristedt, a member of the Minnesota Academic Standards Committee answers a question from a member of the House Education Policy Committee on the math portion of the final draft of the state's revised graduation standards during an April 15 hearing of the House Education Policy Committee.

commissioner, as well as the comments of more than 2,000 state residents who testified at 14 public meetings during March.

Yecke said the number of standards for the K-12 grades was reduced by 30 percent from the first draft. There are now more than 330 math standards and nearly 450 language arts standards.

"The standards are expectations to be met," Yecke said.

State tests will be required for students in grades three through 11, with the exception of ninth grade, based on the standards to measure student academic progress and to meet stricter federal requirements under the No Child Left Behind law.

Rep. Karen Klinzing (R-Woodbury), a high school teacher, said English standards must include stronger writing requirements. "Kids have to come into high school knowing how to write," she said, noting that she has had some ninth grade students unable to write a paragraph.

The proposed standards will emphasize that basic writing skills be mastered by the end of

third grade and continue to be built through the elementary grades, Yecke said. "Each district has to decide how to get kids up to speed."

The proposed math standards require the same amount of math as the current Profile of Learning, said Bert Fristedt, a University of Minnesota professor who served on the committee that drafted new standards. However, "they are more precise in specific areas," he said.

The House and Senate are following different paths on repealing and replacing the Profile standards.

"We need to have new (English and math) standards this year," Yecke said, for the state to meet federal guidelines and not jeopardize a possible \$250 million in federal education funding.

Electronic library access

Spending \$800,000 to support electronic access to more than 13,000 books, newspapers, and periodicals in schools and libraries throughout the state is proposed in a bill heard April 10 by the House Education Finance Committee, and included in the committee's omnibus bill.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF626 would designate K-12 general fund money, and funds from the state Higher Education Services Office, for statewide licenses to selected online databases used by public, school-based, and state agency libraries, as well as those at public and private colleges and universities.

"This is continuing funding for the e-library system used by students and many families," Nornes said.

For the 2002-03 biennium, funding for the Electronic Library for Minnesota included \$800,000 from the Department of Children, Families and Learning and \$2 million from the services office.

The e-library, part of the MINITEX Library Information Network based at the University of Minnesota, offers state residents electronic access to more than 4,800 online magazines and journals and more than 8,600 electronic books, including almanacs, encyclopedias, directories, and other resources.

"This provides materials to libraries equally throughout the state," said Lars Steltzner of Afton, a retired media specialist. "It's a real close on the gaps between the haves and the have-nots and a bargain for K-12 school districts."

Gordy Hagert, an Apple Valley High School teacher, said the system allows access to "Internet sites that are safe and solid for student use." It would cost his high school \$29,000

to buy access to the databases the e-library system provides, Hagert said.

Last year, 2,200 Apple Valley high students conducted 35,000 searches on the system, read 18,000 articles online, and arranged for nearly 2,500 e-mail deliveries of materials to their homes, Hagert said.

The \$800,000 in K-12 funds proposed for the e-library system was not included in Gov. Tim Pawlenty's budget recommendations for 2004-05, said Rep. Alice Seagren (R-Bloomington), the committee chair.

A companion bill (SF756), sponsored by Sen. Tom Bakk (DFL-Cook), awaits action in the Senate Finance Committee.

★ EMPLOYMENT

Contract negotiations

An attempt to significantly change the Public Employment Labor Relations Act made it through the House Governmental Operations and Veterans Affairs Policy Committee April 15.

HF1380, sponsored by Rep. Mark Buesgens (R-Jordan), which had been tabled at a previous meeting, would dramatically affect the way unions negotiate contracts through the collective bargaining process.

The "scales of balance are tilted," Buesgens said. Management's hands are tied behind their backs with unions having the power to strike, he added.

The bill would require units to negotiate under a structured balance, meaning a specified financial sum would be given to negotiate within. Unions couldn't strike because of wages or benefits that would drive the cost above the balance.

John Roszak, an attorney who says he's negotiated contracts for many years, testified in favor of the legislation. He said the bill requires the Legislature to maintain "fiscal integrity" with specific requirements for unions. The state budget must maintain structural balance, and so should local units of government, he said.

With public employees facing wage freezes, limitations on outsourcing work, and the government determining how unions negotiate contracts, Glenn West, executive director for the Minnesota Government Engineers Council, said the budget shortfall is no reason to throw out the Public Employment Labor Relations Act.

It would be "better and more honest to repeal (the act)," said Rep. Loren Solberg (DFL-Grand Rapids). Collective bargaining should be tough, he added.

The bill would also repeal certain terms and conditions that could be bargained in

contracts. Removed from the table are health insurance plans.

The bill was approved without recommendation and referred to the House Rules and Legislative Administration Committee upon missing the deadline for bills to move through committees.

A companion bill (SF1417), sponsored by Sen. David Hann (R-Eden Prairie), awaits action in the Senate State and Local Government Operations Committee.

Retraining workers

A bill that would allow for fluctuation in the special assessment rate employers pay to the state workforce development fund is included in the House Jobs and Economic Development Finance omnibus bill.

HF1509, sponsored by Rep. Bob Gunther (R-Fairmont), was presented to that committee, which he chairs, April 10.

The fund provides for the training of laid-off workers, and did so in 2002 for \$66 million.

Under current law, all employers must pay the assessment for each one of their employees earning more than \$22,000 in a year. The current rate levies seven-hundredths of 1 percent per year on all taxable wages. Gunther said this equates to \$13 per year for an employee at the minimal wage.

The bill would allow the Department of Economic Security commissioner to determine the special assessment rate for the following year based on the fund balance on Oct. 1, as well as the unemployment rate, and the state's overall economy. The commissioner could choose between five-hundredths, seven-hundredths, or one-tenth of 1 percent of taxable wages.

Gunther said the provision could cause employers to pay an additional \$3 per employee per year.

Allowing the assessment rate to fluctuate would provide a higher fund balance when the number of laid-off employees is higher and a lower balance in good times. Keeping the balance low in a healthy economic climate would prevent the state from tapping the fund for other expenses, as has happened in the past, Gunther said.

"We'll never build those resources up so people will raid this fund again," he added.

Opposed to the provision were the Minnesota Business Partnership and the Minnesota Chamber of Commerce. The former believed the provision gives too much power to a commissioner who might not use the funds for their designed intent. The latter believed that the assessment rate, once raised to the

highest, would never be reduced.

Supporting the bill was the Minnesota AFL-CIO. The National Federation of Independent Business said the workforce development fund is a laudable program, but that it should be funded through the state general fund.

★ ENERGY

Exemption extension

A Swift County energy plant designed to use poultry litter as a primary fuel source is seeking an extension on tax exemption provisions that have expired due to a construction delay.

HF1533, sponsored by Rep. Torrey Westrom (R-Elbow Lake), would extend the construction date for FibroMinn, a poultry biomass generation facility, allowing it to take advantage of a property tax exemption for personal property and a sales tax exemption on construction materials and equipment. FibroMinn is an affiliate of Fibrowatt, LLC.

Similar tax-exempt status was originally granted by the 2001 Legislature. However, the construction deadline of Dec. 31, 2002 has passed.

FibroMinn Vice President Carl Strickler told the House Taxes Committee April 15 that his company went through a long and exhaustive environmental review process that delayed construction. The appropriate permits were received in January. Millions of dollars have been expended to date on development, he added.

The Public Utilities Commission, Strickler said, has approved a power contract in which Xcel Energy will purchase 50 megawatts of electricity from FibroMinn.

Benson Mayor Paul Kittelson said the city remains supportive of the plant, though it was disappointed with the construction delay.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, said he likes biomass energy initiatives, but couldn't promise its inclusion in the omnibus bill due to the state's projected \$4.2 billion 2004-05 biennial deficit.

If approved, the bill would cost the state \$460,000 in both 2004 and 2005 in lost tax revenues, according to the Minnesota Department of Revenue. Beginning in 2007, the state would spend \$30,000 annually in additional state-paid homeowner property tax refunds due to the shift in property tax burden to other taxpayers in the county.

The poultry litter energy facility would cost \$139 million to construct, which includes \$63 million in attached machinery and personal property that would be exempt from personal property taxes and \$54 million in equipment

that would be exempt from sales taxes.

A companion bill (SF1483), sponsored by Sen. Dean Johnson (DFL-Willmar), awaits action in the Senate Taxes Committee.

Research payments

Hydrogen research at the University of Minnesota would be supported with proceeds from a storage fee charged at the Prairie Island nuclear energy plant, under a bill approved by the House Jobs and Economic Development Finance Committee April 10.

HF958, sponsored by Rep. Philip Krinkie (R-Shoreview), now moves to the House Rules and Legislative Administration Committee because it did not meet policy committee deadlines.

The legislation calls for allocating \$3 million annually from the "renewable development account." The account is the depository for a \$500,000 fee Xcel Energy must pay for each dry cask containing spent fuel at Prairie Island. Xcel Energy has 17 casks on the site and is seeking approval for additional casks.

Rep. Karen Clark (DFL-Mpls) voted against the bill because she said two groups have already been promised money from the renewable development account. Those groups are the Prairie Island Indian community and the wind farm industry.

"I don't want to be on record breaking either of those agreements," she said.

The commitments would leave only \$1.75 million in the account, Clark added, following her statement with an amendment to lower the allocation accordingly. The amendment failed on a split vote.

Krinkie responded by stating that the allocations to the Prairie Island Indian community and to the wind farmers could also be reduced.

The bill, he added, tries to move Minnesota closer to the coming hydrogen economy and declares a goal for Minnesota to use hydrogen as a new energy source for electrical power heat, and transportation needs.

Hydrogen has the potential to lessen dependence on petroleum imports and reduce pollution and greenhouse gas emissions, Krinkie said.

For such goals to be realized, he added, technology readiness must be accelerated, and federal and state governments must implement and sustain policies that elevate hydrogen as a priority. This, Krinkie said, requires a strong public and private partnership.

A Senate companion bill (SF733), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Rules and Administration Committee.

★ ENVIRONMENT

Natural resources, environment funding

The state would dedicate nearly \$1 billion toward environmental protection and natural resources management over the next two years, under a bill (HF779) approved by the House Environment and Natural Resources Finance Committee April 16.

The measure, sponsored by Rep. Dennis Ozment (R-Rosemount), now moves to the House Taxes Committee.

The net effect to the general fund would be \$319 million, however total spending would reach \$966 million when other environmental funding sources such as lottery proceeds, license and permit fees, and federal dollars are added to the mix.

More than half of the overall package — some \$582 million — would be directed toward the Department of Natural Resources (DNR) for a multitude of responsibilities, such as wildlife, minerals, and forestry management, state park operations, habitat improvement, game and fish law enforcement, wildfire



John Tuma, representing the Minnesota Environmental Partnership, explains provisions in a phosphorous study amendment to the House Environment and Natural Resources Finance Committee during April 16 discussion of its omnibus bill.

prevention and suppression, and off-road vehicle trail development.

The bill would allocate \$231 million to the Pollution Control Agency (PCA) for land, water, and air monitoring and regulation enforcement. A \$4.7 million appropriation to the PCA would support a clean water partnership initiative, which directs technical assistance and money to local governments for water pollution clean up and prevention. Another \$4.6 million would fund the agency's county feedlot administration grant program.

The Office of Environmental Assistance would receive \$54 million, under the bill. Of that amount, \$25 million is earmarked for SCORE grants to counties for recycling programs and solid waste management.

Smaller biennial budget amounts would include \$36 million for the Minnesota Zoological Board and \$31 million for the Board of Water and Soil Resources.

In a departure from previous years, funding for the Science Museum of Minnesota would be set at \$618,000 in fiscal year 2004 and then eliminated the following year.

The bill would set new policy language empowering the DNR to deal with the potential threat of chronic wasting disease infecting the state's wild deer population. New restrictions on the importation into the state of deer and elk carcasses would apply and a portion of the 50 cents surcharge on deer hunting licenses for emergency deer feeding could also be applied toward wild deer health management.

Other provisions of the bill would authorize a mourning dove hunting season and stamp; allow the transfer of the Minnesota Conservation Corps, an outdoors-oriented public service group for youth, from the DNR to an existing private nonprofit corporation; raise state park permit fees; enable the Minnesota Zoo to charge an entry fee for elementary school children on organized field trips; and increase various hunting stamp and commercial fishing license fees.

A portion of the money generated by water appropriation permit fee increases would be directed toward the DNR to determine the state's sustainable groundwater use and aquifer recharge levels.

The bill would order studies on a number of issues, including:

What's in the bill:

Selected bills included in HF779:

HF239 (Magnus)
HF255 (Dill)
HF383 (Ozment)
HF407 (Howes)
HF462 (Tingelstad)
HF529 (Hackbarth)
HF605 (Olson)
HF623 (Hackbarth)
HF649 (Swenson)
HF1018 (Hackbarth)
HF1077 (Hackbarth)
HF1401 (Cox)

- improving stability in state park funding through self-sufficient fee structures;
- reducing the levels of phosphorus in the wastewater stream;
- locating individual sewage systems that are imminent threats to public health; and
- developing an incentive based distribution approach for recycling and solid waste management funds.

In an attempt to maintain a no net loss approach to wetland replacement for transportation projects, the bill would adjust the watershed district rulemaking process to allow for comment and appeal from transportation authorities. In response to frustration over costs, delays, and duplicative governmental permit requirements, a revised wetland replacement ratio is advancing in the omnibus House transportation finance plan.

The Senate omnibus environmental spending package, sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Environmental, Agriculture, and Economic Development Budget Division.

Solid waste plans modified

Legislation that aims to lessen the administrative weight on solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District passed the House April 10 by a 133-0 margin.

The bill (HF1054/SF1001*) was presented to Gov. Tim Pawlenty April 14.

When integrated solid waste planning began in the mid-1980s, it was an evolving industry and administrators were required to renew their plans with the state every five years, said Rep. Denny McNamara (R-Hastings), the bill's sponsor.

The systems are relatively stable now and changing filing requirements to every 10 years would allow solid waste staff to spend more time implementing programs than updating plans, proponents have said.

The bill also modifies Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

The Senate companion, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), passed the Senate 63-0 on April 7.

Straightforward timber sales

A bill that the Department of Natural Resources (DNR) and the logging community agree would simplify and standardize timber sales was passed by the House April 14. The vote was 110-17.

The bill (HF859), sponsored by Rep. Doug Lindgren (R-Bagley), would update statutory language governing timber sales, much of which has not been changed since 1925. For example, the bill would consolidate references to timber areas, sale areas, or permit areas under one new term: forestry administrative area.

Under current law, the state has the right to take cut timber if the permit holder has not properly marked the wood. The bill would instead designate the offense as trespassing.

Another provision of the bill is designed to help the logging community, particularly smaller outfits, with bond requirements by offering a "performance deposit" option that would entail a smaller bond amount.

The bill now moves to the Senate Rules and Administration Committee, where it is sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids).

Lawn irrigation sprinklers

A bill that would require new landscape irrigation systems to be furnished with rainfall sensors passed the House April 10 by a margin of 109 to 23.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF335 would require that all new landscape irrigation systems installed after July 1, 2003, have mechanisms to prevent sprinklers from operating during rainstorms and at times when the ground is saturated to a pre-programmed level.

The average cost of the device is \$30 for a residential system, according to previous committee testimony from landscape professionals.

Similar legislation passed the House and Senate in 1999, but was vetoed by then-Gov. Jesse Ventura, who called it an unenforceable government mandate.

Rep. Phil Krinkie (R-Shoreview) echoed those concerns, asking, "If people don't have enough common sense to install it, why does government have to mandate it?"

The industry is asking for the legislation, Ozment said, to "level the playing field" in competitive bidding situations.

"This is a good technological advancement," said Rep. Denny McNamara (R-Hastings). "I think it's an opportunity for us to conserve one of our most valuable resources — water."

A Senate companion (SF781), sponsored by Sen. John Marty (DFL-Roseville), awaits a vote on the Senate floor.

★ GAMBLING

Casino plan heads to floor

A proposal that would put slot machines at Canterbury Park narrowly cleared its last House committee stop April 15 and now heads to a vote before the full House.

The House Ways and Means Committee approved HF646, sponsored by Rep. Mark Buesgens (R-Jordan), on a 13-12 vote.

The casino plan is part of the House Republicans plan to raise revenue and balance the state's budget for the upcoming biennium.

Although the Minnesota State Lottery would operate the machines, proceeds would be divided between the state and Canterbury Park. In the first four years, the percentages in revenues vary for both, but the bill attempts to average out those numbers, with the state receiving 40 percent of the revenues, and Canterbury Park netting 45 percent.

George Anderson, director of the Minnesota State Lottery, explained the state would be getting the second best revenues compared to other states receiving money from gambling. Rhode Island nets 52 percent through dog track racing.

The agreement "doesn't look like a very good deal to me," said Rep. Margaret Anderson Kelliher (DFL-Mpls). The state failing to "capture growth potential" in revenues as the facility and clientele grows, Kelliher explained, seemed short-sighted.

She also expressed concern over the historical trend of Canterbury Park's public stock prices rising and falling when the Legislature has acted upon a bill involving the facility. "Each time the Legislature takes action on behalf of a publicly traded private company, there is great increase in the value to the shareholders," Kelliher said. Concerns should be raised about the Legislature's focus on one private company over others in the state, she added.

Rep. Bill Haas (R-Champlin) failed to amend the bill by adding a version of HF1020, which would have authorized a casino to be operated by the state in conjunction with the White Earth and Red Lake Indian bands. The House Governmental Operations and Veterans Affairs Policy Committee previously rejected the bill.

Rep. Jean Wagenius (DFL-Mpls) asked Buesgens if the governor is in favor of the proposal. Buesgens said the governor told him he would not be pushing for the legislation, but he would keep an open mind with all bills that come before him.

A Senate companion (SF576), sponsored by Sen. Dick Day (R-Owatonna), awaits action in the Senate State and Local Government Operations Committee.

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

HEALTH



Informed consent becomes law

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed a law April 14 that will require Minnesota abortion providers to provide women with specific kinds of information at least 24 hours before performing abortions. He did so just a few hours after its final passage by the Senate.

Effective July 1, 2003, women seeking an abortion in Minnesota must receive information from a physician about risks associated with the abortion procedure, the probable age of the fetus at the time of the abortion, and the medical risks associated with carrying a child to term. The information can be conveyed in person or over the phone.

Additionally, women must be told about the father's obligation to support a child carried to term and about any state Medical Assistance benefits that might be available for prenatal, childbirth, and neonatal care. Women also will be given the opportunity to review printed or Web-based information about the probable physical and physiological development of a fetus, and the fetus's ability to feel pain.

Women will have to certify in writing that they received the required pieces of information before the abortion can proceed. Physicians who perform abortions will also have to submit annual reports indicating how many of their patients received the information, how they received it, and how many went on to have an abortion.

While the law applies in cases of rape and incest, physicians can waive the 24-hour provision if the woman's life is in danger.

The law states that if it is challenged, the state Supreme Court will have original jurisdiction in the matter. Should the court strike down one part of the law, the rest will remain in effect.

The law appropriates \$488,000 to implement its requirements for the 2004-05 biennium.

Originally a bill repealing a law about circuses, the new law took an unusual trip through the Legislature.

After the Senate unanimously passed the original bill, which would have repealed an obsolete law related to a ban on circuses around state fair time, on Feb. 20, the House replaced the language with HF668, sponsored by Rep. Mary Liz Holberg (R-Lakeville), the abortion-related bill which it had passed a week earlier. Despite some controversy regarding the process, the House ultimately passed the bill 90-39 April 7. House leaders said the procedural maneuver was meant to facilitate a vote in the Senate, where the abortion bill

PAPER CHASE



PHOTO BY TOM OLMSCHIED

State agency staff and lobbyists grab for copies of the omnibus state government finance bill during an April 10 hearing of the House State Government Finance Committee. The committee approved the bill April 15. This was a common sight in meetings as committees developed their finance bills.

had not yet received a hearing. Senators approved the new language 41-24 on April 14.

The new law no longer contains language about circuses.

Rep. Marty Seifert (R-Marshall) and Sen. Steve Dille (R-Dassel) are the sponsors of the new law.

HF94/SF187*/CH14

HIGHER EDUCATION



Funding package approved

The omnibus finance bill approved April 16 by the House Higher Education Finance Committee features better numbers than previously planned but still reflects a drop from previous budgets.

With general fund dollars totaling \$2.6 billion, the bill proposes \$50 million more to higher education than recommended by Gov. Tim Pawlenty.

Under the bill, which is to be formally introduced next week and will be sponsored by Rep. Doug Stang (R-Cold Spring), the University of Minnesota would receive nearly \$1.11 billion in general fund dollars in the 2004-05 biennium, a

14.8 percent reduction from its current year base. The Minnesota State Colleges and Universities system (MnSCU) takes a lesser hit percentage-wise, reduced 13.5 percent from current levels to \$1.12 billion. The Mayo Foundation sees a 9.9 percent reduction to \$2.95 million, under the bill.

Conversely, the Higher Education Services Office would receive a 17.4 percent increase in general fund dollars for fiscal years 2004-05, to nearly \$369.84 million. The dollars in the bill are nearly what the governor proposed – only \$168 less.

The bill would provide \$24.9 million for state work-study grants and \$9.4 million for child-care grants. Language in the bill states that if there are shortfalls in the state budget grant program money would not be taken from those two funds, as is currently the case. In that situation, the office must first prorate summer awards, then add a surcharge to the applicant's assigned family responsibility, and then add a percentage to the assigned student responsibility. An award cutoff date may also be established, under the bill.

Other changes for state grants include a reduction in the eligibility period from 10 equivalent semesters to eight semesters, the limit of eligibility for

Not in the bill:

Selected bills not included in the omnibus bill:
HF188 (Jaros)
HF843 (Seifert)
HF862 (Seifert)
HF1242 (Stang)
HF1298 (Carlson)
HF1422 (Carlson)

What's in the bill:

Selected bills included in the omnibus bill:
HF449 (Kuisle)
HF708 (Stang)
HF742 (Wilkin)
HF746 (Cox)
HF833 (Hilty)
HF864 (Stang)
HF934 (Pelowski)



Richard Pfutzenreuter, chief financial officer and treasurer for the University of Minnesota, testifies before the House Higher Education Finance Committee April 14 about how the committee's omnibus bill would affect the university.

awards to students in two-year programs to two years of grant eligibility, and an Oct. 15 application cutoff for first semester grants and Feb. 15 for second semester grants.

For the services office, it would be renamed the office of higher education, and its director would be appointed by the governor. The makeup of the Higher Education Advisory Council would be changed from a board of nine people, to 15 members, including three citizen and six student members. Currently no students or members of the general public sit on the board.

Other policy provisions in the bill include:

- the requirement of each post-secondary institution in the state to provide information on meningitis to every new student living in on-campus housing,
 - the authority for Fond du Lac Tribal and Community College to offer a four-year baccalaureate program in elementary education,
 - the House and Senate would each appoint one student enrolled in a degree program at the university to the Regent Candidate Advisory Council, and
 - the requirement of MnSCU to collect fees that fund student groups on an opt-in basis and requests that the university do the same. The Board of Regents and MnSCU Board of Trustees now approve those fees.
- The bill would aid the health of the state as

it appropriates \$3 million annually to expand health education at MnSCU institutions, especially nursing education. "With this funding the state should have at least 400 more nurses by the end of the biennium," said Laura King, MnSCU vice-chancellor for finance. Earlier testimony indicated that there are waiting lists to get into nursing programs.

Richard Pfutzenreuter, chief financial officer and treasurer for the University of Minnesota, said as a result of the bill the institution would still be looking to reduce administrative and operating costs and increase tuition and fees, although no firm numbers were available.

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

Rioting penalties

Students convicted of rioting would no longer receive state grant dollars under a provision added to the House Higher Education Finance Committee's omnibus bill April 16.

"We're all aware of what happened in the last few days and that is not the kind of behavior Minnesota taxpayers should support," said Rep. Carla Nelson (R-Rochester), who offered the amendment. She was referring to the riots that took place on the Minneapolis campus of the University of Minnesota April 12 after the Gopher men's hockey team won its second straight national title.

Nelson said that she was particularly disturbed to hear that students were saying they wanted to outdo the riots from one year earlier after the team won the national title.

Her amendment states that a student at a post-secondary institution who is convicted of rioting under the definition set forth in state statute would not be eligible for a state grant.

The amendment was approved 12-0.

"I wish we didn't have to do this," said Rep. Gene Pelowski, Jr. (DFL-Winona). Added, Rep. John Dorn (DFL-Mankato), "I can't imagine anyone not being extremely upset with what they saw."

The amendment only applies to those participating in future destructive events. "Hopefully we will never have to use this policy," said Rep. Doug Stang (R-Cold Spring), the committee chair and omnibus bill sponsor.

In addition to losing state grant money, the amendment calls for those convicted to "pay the highest applicable tuition rate, including the nonresident tuition rate, to attend a public post-secondary institution in any subsequent enrollment periods."

Saying he deplored what happened on the Minneapolis campus, Rep. Ron Latz (DFL-St. Louis Park) expressed concern that this bill could financially hurt students for "one

stupid night." He wondered if over the long-term it isn't better for students to stay in school than be forced out because of a higher tuition.

"These students are adults and their actions have consequences, whether they had two beers, 10 beers, or no beers," Stang said. Rep. Ray Cox (R-Northfield) said there are lots of people in prisons and jails that regret doing one stupid thing.

The bill, which has not yet been formally introduced, next moves to the House Ways and Means Committee.

LAW



Judicial, law enforcement funding

After months of testimony from over-burdened courts and corrections officials, the House Judiciary Policy and Finance Committee approved an omnibus package April 15 that tries to relieve some burdens on the system while continuing to cut budgets to deal with the state's projected fiscal shortfall.

Sponsored by Committee Chair Rep. Steve Smith (R-Mound), HF750 includes more than \$1.3 billion in appropriations from the general fund for Minnesota's judicial and law enforcement system and a number of policy provisions.

Appropriations in the bill largely reflect Gov. Tim Pawlenty's budget recommendations for fiscal years 2004-05. However, it manages to restore much of the money the governor proposed to cut from state courts. Under the bill, the state Supreme Court would receive a 6 percent cut from its base budget, and the Court of Appeals and state district courts would both see 2 percent reductions as compared to 10 percent cuts for the three systems in the governor's proposal.

Most of the \$34 million the bill restores to the courts would come from significant fee increases within the court system. The bill would nearly double the cost of many services including civil filing fees, and fees for filing an appeal, depositing a will, and issuing a subpoena.

The bill would maintain the governor's 10 percent and 7 percent cuts to the base budgets for the Departments of Human Rights and Corrections, respectively.

The Department of Public Safety will also see a 7 percent budget reduction, down from the 11 percent Pawlenty proposed.

Battered women's shelters would see an additional \$2.8 million decrease in their per diem appropriation, on top of the \$4 million the governor proposed to cut from the program.

Funding for state public defender services

would be reduced 5 percent from base levels under the bill. More drastic cuts were avoided by raising fees for the service to \$50 for a misdemeanor case and \$200 for a felony. The fees would be assessed even if defendants were found innocent. Anyone convicted of a crime would have to pay a \$60 surcharge under the bill.

The committee responded to an expected increase in public defender caseloads by restricting eligibility for the services to people on public assistance or those truly unable to pay the "reasonable rate" for a lawyer in their area.

In the area of corrections, the bill would allow county and regional jails that have reached capacity to house overflow inmates in private jails.

At the state level, officials would be required to seek bids from private prison companies for housing certain short-term offenders and report on the feasibility of such plans.

Inmates with less than six months left in their sentences would be transferred to county jails or workhouses under the bill. Prisons and jails could also increase their capacity by double-bunking inmates and prisons would also save money by serving only two meals per day to inmates on weekends.

The Office of Ombudsman for Corrections, which receives and examines complaints from prisoners, would be eliminated under the bill.

The bill also tries to take some burden off of criminal courts by vesting more power in probation officers in 29 counties, who would be allowed to mete out punishments to offenders who commit technical probation violations. At the offender's consent, the punishment would be determined at a meeting of the offender and the officer, not before a judge, as is current practice. The sanctions could not involve jail time but could include electronic monitoring, mandatory counseling, or other punishments.

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

Data practices issues

The House Civil Law committee sent a host of proposed additions to Minnesota's data privacy rules to the House floor April 11 when it approved its data practices policy bill.

HF739, sponsored by Rep. Dick Borrell (R-Waverly), combines several proposals regarding how the state and local governments handle some of the wide variety of data they collect from the public.

Language from a bill (HF1162), sponsored by Rep. Eric Lipman (R-Lake Elmo), would make names, addresses, e-mail addresses, and telephone numbers collected by the state lottery private data.

A separate Lipman bill (HF1135) included would protect data collected by state Web sites. Information actively submitted by users or passively collected from users' computers would be classified as nonpublic information. Users would also have to be warned before state Web sites place a "cookie" on their computer. Cookies are used to track users' viewing preferences and to customize the content of the site accordingly. Refusing to accept a cookie could not prohibit someone from accessing a Web site.

A state Web page would also be prohibited from displaying information about possible burial sites of archeological interest, in order to prevent theft from those sites.

Data about nonpublic school students would also become private under the bill. A provision mirroring HF168, sponsored by Rep. Barb Sykora (R-Excelsior), would keep public school districts from releasing contact information about home-schooled students and their parents. The section also applies to students attending nonpublic schools.

The bill would also implement part of the federal No Child Left Behind law relating to student surveys.

Language taken from HF906, sponsored by Committee Chair Rep. Mary Liz Holberg (R-Lakeville), would require that school districts get parental permission before administering assessments, evaluations, or other surveys that would reveal certain information. Schools would have to get written consent from parents before students could be asked to reveal certain information about themselves or their families such as political beliefs, mental problems, sexual behavior or attitudes, illegal behavior, religious practices, and income or income-related information.

While much of the bill restricts the dissemination of information, some provisions expand government's authority to pass along data.

For example, counties could share private health, welfare, corrections, or veterans information among their various agencies without the consent of the subject of the data as long as the information is used to coordinate services the counties provide to that person. That provision was originally included in Holberg's HF634.

The state Departments of Revenue and Veterans Affairs could also share data more easily under the bill, according to language brought to the committee by Rep. Laura Brod (R-New Prague) in HF973.

It would allow the Department of Veterans Affairs access to veterans' names, addresses, and taxpayer identification numbers. The information would be used to contact veterans about health hazards they might face as a result of their military service or to notify dependants about benefits to which they may be entitled.

The bill would also make public information about events related to the National Night Out community crime-prevention program. Information about such neighborhood groups is currently private to protect the identities of their members. A community group wishing to make sure its specific events could be publicized brought the language originally contained in HF1191, sponsored by Rep. Connie Bernardy (DFL-Fridley).

Guardians for vulnerable Minnesotans

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed a new law April 14 making changes to state statutes governing guardianship of children and incapacitated adults.

The law repeals and replaces dozens of sections of current state law, closely following the recommendation of a Minnesota State Bar Association committee appointed to review the laws.

Effective Aug. 1, 2003, the law closes loopholes and clarifies some legal processes, according to its House sponsor, Rep. Paul Thissen (DFL-Mpls).

Among other things, the legislation more clearly defines the roles of a "guardian" and a "conservator" as someone who acts on a person's behalf and someone who manages a person's estate, respectively.

In the area of guardianship for minors, a court will be allowed to appoint a guardian for a child with the parents' consent or if the parents' rights have been terminated, or they are unable or unwilling to exercise their rights. It specifies who may apply to be a child's guardian and how that application should be made. Guardians are specifically allowed to apply for state benefits and services, entitled to "reasonable compensation," and liable for injury to the child caused by a third party to the same extent a parent would be.

For incapacitated individuals, the law allows parents or spouses to appoint a guardian for someone they believe to be incapacitated in the event the parent or spouse is unable to care

for the person. They will be given the ability to limit the powers of the guardians they appoint.

Another provision of the law creates a list of priorities for judges to use when appointing a guardian for an incapacitated person. In order, those priorities will be:

- the current active guardian;
- someone appointed under a health care directive;
- a spouse or someone identified by the spouse in a will;
- an adult child;
- a parent or someone identified by a parent in a will; or
- an adult with whom the person resided for six months.

The law specifies that an incapacitated person will not lose their right to vote unless the court expressly takes it away.

The law passed the House on April 2. In the Senate, where Sen. Don Betzold (DFL-Fridley) is the sponsor, it passed 60-0 on April 7.

HF166/SF112*/CH12

★ LOCAL GOVERNMENT

Paying property taxes

Enthusiastic support — if only vocalized at this time — came for a bill April 10 that would require local governments to compensate taxing jurisdictions when taxable property is purchased and subsequently taken off the tax rolls.

Heard by the House Taxes Committee, HF815 relates to when a local government unit, such as a city, buys land from a private party within the jurisdiction of another local government unit, such as a county. The county may subsequently lose the tax revenue due to the fact that the city now owns the land. State law allows the state and its political subdivisions to declare property tax exempt if the land is used for public purposes.

Sponsored by Rep. Paul Thissen (DFL-Mpls), the bill would require the government purchaser to compensate all taxing jurisdictions that taxed the property by the full amount of taxes due the year of purchase, as well as an additional 18 months to two years of property taxes, depending on a payment schedule chosen by the purchaser.

However, the bill would allow any city, county, township, or school district to waive the compensation payment altogether. Thissen said this provision acknowledges when government units work together on one project.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, said HF815 seemed like a good idea and therefore was on his “A-list” of bills to study further. However, he did not

promise any specific outcome. The bill is being considered for inclusion in the committee’s omnibus bill.

Rep. Ann Lenczewski (DFL-Bloomington) called the bill a “fabulous idea.”

What if, asked Rep. Joe Mullery (DFL-Mpls), a state highway crosses through the most expensive property in a taxing jurisdiction and the jurisdiction no longer receives taxes for that land but still must provide police, fire, and road maintenance services? That, said Abrams, is one of the reasons for the bill.

Thissen said HF815 would make more transparent the lost taxes resulting from government purchases. Such losses are often hidden, he said.

According to the Minnesota Department of Revenue, the market value of purchases by state or local governments of previously taxable property in Minneapolis averaged \$14.9 million between 2001 and 2003. The total tax paid by the properties in the year prior to becoming tax-exempt was \$523,460.

A Senate companion bill has not yet been introduced.

RAIL AUTHORITY



PHOTO BY TOM OLMSCHIED

Hennepin County Commissioner Randy Johnson, *right*, testifies April 16 before the House Taxes Committee on a bill that would abolish the Regional Rail Authority. Gary Erickson, *left*, authority director, also testified before the committee.

★ RECREATION

Youth referees, part II

Youth between ages 11 and 14 would be allowed to serve as assistant soccer referees even if the players are in an older age bracket, under a bill approved April 10 by the House Commerce, Jobs, and Economic Development Policy Committee.

HF1189, sponsored by Rep. Ron Erhardt (R-Edina), now moves to the House floor.

The bill is similar to HF446, approved unanimously by the House March 27 and awaiting action by the full Senate. That bill also allows youths between ages 11 and 14 to serve as sports officials, but limits them to overseeing only younger players.

Both bills are exceptions to current law, under which no child under age 14 may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events.

About 2,000 exemptions are processed by the state each year for youth sports officials.

HF1189 would allow youth to serve as assistant youth soccer referees if they have adequate supervision and have obtained a parent’s written permission.

A Senate companion bill (SF1064), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action by the full Senate.

★ SAFETY

Focusing emergency response

A bill approved April 15 by the House Regulated Industries Committee aims to assure that 911 systems accurately identify locations of an emergency in buildings where there are large numbers of offices.

Sponsored by Rep. Steve Strachan (R-Farmington), HF622 would require public and private sector building owners installing new multi-line telephone systems after June 30, 2003 to include corrective technology so 911 calls from a commercial office or government center, for example, would show operators the correct address of a potential emergency.

At a previous hearing, Strachan said the bill may resolve a long-standing problem 911 systems have had locating addresses. Multi-line phone systems that require the user to dial “9” for an outside line will often show the emergency operator the address of a business headquarters or a phone line switching location,

rather than the location of where the potential emergency call originated.

The bill provides exemptions for businesses that have one large location, those with 24-hour security staffs that assist emergency responders, and those that currently provide correct information for public emergency services to respond properly.

Previously, the bill would have required all multi-line telephone systems to install the technology by June 30, 2007, but an amendment to remove that requirement, and only require new systems to include the technology, was removed by the committee.

Because the bill did not meet the established committee deadline for policy bills, it now goes to the House Rules and Legislative Administration Committee, which will determine whether the bill may be exempted from deadline requirements.

In 1996, Gov. Arne Carlson vetoed a similar bill, citing its excessive cost for requiring the location of every phone line in a multi-line system to be identified. No fiscal note was offered for the current bill.

A companion bill (SF653), sponsored by Sen. Dallas Sams (DFL-Staples), was referred to the Senate Finance Committee April 10, where it awaits additional action.

TAXES



School levy dollars

Stating that per-pupil expenditures in metropolitan areas are not keeping up with state K-12 funding, Rep. Barb Sykora (R-Excelsior) is seeking permission for school districts to automatically allow for inflation in their excess levies.

HF721, presented April 15 to the House Taxes Committee, would allow school districts to increase revenue obtained through levy referenda annually for inflation — provided that the election ballot states that the levy may increase per-pupil referendum revenues by the rate of inflation.

Under current law, school districts can state on the ballot a schedule of annual increases. The bill proposes that the schedule be replaced with a statement regarding inflation.

School boards could not make the voter-approved annual inflation increase without adopting a resolution each year stating the inflation rate formula.

School districts with levies in place at the time the law changes, should the bill become law, could only increase those levies for inflation by conducting an election on the issue.

Speaking in favor of the bill was Tom Mich, superintendent of Orono Schools, and Tom Berge, business manager for Minnetonka



Tom Berge, *left*, business manager for Minnetonka Public Schools, and Tom Mich, superintendent of Orono Schools, explain their proposal for voter-approved adjustment of referendum revenue during an April 15 hearing of the House Taxes Committee.

Public Schools. It's a fallacy, they said, that Twin Cities metropolitan area school districts are wealthy.

Among the school districts of Minnetonka, Wayzata, Hopkins, Orono, Edina, St. Louis Park, and Eden Prairie, the 10-year increase in spending is two-thirds of the state average, Berge said. There are fewer teachers compared to student populations than in other areas of the state. And referendum issues do not always gain voter approval.

However, Rep. Tom Rukavina (DFL-Virginia) said HF721 would only increase the disparities between metropolitan and Greater Minnesota school districts. "Things are getting more and more unfair and it has to do with your most recent tax policies," he said to Sykora.

Sykora disagreed, citing one report that ranked Virginia 51st in spending and her school district 88th.

"All we're trying to do is keep up by paying totally our own way," Sykora added.

Rep. Ann Lenczewski (DFL-Bloomington) said rural legislators should support the bill because it doesn't ask for additional state support, but does ask that school districts be allowed to ask their own constituents for increased taxes.

"If I were a rural member, I would love this bill," Lenczewski said.

The bill will be considered for inclusion in the tax committee's omnibus bill.

A Senate companion bill (SF1223), sponsored by Sen. David Gaither (R-Plymouth), awaits action in the Senate Finance Committee.

Market value concerns

A philosophical debate about the merits of a program aimed at keeping escalating property values in check was staged April 14 with the presentation of three nearly identical bills.

HF11, sponsored by Rep. Joe Mullery (DFL-Mpls); HF241, sponsored by Rep. Michael Paymar (DFL-St. Paul); and HF405, sponsored by Rep. Ron Erhardt (R-Edina) would either repeal or delay the scheduled phase-out of the state's limited market value program. The bills will be considered for inclusion in the House Taxes Committee omnibus bill.

According to nonpartisan House researchers, the limited market value program was created by the Legislature to keep property taxes in check by limiting the amount that a property's value can grow through the years. Eligible properties include residential, agricultural, timberland, and seasonal recreational residential, such as cabins.

In calculating which property among these categories qualifies, the assessor continues to determine the property's fair market value, often called the estimated market value. However, qualifying property is taxed at the limited market value rate if its growth exceeds the limit.

To determine the limit for taxes due in 2003, the market value increase must not exceed the greater of: 10 percent of the limited market value in the preceding assessment year; or 15 percent of the difference between the current year's estimated market value and the previous year's limited market value.

In 2001, a law was enacted to phase out the limited market value program over six years, from assessment years 2002 to 2007.

Therefore, all property will be valued at full market value for property tax purposes beginning in 2007 for taxes due in 2008.

However, the bills' authors believe the program should not be phased out at all, or that the phase out should be delayed.

Paymar said his bill aims to delay the phase out, with the intent that the issue be revisited later. "Let's see what happens when the economy improves," he said.

Brooklyn Center Mayor Myrna Kragus supported the bills, saying the program should not be phased out because market value increases are exceeding income increases. Mullery added that many are worried what would happen to low-income homeowners when the program expires.

But other representatives said the program does the opposite of what it was intended to accomplish and simply shifts the tax burden. Rep. Ann Lenczewski (DFL-Bloomington) said the limited market value program is "crazy" because it says that those whose assets have increased in value shouldn't have to pay more.

And Rep. William Kuisle (R-Rochester) said limiting property values doesn't necessarily limit spending on the part of local government units that benefit from the property taxes.

HF11 and HF405 lack Senate companion bills. The Senate companion for HF241 is SF211, sponsored by Sen. Richard Cohen (DFL-St. Paul). It awaits action by the Senate Taxes Committee.

Encouraging citizen involvement

Increasing sparse public participation in both the property tax system and the budget process conducted by cities and counties is one goal of a bill discussed by the House Taxes Committee April 15.

HF1089, sponsored by Rep. Paul Marquart (DFL-Dilworth), calls for cities and counties to create "citizen investment and local government excellence programs." Participation would be voluntary, but local governments meeting certain requirements would be compensated through a per-capita aid payment from the annual inflation adjustment made to the state local government aid program.

The bill would also have cities and counties mailing mandatory Truth-In-Taxation notices earlier in the year to allow constituents a real shot at helping local elected officials shape property tax levies. Currently, proposed taxation notices are mailed in mid-November, and public meetings are held largely in December. However, by that time most cities and counties have approved their budgets for the following year.

Furthermore, few people attend the Truth-in-Taxation meetings.

"The intentions are good, but what's actually happening isn't what the intent is," said Marquart, of the Truth-in-Taxation process.

To be compensated for participation, cities and counties would have to conduct citizen budget workshop meetings, and meet certain attendance thresholds at those meetings. The bill delineates items that must be discussed, such as the local government's budget process, expenditures, and priorities, as well as revenues, debts, and capital requests.

Per-capita compensation would be \$2 for cities with populations less than 2,500, and \$1 for all other cities and counties.

Another bonus for participation exists under the bill. Beginning in calendar year 2005, local governments meeting program requirements for the subsequent year's budget process could forgo separate Truth-in-Taxation public hearings, and could reduce the size of the mandatory newspaper ad that lists current and proposed property tax amounts and changes.

Marquart said that if every city and county participated, the state would spend \$9.4 million on per-capita compensations — less than inflation on the local government aid program.

Rep. Dick Borrell (R-Waverly) questioned what would happen if a city of 100,000 managed to get 230 people to attend budget workshop meetings, falling short of the 250-person requirement. The city would have spent the money on the program, yet not received the per-capita compensation, he said.

Marquart replied that the city would still gain from increased participation and by encouraging leadership among constituents.

"I think this is a good approach to get some more representation," said Rep. Dean Simpson (R-New York Mills), a former mayor who said he has witnessed sparse attendance at Truth-in-Taxation meetings.

The bill will be considered for inclusion in the taxes committee's omnibus bill.

A Senate companion bill has not yet been introduced.

Resort payment delay

Resort owners meeting certain qualifications would be allowed to delay the first half of their annual property tax payment by two months, under a bill heard by the House Taxes Committee April 10.

HF364, sponsored by Rep. Doug Fuller (R-Bemidji), will be considered for inclusion in the committee's omnibus bill.

Under current law, first half property tax payments on class 1c homesteaded resort

property and class 4c commercial resort property is due May 15. However, most resorts don't open for business before Memorial Day.

Fuller said the bill, which would delay the payment to July 15, would relieve cash flow problems faced by small resort owners.

Testifying for the bill was Mike Tonnes, owner of Papoose Bay Lodge in Park Rapids. Small- and medium-sized resorts have seen their winter customer base drop dramatically in the past five years due to a lack of measurable snow, he said. This has cost him \$100,000 in lost profit.

Furthermore, Tonnes added, this summer's reservations are also down due to the war in Iraq and higher fuel prices. "We're just having a tough time and we're not alone."

But Rep. Joe Mullery (DFL-Mpls) and Rep. Ron Abrams (R-Minnetonka), the committee chair, questioned whether approving the bill would cause other seasonal business owners to request a tax payment delay. Abrams was further concerned that a tax property payment delay would negatively impact the cash flow of counties.

Echoing Abrams' concern was Keith Carlson, executive director of the Metropolitan Inter-County Association. State law already allows seasonal business to delay the first-half tax payment to June 1. And, he added, many counties operate without property tax revenues for the first five months of any given year.

"Cash flow is an extremely critical issue for us," Carlson said.

Rep. Paul Marquart (DFL-Dilworth) said the matter is of concern because property taxes are increasing in lake areas, which alone could force some resorts out of business.

Abrams indicated that adding a sunset provision to the bill might be in order.

A Senate companion bill (SF321), sponsored by Sen. Carrie Ruud (R-Breezy Point), awaits action by the Senate Taxes Committee.

Resort assistance

A bill that supporters say would help preserve small resorts by creating a tax deferment program for them was heard by the House Taxes Committee April 10.

HF331, sponsored by Rep. Larry Howes (R-Walker), would create a valuation and tax deferment program for class 1c homesteaded resorts. The program is identical to the agricultural "Green Acres" program.

Under the bill, taxes would be based on the use of the property as a resort and not solely on the estimated market value of the land. The amount of taxes based on the land's market value that exceeds the tax based on the resort would be deferred. If the resort is later sold,

the difference between the two tax assessments must be paid for that year, as well as for the two previous years.

The person purchasing the resort would also qualify for the tax deferment program.

David Thompson, owner of Fisherman's Village Resort in Otter Tail County, said the bill addresses the rising value of lakeshore property that subsequently drives up property taxes for small resort owners who help fuel the state's economy.

Rising taxes are forcing some resort owners to close, according to a letter submitted to the committee by Joel Carlson, a lobbyist for the Congress of Minnesota Resorts. Where there were once 3,000 family-operated resorts, there are now fewer than 1,000, according to the letter.

"The Legislature can't make the snow fall, the sun shine, or the fish bite," Carlson stated in his letter. "However, HF331 sends a strong message that the Legislature recognizes the important contribution the small resort industry plays in our economy."

Connie Filley, owner of Cedar Point Resort in Spicer, said that the average lake resort in Minnesota consists of nine cabins and is owned by a couple. Fewer than 25 resorts in Minnesota have more than 30 cabins, she added.

"The number of resorts is declining," she said. "A vacation at the lake should be available to all your constituents, not just the ones who can afford lakeshore property."

HF331 will be considered for inclusion in the tax committee's omnibus bill.

A Senate companion bill (SF322), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action by the Senate Taxes Committee.

VETERANS



Classified paperwork

Veterans' military discharge papers filed on or after Jan. 1, 2004 could be classified as private data under a bill passed 133-0 by the House April 14.

Rep. Jeff Anderson (R-Austin), the sponsor of HF768 said the bill "would help protect our veterans from identity theft." He said the Minnesota Department of Veterans Affairs brought the idea to him.

Currently any person can walk into the veteran's building and request someone's discharge papers. Private information, such as a social security number, is included on discharge papers and can be used to steal a person's identity.

Under the bill, the only people authorized to obtain a copy of the papers are the veteran, surviving spouse of the veteran, surviving child of the veteran, surviving parent of the veteran, and the guardian of a veteran.

The bill now moves to the Senate where it is sponsored by Sen. Steve Murphy (DFL-Red Wing).



During the House Education Policy Committee's April 15 discussion on new state academic standards for public school students, Rep. Mike Jaros (DFL-Duluth) reviewed his extensive experience with languages.

The 14-term House member grew up in Bosnia and Herzegovina, formerly part of Yugoslavia, and speaks Russian, Spanish, and Latin, among other languages. "English is number one in the world because dollars speak," Jaros said.

He asked education commissioner Cheri Pierson Yecke if any linguists were on the volunteer committees that drafted the revised standards.

"No linguists," Yecke said. She and Jaros then exchanged greetings in Slovak.

Jaros said his native language was a mix of Slovak, a Polish dialect, with gypsy and other influences.

"Maybe we're cousins here," Yecke responded.

During April 15 debate about the state government finance omnibus bill, Rep. Phyllis Kahn (DFL-Mpls) unsuccessfully offered an amendment to fund the Legislative Commission on the Economic Status of Women.

After Kahn expressed reasons why she believes the commission is important and should be funded, Rep. Jim Rhodes (R-St. Louis Park) asked Kahn if she makes the same wage as the rest of the legislators. Kahn said she did, "but I work a lot harder."

During the roll call vote on the amendment Rhodes voted for it, "because Rep. Kahn works so hard," he said with a chuckle.

Rep. Marty Seifert (R-Marshall) then voted no, saying, "Because my wife told me to."

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

Difficult choices

Omnibus bill would fund services for physically impaired, but not all others who requested assistance

By MIRANDA BRYANT

A proposed \$320 million economic development budget for the 2004-05 biennium moved forward April 16, laying out appropriations for everything from laid-off workers to homeless shelters, to artist grants and flood damage repairs in Roseau.

Approved by the House Jobs and Economic Development Finance Committee, the budget does not veer far from the economic development budget Gov. Tim Pawlenty proposed. HF748, sponsored by Rep. Bob Gunther (R-Fairmont), the chair of the committee, now moves to the House Ways and Means Committee.

Due to the governor's efforts to overcome a projected \$4.2 billion deficit in the next biennium, many of the committee's line-item appropriations represent cuts to or elimination of programs. However, funding for several programs was restored in the bill.

Earmarked for 2002 flood damage in the Roseau area is \$5.8 million, representing money for grants, infrastructure, engineering and design plans, and residential property buyouts.

Minnesota Technology Inc. would gain \$2 million in 2004, but nothing thereafter in language specifically stating that no base funding be provided in future years. The governor proposed that state funding be eliminated for the technology based economic development organization that serves Greater Minnesota.

Nearly all state funding for Centers for Independent Living is restored in HF748. The governor's proposed budget eliminated \$1.87 million in 2004, leaving the agency without state funding. The committee bill would appropriate \$1.3 million in both 2004 and 2005. The agency also receives about

\$1.39 million in funding from the federal government.

Centers for Independent Living help people with disabilities live independently, at times helping them move from nursing homes or helping them remain in their personal residences.

Nearly \$7.4 million in the 2004-05 biennium is proposed for family homeless prevention and assistance programs. The money would be appropriated from a federal Temporary Assistance to Needy Families grant.

An additional \$3.4 million in the biennium for transitional housing programs would also be appropriated from the federal grant. Transitional housing helps people living in homeless shelters gain independence in secure and safe housing.

State Services for the Blind, which has experienced severe budget cuts in recent years, would receive a \$4.4 million appropriation in 2004 and again in 2005. Pawlenty's budget called for a \$1.3 million reduction over the next two years. The agency's budget was cut

45.5 percent in 2002 and a 47 percent in 2003 for a total of \$505,000.

State Services for the Blind's focus is training blind and visually impaired adults for work, and finding jobs for them. The National Eye Institute estimates there are 87,577 blind and visually impaired people in Minnesota.

Restored in the bill is funding for the Center for Rural Policy and Development, a non-

Not in the bill:

Selected bills not included in HF748:
HF728 (Clark)
HF1283 (Clark)

partisan, nonprofit entity in St. Peter. Established in 1997 by the Legislature, it is charged with researching greater Minnesota social

and economic issues, including health care, transportation, housing, crime, and job training.

The governor proposed eliminating the center's funding altogether.

The Minnesota Arts Board would fare better under the committee bill than the governor's proposal. The bill would appropriate \$17.2 million in the biennium, with the bulk of it earmarked for artists' grants (\$11.5 million) and for appropriations to regional arts councils (\$4.8 million).

The budget doesn't include money for the Minnesota Film and TV Board, the Displaced Homemaker Program, the State Humanities

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What's in the bill:

Selected bills included in HF748:

HF237 (Dempsey)
HF344 (Dorman)
HF561 (Gerlach)
HF575 (Gerlach)
HF623 (Hackbarth)
HF800 (Hackbarth)
HF971 (Gerlach)



PHOTO BY TOM OLMSCHIED

A packed house listens as the House Jobs and Economic Development Finance Committee debates its omnibus finance bill.

Digging deep

Funding package shifts money to provide additional aid for after school and summer school programs, cuts Head Start

By TOM LONERGAN

An omnibus education finance bill, which would potentially reduce some cuts proposed by Gov. Tim Pawlenty for K-12 education programs, was approved April 15 by the House Education Finance Committee.

Sponsored by Rep. Alice Seagren (R-Bloomington), the committee chair, HF1404 proposes a state general fund appropriation of \$11.9 billion to fund public schools for the next two years. Locally generated property tax revenue would provide an estimated \$2.8 billion in education funding for 2004-05.

As recommended by the governor, the bill proposes neither an increase in state aid per pupil funding nor an increase in property tax levy authority for school districts.

The bill, which was referred to the House Taxes Committee, would match the governor's proposed spending target for K-12 education, but proposes some funding shifts between accounts to provide school districts with more money than the governor proposed for after school and summer school remedial education programs.

A cut of \$8.3 million in state aid for federally supported Head Start programs is proposed in the bill. Those funds would be used to more evenly balance cuts the governor proposed for Early Childhood and Family Education programs. Pawlenty did not propose a cut in Head Start aid.

"We tried to respond to some of the concerns about the governor's proposal," Seagren said. "It's not a fun thing for any of us to have to do. It will be a difficult couple of years."

The bill incorporates the majority of cuts Pawlenty proposed in supplemental programs like community and adult education, and it would limit the growth of compensatory revenue for school districts with large concentrations of students that meet federally defined poverty guidelines.

Compensatory revenue, as proposed in the

"We tried to respond to some of the concerns about the governor's proposal. It's not a fun thing for any of us to have to do. It will be a difficult couple of years."

— Rep. Alice Seagren

bill, would not be linked to the state's general education formula. That would potentially reduce future revenue for the Minneapolis and St. Paul districts, which have large numbers of poor students. The bill proposes a "non-concentration compensatory formula" with districts receiving \$500 for each student that meets the poverty income definition.

Simplifying how pupil units are counted, as proposed in the bill, to 0.5 for a kindergartner; 1.0 for an elementary student; and 1.3 for a middle and secondary school student would also affect the amount of state revenue generated through a variety of school district funding formula accounts.

The bill "hurts virtually every school district in the state," said Rep. Jim Davnie (DFL-Mpls).

"For over half the districts in the state, the bill is better than the governor's (proposal)," Seagren said.

Testimony from education groups and the public regarding the bill was mixed, with most comments reflecting a resignation that the committee had few options to counter the governor's proposal given the state's \$4.2 billion projected budget deficit.

The bill provides "no increase in real dollars," said Bob Meeks, representing the Minnesota School Boards Association. "There will be reductions in opportunities and reductions in staff," he said.

Eileen Wallace of Willmar, chair of the Minnesota Community Action Association, spoke in opposition to the proposed cut in Head Start aid. "When budget cuts hit the most vulnerable," she said, "our society becomes weaker because of it."

Brandon St. Julien, a St. Paul parent with children in Head Start, said, "There has to be another way to go about this. Some of these kids need these programs."

Schools have been cutting their budgets for the past year, said Pam Costain, representing Save Our Schools, which she described as a nonpartisan group of parents and citizens. "There is no fat left on the bone. We are moving toward the heart of the classroom."

The committee and the governor both put "less resources on the table for students in poverty," said Jim Grathwol, representing Minneapolis Public Schools. The bill, he said, "will leave a few more children behind."

In response to Grathwol's testimony, Rep. Phil Krinkie (R-Shoreview) said there will be some children that "are always not going to be able to keep up" whom "we won't have a program for. No one wants a child to fail."

Proposed cuts in funding for English language learners will be a hard hit on St. Paul's schools,

said Mary Gilbert, the district's legislative liaison. With 18,500 students learning English, the group is larger than many school districts in the state, she said. "As our population at risk increases, we won't

have the resources to deal with it."

Pawlenty proposed that targeted funding for K-12 students learning English be cut after a student completed five years in a program. The bill extends English language learning funding to seven years, but begins phasing it out in a student's fifth year in a program.

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What's in the bill:

Selected bills included in HF1404:

HF2 (Kielkucki)
HF206 (Seagren)
HF219 (Erickson)
HF365 (J. Johnson)
HF580 (Erickson)
HF682 (Kielkucki)
HF697 (Sykora)
HF931 (Sykora)
HF936 (C. Nelson)
HF1109 (Krinkie)
HF1118 (Buesgens)
HF1260 (Seagren)

Not in the bill:

Selected bills not included in HF1404:

HF205 (Goodwin)
HF794 (Gunther)
HF1088 (Eken)
HF1098 (Olson)
HF1266 (Sykora)

More and less

Plan for financing state government may mean fewer state employees and services, features expanded gambling

By MIKE COOK

Most state agencies are looking at a double-digit percent decrease in general fund dollars for the upcoming biennium under an omnibus bill approved April 15 by the House State Government Finance Committee.

The bill calls for \$412.9 million in net general fund appropriations, approximately \$72 million less than recommended by Gov. Tim Pawlenty.

Among the proposed reductions are:

- House, 8 percent;
- Senate 10 percent;
- Legislative Coordinating Commission, 25 percent (including the elimination of the Commission on the Economic Status of Women and the Geographic Information Systems Office);
- governor's office, 15 percent;
- state auditor's office, 14.3 percent;
- Office of the Attorney General, 24.8 percent;
- Office of the Secretary of State, 15 percent;
- Administration Department, 10.4 percent; and
- Departments of Finance and Employee Relations, 15 percent each.

In addition the bill calls for the Lawful Gambling Control Board and the Minnesota Racing Commission to become self-supporting entities, although some money is set aside for each to begin making the transition.

"All the cuts will be developed by the agency,"

What's in the bill:

Selected bills included in HF749:

HF575 (Gerlach)
HF585 (Nornes)
HF619 (Rhodes)
HF734 (Kielkucki)
HF793 (Gerlach)
HF975 (Jacobson)
HF1040 (Wilkin)
HF1080 (Brod)
HF1082 (Samuelson)
HF1273 (Meslow)

said Rep. Bill Haas (R-Champlin), the sponsor of HF749 and chair of the committee. Committee members heard from agency representatives earlier this session and again April 14 on how this will be met, mostly through a reduction in services and staff.

One example of a department-level

decision, discussed as part of the House of Representatives budget approved by the House Rules and Legislative Administration Committee April 14, would be the proposed elimination of printing and mailing of *Session Weekly*, the newsmagazine produced by the nonpartisan House Public Information Services Office.

For remaining state employees, the bill calls for a salary freeze until June 30, 2005. This plan would not prohibit increases for an employee who is promoted or transferred to a position that has greater job responsibilities. The bill would also recommend that the University of Minnesota implement the freeze.

Rep. Bill Hilty (DFL-Finlayson) unsuccessfully offered an amendment to change the provision, which he said undermines the collective-bargaining process.

The bill states that, "The terms of a collective bargaining agreement in effect on June 30, 2003 may not be extended after that date if the extension would increase a salary in a manner prohibited."

As for health and dental coverage, the bill calls for employer-contributions for each year of the biennium not to exceed fiscal year 2003 levels.

In addition, state-employed health care nonprofessionals would be added to the list of essential employees, meaning they

would not be allowed to strike, among other things.

The bill also provides for a number of government efficiencies.

For example, the state's administration commissioner is directed to issue policies regarding cellular phone and vehicle use by state employees.

Haas said there are now 6,500 cellular phones being used at a cost of \$5.6 million annually, and the state now owns 12,000 vehicles costing \$29 million per year plus another

\$8 million per year for fuel. Included in that group, for example, he said are two Jeep Cherokees for the Supreme Court.

The savings must total at least \$10 million in the biennium, or else the state's finance commissioner must report to the Legislature by Jan. 15, 2004 with proposed general fund reductions to the respective executive agencies in fiscal year 2005 to cover the difference.

Other potential savings would come in the way the state purchases a number of items, under the bill. Among the possibilities are the increased use of reverse auctions and other electronic purchasing initiatives. Haas said through reverse auction, whereby the state requests certain items

and bidders then submit their proposals online with the opportunity to change their bid during the process, the state has saved about \$20,000 annually on the purchase of aluminum for license plates and \$250,000 for copy paper.

"The intent is to get the lowest bottom line because contractors see competitors' bids," said Kent



PHOTO BY ANDREW VON BANK

The number of state vehicles would likely decrease as part of the omnibus bill approved by the House State Government Finance Committee.

Not in the bill:

Selected bills not included in HF749
HF914 (Hilty)
HF1020 (Haas)

Continued on page 22

Tough task

Those affected say finance bill either cuts too much or uses creative ways to fund some state programs

By Jeff Jones

In the end, nearly everyone had kind words for the chairman who steered his committee through three months of grim financial reports, heartbreaking testimony, creative number crunching, and extremely difficult decision-making.

Rep. Fran Bradley (R-Rochester) told the House Health and Human Services Finance Committee that the culmination of their work, the omnibus package they approved April 15, was "the most difficult budget of any" the Legislature has to deal with.

Indeed, words were not as kind for the 649-page bill (HF437) Bradley crafted from the combined proposals of Gov. Tim Pawlenty, multiple legislators, a myriad of lobbyists, and one pharmacist with a clever idea.

Though it would provide more than \$7.3 billion in general fund spending (according to estimates which include only preliminary revenue figures) in the next two years on health and human services initiatives throughout the state, dozens of testifiers said the cuts were too much or omissions too great.

Supporters said the bill finds creative ways to restore money that Pawlenty proposed to cut from nursing homes and services for the disabled while maintaining protection for Minnesota's most vulnerable populations in light of the looming \$4.23 billion projected budget shortfall.

"I'm not necessarily proud of every decision we've had to make — I think we've had to make some tough choices — but I'm proud of the effort of this committee," Bradley said.

Public assistance

The bill proposes significant changes to Minnesota's welfare and public assistance programs, tightening eligibility requirements, and putting a greater emphasis on moving recipients into the workforce.

Recipients with incomes above 115 percent of federal poverty guidelines would become ineligible for the state welfare benefits from the Minnesota Family Investment Program (MFIP) and most of the program's participants would have

to take part in a new Diversionary Work Program. An income of \$18,400 in 2003 for a family of four is 100 percent of federal poverty guidelines. The program would require talking with a job counselor, signing an employment plan, and working with employment agencies to find unsubsidized employment sufficient to leave the welfare system.

The bill would also prohibit women who have additional children while on state welfare programs from receiving extra cash benefits though they would still receive extra food assistance.

The Human Services Department would also have to seek federal permission to prohibit food stamp recipients from purchasing certain "junk foods" with their benefit money.

Health care

The state would save money in its subsidized health care programs by tightening eligibility requirements, changing reimbursement rates to health care providers, and raising medical co-pays.

The General Assistance Medical Care program would be eliminated in October 2004, combining its services for low-income and disabled Minnesotans with the state MinnesotaCare program.

In addition to removing people at the top of income eligibility limits from the state Medical Assistance program, the bill would disqualify all undocumented immigrants from receiving pregnancy and postpartum health coverage.

Hospitals and pharmacies would receive lower

state reimbursement for care they provide to state health care recipients. The bill lowers those reimbursements by 2.5 percent, half of what the governor proposed. In addition, most Medical Assistance and MinnesotaCare participants would be required to pay new co-payments for prescription drugs, eyeglasses, non-preventative doctor visits, and non-emergency visits to an emergency room.

The bill would establish a prescription drug discount program, where drug manufacturers would have to provide people earning less than 250 percent of federal poverty guidelines with drugs at the same rate it provides them to state assistance programs. It also would require the Minnesota Board on Aging to set up a referral service for people to learn about discount programs provided directly by drug manufacturers and would limit Medical Assistance coverage to four brand name drugs per month.

In a provision suggested by a Minneapolis pharmacist, Medical Assistance recipients would be able to avoid an extra trip to an emergency room, under the bill, by giving pharmacists the authority to prescribe over-the-counter medications for minor ailments. Current law requires physicians to sign off on any medications the assistance program covers. The proposal is expected to save the state about \$188,000 in the next two years.

Long-term care, disability services

In an ongoing effort to reduce what the state pays for nursing home care, the omnibus bill would commission studies to examine how the state could further encourage people to purchase long-term care insurance. Supporters say other states have been successful in getting people to plan ahead for elder care options rather than relying on state safety nets in their old age.



PHOTO BY ANDREW VON BANK

Sue Abderholden, representing the National Alliance for the Mentally Ill, testifies before the House Health and Human Services Finance Committee April 14 in opposition to some of the prescription drug provisions in the omnibus health and human services finance bill.

Continued on next page

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The bill also increases the per-bed fees nursing facilities have to pay and keeps largely intact a moratorium on new nursing home beds, in an effort to further encourage community and at-home care options for seniors.

The committee also restored about \$82 million Pawlenty had proposed to cut from group homes and personal care attendants for elderly and disabled Minnesotans. Some members said they did not want budget cuts to reverse progress made in moving away from institutionalized care in favor of home- and community-based strategies, which they say are more cost effective and beneficial for the recipients.

Grants for senior nutrition programs, foster grandparents, and senior companion programs, among others, originally dubbed for elimination by Pawlenty, would also receive 85 percent of their full funding.

Child-care assistance

State funding for child-care assistance programs the Department of Children, Families

What's in the bill:

Selected bills included in HF437:

HF5 (Bradley)
HF278 (Bradley)
HF411 (Boudreau)
HF590 (Haas)
HF904 (Bradley)
HF905 (Bradley)
HF1001 (Boudreau)

would cut around \$60 million from the program in the next two years — a reduction of more than 50 percent from its base budget.

Bradley said the cuts were fair and necessary in order to restore funds to programs for the elderly and disabled. He said the state would continue to provide child-care assistance to the neediest families, but could not afford to help higher-income families that currently use the program.

Testifiers predicted that many parents would have to quit their jobs because they could not


and Learning administrators would be cut in half under the committee's omnibus bill.

While the governor proposed a 15 percent reduction in funding for sliding fee child-care support for low-income, working families, the bill

afford high child-care costs.

Other provisions

- The bill would give counties more flexibility in administering reduced state money by consolidating several targeted grants into larger block grants for the counties to spend according to their own needs.
- In an amendment to the bill offered by Rep. Tim Wilkin (R-Eagan) and adopted by the committee, the non-professional workers at some state hospitals, group homes, and regional treatment centers would be classified as "essential" personnel, preventing them from striking.
- Another Wilkin amendment narrowly approved by the committee would transfer about \$2.4 million from state family planning grants to other state block grants, in part to help mitigate cuts to children with disabilities.

The bill was sent to the House Ways and Means Committee. A Health and Human Services omnibus package has not yet been presented in the Senate. 

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PHOTO BY KRISTINE LARSEN

Janis Lang-Ewart, executive director of KFAI Radio, testifies before the House State Government Finance Committee on April 14 to share her concerns about proposed cuts to AMPERS, a collection of radio stations licensed to community groups, public and private colleges and universities, a technical college and a school district.


Jim Bartholomew, government relations director for the Department of Children, Families and Learning, said the bill "protects K-12 education from significant proportional cuts." Public school education represents 42 percent of proposed state spending for the next biennium, Bartholomew said, "and 12 percent of the budget cuts."

Transition revenue for school districts, as proposed by the governor, is included in the bill. It is intended to compensate school districts for funding cuts they would sustain in other areas. During fiscal year 2005, which begins July 1, 2004, school districts could propose to keep the transition revenue through a property tax referendum.

The bill would provide \$5 million to fund distance-learning programs — online

learning and virtual schools — during the next two years. Online programs could be developed by school districts and charter schools for public school students only. Home-schooled students could enroll in online courses through the state's open enrollment option.

Six attempts by DFL members to amend the bill were defeated. "At least some parts of the bill hold education harmless," said Rep. Mindy Greiling (DFL-Roseville), "but there's nothing in the bill to boast about."

"Why don't we just say education is not a sacred cow anymore." 

Continued from page 20

Allin, materials management director for the Department of Administration.

However, the bill also calls for the elimination of a provision that would force state agencies to see if another state employee could do work before contracting it out. It also eliminates PrintComm, the state's printing group that has reported monthly losses.

While many agencies are seeing cuts, the state may make extra money through the bill, via a pair of gambling provisions included.

One would add sports boards to the list of legal forms of lawful charitable gambling. Introduced by Rep. Jim Rhodes (R-St. Louis Park) as HF619, the provision defines a sports board as a game where players buy a square, line, or other chance on a board with the winner determined by the outcome of a professional sporting event. The bill limits the

maximum prize for a board to \$500 and sets the maximum cost of a chance to \$10.


A second provision would link bingo sites together to provide a single prize pool. Proponents say the linkage, introduced as HF734 by Rep. Tony Kielkucki (R-Lester Prairie), could increase bingo pools to jackpots as high as \$8,000 to \$9,000. Current law caps a bingo payout at \$300 per site.

However, a casino plan that would have provided revenue to two impoverished American Indian reservations was removed from the bill.

As introduced, HF1020, sponsored by Haas, would authorize the state lottery to operate gaming machines at a facility in the Twin Cities metropolitan area. The facility itself would be operated by the White Earth Band and Red Lake Nation of American Indians, which currently receive no casino revenue and would evenly split 65 percent of casino revenue. Tribal representatives said that those living on the reservations are living in desolate, poverty-like conditions, and some have no housing at all.

An in-lieu tax of 20 percent of adjusted gross gaming machine revenue would be imposed, 90 percent of which would go to the state's general fund.

Rep. Phyllis Kahn (DFL-Mpls) questioned why Haas tried to insert the provision in the committee's omnibus bill when the bill was defeated April 1 after a fair hearing by the House Governmental Operations and Veterans Affairs Policy Committee.

"I think this is a real opportunity to help a community out so that's why I took another run at it," Haas said. 

No new taxes

Transportation package includes combination of spending reductions, bonding for highway and transit projects

By MICHELLE KIBIGER

The omnibus financing package approved by the House Transportation Finance Committee April 16 includes a combination of spending reductions to administrative costs, bonding for highway projects, and incentives for congestion reduction, such as use of high-occupancy vehicle lanes by unaccompanied single drivers willing to pay for them.

In all, it provides \$3.75 billion in the 2004-05 biennium, with authorization for an additional \$550 million in trunk highway bonds. The bill would provide about \$160 million more in state spending for the biennium than in 2002-03.

However, just as notable are the items not in the bill: increased gas taxes, increased license tab fees, and increased funding for transit operations.

The bill (HF627), sponsored by Rep. William Kuisle (R-Rochester), the committee chair, now moves to the House Capital Investment Committee.

"I think this bill does go off into the future," Kuisle said, referring to witnesses who said the bill doesn't address long-term needs. "I'm very proud of the reforms in this bill. I think it's the first time we've really stepped out and challenged not just the (Transportation) Department, but other agencies."

Transportation functions are funded largely through non-general fund sources, including the trunk highway fund and the highway user tax distribution fund. Only a small portion of the bill, about \$159 million for the biennium, comes from the state's general fund.

Among the budget

items for 2004-05 addressed in the bill:

- \$83.1 million for multi-modal transportation systems, down \$8 million from 2002-03;
- \$2.1 billion for state roads, up \$200 million from 2002-03, due primarily to reductions in infrastructure planning and investment and operations and maintenance;
- \$1.1 billion for local roads, up \$30 million from 2002-03, due to a slight administrative change that determines which fund should pay for collection costs;
- \$104 million in general Department of Transportation support, reduced about \$31 million from the previous biennium;
- \$112.2 million in general fund appropriations for Metropolitan Council transit,



PHOTO BY TOM OLMSCHIED

John Tschida, left, speaking for the Minnesota Consortium for Citizens with Disabilities, expresses his concern in funding level for Metro Mobility during an April 15 hearing of the House Transportation Finance Committee. Joel Ulland, right, also testified about the impact of the committee's omnibus bill.

- down nearly \$18 million from 2002-03;
- \$19.4 million for Public Safety Department administration paid for by the trunk highway fund, down \$2 million; and
- \$132.7 million for the State Patrol, an increase of \$5.5 million from the previous biennium, due to the addition of troopers authorized by the 2001 Legislature.

Nearly all the budget items match the governor's recommendations.

The \$42 million in spending reductions to Transportation Department administration would be used to finance an additional \$550 million in trunk highway bonds to accelerate road projects. The bill would allow for up to \$5 million in flexible funds to be spent on Greater Minnesota transit improvements. In addition, bond proceeds of up to \$25 million in the Twin Cities metropolitan area and \$25 million in Greater Minnesota would be available to address highway safety concerns.

In addition, the bill would authorize the state to spend up to \$550 million in additional advanced trunk highway improvements based on anticipated federal funds through June 30, 2009.

Both bonding initiatives were included in Gov. Tim Pawlenty's proposals, contained in HF4, sponsored by Rep. Andrew Westerberg (R-Blaine).

Funding for transit operations would be cut in the bill and would also be affected by the elimination of the transfer of 2 percent of motor vehicle sales taxes to a metropolitan transit account. In addition, the 20.5 percent dedication of motor vehicle sales taxes to transit following the removal of the metropolitan property tax levy for transit in 2001 would be replaced with a general fund appropriation of \$125 million per year. This provision would cost the Met Council \$3.2 million over the biennium according to February forecast revenue estimates.

Nacho Diaz, transportation planner for the Metropolitan Council, said that he did not support the change because it removes the

What's in the bill:

Selected bills included in HF627:

- HF4 (Westerberg)
- HF251 (Beard)
- HF395 (Abeler)
- HF511 (Hilstrom)
- HF902 (DeLaForest)
- HF927 (Wilkin)
- HF1007 (Erhardt)
- HF1168 (DeLaForest)
- HF1172 (Kuisle)
- HF1219 (DeLaForest)
- HF1286 (Westerberg)
- HF1297 (Westerberg)
- HF1446 (Osterman)

Not in the bill:

Selected bills not included in HF627:

- HF1255 (Erhardt)
 - HF1372 (Beard)
 - HF1385 (Lenczewski)
 - HF1395 (Hausman)
- In addition, specific projects, such as those in HF1324 (Ruth) and HF484 (Thissen), were not identified in the bill.

Continued on next page

specific dedication, which he described as "very important."

Other transit advocates criticized the bill for cutting transit when the Legislature should be increasing transit options and finding additional funding to improve the system.

Sam Grabarski, president and CEO of the Minneapolis Downtown Council, said Minnesota has the "most anti-progressive transit plan in the (United States)."

The bill also includes a plan to split costs for operating the Hiawatha light-rail line so that the state would fund 40 percent, Hennepin County 40 percent, and 20 percent by Bloomington and Minneapolis. Offered as an amendment, the provision initially failed in the committee but was reconsidered and ultimately was approved.

A number of testifiers and members suggested that agreements involving the state, via the Metropolitan Council, providing full funding to operate the line, set to open in late 2004, were signed around the time the Legislature approved funding for the line in the mid-1990s.

"This is a breach of trust by the State of Minnesota," said Rep. Paul Thissen (DFL-Mpls).

Joel Ulland and John Tschida, speaking for the Minnesota Consortium for Citizens with Disabilities, said that cuts to Metro Mobility service for disabled and elderly individuals would have a significant impact. Many communities would have no service on weekends and only sporadic service beyond regular business hours, which would significantly curtail access to work, services, and activities.

Tschida, senior director of public affairs for the Courage Center, said the change would especially affect clients and employees at the Golden Valley location. "Because they are wheelchair users, they can't just hitch a ride from a friend or bike to work," he said.

An amendment, offered by Rep. Alice Hausman (DFL-St. Paul), would have restored the \$22.5 million in transit cuts, but the amendment failed.


In addition, several contractors testified that the bill does not provide enough for road projects. They said that many contracting businesses are moving work out of state or closing down completely because they don't have the volume of work to stay busy.

They also expressed their disappointment that the bill included no additional revenue sources to increase funding for road projects and did not include funding to address local road and bridge construction.

"We're looking for a long-term funding program," said Richard Thomas, representing the Associated General Contractors of Minnesota.

"We believe it's critical that the process of moving ahead begin now this session."

Additionally, the bill would:

- allow single-occupancy vehicles to use high-occupancy vehicle lanes, particularly in the Interstate 394 corridor, upon payment of a fee;
- require that the Legislature return a proposed \$15 million transfer from the state airports fund to balance the 2003 budget if enacted, when money is available (after the 2008 fiscal year begins);
- classify state public safety radio communications operators as essential employees so they may not strike;
- exempt county road maintenance and reconstruction projects in existing right-of-way from obtaining a permit;
- require that the Transportation Department explore options to lease or operate for maintenance by private or public entities several rest areas on the state highway system slated for closure by the department;
- change wetland replacement ratios, in portions of the state that are classified as 50 percent to 80 percent, from 2:1 to 1.5:1;
- classify the portion of highway 62 that joins Interstate 35W part of the interstate highway, adjusting the municipal consent requirements;
- require the Department of Public Safety to conduct a monthly sampling of licensed drivers who own vehicles in order to determine whether they are insured;
- increase portions of surcharges for reinstating a driver's license, revoked for a drunken driving offense, allocated to brain injuries; and
- study the installation of rumble strips as a safety measure in the center of two-lane highways statewide. 

Continued from page 18

Commission, and the Indian Business Loan Program.

Rep. Tony Sertich (DFL-Chisholm) unsuccessfully offered an amendment that would have given the film and TV board \$100,000 in both 2004 and 2005, as well as \$500,000 each of the two years for continuation of a rebate program aimed at stimulating film productions in Minnesota.

Also rejected was an amendment by Rep. Karen Clark (DFL-Mpls) that would have appropriated \$6 million for the Minnesota Youthbuild Coalition, Minnesota Youth, and the Learn to Earn Program. The youth employment, intervention and jobs skills programs have all have received state funding in past years.

HF748 appropriates \$2.6 million in the

2004-05 biennium for youth intervention programs in general.

An additional amendment by Clark was also rejected. It would have appropriated \$75,000 in the 2004-05 biennium for HIV/AIDS education and awareness in the workplace. Currently, the Minnesota AIDS Project is under state contract to provide these services.

The Minnesota Historical Society would suffer cuts deeper than those recommended by the governor's budget, should the committee bill be enacted. The bill would appropriate nearly \$22 million in 2004 and a like amount in 2005, representing a \$9.5 million cut from the 2002-03 biennium. Pawlenty recommended an \$8 million cut.

The bill outlines how the appropriation could be spent. Budget cuts must first be made to the society's administrative expenses, only after which could reductions in services be implemented. Further delineated is the amount to be spent in each of the two years on education and outreach (\$12.1 million), and preservation and access (\$9.6 million).


Historical sites could not be closed, according to the bill, without consultation with community groups and individuals interested in providing financial or in-kind support to keep them open.

Issues surrounding the workforce are treated in a variety of ways in the committee budget bill.

A proposed policy calls for charging apprenticeship sponsors \$50 per apprentice each year. The revenue would help people who have lost work through a massive layoff, have exhausted unemployment benefits, or have limited opportunities to return to a similar occupation in their region. The fee would generate about \$1 million in 2004-05 and is part of the governor's proposed budget.

A proposal that came late in the committee's budget deliberation would have reduced from 16 to eight the number of workforce development centers throughout Minnesota by Jan. 15, 2004. However, a committee-approved amendment, offered by Sertich, would instead require the governor's workforce development council to consult with local workforce councils and local elected officials in studying the workforce services in Minnesota.

The study, to be reported to the Legislature by Jan. 1, 2004, would determine if efficiency and service improvements could result by changing the boundaries of workforce services areas or reducing the number of centers.

Workforce development centers help employers find qualified workers; assist job seekers find work, as well as training and career development opportunities; and provide programs that help youth plan for careers and acquire necessary skills. 

Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (www.revisor.leg.state.mn.us:8181/SEARCH/BASIS/hstat/public/www/SF).

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures statement of need and reasonableness content requirement clarification and expansion.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical, clarifying, and conforming changes provided.	3/31	
6	744	726*	State building code cumulative fees collection reporting requirement modifications.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements, compensation plan amendments and salary increase proposals ratification.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	

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

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MONDAY, April 21

House offices closed.

TUESDAY, April 22

12:00 PM

THE HOUSE MEETS IN SESSION

After session

Capital Investment

Room: Basement Hearing Room

Chair: Rep. Phil Krinkie

Agenda: HF 627 (Kuisle) Transportation funding provided, and money appropriated.

HF 1048 (Penas) Trade and economic development, housing finance agency, natural resources, and transportation funding provided, bonds issued, and money appropriated.

4:30 PM or immediately following session

Rules and Legislative Administration

*** Note: *** Change in meeting room

Room: 118 State Capitol

Chair: Rep. Erik Paulsen

Agenda: Adoption of Proposed Calendar for the Day for Wednesday, April 23, 2003

WEDNESDAY, April 23

8:00 AM

*** Note: *** Change in meeting time

Jobs and Economic Development Finance

*** Note: *** Change in meeting room

Room: 500N State Office Building

Chair: Rep. Bob Gunther

Agenda: HF1115 (Hoppe) Telephone assistance plan provisions modified.

HF1124 (Osterman) Transitional housing loans funding provided, bonds issued, and money appropriated.

HF727 (Wilkin) Health coverage proposed mandates evaluation provided.

HF254 (Abrams) Minneapolis; Guthrie Theater new construction funding provided, bonds issued, and money appropriated.

8:15 AM

Transportation Finance

Room: 200 State Office Building

Chair: Rep. William Kuisle

Agenda: HF1071 (Seifert) Paved two-lane highway speed limits of 65 miles per hour during daytime and 55 miles per hour during nighttime provided.

HF1233 (Tingelstad) Northstar commuter rail line funding provided, bonds issued, and money appropriated.

HF1129 (Kuisle) Utility relocations necessitated by design-build transportation projects regulated.

After session

Ways and Means

Room: 5 State Office Building

Chair: Rep. Jim Knoblach

Agenda: HF 752 (Harder) Omnibus agriculture and rural development finance bill.

HF 779 (Ozment) Omnibus environment finance bill.

4:00 PM

Joint Subcommittee on Claims

Room: 125 State Capitol

Chairs: Rep. Bruce Anderson, Sen. Wes Skoglund

Agenda: Claims against the Departments of Human Services, Natural Resources, and Corrections.

Overview of 2002 approved claims.

Other business.

THURSDAY, April 24

12:30 PM

Agriculture and Rural Development

Finance

Room: 5 State Office Building

Chair: Rep. Elaine Harder

Agenda: To be announced.

After session

Ways and Means

Room: 5 State Office Building

Chair: Rep. Jim Knoblach

Agenda: HF748 (Gunther) Omnibus jobs, economic development and housing appropriations bill.

HF627 (Kuisle) Omnibus transportation appropriations bill.

HF750 (Smith) Omnibus criminal justice appropriations bill.

FRIDAY, April 25

After session

Ways and Means

Room: 5 State Office Building

Chair: Rep. Jim Knoblach

Agenda: HFXXXX (Stang) Omnibus higher education appropriations bill.

HF749 (Haas) Omnibus state government appropriations bill.

BILL INTRODUCTIONS

APRIL 14 - 16, 2003

HOUSE FILES 1528 - 1556

Monday, April 14

HF1528—Ozment (R)

Taxes

Aggregate materials tax definition of borrow provided.

HF1529—Ellison (DFL)

Governmental Operations & Veterans Affairs Policy

State agencies prohibited from spending public funds to investigate persons for the purpose of discrediting them.

HF1530—Otremba (DFL)

Commerce, Jobs & Economic Development Policy
Outdoor power and sport equipment dealerships regulation provided.

HF1531—Thissen (DFL)

Taxes

Richfield redevelopment tax increment financing district authorized.

HF1532—Fuller (R)

Judiciary Policy & Finance

Attorney license fee surcharge established to be used for the public

defender system, and money appropriated.

HF1533—Westrom (R)

Taxes

Biomass electric generation facility property tax exemption construction date requirement extended.

HF1534—Mariani (DFL)

Civil Law

Corporate liability imposed for damages caused to the public interest, and civil and criminal penalties prescribed.

HF1535—Knoblach (R)

Ways & Means

Appropriations, transfers, and reductions provided for transportation, early childhood and family education, K-12 education, health and human services, and other miscellaneous funding; bonds issued; and money appropriated.

HF1536—Erhardt (R)

Transportation Policy

General obligation bonds authorized for use in construction of trunk highways by proposed constitutional amendment.

HF1537—Murphy (DFL)
Governmental Operations & Veterans Affairs Policy
Executive director salary limitations modified for the State Board of Investment, the Public Employees Retirement Association, the state retirement system, and the teachers retirement association.

HF1538—Mullery (DFL)
Higher Education Finance
Iraq war veterans' tuition benefits provided, and money appropriated.

HF1539—Sieben (DFL)
Taxes
Active members of the military considered nonresidents for income tax purposes.

HF1540—Mullery (DFL)
Taxes
Active National Guard members considered nonresidents for income tax purposes.

HF1541—Otremba (DFL)
Local Government & Metropolitan Affairs
County powers clarified, general repeal of mandates provided, and county liability limited.

Wednesday, April 16

HF1542—Brod (R)
Regulated Industries
Renewable energy production definition clarified relating to qualified on-farm biogas recovery facility ownership.

HF1543—Nelson, P. (R)
Local Government & Metropolitan Affairs
Chisago County conveyance of Green Acres Country Care Center authorized for mutual consideration.

HF1544—Gunther (R)
Jobs & Economic Development Finance
Youth crime prevention program grant authorized, and money appropriated.

HF1545—Otto (DFL)
Health & Human Services Policy
Stillbirth record registration required.

HF1546—Erhardt (R)
Transportation Finance
Metropolitan transportation fund created, motor fuel tax rates increased, automobile taxes modified, county state-aid highway funding modified, bonds authorized, and money appropriated.

HF1547—Pugh (DFL)
Civil Law
Civil action fault regulation modified, and bad faith insurance practices defined.

HF1548—Brod (R)
Taxes
Property tax refund eligibility restricted for claimants receiving certain payments.

HF1549—Lanning (R)
Taxes
City aid reductions in 2003 and 2004 provided.

HF1550—Carlson (DFL)
Transportation Finance
Local road improvement program state bonds authorized, city utility relocation expenditures reimbursement provided, and money appropriated.

HF1551—Demmer (R)
Environment & Natural Resources Policy
Spring turkey hunting license selection process modified.

HF1552—Nornes (R)
Transportation Policy
Town line road dispute settlement provided.

HF1553—Dill (DFL)
Taxes
Lake County Housing and Redevelopment authority extension authorized.

HF1554—Kuisle (R)
Transportation Finance
Radio communications system infrastructure funding provided, bonds issued, and money appropriated.

HF1555—Sieben (DFL)
Taxes
Newport lodging tax authorized.

HF1556—Abrams (R)
Taxes
Mining and refining of nonferrous ores, metals, and minerals taxation provided, and proceeds distributed.

Reflections

Politicians who campaigned between 1915 and 1925 often attached themselves to a traveling "Tent Chautauqua" to get their message out to the public. The Chautauqua was a popular cultural phenomenon in the Midwest whereby a group of lecturers and entertainers were hired by a traveling performing company to appear on stage in small towns for about seven days, before moving on to another town.

As polished public speakers, campaigners followed the lead of great speakers of the day like William Jennings Bryan, the most listened to orator/politician of the era. People would sit under a tent for hours in sweltering heat just to hear a man so full of energy that he once gave 50 lectures in 28 days.

Chautauquas served as a platform for progressive movements and activities by its lecturers on issues that included instituting an income tax, the prohibition of liquor, and the women's suffrage movement. The tent meetings were indirectly influential in the progress of a woman's right to vote, and for overall equality for women. Women speaking in front of a large audience were not commonplace, so when one was on the program, every seat in the tent was occupied.

Those who chose to speak strongly on the need for more women to be involved in community activities, or child and social welfare programs, were the most in demand.

One was Anna Dickie Olesen, who began public speaking lessons at age 12 in Waterville, where she spent her childhood.

She later moved to Cloquet, where her husband, Peter, was the school superintendent, and became a member of the Federation of Women's Clubs and

got involved in the suffrage movement. She soon found that her oratorical talent was needed as a female in the burgeoning Democratic Party.

Olesen's popular appearances on the Chautauqua circuit earned her a speaking engagement at the state Democratic Party convention in 1916. Reports say that her talk on suffrage was the most impressive speech made.

In 1920 Olesen spoke to a national Democratic Party audience that gave her more recognition. As a delegate to the national Democratic convention in 1922, she was nominated to be a U.S. Senate candidate, becoming the first woman in the country to run for a national office. Although she placed third in a nasty campaign, she still received twice as many votes as her party's gubernatorial candidate, who also lost. She later worked in President Franklin Roosevelt's administration as state director for the National Emergency Council.

As Olesen led the way for women to hold office in the state, voters in 1922 elected four women to the Legislature: Myrtle A. Cain, Mabeth Hurd Paige, Hannah J. Kempfer, and Sue Dickey Hough.

The Chautauqua circuit tour began to die out in 1925, giving way to radio, movie theaters, and travel. But its indelible print on small town America and the state was permanent. It helped to introduce lecturers like Bryan, Robert LaFollette, Olesen, and the first women legislators who spoke words "...to freshen ambitions, to aspire a little higher, to become better neighbors and friends, to clean up the town a little bit, to kiss the children, ... and perhaps, pray a little more."

— LeCLAIR GRIER LAMBERT

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MINNESOTA

I N D E X

State Forests

Approximate percentage of Minnesota that is forest	33
In millions of acres	16.7
Number of state forests	57
Approximate acreage of those, in millions	3.2
State land outside of state forests in millions of acres	1.3
Percentage of state forestland managed by county, state, and federal agencies	60
Owned by private landowners	40
Millions more large trees (more than 19 inches in diameter) Minnesota has now than it did 40 years ago	20
Approximate number of Minnesota workers who derive all or part of their earnings from the forest products industry	55,155
Percentage of those jobs in the seven-county Twin Cities metropolitan area	50
Forest industry's approximate total impact on Minnesota's economy in 2001, in billions	\$6.96
Millions of cords of wood grown each year in Minnesota	7.4
Millions harvested	3.7
Length, height, and width of a cord, in feet	8,4,4
Number of toothpicks that can be produced from a cord of wood	7,500,000
Personal checks	460,000
Number of trees that die naturally for every one tree harvested	28
Millions of acres of commercial forestland in Minnesota	14.8
Percentage that is state, federally, county, or municipally owned	55
Privately owned	40
Industry owned	5
Annual wildfires fought in Minnesota	1,600
Estimated acres burned annually	65,000 to 75,000
Outdoor forest classrooms	80
In acres	6,000
Miles of forest road in Minnesota	2,000
Miles of state forest trails	1,200
Minnesota native tree species	52
State forest campgrounds	46
Acres in Minnesota where white pine trees are present	1,000,000
Increase in acreage since 1977	17,000
Respective percent reduction since 1990 in the amount of white pine sold for harvest by the Department of Natural Resources and the Superior National Forest	504,855
Red pine seedlings that Minnesota Forest Industries plans to give away on Arbor Day, April 25	50,000

Sources: Minnesota Department of Natural Resources; *Minnesota's Forest Resources*,
DNR Division of Forestry, August 2002; Minnesota Forest Industries

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APRIL 25, 2003

VOLUME 20, NUMBER 16

In this issue:

CONCEALED CARRY PASSES

PERMIT REGULATIONS, RAIL AUTHORITIES, AND MORE

HF1557-HF1579

Session Weekly

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On the cover: A group of fifth graders from Orono Elementary School are reflected in a Civil War flag case as they walk through the Capitol Rotunda during an April 17 historic tour.

— Photo by Kristine Larsen

Strange roadbed-fellows

House committees at odds over environmental permit process for road projects

By NICOLE WOOD

Wetlands are recognized under state law for conserving surface waters and underground moisture, maintaining and improving water quality, preserving wildlife habitat, providing recreational opportunities, reducing runoff and stream sedimentation, providing for floodwater retention, helping moderate climatic change, and enhancing the natural beauty of the landscape.

The state's Wetland Conservation Act, as the collection of laws protecting the resource is known, emphasizes a "no net loss" approach in preserving the quantity, quality, or biological diversity of wetlands.

Transportation authorities — most often counties — are required to replace wetlands values and restore native plantings under an extensive road project permit process. Generally, the local government unit responsible for administering permits under the Wetland Conservation Act is the city or county, but it also could be a watershed district or soil and water conservation district.

Although the Legislature has attempted to streamline the permit process over the years, the paperwork can be difficult because a variety of local, state, and federal government units have jurisdiction over wetland areas.

The House transportation finance and policy committees heard testimony earlier this session from groups seeking administrative relief from certain requirements under the permit process.

In response to frustration over costs, delays, and duplicative governmental permit requirements, a revised wetland replacement ratio and other wetlands law modifications are advancing in the omnibus transportation finance plan (HF627), sponsored by Rep. William Kuisle (R-Rochester).

Meanwhile, government units who operate under the wetlands law and affected stakeholders — including the Board of Water and Soil

Resources, Minnesota Association of Watershed Districts, Association of Minnesota Counties, Pollution Control Agency, and Department of Transportation — have negotiated a compromise plan that emphasizes early coordination between all involved parties.

Rep. Dennis Ozment (R-Rosemount) has added the so-called "alternative consensus language" to the omnibus environment and natural resources finance bill (HF779).

Ozment said that while he recognizes the transportation committee is "of a different mind," he believes many of the frustrations are caused by the permit process itself rather than the extra

for additional traffic capacity projects.

The House Environment and Natural Resources Finance Committee held a hearing April 23 to review the provisions relating to wetlands restoration contained in the omnibus transportation funding package.

Specifically, the transportation bill would:

- limit native species planting permit requirements;
- exempt counties from securing any permits for work within rights-of-way on existing roads;
- expand the approved restoration zone for wetlands replacements for certain projects; and
- reduce wetlands replacement ratios from 2:1 to 1.5:1 for public transportation projects in those counties classified as having at least 50 percent but less than 80 percent of the wetland acreage, as it existed before the state's settlement, intact. Affected counties would include Anoka, Becker, Benton,

Chisago, Morrison, Otter Tail, Sherburne, and Todd.

Currently, wetlands affected by transportation projects in the seven-county Twin Cities metropolitan area must be replaced in those same counties. The transportation bill would instead allow for the replacements within a major watershed that drains into the defined metropolitan area.

While most acknowledged the need for more flexibility in the process, critics of the Kuisle transportation plan testified that it could roll back the state's goal of no net loss of wetlands, reduce local control, and perhaps put federal funds at risk.

"In doing this, we can save a lot of money in the way we do roads," Kuisle countered. "It's not an attempt to undo the wetland bill."

Representatives from Anoka County offered examples of seemingly prohibitive mitigation costs. The county recently spent more than \$2 million in environmental costs for a 3-mile project, according to County Commissioner Dennis Berg.

But others argued the length of road is not directly proportional to the environmental mitigation needs. "What may be a minor road project may be a major water management project," said Tim Kelly, Coon Creek Watershed



PHOTO BY ANDREW VON BANK

Anoka County Highway Engineer Doug Fischer, *left*, and Anoka County Commissioner Dennis Berg, *right*, testify before the House Environment and Natural Resources Finance Committee April 23 during a discussion of environment provisions in the House Transportation Finance Committee's omnibus bill.

costs related to environmental mitigation.

The provisions included in the environment finance bill would:

- provide public transportation authorities with at least a 45-day notice before watershed districts revise or establish rules;
- reinstate a process for public transportation authorities to appeal decisions by watershed districts to the Board of Water and Soil Resources; and
- allow for transportation authorities to purchase credits from the state wetland bank

District administrator.

The Anoka County testimony also highlighted practical challenges to implementing native grass planting requirements.

Incorporating high quality native grasses requires occasional burnings, County Highway Engineer Doug Fischer said, but burning ditches and medians in the high traffic metropolitan area is "quite problematic."

However, Bonnie Harper-Lore, restoration ecologist with the Federal Highway Transportation Administration, advised the committee of the federal interest in native plants and warned funding could be withdrawn if invasive plants are used.

The average cost per acre for a native grass roadside mix averages \$200, according to a Minnesota Department of Transportation (MnDOT) seeding cost comparison presented to the committee.

"The issue has been cost...but we believe the mixture MnDOT has put together is available at a reasonable cost to transportation authorities," said Board of Water and Soil Resources Director Ron Harnack.

Fischer also said delays could be avoided by exemptions from permit requirements. Professional standards would ensure voluntary compliance with environmental regulations, he said.

"We feel very strongly that local knowledge and local control is not only appropriate, but it is essential in ensuring that projects are permitted in such a way as to reduce environmental harm without undue burden," wrote Julie Klocker, Sauk River Watershed District administrator, in a report submitted to the committee.

"Nobody in a watershed wants to delay or add costs to a road project," Klocker said.

"It's not an attempt to go after the soil and water conservation districts," Kuisle said. "But we need some rhyme and reason in road projects."

There are very few issues where environmentalists and the "hook and bullet crowd" see eye to eye, and they typically involve habitat and wetlands, said Gary Botzek, executive director of the Fish and Wildlife Legislative Alliance, also speaking on behalf of the Minnesota Environmental Partnership and the Coalition of Minnesota Conservation Organizations. "Let's not throw the baby out with the ditch water," Botzek said.

While both spending packages fall in line for the most part with Gov. Tim Pawlenty's budget recommendations, the governor has said to the media and through his commissioners that he does not support a "retrenchment" in the state's wetland laws.

The environment package was approved by the House Ways and Means Committee April 23 and referred to the House Rules and Legislative Administration Committee. The transportation bill awaits a hearing in the House Ways and Means Committee. 🐾



Preserving resources

1970 committee balanced water conservation with property rights of farmers

Since early in the state's history, Minnesota's leaders have been aware of the abundance of wetlands in the state. However, a clear direction for managing those wetlands was lacking in the early days. More than 100 years after statehood, lawmakers were still grappling with the proper balance between maintaining wetlands and maximizing land use, particularly for agriculture.

Back when the Legislature was only meeting every other year, the House Conservation Committee appointed a Subcommittee on Preservation of Wetlands to meet during the interim period in 1970. The subcommittee exam-

ined state policies relating to wetland reclamation and management, particularly as it related to wildlife management areas.

Testifiers and members of the subcommittee addressed the value of wetlands to control flooding and as a method for managing wildlife. They also considered the practices existing at the time of draining land that could be used for agriculture.

The subcommittee made a number of recommendations, including:

- accelerating wetland acquisition;
- changing laws regarding land drainage;
- encouraging state departments governing wetlands and wildlife and local governments to better communicate regarding selection and management of wetlands;
- encouraging a wetland banking program;
- making payments to local governments to compensate for taxes that were no longer collected on acquired wetlands; and
- urging greater understanding and cooperation in wildlife area management between hunters and farmers.

Early water management in the state focused on manipulating water to make land more suitable for farming, according to an analysis of wetland law. Practices in the 1930s slowed drainage of waters, and in 1937, a law specifically declared all streams and lakes wholly within the state to be public waters.

Later laws further clarified public waters and which waters could be drained. In 1951, a federal program appropriated funds to acquire wetlands for wildlife management.

By early 1970, the state had acquired 180,000 acres of wetlands at the total cost of

\$6 million. Federal purchases included another 70,000 acres. According to the subcommittee report, 600,000 acres of wetlands in the state were located on private land.

Several witnesses testified that the state should continue acquiring wetlands for wildlife management. However, they also acknowledged that local governments' concern regarding the loss of tax revenue from

acquired land was a significant concern.

"Chairman (Frank) DeGroat (representative from Lake Park) concluded that part of the problem involves a balance between acquiring land bordering wetlands to control preda-

tors and not removing so much land unnecessarily from the tax rolls as to damage the financial position of the local unit of government," the report said.

Several farmers also complained about existing practices, saying they went beyond preserving existing wetland and they obstructed use of high quality land for farmland. They also said they perceived hunters as nuisances because they didn't obey existing hunting laws.

However, farmers did support a water bank plan administered by the U.S. Department of Agriculture.

Since the report, a number of significant laws related to wetlands have been passed, most notably the Wetland Conservation Act of 1991, which established a "no net loss" policy with regard to wetland management. Simply put, the no net loss policy requires that replacing wetlands cannot result in a net loss of wetland. That has dictated either 2:1 or 1:1 replacement ratios in the state.

Also, several actions since 1970 have incorporated many of the suggested changes of the committee. Between 1979 and 1984, the state conducted an inventory of public waters and specifically identified all public waters on maps for each county.

In addition, practices under the Wetland Conservation Act and subsequent amendments allow for wetland banking and attempt to encourage cooperation between units of government particularly as they need to replace wetlands.

(M. KIBIGER)



Digging a ditch on Joseph Dostal farm in Beltrami County in 1915.

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Ensuring ethanol funding

An amendment to the omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee removes a reference to a potential \$35 million designated to develop ethanol production in the state.

The amendment to HF752, offered by Rep. Jim Knoblach (R-St. Cloud), would not affect the bill's proposal for \$44.4 million in ethanol producer payment funding for 2004-05. The bill's proposal to allow ethanol producers to collect "catch-up payments" either before or after June 30, 2010 was also not changed by the amendment.

The amendment would restore existing language so that sufficient money is appropriated from the state general fund to support ethanol.

In February, Gov. Tim Pawlenty cut \$20.1 million in ethanol producer payments to help address the state's fiscal year 2003 budget deficit.

The omnibus bill proposes \$10.2 million more in ethanol producer payments for the next two years than the governor proposed. The bill would base the quarterly ethanol payments at 13 cents per gallon, 3 cents per gallon more than the governor's proposal.

For the current biennium, ending June 30, 2003, payments were based on a 20 cents per gallon rate.

The committee referred the omnibus agriculture finance bill, sponsored by Rep. Elaine Harder (R-Jackson), to the House Rules and Legislative Administration Committee where it may be combined with other omnibus finance bills before it reaches the House floor.

Fighting disease

Funding to expand a state program that monitors chronic wasting disease in deer and elk was approved April 23 by the House Ways and Means Committee.

The language came in the form of an amendment to the omnibus agriculture and rural development finance bill (HF752).

Sponsored by Rep. Jim Knoblach (R-St. Cloud), the amendment provides that owners of captive cervidae (primarily deer and elk) pay an annual inspection fee of \$10 per animal, not to exceed \$100 per herd. The size of the herd would be determined by an inventory animal owners would be required to file annually with the state Board of Animal Health. The amendment would also establish a cervidae inspection account for the board to

administer and enforce the program.

The state has been monitoring chronic wasting disease on a voluntary basis with captive deer and elk herd owners since the disease first appeared in free roaming white-tailed deer in Wisconsin during the winter of 2001-02. The first two cases of chronic wasting disease in Minnesota were discovered last summer in two captive elk.

The bill would expand the state's chronic wasting disease surveillance program to cover an estimated 12,000 captive deer and elk in the state. Herd owners would be required to register with the state, meet new requirements for fencing their herds, and submit brain samples of deceased animals for testing.

Chronic wasting is a fatal progressive brain disease in cervidae family animals caused by an abnormal protein. The disease is not known to affect humans.

In March, representatives of the Minnesota Elk Breeders Association objected to a funding plan proposed by the Pawlenty administration that would have charged deer and elk herd owners \$200 annually, plus \$4 for each animal.

The bill was referred to the House Rules and Legislative Administration Committee where it may be combined with another omnibus finance bill before it reaches the House floor.

Funding county fairs

About \$360,000 in state grant money for county fairs held in 2002, cut by Gov. Tim Pawlenty in February, would be restored under an amendment to an omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee.

Sponsored by Rep. Jim Knoblach (R-St. Cloud), the amendment to HF752 would require the state to pay county and district agricultural societies by July 15, 2003, "the amount of aid owed by the state for an annual fair held in the previous calendar year." It would also require that future state payments to the agricultural societies for county fair reimbursements be made by July 15 in the year after an annual fair was held. Current law has no set date for payment.

Pawlenty cut \$357,000 in county fair grants as part of a series of unallotments to balance the fiscal year 2003 budget.

Representatives of county agricultural societies have urged legislators to restore the grant payments that are used as reimbursements for cash premiums the fair-sponsoring groups paid to winners of youth group contests and other award-winning fair exhibitors.

The governor proposes to eliminate \$718,000 in county fair grants for the 2004-05 biennium, but the House Agriculture and

SUNSHINE CAPITOL



PHOTO BY TOM OLMSCHIED

Thirteen visiting high school students from Ingolstadt, Germany, take some time to soak up a little warmth from the sun before heading into the Capitol for a tour April 23. The temperature topped out at 70 degrees that day.

Rural Development Finance Committee restored the money in its omnibus bill.

The Legislature first granted the county fair support money to agricultural societies in 1868.

★ ARTS

Guthrie funding

Construction of a new Guthrie Theater near the Mississippi River in Minneapolis would begin with \$35 million in proceeds from state bond sales, under a bill discussed April 23.

HF254, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Jobs and Economic Development Finance Committee. It will be considered for inclusion in a possible House bonding bill.

Funding for a new Guthrie Theater has twice been approved by the Legislature and twice vetoed by former Gov. Jesse Ventura.

"This is like déjà vu all over again," said Rep. Greg Davids (R-Preston), noting his support of the bill.

Other representatives were also quick to offer their endorsement. "I believe it plays a state-wide vital role in what makes Minnesota work," said Rep. John Dorn (DFL-Mankato), of the Guthrie Theater.

Abrams said the Guthrie is an incomparable institution that plays a role in education, not only with the University of Minnesota, but also with every high school in the state. It tours to small cities throughout the Upper Midwest through a program called "The Stuff of Dreams."

The Guthrie was established in 1963 and has outgrown its current facility, located adjacent to the Walker Art Center, said Guthrie Artistic Director Joe Dowling. The original facility, he added, was not designed for additions or growth.

Construction documents and designs are in place for the new theater, allowing construction to ensue the moment state funding is available, Dowling said. The project would employ 1,800 full-time construction workers, create a one-time increase in construction activity of \$336 million, and create an \$82 million annual economic impact commencing with its anticipated 2006 opening.

Private funds of \$64 million have been pledged, allowing the Guthrie to provide \$90 million of the \$125 million cost, Dowling said. But many of the private fund pledges are contingent on the project moving forward, which is contingent on state funding.

"We can't do this alone," he said.

The new 250,000-square foot theater would be located in the historic Mills District in



Joe Dowling, artistic director of the Guthrie Theater, testifies before the House Jobs and Economic Development Finance Committee April 23 in support of state funding of the theater's new home to be located along the Mississippi River in Minneapolis.

downtown Minneapolis. It is slated to include three theaters, offices, production and rehearsal support spaces, classrooms, and a restaurant. Underground parking would accommodate 400 vehicles, with additional ramp parking available off-site.

The theater was designed by world-renowned French architect Jean Nouvel, and represents his first North American project. Exterior walls will be accented by humongous silkscreen images from past Guthrie productions.

A companion bill (SF115), sponsored by Sen. Larry Pogemiller (DFL-Mpls), was included in the Senate's bonding bill (SF2).

★ CONSUMERS

Proper burial

Cemeteries that have interred bodies in the wrong burial spaces would be required to correct their mistakes, under a bill approved 129-0 by the House April 22.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF1234 would require cemetery operators who have been informed or have become aware of a wrongful burial to exhume the burial container and place it in the proper location. Expenses would be the responsibility of the cemetery.

Kathy Pantier of Owatonna told the House Commerce, Jobs, and Economic Development Committee April 2 that a cemetery inadvertently buried a body in the plot adjacent to the location in which her granddaughter had been buried earlier. Pantier's family had purchased vacant plots surrounding the granddaughter's plot for future interment of family members.

When the mistake was realized, Pantier said, the family of the recently buried was asked to allow the disinterment of that burial container. The family refused, she said, and a lawsuit was subsequently filed.

"I know that it's not going to help our case at all but I'm hoping it would help people in the future," Pantier said.

Under the bill, both families in any given case could avoid unearthing a wrongfully buried body by agreeing to leave the situation as is.

Ruth said several states have laws regulating burial errors.

A Senate companion bill (SF1252), sponsored by Sen. Dick Day (R-Owatonna), awaits action by the full Senate.

Phone plan eligibility

A state program that provides a monthly telephone service credit to eligible households would change its participation rules under a bill approved April 23 by the House Jobs and Economic Development Finance Committee.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF1115 would require residents participating in the state's Telephone Assistance Plan program to meet federal Lifeline telephone service discount eligibility requirements to receive a greater monthly credit on their phone bill.

The bill, referred to the House Ways and Means Committee, was also approved by the House Regulated Industries Committee on April 2.

Of the approximately 35,000 people in the state program, 25,000 are already participating in the federal program, said Bonnie Becker, director of adult support programs for the state Human Services Department. Telephone companies providing local service advise phone customers of the program annually.

The bill would drop the state requirements for the program, which are income-based and limited to households with a disabled or elderly (at least 65 years old) member.

To continue in the program, a state resident

would have to meet income-based federal program requirements, including participation in Medicaid, food stamps, supplemental security income, federal public housing assistance, or low-income home energy assistance.

Regulated by the Department of Commerce, the Telephone Assistance Plan is funded by a monthly charge of 5 cents on each wire line (not wireless) in the state. The Public Utilities Commission has the authority to charge up to 10 cents per line monthly.

According to the Human Services Department Web site, residents who now participate in both the state and the federal Lifeline program can receive up to a \$9.50 phone bill credit per month. State program only participants are capped at about \$7 a month.

Becker said shifting the eligibility requirements to the federal guidelines could lead to more people being served in the program at a higher monthly credit. The federal Lifeline credit is not limited to elderly participants as the state program is.

Rep. Karen Clark (DFL-Mpls), a co-sponsor of the legislation that created the state program in the mid-1980s, said she was concerned that not all state participants in the program would meet the federal guidelines and could lose the monthly credit.

The bill would also relieve the Human Services Department of conducting an annual review of eligible participants. Becker said last year 80 people out of 35,000 were found to be ineligible for the program. Dropping the annual review would save the department \$314,000 in administrative costs, she said.

A companion bill (SF1260), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

★ CRIME

Brunch and dinner on weekends

Rep. Marty Seifert (R-Marshall) said Minnesota's prison inmates would be able to sleep in on weekends if a bill passed by the House April 22 becomes law. That's because HF1036 would take breakfast off the table on Saturdays and Sundays in favor of a midday brunch, saving the state about \$170,000 per year, according to Department of Finance estimates.

The bill to restrict inmates to two meals on weekends and holidays is evidence that in a time of budget cuts to programs for children, the poor, and the disabled, nearly everything is fair game, said Seifert, the bill sponsor. "If we are going to look at reductions to those programs, we also need to take a look at the child molesters, the rapists, the murderers, and

put some of their items on the table as well for reduction." It passed 108-22.

Originally, the bill would have also denied desserts to prisoners, but Department of Corrections officials said that provision would actually cost the state money. "We found out that that would cost more money to take desserts away because of calorie needs," Seifert said.

The bill's language would allow enough flexibility for corrections officials to determine which inmates still need three meals on weekends. Seifert said juveniles, women, diabetics, and the elderly would be among the prisoners he expects would be exempted from the proposal. Inmates confined to workhouses and work camps would also likely receive three meals each day because of caloric needs.

Opponents called the bill inhumane and politically motivated.

"Those people are in jail where they belong — as far as I'm concerned they can stay there for the rest of their lives," said Rep. Carlos Mariani (DFL-St. Paul). "But I'm not going to be accused of supporting and coddling them just because I think it's wrong for state governments to withhold food from people, any people."

The bill now goes to the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

The cost savings is already accounted for in the House judiciary omnibus bill currently before the House Ways and Means Committee.

Clear communication

A bill that passed the House 113-15 April 22 would make it a crime to knowingly interfere with emergency communications between public safety officers.

Responding to cases where people have "hacked" into police and fire department emergency radio frequencies and disrupted communications, HF784 would make the activity a felony punishable by up to five years in prison and up to a \$10,000 fine.

Under current law, someone interfering with emergency communications would be charged with obstructing the legal process, a misdemeanor offense. Only when the interference creates a risk of death, bodily harm, or serious property damage, is it considered a felony.

Rep. Duke Powell (R-Burnsville), the bill's sponsor, said those risks are hard to prove in court, but that any disruption in the ability of law enforcement or emergency workers to communicate could have serious consequences.

The bill specifies someone must be deliberately disrupting emergency communications

among police, firefighters, or emergency medical workers to be prosecuted for the crime. It protects both radio signals and official cell phone communications from disruption.

In 2001, police arrested a man they called the "Burnsville Hacker," who used amateur radio equipment to broadcast his own voice over police and ambulance frequencies, interrupting conversations between officers, Powell said.

The bill now goes to the Senate, where Sen. Leo Foley (DFL-Coon Rapids) is the sponsor.

★ EDUCATION

Shrinking school board

The Duluth School Board would be reduced to seven members under a bill passed 114-12 by the House April 22.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF494 would allow the school board to reduce the number of its members elected on an at-large — or district-wide — basis from five to three. That would reduce the school board from nine members to seven.

The bill, which only affects the Duluth School District, would be effective for the November 2003 election. The number of school board members elected by smaller geographic areas within the overall school district would remain at four.

Huntley said the Duluth board is organized under a 1969 state law that allowed nine members. At that time, the district had 25,000 students, compared with 11,000 now, he said.

The bill would allow the Duluth School Board to adopt the change by resolution. The change would not be subject to a vote by school district residents.

The bill now moves to the Senate where it is sponsored by Sen. Yvonne Prettnner Solon (DFL-Duluth).

★ ELECTIONS

Boundary, affidavit issues

Minneapolis City Council members elected last fall outside their current boundary lines would have to run for office again under a bill that passed the full House 81-47 April 22.

Rep. Phyllis Kahn (DFL-Mpls), the sponsor of HF129, said the bill would prevent the state from entering into a "slam dunk voters rights case."

Because Minneapolis held its city council elections in 2001 before redistricting lines were drawn, some councilors were elected to serve areas not actually within their redrawn district. In addition, Kahn said, a case could be made

that minorities are underrepresented, a violation of equal protection for voters under state and federal constitutions.

HF129 requires council members serving four-year, unstaggered terms in wards whose redrawn population changes by 5 percent or more to be elected to new terms at the first general election following redistricting.

Although Kahn's bill "has some merit," said Rep. Keith Ellison (DFL-Mpls), the change would require the only two minorities serving on the council to run against one another. He also added there have been "no cries of color" behind HF129. Ellison emphasized the decision should be made at the local level, not by the state.

Under the bill if no election were scheduled to occur in a year ending in 2, 3, or 4 — such as 2002, 2003, or 2004 — the city must adopt one of two options: the city may provide for council members to serve the remainder of their term, if the council members serve at large from the completion of redistricting to the time when their successors are elected or qualified, or the city may provide for an election of council members ending in the year 2, 3, or 4.

If the city chooses the second option, the council member's election must be a two-year term followed by two four-year terms, or the reverse ending in a two-year term. Under a second option, a member whose term otherwise would expire a year after elected, would serve at-large or from the district to which they were elected from the completion of redistricting to the time when their successors are elected.

The bill would also change the affidavit form that candidates must fill out so that the person must also include their address. Among things current law mandates that candidates must state is that they are an eligible voter, they have no other affidavit on file as a candidate for any office at the same election, and that the name written on the affidavit is the candidate's true name or the name by which the person is generally known in the community.

The bill now goes to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

★ ENVIRONMENT

Solid waste plans

Solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District will be granted some administrative relief under a new law signed by Gov. Tim Pawlenty

April 17.

When integrated solid waste planning

ON THE JOB TRAINING



PHOTO BY TOM OLMSCHIED

Jennifer Larson, 6, sits in the arms of her father, Rep. Dan Larson, on the House floor as part of "Take Your Child to Work Day" April 24.

began in the mid-1980s, it was an evolving industry, and administrators were required to renew their plans with the state every five years, according to House sponsor, Rep. Denny McNamara (R-Hastings).

The systems are relatively stable now and changing filing requirements to every 10 years will allow solid waste staff to spend more time implementing programs than updating plans, proponents of the legislation have said.

Effective Aug. 1, 2003, the new law also modifies Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

The Senate companion bill was sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids).

HF1054/SF1001*/CH13

Bridge compensation

A bill that aims to provide drainage authorities with some alternatives to expensive bridge repairs passed the House April 22. The vote was 130-0.

The bill (HF1257) would allow drainage

authorities to compensate landowners for permanent removal of a private bridge if it would be less expensive than repairing the bridge and landowners agree to the situation and waive any rights to future reconstruction.

Most county boards in the state also serve as local drainage authorities, with the responsibility to maintain and replace ditches and bridges.

Rep. Howard Swenson (R-Nicollet), the bill's sponsor, said the legislation was prompted after estimates to replace a particular Nicollet County bridge over a drainage ditch on private land came in at \$72,000-\$100,000, while landowner compensation and removal would cost approximately \$35,000. However, the state attorney general told the drainage authority that current law does not allow for the compensation option, Swenson said.

A Senate companion (SF1195), sponsored by Senate Majority Leader John Hottinger (DFL-St. Peter), awaits a vote on the Senate floor.

Arsenic amounts

Fertilizers containing certain levels of arsenic would be banned for sale in Minnesota under a bill approved 124-6 by the House April 22.

HF258, sponsored by Rep. Dan Dorman (R-Albert Lea), would amend state law that governs the agriculture commissioner's rulemaking authority regarding fertilizers.

The bill would prohibit the commissioner from licensing or registering for sale or use "any fertilizer containing more than 500 parts per million by weight of arsenic." The commissioner registers each type of fertilizer that can be sold or used in the state.

Arsenic is a very poisonous chemical element, compounds of which are used in insecticides.

Dorman said the bill is modeled after similar legislation introduced in Maine that is "targeted at a group of fertilizers" containing tailings, which are the waste products from the mining process, from an abandoned silver mine in Arizona.

Last summer, public health and environmental advocates from around the United States called on large retailers Home Depot, Lowe's, and Target to stop selling a fertilizer made from mining waste that's heavily contaminated with arsenic. An exemption in federal law, those advocates say, has made it difficult for states to regulate the sale of the fertilizer called Ironite.

A companion bill (SF680), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the full Senate.

Signed
by
the
governor
★ ★ ★

★ ETHICS

No probable cause for complaint

While not agreeing with the comments of Rep. Arlon Lindner (R-Corcoran), the House Ethics Committee failed to find probable cause for a violation against him April 24.

The 2-2 party-line vote means the committee's inquiry is now over.

If probable cause would have been found, Lindner could have faced a penalty ranging from censure to expulsion.

On the House floor March 10, Lindner reiterated his belief that homosexuals may not have been persecuted during the Nazi Holocaust. He is also the sponsor of a bill (HF341) that would remove sexual orientation as a protected class under the state Human Rights Act and in other statutory provisions. On the floor he said that he did not want to "wait until America becomes another African continent" in regards to HIV/AIDS.

A complaint filed by eight DFLers offered two counts against Lindner: that his conduct "violates accepted norms of House behavior" and that his comments "bring the House into dishonor or disrepute."

"I believe his interpretation of history is wrong and bizarre," said Rep. Greg Davids (R-Preston), a member of the committee. "While I don't agree with what he said, I believe he has the right to say it even if we find it offensive. If we do censure, one of my concerns is where does it stop?" He also said that those in Lindner's district should have the final say when they go to the polls next year, assuming Lindner seeks re-election.

Rep. Tom Pugh (DFL-St. Paul) said that Lindner's comments did cause harm both locally and nationally. "I don't think we have to sit back and be silent when his comments angered most Minnesotans," he said.

After the meeting, Bill English with the Coalition of Black Churches and African-American Leadership Summit shouted at Lindner in the hearing room, calling him a "redneck," and urging Lindner "to get some education." Linder calmly said English was being "intolerant."

Lindner, who did not make any comments during the hearing, said afterward that he holds true to what he said and that he does not regret what he said "in the least," adding, "No apologies."

"I've reviewed the tape several times myself and to this day I don't see where there was probable cause for this charge," Lindner added. "I don't think we should have to evaluate in our own minds before we get up and make a point on the floor that 'If I say this, ethics charges are going to come' or protest and dissent is going to come. We don't treat our



PHOTO BY ANDREW VON BANK

Members of the House Ethics Committee deliberate April 24 before failing to find probable cause for a violation in the case of the complaint against Rep. Arlon Lindner.

Democratic colleagues like that and I don't think they should be treating us that way."

Rep. Keith Ellison (DFL-Mpls), one of the lead complainants in the case, said he does not feel the complaint was unnecessary.

"We stood up for the community," he said. "The people who were persecuted in the Holocaust and their ancestors and the people of African ancestry know that at least the Democratic leadership is willing to speak up for them. They may be insulted, but they're not going to be insulted by us not saying something about it."

★ GOVERNMENT

Idea removal

The House Taxes Committee removed several tax provisions of the state government finance omnibus bill April 23.

One would have charged professional tax preparers \$5 per claim for every paper return they file, in excess of 100 returns, as opposed to filing electronically. Department of Revenue personnel testified before the House State Government Finance Committee that the fee would cover their costs per paper return.

Since 2000, professional tax preparers have been required to file returns electronically if they filed more than a certain number of returns the previous year. In 2000, the threshold was 500. It decreased in 2001 to 250, and in 2002 to 100.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, stated at a March 19 committee meeting that he did not like the provision.

The second removed provision relates to the state elections campaign fund.

Currently, an individual may designate on state income tax forms that \$5 go to help candidates for state office pay for campaign expenses. The individual decides if the \$5 is for a political party or for the state general campaign fund, which is distributed from the state general fund among candidates of all major political parties. The check-off does not reduce the taxpayer's refund or amount owed.

Gov. Tim Pawlenty proposed that the program change to a taxpayer-designated amount. Individuals would have been allowed to contribute up to \$25 and married couples up to \$50, under his proposal. The amount would also have been reduced from that individual's refund or be added to the amount owed the state.

The third provision would have allowed sports boards as a new form of legal gambling, and made them subject to a state tax. However, Abrams said the provision needed to be removed, as there is some question as to whether sports boards are legal under federal law.

The charitable gaming industry supported legalizing sports boards, saying that they would generate \$20 million in charitable gaming taxes for the state.

The portions of the state government finance omnibus bill removed through the amendment may yet be included in the omnibus tax bill.

★ HEALTH

Medical assistance choice

A bill that would give certain adoptive families a choice between two types of state medical assistance for their adopted children passed the House 129-0 April 22.

The bill (HF151) would affect adopted

children eligible for government subsidized health care because of medical or rehabilitative needs by allowing them access to the same doctors or therapists they had prior to adoption. In addition, current law already allows for families to receive adoption assistance, regardless of their financial situation, for non-medical costs related to adopting special needs children.

Currently the human services commissioner has the authority to move enrollees from one medical coverage option to the other, sometimes requiring a change in doctors or clinics.

The two types of coverage under the state Medical Assistance program include a fee-for-service system and a prepaid system. Under the fee-for-service system, the Department of Human Services directly reimburses health care providers at rates specified by state law. Under the Prepaid Medical Assistance Program, the state pays outside health plans a flat rate for each enrollee and the plans pay the health care costs based on fees worked out with the providers.

Rep. Marty Seifert (R-Marshall), the House sponsor, said the department does not foresee increased costs to the state if the bill becomes law.

The bill now moves to the Senate, where it is sponsored by Sen. Dennis Frederickson (R-New Ulm).

Insurance safeguards

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed a new law April 23 giving state protection to holders of long-term care insurance in the event their insurer goes out of business or becomes bankrupt.

Effective April 24, 2003, it puts long-term care insurance in the same category as health and life insurance. Under Minnesota law if a company providing those types of insurance goes bankrupt, the state protects its clients by ensuring up to \$300,000 in claims under the Minnesota Life and Health Insurance Guarantee Association.

The association is funded by money collected from the insurance companies it protects.

Rep. Greg Davids (R-Preston), the bill's House sponsor, said he offered the bill to clear up potential confusion caused because long-term care was not explicitly covered under that protection.

Long-term care insurance mainly covers costs associated with nursing home care. Only a small percentage of Minnesotans currently have the insurance, Davids said. Many legislators have said they want to find ways to

increase the use of long-term care insurance to help reduce state health care costs for the elderly.

The law passed the House 131-0 March 6 and the Senate 61-0 on April 6. Sen. Ellen Anderson (DFL-St. Paul) is the Senate sponsor.

HF51*/SF537/CH19

Establishing working groups

The commissioner of health would have to shine a spotlight on laws and regulations governing the fast-growing home healthcare industry under a bill that gained unanimous approval in the House April 22.

Sponsored by Rep. Char Samuelson (R-New Brighton), HF1251 would require the commissioner to set up a working group to summarize federal regulations that specifically burden states and home care providers. The group, made up of home care providers and other interested parties, would share its findings with the Legislature, other states, and organizations that advocate for states.

Samuelson said federal requirements putting rigid timeframes on submitting client information and governing when supervisory visits can take place hamper the ability of home care providers to do high quality work.

Once the findings are made, the bill would direct the commissioner to work with federal regulators and Minnesota's congressional delegation to make changes in federal law to provide more flexibility to states.

The working group would also be charged with studying whether home care licensing procedures are appropriate and whether separate federal licenses are necessary. A report on the issue would be due to the Legislature in 2005.

An amendment offered by Rep. Cy Thao (DFL-St. Paul) was ruled not germane to the bill. It would have increased staffing standards at Minnesota nursing homes from two nursing hours per patient each day to three. Thao said the change would ensure nursing home patients receive an "adequate level of care."

Samuelson said nursing homes are very different businesses from home care providers and the amendment did not belong with her bill.

The bill, passed 129-0, now goes to the Senate, where Sen. Sheila Kiscaden (IP-Rochester) is the sponsor.

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HOUSING



Assistance for the homeless

Homeless shelter clients needing help in securing a place to live would be assisted under a bill that proposes dedicating \$10 million in bond proceeds to transitional and permanent housing efforts.

HF1124, sponsored by Rep. Lynne Osterman (R-New Hope), will be considered for inclusion in a House bonding bill either this year or next year. It was presented April 23 to the House Jobs and Economic Development Finance Committee.

The money would be given to the state Housing Finance Agency for transfer to the housing development fund to make loans for permanent and transitional supportive housing efforts. Nonprofit organizations that purchase, create, or rehabilitate transitional and permanent housing typically receive the funds.

Numbers compiled for the federal government indicate there are 15,000 individuals and families with unmet housing needs throughout Minnesota, according to Michael Dahl, director of the Minnesota Coalition for the Homeless.

There are 2,000 units of supportive housing in Minnesota and an additional 1,800 in the planning process that need capital support, said Jonathan Farmer, executive director of the Minnesota Supportive Housing Consortium.

HF1124 would provide a direct resource to economic development authorities and housing rehabilitation authorities that can't currently meet all the housing needs. The goal, he said, is to serve people whose incomes are 10 percent to 20 percent of the median income. This requires projects that have minimal debt service.

A Senate companion bill (SF165), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action in the Senate Finance Committee.

INDUSTRY



Tax savings

A proposed mining project on the Minnesota Iron Range that hopes to bring employment to a couple thousand individuals would gain financial help under a bill that includes a number of mining tax law changes.

HF1556, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Taxes Committee April 22. Abrams is chair of the committee.

The proposed changes would affect any company mining or processing nonferrous ore in Minnesota. To date, the only party proposing such mining is Teck Cominco Limited, a

Canadian company involved in mining, smelting, and refining in North America and South America.

Still in the feasibility stage, what the company calls the Mesaba project includes a prototype plant that if proven to be successful would be followed by a larger full-scale operation. The mine would be built at a copper-nickel reserve near Babbitt, southwest of Ely. Copper ore would be transported by rail for processing into a concentrate at the former LTV Steel Mining Company plant, which closed in 2001, in Hoyt Lakes.

John Key, the project's general manager, said the operation would directly employ 1,000 people and indirectly employ another 1,000.

HF1556 would:

- repeal the alternative minimum tax under the occupation tax for both taconite and nonferrous mining companies;
- clarify that refining operations are subject to the occupation and net proceeds taxes, rather than mining and corporate franchise taxes;
- compute the net proceeds tax for nonferrous mining similarly to the occupation tax. (The net proceeds tax is imposed in lieu of the property tax. The occupation tax is imposed in lieu of the corporate franchise tax). This would considerably expand possible deductions and make the tax more like an income tax rather than a property tax; and
- modify the revenue distribution formula from the net proceeds tax to make it more like the revenue distribution from property taxes on the mine, production, and refining facilities. This would provide some proceeds to the state general fund. In addition, 40 percent of revenues would be distributed to all taxing districts in the taconite fiscal disparities program.

The bill, which has no Senate companion, will be considered for inclusion in the omnibus tax bill.

Definition clarification

The state's so-called "gravel tax" enacted into law in 2001 laid out what materials could be taxed when transported on public roads and highways. However, a lack of definition for one material is causing a problem.

HF1528, sponsored by Rep. Dennis Ozment (R-Rosemount), defines the aggregate material of "borrow" to mean "granular borrow consisting of durable particles of gravel and sand, crushed quarry or mine rock, crushed gravel or stone, or any combination thereof."

In presenting the bill April 22 to the House Taxes Committee, Ozment said the Department of Revenue helped craft the definition following Dakota County's request to address the situation.

Dakota County provides 35 percent of the aggregate material for the Twin Cities metropolitan area, and confusion has resulted without a definition for borrow, said County Commissioner Joe Harris.

Nonpartisan House researchers said a definition in state statute would help the counties differentiate between the many descriptions of borrow used by agencies, including the Minnesota Department of Transportation.

The 2001 aggregate materials tax, or gravel tax, allows 28 counties in the state to outright impose a tax on aggregate materials. However, any other county may charge the tax after first conducting a public hearing and then gaining approval of the county board.

HF1528 will be considered for inclusion in the tax omnibus bill.

A Senate companion bill has not yet been introduced.

LAW



Reporting protection

People who honestly try to report crimes to law enforcement officials could not be held accountable for damages arising from their actions under a bill the House passed 128-1 April 22.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF700 would make people who seek assistance from law enforcement or who report illegal activities immune from lawsuits arising from damages caused by their actions, as long as they acted with good intentions. People who deliberately mislead police or misreport a crime would still be liable for the results of their action, under the bill.

Eastlund said the issue arose when an off-duty 9-1-1 operator in his district reported an erratic driver he believed might be drunk. "The result of that was (the operator) got sued and ended up having to defend himself in civil court," Eastlund said. "He was exonerated but he had a bill to pay for his legal defense."

The bill would require the awarding of attorney's fees to people who are sued, but found not liable under the law. Lawmakers approved an oral amendment to limit such an award to "reasonable" attorney's fees.

The bill now goes to the Senate, where Sen. Leo Foley (DFL-Coon Rapids) is the sponsor.

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

Broadcast protection

Broadcasters who unknowingly pass along incorrect information as part of an emergency broadcast would be immune from liability for damages that occur as a result of those broadcasts under a bill the House passed 129-0 April 22.

Sponsored by Rep. Paul Kohls (R-Victoria), HF628 would protect Web sites and television and radio stations from lawsuits resulting from information relayed through the Emergency Alert System, Amber Alert System, or other emergency notifications. Those systems are designed to quickly spread word of emergency information in the event of severe weather, war, or child abduction.

Under the bill, broadcasters could not be held liable for damages if the broadcasts are unintentionally inaccurate and cause damage as a result.

Current law only requires television and radio stations to broadcast messages from the president and lets them choose which other emergency alerts to air. Kohls said the bill is intended to protect stations that might otherwise choose not to air important information for fear of being sued.

The bill now moves to the Senate, where Sen. Julianne Ortman (R-Chanhassen) is the sponsor.

LOCAL GOVERNMENT



Additional flood relief

Nearly 11 months after seemingly endless rains fell in much of northwest Minnesota, particularly the city of Roseau, communities are still working to get back to the way things were before floodwaters ravaged the area.

Roseau Mayor Jeff Pelowski told the House Capital Investment Committee April 22 that 50 families are still living in trailers and struggling to make house payments to avoid foreclosure before the city can buy them out, and that more construction needs to be completed in the city.

"The flood of 2002 was a greater than a 500-year flood event," Pelowski explained to committee members. He said that HF1048 would be "phase two" of repairing the city.

Sponsored by Rep. Maxine Penas (R-Badger), the bill would provide \$20.5 million in general fund money to Roseau through the Department of Natural Resources, Department of Trade and Economic Development, and the Housing Finance Agency. The original bill sought \$48.6 million.

Included in the work yet to be done, Pelowski said, is continued repair of the

sewers that backed up and overflowed, rebuilding of the police department, and the building up of city streets and flood protection levees.

Also included in the bill is \$2 million for the prevention of overland flooding at the Polaris Industries facility, the 12th largest employer in Minnesota.

Although the city received flood assistance money during a September 2002 special session, the \$31.8 million package was just enough to make it through the winter, Pelowski said.

In his budget plan, Gov. Tim Pawlenty didn't account for any bonding for fiscal year 2004, leaving committees to come up with cash for the flood-ravaged areas. Typically, governors make bonding recommendations in the second year of a legislative biennium, which would be effective for the odd-numbered fiscal year.

Though the bill originally included bonding, those provisions were removed from the bill by the committee and replaced by the general fund appropriations.

"This is no longer a bonding committee," said Rep. Loren Solberg (DFL-Grand Rapids), and he suggested the bill be passed to get it out of the committee.

Rep. Phil Krinkie (R-Shoreview), the committee chair, explained the bill deals with capital projects that are the purview of the committee. Although no House bonding bill is currently in the plans for this session, he said, having the HF1048 before the committee could be seen as a "preliminary information meeting" if there were a bonding bill.

However, funding for some of these projects are in other omnibus bills, including the environment and natural resources finance bill (HF779) and the jobs and economic development finance bill (HF748).

The Senate companion to HF1048 (SF892), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), has been included in a Senate bonding bill.

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

Publishing legal notices

A bill allowing local government units to choose out-of-jurisdiction newspapers for official public notices was approved by the House 130-0 April 22.

Under current law, each township, city, county, school district, or other local government unit must designate annually one official newspaper of record for all legal and public notices, including meeting minutes.

Only newspapers maintaining offices within the territory of the local government unit may be chosen. If no main office for a qualified

newspaper exists in the jurisdiction, but one or more qualified newspapers maintain a secondary office there, one of them must be designated.

HF944, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would change the law to allow the legal notices to be published in any qualified newspaper — even if it doesn't have an office in the jurisdiction — provided certain criteria are met.

Holberg said she sponsored the bill after the local school board association in her district complained about the current law. The school board, she said, received multiple bids for legal publication services. But only one newspaper had an office within the jurisdiction, and therefore had to be chosen despite its higher price.

"It is not good for competition," Holberg said.

HF944 lays out a high threshold to be met before local government units could choose an out-of-jurisdiction newspaper. The newspaper must be a qualified medium of official and legal publication, the publisher must swear that circulation reaches 75 percent or more of the households in the jurisdiction, and the governing body must vote unanimously to designate the newspaper.

The Minnesota Newspaper Association worked with Holberg on the bill, she said.

Mark Anfinson, the association's lawyer, told

the House Local Government and Metropolitan Affairs Committee on March 25 that his initial reaction to the bill was not "kind." However, he added, in the suburban areas there are often multiple newspaper chains serving the same city, but with only one maintaining an office in the area.

"In the suburban area I think the time is right to refine the law," Anfinson said.

The bill now goes to the Senate, where Sen. Claire Robling (R-Jordan) is the sponsor.

★ RECREATION

Youth referees

A bill that would allow youth between ages 11 and 14 to work as assistant soccer referees even if the players are in an older age bracket was approved by the House 133-0 April 24.

HF1189/SF1064*, sponsored by Rep. Ron Erhardt (R-Edina), is similar to HF446, sponsored by Rep. Lynn Wardlow (R-Eagan), that was approved unanimously by the House March 27. HF446 also allows youths between ages 11 and 14 to serve as sports officials, but limits them to overseeing only younger players. That bill awaits a Senate floor vote.

Both bills are exceptions to current law, under which no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events.

About 2,000 exemptions are processed by the state each year for youth sports officials.

HF1189/SF1064* stipulates that assistant youth soccer referees must have adequate supervision and a parent's written permission.

In the Senate, where the bill is sponsored by Sen. Michele Bachmann (R-Stillwater), the bill passed 58-0 April 16. It now goes to the governor.

★ SAFETY

Redefining lighted vehicle lamps

Minnesota has required automobiles to display headlights when conditions create reduced visibility since the 1930s. Since 1990, vehicles have been required to display headlights during periods of rain, snow, sleet, or hail.

However, new automobile technologies, which provide for certain vehicles to operate all the time with lit headlights, created an

SENIOR RALLY



PHOTO BY ANDREW VON BANK

Hundreds of seniors and caregivers from across Minnesota gather in the Capitol Rotunda April 23 to rally against the growing crisis of short staffing in long-term health care.

unintended safety concern, said Rep. Dan Severson (R-Sauk Rapids).

Running headlights do not activate taillights.

The House passed Severson's bill (HF1268) 113-17 on April 22. The bill specifies that vehicle lights that must be lighted during times when visibility is reduced include both headlights and taillights.

John Dennig, a trooper with the State Patrol, during testimony in the House Transportation Policy Committee April 1, testified to the safety issues created when a vehicle is not operating its taillights. While motorists can see when someone is heading toward them, "that doesn't help in the situation in the back of the vehicle," he said. "It requires the driver to physically reach down and turn the switch on."

The bill now moves to the Senate, where it is sponsored by Sen. Michelle Fischbach (R-Paynesville).

TAXES

Claiming a homestead

Farm owners who don't live on their farms and are having an immediate family member care for the land would still be allowed to claim the property as a special agricultural homestead for tax purposes, under a bill heard April 23.

Rep. Marty Seifert (R-Marshall) told the House Taxes Committee that he is sponsoring HF1149 after being contacted repeatedly by an elderly woman in a nursing home who feels "picked on" by the current law.

State statute defines that in order for a farm owner who has delegated the farming operation to another person to claim the farm as agricultural homestead for tax purposes, both the owner and the active farmer must be Minnesota residents and both must live within four townships or cities of the farm. In addition, this only applies when the active farmer is the owner's spouse or child.

HF1149, which would take affect with the 2003 assessment, would allow for either the farm owner or the active farmer to be Minne-

sota residents and for either to live within four townships or cities of the farm.

Seifert said the proposal addresses situations like the one with his constituent. She is paying her nursing home fees herself, but because she is not living on the farm and because her children moved from Nebraska to operate it, she is unable to claim the farm as a special agricultural homestead.

The bill would allow more flexibility for those declaring the property, said nonpartisan House researchers. And Seifert said it would help small family operated farms.

HF1149 will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1485), sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Taxes Committee.

Refunds for renters

Group residential home clients whose rent is paid in part by public assistance would potentially receive less through the state's renters' property tax refund program, under a bill heard April 22 by the House Taxes Committee.

HF1548, sponsored by Rep. Laura Brod (R-New Prague), would clarify that the renters' property tax refund, which is based partially on household income, must be apportioned based on the fraction of income not received from public assistance. For example, if 25 percent of a person's income were from sources other than public assistance, the person would receive 25 percent of the refund that would otherwise be received.

Current law applies to residents of nursing homes, intermediate care facilities, and long-term residential facilities.

Department of Revenue officials testified that the department has also been applying the law to group residential home clients, even though forms and instructions for claimants don't reference such clients. Letters have been sent to group homes in recent years stating that the law does apply to them.

HF1548 would clarify that group residential home clients are in fact to be included in the law. Doing so would assist individuals

completing the renters' property tax refund forms, Brod said.

The bill will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1358), sponsored by Sen. Thomas Neuville (R-Northfield), was heard by the Senate Taxes Committee April 15 and will be considered for inclusion in its omnibus bill.

Planning ahead

The city of Newport, in the southeast Twin Cities metropolitan area, doesn't yet have any hotels with 25 or more rooms, but a bill invoking a lodging tax is preparing for the inevitable.

Rep. Katie Sieben (DFL-Newport) told the House Taxes Committee April 22 that HF1555 would allow the city to impose a lodging tax of up to 4 percent on hotels and motels with at least 25 rooms. The bill, which Sieben is sponsoring, further states that if the city also imposes the tourism lodging tax allowed under general law, the combined rate of the two taxes cannot exceed 4 percent.

Sieben said a \$350 million bridge construction project is changing a highway in the area, prompting several hotel and motel operators to consider locating in the city of 3,400 people.

In response to a question from Rep. Arlon Lindner (R-Corcoran), Sieben said a lodging tax would not have hotels and motels reconsidering Newport. Many Minnesota cities have such a tax and it has not impeded businesses, she said.

The bill states that the city must use tax revenues on economic development and redevelopment, including creation of open spaces, parks, and trails.

HF1555 will be considered for inclusion in the House tax omnibus bill.

Sieben said the Senate companion bill (SF1481), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), was heard by the Senate Taxes Committee April 22 and will be considered for inclusion in its omnibus bill.

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Down the right track?

Some say regional rail authorities are unnecessary in the Twin Cities, while others say they benefit local communities

BY MIRANDA BRYANT

When regional rail authorities were created by the Legislature in 1980, they were originally designed to allow Greater Minnesota counties the option of preserving and possibly expanding existing freight and rail services.

Seven years later, the law expanded to allow regional rail authorities to study, plan, and design light-rail systems.

Since that time, a number of rail authorities have developed rail plans and advocated

current and proposed commuter transit systems, particularly in Ramsey and Hennepin counties. Abrams, who chairs the House Taxes Committee, made his comments during an April 16 meeting of the committee.

During that meeting, lawmakers debated a bill (HF688), sponsored by Rep. Phil Krinkie (R-Shoreview), that would abolish all regional rail authorities in the seven-county, Twin Cities metropolitan area. The bill will be considered for inclusion in the committee's omnibus tax bill.

Regional rail authorities were created as spe-

makeup of regional rail authorities. Authority members are appointed by the county boards. In the case of the metropolitan counties, the respective county boards have appointed themselves as the various regional railroad authorities.

As such, metropolitan-area regional rail authorities are a redundant and unnecessary level of government, Krinkie said. Their duties can and should be performed by county governments, the Minnesota Department of Transportation, and the Metropolitan Council, he added.

In presenting his case, Krinkie distributed minutes from the Dec. 17, 2002 meeting of the Ramsey County Regional Rail Authority. He noted the authority's proposal to levy \$140 million to save money for a transit corridor project that hasn't yet been approved by the Legislature nor funded by the federal government. Krinkie added that the regional rail authority ultimately only levied \$4.2 million to provide for current projects.

"I call it being very presumptuous," Krinkie said.

Krinkie also noted that the Ramsey County Regional Rail Authority is spending \$40,182 on lobbyists to seek federal funds for proposed commuter transit projects, as well as contracting a firm at a cost of \$250,000 to educate the public about a study on the proposed Central Corridor transit project, which has yet to receive specific approval from the state.

Another portion of the minutes Krinkie highlighted said the rail authority had earlier approved a \$3.7 million grant contract with the Minnesota Department of Transportation for the Central Corridor Transit Study. This, he said, has Ramsey County taxpayers paying the state to study a proposed project that should be studied by the state and the Metropolitan Council without additional taxpayers' dollars.

Both Krinkie and Abrams questioned why it was appropriate for Twin Cities metropolitan area counties to lobby the federal government for funding for the Hiawatha light-rail transit line and then insist that the operating costs be covered not by the counties, but by the state.

In response to a question by Rep. Jerry Dempsey (R-Red Wing), Krinkie said the bill would not limit a county's ability to sell bonds for transportation projects. Counties, he



PHOTO BY TOM OLMSCHIED

Lawmakers are questioning the roles of regional rail authorities, which were established by the Legislature in 1980 to study use of existing rail for future transit projects, such as the Hiawatha light-rail transit project pictured here under construction.

for the expansion of rail transit in the state.

However, some lawmakers are now questioning whether the roles of regional rail authorities, as they have evolved, are remaining true to the original intent of the laws, and whether the activities they are engaging in and spending money on are appropriate public functions.

"I know the current situation is an absolute first-class mess," said Rep. Ron Abrams (R-Minnetonka) of studies on, and funding for,

cial units of local government, with the powers to levy local property taxes. The idea was to address situations in which, for example, a small town grain elevator would be left without railroad service.

Though all 87 counties in the state are allowed to create regional railroad authorities, few Greater Minnesota counties have done so. Conversely, all seven metropolitan counties have regional rail authorities.

The original law did not dictate the specific

Continued on page 23

On to the Senate

Plan to change concealed weapons permit policy pits personal protection against perceived safety risks

By JEFF JONES

For the second time in the past three years, the House has passed a bill that would fundamentally change the way concealed weapons permits are granted in Minnesota April 23.

By requiring the state's sheriffs to issue handgun permits to any applicants not specifically excluded by law, the bill would significantly change the state's policy on concealed weapons permits and, according to the state Bureau of Criminal Apprehension, result in 20,000 new gun permits each year after the first. The bureau estimates about 50,000 new permits will be issued initially upon enactment of the measure.

On an 88-46 vote, the House passed the language from HF261, sponsored by Rep. Lynda Boudreau (R-Fairbault), which had been amended onto a technical bill for the Department of Natural Resources (HF823/SF842*).

Though House Speaker Steve Sviggum (R-Kenyon) said he had doubts about whether the gun issue was properly related to the natural resources bill as required by House rules, a majority of members voted to allow the amendment. Since the original bill was already passed in the Senate, the amended version will return there for a vote to approve the changes or take the bill to a conference committee.

In order to receive a handgun permit under current law, applicants must prove to their local sheriff or chief of police that they have an "occupation or personal safety hazard" requiring them to carry a gun. However, law enforcement officials around the state set different standards for granting such requests. Under the bills county sheriffs would be given the responsibility of granting permits and they could not deny an application without showing that a person is specifically prohibited by law from receiving a permit.

The bill specifies sheriffs may consult with police chiefs when doing a background check on applicants and that police chiefs can be appointed as agents of the sheriff for purposes of taking applications.

The bill would charge a fee for applying for

a handgun permit. Sheriffs' offices could charge the amount it costs them to process applications up to \$100.

In response to criticism from law enforcement organizations, the bill would allow sheriffs to deny an application if a person presents a "substantial likelihood" of being a danger to themselves or to the public. It sets up a judicial process for appealing and justifying such determinations.

As a result of an amendment offered by Rep. Lynne Osterman (R-New Hope) and adopted by the House, the bill would prohibit anyone with a history of violent crimes from ever receiving a permit. Currently, many offenders are eligible for gun permits 10 years after they finish serving their sentences. Other people who could not receive a permit under the bill include:

- anyone under age 21,
- nonresidents of Minnesota,
- anyone who has not taken a course in firearm safety and usage, and
- anyone listed in a criminal gang database.

The bill would relax requirements on businesses not wishing to allow people with guns into their establishments. While previous versions would have required that private businesses install lockers for permit holders to store their guns, the bill now would only require posting a conspicuous sign near their entrance stating that firearms are not allowed inside.

Under the bill, employers, colleges, and universities could set their own policies about letting students or employees carry weapons on their property, while the property of day care centers, elementary schools, and high schools would be off limits to guns. Parents picking

up children from school could have guns in their cars but would have to place them in their trunks when they leave the car. Members defeated an amendment offered by Rep. Jim Rhodes (R-St. Louis Park), to give schools more control over their individual firearms policies.

Opponents of the bill said they worry a dramatic increase in guns on the street would make the state inherently more dangerous. Boudreau and other supporters said the bill is a matter of personal protection, giving law-abiding citizens the chance to protect themselves, and others, from would-be criminals.

Though the legislation is often referred to as "conceal carry," there is no provision in the bill



PHOTO BY TOM OLMSCHIED

Leonard Winborn, *right*, of Peace Projects Inc., and the father of Tyesha Edwards, the Minneapolis girl killed by a bullet from a drive-by shooting that penetrated the wall of her house while she was studying, listens as the House passes the concealed carry bill. Also pictured are Kaye Rakow, *far left*, and LaVonne Easter of Citizens for a Safer Minnesota.

requiring guns carried under the permits to be concealed. The House defeated an amendment offered by Rep. Ron Erhardt (R-Edina) to require that guns always be visible.

House Minority Leader Matt Entenza (DFL-St. Paul) and Rep. Ron Abrams (R-Minnetonka) chastised House Republican leaders for using parliamentary tactics to force a vote in the Senate.

Rep. Mark Olson (R-Big Lake) said the moves were necessary because DFL leaders in the Senate won't allow a floor vote on the legislation even though a majority of members support it.

The bill now returns to the Senate, where members will have the options of either accepting the House amendments or rejecting them and calling for a conference committee.



Protecting everyone

Board of Animal Health benefits two-legged Minnesotans by keeping four-legged ones safe

By TOM LONERGAN

The disease names, like West Nile Virus and chronic wasting, are now easier to say; veterinarians respond, test and diagnose animal ailments much more efficiently, due to advances in science and technology; and there are far fewer horses in the state than the 1900 census count of 782,129.

While much has changed since the 1903 Minnesota Legislature created the Livestock Sanitary Board — renamed the Board of Animal Health in 1980 — the small independent agency's primary mission remains to protect the health of the state's domestic animals, and in the process help farmers and livestock producers avoid financial ruin.

State-employed veterinarians spent the early decades of the 20th century tracking and controlling tuberculosis and brucellosis in cattle, diseases easily transmitted to humans. One crucial factor in battling the diseases was the pasteurization of milk.

The diseases “used to kill people and caused tremendous economic losses” in agriculture, said William Hartmann, the state veterinarian and Board of Animal Health executive director. Hartmann is the state's seventh chief veterinarian appointed by the board in the past 100 years. Serving on an annual basis, he was first appointed in 2001.

While prevention of brucellosis and tuberculosis was well in hand by 1950, Hartmann said, the state wasn't declared free of swine and bovine tuberculosis until 1975-76, and brucellosis wasn't completely eradicated until 1984, according to “One Hundred Years of Progress – The History of Veterinary Medicine in Minnesota,” by Dr. John Arnold and Dr. H.C.H. Kernkamp.

The authors note that the board's action to suppress and control tuberculosis in the first decades of the 1900s, although controversial and opposed by some legislators because it involved condemnation of property, proved to be a national model.

“The early certification of many herds in the state made Minnesota a pioneer in the use of the ‘test and slaughter’ program for the

control and elimination of tuberculosis in cattle. As the result, the Minnesota plan was incorporated into the nationwide modified free herd tuberculosis plan of the Bureau of Animal Industry.”

Board of Animal Health programs also led to the eradication of hog cholera, scabies in sheep, and glanders. The latter disease, also called “farcy,” was “a highly contagious and fatal disease of horses ... transmissible to humans.”



In the 1930s, the Board of Animal Health addressed disease caused by a severe drought in western Minnesota and neighboring states. The livestock, pictured here, were brought to the Capitol by farmers at the time to raise awareness of the problem.

Photo courtesy of the Minnesota Historical Society

The number of horses destroyed each year due to glanders peaked at 606 in 1905-06, and by 1911-12, “the board announced that glanders was well on its way of being eliminated in Minnesota.” A major factor was the closing of public water troughs in Minneapolis and St. Paul.

Hartmann said the board continues to work closely with its historical partners — the state Board of Health and the University of Minnesota. In 1883, 20 years before the Livestock Sanitary Board was created, the Board of Health ruled that local health boards were responsible for controlling animals suffering with diseases communicable to humans.

The first director of the Board of Health's veterinary department was Dr. M.H. Reynolds, the head of the university's veterinary science division. Arnold and Kernkamp wrote, “Unfortunately, Dr. Reynolds was given little enforcement authority” and “was limited to offering sugges-

tions and hoping that the livestock owners would abide by the rules and regulations.”

Today's Board of Animal Health has a biennial budget of \$8 million. A staff of about 40 people oversees voluntary and mandatory programs to control and eradicate animal diseases in the state. Three veterinarians lead divisions that monitor diseases affecting cattle, swine, poultry, and related animals. The board assigns veterinarians to seven district offices throughout the state.

Hartmann said the board responded quickly in the summer of 2002 when the first cases of West Nile Virus and chronic wasting disease appeared in Minnesota.

Last year, nearly 1,000 horses tested positive for the virus, which can cause encephalitis — an inflammation of the brain and spinal cord. Thirty percent of the horses died. Birds

serve as the host for the virus, which is spread by mosquitos. Neither horses nor humans can spread the disease.

The board provides information about the disease and encourages horse owners to protect their animals before the onset of mosquito season with a recently developed vaccine.

Two elk infected by chronic wasting disease were found in two different herds last summer. Four herds were quarantined and three have been “de-populated,” Hartmann said. The disease affects cervidae (elk and deer) and is caused by abnormal proteins. The disease has not been detected in free roaming deer in the state, as it has in Wisconsin.

The board's chronic wasting control program has been voluntary. A bill to require two-thirds of the state's captive elk herds be registered with the state and participate in the board's surveillance program is part of this year's omnibus agriculture finance bill.

Five state residents, appointed by the governor, serve on the Board of Animal Health. Three represent livestock producers and two are veterinarians, the same board composition the Legislature approved in 1903.

Hartmann said a celebration marking the board's centennial is being planned for later in the year. 🐾

Minnesota State Government

State Departments*

Administration

200 Administration Building
 50 Sherburne Ave., St. Paul 55155 296-8261
Brian Lamb - Commissioner 296-1424

Agriculture

Agriculture Building
 90 W. Plato Blvd., St. Paul 55107 297-2200/1-800-967-2474
Gene Hugoson - Commissioner 297-3219

Children, Families & Learning

1500 Highway 36 W., Roseville 55113 582-8200
Cheri Pierson Yecke - Commissioner 582-8204

Commerce

133 E. Seventh St., St. Paul 55101 296-4026
Glenn Wilson Jr. - Commissioner 296-6025

Corrections

Suite 200
 1450 Energy Park Drive, St. Paul 55108 642-0200
Joan Fabian - Commissioner 642-0282

Economic Security

390 N. Robert St., St. Paul 55101 296-3711/1-888-438-5627
Harry Mares - Commissioner 296-3711

Employee Relations

Second Floor, Centennial Office Building
 658 Cedar St., St. Paul 55155 297-1184
Cal Ludeman - Commissioner 296-3095

Finance

400 Centennial Office Building
 658 Cedar St., St. Paul 55155 296-5900
Dan McElroy - Commissioner 297-7881

Health

The Golden Rule Building, Suite 400
 85 Seventh Place E., St. Paul 55101 215-5800
Dianne Mandernach - Commissioner 215-5813

Housing Finance Agency

400 Sibley, Suite 300, St. Paul 55101 296-7608/1-800-657-3769
Tim Marx - Commissioner 296-5813

Human Rights

Army Corps of Engineers Center, Suite 700
 190 E. Fifth St., St. Paul 55101 296-5663/1-800-657-3704
Velma Korbel - Commissioner 296-9038

Human Services

Human Services Building
 444 Lafayette Road, St. Paul 55155-3815 297-3933
Kevin Goodno - Commissioner 296-2701

Labor & Industry

443 Lafayette Road, St. Paul 55155 284-5005/1-800-342-5354
Scott Brener - Commissioner 296-2342

Military Affairs

Fourth Floor, Veterans Service Building
 20 W. 12th St., St. Paul 55155-2098 282-4662
Maj. Gen. Eugene R. Andreotti - Adjutant General 282-4666

Natural Resources

500 Lafayette Road, St. Paul 55155-4001 296-6157
Gene Merriam - Commissioner 296-2549

Pollution Control Agency

520 Lafayette Road N., St. Paul 55155 296-6300/1-800-657-3864
Sheryl Corrigan - Commissioner, Board Chair 296-7301

Public Safety

Town Square
 444 Cedar St., St. Paul 55101 282-6565
Rich Stanek - Commissioner 282-6565

Revenue

600 N. Robert St., St. Paul 55146 296-3781
Dan Salomone - Commissioner 296-3403

Trade & Economic Development

500 Metro Square
 121 Seventh Place E., St. Paul 55101-2146 297-1291/1-800-657-3858
Matt Kramer - Commissioner 296-6424

Transportation

395 John Ireland Blvd., St. Paul 55155 296-3000/1-800-657-3774
Lt. Gov. Carol Molnau - Commissioner 296-3000

Veterans Affairs

Second Floor, Veterans Service Building
 20 W. 12th St., St. Paul 55155 296-2562
Jeffrey L. Olson - Commissioner 296-2345

* and other major agencies

Area code 651 except where otherwise noted.

Boards & Agencies

Board of Pardons

Suite 200
1450 Energy Park Drive, St. Paul 55108-5219 642-0284
Jeffrey Shorba - Secretary 642-0284

Campaign Finance & Public Disclosure Board

First Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 296-5148
Jeanne Olson - Executive Director 296-1721

Capitol Area Architectural & Planning Board

204 Administration Building
50 Sherburne Ave., St. Paul 55155 296-7138
Nancy Stark - Executive Secretary 296-1162

Higher Education Services Office (HESO)

1450 Energy Park Drive, Suite 350
St. Paul 55108-5227 642-0533/1-800-657-3866
Robert Poch - Director 642-0502

Iron Range Resources & Rehabilitation Board

P.O. Box 441, Eveleth 55734 (218) 744-7400/1-800-765-5043
Sandy Layman - Commissioner

Law Library

Ground Floor Judicial Center
St. Paul 55155 296-2775

Metropolitan Council

Mears Park Center
230 E. Fifth St., St. Paul 55101 602-1000
Peter Bell - Chair 602-1453

Minnesota Historical Society

Minnesota History Center
345 Kellogg Blvd. W., St. Paul 55102-1906 296-6126
Nina M. Archabal - Director 296-2747

Minnesota State Colleges & Universities (MnSCU)

500 World Trade Center
30 E. Seventh St., St. Paul 55101 296-8012/1-888-667-2848
James McCormick - Chancellor 296-8012
Mary Choate, Minnetonka - Board Chair

Minnesota Tax Court

Minnesota Judicial Center
Suite 245, St. Paul 55155 296-2806
George Perez - Chief Judge

Minnesota Veterans Homes Board

122 Veterans Service Building
20 W. 12th St., St. Paul 55155 296-2073
Wayne M. Sletten - Chair

Office of Environmental Assistance

520 Lafayette Road, Second Floor, St. Paul 55155 296-3417
Sherry Enzler - Director 215-0263

Public Utilities Commission

Metro Square Building, Suite 350
121 Seventh Place E., St. Paul 55101 296-7124/1-800-657-3782
Burl Haar - Executive Secretary 296-7526
LeRoy Koppendrayner - Chair

University of Minnesota

100 Church St. S.E.
202 Morrill Hall, Minneapolis 55455 (612) 625-5000
Robert Bruininks - President (612) 626-1616
Maureen Reed, Stillwater - Board of Regents Chair

Workers' Compensation

Court of Appeals

Minnesota Judicial Center, Suite 405
St. Paul 55155 296-6526
Thomas L. Johnson - Chief Judge 297-1594

Area code 651 except where otherwise noted.

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

Minnesota State and Federal Offices

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Senator

Mark Dayton (DFL)
SR-346, Russell Senate Office Building
Washington, D.C. 20510
(202) 224-3244
Fax: (202) 228-2186

Bishop Henry Whipple
Federal Building, Suite 298
St. Paul, MN 55111
(612) 727-5220
1-888-224-9043
Fax: (612) 727-5223

222 Main Street, Suite 200
P.O. Box 937
Biwabik, MN 55708
(218)-865-4480
Fax: (218) 865-4667

2017 Highway 59 SE, Suite 24
Thief River Falls, MN 56701
(218) 681-2166
(218) 681-2169

E-mail: dayton.senate.gov/webform.html
Web site: <http://www.senate.gov/~dayton>

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1-800-453-9392
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316 Lake St.
Chisholm, MN 55719
(218) 254-5761
Fax: (218) 254-5132

Brainerd City Hall
501 Laurel St.
Brainerd, MN 56401
(218) 828-4400
Fax: (218) 828-1412

Elk River City Hall
13065 Orono Parkway
Elk River, MN 55330
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St. Paul 55103
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St. Paul 55155
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Election Division: (651) 215-1440
Open Appointments: (651) 297-5845
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Uniform Commercial Code:
(651) 296-2803

Joint Legislative Services

Legislative Coordinating Commission (LCC)
51 State Office Building (651) 296-9002

LCC Central Accounting
70 State Office Building (651) 296-8890

LCC Subcommittee on Rules
55 State Office Building (651) 296-1121

Claims (Joint Subcommittee on Claims)
51 State Office Building (651) 296-0099

(GIS) Subcommittee on Geographic Information Systems
55 State Office Building (651) 296-0098

Legislative Advisory Commission (LAC)
Fourth Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 (651) 296-5188

Office of Legislative Auditor
Centennial Office Building, Room 140
658 Cedar St., St. Paul 55155-1603 (651) 296-4708

Legislative Commission on the Economic Status of Women
G-22 State Capitol (651) 296-8590
Toll Free 1-800-657-3949

Joint Subcommittee on Employee Relations (LCC)
51 State Office Building (651) 296-2963

Legislative Commission on Health Care Access
309 Capitol (651) 296-4261

Legislative Commission on Minnesota Resources (LCMR)
65 State Office Building (651) 296-2406

Legislative Commission on Pensions & Retirement
55 State Office Building (651) 296-2750

Legislative Commission on Planning & Fiscal Policy
51 State Office Building (651) 296-9002

Iron Range Resources & Rehabilitation Board (IRRRB)
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Eveleth 55734 (218) 744-7400

Mississippi River Parkway Commission
P.O. Box 59159
Minneapolis 55459-8257 (763) 212-2560

Electric Energy Task Force
322 Capitol (651) 296-4370

Regent Candidate Advisory Council
51 State Office Building (651) 296-9002

Board of Trustees Candidate Advisory Council
85 State Office Building (651) 296-9002

Campaign Finance & Public Disclosure Board
190 Centennial Office Building (651) 296-5148
658 Cedar St., St. Paul 55155
Toll Free 1-800-657-3889

Legislative Reference Library
645 State Office Building
Circulation (651) 296-3398
Reference (651) 296-8338

Office of the Revisor of Statutes
700 State Office Building (651) 296-2868

Minnesota State Agencies

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Agriculture 297-2200
Toll Free 1-800-967-2474

Children, Families and Learning 582-8200

Commerce 296-4026

Corrections 642-0200

Economic Security 296-3711
Toll Free 1-888-GET-JOBS

Employee Relations 297-1184
Job Information Hotline 296-2616

Finance 296-5900

Health 215-5800

Human Rights 296-5663
Toll Free 1-800-657-3704

Human Services 297-3933

Labor and Industry 284-5000
Toll Free 1-800-342-5354

Military Affairs 282-4662

Natural Resources 296-6157
Toll Free 1-888-MINNDNR

Pollution Control Agency 296-6300
Toll Free 1-800-657-3864

Public Safety 282-6565
Driver and Vehicle Services 296-6911
Fire Marshal 215-0500

Alcohol and Gambling
Enforcement Division 296-6979
State Patrol 282-6871

Revenue
Taxpayer Assistance 296-3781

Trade and Economic Development 297-1291
Toll Free 1-800-657-3858
Office of Tourism 296-5029
Toll Free 1-800-657-3700

Transportation 296-3000
Toll Free 1-800-657-3774

Veterans Affairs 296-2562

Other Information Numbers

Federal Information 1-800-688-9889

White House (202) 456-1414
1600 Pennsylvania Ave.
Washington D.C. 20500

State DFL Party (651) 293-1200

State Republican Party (651) 222-0022

State Independence Party (651) 487-9700

State Green Party (612) 871-4585

House Information Services 296-2146
TTY 296-9896
Toll Free voice and TTY 1-800-657-3550

Senate Information 296-0504
Toll Free 1-888-234-1112

State Information <http://www.state.mn.us>
Legislative Information <http://www.leg.mn>

Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (http://www3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0)

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures statement of need and reasonableness content requirement clarification and expansion.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical, clarifying, and conforming changes provided.	3/31	
6	744	726*	State building code cumulative fees collection reporting requirement modifications.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements, compensation plan amendments and salary increase proposals ratification.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	

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

Where to find information

House Public Information Services

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

House Public Information Services is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly*

newsmagazine, educational brochures for all ages, and member directories. All information is available at no charge.

Most of what this office publishes can be viewed on the Legislature's World Wide Web page. To connect, point your web browser 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.

Tuesday, April 22

HF1557—Seifert (R)

Higher Education Finance

Riots; students convicted of rioting offenses deemed ineligible for postsecondary state grant awards and required to pay highest applicable tuition rate.

HF1558—Jaros (DFL)

Taxes

Mortgage interest income tax deduction limited, funding provided for homeless persons assistance programs, and money appropriated.

HF1559—Lanning (R)

Taxes

Affordable housing contributions tax credit provided.

HF1560—Erickson (R)

Health & Human Services Finance

Family planning grant funds prohibited from being used to subsidize abortion services.

HF1561—Kelliher (DFL)

Taxes

Household income used instead of market value as the basis for computing property taxes on homestead properties, and money appropriated.

Wednesday, April 23

HF1562—Lanning (R)

Taxes

Vacant commercial, industrial, and residential property tax class rate increased; and appeals of classification provided.

HF1563—Dempsey (R)

Environment & Natural Resources Finance

Goodhue Pioneer Trail funding provided, bonds issued, and money appropriated.

HF1564—Lenczewski (DFL)

Taxes

Local government aid city aids formula modified.

HF1565—Abrams (R)

Taxes

Electric generation facility sales and property tax exemption qualifying period extended.

HF1566—Abrams (R)

Taxes

Guthrie Theater construction materials sales tax exemption provided.

HF1567—Clark (DFL)

Jobs & Economic Development Finance

Bridges rental housing assistance program funding provided, and money appropriated.

HF1568—Stang (R)

Ways and Means

Omnibus higher education finance bill providing funding for Minnesota State Colleges and Universities system, the University of Minnesota, and other higher education; issuing bonds; and appropriating money.

HF1569—Bradley (R)

Taxes

Rochester sales tax revenue additional uses authorized, and bonding authority increased subject to local approval.

HF1570—Abrams (R)

Taxes

Sales and use tax provisions modified to conform to streamlined sales tax project.

Thursday, April 24

HF1571—Clark (DFL)

Governmental Operations & Veterans Affairs Policy

Iraq; resolution memorializing Congress to protect the health of military personnel serving in Iraq.

HF1572—Olson, M. (R)

Education Finance

School bus carrier liability limited.

HF1573—Nelson, P. (R)

Taxes

Appeals and equalization course for property tax local boards of review provided, meeting requirements imposed, and proof of compliance required.

HF1574—Sviggum (R)

Taxes

Taconite production tax rate and distribution modified, funds and accounts transfers provided, and tax payments provided.

HF1575—Urdahl (R)

Jobs & Economic Development Finance

Cokato mandated water treatment facility grant provided, bonds issued, and money appropriated.

HF1576—Krinkie (R)

Taxes

Circle Pines tax increment financing district extension authorized.

HF1577—Koenen (DFL)

Taxes

Market value homestead credit reimbursement to cities payment eliminated, transit levy authority reinstated, additional means of transit financing provided, and local government aid to cities reduced.

HF1578—Thissen (DFL)

Taxes

Tax preparers regulated, consumer protections established, and enforcement authority provided.

HF1579—Lesch (DFL)

Taxes

St. Paul and Ramsey County collocated police and sheriff facility construction materials sales tax exemption provided.

COMMITTEE SCHEDULE

APRIL 28 - MAY 2, 2003

MONDAY, April 28

11:00 AM

THE HOUSE MEETS IN SESSION

TUESDAY, April 29

12:00 PM

THE HOUSE MEETS IN SESSION

WEDNESDAY, April 30

12:00 PM

THE HOUSE MEETS IN SESSION

THURSDAY, May 1

9:00 AM

THE HOUSE MEETS IN SESSION

FRIDAY, May 2

9:00 AM

THE HOUSE MEETS IN SESSION

explained, can sell bonds for virtually any reason. Special levy authority was granted to regional rail authorities to purchase rights-of-way for future transportation projects.

Rep. Ann Lenczewski (DFL-Bloomington) said a number of legislators asked her if Krinkie was attempting to stop the Northstar Corridor commuter rail project between Minneapolis and Rice and light-rail systems in general. The bill as she understands it, she said, would not do that nor would it prohibit lobbying activities or studies on the part of county governments.

Several people defended the authorities.

Regional rail authorities have been good stewards of public funds and strive to gain value from investments, said David McCauley, an Anoka County commissioner and member of the Anoka County Regional Rail Authority.

Twin Cities metropolitan area authorities have also engaged in planning and engineering to advance transit projects, and have secured \$330 million in federal funds, added Hennepin County Commissioner Randy Johnson. Those federal funds could potentially have been lost to other states' projects.

Problems would result if regional rail authorities were abolished, said Gary Erickson, director of Hennepin County Regional Rail Authority. Specifically, the Hennepin County authority holds 100 leases and 60 easements for abandoned railroad rights-of-way, as well as two long-term contracts with railroad companies.

The Senate companion to the bill (SF686), sponsored by Rep. Mady Reiter (R-Shoreview), was tabled April 8 by the Senate Transportation Policy and Budget Committee. 🗑️

Where to find information

Senate Information Office

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

Senate Media Services

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

Reflections

Long bright spring days draw many visitors to the State Capitol, and prompt even frequent visitors to revisit and admire the architectural achievements, however subtle, displayed on the façade of the building.

Adornments conceived by architect Cass Gilbert combine to provide a sense of welcome and ownership to state residents, and an inviting appeal to those who visit.

In some ways, Gilbert looked at the outside decor of the building as a "teaser" to get the public to venture inside, and view how art and architecture easily complement a seat of government where laws are made.

Two factors helped to enhance the Capitol facade's stately persona – location and design.

The present site, chosen in 1893 over 18 other proposals, sits atop a hill to provide a commanding view out across the city.

The front of the building faces south-southeast toward the U.S. Capitol in Washington.

Gilbert's basic design was that of the Italian Renaissance in "a most stately and dignified character." He proposed that the outer structure be of elegant white Georgia marble, but had to compromise with those who opposed his use of stone from another state. So Gilbert added St. Cloud granite to the stairs, terraces, and ground floor level to make the structure look like it was sitting on a specially built platform.

The artistic and aesthetic subtleties Gilbert added to the facade are best seen while approaching the building on foot.

The center of its length draws the most focus — from the tip of the gilded orb above the massive dome to the street level. From the Capitol's base, visitors see 50 grand steps that lead to the wide first floor granite porch, which often gets used as a stage by

public groups. Three wide marble arches define the main entrance that leads into a loggia, or open area before one enters the first floor of the building through massive wooden doors.

The loggia supports a platform on which is placed another open area, accessible only from inside on the second floor. The space is graced from the outside with another three massive arches with Corinthian columns in between, all reaching from the roof of the first floor to the roof of the third floor.

Most visitors are impressed by the prominent Quadriga or "Golden Horses" finished in gold leaf, and the massive dome whose exterior is 89 feet in diameter. But those with a discerning eye may see even more.

They see how Gilbert creatively combined in stone the classic with the modern by the use of many symmetrically placed decorations on the building's outer layer. He added small portals surrounded by elaborate wreaths, large eagles, evenly spaced columns, the initial "M" in calligraphy style, sculpted flowers and leaves wrapped in ornamental drapery.

A little known but most important feature are six human figures sculpted by the Quadriga artist, Daniel Chester French. Four women and two men sculpted to support the Quadriga symbolize the virtues that support and assist the progress of the state. They depict Bounty, Courage, Integrity, Prudence, Truth, and Wisdom.

Cass Gilbert created his masterpiece to speak to the ages and to keep lawmakers and other Minnesotans mindful that development and growth are the results of a unity of diverse ideas.

— LECLAIR GRIER LAMBERT



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MINNESOTA

I N D E X

Minnesota nurses

Number of registered nurses (RN) as of Dec. 31, 2002	66,222
Licensed practical nurses (LPN)	22,445
Registered nurses who are female, as percent	92.8
Percentage of LPNs who are women	95.8
Percentage growth in employment between 1990 and 2000	44
Estimated number of job openings for RNs in Minnesota	3,000
Active registered nurses planning to leave the profession in the next two years, as percent	15
Current number of registered nurses younger than age 30, as percent	11.2
Percentage who are age 50 and older	33.7
Current licensed practical nurses younger than age 30, as percent	12.7
Percentage who are age 50 and older	33.1
Average age of a Minnesota registered nurse in 2000	45.3
National average	42.4
Number of registered nurses living in the seven-county Twin Cities metropolitan area	31,325
In Greater Minnesota	25,339
RNs practicing in Minnesota, but living outside the state	9,558
Licensed practical nurses living in the seven-county Twin Cities metropolitan area	7,052
In Greater Minnesota	14,032
LPNs practicing in Minnesota, but living outside the state	1,361
Registered nurses with an associates degree who received their degree from a state institution, as percent	86
Nurses with a baccalaureate degree from a Minnesota institution, as percent	70
Approximate percentage of registered nurses planning to pursue additional nursing education within the next two years	25
Average pay for a registered nurse at their primary worksite, per hour	\$26.70
Average pay for those in the Twin Cities metropolitan area, per hour	\$29.18
Average hourly wage in Greater Minnesota	\$24.12
Percentage of registered nurses who believe their personal level of pay is satisfactory	66
Percentage who believe they are appropriately compensated for the work expected of them	46
Registered nurses, as percent, who feel they have sufficient input into the program of care for each patient	75
Percentage who feel they have sufficient time for direct patient care	46
Registered nurses who feel there is too much clerical and "paperwork" required in their job, as percent	80

Sources: State of Minnesota Board of Nursing; *Findings from the Minnesota Registered Nurse Workforce Survey*, Office of the Rural Health Primary Care, Minnesota Department of Health, January 2003; Minnesota Nurses Association.

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A NONPARTISAN PUBLICATION

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

MAY 2, 2003

VOLUME 20, NUMBER 17

In this issue:

FUNDING FOR K-12 EDUCATION

TRANSPORTATION PACKAGE PASSES, AND MORE

HF1580-HF1594

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: The Capitol is reflected in the hood of a 1940 Ford that was one of dozens of cars parked in front of the State Capitol April 29. The Minnesota Street Rod Association displayed the collector cars to promote the hobby of street-rodding.

— Photo by Andrew Von Bank

Moving on

Transportation package provides additional money for road construction, trims transit, and sets new school speed limits

By MICHELLE KIBIGER

The House passed a \$3.77 billion funding package for fiscal years 2004-05 on April 28, that provides funding for roads, the departments of Transportation and Public Safety, and other transportation functions on a 80-53 vote. However, the bill would also reduce funding for transit operations, proscribes funding for light-rail transit, and would abolish certain regional rail authorities.

The bill (HF627), sponsored by Rep. William Kuisle (R-Rochester), is primarily funded through the trunk highway fund. Only a small portion, about \$159.7 million, comes from the state's general fund. It contains no mechanisms for raising additional revenue such as increased gas taxes, increased vehicle registration fees, or local option sales taxes.

"I think it's a great achievement for this session, without raising taxes," said Kuisle. "I'm proud of this bill."

However, several members said the bill does not go far enough to meet highway construction needs. "You're basically carrying the water for the governor on this bill ... and we should have done more," said Rep. Al Juhnke (DFL-Willmar).

Rep. Ron Erhardt (R-Edina) proposed an amendment that would have raised the gas tax 5 cents, would have raised vehicle license tab fees, would have adjusted how some road funding is distributed, and would have created a metropolitan transportation account.

Several members objected to changing county highway aid formulas, which tend to send more money to rural counties than to

submitted a constitutional amendment to voters regarding whether to allocate all motor vehicle sales tax proceeds to transportation, including transit.

Road funding

Along with the additional funds for road construction, the bill would allocate \$3.2 billion to operations, maintenance, and construction in the state highway, county state aid highway, and municipal state aid road systems.

The bill includes \$940,000 in general fund money for flood rehabilitation grants associated with the northwestern Minnesota flooding from the summer of 2002.

Two unsuccessful amendments to change the way aid is allocated to county highways were proposed by Rep. Ann Lenczewski (DFL-Bloomington). Generally, they would have adjusted percentage allocations to be based more on population, which would have benefited metropolitan area counties.

Transit funding

Metropolitan Council transit operations would receive an \$18.6 million reduction for the biennium under the bill. In addition, the Transportation Department would receive \$3.6 million less than 2002-03 for Greater Minnesota transit operations.

In addition, funding from motor vehicle sales tax proceeds for Metro Transit would be limited to 2003 levels, or \$125.6 million annually. Current law allows for a transfer of 20.5 percent of the sales tax to transit. An unsuccessful amendment, offered by Rep. Frank Hornstein (DFL-Mpls), would have retained the 20.5 percent standard.

The bill would also provide funding for the Hiawatha light-rail transit line, set to begin operating in 2004. The state would provide 40 percent, or \$5.36 million, Hennepin County would pay slightly more, or \$5.7 million, and the remainder would come from Minneapolis, at about \$2.3 million.

Rep. Alice Seagren (R-Bloomington) proposed a successful amendment to remove Bloomington from the formula to support the rail line, based on information that a previously established agreement exempted Bloomington from responsibility for funding Hiawatha rail operations.

Other transit related provisions in the bill include the following:

- regional rail authorities in the Twin Cities metropolitan area, which are primarily comprised of county board members, would be abolished;



PHOTO BY TOM OLMSCHIED

The House transportation finance bill would provide about \$3.8 billion in funding for road construction and the departments of Public Safety and Transportation. It would also authorize \$550 million in trunk highway bonds for additional road construction projects.

The measure would authorize the \$550 million in trunk highway bonds, and it would allow the state to spend an additional \$550 million through 2009 to leverage federal funding, both items recommended by Gov. Tim Pawlenty and included in HF4, sponsored by Rep. Andrew Westerberg (R-Blaine). The bill accounts for \$84 million in budget reductions to the Transportation Department for the biennium to finance the bonds.

metropolitan counties. "If you don't want to vote for it, don't vote for it. But somebody better start talking about the transportation needs of this state which are huge," Erhardt said. "Without decisive action, our metropolitan area freeway system will come to a standstill."

The amendment was defeated, as was a similar amendment proposed by Juhnke. Juhnke's amendment, and another by Rep. Bernie Lieder (DFL-Crookston), would have



Prohibition roots

Many current liquor laws emerged after ratification of 21st Amendment

- the southwest transit corridor, in the southwestern Twin Cities metropolitan area, would be prohibited from pursuing a rail transit option; and
- the Metropolitan Council would be required to request proposals from internal staff and private vendors to operate the Hiawatha light-rail transit line.

Other provisions

A number of other policy-related provisions are also included in the bill.

An amendment added during the House Ways and Means Committee meeting April 24 included the language from HF1, that passed the House Jan. 30 but has not received action in the Senate. That bill, sponsored by former Rep. Rich Stanek (R-Maple Grove), now commissioner of public safety, would call for a status check date on driver's licenses and identification cards that coincides with a temporary foreign visitor's legal status date.

Speed limits in school zones would be limited to 30 miles per hour, under the bill. The measure was initially sponsored by Rep. Nora Slawik (DFL-Maplewood), in HF658.

The transportation commissioner would be allowed to pursue sponsorship agreements for rest areas along state highways slated for closure under budget cuts to the Transportation Department. The agreements could include offering products or services for sale and making improvements to the sites. The provision would not affect rest areas on interstate highways. The provision was part of a bill (HF1446), sponsored by Rep. Lynne Osterman (R-New Hope).


Single occupant vehicles would be allowed to use high-occupancy vehicle lanes, particularly those along Interstate 394 west of Minneapolis, by paying a fee. The provision was initially contained in HF1168, sponsored by Rep. Chris DeLaForest (R-Andover).

Special license plates would no longer be allowed, unless an applicant showed at least 10,000 car owners would purchase the plates. Kuisle initially sponsored the measure (HF399).

The bill would increase the speed limit along Interstate 35E in downtown St. Paul to 55 miles per hour, initially proposed by Rep. Tim Wilkin (R-Eagan) in HF927.

Public safety 911 operators would be considered essential employees under the bill. Erhardt sponsored the initial bill (HF769).

Counties would be exempted from obtaining permits to reconstruct or maintain portions of county highways within existing rights of way. The provision was initially sponsored by DeLaForest in HF1219. An amendment to remove the language was unsuccessful.

The Transportation Department would be required to study the use of rumble strips, for safety purposes, along the centerlines of two-lane state highways. 

Each year the Legislature reviews liquor licenses for a number of cities. And each year members wonder aloud why they even need to approve them when legislators rarely question the requests and even less frequently reject them.

The answer is simple: the law allows cities and counties to issue a certain number of regular on-sale and off-sale liquor licenses with the approval of the commissioner of public safety. However, it limits certain special liquor licenses. Only the Legislature can approve those.

There are more than 12,000 alcohol-related licenses authorized by the state. Wholesale and retail sales of alcoholic beverages are regulated by the Alcohol and Gambling Enforcement Division of the state Department of Public Safety. Local governments (cities, counties and towns) regulate retail sales through licensing ordinances.

The core regulations governing the manufacturing, distribution, retail sale, and consumption of alcoholic beverages today were created in the Liquor Control Act, passed by the Legislature in 1933, after ratification of the 21st Amendment to the U.S. Constitution put an official end to prohibition.

The state's liquor laws date back to its territorial days in 1858 when the first Minnesota Territorial Legislature established county boards of supervisors and gave them the authority to issue "licenses for the sale of intoxicating beverages," upon payment of a license fee and a \$1,000 bond. Sunday sales in the licensee's establishment were prohibited until a 1967 update allowed cities to issue Sunday liquor licenses for restaurants if approved by voter referendum.

For much of the 19th century and early 20th century, liquor legislation was "highly charged with emotion and bitterness," wrote Lindsay Arthur, Jr., an attorney who authored a 1983 issue paper on the history of the state's liquor liability law. Prohibition advocates were politically powerful, according to Arthur.

"The Women's Christian Temperance Union, the National Prohibition Party and the Anti-Saloon League ... all became predominant political forces at local levels. ... Not since the middle years of the 19th century when the slavery issue was predominant has any question been so widely debated, pursued with so much determination and idealism and so bitterly contested as national prohibition."

"State laws known as 'Dram Shop Acts,'" Arthur wrote, "were passed by temperance

forces and were designed to express displeasure with the drives towards liquor traffic and to provide against the evils ... of intoxicating liquors."

Prior to the 1919 ratification of the national prohibition amendment, 63 of Minnesota's 86 counties were "dry." State law at the time allowed county governments to declare themselves "wet" or "dry"

regarding alcohol sales.

Prohibition will always have a Minnesota connection. The Volstead Act that spelled out federal enforcement of prohibition — including defining intoxicating liquors as those containing one-half of 1 percent of alcohol by volume — bears the name of its author, U.S. Rep. Andrew John Volstead, who represented Minnesota's Seventh Congressional District between 1903 and 1923.

Despite the state's connection to prohibition, residents didn't take kindly to the nationwide ban on beer, wine, and liquor sales.

"Minnesotans had not welcomed prohibition because moderate drinking was traditional among the ethnic and religious groups of the state," wrote Margaret Murray, a University of Minnesota history student in a 1977 research paper, "Prohibition in Minnesota."

"Efforts had been made at enforcing the law, but due to widespread nonobservance by all groups of Minnesota society, the efforts failed."

Volstead lost his congressional seat in 1922, but it was due more to low farm prices than opposition to prohibition.

(T. LONERGAN)



The window of Perley McBride's on-sale liquor establishment advertising a dispute with the city of Minneapolis over liquor license in 1935.

Photo courtesy of the Minnesota Historical Society

★ BUSINESS

Airline assistance

Funding is uncertain for a bill that Northwest Airlines officials say would help the beleaguered Eagan-based airline be more competitive. But the legislation nonetheless demonstrates symbolic support on the part of the state.

So says Rep. Ron Abrams (R-Minnetonka), sponsor of a bill presented April 29 to the House Taxes Committee, which he chairs.

HF1587 would extend a job credit on the airline's Minnesota corporate franchise tax and would exempt from Minnesota sales taxes all airline meals and beverages initially purchased in or brought into the state and served outside of Minnesota airspace.

The Minnesota Department of Revenue estimated the bill would cost the state an average of \$1.1 million in lost tax revenues in each of the next four fiscal years. However, Abrams indicated that the amount might be adjusted following receipt of additional information from the airline.

"This is more than anything a competitive issue for the airline," said Tracy Smith, senior tax counsel for Northwest Airlines.

Abrams said the bill represents a small amount of money in global terms, but is appropriate considering employee layoffs and wage concessions being made by union and non-union Northwest Airlines employees.

The corporate franchise tax job credit was enacted in 1991. Under specific conditions, a corporation operating a heavy aircraft maintenance base or an engine repair facility may receive a \$5,000 tax credit for each full-time job at the facility. The credit can be claimed for the first five years of operation. Under current law, the corporation may carry the credit forward for up to 10 years if the credit exceeds the amount of taxes owed.

The bill would extend the carryover to 20 years.

Northwest Airlines has maintenance facilities in Duluth, Hibbing, and Virginia.

A Senate companion bill (SF1527), sponsored by Sen. William Belanger (R-Bloomington), awaits action.

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★ CHILDREN

Cuts less deep

Editor's Note: The full House was scheduled to debate the omnibus health and human services finance bill as this issue of Session Weekly went to press. For timely updates, please visit the Session Daily Web site at <http://www.house.mn/hinfo/sdaily/sdaily.htm>, and look for a complete story in next week's Session Weekly.

During its approval of the omnibus health and human services omnibus bill April 28, the House Ways and Means Committee adopted an amendment that would partially ease one concern many advocacy groups have with the bill.

The amendment, offered by Rep. Fran Bradley (R-Rochester), would soften the impact of increased co-payments for parents who receive state child-care assistance. Bradley sponsors the omnibus finance bill (HF437). The bill would provide about \$7.3 billion in general fund appropriations for 2004-05.

Bradley said fiscal analysts discovered about \$7 million in additional revenues not previously accounted for in the budgeting process. The amendment would use about \$3 million of that money to decrease the percentage of child-care costs low-income parents would have to pay under the bill. The remaining \$4 million goes to the state's general fund.

Family and child-care advocates have criticized the omnibus bill for cutting funding to basic sliding fee child-care assistance programs for low-income working families and increasing the percentage of child-care costs those families must pay.

Bradley's amendment would slightly reduce most of the proposed percentage requirements for families earning between 100 percent and 200 percent of federal poverty guidelines. The proposed co-payments would still be higher than current rates for most families, and the upper income limit for assistance eligibility would drop from 75 percent of the state median income, or about \$54,500 annually, to 250 percent of federal poverty guidelines, or about \$46,000 for a family of four.

The federal poverty income guideline is \$18,400 annually for a family of four.

Currently, families receiving child-care assistance who earn less than 75 percent of federal poverty guidelines have no co-payment for childcare. The bill would require a \$15 monthly co-pay. Families earning between 75 percent and 100 percent of federal poverty guidelines, who currently pay a \$5 co-payment, would pay \$25 monthly.

★ DEVELOPMENT

Funding for economic development

With new funding for biotechnology and medical genomics, but without additional money for job training for workers throughout the state, a \$334 million jobs and economic development bill passed the House 79-52 April 30.

HF748, sponsored by Rep. Bob Gunther (R-Fairmont), encompasses funding for everything from the arts, to the homeless, to youth employment programs, and workforce development funds.

Originating with the House Jobs and Economic Development Finance Committee, of which Gunther is chair, the budget was lambasted on the floor by each of the committee's four DFL members, as well as by some others.

"It doesn't create jobs, it doesn't promote economic development," said Rep. Tony Sertich (DFL-Chisholm).

Replied Gunther, "We did do as much as could with what we had."

According to Gunther, the bill fully funds State Services for the Blind, an agency that has been hard hit by recent budget cuts, and appropriates money for the deaf and hard of hearing employment division, and the Minnesota Youthbuild Coalition. It also earmarks money for flood damage repairs in Roseau.

A provision, attached to the bill April 25 by the House Ways and Means Committee, would appropriate \$2 million in 2004-05 for a University of Minnesota and Mayo Foundation partnership promoting biotechnology and medical genomics research. The measure was touted by Gov. Tim Pawlenty in his State of the State address in February.

What HF748 doesn't include is money for the Minnesota Film and TV Board, the Displaced Homemaker Program, the State Humanities Commission, and the Indian Business Loan Program.

The ways and means committee eliminated a provision, sponsored by Gunther, that would have allowed for fluctuation in the special assessment rate employers pay to the state workforce development fund. The fund provides for the training of laid-off workers.

The fluctuating rate would have caused employers to pay an additional \$3 per employee per year to provide a higher fund balance when the number of laid-off employees is high and a lower balance in good times. In pitching the bill to his committee April 16, Gunther said that keeping the balance low in a healthy economic climate would prevent the

state from tapping the fund for other expenses, as has happened in the past.

Gunther explained that he didn't protest removal of the fluctuating worker development fund assessment rate because the governor's staff said the governor would veto the line item in the bill.

Objecting to the fact that the bill aims to transform Minnesota Technology Inc. from a state agency to a nonprofit, stand-alone entity was Rep. Loren Solberg (DFL-Grand Rapids). The technology-based economic development organization that serves Greater Minnesota would receive \$2 million in 2004, but nothing thereafter.

Others noted that the bill contains a 31 percent cut to the Minnesota State Arts Board and an 18 percent reduction to the Minnesota Historical Society.

While the bill contains money for homeless shelters and the prevention of homelessness, the appropriation represents a 50 percent reduction in services, Clark said.

HF748 also contains a provision that would replace the rights of cities to set their own fines for the illegal sale of tobacco to minors with state-mandated penalties. An amendment to remove the provision, offered by Rep. Carlos Mariani (DFL-St. Paul), failed on a 75-56 vote.

An additional amendment to remove a proposed apprenticeship fee, offered by Rep. Tim Mahoney (DFL-St. Paul), failed on a 76-55 vote. The provision calls for charging apprentice sponsors \$50 per apprentice each year. The revenue would help the statewide dislocated worker fund, designed for people who have lost work through a massive layoff, have exhausted unemployment benefits, or have limited opportunities to return to a similar occupation in their region. The fee would generate about \$1 million in 2004-05 and is part of the governor's proposed budget.

But Mahoney said apprentices who are struggling with increased higher education tuitions couldn't afford the fee. Its imposition, he said, will cause some to turn away from the thought of gaining skills through an apprentice program.

Helping more border cities

The state has long had tax-reduction programs to help cities along Minnesota's border with North Dakota attract and retain jobs and businesses. Now a bill would do the same for one region along the Wisconsin border.

HF1455, sponsored by Rep. Pete Nelson (R-Lindstrom), would authorize the City of Taylors Falls and the township of Franconia in Chisago County to create border city development zones. It was presented to the House Taxes Committee April 29 and will be

considered for inclusion in its omnibus bill.

Specifically, the bill would allow Taylors Falls and Franconia Township to each designate three 100-acre areas as border city development zones. Businesses locating or expanding in the zone could qualify for property tax exemptions, corporate franchise tax credits, and sales tax exemptions.

The city and township could also extend the benefits to other businesses not in the zones, under the bill.

Creating a border city development zone would help the county compete with Wisconsin, said Chris Eng, executive director of the county's economic development authority and housing and rehabilitation authority. Already the county has lost two manufacturing businesses to its eastern neighbor, and is in the process of losing a third, he said.

"We're losing the border battle with Wisconsin," Eng said.

The zone would also help the county lure one firm that is being courted by both Wisconsin and Minnesota. The firm plans to build a 100,000 square foot building for engineering research and design. It would bring 250 jobs with an average salary of \$60,000.

"It's a big impact ... and it's all high-dollar jobs," Nelson said.

A dollar amount had not been named at the time of the bill's presentation, but is expected to be set at a later date.

Current law allows border city enterprise and development zones in Moorhead, Dilworth, East Grand Forks, Breckenridge, Ortonville in Northwest Minnesota, and Luverne in the state's southwest corner.

Border city enterprise zones were designated in 1983. Their counterparts, border city development zones, were authorized by the Legislature in the 1990s.

A Senate companion bill (SF1471), sponsored by Sen. Sean Nienow (R-Cambridge), awaits action.

Program continuation

A state incentive program providing assistance to cities on the western border of Minnesota that are finding their jobs, residents, and businesses moving to North Dakota would be continued, under a bill heard April 24.

HF1079, sponsored by Rep. Morrie Lanning (R-Moorhead), would allocate \$1.5 million in fiscal year 2004 for existing border city enterprise and development zones in Moorhead, Dilworth, East Grand Forks, Breckenridge, and Ortonville. Presented to the House Taxes Committee, the bill will be considered for inclusion in the omnibus tax bill.

Money would be allocated to the cities on a per-capita basis. It may be used for tax

reductions and offsets, but only if the city determines that the tax break is needed to retain the business or to attract a new business.

The allowable tax reductions and exemptions would include:

- sales taxes on construction materials or equipment;
- income tax credits for the business owner of \$3,000 per employee per year for additional workers employed in the incentive zone;
- income tax credits for the business owner for debt financing on new construction and expansions;
- corporate franchise tax credits for new industry; and
- property tax credits.

Lanning, who was mayor of Moorhead for 22 years, said businesses began leaving Minnesota border cities for North Dakota in the mid 1970s. At one point, Moorhead had more than 500 million square feet of vacant commercial and industrial property. Seven schools closed during this period.

"We were definitely a hurting city," Lanning said.

The situation is improving, but help is still needed, said Moorhead City Council member Lauri Winterfeldt-Shanks. North Dakota has the lowest workers' compensation rate in the nation, and has a state-owned bank backing economic development.

"Moorhead's growth depends on your decisions today," she said.

According to nonpartisan House researchers, border city enterprise zones were designated in 1983. Their counterparts, border city development zones, were authorized by the Legislature in the 1990s. A separate 2001 law also allows the city of Luverne to qualify.

A Senate companion bill (SF988), sponsored by Sen. Keith Langseth (DFL-Glyndon), was heard April 15 by the Senate Taxes Committee and may become part of its omnibus bill.

★ EDUCATION

Staying in school

Helping children with emotional or behavioral disorders stay in school is the intent of a bill passed 120-10 by the House April 24.

Sponsored by Rep. Alice Seagren (R-Bloomington), HF1145 would require school districts showing a high dropout rate among students with serious emotional disturbances to develop strategies with parents and county mental health service agencies to keep the students in school.

"If there's no intervention, kids will drop out," Seagren said. "The bill will push schools to develop policies to help kids stay in school."

According to the Minnesota chapter of the National Alliance for the Mentally Ill, 16 percent of public school special education students in the state during the 2000-01 school year had an emotional behavior disorder. The group estimates about one in five children in the United States have a diagnosable mental, emotional, or behavioral disorder.

The bill would require school districts with a dropout rate among emotional behavior disorder students in the top 25 percent of districts in the state to develop a plan to improve the students' high school graduation rate and submit the plan for state review.

In establishing student discipline policies, the bill directs school districts to develop a policy and report it to the state on use of police officers and crisis teams to remove students with disabilities from school grounds. It also directs school districts to coordinate crisis services with county boards for students in need, particularly when access to such services will help the student stay in school.

Further, the Board of Teaching would be directed to require teachers to learn about recognizing the early onset of mental illness in children and adolescents as part of a teacher's continuing education requirements.

"You can't see it (mental illness) like a broken leg," said Rep. Keith Ellison (DFL-Mpls), "but it's nonetheless there and nonetheless real."

The bill now goes to the Senate, where Sen. David Tomassoni (DFL-Chisholm) is the sponsor.

ELECTIONS

Number of campaign signs

Several Eden Prairie residents complained during last fall's campaigns that Rep. Peter Adolphson (R-Minnetonka) had too many campaign signs on neighborhood lawns. He was forced to remove all but one of his signs from each property.

Adolphson said it was "an attempt to limit my free speech," so he sponsored HF307 allowing any number of signs to be posted from Aug. 1 of a general election year until 10 days after Election Day.

The full House passed the bill 132-0 April 24.

Because current law is clear on the size of non-commercial signs in municipalities but not the number per candidate, municipalities could interpret the law to any number they chose. Both Eden Prairie and Minnetonka interpreted the law to indicate a single sign per property.

Rep. Loren Solberg (DFL-Grand Rapids) raised concerns during the committee process

A LOT OF PULL



PHOTO BY ANDREW VON BANK

Members of the New Ulm Battery, assisted by the Princeton Battery, fire cannons on the State Capitol mall May 1 as part of a Freedom Day celebration.

about leaving the decision at the local level. Adolphson assured legislators that both city officials and municipalities had no problems with the clarifying language in the bill.

The bill now moves to the Senate where Sen. David Hann (R-Eden Prairie) is the sponsor.

Electing officers

Townships will be required to hold a special election if they are unable to fill a vacancy of an elected town official by appointment under HF361.

The bill passed the full House 133-0 on April 24.

Under current law a town board is directed to fill a vacancy through an appointment process, with a special election necessary if members fail to agree.

Townships have had some "trouble getting vacancies filled," said Rep. Tony Kielkucki (R-Lester Prairie), the bill's sponsor.

Current law says a town may hold an election. HF361 says a special election must be held by the call of the supervisors and town clerk, or any two of them together with at least 12 other town freeholders.

A statement would then need to be filed in the town clerk's office. Included must be the reason why the election is called and that the interests of the town require the election.

The bill now goes to the Senate, where Sen. Dallas Sams (DFL-Staples) is the sponsor.

EMPLOYMENT

Vaccination illness

Nurses and others working in medical settings who have been vaccinated against anthrax, or other identified bioterrorism threats, and consequently become ill would be covered by workers' compensation, under a bill approved by the House 131-1 April 25.

The provision is one part of HF1426, sponsored by Rep. Dan Dorman (R-Albert Lea), relating to workers' compensation provisions. Dorman said the bill resulted from an annual examination of workers' compensation issues by the Workers' Compensation Advisory Council, comprised of business and labor representatives.

Dorman said the Department of Labor and Industry presently interprets the workers' compensation law to include injuries and disease resulting from vaccinations that are administered to employees following declaration by the federal Department of Health and Human Services.

However, he said, the Minnesota Nursing Association and others wanted language in statute clearly delineating workers' compensation coverage of vaccine-related illnesses.

"If there's an anthrax spread in the area we want to make sure there are people to take care of us because we're gonna be sick," Dorman said.

A number of members were concerned about the ramifications of the vaccine provision, which was amended to the bill by Dorman on the House floor. Rep. Lynda Boudreau (R-Faribault), chair of the House

Health and Human Services Policy Committee, said the provision should have been presented to her committee prior to a vote by the full House.

Rep. Char Samuelson (R-New Brighton) agreed with Boudreau, though she said she supported the provision. "I do feel it's a positive addition and something that should be done," she said.

Rep. Phil Krinkie (R-Shoreview) questioned why the vaccination provision would be retroactive to Jan. 24, 2003. Such a specific date indicates that a certain person suffered illness from a vaccination and was seeking workers' compensation coverage.

Dorman replied that he did not know how many people are currently seeking claims under the provision, if any. That date was chosen, he said, because it corresponds with the federal Public Health Service Act. Without a specific date, the advisory council feared the workers' compensation insurance would be held liable for illnesses resulting from any employee vaccinations administered prior to the terrorist attacks of Sept. 11, 2001.

The bill now goes to the Senate, where Sen. Geoff Michel (R-Edina) is the sponsor.

★ ENERGY

Renewable energy

Electric utilities would be required to meet a 5 percent renewable energy standard in their power source mix by the year 2015, under a bill approved April 28 by the House Agriculture and Rural Development Finance Committee.

Sponsored by Rep. Elaine Harder (R-Jackson), HF1515 would require investor-owned utilities like Xcel Energy, Minnesota Power, and Otter Tail Power, which sell electricity on a retail and wholesale basis, to begin meeting the renewable requirement incrementally in 2005. The 5 percent renewable standard — to be met over a 10-year period — would be a percentage of total state annual electrical consumption.

"Rural Minnesota has a lot at stake" in renewable energy development, Harder said. Development of wind-generated power and biomass sources, primarily centered in the state's rural areas, would be assisted in the bill. Other qualifying renewable sources would include hydrogen, solar, and geothermal, among others.

The 2001 Legislature created a renewable energy objective that requires electric utilities to make a good faith effort to have 10 percent of their total energy supply provided by renewable sources by 2015.



Lisa Daniels, executive director of Windustry, testifies before the House Agriculture and Rural Development Finance Committee April 28 in support of a bill that would impose a renewable energy standard and a renewable energy objective.

The bill would maintain the 10 percent objective, as well as require the 5 percent standard. Generation or purchase of renewable energy would count toward both.

In addition, the bill would create renewable energy credits utilities could purchase from each other to meet the standard. Distribution cooperatives and municipal utilities that are strictly retail sellers of electricity would be exempt from the requirement.

Utility and business representatives testified in opposition to the bill. Representatives of environmental and agriculture related groups testified in support of it.

The bill is "a well-intended effort on rural economic development," said Loren Laugtug, director of legislative affairs for Otter Tail Power. He opposed the bill's "mandated utility purchases" of higher-priced power from renewable sources. "We would prefer carrots and not sticks," he said.

Lisa Daniels, executive director of Windustry, which assists state residents in developing small-scale wind projects, said the bill would integrate "renewable energy into Minnesota's energy mix." She said every megawatt of renewable energy developed creates jobs in rural communities.

The bill was referred to the House Regulated Industries Committee, where it may have to wait until the 2004 session for consideration, since committee deadlines have passed. The bill has no Senate companion.

★ ENVIRONMENT

Pest control

Mosquito spraying provisions would be expanded in a number of ways, including allowing officials to enter private property despite owner objection, under a bill heard April 25.

HF929, sponsored by Rep. Laura Brod (R-New Prague), first aims to expand the Metropolitan Mosquito Control District to include western Carver County. An additional provision would expand the commission's authority to enter private property, despite owner objection, to determine the need for control and actual action against disease-carrying species of mosquitoes, ticks, and black gnats.

Because the bill would expand the district's jurisdiction for taxing purposes, it was presented to the House Taxes Committee. It will be considered for inclusion in the committee's omnibus bill.

However, the bill's first stop, on April 2, was before the House Local Government and Metropolitan Affairs Committee. There, some representatives questioned the bill's provisions.

Rep. Carlos Mariani (DFL-St. Paul), a co-author, said he signed onto HF929 out of a desire to limit the West Nile virus. But the bill is over-reaching, he said, in allowing entry onto private property despite objection, and in removing a sunset date in current statute allowing human beings to be sprayed.

Under current law, a person may not directly apply a pesticide on a human by overspray or target site spray, except when the pesticide is intended for use on a human. In addition, the application must be for mosquito control operations conducted before June 30, 2003, when no practicable and effective alternative method of control exists, and the pesticide must be among the least toxic available for control of the target pest.

HF929 would remove the date.

The statutory language allowing spraying of humans dates back to 1987 when farm field employees were sprayed with "hot" pesticides by airplanes, said David Clark, legal counsel for the district. The mosquito control district will continue to carefully protect the public health and with the least toxic materials available, he said.

However, in response to a question from Rep. Frank Hornstein (DFL-Mpls), Clark said he didn't know what would happen if the sunset date were removed. The issue can be interpreted in a number of different ways, Clark added.

Hennepin County Commissioner Penny Steele supported the bill, stating that the property taxes paid by residents for mosquito control are equal to the cost of two cans of bug

killer, or \$7 to \$8 per household per year.

The Sierra Club's Judy Bellairs said the mosquito control district already spends \$11.5 million on mosquito control. The agency is using the threat of West Nile Virus to leverage onerous policy changes, she said.

A Senate companion bill (SF712), sponsored by Sen. Claire Robling (R-Jordan), was approved by two Senate committees and awaits action by the Senate Rules and Administration Committee.

GAMBLING

Racino moves on

A bill allowing slot machines at Canterbury Park passed the full House April 25, but with an additional provision that could scrap the whole project.

Passed 71-60, HF646 would permit the Minnesota State Lottery to operate slot machines at the Shakopee horse racing facility.

An amendment offered by Rep. Mark Olson (R-Big Lake) would allow the casino at Canterbury, known as racino, to dissolve if American Indian tribes were to do four things by July 1, 2003:

- contribute funds voluntarily to the Department of Human Services for compulsive gambling treatment programs equal to the amount contributed by the state lottery,
- prohibit the increase of video gaming machines,
- submit information annually to the state auditor on gross receipts from tribal gaming and the distribution of those gaming receipts, and agree to have the information audited by the state auditor, and
- contribute 6 percent of gross receipts from casino gambling annually to the state.

Those items are currently governed by compacts between the tribes and the state. The amendment passed 77-54.

"We're talking about threats with a loaded pistol at the tribes," responded Rep. Margaret Anderson Kelliher (DFL-Mpls), calling the amendment "anti-Indian."

Tribal officials testified against HF646 as the plan made its way through House committees. They argued that adding a gambling facility in the Twin Cities metropolitan area would divert customers from going to outlying tribal casinos for entertainment. They also said that money lost would hurt members of tribal communities and residents in rural communities where they are located.

As for the casino plan, both the state and Canterbury Park would benefit in the first four years of operation, with the state receiving an average of 40 percent of gross operating revenues, and the facility netting 45 percent. In the upcoming



PHOTO ILLUSTRATION BY TOM OLMSCHEID

Proceeds from slot machines that are part of the casino plan at Canterbury Park, called the racino, would be used to help balance the state's budget shortfall for the upcoming biennium. The House passed a bill providing for the racino April 25.

biennium, the amount of money the state would receive would be 55.5 percent on adjusted gross gaming revenue, which is expected to equate to \$100 million.

Rep. Phyllis Kahn (DFL-Mpls) unsuccessfully offered an amendment that would have kept the state's return at 55 percent until the Legislature decided to change the revenue numbers. We now have a "slot machine casino with horses running around it," she said.

Rep. Mark Buesgens (R-Jordan), the sponsor of HF646, said the amendment "would have the absolute effect of killing the whole proposal." He indicated the park wouldn't go through with the plan if the state continued to receive the higher revenues suggested in the amendment. The track would be responsible for the upfront construction costs, estimated at \$90 million.

Buesgens said that in addition to the state benefiting, the bill is "all about jobs and economic development." Officials estimate that the entire project would create 1,400 new jobs.

The agriculture and horse industries would gain from the gambling addition with the construction of an Olympic-scale equestrian center, which could house both regional and national horse shows.

If the bill fails, Rep. Jim Knoblach (R-St. Cloud) said there would be a "hole in the budget," because anticipated proceeds are included in the overall House budget-balancing plan.

A Senate companion (SF576), sponsored by Sen. Dick Day (R-Owatonna), was tabled in the Senate State and Local Government Operations Committee.

★ GAME & FISH

Tax-free game birds

A customer buying a frozen game bird at a grocery store or butcher shop does not pay sales tax. Yet, a hunter paying a fee to shoot birds at a hunting preserve who receives a packaged frozen bird to take home at day's end, does pay sales tax.

The House Taxes Committee debated the seeming incongruities April 29 during the presentation of HF1508, sponsored by Rep. Tom Hackbarth (R-Cedar). The bill would make the birds exempt from sales taxes.

The sales tax has not been charged previously; only a recent interpretation of the law calls for the tax.

"We've struggled with the interpretations of this for some time," said Ray Krause, Department of Revenue assistant commissioner. The department eventually concluded, he said, that the activity of hunting birds at a preserve or game farm is recreation.

Krause said hunters often pay a fee to shoot at a preserve or game farm, and the fee includes a certain number of birds. He said it's not unlike paying to hit a certain number of balls at a batting cage. What it isn't, Krause said, is the harvesting of an agricultural product.

But Jeff Hughes, owner of Wild Wings Hunting Club in Hugo, disagreed. Shooting preserves and game farms were created to preserve farms that have been in families for, in some cases, 100 years. The preserves are in an agricultural setting and have been viewed as agricultural, not as recreational.

Furthermore, said Rep. Tom Pugh (DFL-South St. Paul), hunters are not given the birds they shoot to take home, but birds that have already been cleaned, packaged, and frozen. Rep. Ron Abrams (R-Minnetonka), chair of the committee, intimated the birds are therefore not much different than nontaxable birds purchased at grocery stores.

"They just made a really compelling case," said Abrams, of the bill supporters.

Hackbarth said the sales tax represents another burden for owners of game farms and hunting preserves. Imposing it on game birds would cost the Viking Valley Hunt Club in Ashby \$7,200 a year.

The bill will be considered for inclusion in the omnibus tax bill.

A Senate companion bill (SF1262), sponsored by Sen. Steve Murphy (DFL-Red Wing), may be included in the Senate Taxes Committee omnibus bill currently under review.

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

★ GREATER MINNESOTA

Increasing rural speed limits

The House Transportation Finance Committee approved a bill April 24 that would increase the daytime speed limit on two-lane rural state highways to 65 miles per hour.

The bill (HF1071), sponsored by Rep. Marty Seifert (R-Marshall), now moves to the House Ways and Means Committee. Nighttime speed limits would remain at 55 miles per hour under the bill. It does not specifically define nighttime hours.

In addition, the committee removed a provision that would have allowed any violations of the 65 mph speed limit, where drivers are not exceeding 74 mph, to not appear on a person's driving record. Current law allows for violations of 55 mph speed limits within 10 miles of the limit to not be placed on a driver's record.

The new speed limits would be effective June 1, 2004. In the meantime, the bill directs the Transportation Department to report back to the Legislature by next February regarding plans to implement the new speed limit. The report would show where the commissioner has conducted an engineering study regarding a speed limit zone.

Unless the commissioner deems the higher speed limit to be unsafe on a section of road, the higher speed limit would take effect next June.

Seifert called the bill a better reflection of reality on rural Minnesota roads than current speed limits allow. He said roads in Greater Minnesota, particularly in his southwestern Minnesota district are straight and safe and call for higher speed limits.

According to information Seifert provided to the committee from the Insurance Institute for Highway Safety and the Highway Loss Data Institute, only North Dakota and Montana have different day and night speed limits on the same types of highways as those covered in the bill. In addition, 19 states have speed limits on the roads of higher than 55 mph.

Rep. Alice Hausman (DFL-St. Paul) said that the philosophy of drivers is to exceed the speed limit as much as they can get away with, regardless of what the limit is. She suggested that drivers who may now be traveling 64 mph in a 55 zone, wouldn't limit their speeds to 65 mph under the bill.

The bill would require the Transportation Department to erect new speed limit signs on the roads affected. Because there would be two different speeds, depending on the time of day, a larger sign is necessary, department officials testified, which requires an additional sign pole. Estimates show the provisions of the bill

would cost the department \$1.3 million initially and \$80,000 in subsequent years.

A Senate companion (SF1248), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits committee action.

★ HEALTH

Receiving treatment

Editor's Note: The full House was scheduled to debate the omnibus health and human services finance bill as this issue of Session Weekly went to press. For timely updates, please visit the Session Daily Web site at <http://www.house.mn/hinfo/sdaily/sdaily.htm>, and look for a complete story in next week's Session Weekly.

A particularly contentious provision of the House health and human services omnibus bill that some say mandates substandard medical treatment for people with mental illness was modified slightly during a meeting of the House Ways and Means Committee April 28. The finance measure (HF437) would provide about \$7.3 billion in general fund appropriations for 2004-05.

On a 12-11 vote, committee members approved an amendment proposed by Rep. Tom Rukavina (DFL-Virginia) to give affected patients more information about so-called "step therapy" requirements contained in the bill.

The bill would allow the human services commissioner to develop a program requiring doctors to prescribe the least costly drugs or therapy to "safely and effectively" treat a patient's medical condition and prescribe progressively more costly treatments only when each initial treatment is deemed unsafe or ineffective.

The provision would only apply to patients receiving state medical assistance.

The amendment would require doctors using step therapy to inform patients when the treatment they are prescribing because of the law is less effective than other available treatments.

"It would require the doctor to tell the patient that he believes that there's a better drug available for the person, but he just can't give it to them because he's required to give them the less expensive treatment," Rukavina said. "(Patients) should know that this drug is available out there and that the doctor himself or herself thinks that this drug would work better for the patient."

Rep. Fran Bradley (R-Rochester), who sponsors the omnibus package, said he opposed the amendment because the relative value of a treatment can be different for everyone.

"I wish that doctors were infallible, but I'm afraid that they're not," Bradley said. "At times I think there's a lot of subjectivity as to whether

a (doctor) likes a certain drug or not."

Rep. Loren Solberg (DFL-Grand Rapids) said choosing a less-effective treatment could be especially harmful for people with mental illness. "If it doesn't work, it isn't like you get another cold. It can have serious consequences that can rip at the doctor-patient relationship," Solberg said. "We want to make sure that they're not suicidal and you want to give them the best treatment based on what the doctor thinks."

★ HIGHER EDUCATION

Finance plan passes

The higher education finance bill passed by the House April 29 calls for more than the governor recommended, but less than institutions now receive.

Passed 81-51, the bill would provide \$2.6 billion for the upcoming biennium, \$50 million more than proposed by Gov. Tim Pawlenty.

Sponsored by Rep. Doug Stang (R-Cold Spring), the bill (HF1568/SF1511*) would budget \$1.12 billion for the Minnesota State Colleges and Universities (MnSCU) system, \$1.1 billion for the University of Minnesota, \$369.8 million for the Higher Education Services Office, and \$2.95 million for the Mayo Medical Foundation.

Previously amended in the House Ways and Means Committee to include the House language into the Senate file, the bill now returns to the Senate where Sen. Sandy Pappas (DFL-St. Paul) is the sponsor. The Senate passed its bill, which totals nearly \$97 million more than the House in spending, April 23 on a 34-31 vote.

Compared with the current biennium, the House plan would mean a \$191 million drop for the university, \$176 million decrease for MnSCU, and a \$324,000 reduction for the Mayo Foundation.

"I would have hoped this bill would have helped our campuses... but the base cuts will go on now from this point," said Rep. Gene Pelowski, Jr. (DFL-Winona).

Conversely, the Higher Education Services Office, which would have its name changed to the Office of Higher Education and have its director appointed by the governor, would receive a \$54.8 million increase in funding.

"Most of that additional funding is reflected in the state grant program," Stang said. "In the grant program there was a projected \$101 million need due to tuition increases and enrollment increases. We followed the governor's request and appropriated \$60 million to cover a portion of that."

The additional dollars would be funded through changes to the state grant program, such as reducing the amount of time a student is eligible for grants from 10 equivalent semesters to eight and establishing semester cutoff dates. In addition language is in the bill that in the event of a grant shortfall the office cannot turn to the work-study and child-care grants to obtain the needed funds, as occurred this year.

House Majority Leader Erik Paulsen (R-Eden Prairie) said funding the state grant, work-study, and child-care grants are among the “main issues we heard from our constituents.”

Some policy changes in the bill will directly affect either the university or MnSCU.

Among them are:

- the addition of two students to the university’s Regent Candidate Advisory Council;
- Fond du Lac Tribal and Community College in Cloquet may create a baccalaureate degree in elementary education; and
- a provision that would require MnSCU and encourage the university to collect fees that fund student groups on an opt-in basis.

Other provisions would affect students at all post-secondary institutions in the state. One would require each school to provide meningitis information to every new student living in on-campus housing. A second would provide penalties for students convicted of rioting, including paying the highest applicable tuition rate and being ineligible for a state grant.

DFL members said the bill continues to further set back the institutions, and some said that would lead to a further deterioration of the state’s position into the future.

In looking at a projected compounded tuition increase of 32.5 percent in the next two years, Rep. John Dorn (DFL-Mankato) expressed concern that fewer Minnesota students will choose or be able to stay in the state, especially those in the medical fields, noting that those who train here often stay here.

★ INDUSTRY

Lowering taconite taxes

Mining companies and the jobs they provide would be helped significantly, but municipalities and school districts could receive less financial support, under a bill that would lower a production tax on the low-grade iron mined in northeast Minnesota.

HF1574, sponsored by House Speaker Steve Sviggum (R-Kenyon), was presented to the House Taxes Committee April 28 and will be considered for inclusion in the omnibus tax

bill. Sviggum said he is sponsoring the bill because he believes strongly that taconite production taxes must be lowered.

“It is that important of a bill, I believe, to the jobs of this state,” Sviggum said.

The bill would lower the per-ton tax from \$2.10 to 80 cents, eliminate the inflation index on the tax, and change the distribution of the revenues, among other things.

Currently, a complex formula distributes revenue to all qualifying cities, towns, counties, and school districts, as well as to a property tax relief program, a taconite development fund, to a taconite producer grant program, and the Iron Range Resources and Rehabilitation Agency. Some proceeds appropriated to the agency are further distributed to various funds, including the taconite environmental fund and the northeast Minnesota economic protection fund.

HF1574 would distribute tax revenues only to cities, townships, counties, and school districts, and in some cases only to those within a certain distance of the mines. The proposed 80-cent per-ton tax would be distributed as follows: school districts, 36 cents; cities and townships, 21 cents; counties, 18 cents; and to debt service on existing bonds authorized by the 2000 Legislature in the Chisholm, Greenway-Coleraine, and Lake Superior school districts, 5 cents. The other agencies not mentioned that currently receive money would no longer receive revenue from the tax under the bill.

Reducing the tax would result in a \$30 million revenue loss, according to Sviggum.

Four individuals, all representing mines in northeast Minnesota, testified for the bill.

But Rep. Tom Rukavina (DFL-Virginia) spoke against it. “We definitely have to keep our mines competitive, but the Minnesota tax has nothing to do with it.”

Later, he added, “I’m not going to let you turn the Iron Range into a ghost town.”

But Sviggum and mining representatives said the industry is an economic engine for Minnesota that employs thousands of individuals directly and indirectly. Lowering the taconite production tax would help the six mines remaining in Minnesota to stay competitive with increasingly aggressive operations in Brazil and Canadian.

“Without production, a tax generates no revenue,” said Frank Ongaro, president of the Iron Mining Association of Minnesota.

No Senate companion bill has been introduced.

★ LOCAL GOVERNMENT

Easing LGA cuts

There is little question that the amount of state aid given to cities may be reduced in the 2004-05 biennium. The question is how much and by which method.

Two proposals were heard by the House Taxes Committee April 28 and April 29. HF1502 is sponsored by Rep. Dan Dorman (R-Albert Lea). HF1549 is sponsored by Rep. Morrie Lanning (R-Moorhead).

In both bills, the cuts to city aid would be less than those proposed by Gov. Tim Pawlenty.

The governor suggested cuts of \$439 million in the 2004-05 biennium, a 32.1 percent reduction. Dorman’s bill suggests cuts of \$191.5 million, or 14 percent. Lanning’s bill suggests cuts of \$197 million, or 14.4 percent.

Both bills would have the reductions coming first from the reimbursements the state provides to cities for market value homestead credits that some property owners deduct from their property tax statements. If necessary, cuts would follow to the local government-aid-to-cities program.

The market value homestead credit is a property tax credit for residential homestead property equal to 0.4 percent of the market value of the parcel, up to a maximum of \$304. The credit begins to phase out when a property’s value reaches \$76,000. No credit is offered for homes valued at \$414,000 and above.

Lanning’s bill has one further caveat — cuts to cities with populations of 1,000 or less would not be as deep. “The smallest cities have the least flexibility,” he said.

However, the bills differ in one significant way. Lanning’s bill does not address the 2006-07 budget biennium, while Dorman’s bill would make the cuts permanent and ongoing.

Dorman’s bill would lessen the cuts from those proposed by the governor by no longer requiring the state to dedicate a portion of sales taxes on motor vehicle sales to transit services in the state. Metropolitan-area cities would be allowed, however, to levy property taxes for transit operating expenses.

Testifying in support of both bills were the Coalition of Greater Minnesota Cities, the city of Mankato, and the Minnesota Association of Small Cities.

Testifying against the bill was the city of Bloomington and the League of Minnesota Cities.

Bloomington City Manager Mark Bernhardson said the bills would put more money into a system that is unfair. The league’s intergovernmental relations director,

Gary Carlson, asked that cuts not be permanent. And the league's second vice president, Judy Johnson, who is also the mayor of Plymouth, said the Dorman bill doesn't encompass a balanced approach because it relies solely on funding for mass transit.

Both bills will be considered for inclusion in the omnibus tax bill. Neither has a Senate companion.

The city aid program was part of a 1971 property tax reform measure known as the "Minnesota Miracle" that attempted to provide aid based on differences in local governments' need.

Liquor licenses

A bill providing additional liquor licenses for a number of Minnesota cities was approved 112-18 by the House on April 24.

Sponsored by Rep. Michael Beard (R-Shakopee), HF719, the omnibus local liquor bill, would also allow the sale of Minnesota-produced wine at the state fair, a first in the annual summer event's 140-year history.

The city of St. Paul would be authorized to issue an on-sale wine license to concessionaires that contract with the State Agricultural Society to serve food at the fair. The society, which runs the fair, would determine how many concessionaires could sell wine by the glass with meals.

The bill would define Minnesota-produced wine as that "produced by a farm winery" licensed by the state, and "made from at least 75 percent Minnesota grown grapes, grape juices, other fruit bases or honey."

On a voice vote, the House approved an amendment by Rep. Ann Lenczewski (DFL-Bloomington) that would allow city councils to issue liquor licenses without action by the Legislature. Cities would still follow state liquor license regulations including the number of licenses they can issue based on population and city classification.

"Why do we ask our city councils to come here?" Lenczewski said. Under current law, when a city wants to increase the number of licenses it's authorized to issue based on population growth, it must come to the Legislature for approval.

Beard opposed the amendment. The state should "maintain a sense of regulation over many aspects of the industry," he said.

The bill would authorize the following cities to issue additional on-sale intoxicating liquor licenses to qualifying establishments: Blaine, 15 licenses; Maple Grove and Woodbury, 12; St. Michael and Sartell, five; Waconia, Hastings, and St. Joseph, three; and Stillwater and Thief River Falls, two.

Further, the bill would authorize:

- the city of Elko to issue a liquor license for Elko Speedway with sales restricted to a fenced grandstand area;
- Minneapolis to issue wine/beer licenses to the Jungle, Southern, and Guthrie Lab theaters, and liquor licenses to the Historic Pantages Theatre and the non-profit American Swedish Institute;
- St. Paul to issue a liquor license to the Minnesota Centennial Showboat; and
- Duluth to issue a temporary liquor license to the St. Louis County Heritage and Arts Center.

A companion bill (SF143), sponsored by Sen. Sandra Pappas (DFL-St. Paul) has been approved by a Senate committee and awaits action on the Senate floor.

Appeal and equalization information

Many property taxpayers may not know that they can appeal their property tax assessments. Furthermore, the local government units that oversee the appeals process may not fully understand the rules by which they must hear such challenges.

A bill, sponsored by Rep. Pete Nelson (R-Lindstrom), sets out to change that. HF1573, presented to the House Taxes Committee April 29, would require the state Department of Revenue to develop a handbook by Jan. 1, 2005 detailing the procedures, responsibilities, and requirements for the local boards of appeal and equalization. Furthermore, at least one member of each local board would be required to attend an appeal and equalization course each year. Local boards of appeal and equalization are comprised of city council and township board members, respectively, and meet as an appeal and equalization board only for the tax assessment process.

Any city or township not providing proof to the county assessor that it met the requirements — including proof that it had a quorum at each local board of appeal meeting the previous year — would have its local board powers transferred to the county for the following year's assessment, under the bill. The powers could be reinstated in future years if the requirements are subsequently met.

Nelson said there is often a lot of turnover on city councils and township boards, and not all elected officials understand the special rules and regulations for the appeal and equalization process. Meetings have been held without a quorum of elected officials, he added, and the 20-day period during which taxpayers can challenge their taxes hasn't always been honored.

The Minnesota Association of Townships testified for the bill. "We're very pleased to be

part of a solution that includes education," said John Dooley, an association attorney.

The Department of Revenue also commended Nelson for addressing problems that undermine taxpayers' confidence in the system.

HF1573 would allow the department to exempt cities that have staff properly trained in the appeal and equalization process.

The bill, which has no Senate companion, will be considered for the tax committee's omnibus bill.

Recovering service expenses

On a 133-0 vote April 24, the House passed a bill clarifying that cities can legally place liens on personal property if an individual receiving an emergency service, such as firefighting services, does not pay the expenses of the service.

Cities have had this power since 1997, but clarification was needed, according to Nyle Zikmund, fire chief of the Spring Lake Park Fire Department. HF428, sponsored by Rep. Greg Blaine (R-Little Falls), provides that.

Testifying April 9 before the House Local Government and Metropolitan Affairs Committee, Zikmund spoke to the need for the bill as it relates to a specific example. He told of a May 2000 fire at Larson Auto Salvage in Blaine that took 24 hours and cost \$107,000 to extinguish. His department also responds to calls in Blaine and Mounds View.

Involved in the fire fight were 12 firefighting agencies and nine other entities and contractors, including the Department of Natural Resources, which dropped water on the blaze from special airplanes and helicopters. The fire was difficult, Zikmund said, because each of the initial 100 cars reported to be on fire had to be lifted off the ground with a special metal clamp vehicle and sprayed with water.

In the end, two serious and two minor injuries were suffered by firefighters.

Zikmund said the agencies involved in the fire operation wanted to place a lien against the property so that expenses could be recovered should the property ever be sold. But both the fire department legal counsel and the city attorney felt the current state statute was not clear enough regarding liens for emergency service, he said.

The bill now goes to the Senate, where Sen. Don Betzold (DFL-Fridley) is the sponsor.

Selling liens

Taxpayers who are delinquent in property taxes and have had liens placed against their property could find those liens being sold to a third party, under a bill heard April 24 by the House Taxes Committee.

HF1408, sponsored by Rep. Ron Abrams (R-Minnetonka), will be considered for inclusion in the omnibus tax bill. Abrams is chair of the taxes committee.

The bill drew support from representatives of a firm that buys liens from taxing jurisdictions throughout the nation, but also garnered dissent from the Minnesota Land Title Association, the Minnesota State Bar Association, and the Minnesota Association of County Officers.

Under the bill, school districts, cities, counties, and other taxing jurisdictions could sell their tax liens (placed on properties for delinquent taxes) in bulk to a third-party lender, such as Plymouth Financial Company, which was represented at the committee meeting.

Doing so would give taxing jurisdictions upfront cash that otherwise wouldn't be gained until the taxes are paid or the property is sold under foreclosure provisions. The tradeoff is in forfeiting interest payments on the liens.

According to the Minnesota Department of Revenue, total delinquent property taxes and special assessments were \$213.8 million statewide, as of Jan. 2, 2002. The department was unable to calculate potential increased local tax revenues as result of HF1408, as it is unknown to what extent taxing authorities would sell tax liens under the proposal.

In many ways, the system would not change the relationship between the county as a tax collector and the property owner, until after the time the property would have otherwise been forfeited to the state, according to information from Plymouth Financial Company. When the property owner pays off the lien, the lien holder would issue a discharge certificate for submittal to the county recorder, much like is done by mortgage companies.

However, if foreclosure procedures have begun, a property owner would not be allowed to redeem the lien, as is currently allowed under state statute.

Similar programs exist in 24 states, including Iowa, Nebraska, New York, and California.

Chuck Hoyum, president of the Minnesota Land Title Association, said the proposal would make property owners pay \$1,200 to \$1,500 more for redeeming the property from foreclosure. Additionally, it would increase the amount of paperwork for county recorders.

Increasing redemption costs by up to \$1,500 when the property owner is already in trouble isn't a proper message to send, said Luci Botzek, administrator of the Minnesota Association of County Officers.

A Senate companion bill (SF1310), sponsored by Sen. Mee Moua (DFL-St. Paul), was heard April 14 by the Senate Taxes Committee and will be considered for inclusion in its omnibus bill.

Conflict of interest change

A bill that would address conflicts arising for elected township supervisors whose private employers gain contracts for township services passed the House 133-0 April 24.

HF923, sponsored by Rep. Torrey Westrom (R-Elbow Lake), states that a township may enter into a contract even if a township supervisor is an employee of the contractor, provided the supervisor has no role in preparing the contractor's bid or negotiating the contract.

In addition, it states that the supervisor is not precluded from serving as a township official during the contract term provided that the township supervisor abstains from voting on any official action relating to the contract.

Under current law, a township supervisor in such a situation must choose between remaining an elected official and employment. This exacerbates the problem of finding people interested in serving on township boards, Westrom said.

The problem came to the legislator's attention last fall following a situation in Carlos Township. Strom Construction discovered it couldn't place a bid because one of its employees was on the township board, said owner Paul Strom.

That employee, Dwayne Waldorf, said the township board and its engineer were unaware of the conflict-of-interest law until informed by the board's attorney.

The exception that HF923 would provide is similar to the exception for city council members who are employees of a utility that has a franchise with the city. Another similar provision passed into law in 2001 provided that city officials, in cities with less than 5,000 population, could participate in federal grant programs even if their businesses were affected.

The bill now moves to the Senate, where Sen. Dallas Sams (DFL-Staples) is the sponsor.

MILITARY

Tuition reimbursement

Minnesota National Guard soldiers and airmen could continue to have the state pay for the majority of their college tuition and the cost of books, under a bill approved by the House April 24.

Passing 133-0, HF1080, sponsored by Rep. Laura Brod (R-New Prague), would keep the reimbursement level at 80 percent. The bill would also eliminate the June 30, 2003 sunset date for the program. As part of the 2001 state government finance bill the rate was increased from 75 percent to 80 percent.

Under the program, which began in 1989, the state pays for up to 80 percent tuition reimbursement for lower division programs in the College of Liberal Arts at the Twin Cities campus of the University of Minnesota. Tuition would also be covered upon participation in a comparable program at a Minnesota public institution or outside the state. Medical students could receive 50 percent to 80 percent reimbursement.

Approximately 2,600 soldiers now take advantage of the benefit, said Col. Dennis Lord, executive director of the Minnesota National Guard, during committee testimony. An additional 320 soldiers now active in the war in Iraq are expected to participate in the program upon their return, he added.

Rep. Al Juhnke (DFL-Willmar) raised a concern regarding the percentage of reimbursement compared with surrounding states. Wisconsin, among others, offers to pay 100 percent of college tuition for soldiers, causing lower recruitment rates in Minnesota, he said.

Rep. Jim Rhodes (R-St. Louis Park) responded the state couldn't afford to offer the same as others.

The bill now moves to the Senate where Sen. James Metzen (DFL-South St. Paul) is the sponsor.

SAFETY

Handgun permit law

A proposal that significantly changes the state's handgun permitting laws, making it easier for most Minnesotans to carry guns in public, was signed into law April 28 by Gov. Tim Pawlenty.

The law, which takes effect May 28, requires county sheriffs to grant handgun permits to anyone who meets specified criteria.

Applicants must be at least age 21, be trained in the proper use of a handgun, and be a U.S. citizen or permanent resident. Anyone listed in a state gang database or who has previously been convicted of a violent crime would be ineligible.

Previous law gave sheriffs and police chiefs wide discretion in granting permits to carry handguns, requiring that applicants demonstrate a personal or professional need to carry. The law was interpreted differently in different parts of the state, leading to calls for a more uniform permitting system.

The new law shifts the burden of proof to county sheriffs, who must prove that someone is legally disqualified or otherwise poses a

Signed
by
the
governor

risk to themselves or others before denying an application.

Under the law, guns could not be carried by someone who is under the influence of drugs or who has a blood alcohol content above .04, even if that person has a permit to carry the gun otherwise.

Businesses wishing to ban guns on their premises will have to post a sign near the entrance before they can personally request that a gun carrier leave their business.

Guns will be banned on the property of schools and daycare centers, unless safely locked in the trunk of a car.

Businesses, colleges, and universities can set their own rules governing where employees and students can carry guns on their property.

Though often called "concealed-carry legislation," there is no specific provision in the law requiring guns be either hidden or visible when carried in public.

A similar bill passed the House in 2001 but was narrowly defeated in the Senate.

This year, the law was added to a Department of Natural Resources technical bill, sponsored by Rep. Tony Cornish (R-Good Thunder), when it passed the House 88-46 on April 23. Since the technical bill had already been passed in the Senate, senators could not amend the bill before they concurred and re-passed it 37-30 on April 28. The governor signed the bill later that day.

The technical provisions relating to the Department of Natural Resources remove a requirement that the commissioner employ three assistant commissioners; provide snowmobile, gun, boat, and ATV safety training reciprocity with other states; and address litter prevention in state parks, recreation areas, and highways. The law specifically cites that cigarette filters and debris from fireworks are offensive matter that destroys the cleanliness of the land under the state's litter laws. Those provisions are effective Aug. 1, 2003.

Rep. Lynda Boudreau (R-Fairbault) and Sen. Pat Pariseau (R-Farmington) sponsored the original handgun legislation in HF261 and SF222. Pariseau replaced Sen. Gen Olson (R-Minnetrista) as chief author of the natural resources bill after it passed the Senate for the second time with the handgun language.

HF823/SF842*/CH28

Wireless space

The state's 87 county governments could rent space on county-owned radio towers and other property to commercial wireless service providers under a bill passed 133-0 by the House April 24.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF317 would also allow counties to

enter into lease agreements with wireless service providers or other owners to place county public safety communications equipment on privately owned towers.

Public safety communications may include police, fire, highway maintenance, emergency medical service, local government, forestry conservation, and other communications as determined by a county board.

The bill would also allow county-owned building rooftops and land to be made available to wireless service providers or other users to install antennas and equipment. The county could charge site use fees for the value of the property or structure and for the cost of public safety communications systems.

Counties would also have the option to acquire land, towers, or equipment by purchase, gift, exchange, condemnation, or other means for use as a site for public safety communications.

The bill now moves to the Senate, where it is sponsored by Sen. Leo Foley (DFL-Coon Rapids).

TAXES



Taxing some cigarettes

Cigarette manufacturers and distributors would potentially pay more fees and taxes to the state under a number of provisions in a bill heard April 24 by the House Taxes Committee.

HF1199, sponsored by Rep. Ron Abrams (R-Minnetonka), would charge distributors a fee of 35 cents per cigarette pack if those cigarettes were manufactured by any company other than one of the four that have a settlement agreement with the state: Philip Morris, R.J. Reynolds, Lorillard, and Brown & Williamson. Liggett also agreed to the settlement, but has not been making annual payments and therefore would be subject to the proposed fee, said nonpartisan House researchers.

However, distributors would not have to pay the proposed fee on non-settlement cigarettes if that manufacturer agrees to the terms of the settlement, including making payments equal to 75 percent of the payments that apply to the four settlement companies.

Beyond financial obligations, the original settlement also includes restrictions on advertising and promotions.

The bill would also require settlement cigarette manufacturers declaring bankruptcy to make payments to the state in line with the amount the bill would charge of non-settlement manufacturers. According to Abrams, national press organizations are reporting that one settlement agreement cigarette manufacturer is contemplating bankruptcy. Without this provision,

the state would face a \$166 million hole in its budget, he said.

Another major provision of HF1199 aims to stop manufacturers from using Minnesota as a conduit or "trans-shipment" point to avoid settlement agreements in other states. Forty-six states have agreements requiring smaller companies to make escrow payments that are in turn held in the event a lawsuit is filed against them.

Tom Briant, executive director of the Minnesota Wholesale Marketers Association, said some manufacturers that want to ship to one of the 46 states first send cigarettes to Minnesota. These manufacturers claim they are not obligated to pay the \$3.90 per carton fee charged in those 46 states because the cigarettes are shipped through Minnesota, where the fee doesn't apply.

HF1199 would prohibit shipping cigarettes from Minnesota for sale in another state if the other state's excise tax stamp has not been applied or the tax paid, or if the other state prohibits the sale of the cigarettes.

Briant supported the bill, as did Jeremy Hanson, public policy director of Minnesota Smoke-Free Coalition. However, Hanson urged the committee to use the increased revenues for tobacco-use prevention.

The bill will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1141), sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), awaits action.

Sales tax adjustments

Shoppers could buy deli salad without paying sales tax, but they would begin paying the 6.5 percent tax on aspirin and other pain medications, under a bill heard April 24.

HF1570, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Taxes Committee, which he chairs.

The bill contains many provisions, all of which are required through Minnesota's participation in the Streamlined Sales Tax Project. The voluntary, nationwide project aims to simplify states' sales tax systems so that businesses could charge sales taxes to out-of-state customers on remote sales, such as those through the Internet and catalogs.

Currently, ready-to-eat meat (such as smoked meats) and seafood are temporarily exempt from sales taxes. To conform to the streamlined sales tax definition of prepared foods, this exemption would be made permanent and expanded to include all prepared, unheated food sold by weight or volume as a single item, such as deli salads.

To conform to the definition of medicine

and medical devices, Minnesota would begin taxing aspirin and other pain medications unless prescribed. Current exemptions would continue for prescription drugs, insulin, medical oxygen, and over-the-counter medicines prescribed by a licensed health care professional.

Under the mobility enhancing equipment category, portable ramps and "lift chairs" would be added to the current sales tax exemptions for ramps, lifts, elevators, and equipment necessary to make vehicles handicapped accessible.

The existing sales tax exemption for durable medical equipment would be expanded to include items currently taxable, such as adjustable height toilet seats, anesthesia equipment, and intravenous stands. However, the exemption would be limited to in-home use or uses by government and nonprofit hospitals, and nursing homes. Clinics and nonprofit organizations would be taxed for these same goods.

Multi-use equipment, such as glucose monitoring machines, are currently exempt and would continue to be so, provided they are also purchased for in-home use or by government and nonprofit hospitals, and nursing homes.

Testifying for the bill were Mike Drury of Drury Furniture in Fountain, Minn., and Mike Logan of Target Corp. Both said the bill would create uniformity and equity among sales taxes on in-store and Internet items.

The bill is expected to add \$5.6 million to the state coffers in the 2004-05 biennium, and \$8.4 million in the 2006-07 biennium.

No Senate companion bill has yet been introduced.

Increased collections

A bill that aims to collect \$8.3 million in taxes, interest, and penalties by offering discounts to select taxpayers who have old obligations was heard April 25 by the House Taxes Committee.

The idea behind HF540, sponsored by Rep. Dan Dorman (R-Albert Lea), is to maximize collection of taxes that would otherwise go unpaid.

The bill, which will be considered for inclusion in the omnibus tax bill, would allow the Department of Revenue commissioner to offer discounts to taxpayers that have obligations older than two years. The commissioner would have the exclusive authority to determine which taxpayers would be given discounts. However, the discounts would be limited to 50 percent for obligations at least four years old, and to 35 percent for those at least two years old.

In deciding which taxpayers shouldn't be offered discounts, the commissioner would be

allowed to consider the taxpayer's conduct or past action, as well as whether the discount would have adverse affects on future tax compliance and future collections.

The target collection amount for the 2004-05 biennium is \$8.3 million, as stated in the bill. A \$250,000 appropriation is allocated in the bill for creation of the program.

A Senate companion bill has not yet been introduced.

★ TRANSPORTATION

Northstar line receives hearing

Minneapolis resident Brian Crotteau says he doesn't have many public transportation options for his nearly 20-mile commute to Medtronic in Fridley. But if the Northstar commuter rail line were constructed, he said, he would use the line every day.

Crotteau outlined a scenario where he could ride his bicycle to the nearest train station, bring his bicycle on board with him, and when he reached the station nearest Medtronic, he could get off the train and ride the mile-and-a-half to the facility. He said he had a similar experience working for the company's Europe operations in Switzerland and France.

"No one asked me to come today," said Crotteau at the April 24 meeting of the House Transportation Finance Committee. "I would definitely use the line. I'll help pay for it."

HF1233, sponsored by Rep. Kathy Tingelstad (R-Andover), would provide \$123.3 million in state general obligation bonds for planning, design, engineering, and construction of the line between Minneapolis and Rice, just north of St. Cloud. The line would operate on existing railroad track, primarily along U.S. Highway 10, which passes through the northeastern portions of the Twin Cities metropolitan area and north into central Minnesota.

The committee heard the bill, but committee chair Rep. William Kuisle (R-Rochester) laid it on the table in the event the House produces a bonding bill this session.

The funding represents the proposed state portion for the project. The federal government would spend \$151 million on the project, and locals would spend \$27.8 million, bringing total construction costs to \$302 million.

Proposed operating costs of the line would be about \$15 million annually, beginning in 2007. Both the state and federal governments would account for about 35 percent of funding, with fares accounting for nearly 30 percent.

Though initial cost-benefit analyses conducted on the project showed a very small financial benefit for every dollar spent, updated

analyses show that the benefit would be greater than the amount expended. Economist Paul Anton, who conducted the new analysis, testified that the analysis was similar to the one conducted a few years ago by the state Transportation Department, with a few adjustments to quantify some of the corollary benefits of such a line.

Anton said the ridership assumed in the analysis, about 5,000 commuters per day, would account for about 1.5 lanes of traffic on highway 10. He said it measures the cost-benefit from 2007 to 2022. The analysis showed a 1.15:1 ratio for the whole project and a 2.97:1 benefit ratio to the state.

To construct one lane of traffic would cost more than \$1 billion, he said. A busway would cost about \$750 million. Northstar, including both construction and operating costs, would cost the state about \$500 million over that period.

"This is the best, most cost-effective option for transportation in the corridor," said Benton County Commissioner Duane Grandy. In 2002, the House rejected amendments to fund the project. Tim Yantos, project director for the development authority and employee of Anoka County, said the project had received "recommended" status from the federal government, but has since lost that status. He said the federal government would still provide new start funding for project construction, but continued inaction could jeopardize the funding.

Brian Sweeney, executive director of government affairs for Burlington Northern Santa Fe railroad, whose tracks the commuter line would travel on, said there is not yet an agreement regarding use of the tracks. He also said that because the railroad has no plans to make improvements to the existing rail for the next 20 years, it would expect the state to pay for any necessary improvements to the line to facilitate the commuter rail transit.

Sponsored by Sen. Don Betzold (DFL-Fridley), a companion bill (SF27) is included in the Senate's bonding bill.

Where to find information

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Student support

A plan to fund K-12 education has smaller cuts than other government areas, but critics still say the bill trims too much

BY TOM LONERGAN

A K-12 education funding plan that pledges to maintain state support for public schools at the 2003 level but cuts early childhood, adult education, and other supplemental school programs for the next two years passed the House 71-60 April 30.

Sponsored by Rep. Alice Seagren (R-Bloomington), HF1404 would provide public school districts with \$11.9 billion in state general fund spending for the 2004-05 biennium — more than 40 percent of the general fund budget.

Locally generated property tax revenue, the other major source of education funding, would provide an additional estimated \$2.6 billion for school districts during the next two years.

"It does not protect the classroom," Rep. Mindy Greiling (DFL-Roseville) said about the bill during the nine-hour debate. The bill's

For general education core classroom programs, the bill would provide about \$10.1 billion in state funding.

State funding for special education programs and extra services for students with physical and learning disabilities would be a proposed \$1.2 billion. The bill includes the governor's recommendation to eliminate growth factors in special education aid formulas.

Early childhood and family education programs, including school readiness and state support of the federal Head Start program would receive funding of about \$89.1 million.

About \$80 million to fund community and adult education programs during the next two years is proposed in the bill.

The bill would rename the Department of Children, Families and Learning the Department of Education and provide the agency with \$47.3 million for 2004-05 operating funds, a cut of

about 15 percent from current funding.

Among the bill's policy changes are new rules and a funding mechanism for districts to create additional online learning programs. The bill would provide \$5 million in general fund money for such programs and a method for a portion of a district's state aid to follow students that enroll in online courses outside of

their home school districts. The aid would fund the district providing the online course.

Several hours of floor debate centered on proposed changes affecting teacher negotiations and other labor issues.

An amendment by Rep. Jeff Anderson (R-Austin) to remove the proposed changes to the state's public employee relations law affecting teacher and school district contract negotiations was approved on a 98-34 vote.

Anderson is a public school teacher.

The bill initially would have restricted the negotiating process between the teachers union and school districts by setting a Sept. 1 contract deadline in odd-numbered years. The changes would have allowed teachers to strike, but not be paid. School districts could open school but would not be permitted to make up lost days.

"This puts undue pressure on collective bargaining," said Rep. Tim Mahoney (DFL-St. Paul).

Rep. Dean Urdahl (R-Grove City), a teacher for more than 30 years, also opposed the change. "There will be labor strife and unrest affecting schools and communities," he said. "The current system does work."

The bill's proposal to eliminate a Jan. 15 teacher contract deadline in even-numbered years in school district negotiations was upheld on a 72-60 vote. Rep. Barb Sykora (R-Excelsior) offered the amendment.

Amendments by Rep. Jim Davnie (DFL-Mpls) that attempted to remove sections in the bill that would exempt school districts from paying prevailing wages on construction projects and allow districts to contract with outside vendors for non-instructional services like food and maintenance were defeated.

The bill would provide \$102 million through funding shifts more than the governor proposed to allow schools to continue alternative learning centers, as well as after school and summer school remediation programs. It adopted the governor's proposed elimination of \$11 million in after school enrichment grants that also funded after school programs in collaboration with community service agencies.

In early childhood programs, the bill proposes to cut state funding of federally supported Head Start programs by \$8 million and apply that money to balance cuts the governor recommended in the state's early childhood and family education programs.

The state education commissioner, as proposed in the bill, would be required to report to the Legislature by Feb. 15, 2004 on possibly redistributing state funds currently spent on Head Start grantees to other qualifying early childhood education providers.

"That's the beginning of the end of Head Start," said Rep. Nora Slawik (DFL-Maplewood). An amendment Slawik offered to eliminate the proposed state cut to Head Start programs was defeated on a 77-53 vote.

A companion bill (SF1528), sponsored by Sen. Leroy Stumpf (DFL-Thief River Falls) awaits action in the Senate Taxes Committee.



PHOTO BY TOM OLMSCHIED

The K-12 finance bill passed by the House would provide classroom funding at 2003 levels.

proposed cuts to early childhood education programs and special education "affects the classroom," she said.

Seagren said the bill's proposed cuts to K-12 education programs are "very small compared to health and human services" and other state programs proposed for funding cuts by Gov. Tim Pawlenty.

"Yes, programs are reduced," Seagren said, "but they're not devastated."



Land and water

Appropriations, policy provisions, animal health protections highlight environment and agriculture finance package

By TOM LONERGAN AND NICOLE WOOD

The state would dedicate more than \$1 billion toward environmental protection, natural resources management, and agriculture and rural development over the next two years, under a finance package (HF779) passed by the House April 29. The vote was 81 to 52.

Sponsored by Rep. Dennis Ozment (R-Rosemount), the bill also encompasses the agriculture finance measures put forth in HF752 by Rep. Elaine Harder (R-Jackson).

The net effect to the general fund would be \$411 million, though total spending would reach \$1.12 billion when other funding sources such as lottery proceeds, license and permit fees, and federal dollars are considered.

The Senate passed an omnibus environment, natural resources, agriculture, economic development, and housing bill (SF1523), sponsored by Sen. Richard Cohen (DFL-St. Paul) April 29. Differences between the funding packages likely will be reconciled in conference committee.

Below are some of the highlights of the House measure.

DNR, PCA, Agriculture

More than half of the overall package — about \$581 million — would be directed toward the Department of Natural Resources (DNR) for a multitude of responsibilities, such as wildlife, minerals and forestry management, state park operations, and game and fish law enforcement.

The bill would allocate \$231 million to the Pollution Control Agency (PCA) for land, water, and air monitoring and regulation enforcement. A \$4.7 million appropriation to the PCA would support a clean water partnership initiative directed toward local governments. Another \$4.6 million would fund the agency's county feedlot administration grant program.

The total Agriculture Department budget for the next two years would be about \$148 million, including expected federal funding and an estimated \$3.4 million more revenue through fee increases.

Other agencies

The Office of Environmental Assistance would receive \$54 million, under the bill. Of that amount, \$25 million is earmarked for SCORE grants to counties for recycling programs and solid waste management.

Smaller biennial budget amounts would include \$36 million for the Minnesota Zoological Board and \$31 million for the Board of Water and Soil Resources.

Funding for the Science Museum of Minnesota would be set at \$618,000 in fiscal year 2004 and then eliminated the following year.

In a departure from the plan set forth by

ments for road construction projects.

HF779 would adjust the watershed district rulemaking process to allow for comment and appeal from transportation authorities rather than change permit requirements.

In another attempt to reconcile the differences between the House environment and transportation committees, Ozment successfully amended the bill to allow one of the two acres under the 2:1 wetland replacement ratio for road work in the seven-county Twin Cities metropolitan area to be placed in a major watershed that drains into the defined metropolitan area, rather than the geographic boundaries.

Developing ATV trails

The bill would direct the development of a formal trail system for off-highway vehicles and temporarily exempt certain state forest motorized trails from environmental review. Other provisions of the bill would require all off-highway vehicles to be registered with the state and allow registration fees to be directed toward lo-



PHOTO BY TOM OLMSCHIED

The omnibus environment/agriculture finance bill proposes increases to some state park fees, though campground fees would remain unchanged with the exception of the proposed removal of the senior citizen discount.

Gov. Tim Pawlenty, the Board of Animal Health would remain a separate state agency rather than merge with the Agriculture Department. State funding levels for the board would be set at \$5.6 million for the biennium.

Revising road construction permits

The House transportation finance plan that passed the House April 28 contains revisions to certain environmental mitigation require-

cal law enforcement agencies for enforcement and public education expenditures. Qualified clubs would also be eligible for safety and conservation education grant money.

Increasing fees

Certain state park permit fees would be raised:

- annual use of state parks — \$20 to \$25
- second vehicle state park permit — \$15 to \$18

- daily state park permit — \$4 to \$7
- daily vehicle permit for groups — \$2 to \$5

Various hunting, angling, and commercial fishing fees would also increase. Additionally, the bill would develop a tiered-fee system for burning permits, raise water appropriation permit fees, eliminate the senior discount for campground use, and enable the Minnesota Zoo to charge an entry fee for elementary school children on organized field trips.

The bill also proposes increases in 25 categories of food handler and food processing inspection fees, dairy farm re-inspections, and seed fees, and would establish new fees and a dedicated account to fund an expanded nursery and horticulture inspection program.

Reviewing feedlots

The bill would remove new and expanded feedlots between 300 and 1,000 animal units from petition-generated environmental review. Feedlot regulations, administered by the Pollution Control Agency, assign animal unit multipliers to animals in different categories.

For example, 1,000 mature cows, weighing less than 1,000 pounds each, would account for 1,000 animal units, under state feedlot rules. And 1,000 pigs, weighing between 55 pounds and 300 pounds, would account for 300 animal units.

Reps. Aaron Peterson (DFL-Madison) and Kent Eken (DFL-Twin Valley) said the feedlot exemption favored more concentration of

farming by large owners at the expense of medium- and small-sized farms.

Rep. Randy Demmer (R-Hayfield) said such reviews pose an artificial barrier to growth. "Agriculture needs to grow its own way," he said. "Did we say no to Home Depot and Wal-Mart when they wanted to get big and grow?"

Rep. Howard Swenson (R-Nicollet), chair of the House Agriculture Policy Committee, said the feedlot exemption was "not to destroy the environment, but to try to use some common sense in the (regulation) process."

Continuing ethanol payments

Payments to 13 ethanol plants in the state would continue under the bill, but at a rate 7 cents per gallon lower than the 20 cent per gallon rate established for 2002-03. The bill would put forth about \$10.2 million more in the ethanol program than the \$34.2 million proposed by the Pawlenty administration.

Under the bill, the state may provide "catch-up" payments to ethanol producers in future years to recover the \$20 million cut from the program by the governor in February and smaller than expected payments during the next two years.

Controlling chronic wasting disease

The bill would set aside \$800,000 for a mandatory surveillance program to control chronic wasting disease in captive deer and elk herds. Owners of the herds also would pay fees to

support the program.

Other provisions would set new policy language empowering the DNR to deal with the potential threat of chronic wasting disease infecting the state's wild deer population. New restrictions on the importation into the state of deer and elk carcasses would apply and a portion of the 50-cent surcharge on deer hunting licenses for emergency deer feeding could also be applied toward wild deer health management.

Hunting mourning doves

The bill would classify the mourning dove as a migratory gamebird, authorize a mourning dove hunting season and a stamp earmarked for habitat improvement, and order a report on the impact of the season on the dove population. Mourning dove hunts have been banned in the state since 1947.

Further study required

The bill would order studies on a number of issues, including:

- improving stability in state park funding through self-sufficient fee structures;
- locating individual sewage systems that are imminent threats to public health;
- developing an incentive-based distribution approach for recycling and solid waste management funds; and
- reducing the levels of phosphorus in the wastewater stream. 🐾



Animal advocates

Plan would have given dogs and cats more legal standing in one state

A bill to elevate Fluffy and Fido to more than just mere property in Colorado is on hold.

Sponsored by Rep. Mark Cloer (R-Colorado Springs) and Sen. Ken Chlouber (R-Leadville), a bill introduced earlier this year would permit dog and cat owners to recover damages for the loss of companionship due to negligent veterinarians and people who torture animals. The maximum amount would be \$100,000 plus attorney's fees. Lawsuits would have to go through arbitration before the courts would get involved.

People who bring lawsuits on behalf of their pets can now only receive fair market value.

The bill (HB03-1260) would also have required veterinarians to get a signed

informed consent from the pet owner before performing a service that would involve substantial risk to the animal.

Had the bill passed, it would have been the first law of its kind in the nation, according to an attorney who conducted a nationwide review of laws relating to companionship animals.

However, Cloer made a motion to kill the bill Feb. 14 before the House Business Affairs and Labor Committee. According to the *Denver Post*, no explanation was given for the motion.

Regarding Cloer and those who convinced him to remove the bill, Chlouber told the newspaper that "They're a bunch of gutless worms," for not letting him know of their intentions. "I think it was just a bunch of people who thought it was a good idea,

but when the going got tough, they got cold feet."

The Colorado Veterinary Association is against the idea, contending that the bill would increase the cost of care.

"Veterinarians will have to pass on to consumers the increased costs of doing businesses, including time spent responding to frivolous lawsuits and additional diagnostic tests that will now be required to practice defensive medicine," according to a statement from the association.

Gov. Bill Owens did not say whether he would sign the legislation if it were to reach his desk, but jokingly said his Springer spaniel, Hannah, supported the idea.

(M. Cook)

Reducing expenses

Omnibus bill cuts state spending for many agencies and provides for new ways to purchase goods at less cost

By MIKE COOK

State savings would come in a variety of ways under the state government finance bill expected to be passed by the House.

After more than 10 hours of debate and with several amendments still pending, no vote had yet been taken on the bill when this edition of *Session Weekly* went to press late on May 1. For an update on the vote, please visit the Session Daily Web site at <http://www.house.mn/hinfo/sdaily/sdaily.htm>.

Totaling nearly \$473 million in general fund spending, \$72 million less than the governor's recommendation, the bill (HF749/SF1524*) would call for double-digit spending reductions for many state agencies compared to current biennium funding, would direct a commission and board to become self-sustaining, and would eliminate a pair of legislative commissions.

The Senate companion, sponsored by Sen. Richard Cohen (DFL-St. Paul), passed that body April 29 and will likely require a conference committee.

Budget reductions

Among the 12.6 percent reduction in funding proposed for the Legislature is 10 percent to the Senate and 8 percent to the House. However, the Legislative Coordinating Commission is facing a 25 percent cut and the elimination of the Commission on the Economic Status of Women and the Geographic Information Systems office.

Under the bill no legislator could receive more than \$56 per day in per diem living expenses. That is the current limit for the House; Senate per diem is \$66. In addition, housing allowances for qualifying members would be limited to six months a year.

Most other state agency cuts, and those for the offices of constitutional officers, would be in the 10 percent to 15 percent range, with the attorney general's office exceeding the range at 24.8 percent.

The Lawful Gambling Control Board and the Minnesota Racing Commission would become fee-supporting entities by 2005, under the bill. However, each is given some money in fiscal year 2004 to begin the transition.

Rep. Bill Haas (R-Champlin), the sponsor

of HF749, reiterated on the floor that it would be up to each agency to determine how to meet the reduction. "The way government was done yesterday can't be done into the future," he said. "This bill talks about change and implements change."

Many department leaders said the reductions would equate to job losses and reduction in services. For remaining state employees, the bill calls for a wage freeze through the biennium and employer contributions for medical and dental coverage could not exceed fiscal year 2003 levels. State employees in the health care nonprofessional unit would be classified as essential, meaning they could not legally strike.

New revenues/savings

Vehicle and cell phone use by executive agencies would be reduced by at least \$10 million during the biennium. If that number were



PHOTO BY TOM OLMSCHIED

The \$473 million state government finance bill would freeze wages for state employees and reduce employer contributions for medical and dental insurance.

not achieved, the difference would be eliminated from agency budgets for fiscal year 2005.

The state would need to sell \$5.05 million worth of state land. Again, dollars would be taken from state agencies if the sum were not met.

As for the state lottery, its director would need to raise at least an additional \$5.88 million. In addition, all unclaimed prize money would be put into the general fund. Currently the general fund gets 42 cents of each unclaimed dollar, the

environment and natural resources fund gets 28 cents, and 30 cents goes back into the prize pool.

On other gambling measures, Haas unsuccessfully offered an amendment to authorize a casino to be operated by the Red Lake Nation and White Earth Band of American Indians in the Twin Cities metropolitan area. State revenues would come from an in-lieu tax of 20 percent of adjusted gross gaming machine revenue. Two House committees previously rejected the idea.

However, an amendment from Rep. Jim Rhodes (R-St. Louis Park) to provide the state an additional \$20 million through the legalization of sports boards was adopted.

Contracting services

The bill would repeal provisions in law that an agency must certify that no state employees can perform the services before seeking approval for a professional or technical services contract worth more than \$5,000. In addition, the commissioner of administration would no longer need to first determine that no agency has previously performed or contracted for the performance of tasks that would be substantially duplicated under the proposed contract.

Agencies that contract for professional or technical services must also write a performance evaluation, including how a contract is a cost-effective way to enable the agency to better provide its services or products, under the bill.

Other provisions

Among other provisions in the bill, are the following:

- The bill would authorize the use of reverse auction — an electronic bidding process where bidders can see what competitors are offering and may lower their estimates — to purchase goods or services.
- The amount of money permitted for art in the construction or alteration of state buildings could not exceed the lesser of \$100,000 or 1 percent of the total appropriation.
- The Capitol Area Architectural and Planning Board would be moved into the Department of Administration.

A bite out of the deficit

Omnibus bill spends less than Pawlenty plan, but tries to lessen the impact in corrections, courts, and public safety

By Jeff Jones

A plan to spend about \$1.37 billion on the state court system and the departments of Corrections, Public Safety, and Human Rights over the next two years passed the House April 28 on a 78-56 vote.

HF750, sponsored by Rep. Steve Smith (R-Mound), would cut money from the base budgets of most of the agencies it covers and would spend about \$5 million less than Gov. Tim Pawlenty recommended in his budget-balancing plan. But it uses a variety of new and increased fees to soften the impact of cuts in many areas.

Under the bill, the state Supreme Court would receive a 6 percent cut from its base budget, and the Court of Appeals and state district courts would both see 2 percent reductions as compared to 10 percent cuts for each in the governor's proposal. But the bill would cut \$3 million more than the governor's proposal from state funded civil legal services and an additional \$2.8 million from grants to battered women's shelters.

Rep. Michael Paymar (DFL-St. Paul) unsuccessfully offered an amendment that would limit the cuts to battered women's shelter grants. He said the cuts would dramatically impact shelters, especially in rural Minnesota.

"If shelters don't close down, they're going to have to reduce their staffs dramatically," he said. "That means children's advocates and legal advocates will be dismissed or fired."

Smith said recommending such cuts "wasn't easy," but that particular line items could not take priority over "core services" like public safety and public defenders.

Most of the \$34 million restored to the court system would come from increases in filing fees and charges for court services.

Two-thirds of the money the governor would have cut from public defender services would be reinstated by increasing fees for using those services to as high as \$200. In addition, anyone convicted of a crime, except for parking violations, would pay a \$60 surcharge under the bill.

The bill would also set a \$425 fire

inspection fee, imposed every three years, for hotels and resorts in the state. Certain seasonal fishing resorts would be exempt from the fee.

The House approved an amendment, sponsored by Rep. Keith Ellison (DFL-Mpls), to collect a \$75 fee from businesses seeking affirmative action certificates from the Department of Human Rights to help offset the proposed 10 percent cut to that department.

The bill would maintain the governor's 7 percent cut to the Department of Corrections, while looking into prison privatization issues by allowing local jails that have reached capacity to house overflow prisoners in private jails.

At the state level, officials would be required to seek bids from private prison companies for housing certain short-term offenders and report on the feasibility of such plans.

The bill would appropriate \$2.5 million annually to cover the cost of sending inmates with less than six months left in their sentences to county jails. Most prisons and jails would also be able to increase capacity by double-bunking inmates.

Overall, the Department of Public Safety would see a 7 percent budget reduction, down from the 11 percent the governor proposed.

The bill includes policy provisions to more easily prosecute prostitution and identity theft cases, and it would establish a grant program for teams to contain and clean up

methamphetamine labs.

An amendment (originally contained in HF1058) adopted on the floor would allow law enforcement officials to use gun silencers in certain "high-risk" operations, including hostage situations and terrorism incidents.

In the area of judicial policy, the House voted to retain language added in the House Ways and Means Committee April 24 that would cap appeal bonds — the money defendants pay while appealing damage awards from civil cases — at \$25 million.

Rep. Thomas Huntley (DFL-Duluth) suggested the amendment was brought solely at the behest of the tobacco industry, which has faced multi-billion dollar judgments in other states.

The provision has support from companies who would be forced out of business if faced with

high damage amounts sometimes awarded in class action cases, said Rep. Mary Liz Holberg (R-Lakeville). "The limits on these bonds will allow businesses to be able to get their day in appeal court."

Since Minnesota receives annual payments from the nationwide tobacco settlement, Rep. Fran Bradley (R-Rochester) said, "It would create an enormous problem if some of the tobacco industries begin to go bankrupt."

Rep. Ron Latz (DFL-St. Louis Park) called \$25 million "pocket change" to large tobacco companies and said no company has ever gone bankrupt in Minnesota because of appeal bond amounts.

The House also approved an amendment (originally contained in HF737) to eliminate a requirement that prosecutors pay defendants' costs when court rulings are appealed.


In the Senate, criminal justice system appropriations are contained in SF1524, sponsored by Sen. Richard Cohen (DFL-St. Paul). It was passed 34-29 April 29. 



PHOTO BY ANDREW VON BANK

The double bunking of prisoners in prisons in the state is one provision in the \$1.37 billion judiciary omnibus bill that passed the House April 28.

Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die), the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (http://www3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0)

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures modified.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical changes provided.	3/31	
6	744	726*	State building code cumulative fees collection.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements ratified.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	
21	536*	382	Joint underwriting association coverage and market assistance responsibilities modified.	4/28	
22	678	578*	Civil commitment examiner and health officer definitions clarified.	4/28	
23	268*	225	State fair police dept. authorized to employ additional part-time peace officers.	4/28	
24	850*	841	Sibley Co. land conveyance from Minnesota Valley state recreation area.		
25	1112*	1185	Veterans Affairs Dept. authorized to access certain state databases.		
26	1189	1064*	Minors working as assistant soccer referees exempted from child labor age restrictions.		
27	920	907*	Corrections Dept. forensic pathologists authorized to issue death certificates.		
28	823	842*	DNR authority modified relating to employees, gifts, and grants; concealed carry handgun permit requirements modified.	4/28	

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

Friday, April 25

HF1580—Stang (R)
Higher Education Finance
University of Minnesota Board of Regents selection criteria provided.

HF1581—Larson (DFL)
Jobs & Economic Development Finance
Airport impact tax free zone established, tax exemptions provided, and repayments required under certain circumstances.

HF1582—Kahn (DFL)
Governmental Operations &
Veterans Affairs Policy
Minnesota Twins community ownership provided.

HF1583—Slawik (DFL)
Education Finance
Mary McEvoy endowment fund for young children established by proposed constitutional amendment.

Monday, April 28

HF1584—Lesch (DFL)
Taxes
Cigarette and tobacco product sales tax modified relating to manufacturer rebates or discounts, proceeds from elimination of discounts provided to fund youth tobacco use prevention programs, and money appropriated.

HF1585—Samuelson (R)
Taxes
New Brighton intoxicating beverage tax referendum required.

Tuesday, April 29

HF1586—Nelson, P. (R)
Governmental Operations &
Veterans Affairs Policy
Prior service credit purchase authorized for a specified teachers retirement association member.

HF1587—Abrams (R)
Taxes
Airline meal sales tax exemption provided and carryover for jobs credit modified.

HF1588—Jaros (DFL)
Taxes
Tax increment financing affordable housing or hazardous substance remediation activity elections authorized.

HF1589—Lenczewski (DFL)
Jobs & Economic Development Finance
Bloomington arts center funding provided, bonds issued, and money appropriated.

Wednesday, April 30

HF1590—Jacobson (R)
Taxes
Property tax increases prohibited for taxes payable in 2004 and 2005 unless approved by referendum.

HF1591—Howes (R)
Environment & Natural Resources Policy
Game and fish agent license agreement provisions modified.

HF1592—Westrom (R)
Taxes
Property tax refund schedule modified for homeowners and renters.

HF1593—Strachan (R)
Health & Human Services Policy
Dangerous animal ownership limitations provided, registration required, and criminal penalties imposed.

Thursday, May 1

HF1594—Howes (R)
Education Policy
Independent School District No. 2170, Staples-Motley, election to detach land for a new school district provided.

COMMITTEE SCHEDULE

MAY 5 - 9, 2003

House floor session times had not been announced as of Session Weekly press deadline.

TUESDAY, May 6, 2003

8:00 AM

Topic Selection Subcommittee of the
Legislative Audit Commission
Room: 300S State Office Building
Chair: Rep. Tim Wilkin
Agenda: Working session to review background papers on 13 proposed topics and select 6-8 topics to recommend to the Legislative Audit Commission.

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Reflections

It's time to say goodbye.

I am leaving the Legislature on May 2, after an unparalleled journey of 16 years, four months, and five days. It has been my fortune to meet some extraordinary people, and a few not so great. But that defines what society is — an amalgam of individuals from all walks of life who are very distinct in their beliefs and actions.

My time here has been educational, fulfilling, and gratifying in knowing that I always tried to give more than 100 percent of my commitment and dedication to public service by educating walk-ins, school groups, university students, and the general public about the legislative process and public policy.

While I was fortunate to teach a few lessons, I learned much more from outstanding instructors such as Chief Clerk Edward Burdick, House Journal Editor Pat Murphy, Rep. Mary Murphy with her demand for excellence, and the quiet and peace-loving Rep. Bernie Lieder. There are so many others to mention, but space will not permit.

And how could one forget former Rep. Dave Bishop, who was a stickler for “dotting the i’s and crossing the t’s?”

My recollections are many. They include meeting then-Czech President Vaclav Havel, playwright August Wilson, and sculptor Amerigo Brioschi, who with his father Carlo in 1938 created the arched wall behind the speaker’s chair, “The Spirit of Government.”

My journey has taken me in many directions, like having an office in the beautiful Capitol building, where my staff and I shared a private rest room with the lieutenant governor and her staff. I experienced seeing the “ghost” of former Associate Justice P.E. Brown, who died in office, and I observed lawmakers at work on the House floor from vantage points behind the ceiling of the elaborately decorated dome of the chamber.

I also traveled through state history to report on events in past “Reflections.” One trek took place in a small southern Minnesota town where a lawmaker was on a hand-shaking tour during festival season. Each year, the participants — bands, floats, and tractors — had what they called a “stand still parade” where the spectators were the ones who walked by.



My columns took readers to all corners of the state, including the Northwest Angle — the northernmost point in the continental United States — where schoolchildren take boats or snowmobiles across Lake of the Woods to get to school. Another journey was to the most southwestern farm in the state where Dutch students and others came to learn more about American dairy farming and agriculture.

Thanks to the outstanding assistance from many staff in the Legislative Reference Library, I discovered that the Red River Valley was part of ancient Lake Agassiz some 10,000 years ago, and that of the 201 members of the Minnesota black population at the start of the Civil War, 100 volunteered to fight with the 1st Minnesota Regiment.

The library staff also pointed me in the right direction to find information about how the roots of Greyhound Lines, Inc. are in Hibbing. I also learned more about Joe Rolette, who stole the bill to make St. Peter the Capitol. He traveled from the far northwestern part of the state to pass laws in the Territorial Legislature. When Rolette arrived in St. Paul on a dogsled decorated with bells and bright ribbons, throngs of people would be on hand to greet the odd-looking lawmaker dressed in furs from head to toe.

The library staff often go unrecognized for their contribution to the legislative process, but I know all too well how our work could not be done without them.

During my tenure, the Minnesota Historical Society’s State Capitol staff taught me quite a bit about Cass Gilbert’s passion for the Capitol, as well as some little known facts about his building’s interior.

I also connected the Legislature to the

hundreds of yellow school buses that visit in the spring, the Hale-Bopp Comet, and even detailed the original reason why Minneapolis and St. Paul are rival cities.

I will cherish all the memories and enlightenment I gained while here — particularly from so many staff, and especially those in House Public Information Services who put in long hours of dedication and excellence each week.

The journey has been extraordinary, but it’s time to say goodbye. While it took some tough decision-making on my part, the outcome is a wise move. So as I leave, I challenge members, staff, lobbyists, and others at the Capitol to be honest, to always work to make a positive difference in the lives of others, and to be willing to stand up for convictions you know are for the greater good of all Minnesotans.

Goodbye, and Godspeed.

— LECLAIR GRIER LAMBERT

Editor’s Note: This will be the final Reflections column in Session Weekly. As you read, LeClair Lambert, known to most of us as Lee, is retiring from the House after more than 16 years of service.

We will miss his contributions each week. But even more, we will miss his warmth, charm, support, loyalty, and character. Over the years he has shown us how to approach life’s challenges with class and dignity. And he taught us to think before we speak and to always judge the actions of others fairly. Lee never felt as though any tasks were beneath him. He was always approachable and quick to bestow kindness on House staff members, representatives, lobbyists, and strangers alike.

The people of Minnesota will miss his unparalleled commitment to public service and to providing information to the public about the legislative process. That commitment has taken him around the world to impart his knowledge and insights to officials in developing democracies and other states in this nation.

Above all, he has been an unparalleled ambassador for the Minnesota House of Representatives as an institution. He is irreplaceable. And I will personally miss his intuition and humor.

— M. KIBIGER

MINNESOTA HOUSE OF REPRESENTATIVES
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SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA

I N D E X

On the water

Boats registered to Minnesotans, as of Dec. 31, 2002	834,974
In 2001	826,173
In 1997	768,555
State rank in boat registrations in 2001	4
Approximate person to boat ratio	6:1
State rank	1
Number of aluminum outboard boats between 16 feet and 26 feet in length	
in 2002	226,871
Aluminum outboards less than 16 feet	188,777
Aluminum canoes	84,485
Registered personal watercraft (jet ski, waverunner, other) in the state in 2002 ...	37,871
Percentage increase from 2001	5.7
County with the highest percentage of state boat use (Hennepin) in 2002	11
Second, as percent (St. Louis)	7.9
State that is home to most out-of-state Minnesota registrations	
(North Dakota)	12,016
Second (Wisconsin)	4,310
Fifth (Florida)	1,811
Earliest time during the day that personal watercraft may be used, by law	9:30 a.m.
By law, minutes before sunset that personal watercraft use must stop	60
Approximate number of public accesses to lakes and rivers in state	3,000
Approximate number managed by the Department of Natural Resources ...	1,500
Number of days an owner has to remove a sunken vehicle or boat from	
a lake or river	30
Number of hours to report a sunken item to the county sheriff	48
Boating deaths in Minnesota last year	30
Number of boating deaths per 100,000 registered boats	3.95
Victims in 2002 who were wearing a lifejacket	4
Boating deaths in 2001	16
Deaths in 1992	22
Deaths in 1975	56
Number of reportable nonfatal accidents in 2002	135
In 2001	129
Amount of property damage in 2002	\$407,242
In 2001	\$584,339
Percentage of 2002 incidents that involved a collision with another boat	43
Water sports/skiing/tubing mishaps, as percent of accidents	20

Sources: 2002 Boat and Water Safety Fact Sheet, Minnesota Department of Natural Resources, April 2003; 2003 Minnesota Boating Guide, Minnesota DNR; www.boatus.com.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

MAY 9, 2003

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In this issue:

TAX BILL PASSES

HEALTH AND HUMAN SERVICES FUNDING, AND MORE

HF1595-HF1604

Session Weekly

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On the cover: Recent rain and warm weather brought out the apple blossoms around the State Capitol.

— Photo by Andrew Von Bank

Tax and aid formulas

Local government aid changes generate lively debate between all members as House passes omnibus measure

By MIRANDA BRYANT

Issues between Greater Minnesota and the Twin Cities metropolitan area widened May 7 while House members vigorously debated the beleaguered local government aid program, eventually passing a \$2.7 billion two-year tax budget. The vote was narrow — 70-63.

“Minnesota is in tough economic shape,” said Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee and sponsor of HF1597. “So, yes, this is a very, very difficult bill to vote for ... and from a policy standpoint an even more difficult bill to vote against.”

But DFL members said the budget would have the poorest and most vulnerable bearing the brunt of the burden while the wealthiest are left untouched.

“Millionaire man here needs to pay his fair share,” said House Minority Leader Matt Entenza (DFL-St. Paul), holding up a marionette puppet swaddled in paper currency.

Key provisions in HF1597 include a job opportunity building zone initiative (HF3) and a biotechnology and health science zone proposal (HF1183), both recommended by Gov. Tim Pawlenty. Each would offer tax breaks to new and expanding companies in certain geographic areas to stimulate job and economic growth.

Also included are measures that would:

- align the state estate tax law with its federal companion, providing relief to those subject to the “death tax” (HF461);
- offer discounts to select taxpayers to encour-

- age payment of past-due taxes (HF540);
- reduce the taconite production tax for mining companies (adaptation of HF1574); and
- align state sales taxes to allow taxes on Internet and catalog sales (HF1570).

Discussion on the House floor largely focused on the local government aid program. The budget contains a new funding formula proffered by Pawlenty.

Revenue Commissioner Dan Salomone told the House Taxes Committee May 2 that the current formula is expensive, poorly designed, and doesn’t target state aid to the cities most in need. By removing political factors, the new formula attempts to objectively measure a city’s need versus its ability to raise revenues, he added.

“I think this formula has promise,” said Rep. Morrie Lanning (R-Moorhead).

Many members and lobbyists said that reforming the formula in the same year that cuts are being levied makes the situation difficult.

For cities larger than 2,500 people, the proposed formula calculates need by assessing the age of housing, population decline, household size, accidents on city streets, and the city’s status as either a metropolitan or non-metropolitan municipality.

For smaller cities, the formula continues to include the age of housing, population figures, and the percent of commercial and industrial property, as is now the case.

Removed, however, is the amount of aid received in 1993 that has been carried over, or “grandfathered,” for some cities.

Associations representing cities and counties objected before the taxes committee to the imposition of property tax levy limits and the addition of reverse referendum powers.

A levy is the total dollar amount raised in prop-

erty taxes by a local government unit. Under current law, limitations on levy increases are to expire for all government units, save for school districts, after 2003. However, Pawlenty is concerned that cities would raise their property taxes to compensate for the losses in government aid from the state, and he therefore suggested the levy limit.

Reverse referendum authority would allow constituents to vote to reverse spending increases and tax increases imposed by the city in which they live. Such measures diminish the



PHOTO BY TOM OLMSCHIED

Gordon Folkman, *right*, research director for the Department of Revenue, explains the county general support aid formula to the House Taxes Committee May 1 as Revenue Commissioner Dan Salomone, *left*, listens.

power of city councils and mayors, according to some witnesses.

In blistering testimony against the provision,

Not in the bill:

Selected bills not included in the package:

- HF11 (Mullery)
- HF241 (Paymar)
- HF331 (Howes)
- HF364 (Fuller)
- HF405 (Erhardt)
- HF495 (Johnson)
- HF514 (Lenczewski)
- HF721 (Sykora)
- HF1149 (Seifert)
- HF1250 (Dorn)
- HF1438 (Ozment)
- HF1455 (Nelson, P.)
- HF1408 (Abrams)

Keith Carlson, executive director of the Metropolitan Inter-County Association’s, said reverse referenda “allows our voters to second guess us.” “If this is such a good policy, why don’t you impose it on yourselves?” Carlson said.

Offering an unsuccessful amendment on the floor that would have allowed constituents to vote to reverse state spending increases and tax increases was Rep. Ann Lenczewski (DFL-Bloomington). If local governments are going to be subject to reverse referenda, so should the state, she said.

What’s in the bill:

Selected bills included in the omnibus package:

- HF78 (Kahn)
- HF343 (Abeler)
- HF355 (Dorman)
- HF421 (Buesgens)
- HF597 (Huntley)
- HF704 (Brod)
- HF733 (Walker)
- HF815 (Thissen)
- HF929 (Brod)
- HF954 (Abrams)
- HF1057 (Dempsey)
- HF1079 (Lanning)
- HF1089 (Marquart)
- HF1199 (Abrams)
- HF1508 (Hackbarth)
- HF1533 (Westrom)
- HF1556 (Abrams)
- HF1573 (Nelson, P.)



Fair competition

Law banning circuses stemmed from early competition

In determining a city's ability to raise money — which in itself is part of the local government aid formula — the House bill calls for counting 100 percent of the taconite aid revenues that are distributed to local government units.

That would lead to “geographic genocide,” said Rep. Tom Rukavina (DFL-Virginia). Taconite aid is charged on mining operations in lieu of property taxes. Revenues are distributed to qualifying cities, towns, counties, and school districts.

Abrams and Salomone both said that taconite aid revenues were included because they reflect a city's ability to raise money.

An amendment was rejected that would have lessened aid cuts by no longer requiring dedication of motor vehicle sales taxes to transit services throughout the state. Metropolitan-area cities would have been allowed, however, to levy property taxes for transit operating expenses.

The amendment's sponsor, Rep. Dan Dorman (R-Albert Lea), said that adding transit aid into the formula would bring balance and equity to local government aid.


“The Dorman amendment helps a majority of the members in this body,” said Rep. Paul Marquart (DFL-Dilworth), in support of the measure. “We have to put politics aside. This vote is way too important for that.”

Total proposed 2004-05 biennium appropriations for local government aid and market value credit reimbursements for cities are \$1.14 billion under the bill, slightly more than the governor recommended and \$363 million less than current law. Market value reimbursements compensate for credits property owners deduct from tax statements, up to \$304 per qualified home.

In calendar year 2004 alone, the House plan would cut \$73 million in local government aid to Minneapolis and St. Paul, \$58 million to the Twin Cities suburban communities, and \$69 million to Greater Minnesota.

Voted down was an amendment by Rep. Keith Ellison (DFL-Mpls) that would have allowed job opportunity zones in places other than Greater Minnesota. The current bill prohibits such zones in the seven-county metropolitan area.

A successful amendment, offered by Rep. Fran Bradley (R-Rochester), addresses mandates. It would allow counties to proportionally reduce mandated service levels and programs when state funding is reduced for that program. The provision would expire June 30, 2005.

The House 2004-05 biennium tax budget bill surpasses that recommended by the governor by \$93 million. The \$2.7 billion bill appropriates the following for local government units: cities, \$1.1 billion; counties, \$722 million; townships and special districts, \$71 million; school districts, \$166 million; and the category of “individuals and others,” such as property tax and renter refunds and political contribution refunds, \$625 million. 

Though a bill to repeal a law banning circuses around state fair time stirred some controversy this session due to amendments to it, its initial passage seemed to bring a quiet end to an era of competition regarding the permanent location for the annual exposition.

Competition concerned fair officials both during its early days and during the years straddling the stock market crash of 1929 and the subsequent Great Depression.

Early on, the State Agricultural Society, formed in 1860, determined a different location for the fair each year, which typically ran for about a week. The fairs were primarily held in Minneapolis, St. Paul, and Rochester, with a few years of diversion to Winona, Owatonna, and Red Wing.

A fierce competition between Minneapolis and St. Paul developed over the course of the society's first 25 years, which lent to the equally fierce competition of an enterprising newspaper editor and Minneapolis booster, William S. King.

According to an account, *Blue Ribbon: a social and pictorial history of the Minnesota State Fair*, by Karal Ann Marling, the society voted in 1871 to move the fair to St. Paul, despite strong dissent from Minneapolis. Marling wrote that this action prompted Hennepin County's efforts to “sink the state fair.”

King led the effort, which included arranging for nationally known speakers, horse races, extraordinary displays of Minneapolis-made products and goods, and exhibits from stockbreeders. The revived Hennepin County Fair immediately preceded the state fair, Marling wrote.

According to Marling, King's actions suggested he would rather kill the fair than let Ramsey County get it. However, despite his best efforts the state fair grew stronger by adding industrial advancements to its displays of agricultural strength.

The next several years would prove difficult to the fair. While in St. Paul it was unsuccessful in 1874 — barely breaking even —

and in 1875, weather and grasshoppers reduced attendance considerably. An October fair in 1876 was greeted with cold weather and rain and resulted in significant debt.

Marling wrote that fair officials put King in charge the next year “to stave off another disaster,” and the state fair moved to Minneapolis under his direction.

For the next few years, the two fairs existed simultaneously with some success. But by 1883, the viability of a mobile fair was less certain and a permanent site became the goal, which was achieved in 1885, though not without some further opposition by King and the Minneapolis interests.

Circuses became the fair's primary competition in the boom years of the 1920s.

In 1928, the Ringling Bros. set two Minneapolis show dates in mid-August, and an additional date in St. Paul immediately following.

Four years later, the same situation occurred, and after being unsuccessful in appeals to the cities, the agricultural society board turned to the Legislature for help.

Times had changed, and officials were increasingly concerned about the success of the fair. Some appealed to people's sense of state loyalty. Others claimed that the fair's success was a sign that the state would emerge victorious from the Great Depression.

Said one commentator in 1932, according to Marling's book, “Perhaps at no time in the history of the state would a visit to the state fair mean more to the average individual. The fair (will) reassure him in the face of an all too common pessimism, that men are at work, that progress is being made in the face of adversity, and that success still crowns the efforts of those who strive. The fair offers that opportunity.”

The Legislature passed the law banning circuses within 18 days of the state fair during the 1933 session. One caveat — circuses were not illegal during the fair if they were conducted in conjunction with activities of an agricultural society in the state.

(M. KIBIGER)



Balloon ascension at W. S. King's Fair in Minneapolis in 1881.

Photo courtesy of the Minnesota Historical Society

★ CRIME

Prosecuting identity theft

The House passed a bill May 6 that would make reporting cases of identity theft much easier for victims and prosecuting such crimes easier for prosecutors, according to its sponsors. The vote was 132-0.

Sponsored by House Majority Leader Erik Paulsen (R-Eden Prairie), HF821/SF980* would allow local law enforcement agencies to take reports of identity theft from people living or working within their jurisdiction even if the crime occurred somewhere else. Currently departments cannot take reports for crimes that occur in other jurisdictions. The bill would also let prosecutors bring charges against identity thieves in either the county where the theft occurred or the county where the victim lives or works.

"ID fraud is becoming one of the fastest growing white-collar crimes in the country," Paulsen said. He said the bill would allow flexibility for law enforcement and eliminate a lot of headaches for victims.

Under the bill, reports filed in a county other than where the crime took place would not count towards that county's property crime statistics.

The House adopted an amendment, offered by Rep. Tom Pugh (DFL-South St. Paul), which would create the crime of mail theft in Minnesota. Originally contained in HF463, the amendment would impose a felony sentence of up to three years in prison and a maximum fine of \$5,000 for stealing or opening mail addressed to someone else.

Pugh said it is increasingly common for identity thieves to obtain and use private information contained in letters stolen from mailboxes or post offices. That information can include photographs, identification cards, bank account or credit card numbers, medical information, and social security numbers.

While already a federal crime, Pugh said federal courts and prosecutors do not have the resources to deal with any but the biggest instances of mail theft. The amendment would allow Minnesota prosecutors to file mail theft charges in either the county where the theft occurred or the county where the victim lives or works in order to give them more flexibility in prosecuting the crime.

Any of the identity theft crimes outlined in the bill could be combined for the purposes of charging an offender who committed multiple instances of theft within a six-month period.

The Senate passed the bill 64-0 on April 7. Because of the Pugh amendment, the bill will return to the Senate for a vote to concur with the changes. Sen. Leo Foley (DFL-Coon Rapids) sponsors the bill in that body.

Appearing in court

Minnesota's forensic scientists would be able to spend more time in the laboratory and less time in the courtroom, under a bill the House passed May 5.

On a 116-15 vote, legislators passed HF909/SF942*, which would allow courts to accept reports about who handled particular pieces of evidence without requiring scientists to verify those reports in person. Currently forensic scientists from the state Bureau of Criminal Apprehension must appear in court to testify to the accuracy of a chain of custody report, which details when, where, and by whom pieces of evidence were handled.

The bill's House sponsor, Rep. Eric Lipman (R-Lake Elmo), said such reports are relatively administrative matters that rarely become important in a criminal case. Much more important, he said, are reports detailing a scientist's analysis of the evidence, which do not require scientists to appear in court.

Lipman said the bill would allow courts to treat both types of reports the same way.

Defense attorneys who wish to challenge or question the reports could still subpoena scientists at least 10 days before a trial.

Rep. Tom Rukavina (DFL-Virginia) said he worried the bill removes a defendant's right to confront their accuser.

Lipman said the scientists are "busy people who are of value to the system. They should be at their lab desk."

"If there is some question that the scientist made some mistake in the analysis, under current law you have 10 days to request the scientist," he said.

In the Senate, where Sen. Satveer Chaudhary (DFL-Fridley) is the sponsor, the bill passed 61-0 on April 15. It now goes to Gov. Tim Pawlenty for a signature or veto.

Arson penalties

Minor cases of arson that cause personal injury would result in higher criminal penalties, under a bill the House passed 120-9 May 5.

Sponsored by Rep. Doug Fuller (R-Bemidji), HF385 would upgrade the crime of fifth degree arson to a gross misdemeanor if it results in bodily harm, including causing illness or impairing a person's physical condition. The penalty for such an offense would be up to a year in prison and a fine up to \$3,000.

Fifth-degree arson is currently a

CAPITOL TRAGEDY

PHOTO BY ANDREW VON BANK

St. Paul fire and rescue workers use the Jaws of Life to extract a victim of an auto incident on the State Capitol lawn May 6. The driver lost control of the sport-utility vehicle and crashed into a tree near the intersection of John Ireland Blvd. and Rev. Dr. Martin Luther King Jr. Blvd. The passenger, a 68-year-old St. Paul woman, died one day later from her injuries.

misdeemeanor offense, punishable by up to 90 days in jail and up to a \$700 fine. A separate provision of the bill would increase the maximum fine for that offense to \$1,000. The offense applies in cases where someone intentionally burns any property valued at less than \$300 in a non-public place. Arsons committed at higher loss values or in public buildings are covered under higher-degree arson offenses in state law.

Fuller said prosecutors who want another tool to punish low-level arsonists brought him the bill. State courts and corrections officials said the number of people that would be prosecuted under the bill is "very small" and the changes would not result in many new cases or prisoners.

Rep. Tom Rukavina (DFL-Virginia) said the bill is another instance of legislators increasing penalties on minor offenses. "I don't know why we have to keep jacking up what used to be a petty misdemeanor to a year in jail and a \$1,000 fine for what could be a stupid mistake by a kid," he said.

A Senate companion (SF355), sponsored by Sen. Wes Skoglund (DFL-Mpls), awaits further consideration in the Senate Finance Committee.

Emergency communication

Volunteers assigned to carry police radios with them or in their cars in order to help law enforcement officials are technically breaking the law in Minnesota. The House passed a bill 127-4 May 5 that would change that law and give local police and sheriffs another tool in providing security at festivals and other events that take place in their area.

On the floor, Rep. David Dill (DFL-Crane Lake) said that a volunteer in his district was ticketed for having a police radio at a community event. It's not uncommon for law enforcement to use volunteer security personnel at events that require extra security, but giving the volunteers radios violates a state law that dates back to 1935. That law makes it a misdemeanor offense to carry radio equipment capable of receiving police emergency frequencies without a proper license and was meant to prevent criminals from monitoring police communications.

"Realizing that we are talking about thousands and thousands of volunteers that are routinely using radios to help us respond to ambulance calls and fire calls and helping at community events ... we thought it would be appropriate to streamline the regulations," Dill said.

The bill Dill sponsors (HF808/SF351*) would permit people to carry emergency radio equipment with the written permission of

their local sheriff or police chief instead of having to apply to the state Bureau of Criminal Apprehension.

The House approved an amendment, offered by Rep. Duke Powell (R-Burnsville), that would make it a felony to interfere with police communications. The language in the amendment was the same as HF784, which the House passed 113-15 April 22. Powell said a companion bill did not make a committee deadline in the Senate, so attaching it to another Senate bill was the best way to get the measure approved.

The amendment specifies that someone must be deliberately disrupting emergency communications among police, firefighters, or emergency medical workers to be prosecuted for the crime.

Because of the amendment, the bill must go back to the Senate for a vote to concur or to appoint a conference committee. Sen. Tom Bakk (DFL-Cook) sponsors the bill in that body.

ELECTIONS



Election Day registration

People who have not pre-registered to vote and fail to present picture identification on Election Day to register would be ineligible to cast a ballot under a bill approved May 6 by the House Ways and Means Committee. The bill now moves to the full House.

Rep. Lynda Boudreau (R-Faribault), the sponsor of HF1006, said the photo identification requirement gives some assurance that a person is who they say they are.

The bill establishes guidelines to implement the Help America Vote Act, signed into law last year by President Bush. The state is required to establish election guidelines to receive \$6.5 million in federal funds to spend on elections.

The Help America Vote Act provides funds to states to replace punch card voting systems, establishes a commission to assist in the administration of federal elections and programs, and establishes elections standards for states and local units of government with responsibility for the administration of federal elections.

The addition of the picture identification requirement is not a federal mandate in the Help America Vote Act, but Boudreau said several state legislators have expressed concerns about voter fraud associated with Election Day registration.

Rep. Loren Solberg (DFL-Grand Rapids) illustrated the potential problem of requiring a picture identification by explaining how his

grandmother never had a driver's license and lived in a nursing home. Under HF1006, if she hadn't pre-registered, she'd have been turned away on Election Day.

Having a form of photo identification is almost standard in today's society, said Boudreau, but she acknowledged the requirement could be an issue for elderly voters.

A Senate companion (SF986), sponsored by Sen. Chuck Wiger (DFL-North St. Paul), awaits action in the Senate Rules and Administration Committee.

School board primaries

A bill that would require school districts to hold a nonpartisan primary if there are more than two candidates running for a single position on a school board, or twice the number of candidates running than the number who will be elected passed the House 95-34 May 5.

Opponents said the bill is an unfunded mandate for school districts, costing \$30,000 to \$40,000 per election. It is a cost that rural districts cannot afford, said Rep. Connie Bernardy (DFL-Fridley).

The change is a "small price to pay for making sure the right people get elected," said Rep. Jim Knoblach (R-St. Cloud), the House sponsor.

In the St. Cloud school district's last election, he said there were 12 candidates competing for four positions. The winning member won with 13.6 percent of the vote, causing the legitimacy of the win to be questioned, explained Knoblach.

"Why not just make it your own (district)," questioned Rep. Tom Rukavina (DFL-Virginia) emphasizing his district is currently cutting teaching positions to deal with the budget deficit and can't afford a primary that the bill would require. He said the cost equates to at least one full-time teaching position.

Knoblach replied, "This is a very small cost for the benefit that it gains." Only about a dozen districts would be effected every year, he added.

Currently law states that school districts may choose to hold a primary, but one is not required. The bill would apply to the St. Cloud school district the day after enactment, but for all other districts the law would take effect Jan. 1, 2004.

The bill now moves to the Senate, where Sen. Dave Kleis (R-St. Cloud) is the sponsor.

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★ ENVIRONMENT

Sewage charges

A bill that would allow the Clearwater River Watershed District to charge for disposing of sewage and other waste passed the House May 6. The vote was 126-5.

Sponsored by Rep. Mark Olson (R-Big Lake), the bill (HF837) would give the watershed district authority to charge users for sewer maintenance expenses on a monthly or quarterly basis.

The Clearwater River Watershed District encompasses the drainage area of the Clearwater River in Central Minnesota, some 160 square miles, including parts of Meeker, Stearns, and Wright counties.

Currently, the watershed district has to use its assessment authority, Olson said. "They need this mechanism to be more efficient in the way they operate."

The bill also would allow overdue charges to be sent to and collected by the county.

"We've worked with all affected units of government and no other unit of government has been willing to come forward to provide these services and protect the environment in the Clearwater River watershed in this regard," Olson said.

The League of Minnesota Cities and Association of Minnesota Counties supports the legislation, Olson added.

The bill now moves to the Senate, where Sen. Steve Dille (R-Dassel) is the sponsor.

Soil and water policies updated

The laws governing Minnesota's 91 soil and water conservation districts were first drafted in 1937 in response to Dust Bowl environmental conditions. A bill (HF414) that would update those policy statements to reflect modern land and water management concepts passed the House May 5 on a 111-19 vote.

The bill, sponsored by Rep. Ray Cox (R-Northfield), also would change the petition process to establish, consolidate, divide, or terminate conservation districts.

Current law states that "improper land use practices have caused serious wind and water erosion of the land of this state, the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage."

The bill would strike that introduction and replace it with what proponents describe as more positive language.

"Maintaining and conserving the quality of soil and water for the environmental and economic benefits they produce, preventing degradation and restoring degraded soil and water

FOOD FOR THOUGHT

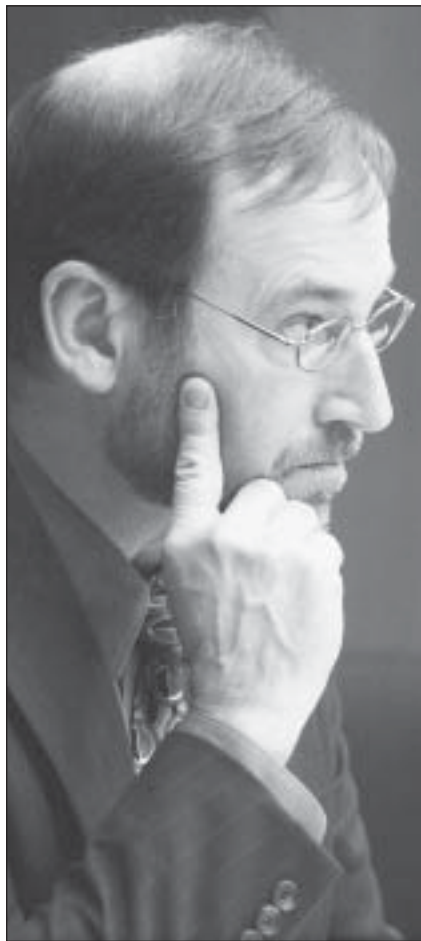


PHOTO BY TOM OLMSCHIED

Greg Buzicky, director of the state Department of Agriculture Agronomy and Plant Protection Division, listens while being questioned by members of the House Ways and Means Committee May 6.

resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens," the bill reads.

As introduced, the bill referred to "enhancing" the quality of soil and water rather than "conserving," however members on both sides of the aisle questioned the ambiguity of the wording.

When the bill left the House Environment and Natural Resources Policy Committee in February, Cox agreed to work with the Farm Bureau, Minnesota Association of Wheat Growers, and others on clarifying the intent of "enhancing" and identifying any obligations the new language would place on the private owners, who hold 78 percent of the land in Minnesota.

Also gone from the bill is a proposal to grant soil and water conservation districts levy authority.

According to the Minnesota Association of

Soil and Water Conservation Districts, additional financing authority would have helped them address a variety of areas, including oxygen depletion, new programs associated with the 2002 federal farm bill, and pollution prevention.

Rep. Bill Kuisle (R-Rochester) said the bill would clearly expand the scope and control of soil and water conservation districts.

"There's nothing sinister here," said Rep. Tony Cornish (R-Good Thunder), explaining that the bill was simply a technical reconfiguration of existing law.

A Senate companion (SF392), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action on the Senate floor.

★ FAMILY

Divorce, child support changes

Fees associated with filing for divorce could increase, and combined incomes may be considered in determining child support under HF110, now on its way to the House floor.

The House Ways and Means Committee approved the bill, sponsored by Rep. Steve Smith (R-Mound), May 6.

HF110 would reorganize and clarify family law language, and would add a few significant changes such as a "marital dissolution" fee of \$25, in addition to the civil filing fee for each party appearing in a divorce or legal separation proceeding.

The courts would be required to prepare a six-month review hearing form that must be sent with every decree of dissolution that establishes child custody, parenting time, or support rights and obligations. The form is a way to review that support is being paid and court-ordered parenting time is being followed.

A new formula would also be considered when determining child support payments that would use incomes of both parents, and judges would use statistics from the U.S. Department of Agriculture to determine the costs of raising a child. The support must then be divided proportionate to each parent's combined income.

Further, the bill would create new language in determining appropriate levels of health care coverage for children from the marriage. Criteria that would be considered include accessibility, how comprehensive and affordable it should be, and a child's special medical needs. If both parents have comparable health coverage, the child would be covered under the parent with the least costly health plan. However, the cost of the coverage and any unreimbursed medical expenses would be divided between the parents, proportionate to their combined incomes.

In 2002 there were 17,704 divorce cases filed in the state, of which 9,340 affected children.

Portions of the bill's Senate companion (SF751), sponsored by Sen. David Hann (R-Eden Prairie), were included in SF758, sponsored by Sen. Tom Neuville (R-Northfield). That bill awaits action in the Senate Finance Committee.

GAMBLING

Bigger bingo pots

Multiple bingo sites could soon be linked electronically allowing participants to win a larger pool of money, according to a bill that passed the House on May 5.

Those provisions were amended onto HF1244, which House sponsor Rep. Carl Jacobson (R-Vadnais Heights) described as "clarifying language and definitions" for the Minnesota Gambling Control Board. The bill passed 100-29.

Rep. Tony Kielkucki (R-Lester Prairie), sponsor of HF734, proposed the amendment to increase chances that it would receive a Senate vote. The bill was awaiting action by the full House.

An organization can currently offer a jackpot of up to \$300 per bingo game, but the prize could increase to \$8,000 to \$9,000 if several halls can link together, Kielkucki said during a committee meeting earlier this session.

HF1244 would make general policy adjustments to the Gambling Control Board.

The most significant difference from current law would be to allow rent paid by an organization for space leased for gambling to be based on a percentage of gross profit.

Also, high school raffles would now have to report to the gambling board their gross receipts, expenses, prizes, and price. All tickets for the raffles must be sold at the same price, and an individual must be 18 to purchase one, according to existing law.

A Senate companion (SF666) to the linked bingo games, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits further action by the full Senate. He also sponsors SF1153, which contains the gambling board clarification language. It awaits action by the full Senate.

GOVERNMENT

Funding package passes

After more than 10 hours of debate, the House passed its omnibus state government finance bill May 1 on a 71-62 vote.

HF749/SF1524* features nearly \$473.7 million

in general fund spending, \$65 million less than recommended by Gov. Tim Pawlenty.

"We're at a time where we have to change. We can't keep going down the same course," said Rep. Bill Haas (R-Champlin), the House sponsor of the bill.

Among the items in the bill are the following:

- reductions in appropriations to most state agencies ranging from 10 percent to 15 percent,
- clauses for state employees that provide for no wage increase in the biennium and the state would pay no more than it currently does for health coverage, and
- at least a \$10 million reduction in cell phone usage and the state's vehicle fleet.

"This bill says we'll pay more and get less," said House Minority Leader Matt Entenza (DFL-St. Paul). "This will demoralize our state workforce, diminish our ability to provide service to Minnesotans, and ultimately hurt our economy."

House Majority Leader Erik Paulsen (R-Eden Prairie) offered a different view.

"This is about how we pay for agencies of state government," he said. "We are holding the bureaucracy to the same cost-cutting standards that Minnesota families and businesses have gone through for the past several years."

The bill also provides for reverse auction to be used by the state in its purchasing of goods and services. Under the option, the state would put out a proposal for what it needs and companies would be able to openly bid against one another for the contract, which supporters say will lower what the state ultimately pays. Paulsen, who called the provision "one of the most exciting aspects of the bill," said this process should save the state much more than the anticipated \$4 million to \$5 million in the biennium.

The Senate did not concur with the House changes to the bill, and a conference committee was appointed to work out a compromise between the two versions. Sen. Richard Cohen (DFL-St. Paul) is the Senate sponsor.

Performing state treasurer duties

Since the position of state treasurer was abolished in January, the duties of the office have been handled by the Department of Finance, under an executive branch reorganization order.

HF943, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would give the department statutory authority to fulfill the duties, such as cutting checks, verifying, and processing all spending in state government.

The bill was passed by the House 68-61 on May 5.

During debate on the bill, members questioned the protection of taxpayer dollars under the setup.

Rep. Eric Lipman (R-Lake Elmo) likened the move to a "fox guarding both chicken coops," while House Minority Leader Matt Entenza (DFL-St. Paul) said that in most businesses the financial areas are separated for checks and balances.

Others suggested different places for the duties to be transferred.

Rep. Phil Krinkie (R-Shoreview) said the functions should be under the state auditor's purview, and Lipman said the duties should go to the Minnesota State Board of Investment.

Also included in the bill would be the elimination of detailed reporting on service contracts by the Department of Finance.

State spending in this area is also a major concern, said Rep. Barb Goodwin (DFL-Columbia Heights), who sponsored HF384 that would put a moratorium on state professional contracts. That bill did not advance from the House Governmental Operations and Veterans Affairs Policy Committee prior to committee deadlines.

A Senate companion (SF997), sponsored by Sen. Geoff Michel (R-Edina), has been included in the Senate's omnibus state government finance bill (SF1534). A conference committee has been requested for the omnibus bill.

HEALTH

Alzheimer's training

Organizations that provide care for people with Alzheimer's disease would have to ensure their staff is trained to work with Alzheimer's patients if a bill now on its way to the governor becomes law.

Under HF410/SF433*, which the House passed 112-19 on May 5, direct care staff and supervisors working in nursing homes, home care, and adult day care facilities would have to be trained in caring for people with dementia. That training would include an explanation of Alzheimer's disease and related disorders, assistance with activities of daily living, problem solving with challenging behaviors, and communication skills.

The bill calls for each organization to provide consumers with a written description of the nature and frequency of their staff's training.

The bill's sponsor, Rep. Jim Abeler (R-Anoka), called the bill an "incremental move" towards ensuring quality care for Alzheimer's patients.

Rep. Tom Rukavina (DFL-Virginia) said

new mandates on health care providers are inappropriate while the state is talking about cutting funding for nursing homes and other senior care programs. "It's a small mandate, (but) it's still a cost," he said.

Rep. Mark Buesgens (R-Jordan) compared to bill to unpopular state education standards, calling it "the Profile of Learning for nursing homes."

According to Rep. Fran Bradley (R-Rochester), the bill arose because some organizations that advertised Alzheimer's services were not qualified to deliver.

Abeler said the affected organizations helped to write the bill's language and say they won't suffer significant costs because of it. "In many cases, (workers) are trained very well," Abeler said. "If a facility provides no training at all, they have to tell people and then people can choose."

"There are ways to approach these people that are either good ways or bad ways," said Rep. Char Samuelson (R-New Brighton). "So it is imperative that the staff that work in these units get proper training for dealing with the people living there."

In the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor, the bill passed 50-13 April 15.

Administering drugs

Minnesota pharmacists would be allowed to administer two common immunizations under a bill that passed the House 131-1 May 6.

Sponsored by Rep. Jim Abeler (R-Anoka), HF692 would permit pharmacists with proper permission and training to give influenza and pneumococcal vaccines to adults. Pharmacists administering the immunizations would have to do so under agreement with a licensed physician.

In a House committee, representatives of the Minnesota Pharmacists Association said that pharmacists have long been involved in promoting and educating people about the value of immunizations. They said there have been increases in immunization rates in the 36 other states that currently allow pharmacists to immunize patients.

They said new pharmacists are already trained in administering vaccinations as part of graduate school curriculum.

Abeler said the goal of the bill is to be able to immunize more senior citizens, though it would allow pharmacists to vaccinate anyone over 18. Any vaccinations performed under the bill would have to be reported to a patient's primary physician.

The bill next heads to the Senate where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

STATEHOOD WEEK



PHOTO BY TOM OLMSCHIED

Michael Salzberg, a State Capitol site guide, portrays Dr. John Murphy, a delegate to the Minnesota Constitutional Convention in 1857, for school groups during their May 6 tours of the State Capitol. The portrayals are done, as part of Statehood Week. The chandelier in the Capitol Rotunda is scheduled to be lit May 9 and May 11 in celebration of Minnesota becoming a state.

INSURANCE



Claim limit, technical changes

Individuals with pending insurance claims who find that their insurance company has gone bankrupt could collect no more than \$10 million from the state's insurance guaranty program, under a bill that passed the House 131-0 May 6.

HF946, sponsored by Rep. Jeff Johnson (R-Plymouth), encompasses many technical changes — save for the bankruptcy amount limitation — to current laws governing the Minnesota Insurance Guaranty Association.

In addition, the bill would add to the list of insurance types that are excluded from the guaranty program. Exempt would be fidelity and surety bonds, and insurance of warranties and service contracts. It would also broaden the definition of those who can file claims with the guaranty to include government entities.

The nonprofit guaranty group, controlled by a board of directors, was created by state

law in 1971. Every insurer selling property and casualty insurance must belong to the association. Members are assessed a certain percentage of their premiums to pay for the claims of the insured in the event an insurance company becomes insolvent.

According to Johnson's testimony April 2 before the House Commerce, Jobs, and Economic Development Policy Committee, every state has an insurance guaranty program.

A Senate companion bill (SF776), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), was approved April 7 by the Senate Commerce and Utilities Committee and awaits floor action.

Keeping coverage

A law requiring that homeowners be informed of a Minnesota state insurance plan when their homeowner's insurance policies are canceled would be clarified, under a bill approved 127-4 by the House May 6.

HF203/SF350*, sponsored by Rep. Tony Sertich (DFL-Chisholm), largely clarifies current law. It would change the name of the state plan from Minnesota property insurance placement facility back to the Minnesota FAIR Plan. FAIR stands for "fair access to insurance requirements."

The plan is overseen by the Department of Commerce, which concurs with the changes made in the bill, according to Sertich.

Established by the Legislature, the plan provides limited property insurance when individuals are unable to get insurance from the private market. FAIR policies are not as desirable or as affordable as private insurance company plans. Minnesota residential and commercial property owners who have been unable to obtain property insurance are eligible for coverage, provided the property meets minimum requirements.

FAIR is financed through premiums paid by customers. When shortfalls arise, the plan's member insurance companies are assessed a fee according to their share of the market.

HF203/SF350* would also change the requirements for and terms of FAIR board members and would clarify how rates are set by the Department of Commerce, how commissions are paid to agents, and how written premiums are used to determine the FAIR assessments base. Finally, the bill would allow rejection of coverage without property inspection if the rejection were not related to the property's condition.

An amendment on the floor incorporated HF662, offered by Rep. Jim Abeler (R-Anoka). It would require insurance providers to notify clients that the insured's children who are

full-time students are covered, as are disabled adult children.

In presenting HF662 previously to the House Health and Human Services Policy Committee, Abeler stressed that the bill makes no changes to current law requiring insurers to offer coverage to certain eligible dependants after they have reached a particular age. It only adds language requiring providers be explicit about the availability of such coverage.

The amended bill now returns to the Senate where it is sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), and previously passed 59-0 April 16.

Raising deductibles

A state high-risk health insurance pool would be allowed to offer higher deductibles for clients desiring smaller premiums, under a bill approved May 6 by the House.

HF673, sponsored by Rep. Bill Haas (R-Champlin), passed 132-0.

Minnesota Comprehensive Health Association (MCHA), a nonprofit corporation created in 1976 by the Legislature, offers health insurance to Minnesotans who have been denied private health insurance coverage due to pre-existing health conditions. Under state law, all health insurance companies doing business in the state must belong.

Among 30 high-risk pools in the United States, Minnesota is the second oldest and the largest, counting 31,000 members, of which 60 percent live in Greater Minnesota. Individuals seeking coverage must have lived in Minnesota for six months and have proof of rejection by a private health insurance carrier.

Pre-existing conditions are not covered under the client's first six months on the program.

State law mandates that premiums be offered at prices 1 percent to 25 percent higher than private market rates. Client premium rates vary by age and deductible plan, but not by gender or medical history. The average age of members is 50, with premiums varying from \$590 a month to \$856 a quarter.

The plan currently offers premiums with annual deductibles of \$500, \$1,000, and \$2,000. HF673 would add optional deductibles of \$5,000 and \$10,000 and provide for 100 percent coverage for clients choosing these new, higher deductibles. Haas said clients have requested higher deductibles in order to get lower premiums.

The association covers half of its costs through premiums, with state law requiring that member insurance companies be assessed the remaining costs. Companies in turn pass the assessment on to clients, which in today's market are usually small businesses and

individuals. Medium- and large-size entities, including the State of Minnesota, often opt to self-insure. Therefore, small businesses bear the brunt of the association's assessment.

In addition, HF673 would add language pertaining to employees who have lost work, in part, to international competition under the Federal Trade Act of 2002. Under this federal provision, individuals can receive a tax credit for 65 percent of their premiums. Waived are the six-month residency requirement, the pre-existing condition limitation, and the requirement of proof of prior rejection by an insurance company.

Currently, the risk pool contracts with Blue Cross and Blue Shield of Minnesota for health care services. HF673 would allow extension of the contract for three years.

A Senate companion bill (SF994), sponsored by Sen. Dan Sparks (DFL-Austin), awaits a floor vote.

RECREATION



Younger referees

Signed
by
the
governor
★ ★ ★

Youth between ages 11 and 14 will be allowed to work as assistant soccer referees, even if the players they officiate are in an older age bracket, under a new law signed by Gov. Tim Pawlenty May 2.

Under current law, no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events.

About 2,000 exemptions have traditionally been processed by the state each year for youth sports officials, but they will no longer be necessary under the new law.

Effective May 3, 2003, the new law stipulates that assistant youth soccer referees must have adequate supervision and a parent's written permission.

Rep. Ron Erhardt (R-Edina) and Sen. Michele Bachmann (R-Stillwater) were the sponsors.

HF1189/SF1064*/CH26

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SAFETY



Authority expansion

In a response to increased worries about domestic terror attacks, a bill on its way to Gov. Tim Pawlenty's desk would expand the authority of hazardous materials teams in Minnesota.

Under HF1066/SF941*, which the House passed 131-1 May 6, chemical assessment teams would be authorized to deal directly with the hazardous materials they encounter. Under current law, those teams are limited to assessment and defensive duties related to protecting the surrounding area while they call in emergency response teams to deal directly with the chemical threat.

By allowing the assessment teams to take action on the materials themselves, the bill would alleviate potential problems caused by long response times from emergency response teams.

The two types of teams specialize in different aspects of hazardous material situations, but have essentially the same training, according to earlier testimony before a House committee.

The bill, sponsored by Rep. Kurt Zellers (R-Maple Grove), would also expand the definition of hazardous material to substances intentionally released in connection with a criminal or terrorist act. Current statutes limit the definition only to accidentally released materials. The types of substances included in the definition would also expand to include chemical and biological substances and toxic gasses in addition to the explosive, corrosive, radioactive, and combustible substances already included.

The Senate passed the bill 62-0 on April 15. It is sponsored there by Sen. Dan Sparks (DFL-Austin).

Tougher penalties

The House recommended changes to part of the state's occupational safety laws May 5, when it passed a bill to increase penalties on employers who violate state safety standards. The vote was 127-3.

Under HF817/SF1098*, employers could be fined up to \$25,000 if a violation of state standards, rules, or orders results in the death of an employee.

In other circumstances, the bill would help protect small companies from bankruptcy by allowing the \$25,000 fine for a violation that results in an employee's death to be broken up into five annual \$5,000 installments as long as the violation is not deemed to be willful or repeated. The labor and industry commissioner could elect to waive the fine each year after the first if the employer is not cited for

any more violations.

House members also approved an amendment offered by Rep. Doug Stang (R-Cold Spring) that would allow the commissioner to exempt businesses from such fines if the owner or an employee with a controlling interest in the company is the one who dies.

Separate provisions of the bill would lengthen employee notice requirements by requiring employers to post notices of a citation at or near where a violation occurred for 20 days. Current law requires 15 days.

The bill also removes the health commissioner from a 12-member occupational safety and health advisory board. The bill's sponsor, Rep. Tim Mahoney (DFL-St. Paul), said all health and safety inspectors have been transferred to the Department of Labor and Industry, so the health commissioner is no longer needed on the board.

Sen. Michele Bachmann (R-Stillwater) sponsors the bill in the Senate, where it passed 56-0 on April 16. Since the version passed in the House is different, the bill now returns to the Senate for a vote to concur with the House changes or to appoint a conference committee.

Public Safety Department provisions

On a 131-1 vote, the House passed a bill May 5 that would provide several adjustments to law regarding the state Department of Public Safety, particularly as it relates to vehicle registration and state identification cards and driver's licenses.

Patricia McCormack, acting director of the department's division of driver and vehicle services, testified at an April 2 House Transportation Policy Committee meeting that the bill is an effort to continue to streamline procedures "so that we're more able to provide fast, fair, and accurate service."

Sponsored by Rep. Bill Kuisle (R-Rochester), the bill (HF643) would provide the following:

- changes requirements that vehicle registration renewals on leased vehicles be sent to the leasing company rather than the individual leasing the vehicle;
- allows individuals waiting for a special license plate to become available to temporarily display a permit on their vehicle rather than a regular license plate;
- prohibits the department from issuing vehicle registration if the vehicle is owned or leased by a motor carrier subject to an out-of-service order issued by a federal government agency, typically issued for a safety violation; and
- allows the department to set an expiration date for Minnesota identification cards and

CHAMBER BLOOMS



PHOTO BY TOM OLMSCHIED

A sure sign of spring and the final days of the session are when the tulips begin to appear on the chamber desks of House members.

driver's licenses that is earlier than the four-year expiration date dictated in statute, provided that the date is not based solely on age.

During the April 2 hearing, Rep. Frank Hornstein (DFL-Mpls) asked if the age requirement provision was connected to the bill (HF1) that would place a status check date on a foreign visitor's identification card or driver's license that would correspond with the date the individual must leave the country. McCormack said that it could, but the provision would be applied more directly to individuals who may need closer monitoring and may not get a license for the four-year period because of health or safety reasons.

In addition, the original bill would have reduced the weight limit from 12,000 pounds to 10,000 pounds at which trucks must be weighed on state scales. That provision was amended out of the bill during debate on the House floor.

The bill now goes to the Senate, where Sen. D. Scott Dibble (DFL-Mpls) is the sponsor.

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

★ TRANSPORTATION

Common-interest land acquisition

When the state Department of Transportation must obtain right-of-way for transportation projects, each property owner is notified of plans and participates in negotiations with the department.

In situations where property is owned by common interests, such as is the case with condominiums and townhouses, the owner of each individual unit must be notified. However, any common green spaces or other areas are regulated by the association for those units rather than each individual property owner.

A bill intended to clarify the procedure for acquiring such common-interest property passed the House May 6 on a 130-1 vote.

HF981, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would allow the department to deliver service of eminent domain proceedings, the legal term for such property acquisition, to the townhouse or condominium association. In addition, the associations would be allowed to grant easements for rights-of-way and related purposes through common areas.

During committee testimony on the bill, Holberg said the bill is also intended to help streamline right-of-way acquisition processes, which can be costly and time-consuming for the department.

The bill now moves to the Senate, where it is sponsored by Sen. Mee Moua (DFL-St. Paul).

State highway transfers

Each year, the state Department of Transportation reviews the state's highway system to assure that each road still serves specific statewide purposes. As a result, the department recommends that some roads be turned back to local communities.

The bill accomplishing that task this year passed the House May 6 132-0.

HF968, sponsored by Rep. Doug Magnus (R-Slayton) would change the status of the following roads in the designated trunk highway system:

- changes the description of a road near Rochester between U.S. Highway 14 and Interstate 90 that was inadvertently misidentified in 2001,
- transfers highway 266 near Worthington to Nobles County,
- transfers highway 273 near Belview to Redwood County, and
- vacates highway 302 between Sauk Centre

and the former Minnesota Home for Girls, no longer operated by the state.

During committee discussion about the bill, Betsy Parker, assistant director of government relations for the department, explained the legal provisions governing the trunk highway system. She said that the system was limited to 12,200 miles in 1920, and that the state assumes responsibility for constructing and maintaining larger roads connecting more traffic.

The governing philosophy, she said, also dictates that smaller roads between local communities should be locally maintained.

Parker also testified that turnbacks designated in the bill all receive the consent of the local government either via resolution or memorandum.

The bill now goes to the Senate where Sen. Dave Kleis (R-St. Cloud) is the sponsor.

Replacing displaced railroad land

Occasionally, a state road construction project will require the state Department of Transportation to acquire land and relocate railroad tracks. When that happens, typically the department will acquire the land and pay the costs associated, which may be time consuming and expensive for the department, officials say.

However, a bill passed by the House 131-0 on May 5 would streamline that process, according to its sponsor, Rep. Doug Magnus (R-Slayton). The bill (HF988) would allow the railroad company to acquire its own replacement lands and the state would then reimburse all reasonable costs associated with the acquisition.

At a March 26 House Transportation Policy Committee meeting, Betsy Parker, associate director of government relations for the

department, testified that substantially nothing would change from current practice, except that the department would not be required to acquire the replacement land. Under the bill, the railroad and the transportation commissioner would establish an agreement to replace the land.

At the hearing, Rep. Mary Liz Holberg (R-Lakeville), wondered aloud what would prohibit the railroad from purchasing the land at three times its actual value. Parker said that the department would determine what a reasonable value is and that would be part of the pre-arranged agreement between the commissioner and the railroad.

The bill now goes to the Senate, where Sen. Mike McGinn (R-Eagan) is the sponsor.

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14 A Rep. Daniel Severson-(R) B Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	42 A Rep. Peter Adolphson-(R) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	56 A Rep. Eric Lipman-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

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Facility naming rights could be in the works for school districts looking to make some extra cash

By TOM LONERGAN

Is a "Target High School" or a "Pizza Hut Stadium" on the horizon for Minnesota School districts?

According to several school officials, don't count on it, even though school districts would have the option of leasing the naming rights for school buildings, ice arenas, and stadiums under both the House and Senate omnibus education bills.

The bills (HF1404*/SF1528) were passed by the respective legislative bodies April 30 and May 2 and are headed to a conference committee for compromise on a number of differences, including cuts to supplemental school programs and new state academic standards to replace the Profile of Learning.

Both bills propose authorizing school districts to pursue "sponsorship and advertising revenue." Besides leasing the naming rights to school facilities, the bills propose school districts may also "sell advertising on or in the facilities" and "on or in school buses," subject to bus advertising content restrictions in existing state law.

The school sponsorship and advertising

or facilities named in someone's honor. It's not so much about a 'Pepsi Arena.'

Meeks said advertising and sponsorship revenue would be "another option for cash-starved districts." He said he doubted an "Xcel Energy High School" would result from the proposal.

School boards would likely seek such revenue in "very limited situations," Meeks said. "It would be for the special things," he added, citing an art exhibit or a sporting facility concession stand as examples. "You may see the local lumberyard or a sporting goods company as sponsors."

Jan Alswager, manager of government relations for Education Minnesota, predicted a few of the state's 343 school districts "will jump at this."

She said the proposal represented "a significant policy shift." State support of schools "has not kept pace with inflation," she said, "schools have been cutting and now we have to sell building naming rights?"

Alswager said the advertising and sponsorship issue could "force a discussion at the local level."

"This can give districts the opportunity to generate extra revenue. It may encourage memorials or facilities named in someone's honor. It's not so much about a 'Pepsi Arena.'"

— Rep. Jim Abeler

proposal was originally in HF558, sponsored by Rep. Jim Abeler (R-Anoka). The bill received a brief hearing March 11 before the House Education Finance Committee.

Abeler and Bob Meeks, director of government relations for the Minnesota School Boards Association, were the only testifiers.

"This can give districts the opportunity to generate extra revenue," Abeler said in a recent interview. "It may encourage memorials

"Is it in the best interests of students or for the purposes of receiving more money? If it's the money, the result is poorly thought out public policy."

Two school superintendents who said their districts don't seek advertising or sponsorship revenue indicated the bill wouldn't likely change their policies.

"It's a very unfortunate sign of the times," said Rochester Schools Superintendent

Jerry Williams. "It's a sad statement that we would have to do that."

The district would only consider leasing building naming rights or selling advertising "as a last resort," Williams said. "The school board ultimately makes the decision and I would welcome the community to weigh in heavily."

The 16,000-student district recently negotiated an exclusive vending contract with Pepsi, Williams said, but product logos will "not be plastered all over." The vending machines have generic fronts, he added.

Naming rights "are not even on our radar screen," said Marshall School District Superintendent Tom Tapper. "I don't expect we'll be pioneers."

He said voters in the 2,500-student district in southwest Minnesota recently passed a dual question \$37 million bond issue for a new high school and auditorium.

The Schwan Food Company, a Marshall-based business, is providing matching money for the auditorium. "There was never any discussion of a naming right," Tapper said.

Seeking supplemental revenue through advertising and sponsorships would be unique to districts, based on their special needs, Tapper said. "We've never approached it or thought of it and I don't expect to."

The Anoka-Hennepin School Board "has talked about new ways of raising revenue," said Mary Olson, the district's director of communications, but no district buildings have been named as a means to do that.

Fees for after school and community education programs, she said, "have gotten so high we're looking at ways of providing revenue that doesn't draw on the general fund."

Abeler said that although state law does not prohibit schools from selling advertising or leasing naming rights, his proposal "makes it permissible." The decision is "best left to school boards to decide based on their sensibilities," he said.

"I can assure you if it becomes a controversial issue locally, it will become a school board election issue and then the people will vote."

The companion to Abeler's bill was SF682, sponsored by Sen. David Tomassoni (DFL-Chisholm). 🐼

Hard day's night

Members debate impact of spending cuts, amendments in early morning discussion of health and human services bill

BY JEFF JONES

A plan to spend nearly 9 percent less than current funding in the areas of health and human services passed the House in the early morning hours of May 2.

After considering 20 amendments during a four-and-a-half hour debate, the House passed HF437 on a 74-59 vote at about 4 a.m. Designed to overhaul the state's health and welfare systems, the bill would implement most of Gov. Tim Pawlenty's budget recommendations to curb spending in the departments of Health and Human Services. It would spend more than \$7.3 billion from the general fund, a roughly \$700 million reduction from current spending levels.

The bill would accomplish those reductions by tightening eligibility requirements for state assistance, reducing or eliminating grants and programs, streamlining administrative processes, and raising fees and co-payments for a variety of services.

Rep. Fran Bradley (R-Rochester), the bill's sponsor, said members should take pride in the bill. "It was a reform-centered effort. The results were tough but fair. ... I think it does a

terrific job for the people that we serve."

House Minority Leader Matt Entenza (DFL-St. Paul) criticized the bill's budget cutting tactics and the lateness of the hour. "We're going to cut nursing homes by over \$74 million while grandma's sleeping. We're going to cut senior nutrition programs by almost \$3.5 million while our seniors rest unaware."

The bill proposes significant changes to Minnesota's welfare and public assistance programs by reducing eligibility and putting greater emphasis on moving recipients into the workforce. It would also save the state money from subsidized health care programs by lowering income eligibility levels, changing reimbursement rates to doctors and hospitals, and raising medical co-pays for patients. The state General Assistance Medical Care program would be combined with MinnesotaCare, under the bill.

Rep. Thomas Huntley (DFL-Duluth) warned that many hospitals, including the state's main teaching hospital, Hennepin County Medical Center, could not withstand the costs the bill would shift onto them. "They're either going to close their doors or

they're going to raise their rates to everybody else," he said.

The bill restores much of the money the governor proposed cutting from nursing homes, meals-on-wheels programs, and senior companion programs. It also largely protects funding for programs for the disabled and mentally handicapped.

Rep. Tim Wilkin (R-Eagan) praised the effort to save those programs. "We made all sorts of changes to this bill, to address the very sensitive items that are in it. We improved it, and a lot of the advocacy community is on board."

Much of the money used to restore the services would come from state funding for child-care assistance programs, which the bill would cut by about 50 percent from base budgets, 35 percent more than the governor recommended.

The bill also seeks to give counties more flexibility in administering reduced state money by consolidating targeted grants into larger block grants for counties to spend according to their own needs.

While nothing in the package specifically dealt with the issue of abortion, many proposed amendments sought to add such language to the bill.

Rep. Larry Howes (R-Walker) offered an amendment to prohibit abortion-inducing drugs from being covered under the prescription drug discount program the bill would establish. The amendment was adopted 88-43.

Huntley called the measure too broad,



PHOTO BY ANDREW VON BANK

A provision in the omnibus health and human services finance bill would require legislative approval of plans to close regional treatment centers, like the Fergus Falls center, pictured here.

saying some drugs that can induce abortion in the first weeks of pregnancy, including the pill called RU486, are also used to treat ailments such as cancer, glaucoma, and pulmonary hypertension.

Some are also used to help induce labor, said Rep. Margaret Anderson Kelliher (DFL-Mpls). "You're telling people who are lower income, who are 10 or 12 days overdue, 'Well, I guess you'll just have to wait,'" she said.

Bradley, who supported the amendment, said it would not have much effect because the drug discount program is designed primarily for senior citizens. It would be available only to low income individuals not covered by other state or private insurance programs and would not take effect for another two years.

Rep. Mary Ellen Otremba (DFL-Long Prairie) unsuccessfully offered an amendment that would have removed a section of the bill denying extra cash benefits to women on welfare who have additional children — part of the governor's recommendation to reduce state welfare spending. Otremba said a similar law in New Jersey succeeded in reducing the number of children born to welfare recipients but resulted in 350 more abortions annually in that state.

"The family cap success was because of increased abortions that decreased births,"

Otremba said. "In other words, the abortions achieved the birth reduction."

Rep. Lynda Boudreau (R-Fairbault) said the governor's proposal would not reduce food or medical benefits to families but would keep them from receiving additional cash benefits from the state.

The House adopted a separate Otremba amendment that would give parents access to their children's medical records. While state law gives minors the right to seek treatment (including abortions) for pregnancy, sexually transmitted diseases (STDs), or alcohol and drug abuse without parental permission, the amendment would allow parents to see what treatments have been performed.

Rep. Nora Slawik (DFL-Maplewood) opposed the amendment. "This is going to cause kids to have fear of getting treatment for STDs. It could cause fear, for young women who are pregnant, that their parents are going to find out," she said.

Another amendment offered by Rep. Eric Lipman (R-Lake Elmo) would have defined the term "therapeutic abortion" as one necessary to prevent a woman from being hospitalized. It was intended to limit the effect of a Minnesota Supreme Court Decision that gave women receiving state medical assistance the

right to therapeutic abortion. Lipman called the court decision "absolute, unadulterated hogwash," and "the worst decision ever."

The amendment was ruled out of order because it was deemed to have a financial impact on the bill.

Relating to state health facilities, an amendment from Rep. Al Juhnke (DFL-Willmar) that would require legislative approval of any plan to close or end programming at regional treatment centers or state operated nursing homes was approved.

Bradley also successfully offered an amendment to delete a contentious provision regarding so-called "step-therapy" for medical assistance patients with mental illness. It would have allowed the human services commissioner to develop a program requiring doctors to prescribe the least costly drugs or therapy to treat a patient's medical condition and prescribe progressively more costly treatments only when each initial treatment is deemed unsafe or ineffective.

Since the House bill is different from a corresponding Senate omnibus bill (SF1532), sponsored by Sen. Linda Berglin (DFL-Mpls), a 10-member conference committee has been appointed to work out the differences. 🐼



Volunteering service

Teachers in Portland agree to work without pay for short time to ease deficit

In an effort to trim budgets without trimming the education workforce, teachers in the Portland (Ore.) School District agreed in early March to work 10 days for free in the upcoming school year.

The contract, agreed to by approximately 3,600 teachers, will preserve a full school year for the district, which had proposed cutting 24 days off of the 171-day academic calendar. The state's education department previously waived requirements for the minimum number of instructional hours due to the state's budget crisis. For teachers, the contract will mean a 5 percent reduction in salaries, which range from \$28,725 to \$60,371.

The 53,000-student district saw its budget shrink by \$21 million between

September and the time of contract ratification because of state revenue shortfalls. Local officials say the shortfall may reach \$50 million next school year, and district leaders have looked at cutting jobs, closing up to six elementary schools, and increasing class size to 42 students. The district already utilizes outside custodial services for its 98 schools, has reduced its central administrative staff by more than one-third since 1990, and has sold or leases buildings to the city and local private schools.

The problem, some district officials said, dates back to 1990 when state voters approved a plan that capped local property taxes, and shifted the responsibility for financing schools from the local level to the

state. At about the same time state leaders agreed to a new equity formula that tried to close the revenue gap between school districts.

However, Portland school officials say that because they have higher numbers of students that cost more to educate, such as second-language learners and special needs students, the plan was bad for them even though legislators told them that the measure would not harm them.

In January state voters rejected a proposition that would have created an additional \$95 million in new state tax revenue for schools with the dollars being divided up among all districts.

(M. Cook)

Thinking ahead

1950 report encouraged policies to position Minnesota as player in U.S. and world markets

By MICHELLE KIBIGER

When Minnesota policymakers were looking toward the future in 1950, they couldn't have known the economic booms the following decade would bring. They only had the context of the five years since the end of World War II as they looked at the state's economic position.

At the time, the state had nearly 3.2 million people, 184,000 farms, 186,400 people employed in manufacturing enterprises, wholesale sales of \$4.9 billion, and retail sales of \$2.9 billion.

While officials had reason for optimism, one report indicated a fair amount of skepticism about the state's prospects, as well. That report, *Minnesota at Midpoint – 1950, an Economic Survey of Minnesota at the Turn of the Half Century*, urged the state to adopt certain policy directions.

Particularly, the report addressed six items — forests, agriculture, vacation travel trade, iron mining, public service enterprises, and manufacturing — that authors identified as keys to the state's strength.

The state Department of Business Research and Development, which was one of several precursors to today's state Department of Trade and Economic Development, produced the report.

"The war dislocated our economic structure as it did that of other states and the nation as a whole, to such an extent as to preclude any accurate measurement of progress," said the report. "It is pleasant to be able to report that, in the main, the impact of those war years raised us to unprecedented economic levels, and that the post-war years did not put us on a toboggan racing rapidly down a steep and rocky decline."

"At the same time, the facts upon which this report is based make certain that Minnesota has never faced more problems than it does at this time. Another all-out war, a sharp slump in agricultural prices, another disastrous forest fire, any number of possible eventualities, may make some of the gains of the past 10 years here totaled seem transitory indeed."

Specifically, the report noted room for improvement in the six areas, particularly in relation to the economic aspects of each.

Minnesota needed a way to set its products and assets apart from other states, the department said. In agriculture, mechanization was dubbed a "miracle" for reducing the need for farm labor while the value of farm production was increasing. The war had tapped agricultural laborers and the report indicated they were not returning to their former vocations.

As a result, the report suggested maximizing mechanization options, while finding a way to market Minnesota products so they would become a household name like "Vermont maple syrup."

The report also supported partnerships between the University of Minnesota and agricultural and business/manufacturing communities. The university could support the research needed to develop products and technologies unique to Minnesota.

Also, the report suggested developing policies to protect forest resources for lake and stream conservation and for wildlife habitat protection. It also encouraged soil conservation practices for both the state's forests and its farmland.

For mining, the report indicated concern about competing markets in Brazil, Venezuela, and Canada, whose deposits seemed to be of higher quality. To compete, the report suggested, the state needed to find cheaper fuel sources for mining activities, and it should pursue a more marketable or higher quality source of ore for future stability in the iron mining industry, essential not only for its commercial benefit but also because of taxes paid on mining operations.

The department also encouraged additional spending to promote tourism and recreation in the state. "The most effective stimulant to vacation travel in our state is that association of

economic influences represented by more paid vacations, more hard-surfaced highways, and more family cars," the report said. "What is lacking in the recreation picture of the state is some giant investment, such as Miami Beach in Florida, Sun Valley in Idaho, and Jasper Park in the Canadian Rockies. A focal point such as these, located, let us say, at Gooseberry Falls on the North Shore Drive, would insure national attention and dramatic appeal."

The harshest criticism of the state leveled in the report was that it had not done enough to develop long-term plans for conserving resources and developing new, enterprising ideas for business expansion. Other states are doing it, the report said, and Minnesota should try




Workers at the Union Brass and Metal Manufacturing Company, in St. Paul.

Photo courtesy of the Minnesota Historical Society

and gain some advantage before the other states are out of reach.

"The peculiar genius of an economic nature possessed by the American worker is his ability to change raw materials so as to make them more desirable and more valuable," wrote the department. "That genius has never been absent from the homes, shops, and factories of Minnesota. In the hundred years of our history, a ready adaptability to the many factors which apply to industry has been displayed by our citizens."

In conclusion, the report built on this statement, suggesting that merely connecting the already existing pieces might bring the desired result.

"Our human resources, intelligently applied to our natural resources, should make of this land, not only a pleasant one in which to live, but also a profitable one in which to work." 

Appraising trust lands

Debate continues over intermingled federal-state land ownership in the Boundary Waters Canoe Area Wilderness

By NICOLE WOOD

Shortly before statehood, Minnesota was granted several million acres of land from the federal government to support public education. The land is held in public trust and managed by the Department of Natural Resources. Proceeds from natural resource management activities, including logging, mining, and land leases and sales, are dedicated to the state's Permanent School Fund for K-12 education expenditures.

Approximately 93,000 acres of the 2.5 million school trust fund acres still held by the state are within a portion of the Superior National Forest that Congress in 1978 designated as the Boundary Waters Canoe Area Wilderness.

School trust lands within the area do not generate money for the fund because federal laws restrict commercial activities, such as logging and other motorized access, on wilderness lands.

The 1999 Legislature passed a resolution in support of an exchange for U.S. Forest Service land outside of the wilderness area "as a solution to the long-standing problem of intermingled land ownership within the Superior National Forest." The next year, lawmakers directed the University of Minnesota-Duluth (UMD) to conduct a land valuation study of the state-owned parcels in the wilderness area, including school trust, university trust, county tax-forfeited, and DNR-acquired lands.

Acting Director Jim Skurla and Curt Anderson of UMD's Bureau of Business and Economic Research presented the House Environment and Natural Resources Policy Committee with the appraisal results Feb. 13.

The study, subject to the hypothetical condition that the wilderness area restrictions did not exist, places the probable value of the 116,000 acres of state-owned lands within the area, which includes the school trust fund acreage, at approximately \$91.7 million. Of that amount, school trust lands are estimated to be worth \$72 million.

Anderson told the committee it was cost prohibitive to statistically survey every inch of trust fund land. "You'd be paddling for the next five years," said Rep. David Dill (DFL-Crane

Lake), whose district encompasses the area. Instead, Anderson explained, the study is an extrapolation model based on a parcel of 5,281 acres, in the west-southwest portion of the area, that exhibit geographical traits common to the rest of the state-owned acreage.

The study identified five land categories and assigned values to each based on prominent geographical characteristics, accessibility, and lakeshore acreage:

BWCA Boundary Minnesota Townships Showing DNR Administered Parcels



State-owned parcels of school trust lands dot the protected Boundary Waters Canoe Area Wilderness across a grid of townships in St. Louis, Lake, and Cook counties.

Photo courtesy of UMD Bureau of Business and Economic Research Boundary Waters Canoe Area Wilderness Land Valuation Report Volume 3: GIS Maps and Physical Inventory

- water flow influence (tributaries, wetlands, rivers) = \$350/acre;
- interior forest/wetlands = \$450/acre;
- lakeshore development = \$1,200/acre;
- remote small lake = \$950/acre; and
- developable island = \$5,000/acre.

Mineral wealth was not taken into consideration because the state's mineral rights may not be exchanged or sold.

Separate U.S. Forest Service surveys over the past few decades place the value at an average of \$90.4 million.

"I think the valuation is extremely low," said Dill. "This land is valuable beyond our wildest imagination."

Dill described the dismal economic state in the Arrowhead region and argued that the economic impact value of the land, if it were avail-

able for development or commercial logging and mineral extraction, would be far greater than the appraised market value represented in the report.

Several environmental group representatives said they would support a federal buyout over an exchange. The rate of return on investing sale proceeds would be greater than management activities could produce, they assert.

"We see this as a double win for kids," said Sarah Strommen of Friends of the Boundary Waters Wilderness. "You get more money for the school fund and wilderness protection."

The issue kept a low profile in the House this session until late in the evening May 1 when Dill offered an amendment to the state government omnibus bill that would have directed the DNR to auction off four select parcels of school trust lands within the area.

"By selling this land we get real-time information," Dill said, suggesting the lands for sale in the amendment would provide a true market valuation.

Dill ultimately withdrew the amendment after some debate on proper uses of area lands, implying it was a negotiating tool and it was never his intention to sell the land.

"I have spent my adult life trying to get the players to the table and it was only today that I had the parties outside and they agreed to come to the table, and Rep. (Dennis)

Ozment, our fine chairman, has agreed to work on this with me." Ozment (R-Rosemount) is the House Environment and Natural Resources Finance Committee chair.

"We had to do something," Dill continued. "Our people are suffering and I had to bring it to this body in an attempt to do something to get this up to the front burner. Not for us — partially for us — but mainly for the people of this state and the children of this state and the schools of this state and if for no other reason than to satisfy the requirements of the Constitution of Minnesota."

While state lawmakers will continue to review the issue, resolution of the matter and agreement from the federal government may ultimately require cooperation from Minnesota's congressional delegation. 🐾

Playing the odds

With gambling legalized in all but four U.S. states, many are considering expansion to ease budget woes

By PATTY JANOVEC

All but four U.S. states allow some form of legalized gambling. Of those, 38 states have a state lottery and 28 states allow casino gambling. However, only 11 of those states allow casino gambling off of American Indian tribal land.

Minnesota is among the states that have not authorized casinos separate from those run by American Indian tribes. But a proposal that has passed the House and awaits action by the Senate would change that. If the bill, which authorizes slot machines at Canterbury Park, became law, Minnesota would become one of several states that use gambling revenue to boost the general fund.

A January 2003 report by the National Conference of State Legislatures (NCSL) indicates that more than a dozen states are considering additional gambling to resolve deficit issues.

Among the proposals are:

- more Indian tribal casinos, a multi-state lottery, and video gaming at horse tracks in New York;
- dockside riverboat casinos would bring in more funds to Indiana through raising taxes on those operations;
- a 5 percent increase in casino gaming taxes at Illinois casinos, and
- additional state lotteries in Maryland, Ohio, and Washington.

A study done in February 2003 by NCSL shows that charitable bingo, card rooms, state-run casinos and gaming, American Indian casinos, or sports betting is allowed in some form in every state except Arkansas, Hawaii, Tennessee, and Utah.

According to the NCSL, consumers spent \$61.4 billion on gambling nationwide in 2000, with states receiving about \$26.8 billion in net revenues.

Congress created in 1996 a one-time National Gambling Impact Study Commission "to conduct a thorough study of the attitudes, events, and trends shaping the social and economic impacts of legal gambling in America."

The commission noted that lotteries date back to early America to help finance the establishment of the first English colonies. Public works projects such as building churches and paving streets were supported through gambling.



PHOTO ILLUSTRATION BY TOM OLMSCHIED

A number of states nationwide are exploring expanded use of gambling revenue to ease budget woes.

Eventually scandal ensued, involving the bribery of state and national officials, in a Louisiana lottery that operated nationally. In 1870 the federal government outlawed state lotteries until a revival in 1964 when

New Hampshire began a state lottery.

Minnesota introduced its lottery in 1990. There are currently five types of lottery operating in states: instant games, daily numbers and games, lotto, electronic terminals for keno, and video lottery.

In 1973 state lotteries generated \$35 billion. The number increased to \$150 billion in 1997. Minnesota raked in \$378.66 million in 2002.

The commission reported, "State governments have become dependent on lottery sales as a source of revenue, and have tried to justify the money by earmarking it for good causes, such as education."

In fact, of the 38 state lotteries, a portion of only 10 states' revenues goes into general funds, including Minnesota, where the number is 13 percent.

The Congressional commission found that only 16 of the remaining states earmark all or part of the lottery revenues for education.

For example, Georgia allots funds to the HOPE Scholarship Program. Along with providing college scholarships, the program also supports kindergarten education for 65,000 children.

Proceeds from the Minnesota State Lottery break down into several areas. In fiscal year 2002, general fund lottery proceeds contributed a combined \$38.5 million to K-12 education, health care, aid to local governments and public safety. Funds are also dedicated to environmental and wildlife efforts.

The national commission, while it did not render conclusions regarding whether gambling proceeds were a reliable source of revenue for states, did strongly urge states allowing gambling to periodically measure the costs and benefits to the state as a whole.

The Minnesota lottery reports that its \$3.54 million contribution to state-provided services for problem gamblers is the sole source of funding for those programs.

The congressional findings report other states use gambling revenue in a number of ways: parks and recreation, tax relief, and economic development. The state of Washington used gambling dollars to help construct Safeco Field for the Seattle Mariners baseball team, and police and fire pensions are paid for by gambling proceeds in Indiana.

The national commission also examined casinos, which were legalized to operate in 28 states as of 1999.

Six states have riverboat and dockside casinos, and there are approximately 260 casinos

on tribal reservations nationwide.

Riverboat casinos began in 1991 in Iowa, the report notes, and “by 1998 there were over 40 riverboat casinos in operation in Illinois, Indiana, Missouri, Iowa, and nearly 50 riverboat and dockside casinos in Louisiana and Mississippi.”

New casinos are popping up in such states as New York, which recently signed compacts with the Seneca tribe for development of casinos near Niagara Falls, according to *International Gaming and Wagering Business*.

Tribal gambling brought in \$212 million, rising to \$6.7 billion in 1997, according to the commission.

Minnesota’s tribal casinos total 18 in number and are exempt from state and federal

taxes. And like other states, they are governed by compacts between the state and the tribal governments. Minnesota’s compacts do not provide tribal governments the exclusive right to conduct casino gaming in the state. The compacts do not require tribal casinos to contribute revenue to the state either, with the exception of recovering some inspection-related costs.

According to an NCSL brief about tribal gaming, a state can’t tax tribal government gaming revenues, although tribes can agree to share a limited portion of their gaming money with state and local governments, subject to approval by the U.S. secretary of the interior. Some have done so, usually in exchange for the exclusive right to conduct casino-style

gaming within a state’s borders.

The most prominent example is the Foxwoods Casino, operated by the Mashantucket Pequot Tribe near Ledyard, Conn. The original Pequot agreement with Connecticut stated the tribe’s willingness to give the state either \$100 million or 25 percent of its net revenues annually, whichever was greater, so long as no non-tribal casinos were permitted in the state.

In Wisconsin, existing state-tribal gaming compacts were amended between February 1998 and March 1999 to begin providing tribal payments, which amount to approximately 7.6 percent of net revenues, though the number is not specified in the agreement. 🐾

RESOURCES

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The Legislative Reference Library was established in 1969 as a nonpartisan service to the Legislature and its staff. Today, it has evolved into a highly specialized information resource.

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The library handles a number of inquiries from legislators, legislative staff, and the public. If you have a question about the Legislature, and you’re not sure where to begin, the librarians are a helpful guide to the process.

Call (651) 296-3398, write to the library at 645 State Office Building, or e-mail a request to refdesk@library.leg.state.mn.us. Visit the library Web site at <http://www.leg.state.mn.us/lrl/lrl.asp>



PHOTO BY ANDREW VON BANK

Did you know?

Many of the Internet resources available on the Legislature’s Web site are there because of the work of the library. Because it is the official repository of legislative documents and many state reports, it catalogs all of those resources and provides direct links to online versions where available.

In addition, library staff convert paper copies so that they may be accessed by the Internet. Many of the pieces of historical data about the

Legislature and state government are found in reference materials available in the library, but would not otherwise be available to the public and to legislators and legislative staff, if that conversion service were not provided.

The library also has access to thousands of other pieces of information via its network with other libraries in the state.

Loan privileges are only extended to legislators and legislative staff. However, the library is open to the public from 8 a.m. to 6 p.m., Monday through Friday.

The library serves as the agency for central planning and direction of the Legislature’s Web site. Library staff help establish a consistent look for all legislative Web sites. They maintain general information pages, including the frequently asked questions and youth pages, and help coordinate updates and changes to the design of the site.

In addition, patrons can access the library’s catalog from its Web page and the vast Internet-based resources contained there. The popular “Links to the World” page contains useful links to various sources of information, including other state government sites, interest groups, and statistical services.



How to get here

Location

The Capitol complex is north of I-94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right. Go nearly one block and enter Parking Lot AA on the left just before Rice Street.

I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right. Go nearly one block and enter Parking Lot AA on the left just before Rice Street.

I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right. Metered parking spaces line both sides of the boulevard.

I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left. Go one block, turn right on Aurora Avenue and enter Parking Lot AA.

Visiting the Minnesota State Capitol complex can be a rewarding and educational experience for everyone. There are buildings to explore and tours to take almost any time you choose to visit. And when the Legislature is in session during the first part of every year, there are floor sessions to observe, committee meetings to attend, and legislators to meet. Remember that this is your state Capitol, and you are always welcome.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. All-day metered parking is available in Lot Q. Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$3.50 from Plant Management on the third floor of the Ford Building. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

Outdoor handicapped parking is available in Lot N, which is on the northwest side of the Capitol, and in Lot F. One spot is available in Lot AA.

The main handicapped entrance to the Capitol is on the northwest side of the building, just off Lot N; there also are drop-off entrances on

the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (651) 349-7000 for schedule and route information.

What to do

Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 5 p.m. (last tour leaves at 4 p.m.); Saturdays between 10 a.m. and 4 p.m. (last tour leaves at 3 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours are free of charge and begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

Tour participants may request customized tours that emphasize either the building or state government.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

The society offers "Voice of the People: Your Role in Minnesota Government," a half-day session for students in grades 9-12.

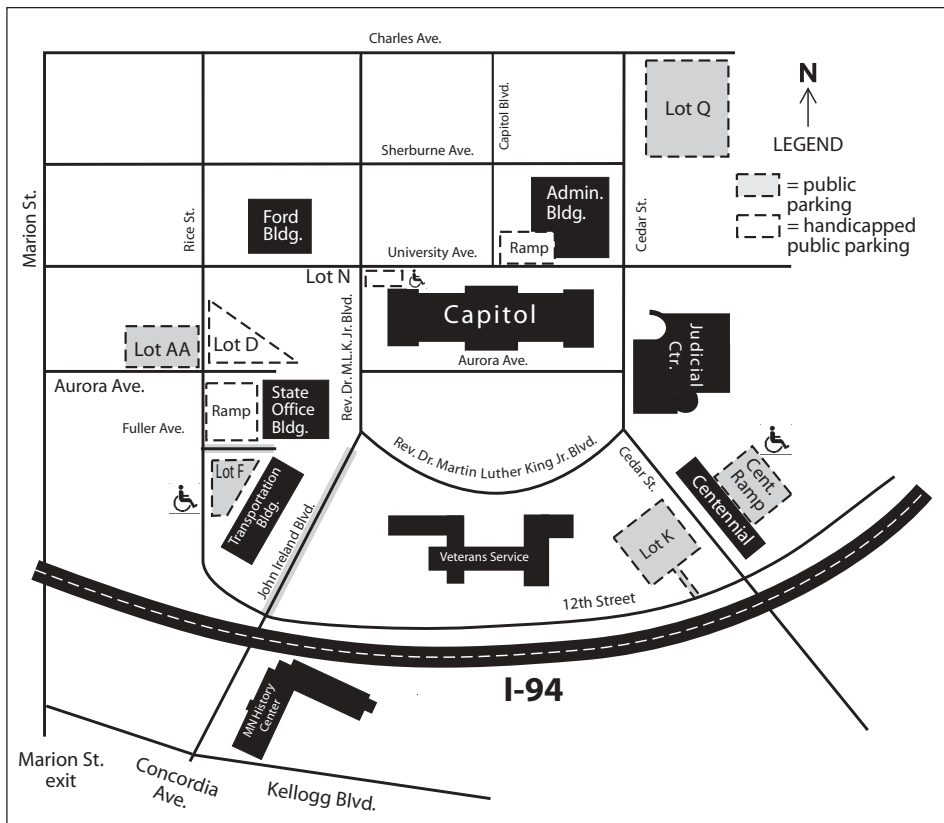
Also, special tour events are scheduled monthly throughout the year. Some of these events entail admission fees; others are free. A special events guide is available upon request.

For more information about the tours or to reserve a time, call the Capitol Historic Site Program, (651) 296-2881.

Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.

At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the



session's midpoint, however, the legislative pace quickens.

The House usually meets at 3 p.m. Mondays and Thursdays, and the Senate meets at 11:30 a.m. Mondays and at 9 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a week, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (651) 296-2314, or Senate Information, (651) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088. Printed agendas for the week also appear in each issue of the *Session Weekly*.

Committee meetings are open to the public. When a public hearing is scheduled, the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in House Public Information Services in Room 175, State Office Building, or the Senate Information Office in Room 231, State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Services Office.

Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in

session. A large, year-round cafeteria is available in the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul. Bus rides downtown cost 50 cents. You can catch the bus on Rev. Dr. Martin Luther King Jr. Blvd.

Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

If group members want to meet with their individual legislators or testify before a committee (see "Committee meetings"), arrangements should be made at least a week in advance.

Often such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms — particularly when the topic is controversial.

About security

Visitors to the Capitol need not be concerned or postpone a visit due to security concerns.

While security has been tightened, measures may not be obvious to the casual visitor. Remember only that you may need to identify yourself to a security officer stationed at a public entrance.

E-mail schedules

Anyone with e-mail can receive both House and Senate committee schedules.

To sign up to receive the House committee schedule, direct your Web browser to <http://www3.house.mn/list/join.asp?listname=houseschedule> and fill out the subscription form on the Legislature's Web site.

You can also sign up for the Senate schedule on the Internet. Point your Web browser to <http://www.senate.leg.state.mn.us/schedule/listserv.htm> and fill out the subscription form.

Where to find information

House Public Information Services

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

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

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

House Television Services

216C State Capitol (651) 297-1338

House Television Services, part of the House Public Information Services department, is responsible for live coverage of House floor sessions and some committee hearings. Such coverage is aired in the Twin Cities area on KTCI-TV, Channel 17. The House also broadcasts via satellite statewide, available on local cable systems. Internet users can also view committee hearings and floor sessions via the House TV Web site. Refer to the site at <http://www.house.mn/hinfo/television.htm> for more information.

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

Chief Clerk's Office

211 State Capitol (651) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.

House Index Department

211 State Capitol (651) 296-6646

The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories. The office can also give you the current status of legislation.

Senate Information Office

231 State Capitol (651) 296-0504

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

Senate Media Services

B-44 State Capitol (651) 296-0264

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

Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (http://www3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0)

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures modified.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical changes provided.	3/31	
6	744	726*	State building code cumulative fees collection.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements ratified.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	
21	536*	382	Joint underwriting association coverage and market assistance responsibilities modified.	4/28	
22	678	578*	Civil commitment examiner and health officer definitions clarified.	4/28	
23	268*	225	State fair police dept. authorized to employ additional part-time peace officers.	4/28	
24	850*	841	Sibley Co. land conveyance from Minnesota Valley state recreation area.	5/2	
25	1112*	1185	Veterans Affairs Dept. authorized to access certain state databases.	5/2	
26	1189	1064*	Minors working as assistant soccer referees exempted from child labor age restrictions.	5/2	
27	920	907*	Corrections Dept. forensic pathologists authorized to issue death certificates.	5/2	
28	823	842*	DNR authority modified relating to employees, gifts, and grants; concealed carry handgun permit requirements modified.	4/28	
29	909	942*	Criminal proceedings blood specimens evidence admissibility.		
30	456*	511	Hennepin; Victory Memorial Drive designated as a historic district.		
31	446*	745	Minors exempted from minimum age restrictions for work as youth athletic program referees.	5/8	

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

Monday, May 5

HF1595—Slawik (DFL)
Judiciary Policy & Finance
Minnesota Personal Protection Act of 2003 repealed.

HF1596—Anderson, B. (R)
Transportation Policy
Driver instruction permit and provisional drivers' license provisions modified.

HF1597—Abrams (R)
Ways & Means
Omnibus tax bill modifying provisions relating to income, corporate franchise, estate, sales and use, motor vehicle sales, tobacco, healthcare provider, and other taxes; requiring reports and data disclosure; and appropriating money.

Wednesday, May 7

HF1598—Howes (R)
Health & Human Services Policy
Plasma; resolution urging adoption of quality and safety standards for the collection and processing of human plasma.

HF1599—Lenczewski (DFL)
Local Government & Metropolitan Affairs
Local government information systems applicable legislative enactment validated.

HF1600—Seifert (R)
Health & Human Services Policy
Lyon County nursing home moratorium exception provided.

Thursday, May 8

HF1601—Jaros (DFL)
Governmental Operations & Veterans Affairs Policy
Judges appointed and reappointed by the governor, judges term of office increased to 10 years, merit selection commission recommendations provided, and constitutional amendment proposed.

HF1602—Hackbarth (R)
Judiciary Policy & Finance
Death penalty authorized for first-degree murder under aggravating circumstances, statutory framework provided, automatic appellate review provided, task forces established, and money appropriated.

HF1603—Gunter (R)
Taxes
Fairmont tax increment financing district original tax capacity adjustment authorized.

HF1604—Howes (R)
State Government Finance
Workers memorial construction on capitol grounds funding provided, bonds issued, and money appropriated.

COMMITTEE SCHEDULE

MAY 12 - 16, 2003

MONDAY, May 12

8:15 AM

Taxes
Room: 200 State Office Building
Chair: Rep. Ron Abrams
Agenda: HF199 (Anderson, I.) Koochiching County authorized to establish a port authority, and local government units authorized to apply for foreign trade zone powers.
SF692/HF609 (Kelliher) Minneapolis authorized to establish a community planning and economic development department.
HF756 (Rhodes) County levy authority modified to fund statewide public safety radio system.
HF766 (Samuelson) Arden Hills, Blaine, Circle Pines, Mounds View, New Brighton, Roseville, and Shoreview multi-city housing authority established.
HF1056 (Abrams) Metropolitan area transit and paratransit capital expenditure financing provided and bond issuance authorized.
HF1427 (Bernardy) Anoka County public safety radio improvements bonds validated.

HF1469 (Abrams) Capital improvement bonds, and other capital and public financing and economic development tools and procedures provided for cities, counties, and other municipalities and local governments.
Possibly other bills that may properly come before the committee.

9:00 AM

Transportation Policy
Subcommittee on Aviation
Room: Basement Hearing Room
Chair: Rep. Ron Erhardt
Agenda: Ray Rought, Director of the MnDOT Office of Aeronautics.
Mitch Killian, Government Affairs Manager for Metropolitan Airports Commission.
Glen Weibel, Minnesota Business Aviation Association.

TUESDAY, May 13

8:15 AM

Meeting Time Note: At the call of the chair; watch House Schedule and posted notices for confirmation/cancellation
Taxes
Room: 200 State Office Building

Chair: Rep. Ron Abrams
Agenda: Bills, to be announced, that may appropriately come before the committee.

As of *Session Weekly* press time, House floor session times were unavailable and no meetings were scheduled for May 14 - 16.

Looking ahead . . .

WEDNESDAY, May 21

9:30 AM

Room: 316 State Capitol
Chair: Rep. Tim Wilkin
Agenda: Selection of topics for the Program Evaluation Division.
Review report on Department of Commerce settlement with American Bankers Insurance.

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

Hook and ladder statistics

Fire departments in the state	789
How often a fire was reported in Minnesota in 2001, in minutes	34
Estimated loss by fire in 2001, in millions	\$174.3
Per day	\$447,659
Per minute	\$332
Between 1989 and 2001, property destroyed by fire, in billions	\$1.7
Amount in residential property, in millions	\$777
Total fires in Minnesota in 2001	15,463
Decrease from 2000, as percent	8
Residential structure fires in 2001 (single family, apartments, mobile homes, hotels, motels)	3,912
Mobile property (autos, trucks, trains, buses, boats)	3,730
Industrial, manufacturing, other buildings	1,296
Average number of residential structure fires in state from 1997-2001	3,632
State fire deaths in 2003, as of May 6	13
In 2002	64
In 2001	47
Percentage of 2001 deaths that occurred in residential settings	87
Residential deaths, as percent, that occurred where smoke detectors were improperly maintained or absent altogether	34
Minnesota fire deaths in the 1970s	961
In the 1980s	776
In the 1990s	585
On-duty firefighter deaths in 2001 nationwide, excluding World Trade Center fatalities	99
Number in Minnesota	0
How often an arson fire was reported in Minnesota in 2001, in hours	6.1
Damage caused by arson fires, in millions	\$9.25
Decrease from 2000, as percent	9
Average number, as approximate, of wildfires in Minnesota each year	2,200

Sources: *Fire in Minnesota — 2001*, Minnesota Department of Public Safety, Fire Marshal Division, October 2002; National Fire Protection Association; Minnesota Department of Natural Resources.

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.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

MAY 16, 2003

VOLUME 20, NUMBER 19

In this issue:

NUCLEAR STORAGE BILL FAILS

FAMILY LAW PROVISIONS, PUBLIC FINANCE, AND MORE

HF1605-HF1625

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: A teepee stands on the Capitol Mall as part of an American Indian Month celebration. It is also there to show support for a bill that would permit the Red Lake Nation and White Earth Band of American Indians to operate a casino in the Twin Cities metropolitan area.

— Photo by Andrew Von Bank

Nuclear meltdown

House rejects, reconsiders vote, then tables a plan that would allow more storage at nuclear power plants

By TOM LONERGAN

The House defeated a bill May 15 that would have provided additional radioactive waste storage at Xcel Energy's Prairie Island nuclear plant and would have allowed a similar dry cask storage area at its Monticello facility.

Following a nearly four-hour debate, the bill (HF775/SF794*), passed by the Senate May 13, was rejected 99-33. The House later reconsidered the vote and then voted to table the measure for possible consideration at a later time.

House members had approved an amendment by Rep. Torrey Westrom (R-Elbow Lake) that changed many provisions of the Senate bill, par-

Xcel Energy officials told House members in February that it would have to shut down the plant in 2007 without additional storage casks.

As amended by Westrom, the bill would have transferred authority for future nuclear waste storage to the state Public Utilities Commission, subject to subsequent legislative approval. The Legislature has had direct jurisdiction over establishment of nuclear waste storage areas since a 1994 compromise bill was approved that authorized the existing 17 dry storage casks at Prairie Island.

The proposed transfer of authority prompted a number of members to speak against the bill.



PHOTO BY TOM OLMSCHIED

Xcel Energy is seeking more capacity for nuclear waste storage at its Prairie Island plant, pictured here, and its facility near Monticello.

ticularly the Legislature's direct authority over future nuclear waste storage and how much money Xcel Energy would be required to commit for renewable energy development.

The bill proposes additional nuclear waste storage to allow the utility to keep operating Prairie Island, located near Red Wing, for at least the duration of its federal licenses to 2013 and 2014.

Gov. Tim Pawlenty has also indicated he favors keeping the authority for additional nuclear waste storage with the Legislature.

"The worst part of the bill is that it removes the Legislature's authority over future nuclear waste," said Rep. Irv Anderson (DFL-Int'l Falls). "The Public Utilities Commission is nothing more than a rubber stamp for Xcel Energy."

Rep. Jean Wagenius (DFL-Mpls) said the amended bill meant the Legislature would "give up our authority" to the commission.

Westrom responded that the Legislature could review any decision the commission made regarding future nuclear waste storage. "We have all the authority the Legislature has to change any agency's decision or outcome," he said.

The bill also would have allowed Xcel Energy to establish a dry cask nuclear storage facility for waste from its Monticello plant. That plant's federal license expires in 2010. By that time, according to the utility, the spent fuel pool at Monticello will be full, necessitating the additional storage.

If it received additional state approval for more nuclear waste storage at the plants, Xcel Energy officials have said they may seek federal approval to keep the plants operating beyond their current licenses.

The Westrom amendment also caused the House and Senate bills to differ somewhat on the method and amount of funding for renewable energy such as wind, biomass, and hydrogen development initiatives.

Both bills proposed to fund a settlement agreement between Xcel Energy and the Prairie Island Indian Community through utility pass-through charges to its state ratepayers. The settlement, recently ratified in a tribal referendum, would provide the tribe \$2.2 million annually for 10 years and additional money annually as long as the plant operates.

That agreement could be in jeopardy if the Legislature doesn't approve additional waste storage at Prairie Island this session.

Westrom said the bill, as amended, would strike a balance between providing Xcel Energy with the nuclear waste storage it needs, while the state and utility would invest more money into renewable energy sources.

"We will continue to pursue more renewable energies that make sense," Westrom said.

Some House DFL members said the Westrom amendment weakened a compromise bill the Senate had passed on a 42-24 vote, and said its "good faith" pledge that the utility would invest more in wind energy sources would not be fulfilled.

"The choice is between Yucca Mountain on the Mississippi River or wind farms on the prairie," said Rep. Aaron Peterson (DFL-Madison). "You can't tell me how many years the casks will be on the banks of the Mississippi. They could be there for many, many, many years."

Peterson referred to the proposed national

waste repository at Yucca Mountain, Nev. to be operated by the U.S. Department of Energy. The site is a potential source for transfer of Prairie Island's nuclear waste, but it is not expected to be available until at least 2015.

If the waste repository opens as predicted, it is not expected to accept all the nuclear waste generated by more than 100 commercial reactors in the country.

"The waste problem won't go away," said Rep Alice Hausman (DFL-St. Paul), who was among a number of members that considered the 1994 legislative compromise that provided Xcel Energy's predecessor, Northern States Power the 17 existing waste storage casks for the plant. The last of those casks was filled in 2002.

"The bill gives this company an unlimited future and gives us an unknown burden," Hausman said. "It's irresponsible to move forward."

Rep. Al Juhnke (DFL-Willmar) said he would have supported the Senate bill, sponsored by Sen. Steve Murphy (DFL-Red Wing), had it not been amended.

"This is not a bill to help rural Minnesota with wind," Juhnke said. "This is nothing but a business plan for Xcel Energy."


Juhnke predicted 84 casks could be added to the Prairie Island storage facility under the amended bill should the utility seek federal approval to operate the plant beyond 2014. The utility's federal license currently allows up to 48 casks on the site.

The amended bill would be "a good step in the right direction," on renewable energy development, said Rep. Lynne Osterman (R-New Hope). She said the state's renewable policy since the 1994 legislative mandates had been "willy-nilly," favoring "very expensive options rather than viable options."

The amended bill would have taken \$10 million unspent from the renewable development fund established by the 1994 legislation and apply it to hydrogen research, Osterman said. It would also provide \$4 million from the state's conservation improvement fund to the University of Minnesota for research on hydrogen usage.

Westrom said the amended bill would add \$3.5 million to the renewable development fund to provide \$12 million annually in output. That would allow additional funding of the state's wind incentive program for small wind energy development projects.

Up to \$3 million annually would be allocated for low- or no-interest loans to provide capital assistance to wind energy conversion systems of two megawatts or less.

"This has the potential to be a tremendous rural development opportunity," said Rep. Elaine Harder (R-Jackson). 



Man of many hats

Schmahl went from small newspaper to top posts during distinguished career

A number of colorful characters have served the Minnesota House of Representatives over the years. At the dawn of the 20th century, the House's chief parliamentarian had a bright political future ahead of him.

Julius A. Schmahl, chief clerk of the House during the 1901, 1903, and 1905 sessions would later become the secretary of state and the state treasurer. In fact, he is the longest serving treasurer in state history, and with the office's abolishment earlier this year, he's not likely to be topped.

Schmahl was born in 1867 in Nicollet County to parents who emigrated from Germany. They later moved to Redwood Falls where Schmahl spent most of his formative years working on area farms. At age 14, he took an apprenticeship in the printing office of the *Redwood Gazette*. Three years later, he began working at the *Fargo Argus* in North Dakota.

At age 18, he moved to the Twin Cities and worked as a reporter for both the Minneapolis and St. Paul daily newspapers until 1892. At that time, he left to return to Redwood Falls, and purchased an interest in the *Redwood Gazette*.

He would return to St. Paul in 1901 to serve as the House chief clerk, and during his tenure as a House officer, he remained editor of the Redwood Falls paper.

But in 1907, he assumed the post of secretary of state, where he served for the next 14 years. During his tenure, he produced a number of written works and delivered speeches, including two in 1919 in honor of soldiers returning from World War I, where he decried the "evils" of the socialism movements at the time, and he also expressed his anger regarding the Nonpartisan League, a populist political movement of the day.

In the speeches, Schmahl acknowledged his German heritage, and that despite his German pride, he in no way

sided with the sentiments of Germany during the war that had just been suppressed. He listed the following as virtues common to people of German descent: sunny-tempered, good-natured, peace-loving, thrifty, economical, and provident.

Socialism, he said, goes contrary to those values, and should be fought on the plains of America, just as it was in Europe.

Schmahl suggested that movements toward public ownership of businesses and other services was a form of socialism contrary to values Americans naturally embody.

In turn, the Nonpartisan League took away individual freedom, Schmahl said, and placed the values of the group on a higher plane.

He would continue fiery oration in his next post as state treasurer. He served in that role for 10 years beginning in 1927, and again from 1939 to 1951 — a total of

22 years. He has the longest tenure in that office, beating out the next longest-serving treasurer, Val Bjornson, by one day.

As treasurer, his speeches and written works focused primarily on items of state history, such as the origin of the word "Itasca," the history of the source of the Mississippi River, and the state's school trust fund lands.

Schmahl penned a pamphlet on the latter, chronicling the revenue the state was able to raise by retaining ownership of the trust fund lands, given to the state by the federal government as an "asset of the people" rather than a direct source of revenue.

He told one story of a state auditor in the 1880s who would not allow the lands to be sold outright, but instead insisted the state retain fee title over the lands and collect a portion of what they produced, be it timber or iron ore. The wealth of the funds must be maintained for future generations, he wrote.

Schmahl died in 1955 at age 88.

(M. KIBIGER)



Julius A. Schmahl

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Foreign farmers

A bill that, among other things, would allow immigrant holders of investment visas to purchase dairy farms in the state passed the House 79-52 on May 9.

Amended on the floor to the omnibus agriculture policy bill (SF990*/HF1213), the proposal would allow the state Agriculture Department to recruit farmers from the Netherlands as a potential boost to rural economic development. It was originally proposed in HF447, sponsored by Rep. Greg Blaine (R-Little Falls).

The omnibus bill, sponsored by Rep. Howard Swenson (R-Nicollet), would also slightly increase ethanol content in gasoline, give the state's organic food growers some promotional help, and bring the state into compliance with more than a dozen federal regulations regarding pesticide chemicals, food, drugs, color additives, fair packaging and labeling, as well as product rules covering dairy grades, fruits, vegetables, meat, poultry, and fish.

The immigrant farmer amendment, which passed 70-58 following a nearly three-hour debate, would ease the state's restrictions on foreign ownership of farmland by amending state law to include holders of E-2 investment visas in the definition of a "permanent resident alien of the United States." Such individuals could purchase dairy farms of up to 1,500 acres, according to the bill.

"We have an increasing number of vacant dairy farms across the state for sale," said Blaine. He said the state's restriction on foreign ownership of farmland means that potential purchasers from Belgium and the Netherlands were buying farms in other Midwestern states, to Minnesota's disadvantage.

"They do have capital and are looking to dairy," Blaine said. Urban sprawl, land-use, and livestock herd restrictions were squeezing Dutch farmers out of their home country, he added.

Rep. Aaron Peterson (DFL-Madison) called the proposal "an anti-Minnesota farmer amendment," adding, "I don't buy the argument that the investment is going to come."

However, Rep. Al Juhnke (DFL-Willmar), who supported the amendment, said the Dutch extension service estimates 7,000 farmers could emigrate from the Netherlands. He said the proposal was making state "farmers and growers nervous" due to longstanding concerns about corporate- and foreign-owned farms.

Immigrant purchasers of dairy farms, according to the bill, would be required to maintain their principal dwelling place in Minnesota for 10 months of every 12-month period, pursue federal citizenship status within three years, and report a dairy farm purchase to the state agriculture commissioner within 30 days of the transaction.

Blaine accepted a Juhnke amendment that would place a four-year time limit (to June 30, 2007) on dairy farm purchases by immigrants.

Regarding ethanol, the bill would require all gasoline sold or offered for sale in the state to contain 10 percent denatured ethanol by volume. Current law requires most gasoline sold in the state contain 2.7 percent oxygen by weight. That standard is met by blending ethanol into petroleum gasoline at a ratio of 7.8 percent ethanol to 92.2 percent gasoline.

Besides the increase in the oxygenate blend to 10 percent, the bill would require that denatured ethanol must be the oxygenate used as the fuel additive. The mandatory ethanol content was proposed in HF899, sponsored by Rep. Dan Dorman (R-Albert Lea).

The omnibus bill would amend state law governing organic farming to match the federal definition of "organic production." It would create a 14-member organic advisory

task force on improving organic agriculture, by assisting producers to meet organic certification, conducting education and marketing activities, and addressing "production or marketing obstacles to the growth and well-being of the industry." The proposal was originally contained in HF1213, sponsored by Rep. Ray Cox (R-Northfield).

The Senate companion (SF990), sponsored by Sen. Steve Murphy (DFL-Red Wing), was passed by the Senate May 5. A conference committee is expected to work out a compromise between the two bills.

New investors

Despite three unsuccessful attempts to alter its language or send it back to a committee, a bill that would allow a variation on member-owned cooperatives in order to incite capital investments passed the House May 12 on a 111-18 vote.

HF984, sponsored by Rep. Howard Swenson (R-Nicollet), would allow all forms of co-ops in Minnesota to take on investor-members in addition to the traditional patron-members. Investor-members may not necessarily purchase products from the co-op but join the

SPECIAL SPEAKER



PHOTO BY KRISTINE LARSEN

Alex Crowley, 8, of Oakdale, bangs the gavel and brings the May 12 House floor session to order. He brought a special message to legislators and staff: "Go Wild!" The Minnesota Wild hockey team was set to play game two in its playoff series against the Anaheim Mighty Ducks that evening. The winner of the series advances to the Stanley Cup Finals.

cooperative to earn a profit on an investment and to provide capital funds for cooperative expansion.

The bill is based on a law passed last year in Wyoming, said Swenson, who added he was asked to carry similar legislation by the Minnesota Association of Cooperatives. In allowing for investor-members, HF984 largely combines portions of the traditional cooperative statute with portions of limited liability statute.

However, several members objected on the House floor to the fact that neither the House Agriculture Policy Committee nor the House Agriculture and Rural Development Finance Committee had heard the bill. A motion by Rep. Mary Ellen Otremba (DFL-Long Prairie) to send the bill to the policy committee failed 81-48.

Swenson replied that two House committees heard the bill. Furthermore, he said, it relates not just to traditional agricultural supply and grain marketing co-ops, but also to others. Those include electric, telecommunications, energy, natural food and grocery, financial, and consumer and purchasing co-ops, as well as to credit unions.

A second amendment, proffered by Rep. Aaron Peterson (DFL-Madison), called for placing a sunset provision on the bill, thereby having it expire in 2006 unless acted upon further.

"I really do feel like this is being stuffed down some throats today," Peterson said.

The amendment failed.

Rep. Kent Eken (DFL-Twin Valley) offered a third amendment, which also failed, limiting a cooperative's membership to individuals living within 100 miles of the co-op's property. "This is to ensure local control," he said.

The amendment, said Rep. Greg Blaine (R-Little Falls), would defeat the purpose of the bill, which is aimed at seeking investments from those who aren't necessarily patrons of the cooperatives.

The bill now goes to the Senate, where Sen. Rod Skoe (DFL-Clearbrook) is the sponsor.

★ ARTS

Spending for art in state buildings

A plan that would potentially limit the amount of art in state buildings was approved 81-51 by the House May 13.

Sponsored by Rep. Chris Gerlach (R-Apple Valley), HF575 would require that any future state building construction or renovation be limited to \$100,000 for art or 1 percent of the total cost, whichever is less.

As part of the Minnesota Percent for Art in

Public Places program, current law provides that an appropriation of at least \$500,000 for construction or alteration of a state building may contain up to 1 percent of the appropriation for acquisition of works of art for the building.

Gerlach expressed concern that under current law the new \$39 million Bureau of Criminal Apprehension building could contain up to \$390,000 in art (\$361,200 has been budgeted), and that the building now under construction to house labs for the Health and Agriculture departments with its \$60 million price tag, may have \$600,000 in art.

"That may be a little much as far as public investment for art in these buildings," he said. "We are not eliminating art. We are simply bringing this in line with a rational limitation." According to the Minnesota State Arts Board, which administers the program with the Department of Administration, of the 127 construction or renovation projects between November 1984 and December 2002, 24 had more than \$100,000 worth of art.

The bill would also limit the amount available each fiscal year for administration of the program to 10 percent of total appropriations for art. Gerlach previously said that the administration of programs has averaged about 17 percent annually.

During debate, members asked Gerlach to define the difference between art and architecture. He said the arts board has an apparatus for determining which category something would fall into. "Under my bill what is judged as art or architecture does not change," Gerlach said. "The only difference is the limitation."

Rep. Phyllis Kahn (DFL-Mpls) said that sometimes art doubles as a security measure. She noted that things like sculpture parks, benches, and planters are being put up around more buildings, such as at the federal building in Minneapolis. She said that looks much better than large concrete "freeway barriers."

Rep. Cy Thao (DFL-St. Paul), an artist by profession, said the state is "already very bland and this bill will lead to more of that blandness."

The bill next goes to the Senate, where Sen. Claire Robling (R-Jordan) is the sponsor.

★ BANKING

New hours, loan policy

Banks would be allowed to close early on Christmas Eve and New Year's Eve and bank employees could get loans from the banks at which they work without special approval from the bank's board of directors, under a bill that passed the House 131-0 May 8.

Sponsored by Rep. Greg Davids (R-Preston), HF1039/SF1069* would make a variety of changes, some technical or clarifying in nature, to laws governing financial institutions, as well as to laws regulating annuity contracts provided by insurance companies.

Among other things, the bill would:

- reduce the required frequency of financial examinations from 18 months to 24 months for financial institutions and state credit unions;
- eliminate the requirement that banks opening new sites or relocating notify by mail other banks in the area, and instead allow them to declare the same in a legal notice in a qualified newspaper within the city;
- eliminate the requirement that the board of directors of any given bank approve loans to bank directors, officers, and employees. Such loans would remain subject to other existing approval provisions, however;
- eliminate the prohibition against advertising bank ownership of particular automated teller machines on the device itself, as well as eliminate the prohibition against advertising on machines the location of other ATMs owned by the bank;
- permit state bank board members to be non-residents of the state, provided they live within a certain district of the bank's main office; and
- allow a financial institution to post general obligation securities of a local government as collateral against funds deposited by that local government.

The amended bill was returned to the Senate May 9. Sponsored by Sen. Dan Sparks (DFL-Austin), the bill was initially approved 65-0 May 5.

★ CONSUMERS

Fair phone competition

A bill to allow so-called "hard wire" telephone companies to offer service promotional packages similar to those offered by less-regulated wireless companies passed the House 118-12 May 12.

Sponsored by Rep. Bob Gunther (R-Fairmont), HF671 would permit a telephone company to offer "bundled" service packages and to establish package prices, terms, and conditions, provided that the following conditions are met:

- each telecommunications service subject to state Public Utilities Commission regulation is available on a stand-alone basis;
- the packaged rate or price does not exceed the sum of the unpackaged prices of each individual component offered in the promotion; and

- the company lists all regulated and unregulated services included in the package.

The bill would also amend state law to limit a customer to receiving the benefits of a service promotion package to nine months. State law currently provides that no single promotion may be effective for longer than 90 days at a time.

The bill would allow primarily older companies whose core business remains wire connected phones to "promote what they have and create competition," Gunther said.

There was no floor debate on the bill, which would also amend current law to relieve a telephone company from filing cost information with the state regarding a service promotion package.

Furthermore, the commission, state Commerce Department, or attorney general's office would be allowed to request company information if needed to determine whether a promotion meets legal requirements.

The scheduled expiration date of Jan. 1, 2006 of state law governing experiments in alternative regulation for phone companies would be repealed if the bill were enacted.

The bill next heads to the Senate, where it is sponsored by Sen. James Metzen (DFL-South St. Paul).

★ CRIME

Less courtroom time

Signed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty signed a new law May 12 that will allow Minnesota's forensic scientists to spend more time in the laboratory and less time in courtrooms.

Effective Aug. 1, 2003, courts can accept reports about who handled particular pieces of evidence without requiring scientists to verify those reports in person. Currently, forensic scientists from the state Bureau of Criminal Apprehension must appear in court to testify that a chain of custody report is accurate. Chain of custody reports detail when, where, and by whom pieces of evidence were handled.

Rep. Eric Lipman (R-Lake Elmo), who sponsored the legislation in the House, said that such reports are relatively administrative matters that rarely become important in a criminal case. Much more important, he said, are reports detailing a scientist's analysis of the evidence, which do not require scientists to appear in court.

The law will now treat both types of reports the same way. Defense attorneys who wish to challenge or question the reports can still subpoena scientists up to 10 days before a trial.

Sen. Satveer Chaudhary (DFL-Fridley) was the Senate sponsor.

HF909/SF942*/CH29

★ DEVELOPMENT

Increased housing assistance

Affordable housing efforts in the St. Cloud area would be enhanced under a bill that awaits the governor's signature.

HF1143/SF891* would allow all housing and redevelopment authorities to form corporations for developing, preserving, and rehabilitating housing projects. Such entities could also become members of existing corporations, under the bill.

It was approved 125-6 by the House May 8 and 63-0 by the Senate May 5.

Sponsor of the House bill, Rep. Dan Severson (R-Sauk Rapids), said current law prohibits housing and redevelopment authorities from forming corporations or limited liability partnerships. However, gaining federal

assistance and selling low-income housing tax credits to raise funds for low-income housing projects is difficult unless the entity seeking them is a member of a corporation, he said.

Making changes to facilitate the sale of low-income housing tax credits would promote private sector investment and therefore reduce the need of affordable housing initiatives on state taxpayer dollars, Severson added.

"I believe in this fiscally challenged environment, creative ideas make for viable solutions," Severson said.

Those in the financial community who consider buying federal tax credits from the St. Cloud Housing and Redevelopment Authority often ask why the agency is not a limited liability partnership or a limited liability corporation, according to its executive director, Marshall Weems. The proposed change in state law would help the housing authority gain acceptance in the financial community, he added.

Sen. Ann Rest (DFL-New Hope) is the Senate sponsor.

STUDENT PLANTERS



PHOTO BY ANDREW VON BANK

Calia Xiong is one of many fifth graders from North End Elementary in St. Paul planting flowers as part of a Capitol beautification project May 13. The event is a collaboration between the St. Paul Schools and the group Kids, Education, the Environment, and You.

★ EDUCATION

Cause for termination

A school district would be required to provide written reasons for not renewing a varsity sport head coach's annual contract during the off-season, under a bill passed 127-3 May 12 by the House.

Sponsored by Rep. Dean Urdahl (R-Grove City), HF680 would amend state law to also require that school boards provide "timely notice" for a dismissed coach and a "reasonable opportunity" for the coach to respond to her or his dismissal at a public board meeting.

"Coaches fired in season can know why," said Urdahl, a teacher with 25 years of high school coaching experience. "But after the season is concluded, there is no recourse."

He said the bill would provide coaches that have annual contracts with a school district similar hearing rights as those provided a probationary teacher. The bill would apply to unlicensed coaches, as well as coaches who are licensed teachers.

The bill would require school boards to give a dismissed coach written reasons for not renewing the annual contract within 10 days of his or her request.

The bill, which would take effect Oct. 1, 2003 if it became law, now goes to the Senate where Sen. Steve Dille (R-Dassel), is the sponsor.



Election law changes

Voters may notice some small changes on Election Day if a bill passed by the House becomes law.

HF1119 addresses such topics as electronic voting machines, news media at polling places, filing an election complaint, and requiring a photo identification if a person is not pre-registered to vote.

The bill passed 79-52 on May 8.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF1119 also addresses changes in technology, such as allowing agencies to give the secretary of state electronic notices of an open appointment, which would then be posted on the Internet. Agencies would be required to give the secretary information in electronic format and provide members' e-mail addresses.

The secretary would have the power to use experimental electronic voting systems during a state primary, general election, or municipal election under the proposed changes.

Rep. Bill Hilty (DFL-Finlayson) failed to amend HF1119 to require the secretary to get approval from the Legislature before installing electronic voting systems. National publicity on the failures of the machines, such as the situation in Florida during the last presidential election, has prompted fears of the validity and reliability of the systems, said Hilty. "Hundreds of computer experts nationwide expressed concerns," he added.

Rep. Eric Lipman (R-Lake Elmo) offered a successful amendment that would add student identification cards that contain a student's valid address in the precinct as one of the required forms of identification that can be used for Election Day registration. Opponents said students move often, and most cards don't have an address for that reason. Lipman said the measure would help prevent voter fraud, which occurs when students vote in the wrong precinct.

Voters who cannot speak or read English and need an interpreter would have an election judge to help the individual cast a ballot, according to a successful amendment by Rep. Cy Thao (DFL-St. Paul).

Also, the bill would require write-in candidates to file a written request by the fifth day before an election in order to have their votes counted. Current law allows for filing the day before the election.

Unsuccessful amendments included the declaration of Election Day as a holiday, and allowing high school students to have the morning of Election Day off from school to make their way to the voting polls.

The bill now moves to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

Extended campaign season

Longer and sooner could describe the campaign season for public officials under election changes proposed in HF1506, sponsored by Rep. Ron Abrams (R-Minnetonka).

"We have to get the electorate more involved in political parties ... we have to strengthen political parties," Abrams said as he testified before the House Governmental Operations and Veteran Affairs Policy Committee May 8.

The committee approved the bill and forwarded it to the House Rules and Legislative Administration Committee.

HF1506 would push back the precinct caucus date from March to the third Tuesday in February, which would "make Minnesota more of a player in the national political process," Abrams said.

Minnesota would be one of only two states that would caucus on that night, with the hope that political parties on the national level would pay more attention to the state.

The state's primary election would be moved from September to the third Monday in June, and it would be officially called the state party nominating election. Abrams said this would put more emphasis on the differences between the parties, rather than on contests between candidates of the same party. Under the bill, a candidate must file eight weeks prior to the June date to be considered.

"You're going to turn them off so fast, they're going to throw their hands up," said Rep. Bill Haas (R-Champlin), referring to how voters will respond to the extended campaign season. Haas said the focus should instead be on political parties sitting down to talk about how they campaign and look at different ways to energize people.

HF1506 would also change the requirement for candidates to get on the partisan primary ballot at the party endorsing conventions. Under the bill, a person must get 30 percent of the vote at the convention to qualify for the ballot. If they fail, candidates could still get on the primary ballot, but they would need to get 10 percent of the number of delegates voting for the office in the last endorsing convention to sign a petition for them to be put on the ballot for the primary. The secretary of state's office would oversee the percentage calculations.

Under current law, candidates may still move forward to the September primary whether they were successful at the endorsing convention or not, and without petitioning convention delegates.

A major party-endorsed candidate would have their name on the ballot followed by the word "endorsed," on the primary ballot, unless the candidate filed an affidavit declining.

Representatives from the Republican and DFL parties testified in favor of HF1506 before the committee.

Said Annette Meeks, vice chair of the Republican Party of Minnesota, "It will strengthen our political parties, as well as our political process."

A Senate companion (SF1437), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action on the Senate floor.

Voting changes

Minnesota election laws must be adjusted to comply with the federal Help America Vote Act signed into law by President Bush last year. HF1006, passed by the House 83-47 May 14, would make those modifications.

Among other things, the federal law helps establish election standards for states and local units of government.

Sponsored by Lynda Boudreau (R-Faribault), HF1006 would require voters registering on Election Day to present a form of picture identification, would require the commissioner of health to report deceased residents via electronic reporting so they can be removed from polling place rosters, and would allow the secretary of state to approve any use of experimental electronic voting systems.

Concerns have been raised nationally about certain systems of electronic voting, said Rep. Bill Hilty (DFL-Finlayson), in proposing an amendment that would require the secretary of state to bring any changes in electronic voting systems before the Legislature. He cited a report from the Caltech-MIT Voting Technology Project, which found major problems with machines used in the 2000 presidential election. The amendment failed.

The state currently allows optical scan voting equipment, found to be the most reliable of systems in use among other states, the report noted.

Boudreau responded that any new system introduced for experimentation by the secretary would go through rigorous testing.

Opponents of HF1006 say the new requirements make it harder for people to exercise their right to vote.

Rep. Phyllis Kahn (DFL-Mpls) failed to amend a provision onto the bill that would have required cities to notify voters if they are removed from the list of eligible voters for reasons other than death.

Felons most likely wouldn't know when they are once again eligible to vote, because they

have finished serving their sentences, under the election laws, said Rep. Keith Ellison (DFL-Mpls), speaking in favor of the Kahn amendment.

The bill now goes to the Senate, where it is sponsored by Sen. Chuck Wiger (DFL-North St. Paul).

Public money usage

The state or a political subdivision would be officially restricted from using public money to promote or defeat ballot questions in elections, under a bill (HF42) that passed the House May 13 90-41.

Currently an attorney general's opinion serves as the legal authority dictating that public money cannot be used for this purpose.

Rep. Eric Lipman (R-Lake Elmo), the House sponsor, said he isn't trying to change current practice, but rather make it part of state statute, where local officials can find it and are likely to look for it.

Though other materials exist to help officials determine the law, including a League of Minnesota Cities handbook for city officials, Lipman said officials have no specific law to cite when questioned about the use of local funds for ballot initiatives.

HF42 would not prohibit the state or a political entity from distributing factual information or a description of alternatives to a ballot question.

Lipman's intentions are good, said Rep. Jim Knoblach (R-St. Cloud), but the law "assumes whoever is writing the ad is objective and even-handed." He used the example of Gov. Jesse Ventura advocating for a unicameral legislature when he was in office, and if the question had been put on the ballot, he could have used campaign funds to distribute literature.

Speaking in favor of HF42, Rep. Rebecca Otto (DFL-Marine on St. Croix), said she experienced firsthand how literature on ballot questions works in school districts. When she was serving in the Forest Lake school district, a parent fundraising group sent out literature telling residents to vote up or down a school levy. Otto said the Legislature doesn't "want to tie the hands of school districts."

The bill now goes to the Senate, where Sen. Warren Limmer (R-Maple Grove) is the sponsor.

★ ENERGY

Reporting requirements

A bill that would relax state required conservation reporting requirements for small municipal-owned electric utilities passed the House 131-0 May 12.

Sponsored by Rep. Bob Gunther (R-Fairmont), HF860 would exempt municipal utilities with annual gross sales of less than \$2.5 million from certain conservation program reporting and allow use of conservation funds for the improvement of municipal district heating and cooling systems.

The state's 20-year-old conservation improvement program requires a municipality to spend 1.5 percent of its gross operating revenues from the sale of electricity on conservation improvement spending and investments. The conservation law also applies to a cooperative electric association that provides retail service to its members and privately owned utilities such as Xcel Energy.

The law requires a municipality or cooperative to file a detailed overview every two years with the state Commerce Department regarding its conservation program that analyzes increased efficiency and cost effectiveness.

Gunther said eligible municipal utilities "can use a short reporting form" under the bill to satisfy the state's requirement to certify the utility has spent the required amount on conservation programs.

There are 126 municipally owned electric utilities and 34 gas utilities in the state.

The bill would also allow a municipal utility to use up to 50 percent of its required conservation spending to refurbish steam-powered district heating systems. Such heating systems exist in five small cities. The bill would establish an expiration date of July 1, 2007 for a utility to use conservation funds to improve a district heating system.

The bill now moves to the Senate, where a companion bill (SF866), sponsored by Sen. Dallas Sams (DFL-Staples), has been incorporated in the conservation provisions of a larger bill (SF733), sponsored by Sen. Ellen Anderson (DFL-St. Paul). The Anderson bill awaits action on the Senate floor.

★ ENVIRONMENT

Lands bill with teeth

A bill that would authorize a number of state land transactions passed the House May 14 by an 81-51 margin.

The omnibus lands bill (HF810), sponsored by Rep. Larry Howes (R-Walker), would grant

legislative approval of land sales, exchanges, or acquisitions in the following designated areas:

- Fort Snelling State Park;
- Lake Bemidji State Park;
- Tettegouche State Park;
- Iron Range Off-Highway Vehicle Recreation Area;
- Paul Bunyan State Forest;
- Savanna State Forest;
- Waukenabo State Forest; and
- Big Bog State Recreation Area.

Land is deleted in the following areas:

- Tettegouche State Park;
- Foot Hills State Forest;
- Kabetogama State Forest;
- Mississippi Headwaters State Forest;
- Red Lake State Forest; and
- Red Lake Wildlife Management Area.

The bill would establish boundaries for Greenleaf State Park in Meeker County, but specifies that the Department of Natural Resources (DNR) could not use the general land acquisition account to pay for the land.

"Typically, a lands bill — year in and year out — is noncontroversial," Howes said. "I hope that at the end of the day this one will be noncontroversial, also."

His comments foreshadowed a fairly lengthy floor debate revolving around the continuing saga of state-owned Permanent School Fund lands within the Boundary Waters Canoe Area Wilderness.

Rep. Tom Rukavina (DFL-Virginia) successfully amended the bill to require the DNR to establish by June 1, 2004, a fee system for the use of state-owned land within the wilderness area that produces income for the permanent school fund in approximately the same amount as that earned on similar trust lands outside the area.

As amended, the bill also would require the DNR by July 1, 2005, to present to a land exchange board, made up of the governor, state auditor, and attorney general, a proposal to exchange state-owned lands within the wilderness area for Superior National Forest land outside of the area.

If, by that date the DNR has not reached an exchange agreement with the federal government, the bill would allow the attorney general to begin inverse condemnation proceedings in federal court demanding compensation from the federal government. Inverse condemnation invokes the last phrase of the Fifth Amendment of the U.S. Constitution: "nor shall private property be taken for public use without just compensation."

The DNR has been admonished since 1972 to do something on this issue, Rukavina said. "We have lost over 30 years of income that would have generated hundreds of millions of dollars.

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"This is about the permanent school fund and how it generates money for our school kids," Rukavina said. "Our students have not gotten the money they deserve."

Rep. Mindy Greiling (DFL-Roseville) said she was "perplexed" that the issue was being portrayed as something that would help school children. If all the land in the Boundary Waters was sold, she said, the interest gleaned would be nearly \$1.3 million or \$1.30 per child.

"That is not enough money to make that the issue," Greiling said. "The issue is whether or not Rep. Rukavina's constituents and the loggers need to make this change."

Also under the bill, language authorizing a whitewater trail on the Mississippi River in Minneapolis is modified to be less restrictive in its boundary designation. Currently, the law limits kayakers and others to an area below the Stone Arch Bridge and the bill would clarify that the trail follows a larger route near St. Anthony Falls.

Finally, the bill also would re-establish the Minerals Coordinating Commission as a state-supported resource to promote research and development of mining assets.

The bill now goes to the Senate, where it is sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids).

Arsenic in fertilizers

Signed
by
the
governor
★ ★ ★

Effective Aug. 1, 2003, fertilizers containing certain levels of arsenic will be illegal in Minnesota under a new law signed by Gov. Tim Pawlenty May 12.

Under the law, the state's agriculture commissioner "may not license or register for sale or use in Minnesota any fertilizer containing more than 500 parts per million by weight of arsenic."

Fertilizer must be registered with the state before it is sold.

Arsenic is a very poisonous chemical element, compounds of which are used in insecticides. Rep. Dan Dorman (R-Albert Lea), the House sponsor, said the legislation was modeled after a similar proposal in Maine directed at fertilizers containing tailings, which are mining waste byproducts.

A particular brand of fertilizer called Ironite has been cited nationally by public health and environmental groups as heavily contaminated with arsenic. According to those advocates, Ironite is produced from the mine tailings of a proposed Superfund environmental clean-up site in Arizona and sold to consumers as a lawn and garden fertilizer. The company that produces Ironite has claimed the fertilizer is

safe.

Sen. D. Scott Dibble (DFL-Mpls) is the Senate sponsor.

HF258/SF680*/CH33

Sensing unnecessary sprinkling

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Tim Pawlenty May 14 aims to reduce water bills and unnecessary irrigation.

Effective July 1, 2003, it will require that all new landscape irrigation systems installed after that date have mechanisms to prevent sprinklers from operating during rainstorms and at times when the ground is saturated to a pre-programmed level.

The average cost of the rainfall sensor is \$30 for a residential system, according to House committee testimony from landscape professionals.

Similar legislation passed the House and Senate in 1999 but was vetoed by then-Gov. Jesse Ventura, who called it an unenforceable government mandate.

FAN DANCERS



PHOTO BY ANDREW VON BANK

University of Minnesota student Xiao Wang performs a traditional Chinese fan dance in front of the State Capitol May 13 as part of a World Falun Dafa Day that celebrates 11 years of the practice in the world. Those who practice Falun Dafa, part of an ancient practice refining the mind and body through special exercises, emphasize cultivation of moral character as well as physical development.

The legislation was introduced again at the behest of landscape industry representatives who said they wanted to "level the playing field" in competitive bidding situations, according to House sponsor Rep. Dennis Ozment (R-Rosemount).

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

HF335*/SF781/CH44

FAMILY



Birth parent background

The House passed a bill May 13 that would make it easier for people who were once adopted and their parents to get social and medical background information from biological parents.

On a 132-0 vote, legislators approved HF653/SF727*, which would require adoption agencies to provide such information about someone's birth parents when requested by the person or their adoptive parents. The bill, passed by the Senate 61-0 April 15, now goes to Gov. Tim Pawlenty for approval.

Since 1994 the state has mandated collection of detailed social and medical histories of all parents putting children up for adoption. That information is collected on a particular form developed by the commissioner of human services that is designed not to reveal any personally identifiable information about the biological parents.

The bill would require adoption agencies to provide that form to the people requesting the information.

In addition, agencies that are asked to find the same information from birth parents, who had not previously given it, would be required to use the same form to collect the information.

Rep. Lynne Osterman (R-New Hope), an adoptee herself, told a House committee March 17 that she has had a very difficult time tracking down important medical information from her birth parents. She said a lack of uniform reporting requirements compounds the problem.

The information can be useful in determining the best medical treatments for a given individual based on family medical history.

Rep. Stephanie Olsen (R-Brooklyn Park) and Sen. David Knutson (R-Burnsville) sponsor the bill.

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

★ GOVERNMENT

Disclosing fiscal impact

A bill that would give local authorities a better understanding of what the potential costs would be to comply with proposed rules received House approval May 8.

"This way government entities can find out what a mandate may cost before it goes into effect," said Rep. Marty Seifert (R-Marshall), the sponsor of HF624. A rule has the full effect of law once enacted.

Under the bill, the commissioner of finance would be directed to prepare a local government fiscal impact and fiscal benefit note if requested by a unit of the political subdivision, which is defined as the elected governing body of a city, township, county, school district, or sanitary district.

If more than one entity requests a note, the cost to prepare the note, which is up to \$35 per hour, could be divided. The commissioner is to give a fee estimate once a request is received at which time the request may be withdrawn. A fiscal note shared with the House State Government Finance Committee April 1 indicated that a typical note would take 21 hours to complete. Seifert said during the committee process that the goal was for the bill to be revenue-neutral.

Additionally, the bill would require state agencies to determine the costs of complying with the proposed rules. If the cost were estimated to exceed \$10,000, an administrative law judge must approve the determination. If the judge fails to approve the agency's determination, the rules may not take effect until legislative approval is given. This is not applicable if the Legislature gives money to fund the expected cost or the rule has been proposed to address a specific federal mandate.

The bill awaits action by the full Senate, where Sen. David Senjem (R-Rochester) is the sponsor.

★ HEALTH

Alzheimer's training

Organizations that provide care for people with Alzheimer's disease will have to ensure their staff is trained to work with Alzheimer's patients under a new law Gov. Tim Pawlenty signed May 12.

Effective Aug. 1, 2003, direct care staff and supervisors working in nursing homes, home care, and adult day care facilities will have to be trained in caring for people with dementia, according to the law. That training will include an explanation of Alzheimer's disease and related disorders,

STEP RIGHT UP



PHOTO BY TOM OLMSCHIED

Interested people grab different articles of the health and human services omnibus bill that are spread out across tables outside of a hearing room in the State Office Building. The May 12 meeting was one of many conference committees held as legislators attempted to finish their work prior to the constitutional deadline for the legislative session.

assistance with activities of daily living, problem solving with challenging behaviors, and appropriate communication skills.

Each organization will have to provide consumers with a written description of the nature and frequency of their staff's training.

Supporters said the law is a matter of consumer protection for patients and their families, because some organizations have advertised Alzheimer's disease services they are not qualified to deliver.

"There are ways to approach these people that are either good ways or bad ways," Rep. Char Samuelson (R-New Brighton) said during House debate. "So it is imperative that the staff that work in these units get proper training for dealing with the people living there."

Rep. Jim Abeler (R-Anoka) and Sen. Linda Higgins (DFL-Mpls) were the sponsors.

HF410/SF433*/CH37

Prescribing medications

Representing a compromise between Minnesota's optometrists and ophthalmologists, a bill, passed by the House May 12, would increase the types of medications optometrists could prescribe to their patients.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF373/SF418* looks to give optometrists some of the prescribing authority currently reserved for ophthalmologists, who hold medical degrees. Optometrists, who are not medical doctors but hold degrees in optometry, traditionally specialize in prescrib-

ing glasses and contacts. Legislators gave them authority in 1993 to prescribe topical medications such as eye drops to patients. The bill would allow them to prescribe certain oral medications, as well.

Nornes described the legislation as a way to reduce medical costs and allow greater access to care by providing more places for patients to receive their necessary prescriptions.

In his view, too many patients are sent to expensive medical doctors for prescriptions optometrists could easily write themselves. In a House committee, representatives of the Minnesota Optometric Association said oral medications to deal with eye conditions fall within optometrists' realm of expertise and most states already grant such authority.

At that time, opponents said the bill would further blur the line between optometrists and ophthalmologists and could result in the prescription of drugs that help eye conditions but also have effects on other parts of the body. Some suggested optometrists ultimately want to enter the lucrative laser eye surgery market.

A compromise contained in the bill would limit the scope of the new authority to less powerful oral medications. Optometrists could still not prescribe medications containing strong narcotics, such as Tylenol III, according to the bill.

The Senate, where Sen. D. Scott Dibble (DFL-Mpls) is the sponsor, passed the bill 61-0 on May 5. It now goes to Gov. Tim Pawlenty for approval.

★ HOUSING

Security deposit refunds

Landlords would not have to pay as much interest to tenants when returning their security deposits, under a bill awaiting the governor's signature.

Under current law, landlords must accumulate interest on the rental deposits and give that interest to the tenant, along with whatever portion of the deposit is returnable, when the tenant moves. The interest rate is 3 percent until May 1, 2004, and at 4 percent thereafter.

"I'm sure everybody knows that the interest rates are a lot lower than that," said Rep. Arlon Lindner (R-Corcoran), the House sponsor of HF438/SF645*.

The bill, passed by the House 99-31 on May 8, would reduce the interest rate to 1 percent after Aug. 1, 2003. Lindner said the proposed change reflects the market, in which interest earnings are on average between zero and 1 percent.

The payable interest amount has been altered numerous times to reflect market changes since the law was enacted in 1973. The current rate of 3 percent was set in 1996, and has remained at 3 percent during three subsequent reviews.

While no legislators spoke against the bill on the floor, some expressed concern when the bill was before the House Commerce, Jobs, and Economic Development Policy Committee March 25. Renters, said some members, could ill afford any changes that take money from their wallets.

Rep. Karen Clark (DFL-Mpls) said moving into an apartment is costly as renters must pay not only a deposit, but also first month's, and often last month's rent, in advance. And security deposits have risen from one-quarter to one-half of one month's rent to a full one-month's rent, she said.

Rep. Laura Brod (R-New Prague) said she supported the bill as security deposits keep renter costs in check. Without them, landlords would absorb the cost of damage repairs and would likely pass those expenses onto renters in the form of higher rents, she said.

In the Senate, where Sen. James Metzen (DFL-South St. Paul) is the sponsor, the bill passed 65-0 May 5.

★ INSURANCE

Unemployment fund solvency

So many people have been collecting unemployment in Minnesota that in April the state was forced to borrow \$200 million from the

federal government to continue paying benefits to laid-off workers.

HF831, passed by the House 130-0 May 14, would address the long-term solvency of the state unemployment insurance trust fund by changing the formula by which employers pay into the fund.

Under current law, the base tax rate paid by all taxpaying employers fluctuates between one-tenth and six-tenths of 1 percent of taxable wages, depending on how much money is in the unemployment insurance trust fund. When the fund is low, it triggers a higher rate. The exact amount to be paid in any given year is based on the fund balance on June 30 of each year.

Sponsored by Rep. Bob Gunther (R-Fairmont), the bill would continue adjusting the rate employers pay but would determine the fund balance by comparing the balance on March 31 of any year to the percentage of total wages paid to employees in the previous year. According to nonpartisan House research staff, this has the effect of comparing the balance to the fund's "exposure." The more being paid in wages, the more the fund may need to pay out in benefits if unemployment rates rise.

The rate would fluctuate between one-tenth and fourth-tenths of 1 percent of taxable wages.

Under the bill, employers who traditionally lay off their employees — such as those in the construction trades or seasonal businesses — would pay a slightly higher rate. The employees themselves, however, wouldn't see a lower benefit amount in the event of a layoff, according to Gunther.

In addition, payments to the unemployed could also be delayed. Current law allows the state to delay unemployment benefits for up to four weeks when an employee collects sick leave or severance pay after being laid off. The bill would determine the weeks of delay by dividing severance package by the employee's weekly pay.

In 2002 the state paid out more than \$1 billion in unemployment benefits to laid-off and unemployed workers.

The bill now goes to the Senate, where Sen. Ellen Anderson (DFL-St. Paul) is the sponsor.

Cancellation notification

Signed
by
the
governor
★ ★ ★

Homeowners must be informed by law of a Minnesota state insurance plan when their homeowner's insurance policies are canceled, under legislation signed May 13 by Gov.

Tim Pawlenty.

Effective Aug. 1, 2003, the new law largely clarifies other statutes regarding the Minnesota property insurance placement facility, or the Minnesota FAIR Plan. FAIR stands for fair

access to insurance requirements. It is overseen by the Department of Commerce.

Established by the Legislature, the plan provides limited property insurance when individuals are unable to get insurance from the private market. However, policies are not as desirable or as affordable as private insurance company plans. Minnesota residential and commercial property owners who have been unable to obtain property insurance are eligible for coverage, provided the property meets minimum requirements.

The plan is financed through premiums paid by customers. When shortfalls arise, the plan's member insurance companies are assessed a fee according to their share of the market.

The new law will also change the requirements for and terms of FAIR board members, as well as clarify how rates are set by the Department of Commerce, how commissions are paid to agents, and how written premiums are used to determine the plan's assessments base. Finally, the law will allow rejection of coverage without property inspection if the rejection is not related to the property's condition.

It will also require health insurance providers to notify clients that the insured's children who are full-time students are covered, as are disabled adult children.

Rep. Tony Sertich (DFL-Chisholm) and Sen. Linda Scheid (DFL-Brooklyn Park) were the sponsors.

HF203/SF350*/CH40

★ LAW

Reporting sexual abuse

A bill that gained House approval May 13 would extend the statute of limitations for claiming damages from cases of childhood sexual abuse, but only if the abuse is reported to law enforcement.

On a 126-4 vote, legislators adopted language proposed by Rep. Mary Liz Holberg (R-Lakeville), the bill sponsor, replacing a different proposal passed in the Senate.

Under the bill (HF386/SF575*), victims of childhood sexual assault would have until age 27 to sue their abuser in civil court provided the abuse is reported while they were children. If childhood abuse is reported as an adult, victims would have five years after the date they report or until age 27, whichever occurs first, to file suit.

There would be no limitation when a suit could be filed if DNA evidence of the abuse is available.

Holberg said her bill seeks to promote

reporting of abuse among victims and their families because it would allow more immediate action to be taken against an abuser and possibly prevent harm to others.

An amendment added to the bill in the House Civil Law Committee May 9 would allow for an unlimited statute of limitations when seeking declaratory relief — a process where a court determines what happened in a case without ordering any specific action such as incarceration or damages.

Rep. Eric Lipman (R-Lake Elmo), who proposed the amendment, said it could give victims the comfort of official recognition that a crime took place even if no punishment is meted out. Plaintiffs who succeed in such an action could be awarded attorney's fees unless the defendant admits the abuse within two months after a complaint is filed, making the pursuit of declaratory judgment necessary.

The Senate version would instate a limit of six years after the time a person realizes they were harmed by the abuse. There would be no limit to how long a person might take to make such a discovery.

The bill next returns to the Senate, which may vote to concur with the House changes or send the bill to a conference committee. Sen. Gary Kubly (DFL-Granite Falls) is the Senate sponsor.

Assessing damages

Though the House previously passed a significant tort reform bill, members voted to do it again May 13, attaching the measure to a Senate bill that had been stripped of its original contents.

On May 8, the House Civil Law Committee voted to add language changing Minnesota's joint and several liability laws to a bill (HF1114/SF872*) about purchase money mortgages that had unanimously passed the Senate April 15. While the committee left the language about mortgages in the bill, it was later removed by amendment during floor debate. Rep. Paul Kohls (R-Victoria), who sponsored the mortgage bill in its original form, said the interested parties could not agree on some provisions of the language and taking it out would give them time to work out differences.

Left in the bill was the language of HF75, which the House passed 81-51 on Feb. 24, relating to joint and several liability, which provides a way for an injured person or organization to collect damages even if a liable party is unable to pay its portion.

Current law states that courts can force a defendant assigned at least 15 percent of the liability in a civil case to pay any costs other defendants are unable to pay themselves. The

bill would move the 15 percent threshold to 50 percent and would eliminate a provision that can force defendants found less than 15 percent liable to pay up to four times that percentage under the same circumstances.

Supporters of the change said it isn't fair to make someone who is less than one-fifth liable pay all of someone's damages.

Opponents said the current practice prevents victims from being uncompensated when the person mostly responsible for damages is uninsured or bankrupt.

"If this becomes law," said Rep. Len Biernat (DFL-Mpls), "there will be instances out there where victims do not get just compensation."

Passed 80-51 in the House, the new bill was passed 43-22 by the Senate a few hours later. Sen. Linda Scheid (DFL-Brooklyn Park) is the Senate sponsor.

The bill now awaits action by Gov. Tim Pawlenty.

Reporting without recourse

Signed
by
the
governor
★ ★ ★

People who honestly try to report crimes to law enforcement officials could not be held accountable for damages arising from their actions under a new law signed by Gov. Tim Pawlenty May 12.

Effective Aug. 1, 2003, people who seek assistance from law enforcement or who report illegal activities will be immune from lawsuits arising from any damages their actions may cause, as long as they act with good intentions. People who deliberately mislead police or misreport a crime will still be liable for the results of their action under the new law.

According to Rep. Rob Eastlund (R-Isanti), who sponsored the legislation in the House, the issue arose when an off-duty 911 operator in his district reported an erratic driver he believed might be drunk. "The result of that was (the operator) got sued and ended up having to defend himself in civil court," Eastlund said. "He was exonerated but he had a bill to pay for his legal defense."

The law permits the awarding of reasonable attorney's fees to people who are sued but found not liable under the law.

Sen. Leo Foley (DFL-Coon Rapids) was the Senate sponsor.

HF700*/SF722/CH35

★ LOCAL GOVERNMENT

Bonding for dollars

A number of proposals allowing specific local governments to sell bonds for certain projects are moving forward, following House

What's in the bill:

Other bills included:
HF1599 (Lenczewski)
HF199 (Anderson, I.)
HF1427 (Bernardy)
HF 1391 (Magnus)

approval of the public finance bill May 14.

Rep. Ron Abrams (R-Minnetonka) sponsors HF1469, which passed 120-12. Below are select

provisions in the bill.

Efficiency would be gained and competition would be eliminated in Kandiyohi County under HF41 with the merger of Willmar's and the county's economic development authorities. Sponsored by Rep. Al Junhke (DFL-Willmar), the bill would preserve the special powers to levy property taxes, which is limited in state statute to .018 of the taxable market base in that jurisdiction.

HF211 would increase the amount Beltrami County can spend on tourism and industrial development from the proceeds of timber sales on tax-forfeited lands. The current amount of \$1 per capita would rise to \$5. The bill is sponsored by Rep. Doug Lindgren (R-Bagley).

Sponsored by Rep. Torrey Westrom (R-Elbow Lake), HF245 would allow creation of a joint economic development authority for Alexandria and the townships of Garfield and La Grand in Douglas County. A similar bill that passed in 2002 included Carlos Township, which has since decided against joining the authority.

HF625, also sponsored by Westrom, would establish the Central Lakes Regional Sanitary District in Douglas County, replacing an existing joint powers board. Members of the district, which would be controlled by a board of directors, include the townships of Carlos, Brandon, La Grand, Leaf Valley, Miltona, and Moe.

A trio of health-related provisions are also included in the bill.

HF312, sponsored by Rep. David Dill (DFL-Crane Lake), would allow the Cook County Hospital District to annually increase its levy for inflation, beginning in 2003. The current levy has been capped at \$300,000 since 1989.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids), HF403 would permit Itasca County to sell revenue bonds to finance construction of a 35-bed nursing home to replace the same number of beds currently at a non-profit hospital. The hospital is remodeling and requested that the beds be transferred back to the nursing home.

Portions of a bill (HF263), sponsored by Rep. Tom Rukavina (DFL-Virginia), were included, though the provision was amended on

Not in the bill:

Bills not included:
HF766 (Samuelson)



Members of the House Taxes Committee debate the public finance bill during a May 12 meeting. The bill would allow local governments to sell bonds for certain public improvement projects.

the House floor. It would create a special taxing district in southern St. Louis County for the Chris Jensen Nursing Home in Duluth. The original bill called for requiring St. Louis County to levy an equal amount to all publicly owned nursing homes in the county — not just to those owned by the county.

A couple of other bills would specifically help the Twin Cities metropolitan area.

HF1056, sponsored by Abrams, would authorize the Metropolitan Council to sell up to \$45 million in regional bonds for transit capital projects included in the regional transit master plan and capital improvement plan. Last year \$54 million in bonds were approved.

HF609, sponsored by Rep. Margaret Anderson Kelliher (DFL-Mpls), would grant Minneapolis the authority to create a community planning and economic development department to centralize and streamline development activities. The authority, assets, and liabilities of the Minneapolis Community Development Agency would be transferred to the new agency.

Portions of the Senate's public finance bill are included in its omnibus tax bill (SF1505), sponsored by Sen. Lawrence Pogemiller (DFL-Mpls). The House bill now moves to the Senate.

Revenue sharing

An agreement that would allow the city of Biwabik and White Township to share property tax revenues from the annexation of a golf and ski resort would be put into state statute, under a bill approved 130-0 by the House May 12.

Rep. Tom Rukavina (DFL-Virginia), sponsor of HF306, told the House Local Government and Metropolitan Affairs Committee in February that the matter started a few years ago when Biwabik wanted to annex the Giant's Ridge Golf and Ski resort from White Township. A dispute ensued due to White Township's concern about loss of property tax revenues.

Mediation followed and an agreement was reached in September 2002. It contains a permanent revenue sharing provision that would

be enacted upon passage of the relevant House and Senate bills.

The bill now moves to the Senate, where Sen. David Tomassoni (DFL-Chisholm) is the sponsor.

Seeking public office

St. Louis County sheriff deputies would no longer have to resign from their jobs in order to run for elected office as county sheriff, under a bill passed 130-1 by the House May 13.

HF204/SF174*, also approved by the Senate 66-0 Feb. 20, now goes to the governor for his signature.

Under current law, only St. Louis County can require officers and classified employees to be removed from their jobs in the event they file for election to the county office by which they are employed. The bill would repeal this section of law.

"We think it's unfair," said Larry Cuffe, representing the St. Louis County Deputy Sheriff Association, at the April 8 meeting of the House Local Government and Metropolitan Affairs Committee.

In the past 12 years, Cuffe added, the statute has adversely affected several individuals who unsuccessfully ran for office and then had difficulty maintaining their jobs.

Bill Gillespie, representing the Minnesota Police and Peace Officers Association, called the statute the "absolute" in incumbency protection.

Rep. Mary Murphy (DFL-Hermantown), sponsor of the House bill, told the committee she did not know the origins of the current statute. But, she said, "strong" sheriffs have used it to limit opposition.

The sponsor of the Senate companion is Sen. Tom Bakk (DFL-Cook).

Contracting title examiners

Scott and Wright counties would be given more flexibility in hiring examiners of title under HF554/SF422*, which awaits action by Gov. Tim Pawlenty.

The bill passed the House 131-0 May 8.

Examiners of title are appointed in each county by district court judges. They serve as legal advisers to county registrars in examining applicable titles to real property that must be recorded and registered. Under current law, counties with populations of less than 75,000 may hire examiners of title on a fee-for-service basis. Counties beyond the population threshold must employ examiners of titles as employees.

Previously, relief from such legislation was successfully sought by Stearns, Dakota, and Olmsted counties, thereby allowing them to contract title examiners. In turn, Rep. Mark Buesgens (R-Jordan) offered legislation that would have allowed any county to choose between the two hiring methods.

But Buesgens said he looked with a "jaded eye" upon the Senate's March 31 unanimous approval of the companion bill, and changed his plan. An amendment, approved by the House, changed the bill so it would offer the hiring flexibility not to all counties, but only to Scott and Wright counties. It would not change the existing situation in Stearns, Dakota, and Olmsted counties.

Speaking in support of the amended bill on the House floor was Rep. Joe Mullery (DFL-Mpls). "There's really no reason Scott and Wright shouldn't be exempted from this," he said.

The Senate, in turn, approved the amended House bill 56-0 May 9. The Senate bill is sponsored by Sen. Claire Robling (R-Jordan).

★ METRO AFFAIRS

Metropolitan Council changes

The Metropolitan Council would be subject to a redistricting plan, its power over local government units would be reigned in, and financial awards to employees offering cost-saving initiatives would be prohibited, under a bill passed 83-47 by the House May 12.

The bill (HF689/SF693*) was amended numerous times on the House floor by members and is no longer simply a bill allowing the Metropolitan Council to partake of an energy savings purchasing plan. Rep. Mark Buesgens (R-Jordan) and Sen. Chuck Wiger (DFL-North St. Paul) are the sponsors.

The most hotly debated amendment, successfully offered by Rep. Eric Lipman (R-Lake Elmo), related to the words "may" versus "will." It would limit the council's authority to require modification of comprehensive plans submitted by local government units within its jurisdiction to situations when the plan will have a "substantial, demonstrable, and adverse impact" on the

infrastructure of a metropolitan system.

Current law "goes too far," said Lipman, in allowing the council to require plan modifications when an adverse impact may result, as opposed to an adverse impact that is demonstrable.

But Rep. Frank Hornstein (DFL-Mpls), a former council member, said the Lipman amendment "is a solution in search of a problem."

Hornstein said that the council has reviewed hundreds of comprehensive plans that have been adjusted through excellent dialogue. Only in one situation did a significant problem result, he said, and that was in Lipman's city of residence.

Hornstein was unsuccessful in an attempt to preserve the Metropolitan Parks and Open Space Commission, which the bill would eliminate.

The commission advises the council on parks and open space issues in the seven-county metropolitan area, but has no authority to act. Consequently, many parks committees are reporting not to the commission, but straight to the council, according to Buesgens.

Several parks committees, including the Minneapolis Park Board, have expressed concern that access to the council would be hampered through elimination of the commission, Hornstein said.

A successful amendment by Rep. Mary Liz Holberg (R-Lakeville) incorporated HF926, which would repeal the council's gain-sharing program. She said that 110 council employees shared about \$250,000 for submitting a \$500,000 cost-saving measure in 2002 relating to multiple operational facets of the agency's incinerator.

However, many of the suggested cost-savings provisions were not original to the staff; rather, they were largely extrapolated from manufacturing operating manuals or are current or past industrial practice. Furthermore, said Holberg, savings realized by a government entity should benefit taxpayers.

A final amendment by Buesgens successfully incorporated HF1228, which he introduced earlier this session. It lays out a redistricting map, in keeping with a statutorily required redistricting plan. Also included are provisions that would have council members serving four-year staggered terms at the pleasure of the governor.

The Senate refused to concur with the House changes May 13 and a conference committee has been requested.

Overseeing airport operations

A spirited debate about which metropolitan cities should have a seat on the board governing the Minneapolis-St. Paul International Airport and reliever airports ensued on the House floor May 12, only to see an amendment broadening that representation rejected.

HF883, sponsored by Rep. Tim Wilkin

(R-Eagan), would require the Metropolitan Airports Commission to report to the Legislative Commission on Metropolitan Affairs. In addition it would clarify that all 13 members serve at the pleasure of the governor, that terms coincide with that of the governor, and that the redistricting of the commission, which occurs every 10 years, brings to an end all terms. The bill passed 96-37.

Removed earlier was a provision calling for the Senate to confirm commission appointments made by the governor.

The most contentious issue during debate, however, called for removing the mayors of Minneapolis and St. Paul from the commission membership. The clause was not part of the original bill but was successfully offered as an amendment by Rep. Mark Buesgens (R-Jordan) in an April meeting of the House Local Government and Metropolitan Affairs Committee.

In committee, Buesgens said current law dictating where commission members must reside already allows for representation of Minneapolis and St. Paul. Allowing the two mayors leads to over-representation on a body overseeing a statewide asset.

On the House floor, Rep. Frank Hornstein (DFL-Mpls) offered an amendment, which ultimately failed, to not only reinsert language allowing the mayors of Minnesota's two largest cities to serve on the commission, but also the mayors of Richfield, Bloomington, Mendota Heights, and Eagan. An oral amendment by Rep. Joe Atkins (DFL-Inver Grove Heights), accepted by Hornstein, called for also adding the mayors of Sunfish Lake and Inver Grove Heights.

"I think we need to acknowledge that there are these other communities that are affected (by the airport)," said Hornstein.

But Buesgens said the boundaries of the eight commission districts are drawn to ensure "pure, equal representation." Adding more members from other communities would skew that representation, he said.

And Rep. Ann Lenczewski (DFL-Bloomington) said Hornstein's amendment should not have included St. Paul because it is not within the anticipated noise impact areas of the new runway under construction. The runway will have all takeoffs and landing occurring in such a way to avoid the airspace above St. Paul, she said.

The runway is scheduled for completion in late 2005.

Some of the bill's provisions were recommended in an audit of the commission, issued earlier this year by the Office of the Legislative Auditor. Wilkin said the commission fared well in the audit, but that legislative oversight was recommended.

The bill now moves to the Senate, where Sen. Ann Rest (DFL-New Hope) is the sponsor.

MILITARY



Soldier tuition reimbursement

Signed
by
the
governor
★ ★ ★

Minnesota National Guard soldiers and airmen will indefinitely receive reimbursement of their college tuition and the cost of books at current rates under a new law passed by the House and Senate and signed by Gov. Tim Pawlenty May 12.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. James Metzen (DFL-South St. Paul), the law will keep the reimbursement at 80 percent. As part of the 2001 state government finance bill the rate was increased from 75 percent to 80 percent. That provision was previously scheduled to expire June 30, 2003.

Under the program, which began in 1989, the state pays for up to 80 percent tuition reimbursement for lower division programs in the College of Liberal Arts at the Twins Cities campus of the University of Minnesota. Tuition will also be covered upon participation in a comparable program at a Minnesota public institution or outside the state. Coverage will be up to the cost of a comparable program at the university.

Approximately 2,600 guard members now take advantage of the benefit, said Col. Dennis Lord, executive director of the Minnesota National Guard, during committee testimony. An additional 320 soldiers now active in the war in Iraq are expected to participate in the program upon their return, he added.

The new law takes effect Aug. 1, 2003.

HF1080*/SF971/CH34

RECREATION



Youth officials

Signed
by
the
governor
★ ★ ★

The second law in seven days allowing employment of youth sports officials was signed by Gov. Tim Pawlenty May 8.

Effective May 9, the law allows youths between 11 and 14 years old to work as sports officials without filing for a child labor law exemption. However, it restricts youth sports officials to supervising players younger than age 14. Required are adult supervision and a parent's written permission.

Under current law, no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials. About 2,000 such exemptions are processed by the state each year.

The department and numerous Minnesota

youth soccer and hockey organizations supported the bill.

Rep. Lynn Wardlow (R-Eagan) and Sen. Linda Higgins (DFL-Mpls) are the sponsors.

The new law is very similar to another (HF1189/SF1064*/CH26), signed by the governor May 2, which allows 11 to 14 year olds to work as assistant soccer referees, even if the players are in an older age bracket.

HF446*/SF745/CH31

★ SAFETY

Hazardous duty expansion

Signed
by
the
governor
★ ★ ★

A new law, signed May 13 by Gov. Tim Pawlenty, will expand the authority of hazardous materials teams in Minnesota.

Effective Aug. 1, 2003, chemical assessment teams will be authorized to deal directly with the hazardous materials they encounter. Under current law, those teams are limited to assessment and defensive duties related to protecting the surrounding area while they call in emergency hazardous materials response teams to deal directly with the chemical threat.

By allowing the assessment teams to take simple mitigation actions on the materials themselves, the law alleviates potential problems caused by long response times from the emergency response teams.

The two types of teams specialize in different aspects of hazardous material situations, but they have essentially the same training, according to testimony before a House committee.

The new law also expands the definition of a hazardous material to substances intentionally released in connection with a criminal or terrorist act. Current statutes limit the definition only to accidentally released materials. The types of substances included in the definition will expand to include chemical and biological substances and toxic gasses, in addition to the explosive, corrosive, radioactive, and combustible substances already included.

Rep. Kurt Zellers (R-Maple Grove) and Sen. Dan Sparks (DFL-Austin) sponsored the legislation.

HF1066/SF941*/CH39

Tougher penalties for violations

Signed
by
the
governor
★ ★ ★

Changes to the state's occupational safety laws that will increase penalties on employers who violate state safety standards were signed into law by Gov. Tim Pawlenty May 13.

Effective Aug. 1, 2003, employers can be fined

up to \$25,000 if a violation of state standards, rules, or orders results in an employee's death.

In other circumstances, the new law may help protect small companies from bankruptcy by allowing the \$25,000 fine to be broken up into five annual \$5,000 installments as long as the violation is not deemed to be willful or repeated. The state labor and industry commissioner can elect to waive the fine each year after the first if the employer is not cited for any more violations.

Businesses will be exempt from such fines if the owner or an employee with a controlling interest in the company is the one who dies.

Separate provisions of the law lengthen employee notice requirements by requiring employers to post notices of a citation at or near the place where a violation occurred for 20 days. Previous law required 15 days.

The law also removes the health commissioner from a 12-member occupational safety and health advisory board. Rep. Tim Mahoney (DFL-St. Paul), the House sponsor, said all health and safety inspectors have been transferred to the Department of Labor and Industry, so the health commissioner is no longer needed on the board.

Sen. Michele Bachmann (R-Stillwater) is the Senate sponsor.

HF817/SF1098*/CH38

Exemptions to seatbelt law

A bill that would expand exemptions from the state's mandatory seatbelt law for occupants of certain commercial vehicles that make frequent stops passed the House 129-1 on May 12.

The bill (HF723), sponsored by Rep. Ron Erhardt (R-Edina), would include any motor vehicle that makes frequent stops and does not travel faster than 25 miles per hour. It would include any motor vehicle meeting these requirements.

During committee testimony, Erhardt said that the bill is intended to aid residential garbage and recycling collectors, which tend to stop at several houses in a block. The requirement to buckle up and unbuckle for each stop was a great inconvenience, Erhardt said.

It now moves to the Senate, where Sen. Chuck Wiger (DFL-North St. Paul) is the sponsor.

Redefining lighted vehicle lamps

Signed
by
the
governor
★ ★ ★

Minnesota has required automobiles to display headlights when conditions create reduced visibility since the 1930s. Since 1990, vehicles have been required to display headlights during periods of rain, snow, sleet, or hail.

However, new automobile technologies, which provide for certain vehicles to operate

with lit headlights all the time created an unintended safety concern. Running headlights do not activate taillights.

A new law, signed by Gov. Tim Pawlenty May 14, will require that vehicle lamps be lighted during times when visibility is reduced. It will amend state law to say that vehicle lights include both headlights and taillights.

Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle Fischbach (R-Paynesville) were the sponsors. The law is effective May 15, 2003.

HF1268*/SF791/CH45

Emergency vehicle blue lights

Signed
by
the
governor
★ ★ ★

Effective Aug. 1, 2003, a new law will allow emergency vehicles to display blue lights.

Gov. Tim Pawlenty signed the law May 14.

It will allow all emergency vehicles to place flashing blue lights to the front of the vehicle on the passenger side only. Prior law only allowed blue lights on snowplows and transportation maintenance equipment.

Rep. Dale Walz (R-Brainerd), House sponsor of the law, said that blue lights are more visible, particularly in inclement weather.

Sen. Carrie Ruud (R-Breezy Point) was the Senate sponsor.

HF314*/SF210/CH49

★ VETERANS

Historical drive

Signed
by
the
governor
★ ★ ★

Minnesota will have a new historic district effective Aug. 1, 2003: Victory Memorial Drive, a road bordering Minneapolis and Robbinsdale. Gov. Tim Pawlenty signed the designation into law

May 12.

Established in 1921 as a memorial to World War I veterans, it's one of the largest such memorials in the country.

Originally, 568 elm trees were planted in straight military-style rows in memory of fallen soldiers from Hennepin County. In 1928, a marker was placed in front of each tree with the name, rank, and company of a soldier. Dutch Elm disease forced some trees to be cut down and replanted. As a historic district, the drive may now be eligible for preservation grants to assist with maintenance.

Rep. Joe Mullery (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls) were the sponsors.

HF456*/SF511/CH30

Support changes

Restructuring of Minnesota's child support laws gains House approval as one part of an omnibus package

By Jeff Jones

A major overhaul of Minnesota's child support system gained approval May 9 as part of this session's omnibus family law policy package.

The bill (HF778), which passed 116-11, would significantly change the way courts calculate child support payments, strengthen the state's power to enforce those payments, reorder dozens of sections of family law, and provide for officially recognizing Hmong and Buddhist weddings.

Sponsored by Rep. Steve Smith (R-Mound), the so-called "income shares" model at the bill's heart would take both parents' incomes into account when calculating how much money a non-custodial parent pays in a child's basic, medical, and child-care support. The amount would be based on that parent's share of both parents' combined gross income rather than on their personal income alone, as in current law.

To determine exact support amounts under the proposal, judges would use a U.S. Department of Agriculture report listing the average cost of raising children for parents of various incomes. For example, the report specifies the average urban Midwestern family earning \$3,000 a month currently spends 22.5 percent of its income on raising a child, 36.3 percent if there are two children, and 41.9 percent for three.

That percentage would then be divided according to each parent's contribution to the monthly income total, and reduced by 20 percent in recognition of the higher cost of maintaining separate households, to determine what the non-custodial parent must pay in child support.

Another policy in the bill would change support amounts if a parent changes income due to active military duty.

Different support formulas for low-income

parents, parents with joint custody, and families with more than six children are also provided. Parents could also agree on a different division of child support costs with a judge's approval.

In addition, parents could more easily request a hearing six months after the initial court ruling to establish if parents are complying with support, custody, and visitation orders.

The bill calls for more options to ensure those orders are followed.

For example, the state would have to collect social security numbers from people applying for driver's licenses and hunting and fishing licenses in order to comply with federal child support enforcement laws, though the numbers would not be included on the licenses

development and quality of life, their ability to maintain a relationship with the non-custodial parent, any history of trying to thwart development of that relationship, and any history of domestic abuse.

Moving out of state after a request to do so had been denied could be grounds for changing custody.

Some representatives criticized a provision that would allow non-custodial parents to request an accounting of child-related expenses to make sure child support money is being properly spent.

"The last thing we want is to provide an angry husband or ex-husband or boyfriend another tactic" to intimidate their former spouse, said Rep. Michael Paymar (DFL-St. Paul).

Minority Leader Matt Entenza (DFL-St. Paul) said forcing a parent to account for every dollar spent on their children represented unnecessary government intrusion.

Despite that criticism, Entenza had kind words for the bill's sponsor, telling Smith, "We need representatives like you who are willing to step in and do the heavy lifting."

Many members commented that the most helpful aspect of the bill is that it makes sections of state law covering child custody and support easier to navigate.

"This is the one statute that a lot of lay people look at," said Rep. Len Biernat (DFL-Mpls).

The bill would put those sections of law in a more logical order, making them easier to find and read. It would clarify ambiguous and conflicting language in those sections and put them all under a uniform set of definitions.

A separate part of the bill provides a process for solemnizing traditional Hmong wedding ceremonies by vesting power in the

mej koob — two or more people designated as go-betweens for the two families. The *mej koob* would be responsible for signing and submitting the marriage certificate.

The bill also adds Hmong and Buddhist to the list of religious and ethnic groups — including Baha'i, Hindu, Muslims, Quakers, and Native Americans — which may solemnize marriages through traditional practices.

The bill awaits action before the full Senate, where Sen. Thomas Neuville (R-Northfield) is the sponsor. 🐼



PHOTO BY TOM OLMSCHIED

A bill that passed the House May 9 would restructure state statutes regarding family law and would change the way child support payments are calculated.

themselves. It would also be easier to suspend driver's licenses or occupational licenses if someone is not complying with support orders. Furthermore, authorities would be allowed to check into parents' health insurance coverage in order to discern which parent's insurance should cover a child.

Criteria considered before a court grants or denies a custodial parent's request to move out of state would also be set, under the bill. Those criteria would include a child's relationship to family in either state, the impact on the child's

Making the connection

Plan would let local communities raise funds to link public safety radio system infrastructure across the state

By MIRANDA BRYANT

When large-scale disasters strike, public safety agencies must respond — and quickly. But often cross-agency communication complicates that response, because a police officer communicating with the fire department must go through an operator — who is also handling calls from the public and dispatching all manner of calls.

“It’s a safety issue for our community,” said Rep. Jim Rhodes (R-St. Louis Park), the sponsor of a bill that would provide a funding vehicle for a new statewide system.

Agencies in nine Twin Cities metropolitan area counties can now choose to use a regionwide 800-megahertz digital trunked public safety radio system, thereby eliminating the need for each to install and operate costly, independent communications infrastructures. Overseen by the state, the system is comprised of radio equipment, fiber optic lines, operations consoles, and various antennas located on towers and tall buildings throughout the region.

Greater Minnesota agencies, however, continue to use varying radio frequencies and equipment. An ambulance driver needing to talk to a snowplow driver following a blizzard-induced vehicle accident must rely on 911 dispatchers to relay messages. Critical moments can be lost.

HF756 would provide a vehicle to partially fund construction of this statewide system, estimated to cost \$201 million. Under current law, enacted as part of anti-terrorism legislation in 2002, only 23 counties may sell bonds for the infrastructure and equipment needed for the public safety radio system. The bill would allow all counties in Minnesota to do so with prior approval from the Public Safety Statewide Radio System Planning Committee, part of the state Public Safety Department.

Rhodes’ bill is included in the omnibus House public finance measure (HF1469), sponsored by Rep. Ron Abrams (R-Minnetonka). The House passed the bill May 14.

An effort to kill the public safety radio measure came during floor debate when Rep. Phil Krinkie (R-Shoreview) offered an amendment

that would have deleted the measure from the House public finance bill. The amendment failed 67-62.

“My concern about the provision is that we are looking to take the 800-megahertz public radio system statewide without actually knowing how it’s going to be done, the cost for doing it, nor how it’s going to be paid for,” Krinkie said.

HF756 is in keeping with a recommendation in a January 2003 project plan and scope statement, issued jointly by Mancel Mitchell, who was then acting commissioner of the Department of Public Safety, and the safety planning committee.

“Nationwide, numerous reports have been developed prior to and since the Sept. 11 terrorist attacks that identify communications and inter-operability as critical needs for public safety at the local, state and federal levels,” said Mitchell, in the report’s cover letter.

The statewide system would allow multiple jurisdictions to communicate via the same radio system, a goal which is often not possible, given the variances in technology. Law enforcement agencies can communicate with one another under the existing system by knowing the other agency’s frequency or using a statewide system typically reserved for emergencies.

However, law enforcement officers wanting to communicate with fire or public works agencies must go through an operator.

The committee’s report also recommended that the Legislature increase the 911 surcharge by 27 cents for the public safety radio system and extend current law providing tax-exempt status for the purchase of relevant equipment.

Addressing the former, HF1331/SF1128 would raise the 911 surcharge by 19 cents to a total of 52 cents per month per phone line. HF954/SF93 would extend the sales-tax exemption period on new equipment. Neither bill received action in the House, but the Senate included them in its omnibus state government finance and tax omnibus bills.

The statewide radio system dates back to 1998 when the state began meeting with police chiefs, cities, counties, and all 87 county sheriffs in Minnesota. The goal was to assess the status of the various radio systems, the future of technology, implications of Federal Communications Commission regulations, and industry standards.

The 2002 Legislature called for creating the Public Safety Statewide Radio System Planning Committee to develop a plan for a statewide shared system.

According to that committee’s report, the



PHOTO BY TOM OLMSCHIED

A provision in the public finance bill would allow counties to sell bonds to purchase equipment to connect to the developing statewide public safety radio system.

statewide system would be implemented in several stages. The first and second stages are both in the Twin Cities metropolitan area and are considered to be at or near completion; installation began in March 2001 and gained final approval in December 2002.

The third phase, estimated to cost \$37 million and scheduled to begin in 2004, would serve the southeast and central districts of the State Patrol districts headquartered in Rochester and St. Cloud. Additional phases would lead to coverage of 95 percent of the state.

Greater Minnesota communities looking to join the envisioned statewide system have the advantage of looking to other cities that have

Continued on page 23

Decades of dissension

Issue of nuclear storage in the state dates back to the start of Prairie Island 30 years ago

By TOM LONERGAN

It's déjà vu all over again," is an oft-quoted remark attributed to Yogi Berra, the Hall of Fame baseball catcher.

Regarding Xcel Energy's request to expand dry cask storage of radioactive waste at its Prairie Island nuclear plant near Red Wing, legislators may have repeated that "Yogi-ism" more than once this session.

While the Legislature's latest brush with the issue hasn't been as emotionally charged as the 1994 legislative compromise that allowed 17 dry cask storage units at Prairie Island, the issue has grown more acute with the continued absence of a permanent national repository for spent nuclear fuel.

The utility is seeking additional storage casks to allow continued operation of the

generating electricity in 1973.

A series of stories on nuclear energy that year reported "a foolproof system of storing radioactive waste over the long period necessary has not been developed."

The series also cited predictions that by the year 2000, nuclear plants would generate half of the nation's electricity. But safety concerns that peaked with the 1979 incident at Three Mile Island in Pennsylvania, and a subsequent investment retreat from nuclear energy by privately held companies put a damper on the nation's nuclear power development.

There are currently 104 commercial nuclear reactors in the United States (including three in Minnesota) that produce approximately 21 percent of the nation's electricity, according to the federal Nuclear Regulatory Commission.

In both federal and state government consideration of nuclear power plants, the issue of what to do with spent nuclear fuel has continually been a nagging issue.

A 1993 ruling by the Minnesota Court of Appeals prompted the Legislature's foray into the nuclear waste storage issue.

The state Public Utilities Commission

approval of Northern States Power Company's (now Xcel Energy) request to build the dry cask storage area on Prairie Island was challenged by environmental groups and the Mdewakanton Dakota Indian Community, who live nearby.

The commission had approved the utility's certificate of need application for a temporary storage facility. However, the court concluded that the utility's "proposed facility is properly classified as one in which waste is permanently stored."

Classifying the proposed radioactive waste

storage facility as permanent brought the issue to the Legislature's doorstep.

Ironically, the storage issue arose just a few years after the state had vigorously opposed the federal government's consideration of Minnesota as a secondary nuclear waste repository site.

In the mid-1980s, because of crystalline rock formations under the groundwater table, Minnesota was one of 17 states considered by the U.S. Department of Energy for a monitored retrievable storage site for high-level radioactive waste.

In response, Gov. Rudy Perpich formed the Governor's Nuclear Waste Council to inform and organize the public on the issue. The Legislature passed a resolution in 1985 opposing Minnesota's selection as a repository site.

Also in 1985, the state sued the federal Energy Department for inadequate siting guidelines and the U.S. Environmental Protection Agency for inadequate radiation protection standards.

"Radioactive wastes from a deep repository in Minnesota could be released through the groundwater percolating to the surface environment," according to a 1985 fact sheet published by the governor's council. "Minnesota's abundant groundwater could carry radionuclides over great distances." A radionuclide is an unstable radioactive atom that decays toward a stable state by emitting radiation.

The same federal law — the Nuclear Waste Policy Act of 1982 — under which Minnesota was considered as a secondary repository is still key regarding the primary national repository that's needed as the eventual resting place for much of the nuclear waste generated at Prairie Island.

Yucca Mountain, Nevada, about 100 miles northwest of Las Vegas, was authorized by Congress last year as a suitable site for a permanent repository for the disposal of high-level radioactive waste and spent nuclear fuel.

"Many believe the repository may not be ready before 2015," according to an annual report on federal management of nuclear waste prepared by the state Environmental Quality Board.

"The DOE (Department of Energy) schedule is more than a decade later than the 1998 goal for DOE to begin accepting waste," according to the state report. "Yucca Mountain as presently authorized cannot hold all the waste that is expected to be generated."



PHOTO BY TOM OLMSCHEID

The control room at the Prairie Island nuclear plant

plant's two nuclear reactors at least until its current federal operating licenses expire in 2013 and 2014.

A cask is approximately 17 feet tall by 9 feet wide and weighs 120 tons when fully loaded. Each cask holds up to 40 spent fuel assemblies that are first cooled in a spent fuel storage pool inside the plant. The casks stand on large concrete pads 1,500 feet away from the reactor buildings. The utility has federal approval for up to 48 casks on the site.

Waste storage has been a contentious issue nationally since the plant first began

Getting a grip on garbage

State solid waste disposal trends and financing to undergo further study

By NICOLE WOOD

Rep. Dennis Ozment (R-Rosemount) loves to talk trash, as he often quips when discussions in the House Environment and Natural Resources Finance Committee he chairs turn to the issue of solid waste management.

Earlier this session, Ozment declared his ambition to form a House working group on trash management after a statewide solid waste advisory council presented to the committee its vision on how to meet the state's waste policy goals.

The advisory council consisted of representatives from state agencies and local governments, commercial garbage haulers, garbage generators, landfill operators, recycling processors, and others.

One of the loftiest goals set forth by the panel would establish a statewide goal of an 85 percent reduction by weight of municipal solid waste sent to landfills by the year 2020. Other recommendations include:

- assure that all residents of the state have access to curbside or convenient drop-off services for trash and recycling by 2005. (According to the Office of Environmental Assistance, about three-fourths of the state's population currently have curbside recycling service);
- develop a plan for product stewardship of "high risk" products, such as electronics, to keep lead and other hazardous metals out of the waste stream;
- enhance and develop public education efforts with an emphasis on personal responsibility; and
- offer a two-year pilot sales tax incentive on recycled products such as copier paper with 30 percent post-consumer content or higher.

The vision statement adopted by the solid waste advisory council affirms "(a) sustainable community seeks a better quality of life for current and future residents by maintaining nature's ability to function over time. It minimizes waste, prevents pollution, promotes efficiency, and develops resources to revitalize



PHOTO BY TOM OLMSCHIED

According to the Office of Environmental Assistance, approximately 72 percent of the waste sent to landfills, such as the one pictured here, or incinerators could be recycled or composted. Much of the material is office paper and cardboard.

local economies. The waste management system is a component of the infrastructure of a sustainable community. ... The solid waste hierarchy, with its associated goal of protecting the state's land, air, water, and other natural resources and the public health, is central to attaining the objectives of sustainability and solid waste management."

The solid waste hierarchy prioritizes waste management in the following way:

1. Waste reduction and re-use;
2. Waste recycling;
3. Composting yard and food waste;

4. Resource recovery through mixed municipal solid waste incineration or composting; and
5. Landfill disposal as a final resort.

Recycling and waste management efforts at the county level are supported by state SCORE grants distributed through the Office of Environmental Assistance.

The office regularly prepares a so-called SCORE report to assess how well the state is following the waste hierarchy. SCORE is a commonly used acronym, which has retained its name from the Select Committee on Recycling and the Environment that recommended more than a decade ago the path Minnesota should take toward a comprehensive waste management and recycling system.

The latest figures calculate Minnesota's total waste generation at nearly 5.75 million tons per year. Of that amount, more than 2 million tons were sent to landfills.

While Minnesota's population grew by 12.7 percent between 1991 and 2001, the per capita waste generation increased by more than 31 percent in that decade, according to the environmental assistance office. The most recent numbers estimate each Minnesotan is responsible for producing 1.2 tons of garbage per year.

Recycling rates are another measurement of the success or failure of an integrated waste system. The office calculates the statewide recycling rate for 2001 at 47 percent, which is in the top six in the nation. But the most recent SCORE report has identified a trend that could indicate Minnesotans are opting for the least desirable option in the hierarchy, landfill disposal, at an increasing rate. During 2001, the amount of waste sent to landfills increased by 6.4 percent over the previous year. If that trend continues, the office estimates that the amount sent to landfills could double by 2014.

While some view increased landfill reliance as a bad thing, a recent report on recycling and waste reduction from the Office of the Legislative Auditor identified wide-ranging opinions about the significance of these statistics.

"Representatives of the waste hauling industry argue that landfills today are environmentally sound and economical," the report finds. "Most county solid waste administrators and other stakeholders we interviewed, however, reaffirmed support for current policy to minimize land disposal."

The auditor's report also found that the variation among county SCORE programs and the lack of consistent outcome measures

Continued on page 23

Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site (http://www3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0)

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures modified.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical changes provided.	3/31	
6	744	726*	State building code cumulative fees collection.	4/3	
7	457	356*	Child <i>de facto</i> custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements ratified.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet County nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	
21	536*	382	Joint underwriting association coverage and market assistance responsibilities modified.	4/28	
22	678	578*	Civil commitment examiner and health officer definitions clarified.	4/28	
23	268*	225	State fair police department authorized to employ additional part-time peace officers.	4/28	
24	850*	841	Sibley County land conveyance from Minnesota Valley state recreation area.	5/2	
25	1112*	1185	Veterans Affairs Department authorized to access certain state databases.	5/2	
26	1189	1064*	Minors working as assistant soccer referees exempted from child labor age restrictions.	5/2	
27	920	907*	Corrections Department forensic pathologists authorized to issue death certificates.	5/2	
28	823	842*	DNR authority modified relating to employees, gifts, and grants; concealed carry handgun permit requirements modified.	4/28	
29	909	942*	Criminal proceedings blood specimens evidence admissibility.	5/12	
30	456*	511	Hennepin County; Victory Memorial Drive designated as a historic district.	5/12	
31	446*	745	Minors exempted from minimum age restrictions for work as youth athletic program referees.	5/8	

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

CH	HF	SF	Description	Signed	Vetoed
32	1384	1071*	Alkaline hydrolysis regulations and requirements application.	5/12	
33	258*	680	Arsenic; fertilizers containing arsenic prohibited.	5/12	
34	1080*	971	National guard tuition reimbursement program extended.	5/12	
35	700*	722	Civil action immunity provided for good faith reports to or requests for assistance from law enforcement.	5/12	
36	1226	515*	Financial crimes investigation modifications.	5/12	
37	410	433*	Alzheimer's disease specialized training required in certain facilities and services.	5/12	
38	817	1098*	Occupational safety and health provisions modifications.	5/13	
39	1066	941*	Hazardous materials incident response provisions modifications.	5/13	
40	203	350*	FAIR property insurance plan provisions modification.	5/13	
41	433*	486	State and other agency response deadline provisions modified relating to zoning.	5/13	
42	770*	863	Aitkin County Long Lake conservation center fund made a separate county enterprise fund.	5/13	
43	317*	172	Counties public safety communications equipment provisions.	5/14	
44	335*	781	Irrigation system moisture or rainfall sensing equipment required.	5/14	
45	1268*	791	Vehicle light display when visibility is impaired provisions clarified.	5/14	
46	710*	1097	Obsolete mandatory retirement language deleted.	5/15	
47	1026*	962	Medical assistance capitated payment option authorized for wavered services, day training and habilitation services.	5/15	
48	1234*	1252	Cemetery interment errors corrections provided.	5/15	
49	314*	210	Blue lights display on front of emergency vehicles authorized.	5/14	

BILL INTRODUCTIONS

MAY 9 - 15, 2003

HOUSE FILES 1605 - 1625

Monday, May 12

HF1605—Bernardy (DFL)
Governmental Operations & Veterans Affairs Policy
Gambling control board abolished and duties transferred to Department of Commerce.

HF1606—Seifert (R)
Commerce, Jobs & Economic Development Policy
Owner definition modified and licensing exemption added relating to electrical work.

HF1607—Paymar (DFL)
Civil Law
Guardian ad litem task force created.

HF1608—Jaros (DFL)
Taxes
Duluth city taxes on hotel, motel, and restaurant receipts fund use authorized to subsidize the Sister City Commission and the Duluth Community Action Program for the homeless, hungry, and those without health care.

HF1609—Pelowski (DFL)
Higher Education Finance
Winona State University capital improvements funding provided, bonds issued, and money appropriated.

HF1610—Olson, M. (R)
Transportation Policy
Minnesota regulated public transit utilities act adopted providing for transit services regulation and requiring legislative reports.

Tuesday, May 13

HF1611—Bernardy (DFL)
Governmental Operations & Veterans Affairs Policy
Gambling enforcement notification required prior to initiating video surveillance.

HF1612—Latz (DFL)
Judiciary Policy & Finance
Firearms prohibition on school grounds clarified.

HF1613—Latz (DFL)
Judiciary Policy & Finance
Firearms possession prohibited in government buildings.

Wednesday, May 14

HF1614—Abeler (R)
Environment & Natural Resources Policy
Phosphorous management plans for municipal wastewater facilities required.

HF1615—Kahn (DFL)
Governmental Operations & Veterans Affairs Policy
State employee bicycle commuting promotion required.

HF1616—Kahn (DFL)
Agriculture Policy
Antibiotics; Congress and the Food and Drug Administration memorialized by resolution to take steps to protect the health of the people, and to maintain the effectiveness of human antibiotics by limiting their use in animal feed additives.

HF1617—Walker (DFL)
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HF1618—Bradley (R)
Ways & Means
State government appropriations adjustments provided for early childhood and family education, kindergarten through grade 12 education, and health and human services.

HF1619—Abeler (R)
Health & Human Services Policy
Drinking water protection from chemicals found to cause cancer or reproductive toxicity provided, and warning required for exposure to chemicals known to cause cancer and reproductive toxicity.

Thursday, May 15

HF1620—Kielkucki (R)
Transportation Policy
School buses and Head Start buses inspection by certified inspectors provided.

HF1621—Kielkucki (R)
Jobs & Economic Development Finance
Local government planning assistance funding provided, and money appropriated.

HF1622—Carlson (DFL)
Education Policy
Early childhood, family, and kindergarten through grade 12 education funding provided; money appropriated; and constitutional amendment proposed to require early childhood development and education funding for children through age 5.

HF1623—Greiling (DFL)
Education Policy
Early childhood, family, and kindergarten through grade 12 education funding provided; money appropriated; and constitutional amendment proposed requiring early childhood development and education funding for children through age 5.

HF1624—Hausman (DFL)
Commerce, Jobs & Economic Development Policy
Antibacterial soap sale generally prohibited.

HF1625—Sertich (DFL)
Jobs & Economic Development Finance
Small business technical assistance funding provided, and money appropriated.

To Our Readers

Each week the staff of *Session Weekly* brings you the news of the Minnesota House of Representatives. We make every attempt to include information you will find useful, interesting, and sometimes provocative, but always with you the readers in mind. As a non-partisan publication, we consider very strongly our responsibility to provide you with reliable and accurate information that is accessible.

Accessibility – that term has certainly come to mean many things over the years. But to us here at the House Public Information Services Office, we are committed to make the Legislature accessible to you. Whatever your public information needs, we are here to meet them to the best of our abilities.

Over the years the House, and the Legislature as a whole, has expanded access to legislative information available on its Web sites. In conjunction, the House Public Information Services Office has placed all of our available resources on the Web so that anyone may download and print as many copies as they wish. To ensure the integrity of the Web documents, we have used technology to make them look exactly as they would if they were printed, which we understand sometimes makes them large files that take a long time for some to access.

Such is the case with the popular newsmagazine, *Session Weekly*, and its session summary companion, *New Laws*.

Beginning with the 2004 Legislative Session, our staff plans to expand the format of *Session Weekly* on the Internet and make it a more Web-friendly tool.

However, we know that many of you do not have Internet access, and we understand how important it is for you to continue to receive a printed copy. You have told us that many times in our end-of-the-year survey, and we hear you loud and clear.

But we may need your help. Due to proposed budget cuts in the House of Representatives, the House may not be able to provide funding for



Session Weekly Vol. 1, No. 1 in 1984.

printing and mailing of *Session Weekly*. Because we believe strongly enough in the resource, we would like to continue providing this service. But in order to do so, we have to find an alternative source of revenue.

We may be asking you, the loyal readers of *Session Weekly*, to consider volunteering to financially support the magazine if that need were to arise.

We do not take this request lightly. But we know that you believe in the magazine and the information that it provides. And we know that you're sensitive to the scarce resources for providing services at this time of tight budgets.

While we do not support a subscription-based service due to administrative burdens and other concerns, we may be asking for volunteer donations from our readers. We will be sending you a letter later this year, explaining the process, and if you have any questions in the meantime, we welcome your comments.

We've been investigating other options for raising revenue to continue printing the magazine and we've found a success story. The *Conservation Volunteer*, a bi-monthly magazine produced by the Department of Natural Resources, has been donation-supported since 1980. Budget constraints made them move to that system more than 20 years ago, and it has been very successful since.

Like the readers of the *Volunteer*, you believe in *Session Weekly* — you have indicated your support for the magazine and the information it provides for many years. And your survey responses indicate you are not interested in an Internet-only resource on the whole.

In conclusion, we feel it is important to inform you of the possibility that *Session Weekly* may no longer appear in your mailboxes due to the state's budget crunch. There is much work to be done, and while the House of Representatives budget has not been finalized, there is the possibility that we can no longer provide *Session Weekly* in printed form. We will contact you each individually later this year if we need to seek alternative funding means. In the meantime, please feel free to contact me if you have any questions or concerns, and I will do my best to address them. We're also interested to know if an Internet-only resource would be a satisfactory service for you. You may reach me at (651) 296-2146, (800) 657-3550 or michelle.kibiger@house.mn. Thank you.

— Michelle Kibiger, Editor

A brief history of *Session Weekly*

- 1970s: House Public Information produced a number of different newsletters, providing brief snapshots of action in the House.
- 1984: *Session Weekly* is produced for the first time. The newsletter provides bill introductions, brief descriptions of House action, and legislative contact information.
- 1988: Photography and graphic illustrations are added to *Session Weekly*.
- 1991: *Session Weekly* is redesigned. As a cost-saving effort to obtain a special mailing class, the magazine is expanded to include brief, newsy explanations of bills the House was acting upon.
- 2000: *Session Weekly* is redesigned again, with a new look and feel, and additional features and resources.

Continued from page 18

already upgraded.

Bloomington invested in its own 800-megahertz trunked radio system in 1992 that is independent from the metropolitan system. The city could connect to the state system in the future.

The city's system operates similarly to a cell phone system, said City Manager Mark Bernhardson. Instead of all police officers using one or two radio channels, the city can establish talk groups, allowing smaller groups to communicate without tying up the frequency and without taxing dispatchers.

The flexibility it allows is crucial during emergencies such as fires, terrorist attacks, train derailments, hazardous spills on high-

ways, tornadoes, explosions, high-speed pursuits, and plane crashes. Cross-agency communication between agencies is an "Achilles heel" at such times, Bernhardson added.

Said Bernhardson, "Anything that goes to improve our service to more quickly resolve a public safety situation is always a benefit for our citizens." 🐼

Continued from page 20

make it difficult to identify what factors lead to successful programs.

While the House working group on solid waste management has not yet had an opportunity to meet, the issue has not totally slipped

beneath the Legislature's radar.

A House-Senate conference committee on environmental financing agreed May 14 on a House provision that would direct the office to develop with its stakeholders an incentive-based distribution approach for SCORE funding. Currently, SCORE dollars are distributed based on a formula that sets a base and then takes population into consideration.

"It's really difficult to get people to come around the table and talk productively," Ozment said when a Senate conferee questioned the need for the directive. "People tend to be more productive when they know the Legislature is paying attention." 🐼

MINNESOTA HOUSE OF REPRESENTATIVES
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MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA

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Sources: 2002 Annual Report to the Legislature, Metropolitan Airports Commission, March 2003; 2002 Report to the Community, Metropolitan Airports Commission; www.mspairport.com; Airports Council International; AirNav, LLC.

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★ ★ ★

SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION

MAY 30, 2003

VOLUME 20, NUMBER 20

In this issue:

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SSHFI-SSH70

Session Weekly

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On the cover: A walkway winds through the trees on the east side of the State Capitol from the Minnesota Judicial Center.

— Photo by Andrew Von Bank



Extraordinary measures

Legislature makes most of 8-day special session to complete work on 2004-05 budget

By MICHELLE KIBIGER

Gov. Tim Pawlenty said it best May 19 when he called lawmakers into a special session the following day – “Special sessions aren’t so special any more. They happen almost every other year, or so it seems.”

It’s true that all but three of the past 10 biennial sessions have required a special session – which many states call extraordinary sessions — for various reasons, from finalizing budget bills to providing

additional aid for disasters in the state, to providing extra unemployment benefits, to addressing sexual predator laws.

For 2003, much like 2001, the budget dominated discussion during the special session. However, the nature of the 2003 session was markedly different from the previous go-round – it only took eight days to finish business this year. The 2001 special session lasted for 20 days and went right up to the end of the fiscal year on June 30.



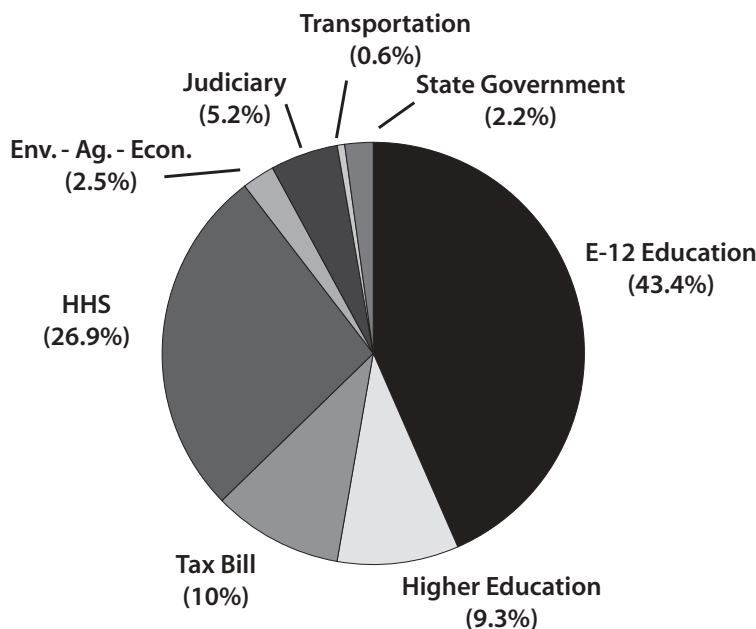
PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty calls a special session during a late night news conference on the last day of the regular session May 19. The special session would be the third in three years.

Below is a brief chronology of events in the final days of the 2003 regular session and the beginning of the special session:

- The House met for a few hours on May 16, acting primarily on policy bills. Following the session, a number of conference committees met to work out differences on policy bills, while House and Senate negotiators continued working toward a budget agreement.
- After reaching an agreement in the early morning hours May 17, conference committees were scheduled to meet throughout the weekend to finalize the details of the omnibus finance bills. An informal deadline of 6 p.m. May 18 was set.
- The House and Senate met in session on May 19, the constitutional deadline for adjournment. Some provisions of the omnibus finance bills had not been finalized and it became clear a special session would be inevitable.
- During the May 19 session, the House passed a nuclear storage bill, the state government finance bill, the higher education finance bill, and a bill containing appropriations for environment, agriculture, and employment provisions. The Senate ran out of time before the midnight deadline – it did not debate the state government bill and did not pass the nuclear storage bill after a lengthy debate.
- As legislators were making the most of their last regular session hours, Pawlenty announced he would call them back into special session at 11 a.m. May 20.
- The Legislature convened in special session and passed the state government finance and judiciary bills the first day.
- After a few negotiating delays, members deliberated and passed the education finance bill, but were unable to adjourn prior to the Memorial Day holiday.
- Transportation and tax negotiations concluded and the bills were passed May 27

Percentage of general fund spending by account House - Senate Agreement



Source: House Fiscal Analysis

General fund spending in the 2004-05 budget, by omnibus bill:

- Education – \$11.96 billion
- Health and human services — \$7.4 billion
- Taxes — \$2.7 billion
- Higher education — \$2.6 billion
- Judiciary — \$1.4 billion
- Environment, agriculture, and economic development — \$688.3 million
- State government — \$596.5 million
- Transportation (general fund only) – \$156 million

following the holiday, but health and human services negotiations extended into the wee hours May 29.

- Legislators passed the health and human services and bonding bills and adjourned in the evening of May 29.

The budget agreement reached by legislative leaders and the governor provides for a state general fund budget of \$27.5 billion during the 2004-05 fiscal biennium. The largest chunk goes for educational funding, including early childhood and family programs. Second is health and human services, followed by higher education and other overall taxing and budgeting items.

The budget deal allowed for a budget nearly \$300 million above the governor's recommendations. Accounting shifts and fee increases will raise the \$293 million to offset the increased spending. In addition, the budget agreement provides \$530 million in the tax bill

to the state's budget reserve. Tobacco endowment funds would be transferred to help balance the budget as well.

In describing the character of the negotiations, House Majority Leader Erik Paulsen (R-Eden Prairie) said, "Minnesotans should take faith in knowing we can resolve our differences in respectful ways."

Nevertheless, Senate members did not fully embrace the agreement, and many said they would not vote for conference committee reports.

Two major budget bills were agreed to prior to the adjournment of the regular session – the higher education finance bill and the bill containing appropriations for environment, natural resources, agriculture, jobs, and economic development items.

That left the following omnibus finance bills for the special session: bonding, education, health and human services, judiciary finance, state government, taxes, and transportation.

In eight very long days, the House and Senate debated the remaining measures and passed them on to the governor for his approval. The governor had three days to approve the regular session bills once they were presented to him, and 14 days to act on the special session files he received.

ASSISTANT EDITOR MIKE COOK ALSO CONTRIBUTED TO THIS REPORT.

★ AGRICULTURE

Pesticide fund transfer rejected

Vetoed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty line-item vetoed an agriculture-related provision May 28 out of a new law that will direct some \$636 million from the state's general fund toward agriculture, economic development, and the environment.

The provision would have transferred \$400,000 during the next biennium from the Department of Agriculture's pesticide regulatory account to the Agriculture Utilization and Research Institute commonly referred to by its acronym AURI.

The institute is a nonprofit corporation created to develop new markets and products, particularly value-added items, for Minnesota agricultural products. It assists entrepreneurs along every product development step, from research to marketing.

The Agriculture Department is the state's lead agency for pesticide application licensing and monitoring. Fees and penalties collected through the department's efforts are deposited in a pesticide regulatory account.

"Transferral of this money would lead to fund insolvency necessitating consideration of a fee increase or core service reduction," according to a press release issued by the governor's office. "The program plays a vital role in addressing pesticide misuse, monitoring water quality, worker protection, spill and emergency responsiveness."

The veto does not alter a \$3.2 million appropriation to the institute from the state's general fund.

The measure was sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Steve Murphy (DFL-Red Wing).

HF967/SF905*/CH128

★ BUDGET

Tying loose ends

A bill that would provide a number of transfers and other administrative language to balance the fiscal year 2003 budget passed the House 82-45 on May 24.

SSH3, sponsored by Rep. Jim Knoblach (R-St. Cloud), passed the Senate, where it is sponsored by Sen. Richard Cohen (DFL-St. Paul), 57-0 on May 29. It is substantially similar to HF74, passed early in the regular legislative session, that was sent to conference committee but never emerged, because

Gov. Tim Pawlenty cut the 2003 budget using his executive powers.

It now awaits the governor's action.

The bill would appropriate \$110 million from bond proceeds in the trunk highway fund originally appropriated from the general fund in 2000 for various highway projects.

It would also transfer \$15 million from the state airports fund to ease general fund shortfalls. The airports fund collects revenue from aircraft registrations and special aircraft fuel taxes, and funds are disbursed for improvements to airport facilities. The fund currently has a surplus, though a number of projects to use the funds are planned. The bill would require the commissioner of finance to repay the airports fund by July 1, 2007.

Several other adjustments would also be made, particularly in the areas of K-12 education finance and health and human services. Many of those program budgets are forecasted – meaning they are based on an estimated number of recipients. Some of the forecasts underestimated the use of those programs, and the appropriations need to be adjusted accordingly.

The bill would also allow for the use of tobacco endowment funds to balance the budget prior to the end of this fiscal year on June 30.

In addition, the bill would specifically limit

the appropriations and transfers included in the bill so that they do not occur more than once.

Initially, the bill would have allowed the state to use unexpended funds from 2003 to pay for layoffs that might occur yet this year. The idea behind the provision, Knoblach said, was that severance costs might extend into the next fiscal year.

However, several members, including Rep. Loren Solberg (DFL-Grand Rapids), objected to the provision, calling it borrowing from the future to pay for current costs. The provision was removed from the bill.

In addition, members debated an amendment to create a July economic forecast. Currently, the Department of Finance conducts two forecasts in February and November each year, which measure the expenditures and revenues as they relate to the budget's structural balance.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington), the amendment failed.

★ CONSUMERS

Home warranties

Buyers of new homes would find stricter rules governing defects covered by warranties, under a bill approved by the House 106-24 May 19. But the bill will remain in limbo until 2004 because the Senate did not act on it prior to the conclusion of the regular session.

HF730, sponsored by Rep. Larry Howes (R-Walker), addresses a situation created by a court ruling. According to bill supporters, the Minnesota appellate court in December 2001 ruled that homeowners do not have to file a warranty claim for defects within warranty periods laid out in state statute. This has created a loophole, making insurance companies unwilling to insure homebuilders.

"This is very important, not only for the homebuilders but for the consumers," Howes said.

Current law allows a one-year warranty for most defects caused by faulty workmanship and defective materials due to noncompliance with building standards; a two-year warranty for electrical, heating, cooling, and plumbing defects; and a 10-year warranty for major construction defects due to noncompliance with building standards. The bill would add defective materials to the 10-year warranty period.

Under the bill, an owner would have two years following the expiration of each of the warranty periods to discover defects that

CENTER SEAT



PHOTO BY TOM OLMSCHIED

A crew of pages patiently waits for someone to summon them to a task on the last day of the regular legislative session. The last day was also the pages' last day, and several of them returned to volunteer their services in the special session.

occurred within the warranty period. A claim would have to be brought within one year of the defect's discovery. Notwithstanding other provisions in law, no action could be brought more than three years after the warranty period expires.

Incidental, consequential, or indirect property damage could not be excluded from the warranty periods, under the bill.

Rep. Joe Mullery (DFL-Mpls) said he would vote against the bill because a successful oral amendment, offered by Rep. Eric Lipman (R-Lake Elmo), removed from the 10-year warranty period the faulty installation of materials. Howes replied that faulty installation is covered elsewhere in the bill, and that the provision was removed to make himself, Lipman, and the homebuilders more comfortable.

Mullery said the amendment changed the bill to "one that I can't see how we can support."

As approved, the bill is different from what was introduced earlier this session. Originally, the bill stated that vendors and home improvements contractors would not be liable if the loss or damage was not reported by the homeowner in writing within six months after the defect was discovered, and would have further exempted claims for defects discovered after the one-, two-, and 10-year warranty periods.

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

★ CRIME

Vehicle forfeiture woes

The House failed to approve a change to Minnesota's vehicle forfeiture laws May 22, voting 70-59 against a bill previously approved by a House-Senate conference committee and unanimously passed by the Senate earlier in the day.

The bill (SSHF26/SSSF14*) would make it easier for the state to take vehicles away from repeat drunken drivers by no longer requiring that the driver themselves own the vehicle.

Supporters of the bill, sponsored Rep. Doug Fuller (R-Bemidji), said it would keep drunken drivers from dodging the law by driving cars registered to a friend or family member. Under the bill, family and friends would lose their vehicle unless they can prove that they did not know the person to whom they lent the vehicle was going to break a law.

While there appeared to be universal agreement that the bill had good intentions, opponents objected that it cast too wide a net and risked taking valuable property from people not involved in a crime. Rep. Ron Latz (DFL-St. Louis Park) argued the bill raises the standard of proof vehicle owners to "clearly

and convincingly" demonstrate they did not have knowledge that the vehicle would be used to break the law.

Rep. Loren Solberg (DFL-Grand Rapids) said he worried the definition of family member was unrealistically broad.

In addition to parents or spouses, the bill also defines "family or household member" as siblings, cousins, aunts, uncles, nieces, nephews, grandparents, great-grandparents, and people "residing together" or people "who regularly associate and communicate with one another outside a workplace setting."

A separate provision of the bill specifies that trailers and vehicles on trailers cannot be confiscated along with the car towing them. If someone were convicted of operating a boat while impaired, under the bill, the state could take both the boat and the trailer used to tow it but not the car used to pull it.

Minnesota's vehicle forfeiture law applies to people who have committed a drunken driving offense with two or more aggravating factors, including:

- having a prior drunken driving conviction;
- having a blood alcohol content above .20; or
- having a child under age 16 in the car.

Sen. Leo Foley (DFL-Coon Rapids) sponsors the bill in the Senate.

Paying for treatment

Convicted sex offenders in Minnesota would have to pay a price for their treatments under a bill the House approved 133-0 on May 19, the last day of the regular session.

Originally approved 65-0 by the Senate May 14, that body did not have time to again take up the bill with the House amendment before adjournment, leaving it in limbo until 2004.

Under the bill (HF921/SF906*), organizations providing treatment to sex offenders could charge and collect co-payments from all offenders in their programs. The commissioner of corrections would develop a fee schedule spelling out how large the co-payment amounts would have to be. The bill specifies that fees collected in this manner would have to be used to fund a provider's cost of treatment.

Rep. Rob Eastlund (R-Isanti) successfully amended a provision onto the legislation that would prohibit people that are civilly committed due to sexually psychopathic personalities from possessing or receiving pornographic materials. The provision would apply to anyone receiving services in a secure treatment facility operated by the Minnesota sex offender program or any other corrections facility.

Rep. Judy Soderstrom (R-Mora) and Sen. Wes Skoglund (DFL-Mpls) sponsor the bill.

★ ELECTIONS

Political party revisions

A bill that would repeal a provision in the K-12 omnibus law relating to major and minor political parties, awaits the signature of Gov. Tim Pawlenty.

Rep. Ron Abrams (R-Minnetonka), the House sponsor of SSHF67, said the state could face possible lawsuits regarding the constitutionality of the K-12 measure if the language were not removed.

The Senate sponsor is Sen. John Marty (DFL-Roseville).

Concerns were raised by the Independence Party of Minnesota as to whether the addition of election provisions to the K-12 bill violated the single subject rule, which governs what a single law passed by the Legislature may address. If a political party were to pursue the argument of the additional language violating the single subject rule, the K-12 bill could have been repealed in a court of law.

According to the Independence Party of Minnesota website, the bill would have also delayed political funds to Nov. 1, making it more difficult for political parties with less funding to campaign. The Web site noted further concerns about language that would require a party to have a presidential candidate to maintain major party status.

★ EMPLOYMENT

Dollars for the unemployed

The long-term solvency of the state unemployment insurance trust fund would be addressed, under a bill awaiting Gov. Tim Pawlenty's approval.

The bill (SSHF12/SSS18*) was previously passed by the House. Additional action was required because the bill hadn't been approved by both the Senate and House prior to the end of the regular legislative session on May 19.

The bill calls for changing the formula by which employers pay into the state unemployment insurance trust fund in hopes of keeping it solvent. So many people have been collecting unemployment in Minnesota that in April the state was forced to borrow \$200 million from the federal government to continue paying benefits to laid-off and unemployed workers.

Under current law, the base tax rate paid by all taxpaying employers fluctuates between one-tenth and six-tenths of 1 percent of taxable wages, depending on how much money is in the unemployment insurance trust fund. When the fund is low, a higher rate is collected. The exact amount to be paid in any given year

is based on the fund balance on June 30 of each year.

The bill would continue adjusting the rate employers pay but would determine the fund balance by comparing the balance on March 31 of any year to the percentage of total wages paid to employees in the previous year. According to nonpartisan House research staff, this has the effect of comparing the balance to the fund's exposure. The more being paid in wages, the more the fund may need to pay out in benefits if unemployment rates rise.

The rate would fluctuate between one-tenth and four-tenths of 1 percent of taxable wages.

Employers who traditionally lay off their employees — such as those in the construction trades — would pay a slightly higher rate, under the bill. The employees themselves, however, wouldn't see a lower benefit amount in the event of a layoff.

Last year the state paid out more than \$1 billion in unemployment benefits to laid-off and unemployed workers.

Rep. Bob Gunther (R-Fairmont) and Sen. Ellen Anderson (DFL-St. Paul) are the sponsors.

★ ENERGY

Saving money

A bill making it easier for schools and municipalities to enter into long-term energy savings plans is on its way to Gov. Tim Pawlenty.

The bill (SSHF34/SSS27*) was passed by the House 104-26 and by the Senate 62-0 May 23. It was previously approved by the House, but required action again when it was not passed by the Senate prior to the close of the regular legislative session.

The bill would extend the maximum length of a guaranteed energy savings contract from 10 to 15 years. Under a 1983 law, school districts and municipalities can enter into agreements for energy efficiency improvements, such as new lighting and heating and cooling systems. The upgrades are paid from the energy cost savings over a period of time; no upfront cash payment is required. The entity receives the full benefit of lower energy costs after the upgrades have been paid.

Extending the maximum contract length would make it easier for entities to purchase back-up generators, which often can't be paid off in 10 years due to the cost of the machine and the amount of the rate rebate from the utility company.

The bill would not require that contracts be fixed at 15 years; a lesser number of years would be allowed.

WATCHFUL WAITING



PHOTO BY TOM OLMSCHIED

Bright sunshine lights lobbyists talking in a hallway on the east side of the Capitol Rotunda May 16. Like many others, the lobbyists lingered in the Capitol during the final days of the regular session to hear if a special session would be necessary.

Rep. Philip Krinkie (R-Shoreview) said that local units of government should not have to wait 15 years to reap the benefits of an energy savings plan. "It's not a good idea," he said.

Replied House sponsor Rep. Lynn Wardlow (R-Eagan), "I believe in local control."

Wardlow added that Northwest Technical College found it could increase savings from an energy plan to \$43,000 over 15 years, up from \$8,000 over 10 years.

Forty-seven states in the nation have similar laws, with the maximum contract length varying from 10 to 25 years.

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

★ GOVERNMENT

Claims bill vetoed, revived

Vetoed
by
the
governor
★ ★ ★

Gov. Tim Pawlenty exercised his veto authority for the first time on a bill that would have authorized the payment of \$188,950 in various claims against the state.

Each year, a joint House-Senate Subcommittee on Claims meets to determine which petitions will be funded. All state agencies are eligible to receive funding to cover the claims.

However, the bill, minus the offending provision, was later revived in the special session and passed by the House.

According to the governor's May 23 veto message, the sticking point in the bill was a

provision that would have reimbursed the Bode family of Nicollet, Minn. up to \$26,000 to restore a drain tiling system that was twice removed by the Department of Natural Resources (DNR) in a dispute over a wetlands designation on a small parcel of land on the family farm.

The Bodes and the DNR have been at odds for more than 20 years over the wetlands restoration order. The family argues that their parcel is not large enough to be protected, but the order has been upheld by the state Supreme Court.

"This section of the bill reverses the decision made by the courts, setting a terrible precedent for wetlands protection," Pawlenty wrote in his veto message. "The language ... would also have a chilling effect on the state's ability to protect wetlands."

Pawlenty said he would sign the claims bill if the Bode provision were removed, so the House passed a nearly identical claims bill (SSHF57), minus the Bode payment, May 29. The vote was 112 to 18.

"There are claims against the state waiting to be paid," said Rep. Bill Haas (R-Champlin). "I think we are going to have to re-look at (the Bode issue) through the interim."

An environment-related provision retained in the special session version of the claims bill includes a \$33,858 payment to Craig Waddell of Remer, Minn., for losses due to a state-imposed moratorium against raising sunken logs. The 2001 Legislature reversed a law passed the previous year that allowed the commercial recovery of sunken logs after the DNR and lake

associations expressed concerns that the practice might cause environmental damage.

Other sections of the bill approve the following:

- \$2,500 for the Department of Transportation to pay Daniel and Florence Piekarski of Little Falls, for the costs of converting to a municipal water system because of contaminated groundwater;
- \$38,843 to the Department of Revenue for reimbursement to Forest Pharmaceuticals, Inc., of St. Louis, Missouri, for overpayment of MinnesotaCare taxes;
- \$33,190 for the Office of the Attorney General to settle a claim that was not fully covered by the Client Security Board; and
- nearly \$54,559 to the Department of Corrections for various inmate medical claims.

The bill was sponsored by Rep. Bruce Anderson (R-Buffalo Township) and Sen. Wes Skoglund (DFL-Mpls).

HF679/SF552*/CH88

Knowing implementation costs

**Vetoed
by
the
governor
★ ★ ★**

Agency rulemakers would not be required to disseminate information to local authorities regarding the costs associated with complying with proposed state rules after a bill permitting such was vetoed May 27 by Gov. Tim Pawlenty.

A proposed rule has the full effect of law.

Calling it an “admirable attempt” to address mandates, Pawlenty expressed concern about unintended consequences of the bill.

“This bill essentially shifts authority for conducting rulemaking from the executive branch to the legislative branch,” the governor wrote in his veto message. “Under current law, the Legislature has granted the governor’s office final approval authority on all rulemakings. This is sound policy as it provides accountability in a way that does not paralyze either branch of government.”

Sponsored by Rep. Marty Seifert (R-Marshall) and Sen. David Senjem (R-Rochester), the bill would have allowed the commissioner of finance, upon request, to prepare a local government fiscal impact and fiscal benefit note for a unit of a political subdivision, defined as the elected governing body of a city, township, county, school district, or sanitary district.

If more than one local government entity were to request a note, the cost to prepare the note, up to \$35 per hour to cover state costs, would have been divided among the requesting entities, under the bill. Once a request is received the commissioner would have provided a fee estimate.

Additionally, the bill would have required state agencies to determine the costs of complying with the proposed rules. If the initial or yearly cost to an affected entity minus the fiscal benefit of complying with the rules were estimated to exceed \$10,000, an administrative law judge must approve the determination. Pawlenty said he thinks this threshold is too low and would result in the Legislature addressing issues now delegated to agencies.

If the judge fails to approve the agency’s determination, the rules could not take effect until legislative approval was given, under the bill. This would not be applicable if the Legislature appropriates money to fund the expected cost or the rule has been proposed to address a specific federal statutory or regulatory mandate.

“Because the Legislature is only in session for a few months out of the year, it is impractical for the Legislature to act on all proposed rules in a timely manner,” Pawlenty wrote. “This delay in requiring legislative approval could result in expiration of the timeliness for rules under current law.”

HF624*/SF1070/CH103

Merging departments

Two state departments would merge and come under a new name, under a bill awaiting Gov. Tim Pawlenty’s approval.

The bill (SSHF25/SSSF28*) forms the Department of Employment and Economic Development from the combination of the Department of Trade and Economic Development and the Department of Economic Security.

The acronym by which the new department

would be known is DEED, according to the House’s bill sponsor, Rep. Bob Gunther (R-Fairmont).

“The savings that they will have in the merger will more than pay for this change,” said Gunther, when asked about the fiscal cost by Rep. Rebecca Otto (DFL-Marine on St. Croix).

A 2001 law mandated a study of the merger, designed to synchronize workforce development, economic development, and education. A merger could realize annual savings of \$1.5 million to \$2 million, not including severance costs, said Morrie Anderson, manager of the team that prepared the report. His comments came at a House Jobs and Economic Development Finance Committee meeting earlier this session.

The Department of Trade and Economic Development is the state’s principal economic development agency, with programs promoting business expansion and retention, workforce development, international trade, community development, and tourism. The Department of Economic Security provides programs and services that foster economic independence and operates the Minnesota Job Bank and Minnesota WorkForce Centers.

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

Public and private data

The House passed a bill 128-1 May 22 that would make some changes to the way Minnesota governments collect and use some of the wide variety of data they obtain from the public. The changes are included in a larger bill (SSHF29/SSSF10*) dealing with the Department of Administration.

The Senate passed the bill 62-0 on May 22. It now awaits Gov. Tim Pawlenty’s signature.

Under the bill, names, addresses, e-mail addresses, and telephone numbers people submit in order to receive communications from the state lottery would be classified as private data, to be used only by the lottery.

Another provision would protect data collected by state Web sites. Information actively submitted by Web site users or passively collected from users’ computers would be classified as nonpublic information to be used only for evaluating the effectiveness of its Web services or for preventing people from “hacking” or tampering with those sites.

Users would also have to be warned before state Web sites place a “cookie” on their computer. Cookies are used to track users’ preferences and to customize the content of a site accordingly. Refusing to accept a cookie could not prohibit someone from using a Web site, according to the bill.

END IN SIGHT



PHOTO BY ANDREW VON BANK

House Speaker Steve Sviggum, *left*, confers with House Minority Leader Matt Entenza, *right*, on the final day of the 2003 special session May 29. House members were waiting for a message from the Senate regarding status of a bill they were waiting to consider prior to adjournment.

Information on the state archeologist's "Unplanned Burial Site and Earthworks in Minnesota" Web site would be reclassified as security information, meaning its dissemination to the public could jeopardize the security of those archeological sites.

Though crime prevention maps and information about members of block clubs is classified in the same manner, the bill would make the location of National Night Out events public data at the request of a community group that wanted to be able to legally publicize the community crime prevention event.

Data about nonpublic school students would also become private under the bill. It would prohibit public school districts from releasing contact information about home-schooled students and their parents without permission from the parents. The section would also apply to students attending nonpublic schools.

The state Department of Veterans Affairs would have to more closely guard veterans' discharge information under the bill. Any information relating to discharges from military service could only be released to the veteran themselves, their families, or a legal guardian.

While much of the bill would restrict the dissemination of information, some of its provisions would expand governments' authority to pass along data.

For example, it would allow county health, welfare, human services, corrections, and veterans' service providers to share basic contact information about the people they serve among themselves without the consent of the subject.

Names and addresses of people receiving government assistance to rehabilitate housing would be made public. Current law applies only to people receiving aid to purchase housing. The bill states that if the recipient were a partnership or a corporation, the names and addresses of the partners or corporate officers become public data along with the value of the assistance they received.

It would also make some information obtained through a government entity's organized self-evaluation programs available to certain government employees. The bill states that if a person were specifically mentioned in a comment on ways to cut costs or make government more efficient, that person has a right to see the information contained in the comment, but not information about the person who submitted it.

Rep. Dick Borrell (R-Waverly) successfully amended what he called the "non-controversial" provisions of this session's omnibus data practices bill (originally HF739) into a larger bill (HF1111/SF1180*) dealing with the Department of Administration. The House passed the whole bill on May 16, but the Sen-

ate did not concur with the changes before the May 19 adjournment deadline.

The same bill was then introduced in the special session. It is sponsored by Rep. Philip Krinkie (R-Shoreview) and Sen. Sharon Marko (DFL-Cottage Grove). Borrell and Sen. Wes Skoglund (DFL-Mpls) sponsored the original data practices omnibus bill.

★ LAW

Updating trust law

On a 131-0 vote, the House passed a bill May 16 that its sponsor, Rep. Eric Lipman (R-Lake Elmo), said would "fill in the gaps" of Minnesota's trust law and include a number of provisions to codify current practices and simplify others.

HF169 would provide a way to govern creation of the type of community memorial fund typically set up in response to a personal tragedy, such as deaths in a flood or fire. While many such funds exist, there is no current law specifically governing how they are run. The bill would put them under the governance of the Minnesota Uniform Custodial Trust Act, which requires that fund money be used for its intended benefits.

The bill would allow for trustees and beneficiaries of a trust to enter into binding nonjudicial settlements about certain matters, taking the burden off of courts. Such settlements could be reached regarding the approval of a trustee's accounting, the compensation or resignation of a trustee, changing the location of a trust, and terminating a trust when its remaining funds are too low to continue serving its purpose.

Lipman removed a provision from the bill that would have allowed people to set up trust funds for their pets. He said removing the section would ease the bill's passage so late in the legislative session. However, the Senate did not act on the measure prior to the end of the regular session May 19. It is still alive for the 2004 session.

Bond maximums

Appeal bonds, the money defendants in civil cases pay while appealing damage awards, would be capped in Minnesota under a bill passed by the House 93-33 May 16. However, the full Senate did not act on the measure prior to the session's adjournment, leaving the bill in limbo until 2004.

The measure was included in the House Judiciary Policy and Finance Omnibus bill that passed April 28 but was removed in a conference committee.

While some called HF1425 a gift from legislators to big tobacco companies, Rep. Mary Liz Holberg (R-Lakeville), the bill's sponsor, said Minnesota businesses run the risk of bankruptcy without the limits.

The bill originally would have capped the appeal bond amounts at \$25 million. However, Rep. Jim Rhodes (R-St. Louis Park) successfully amended the cap to \$100 million on the House floor.

The bill could save companies that lose the first round of a court fight millions, even billions, of dollars. Referring to a \$13 billion decision against a large tobacco company, Rep. Thomas Huntley (DFL-Duluth) said, "When Philip Morris reached the agreement in Illinois they also agreed not to lobby the Illinois Legislature for this kind of legislation. Unfortunately they did not agree not to lobby for this type of legislation in places outside of Illinois. If they had, this bill would not be before us today."

Holberg said the bill has support not just from the tobacco industry, but also from large companies in Minnesota who would be forced out of business if faced with high damage amounts sometimes awarded in class action cases.

During floor debate on the omnibus bill, Rep. Fran Bradley (R-Rochester) said since Minnesota continues to receive annual payments from the nationwide tobacco settlement, "it would create an enormous problem if some of the tobacco industries begin to go bankrupt."

Rep. Ron Latz (DFL-St. Louis Park) called \$25 million "pocket change" to large tobacco companies and said no company has ever gone bankrupt in Minnesota because of appeal bond amounts. He unsuccessfully offered an amendment to specifically exempt most tobacco companies from the limits.

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

Where to find information

House Public Information Services

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

House Public Information Services is a non-partisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly* newsmagazine, educational brochures for all ages, and member directories. All information is available at no charge.

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

Editor's Note: The following section includes stories explaining many of the new laws that were passed during the regular and special sessions of the 2003 Legislature. As a public service, we are reprinting all of the previous new laws stories run in Session Weekly this year. For more detailed information and additional new laws stories, please refer to the *New Laws 2003* publication that will be published on the House Web site in July or August. Point your browser to <http://www.house.mn/hinfo/hinfo.htm>.

★ AGRICULTURE

Policy provisions

Organic food growers will get new rules and promotional help, a mandatory ethanol content for gasoline will be set, and a number of state agriculture rules will be updated to match federal regulations, under a new law signed May 27 by Gov. Tim Pawlenty.

However, conference committee members removed House-adopted provisions that would have amended state law to allow immigrant holders of investment visas to purchase dairy farms in the state.

Originally proposed in HF447, sponsored by Rep. Greg Blaine (R-Little Falls), the immigrant farmer proposal would have eased the state's restrictions on farmland ownership by legal aliens and non-American corporations.

The state Agriculture Department supported the legislation to recruit dairy farmers, primarily from the Netherlands, who face land-use and livestock herd restrictions in their home country, and are interested in relocating to the United States.

As amended by the conference committee, the law will allow a few holders of E-2 investment visas who already own farms in the state to retain ownership by becoming a permanent resident alien or a citizen of the United States

within five years.

Effective Aug. 1, 2003, all gasoline sold or offered for sale in the state will be required to contain at least 10 percent denatured ethanol by volume. Besides the slight increase in the oxygenate blend to 10 percent, the law will require that denatured ethanol must be the oxygenate used as the fuel additive.

The law will also set annual production goals for ethanol of up to 480 million gallons in 2008 and subsequent years. Existing production among the state's 14 ethanol plants is an estimated 375 million gallons.

State law governing produce grown by organic farming methods will be updated to match the federal definition of "organic production." A 14-member organic advisory task force will be created to advise the state agriculture commissioner.

The group will meet twice a year prior to June 30, 2005 to advise the Agriculture Department on "expanding, improving, and developing production and marketing of the organic products of Minnesota agriculture."

Conferees adopted Senate provisions requiring the Agriculture Department to provide comparable data on price, yield, and profitability of organic farms versus conventional farms, and information "on the positive and negative impacts of organic production on the environment and human health."

The law will also bring the state into compliance with more than a dozen federal regulations regarding pesticide chemicals; food,

drugs, color additives, fair packaging and labeling, as well as product rules covering dairy grades, fruits, vegetables, meat, poultry, and fish.

Rep. Howard Swenson (R-Nicollet) and Sen. Steve Murphy (DFL-Red Wing) are the sponsors.

HF1213/SF990*/CH107

In honor of Gov. Freeman

A new office building for the state Agriculture and Health departments, expected to open in fall 2005, will be named in honor of the late Orville L. Freeman, under a law signed May 19 by Gov. Tim Pawlenty.

Freeman died Feb. 20 at age 84.

He was the state's 29th governor, serving from 1955-61, and he served in two presidential administrations as the U.S. Secretary of Agriculture from 1961 to 1969. In 1954, Freeman was the first gubernatorial candidate to be elected from the Democratic-Farmer-Labor Party.

Site preparation for the new \$77.2 million building, to be located just off the main State Capitol complex, began in April, according to the state Department of Administration.

The 342,000-square foot, five-story building will house 1,000 state employees and be connected to a new \$60 million Agriculture and Health Laboratory Building by a skyway across Columbus Street.

The Agriculture Department currently leases an office building in St. Paul. The Health Department will move more than 700 employees from a building on the University of Minnesota's Minneapolis campus and other Twin Cities metropolitan area locations.

Rep. Dean Urdahl (R-Grove City), and Sen. D. Scott Dibble (DFL-Mpls) sponsored the law.

The law takes effect Aug. 1, 2003.

HF1374*/SF1263/CH67

FINAL ACTION



PHOTO BY ANDREW VON BANK

The House Chamber is a flurry of activity on the last day of regular session May 19, as members work to approve legislation before adjourning at midnight.

Regulating warranty work

Warranty work performed by independent farm equipment dealers on behalf of farm equipment manufacturers will now be regulated, under a new law signed by Gov. Tim Pawlenty May 22.

Effective Aug. 1, 2003, the new law requires manufacturers to reimburse dealer's labor expenses at a reasonable rate, and to reimburse for parts at a rate 15 percent higher than the dealer's net price. In addition, manufacturers must approve or deny dealers' reimbursement claims within 30 days, and pay claims that have been approved within 30 days.

Historically, most farm equipment manufacturers offer warranties on equipment sold to farmers through authorized dealers. The new law stemmed from claims that some manufacturers do not reimburse dealers adequately for repairs performed under warranty, nor do they possess written warranty reimbursement policies or agreements.

Fifteen states, including North Dakota and South Dakota, have farm equipment warranty laws. Minnesota has a similar law for warranty work on lawn and garden equipment, all-terrain vehicles, boats, snowmobiles, and licensed motor vehicles.

Three implement dealers in Caledonia, Fergus Falls, and Madison, as well as the Farm Equipment Dealers Association based in Owatonna, endorsed the measure during testimony before House committees.

The law also modifies the definition to heavy and utility equipment.

Rep. Greg Davids (R-Preston) and Sen. Dallas Sams (DFL-Staples) sponsored the law. HF547*/SF674/CH78

BANKING



Hours, policy changes

Banks will be allowed to close early on Christmas Eve and New Year's Eve and bank employees may get loans without special approval from the bank's board of directors, under a new law signed by Gov. Tim Pawlenty May 16.

The new law makes a variety of changes, some technical or clarifying in nature, to laws governing financial institutions, as well as to laws regulating annuity contracts provided by insurance companies.

Among other things, the new law:

- Reduces the required frequency of financial examinations from 18 months to 24 months for financial institutions and state credit unions.
- Eliminates the requirement that banks

opening new sites or relocating notify by mail other banks in the area, and instead allow them to declare the same in a legal notice in a qualified newspaper within the city.

- Eliminates the requirement that the board of directors of any given bank approve loans to bank directors, officers, and employees. Such loans would remain subject to other existing approval provisions, however.
- Eliminates the prohibition against advertising bank ownership of particular ATMs on the ATM itself, as well as eliminates the prohibition against advertising on ATMs the location of other ATMs owned by the bank.
- Permits state bank board members to be non-residents of the state, provided they live within a certain district of the bank's main office.
- Allows a financial institution to post general obligation securities of a local government as collateral against funds deposited by that local government.

The sponsors were Rep. Greg Davids (R-Preston) and Sen. Dan Sparks (DFL-Austin). HF1039/SF1069*/CH51

BUSINESS



Later bar closing time

Closing time in Minnesota's drinking establishments would be 2 a.m., brewpubs could sell take-out jugs of their own beer, and more liquor licenses for hotels and restaurants can be authorized by cities, under a new law signed May 28 by Gov. Tim Pawlenty.

Rep. Joe Mullery (DFL-Mpls) said the later closing time would "move Minnesota into the 20th century. We're only 100 years behind on this." Supporters also claim the later close is needed to help with convention business throughout the state.

However, Rep. Paul Marquart (DFL-Dilworth) said the change could lead to residents of North Dakota, which has a 1 a.m. closing time, to cross the state line to drink an hour longer. "People will come and that will put undue pressure on law enforcement," he said.

Providing for several major changes in state regulation of alcoholic beverage sales, the law will also:

- allow the sale of Minnesota produced wine at the state fair, a first in the annual summer event's 140-year history;
- remove bowling centers, hotels, and restaurants from state liquor license limits; and
- allow, for the first time, an on-sale liquor license to be issued to a racetrack – Elko Speedway.

Additional liquor licenses for 11 Minnesota cities will also be provided by the law. Rep. Michael Beard (R-Shakopee), who sponsored the law with Sen. Sandra Pappas (DFL-St. Paul), said the law preserves state restrictions on the number of on-sale licenses a city may issue to bars or taverns serving drinks only. State law has long restricted the number of liquor licenses a city can issue based on population and a city's classification.

Cities authorized to issue additional on-sale liquor licenses (and the number of licenses) under the law include: Blaine, 15; Maple Grove, Woodbury, 12; St. Michael, Sartell, five; Waconia, Hastings, St. Joseph, three; Stillwater, two; Duluth and Thief River Falls, one.

A conference committee adopted the Senate provisions lifting on-sale license limits for hotels and restaurants, and allowing brewpub restaurants that make their own beer to sell 64-ounce containers called growlers. An off-sale license for take-home brewpub beer would cap sales at 50 percent of the brewer's production, or 1,000 barrels, whichever is less.

The 2 a.m. closing time provisions were initially contained in HF1493, sponsored by Rep. Dan Dorman (R-Albert Lea). Those provisions are effective Aug. 1, 2003.

The remainder of the law is effective May 29, 2003.

HF719*/SF143/CH126



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty announces an agreement on a 2 a.m. bar closing time during a May 22 news conference outside his office. Joining Pawlenty are the House and Senate authors of the law, the commissioner of public safety, and many state troopers.

Timber sales modernized

Gov. Tim Pawlenty signed a new law May 22 that the Department of Natural Resources (DNR) and the logging community hope will simplify and standardize timber sales.

Effective Aug. 1, 2003, the new law will update statutory language governing timber sales, much of which has not been changed since 1925. For example, the new law will consolidate references to timber areas, sale areas, or permit areas under one new term: forestry administrative area.

Under existing law, the state has the right to take cut timber if the permit holder has not properly marked the wood. The new law will instead designate the offense as trespassing.

Another provision of the new law is designed to help the logging community, particularly smaller outfits, with bond requirements by offering a "performance deposit" option that will entail a smaller bond amount.

Rep. Doug Lindgren (R-Bagley) and Sen. Tom Saxhaug (DFL-Grand Rapids) sponsored the legislation.

HF859*/SF888/CH73

New investors

A new law allowing certain member-owned cooperatives in an effort to encourage capital investment was signed by Gov. Tim Pawlenty May 25.

Sponsored by Rep. Howard Swenson (R-Nicollet) and Sen. Rod Skoe (DFL-Clearbrook), the law will allow all forms of co-ops in Minnesota to take on investor-members in addition to the traditional patron-members. Investor-members may not necessarily purchase products from the co-op but join the cooperative to earn a profit on an investment and to provide capital funds for cooperative expansion.

The law is based on a law passed in Wyoming during 2002, said Swenson, who added he was asked to carry similar legislation by the Minnesota Association of Cooperatives. In allowing for investor-members, the law largely combines portions of the traditional cooperative statute with portions of limited liability statute.

The new law will take effect Aug. 1, 2003.

HF984*/SF679/CH105

CHILDREN

Substitute teachers

Licensed child-care providers were granted more flexibility in filling-in for absent teachers, under a new law Gov. Tim Pawlenty signed May 19.

The law will allow "experienced aides" to continue filling in for classroom teachers without supervision for up to one-quarter of a center's daily hours. Centers must notify parents that they use experienced aides and post notice in the classroom where the aide works.

Experienced aides must be at least 20 years old, be certified in first aid and cardio-pulmonary resuscitation (CPR), and have two years or more of child-care experience including at least four months at that child-care center. They are not required to be full-time employees or certified teachers.

The practice is already allowed under similar legislation signed into law in 1999. Effective Aug. 1, 2003, the new law removes a June 30, 2003 sunset date.

House sponsor Rep. Barb Sykora (R-Excelsior) said child-care providers have been pleased with the practice. Since they are already employees of the center, experienced aides are familiar with the students they would supervise, she said. "So when they fill in for a teacher on a day when they need a substitute it really works out better than a substitute might," Sykora said on the House floor.

"There was never a serious problem of any kind with experienced aides," she said. Changes suggested by opponents of the 1999 law were incorporated into this year's version and some of those former opponents testified in favor of the bill in House committees.

Sen. Claire Robling (R-Jordan) sponsored the legislation in the Senate.

HF419*/SF796/CH57

CONSUMERS



Fair phone competition

A new law will allow so-called "hard wire" telephone companies to offer service promotional packages similar to those offered by less-regulated wireless companies. It was signed by Gov. Tim Pawlenty May 27.

Sponsored by Rep. Bob Gunther (R-Fairmont) and Sen. James Metzen (DFL-South St. Paul), the new law will permit a telephone company to offer "bundled" service packages and to establish package prices, terms, and conditions, provided that the following conditions are met:

- each telecommunications service subject to state Public Utilities Commission regulation is available on a stand-alone basis;
- the packaged rate or price does not exceed the sum of the unpackaged prices of each individual component offered in the promotion; and
- the company lists all regulated and unregulated services included in the package.

The new law will also amend state statute

to limit a customer from receiving the benefits of a service promotion package to nine months. State law currently provides that no single promotion may be effective for longer than 90 days at a time.

The law will allow primarily older companies whose core business remains wired connected phones to "promote what they have and create competition," Gunther said.

It will also amend existing law to relieve a telephone company from filing cost information with the state regarding a service promotion package.

Furthermore, the commission, state Commerce Department, or attorney general's office will be allowed to request company information if needed to determine whether a promotion meets legal requirements.

The scheduled expiration date of Jan. 1, 2006 of state law governing experiments in alternative regulation for phone companies will be repealed.

The new law takes effect June 1, 2003.

HF671*/SF660/CH98

Phone bill assistance

A state program that provides a monthly telephone service credit to eligible households would change its participation rules under a new law signed May 22 by Gov. Tim Pawlenty.

Sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Steve Kelley (DFL-Hopkins), the new law will require that residents participating in the state's telephone assistance plan program meet federal Lifeline telephone service discount eligibility requirements to receive a greater monthly credit on their phone bill.

The law will "reduce the number of people on the state program," Hoppe said.

Of the approximately 35,000 people in the state program, 25,000 also participate in the federal Lifeline program, he said. Telephone companies providing local service annually advise phone customers of the program.

The law will drop the state requirements for the program, which are income-based and limited to households with a disabled or elderly (at least 65 years old) member.

To continue in the program, a state resident will have to meet income-based federal program requirements, including participation in either Medicaid, food stamps, supplemental security income, federal public housing assistance, or low-income home energy assistance.

The state plan, regulated by the Department of Commerce, is funded by a monthly charge of 5 cents on each wire line (not wireless) in the state. The Public Utilities Commission has the authority to charge up to 10 cents per line.

According to the Human Services Department Web site, residents who now participate

in both the state program and the federal Lifeline program can receive up to a \$9.50 phone bill credit per month. State program only participants are capped at about \$7 a month. The new law will not affect the \$9.50 credit.

A department official who had testified in committee hearings said shifting the eligibility requirements to the federal guidelines could lead to more people being served in the program at the higher monthly credit. The federal Lifeline credit is not limited to elderly participants, as the state program is.

The new law will also relieve the department of conducting an annual review of eligible participants in the state program, an administrative savings of \$315,000, Hoppe said.

The measure takes effect Aug. 1, 2003.
HF1115/SF1260*/CH79

Membership travel contracts

Travel clubs offering fraudulent and fictitious free and reduced vacations will find it harder to do business in Minnesota, under a new law signed by Gov. Tim Pawlenty May 28.

The new law is targeted at non-legitimate travel clubs. Unaffected would be major credit card issued services and agencies such as the American Automobile Association, better known as AAA.

Effective Aug. 1, 2003, the law prohibits offering enticements that result in the club member paying more than would have been paid without membership; misrepresenting features of the travel, fares, and charges; and selling charter transportation under the misrepresentation that the arrangements have been finalized.

Supporters who testified before the House Commerce, Jobs and Economic Development Policy Committee told how they were offered free trips, only to find memberships to a travel bureau system were required. The price for a one-year membership started at \$8,000, but dropped to \$1,058, according to a White Bear Lake woman.

The law sponsors were Rep. Doug Meslow (R-White Bear Lake) and Sen. Charles Wiger (DFL-North St. Paul).

HF501/SF420*/CH125

Correcting burial errors

Cemeteries that have interred bodies in the wrong burial spaces will be required to correct their mistakes, under a new law signed by Gov. Tim Pawlenty May 15.

The new law requires cemetery operators who have been informed or become aware of a wrongful burial to exhume the burial container and place it in the proper location. Expenses will be

the responsibility of the cemetery.

Rep. Connie Ruth (R-Owatonna), who sponsored the new law with Sen. Dick Day (R-Owatonna), said she agreed to carry the legislation after a constituent told how a cemetery inadvertently buried a body in the plot adjacent to the location where her granddaughter had been buried earlier. The family had purchased that plot and other vacant spots surrounding the granddaughter's burial space for future interment of deceased family members.

When the mistake was realized, the family of the recently buried was asked to allow the disinterment of that burial container. The family refused; a lawsuit ensued.

Effective May 16, 2003, the new law allows both families in any given case to avoid unearthing a wrongfully buried body by agreeing to leave the situation as is.

HF1234*/SF1252/CH48

★ CRIME

Identity theft

Gov. Tim Pawlenty signed a new law May 27 that will make the reporting and prosecuting of identity theft cases much easier.

Effective Aug. 1, 2003, the law will allow local law enforcement agencies to take reports of identity theft from people living or working within their jurisdiction even if the crime

occurred somewhere else. Previously, departments could not take reports for crimes that occur in other jurisdictions. The law will also let prosecutors bring charges against identity thieves in either the county where the theft occurred or the county where the victim lives or works.

Reports filed in a county other than where the crime took place will not count towards that county's property crime statistics.

The law also creates the crime of mail theft in Minnesota. It imposes a felony sentence of up to three years in prison and a fine up to \$5,000 for stealing or opening mail addressed to someone else.

The provision (originally HF463) is intended to crack down on an increasingly common practice where thieves obtain and use private information contained in letters stolen from mailboxes or post offices. That information can include photographs, ID cards, bank or credit card numbers, medical information, and social security numbers.

While already a federal crime, federal courts and prosecutors do not have the resources to deal with any but the biggest instances of mail theft, according to supporters of the law. Minnesota prosecutors will be able to file mail theft charges in either the county where the theft occurred or the county where the victim lives or works in order to give them more flexibility in prosecuting the crime.

Any of the ID theft crimes in the law can be combined for the purposes of charging an offender who committed multiple instances of theft within a six-month period.

House Majority Leader Erik Paulsen (R-Eden Prairie) and Sen. Leo Foley (DFL-Coon Rapids) sponsored the legislation.

HF821/SF980*/CH106

Public safety radio compliance

Volunteers assigned to carry police radios on their person or in their cars in order to help out law enforcement officials will no longer be violating Minnesota law because of a new law signed by Gov. Tim Pawlenty May 25.

The law changes a statute that made it illegal for people not licensed by the state Bureau of Criminal Apprehension to receive police radio communications. Supporters say it gives local police and sheriffs another tool in providing security at events that take place in their area.

House sponsor Rep. David Dill (DFL-Crane Lake) told legislators that a volunteer in his district was ticketed for having a police radio at a community event. It's not uncommon for law enforcement to use volunteer security personnel at events that require extra security, but

LAST GAVEL



PHOTO BY ANDREW VON BANK

House Speaker Steve Sviggum brings down the last gavel of the regular 2003 session. Legislators began their third special session in as many years the next day.

giving the volunteers radios violated a state law dating back to 1935.

"Realizing that we are talking about thousands and thousands of volunteers that are routinely using radios to help us respond to ambulance calls and fire calls and helping at community events...we thought it would be appropriate to streamline the regulations," Dill said.

Effective Aug. 1, 2003, the new law permits people to carry emergency radio equipment with the written permission of their local sheriff or police chief instead of having to apply to the state Bureau of Criminal Apprehension.

A conference committee removed a House provision (originally HF784) that would have made it a felony to knowingly disrupt emergency communications among police, firefighters, or emergency medical workers. The provision is now contained in the omnibus judiciary finance law.

Sen. Tom Bakk (DFL-Cook) sponsored the legislation in the Senate.

HF808/SF351*/CH121

Victims rights laws

Several changes will be made to Minnesota's victims' rights laws under a new law Gov. Tim Pawlenty signed May 27. The changes include the way certain videotapes are handled, what judicial hearings victims may attend, and who bears the costs of certain medical examinations.

Videotaped interviews of child abuse victims will be more closely regulated under the law, which takes effect Aug. 1, 2003 and applies to crimes committed on or after that date.

Under the law, such tapes may only be used by prosecutors and defense attorneys while preparing for a case or while in the courtroom. No copies or transcripts may be made of the tapes, and any person granted access to the tape must sign an agreement that they are aware of the laws regarding such tapes. Once a case is finished, tapes must be returned to the prosecuting attorney.

A separate provision of the law provides that costs incurred for the examination of sexual assault victims must be borne by the county where the offense occurred whether or not the crime was reported to law enforcement. The law clarifies exactly what costs must be covered and that counties may seek reimbursement from a victim's insurance company only with the victim's permission.

Crime victims will be allowed to attend plea agreement hearings under the law. It also allows them to express orally or in writing any objections they have to the agreement reached. Prosecutors would have to inform victims of their right to do this. Prior law only allowed

this right in sentencing hearings.

The law also clarifies the definition of primary and secondary residences as they apply to predatory offenders.

Rep. Eric Lipman (R-Lake Elmo) and Sen. Mee Moua (DFL-St. Paul) sponsored the legislation.

HF1278/SF964*/CH116

Arson penalties

Minor cases of arson that cause personal injury could result in higher criminal penalties under a new law effective Aug. 1, 2003.

Sponsored by Rep. Doug Fuller (R-Bemidji) and Sen. Wes Skoglund (DFL-Mpls), the law will upgrade the crime of fifth degree arson to a gross misdemeanor if it results in bodily harm, including causing illness or impairing a person's physical condition. The penalty for such an offense will be up to a year in prison and a fine of \$3,000.

Under prior law, fifth degree arson was a misdemeanor offense, punishable by up to 90 days in jail and up to a \$700 fine. A separate provision of the law will increase the maximum fine for that offense to \$1,000. The offense applies in cases where someone intentionally burns any property valued at less than \$300 in a non-public place. Arsons committed at higher loss values or in public buildings are covered under higher-degree arson offenses in state law.

Fuller said prosecutors who want another tool to punish low-level arsonists brought him the measure. State courts and corrections officials said the number of people that will be prosecuted under the law is "very small" and the changes will not result in many new cases or prisoners.

HF385*/SF355/CH82

Statements allowed

Effective Aug. 1, 2003, a new law will allow Minnesota's forensic scientists to submit reports regarding the handling of evidence in a criminal proceeding, rather than having to testify in person in the courtroom.

Under the new law, courts can accept reports about who handled particular pieces of evidence without requiring scientists to verify those reports in person. Currently, forensic scientists from the state Bureau of Criminal Apprehension must appear in court to testify that a chain of custody report is accurate. Chain of custody reports detail when, where, and by whom pieces of evidence were handled.

Rep. Eric Lipman (R-Lake Elmo), House sponsor, said that such reports are relatively

administrative matters that rarely become important in a criminal case. Much more important, he said, are reports detailing a scientist's analysis of the evidence, which do not require scientists to appear in court.

The law will now treat both types of reports the same way. Defense attorneys who wish to challenge or question the reports can still subpoena scientists up to 10 days before a trial.

Sen. Satveer Chaudhary (DFL-Fridley) was the Senate sponsor.

HF909/SF942*/CH29

Background check information

Gov. Tim Pawlenty signed a new law May 23 bringing Minnesota into compliance with federal requirements about the information that can be disclosed after criminal background checks on property managers.

Effective May 24, 2003, the law will narrow the information that can be given to property owners as a result of the background checks done on potential property managers.

According to Minnesota law, all potential managers must undergo a criminal background check administered by the state Bureau of Criminal Apprehension. While the bureau must check state and national criminal history databases and report if there are any relevant crimes, the new law prohibits giving property owners specific information about past crimes gained from federal sources.

It still requires the bureau to give owners a description of the crime, the date and jurisdiction of conviction, and the date a sentence was carried out if that information is gleaned from state databases.

Though federal law says the specifics of a crime in a national database cannot be disclosed, such a crime could still disqualify someone from a property management position.

Rep. Paul Kohls (R-Victoria) and Sen. John Marty (DFL-Roseville) sponsored the legislation.

HF731/SF926*/CH89

Obtaining search warrants

Gov. Tim Pawlenty signed a new law May 23 making changes to the way search warrants are granted in Minnesota.

Effective Aug. 1, 2003, the new law will eliminate a restriction that search warrants can only be issued to officers with jurisdiction in the area where the search is to be conducted. It will allow any officer to apply for a search warrant in any jurisdiction as long as they notify a local police chief before conducting the search. If the search is to take place in an area with no police chief, the officer must notify the local county sheriff.

Judges issuing search warrants will still have to have jurisdiction over the area to be searched.

Rep. Steve Strachan (R-Farmington) and Sen. Mike McGinn (R-Eagan) sponsored the legislation.

HF522/SF256*/CH86

★ DEVELOPMENT

Paying for parks

Developers may find counties requiring them to pay for or build parks, trails, and open spaces when constructing housing subdivisions, under a law signed May 27 by Gov. Tim Pawlenty.

State statute already allows cities and townships to require parkland or in-lieu-of fees of developers. The law simply allows the same authority to counties, said the House sponsor, Rep. Peter Nelson (R-Lindstrom). Sen. Betsy Wergin (R-Princeton) is the Senate sponsor.

While no discussion was initiated on the House floor, the law received considerable input during debate before the House Local Government and Metropolitan Affairs Committee April 9.

People once thought that requiring recreational spaces of developers in cities and townships was sufficient, said Larry Haws, a Stearns County commissioner. However, he said, most townships don't have parks departments to oversee such amenities.

"This is a good way to put the counties in the park-planning business," Haws said.

The law will have growth paying for its fair share, said Scott County Administrator David Unmacht, adding that a general property tax increase is not the solitary solution to more parks.

Expressing concern was Rep. Karen Klinzing (R-Woodbury), who said she heard the imposition would increase the average new home by \$1,200. Haws replied that such an increase is probably occurring in a city. The bill would increase the average home in a county by \$300, he said.

Specifically, the law will permit a county by ordinance to require dedication of some portion of a proposed subdivision for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space, or to accept cash in lieu of such a dedication. It takes effect Aug. 1, 2003.

Any county desiring to invoke such authority must first adopt a capital improvement program and a parks and open space plan, or have a component in its comprehensive plans for parks, trails, and open spaces.

The in-lieu-of fees must be fair, reasonable,

TO THE END



PHOTO BY ANDREW VON BANK

Lobbyists mill around the entrance of the House Chamber on the last evening of the regular session May 19, trying to sway opinion for their cause or group.

and proportionate to need, under the law. Money received must be used to acquire, improve, or develop parks and similar facilities, and not for parks operations or maintenance.

In addition, counties cannot force a developer to waive his right to challenge the validity of the fee or land dedication.

HF657/SF484*/CH95

★ EDUCATION

New academic standards

After five years of rigorous political rancor about the Profile of Learning, Gov. Tim Pawlenty signed into law May 21 the framework for a new set of academic standards for the state's public school students.

Effective May 22, 2003, the new law will establish new grade-level academic standards in five required subject areas: language arts, mathematics, science, social studies, and the creative arts.

"This bill returns authority to the school district," said Rep. Barb Sykora (R-Excelsior), who sponsored the law with Sen. Steve Kelley (DFL-Hopkins). Rep. Tony Kielkucki (R-Lester Prairie) carried the original Profile repeal bill

(HF6) that passed the House Feb. 17. "We are not mandating everything. It doesn't tell teachers how to teach, demand performance packages, or have a grading system that no one could understand."

Sykora referred to a number of issues that parents, school administrators, teachers, and other critics of the complex profile standards raised consistently since the current graduation requirements were first implemented by the state in 1998.

The law will provide for the proposed English and math K-12 grade level standards that have been developed in recent months by Department of Children, Families and Learning Commissioner Cheri Pierson Yecke to become the new academic standards in those two subject areas.

The arts standards, added to the compromise bill by Senate negotiators, will be determined by school districts.

New standards in the three subject areas will be implemented for the 2003-04 school year. New statewide measurement tests, based on the standards for students in grades three through eight and at the high school level, will not be implemented until the 2005-06 school year.

To comply with the federal No Child Left Behind law, the state will add tests based on the standards in the fourth and sixth grades for the 2005-06 school year. High school graduation in the state will still require that students pass the statewide basic skills test.

The law requires the commissioner to propose standards in science and social studies to the Legislature by Feb. 1, 2004. The social studies subject area includes history, geography, economics, and government/citizenship.

Rep. Paul Marquart (DFL-Dilworth), a member of the conference committee, said the law includes "safeguards that will insulate the standards from the ebb and flow of this legislative body."

"It's not going to be a moving target," he said. "Hopefully, we can take the politics out of this."

HF302*/SF481/CH129

Pledging allegiance

Reciting the Pledge of Allegiance at least once a week will be a requirement in the state's public and charter schools beginning this fall, under a new law signed May 27 by Gov. Tim Pawlenty.

Effective Aug. 1, 2003, the law will allow school boards or a charter school board of directors to annually waive the requirement.

The law will require school districts or charter schools to include a statement in a student



Gov. Tim Pawlenty signed a new law May 27 that will require the state's public and charter school children to say the Pledge of Allegiance at least once per week.

handbook or school policy guide that anyone may elect not to participate in reciting the pledge for "any personal reasons," and "that students must respect another person's right to make that choice." That provision will not be effective until the 2004-05 school year.

The law will also allow for the pledge to be recited by a teacher in the classroom or over a school's public address system by a person designated by the school principal.

School districts that don't waive the pledge requirement, according to the law, must instruct students in proper etiquette, correct display, and respect regarding the flag, "and in patriotic exercises."

Rep. Bruce Anderson (R-Buffalo Township) and Sen. Steve Murphy (DFL-Red Wing) are the sponsors.

HF6/SF287*/CH120

Changing a department name

The state agency responsible for K-12 public schools will be known by a former name under a new law signed May 28 by Gov. Tim Pawlenty.

Effective Aug. 1, 2003, the department will revert to the name Department of Education.

In 1995, the Legislature changed the department's name to the Department of Children, Families and Learning as part of a state agency reorganization led by Gov. Arne Carlson's administration.

Pawlenty recommended that the name revert to the Department of Education in his Feb. 6 State of the State address.

The name change is expected to cost \$39,000. Department officials testified in House committees that the cost would be absorbed in the department's budget.

Legal documents must reflect the name

change immediately, according to department officials, and the sign outside the department's leased office building in Roseville would also be changed. Existing stationary would be used until supplies are exhausted.

Rep. Randy Demmer (R-Hayfield) and Sen. Geoff Michel (R-Edina) were the bill sponsors.

HF517/SF296*/CH130

ELECTIONS



Ballot question deadline

Potential ballot questions must be submitted by a deadline prior to an election to be considered for placement on a ballot, under a new law signed by Gov. Tim Pawlenty May 22.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie) and Sen. Jim Vickerman (DFL-Tracy), the law also clarifies timelines that petition organizers must meet in order for their proposals to be considered.

Kent Sulem, an attorney for the Minnesota Association of Townships, told a House committee during the session that petitions have been received as late as one week before an election in the past. Because of a lengthy process to put the questions on a ballot, officials were unable to comply.

Previous election law didn't specifically state that a petition must be submitted by a deadline, so there wasn't anything to show a resident why a question couldn't be accepted, Sulem said.

Effective Aug. 1, 2003, the new law doesn't require a city to schedule a special election when a submission is made, however Minnesota law does call for a special election if 20 percent of the voters at the last municipal general election signed the petition and the

question hasn't been submitted in the previous six months.

HF504*/SF384/CH75

Township special elections

Townships will be required to hold a special election if they are unable to fill a vacancy of an elected town official by appointment under a new law signed by Gov. Tim Pawlenty May 19.

Rep. Tony Kielkucki (R-Lester Prairie), who sponsored the law with Sen. Dallas Sams (DFL-Staples), said townships have had trouble getting vacancies filled.

Under previous law, a town board was directed to fill a vacancy through an appointment process, with a special election necessary if members failed to agree. The new law, which takes effect Aug. 1, 2003, provides procedures for holding the election. It requires the supervisors and town clerk, or two of them together with at least 12 other town officials, to file a statement in the town clerk's office. The statement must include the reason why the election is called and that the interests of the town require the election.

The law also states that an election may be called by petition of 20 percent of the voters at the last general election.

HF361*/SF329/CH56

EMPLOYMENT



Unnecessary agency licensing

Rarely utilized state statutes requiring the licensing of entertainment agencies employing musicians will be repealed through a new law signed by Gov. Tim Pawlenty May 28.

Under existing law, entertainment agencies employing three or more artists or groups of artists were to be licensed by the state Department of Labor and Industry. Artists were defined as musical artists, musical organizations, musical directors, composers, lyricists, and arrangers.

The annual license fee was \$250 with an additional \$25 filing fee. Also required was submittal of a \$10,000 bond to the secretary of state. In applying for a license, the applicant allows the Labor and Industry Department to investigate the applicant's "character and responsibility," as well as the location at which the entertainment agency aims to do business.

According to April 3 testimony by the department before the House Commerce, Jobs, and Economic Development Policy Committee, the statutes had been rendered obsolete due to the fact that no more than three

entertainment agencies had been licensed in the state at any one time. Furthermore, the department had little authority to enforce the statutes.

Grace Schwab, legislative liaison for the department, said the entertainment agency statutes were adopted in 1984, despite the fact that no one seems to know their purpose. "For all practical purposes we don't even license," she said.

The new law takes effect Aug. 1, 2003.

The law was sponsored by Rep. Chris Gerlach (R-Apple Valley) and Sen. Michele Bachmann (R-Stillwater).

HF1132/SF1099*/CH131

★ ENERGY

Fourth time's the charm

It took four House votes, including two during the regular session and two during the special session, to pass a bill regarding additional waste storage at the Prairie Island nuclear plant. And that bill became law when Gov. Tim Pawlenty signed the measure May 29.

Under the law, more nuclear waste could be stored at Prairie Island, investment incentives for hydrogen-based energy will be created, and other renewable energy sources will be addressed.

On May 19, the last day of the regular session, the House approved 81-51 an amended version of the nuclear waste storage bill (HF775/SF794*) four days after rejecting an earlier version of the same bill by a three-to-one margin. The former action was for naught as the amended House bill was not considered by the Senate before the Legislature adjourned the regular session. Two more House votes in the special session and the bill was on its way to the governor.

Effective May 30, 2003, the law, sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Steve Murphy (DFL-Red Wing), will

allow additional spent nuclear fuel storage at Prairie Island, subject to federally licensed dry cask storage limits. The license for the dry cask storage facility, which is located outside of the plant, allows for up to 48 casks. The Legislature approved 17 casks in 1994.

The law will authorize additional storage casks to allow Prairie Island to operate to 2013 and 2014, the respective expiration dates for operation of its two licensed nuclear reactors. Xcel Energy has said the plant could not operate beyond 2007 without additional storage. The last of the current 17 casks were filled in 2002. A pool inside the plant stores spent nuclear fuel rods following their removal from a reactor.

The Public Utilities Commission will decide, under the law, on additional nuclear waste storage for both Prairie Island and the Monticello nuclear plants should Xcel Energy request the storage to allow the plants to operate beyond their current federal licenses. The license for the Monticello plant, which does not have dry cask storage, expires in 2010. License extensions will first have to be approved by the federal Nuclear Regulatory Commission.

Whatever rulings the commission makes will not take effect until June 1 following the legislative session subsequent to the commission's action. If the decision is not overturned or amended by the Legislature during that session, it will stand as ordered.

Opponents criticized the law, saying it removes renewable energy requirements placed on Xcel Energy during the 1994 negotiations.

The law proposes that Xcel Energy increase funding of a renewable development account for wind, biomass, and hydrogen-based energy development to \$16 million annually during the Prairie Island plant's continued operation. The fund, which is financed through the utility's rate structure, is now \$8.5 million annually.

Five percent of the utility's spending on renewable energy research will be allocated annually to the University of Minnesota Initiative for Renewable Energy and the Environment.

The law will also direct three state departments to develop energy innovation zones to provide tax breaks and other incentives for companies to develop fuel cells and other hydrogen infrastructure.

Proposals to include coal, and solid waste facilities that burn tires in the state's definition of eligible renewable energy technologies were removed from the bill the House passed May 19.

However, the law includes "clean coal technology" as a potential renewable energy source that utilities such as Xcel Energy can use to meet a state renewable fuels objective. Existing state law requires utilities to strive for an objective of 10 percent renewables in its total energy resource mix by 2015.

In addition, the law ratifies the agreement between Xcel Energy and the Mdewakanton Dakota Tribal Council, which governs the American Indian communities near the Prairie Island plant. The settlement provides that the utility give the tribe up to \$2.5 million per year to help the tribe purchase land for members to relocate away from the plant.

★ ENVIRONMENT

Limiting arsenic in fertilizers

Effective Aug. 1, 2003, fertilizers containing certain levels of arsenic will be illegal in Minnesota, under a new law.

The state's agriculture commissioner will be prohibited from licensing or registering any fertilizer containing more than 500 parts per million by weight of arsenic for sale or use in Minnesota, under the new law.

Fertilizer must be registered with the state before it is sold.

Arsenic is a very poisonous chemical element, compounds of which are used in insecticides. Rep. Dan Dorman (R-Albert Lea), the House sponsor, said the legislation was modeled after a similar proposal in Maine directed at fertilizers containing tailings, which are mining waste byproducts.

On a national level, public health and environmental groups have cited a brand of fertilizer called Ironite, saying it contains high levels of arsenic. According to those advocates, Ironite is produced from the mine tailings of a proposed Superfund environmental clean-up site in Arizona and sold to consumers as a lawn and garden fertilizer. The company that produces Ironite maintains that the fertilizer is safe.

Sen. D. Scott Dibble (DFL-Mpls) is the Senate sponsor.

HF258*/SF680/CH33

Sprinklin' in the rain

A new law aims to reduce water bills and unnecessary irrigation.

All new landscape irrigation systems installed after July 1, 2003, must have mechanisms to prevent sprinklers from operating during rainstorms and at times when the ground is saturated to a pre-programmed



A new law signed by Gov. Tim Pawlenty May 29 will allow additional nuclear waste storage at the Prairie Island nuclear plant near Red Wing.

level, under the new law. The systems are intended to sense when sprinkling and irrigation is unnecessary and inhibit or interrupt the watering mechanisms.

The average cost of the rainfall sensor is \$30 for a residential system, according to testimony from landscape professionals.

Similar legislation passed the House and Senate in 1999 but was vetoed by then-Gov. Jesse Ventura, who called it an unenforceable government mandate.

The legislation was introduced again at the behest of landscape industry representatives who said they wanted to "level the playing field" in competitive bidding situations, according to House sponsor Rep. Dennis Ozment (R-Rosemount).

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

HF335*/SF781/CH44

Solid waste plans

Solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District will be granted some administrative relief, under a new law effective Aug. 1, 2003.

When integrated solid waste planning began in the mid-1980s, it was an evolving industry, and administrators were required to renew their plans with the state every five years.

The systems are relatively stable now and changing filing requirements to every 10 years will allow solid waste staff to spend more time implementing programs than updating plans, said supporters of the new law.

The new law will modify Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

Rep. Denny McNamara (R-Hastings) and Sen. Tom Saxhaug (DFL-Grand Rapids) were the sponsors.

HF1054/SF1001*/CH13

Drainage authority alternatives

A new law signed by Gov. Tim Pawlenty May 23 aims to provide drainage authorities with some alternatives to expensive bridge repairs.

Most county boards in the state also serve as local drainage authorities, with the responsibility to maintain and replace ditches and bridges.

Effective May 24, 2003, the new law will allow drainage authorities to compensate landowners for permanent removal of a private bridge if it would be less expensive than

repairing the bridge. This option is available only if landowners agree to the situation and waive any rights to future reconstruction.

The legislation was prompted after estimates to replace a particular Nicollet County bridge over a drainage ditch on private land came in two to three times higher than the estimated \$35,000 for landowner compensation and removal. The drainage authority pursued legislative intervention after the attorney general issued an opinion against the compensation option.

Rep. Howard Swenson (R-Nicollet) and Senate Majority Leader John Hottinger (DFL-St. Peter) sponsored the measure.

HF1257*/SF1195/CH84

FAMILY

Parental history

A new law Gov. Tim Pawlenty signed May 20 will make it easier for Minnesota's adoptees and their parents to get social and medical background information from biological parents.

Effective Aug. 1, 2003, the law will require adoption agencies to provide such information about someone's birth parents when requested by the person or their adoptive parents.

Since 1994 the state has mandated collection of detailed social and medical histories of all parents putting children up for adoption. That information is collected on a particular form developed by the commissioner of human services that is designed not to reveal any personally identifiable information about the biological parents.

The new law states adoption agencies must provide that form to the people requesting the information.

In addition, agencies will have to use the same form when requesting information from birth parents who had not previously given it.

Rep. Lynne Osterman (R-New Hope), an adoptee herself, told a House committee that she has had a very difficult time tracking down important medical information from her birth parents. She said a lack of uniform reporting requirements compound the problem.

The information can be useful in determining the best medical treatments for a given individual based on family medical history.

Rep. Stephanie Olsen (R-Brooklyn Park) and Sen. David Knutson (R-Burnsville) sponsored the legislation.

HF653/SF727*/CH68

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

GAMBLING



Linking bingo games

Gov. Tim Pawlenty signed a new law May 27 that will allow multiple bingo sites to be linked electronically, potentially allowing participants to win a larger pool of money.

Currently, single site bingo jackpots are capped at \$200 per game, but supporters say the prize could increase to \$8,000 to \$9,000 if several halls link together.

Those provisions were amended onto the legislation, which House sponsor Rep. Carl Jacobson (R-Vadnais Heights) described on the House floor as "clarifying language and definitions" for the Minnesota Gambling Control Board. Sen. Jim Vickerman (DFL-Tracy) was the Senate sponsor.

The most significant change to current law is allowing rent paid by an organization for space leased for gambling to be based on a percentage of gross profit.

The new law also designates charitable gambling requirements in several areas, including raffles held in high schools. Among the requirements is that schools will be required to report the amount of gross receipts received, the total expenses for the raffles, the total prizes awarded, and an accounting of the expenditures from the gross receipts of the raffles to the gambling control board only if a raffle exceeds \$12,000 in a calendar year, or \$5,000 in a single raffle.

The law takes effect Aug. 1, 2003.

HF1244*/SF1153/CH110

GOVERNMENT



State treasurer duties

Gov. Tim Pawlenty signed a new law May 27, enacting the transfer of duties of the former state treasurer position to the Department of Finance.

Since the position was officially abolished in January by a constitutional amendment, the department, per an executive reorganization order, has handled the duties.

Sponsored by Rep. Jim Rhodes (R-St. Louis Park) and Sen. Geoff Michel (R-Edina), the new law will clarify the duties and make several other changes to the department, effective May 28, 2003.

The new law will also change a reporting requirement for the department.

Previously, state law mandated that the department submit a report to the Legislature regarding the revenue the state collects from fees by January of each odd-numbered year.

However, this year, the department did not

meet that deadline. The new law will establish the deadline of Nov. 30 in each even-numbered year, so that the Legislature has information to help determine which fees should be raised and which ones should be lowered.
HF943*/SF997/CH112

Cost disclosure

Effective July 1, 2003, a new law is designed to reform the state's administrative rulemaking process.

When a state agency proposes a rule change, it must, under the new law, specify the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals. The costs of not adopting the proposed rule must also be specified.

Under prior law, agencies were required to provide a Statement of Need and Reasonableness, which would identify the costs associated with a proposed rule change, to the extent that the agency can ascertain the information. Administrative rules enacted by state agencies have the full force of law.

For example, said House sponsor, Rep. Marty Seifert (R-Marshall), "If a Department of Health rule comes down in the rulemaking process and they are going to mandate something to our nursing homes, they have to spell that out in the Statement of Need and Reasonableness, or if we have the Department of Agriculture mandating a rule on farmers, they are to identify the probable costs that will be borne by the farmer."

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

HF64/SF61*/CH3

★ GREATER MINNESOTA

Creating lake districts

A larger percentage of lake property owners will have to sign petitions of consent in order to form special lake improvement districts to initiate water quality improvement projects, under a law signed May 23 by Gov. Tim Pawlenty.

Under current law, lake improvement districts may be formed in defined geographic areas for the purpose of improving water quality. The districts can be formed through three methods: initiation by a county board acting alone or in conjunction with another county; by the Department of Natural Resources commissioner, should the petition be rejected by the county board; and by a petition to the county board containing 26 percent of the relevant property owners' signatures.

CAUCUS TIME



PHOTO BY TOM OLMSCHIED

House Majority Leader Erik Paulsen looks at the clock as House Minority Leader Matt Entenza announces a caucus during a recess of the floor session on the last day of the regular session May 19.

Sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Dallas Sams (DFL-Staples), the new law increases the minimum required property owner signatures to 51 percent.

The current percentage is "far from the majority needed," Olson said on the House floor. Securing a majority from the start, he added, would better assure the success of a lake improvement district.

Wisconsin, which enacted lake improvement district legislation in the 1970s around the same time as Minnesota, counts 200 lake improvement districts, according to Olson. Minnesota claims only 14. The difference is that Wisconsin requires a majority of property owner signatures.

HF582/SF857*/CH91

Watershed district billing authority

Gov. Tim Pawlenty signed a new law May 23 that will allow the Clearwater River Watershed District to charge for disposing of sewage and other waste.

The Clearwater River Watershed District encompasses the drainage area of the Clearwater River in central Minnesota, some 160 square miles, including parts of Meeker, Stearns, and Wright counties.

Effective Aug. 1, 2003, the new law will give the watershed district authority to charge users for sewer maintenance expenses on a monthly or quarterly basis. Currently, the watershed district has to use their assessment authority.

The new law also will allow overdue charges

to be sent to and collected by the county.

Rep. Mark Olson (R-Big Lake) and Sen. Steve Dille (R-Dassel) sponsored the measure.
HF837*/SF1054/CH83

★ HEALTH

Abortion consent and procedure

Effective July 1, 2003, a new law will govern what women must do to provide informed consent to obtain an abortion and what information physicians must provide to facilitate that consent.

The law also appropriates \$488,000 in 2004-05 to implement requirements of the law.

It will require Minnesota abortion providers to supply women with specific kinds of information at least 24 hours before performing abortions.

That information includes:

- risks associated with the abortion procedure;
- the probable age of the fetus at the time of the abortion;
- the medical risks associated with carrying a child to term;
- possible availability of Medical Assistance benefits for prenatal, childbirth, and neonatal costs;
- financial responsibility of the child's father; and
- probable anatomical and physiological characteristics of the child.

Women seeking an abortion will be required to certify in writing that they have received this

information and that they have had ample time to review the information. Once the doctor receives that written certification, the woman will have given informed consent, under the law.

The state Department of Health must also provide printed and Internet-based information on the following:

- names and contact information for organizations providing pregnancy, childbirth, child-rearing and adoption services;
- anatomical and physiological characteristics of the unborn child in two-week increments;
- descriptions of abortion methods used and the medical risks associated with them; and
- nervous system development characteristics of an unborn child of 20 weeks or more and information regarding response to pain.

The new law would apply to all abortions, with the exception of those performed on an emergency basis, the conditions of which are laid out in the law.

Physicians who perform abortions will also have to submit annual reports indicating how many of their patients received the information, how they received it, and how many went on to have an abortion.

The new law also provides civil remedies when an abortion was performed or attempted without complying with the provisions of the law.

The law states that if it is challenged, the state Supreme Court will have original jurisdiction in the matter. Should the court strike down one part of the law, the rest will remain in effect.

Rep. Marty Seifert (R-Marshall) and Sen. Steve Dille (R-Dassel) sponsored the law. Initially, the measure was sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Jim Vickerman (DFL-Tracy).

HF94/SF187*/CH14

Alzheimer's training

Organizations that provide care for people with Alzheimer's disease will have to ensure their staff is trained to work with Alzheimer's patients, under a new law.

Effective Aug. 1, 2003, direct care staff and supervisors working in nursing homes, home care, and adult day care facilities will have to be trained in caring for people with dementia, according to the law. That training will include an explanation of Alzheimer's disease and related disorders, assistance with activities of daily living, problem solving with challenging behaviors, and appropriate communication skills.

Each organization will have to provide

consumers with a written description of the nature and frequency of their staff's training.

Supporters said the law is a matter of consumer protection for patients and their families, because some organizations have advertised Alzheimer's disease services they are not qualified to deliver.

Rep. Jim Abeler (R-Anoka) and Sen. Linda Higgins (DFL-Mpls) were the sponsors.

HF410/SF433*/CH37

State employee contracts ratified

State employee contracts, in limbo for nearly two years, were ratified under a new law effective April 10, 2003.

The labor agreements cover the period from July 1, 2001 to June 30, 2003. Some bargaining units were working under interim contracts that allowed for same sex dependent benefits. The new law ratified the contracts, with the exception of any provisions relating to same-sex domestic partner benefits.

The new law allows individuals the ability to use sick or bereavement time for the death of a regular member of the employee's immediate household, including same-sex domestic partners.

The collective bargaining agreements of 19 bargaining units were ratified under the new law, including the state's two largest employee unions, the American Federation of State, County, and Municipal Employees and the Minnesota Association of Professional Employees.

Bargaining units agreed to domestic partner benefits in 2001 contracts, but as the Legislature warned in the previous legislative session, the contracts weren't ratified because of the inclusion. State employees then reverted back to prior contracts. Organizations such as the Minnesota Nurses Association have been working without a contract or raises since 2001.

House Speaker Steve Sviggum (R-Kenyon) and Senate Majority Leader John Hottinger (DFL-St. Peter) were the sponsors.

HF330/SF293*/CH11

Reporting medical errors

A new law will create a statewide reporting system for medical errors and other adverse health care events. It was signed May 27 by Gov. Tim Pawlenty.

Rep. Lynda Boudreau (R-Faribault), who sponsored the legislation with Sen. Steve Kelley (DFL-Hopkins), said the law is needed because Minnesota's hospitals are not as safe as they should be.

Rep. Thomas Huntley (DFL-Duluth) said

anywhere from 50,000 to 98,000 Americans die each year because of mistakes made in hospitals, making it a leading cause of death in the nation.

Effective July 1, 2003, the law will give the Minnesota Department of Health authority to collect information and create a database of those events in order to find ways to prevent them in the future.

It identifies six categories of reportable events:

- surgical, including surgery performed on the wrong body part or leaving a foreign object in a patient;
- product, including a malfunctioning device or contaminated medications;
- patient protection, including discharging babies to the wrong person or patients disappearing for more than four hours;
- case management, including administering a wrong blood type or other medical errors;
- environmental, including burns, electric shock, or falls; and
- criminal, including care by someone impersonating a doctor, kidnapping, or sexual assault.

The information will include data about the hospital reporting it, but no personally identifiable information about patients involved. The information will not be admissible in court cases, including malpractice suits or settlements.

During testimony in a House committee, Dr. Gordon Mosser, executive director of the Institute for Clinical Systems Improvement, said the root cause of harm in hospitals is not the errors themselves but the systems that allow those errors to happen. As an example, he told of a pharmacist dispensing the wrong medication to a patient because a clerk transcribed the doctor's written prescription incorrectly. While the clerk caused the error, hospitals and pharmacies would be wise to switch to an electronic prescription system, eliminating at least one point of possible error, he said.

HF1001/SF1019*/CH99

Medical assistance choice

Effective July 1, 2003, a new law will give certain adoptive families a choice between two types of state medical assistance for their adopted children. Gov. Tim Pawlenty signed the law May 25.

The law will affect adopted children eligible for government subsidized health care because of medical or rehabilitative needs by allowing them access to the same doctors or therapists they had prior to adoption. In addition,

existing law already allows for families to receive adoption assistance, regardless of their financial situation, for non-medical costs related to adopting special needs children.

The human services commissioner has the authority to move enrollees from one medical coverage option to the other, sometimes requiring a change in doctors or clinics.

The two types of coverage under the state Medical Assistance program include a fee-for-service system and a prepaid system. Under the fee-for-service system, the Department of Human Services directly reimburses health care providers at rates specified by state law. Under the Prepaid Medical Assistance Program, the state pays outside health plans a flat rate for each enrollee and the plans pay the health care costs based on fees worked out with the providers.

Rep. Marty Seifert (R-Marshall) and Sen. Dennis Frederickson (R-New Ulm) sponsored the law.

HF151*/SF396/CH101

Prescribing medication

Minnesota pharmacists will be allowed to administer two common immunizations, under a new law Gov. Tim Pawlenty signed May 27.

Effective July 1, 2003, pharmacists with proper permission and training will be allowed to give influenza and pneumococcal vaccines to adults. Pharmacists administering the immunizations will have to do so under agreement with a licensed physician.

In a House committee, representatives of the Minnesota Pharmacists Association said pharmacists have long been involved in promoting and educating people about the value of immunizations. They said there have been increases in immunization rates in the 36 other states that currently allow pharmacists to immunize patients.

Additionally, they said new pharmacists are already trained in administering vaccinations as part of graduate school curriculum.

Rep. Jim Abeler (R-Anoka), who sponsored the law with Sen. Linda Higgins (DFL-Mpls), said the goal of the law is to be able to immunize more senior citizens, but it allows pharmacists to vaccinate anyone over age 18. Any vaccinations performed will have to be reported to a patient's primary physician.

The Senate successfully added a pair of other provisions to the law.

Originally part of HF230, a provision of the law establishes a board of licensed professional counselors to implement and oversee a new licensure and oversight procedure for professional counselors. That board will also

regulate marriage and family therapists, and alcohol and drug counselors. A separate provision codifies certain rules and amends certain licensure requirements for alcohol and drug counselors.

Language in the law originally contained in HF1011 allows people renewing an occupational therapy license to avoid a late fee if they have held an equivalent license in another state or jurisdiction. Normally, a \$25 late fee is applied if an occupational therapy license is not renewed within four years after expiration.

Occupational therapists use purposeful activity to maximize the health and independence of people with physical or mental illness or disabilities.

The provision's House sponsor, Rep. Larry Howes (R-Walker), said people who move their practice out of Minnesota should not be penalized for coming back.

HF692*/SF574/CH118

Assuring long-term care coverage

A new law will give state protection to holders of long-term care insurance in the event their insurer goes out of business or becomes bankrupt.

Effective April 24, 2003, the new law puts long-term care insurance in the same category as health and life insurance. Under Minnesota law if a company providing those types of insurance goes bankrupt, the state protects its clients by ensuring up to \$300,000 in claims under the Minnesota Life and Health Insurance Guaranty Association.

The association is funded by money collected from the insurance companies it protects.

Rep. Greg Davids (R-Preston), House sponsor of the law, said he offered it to clear up potential confusion caused because long-term care was not explicitly covered under that protection.

Long-term care insurance mainly covers costs associated with nursing home care. Only a small percentage of Minnesotans currently have the insurance, Davids said. Many legislators have said they want to find ways to increase the use of long-term care insurance to help reduce state health care costs for the elderly.

Sen. Ellen Anderson (DFL-St. Paul) was the Senate sponsor.

HF51*/SF537/CH19

Reducing costs

Hennepin County Medical Center's health management organization stands to save a substantial amount of money, under a law signed May 25 by Gov. Tim Pawlenty.

Effective Aug. 1, 2003, the new law adds the

hospital's health maintenance organization (HMO) to special provisions that previously exempted only the hospital itself from state contracting and purchasing rules on goods, materials, supplies, equipment, and contracted services.

In addition, the new law allows the Hennepin County Board to meet in closed session on behalf of the HMO to discuss and act on specific products or services that are in direct competition with other providers of goods or services in the public or private sector. The closed session could occur only if disclosure of such information would clearly harm the HMO's competitive position.

Exempting the organization from the contracting and purchasing rules will save Hennepin County Medical Center \$8 million a year, said Rep. Ron Abrams (R-Minnetonka), the House sponsor.

Rep. Thomas Huntley (DFL-Duluth) said the law helps a "fine" facility that is currently losing a lot of money every year.

Removed from the original proposal was a provision that would have allowed the hospital to change its governance structure. The measure was protested by some members of the House Local Government and Metropolitan Affairs Committee, Abrams said, and subsequently deleted.

Sen. Ann Rest (DFL-New Hope) was the Senate sponsor.

HF845/SF770*/CH98

Expanded job duties

Gov. Tim Pawlenty signed a new law extending the authority of Minnesota's physician assistants and advanced practice registered nurses May 25.

Effective Aug. 1, 2003, the new law will permit physicians to delegate two new tasks to the two groups of assistants. Physician assistants and advanced practice registered nurses will be allowed to certify a person's physical disability for the purposes of obtaining a disabled parking permit and to admit patients for 72-hour emergency mental health treatment.

Physician assistants are qualified to practice medicine under a practicing physician's supervision. Their scope of practice is determined by an agreement with that physician.

Advanced practice registered nurses are licensed registered nurses who are certified as a clinical nurse specialist, nurse anesthetist, nurse-midwife, or nurse practitioner.

In order to receive a disabled parking permit in Minnesota, a person must get a signed certification that they have a physical disability making such a permit necessary. The person signing the certification must state whether the disability is permanent or

temporary and for how long the permit should be valid if the disability is temporary. Previously, only a physician or chiropractor could sign such a certification.

The 72-hour mental health services normally involve a person brought to a hospital or treatment facility by law enforcement officers. Under the law, physicians, physician assistants, or advanced practice registered nurses trained in diagnosing mental illness may assess a person to determine if they pose a danger to themselves or others requiring emergency treatment.

Rep. Jim Abeler (R-Anoka) and Sen. Michelle Fischbach (R-Paynesville) sponsored the legislation.

HF279*/SF229/CH108

Regulation reviews

The commissioner of health will closely examine laws and regulations governing the fast-growing home healthcare industry, according to a new law Gov. Pawlenty signed May 16.

The law requires the commissioner to set up a working group to summarize federal regulations that burden the state and its home care providers. The group, to be comprised of home care providers and other interested parties, will share its findings with the Legislature, other states, and organizations that advocate for states.

House sponsor Rep. Char Samuelson (R-New Brighton) said federal requirements putting rigid timeframes on submitting client information and governing when supervisory visits can take place hamper providers' ability to do high quality work.

Once the findings are made, the law directs the commissioner to work with federal regulators and Minnesota's congressional delegation to make changes in federal law giving more flexibility to states.

The working group is also charged with studying if home care licensing procedures are appropriate and whether separate federal licenses are necessary. A report on the issue is due to the Legislature by January 2005.

The working group provisions are effective May 17, 2003.

The Senate amended sections of a separate bill (originally HF491) into the legislation. Those sections, which are effective July 1, 2003, ease some nursing home regulatory standards, including:

- exempting nursing homes from checking on incontinent residents at least every two hours if a different interval is specified in a physician's plan of care,
- allowing nursing homes formerly required to participate in state-mandated quality improvement programs to develop their

own improvement plan instead, and

- requiring the human services commissioner to share information about exceptions made for one nursing home with other nursing homes.

Sen. Sheila Kiscaden (IP-Rochester) sponsored the legislation in the Senate.

HF1251*/SF1266/CH55

Allowing prescriptions

Gov. Tim Pawlenty signed a new law May 19 increasing the types of medications Minnesota's optometrists may prescribe to their patients.

The law extends to optometrists some of the prescribing authority currently reserved for ophthalmologists, who hold medical degrees. Optometrists, who are not medical doctors but hold degrees in optometry, traditionally specialize in prescribing glasses and contacts. In 1993, legislators gave them authority to prescribe topical medications such as eye drops to patients. Effective Aug. 1, 2003, the new law allows them to prescribe certain oral medications, as well.

House sponsor, Rep. Bud Nornes (R-Fergus Falls) framed the legislation as a way to reduce medical costs and allow greater access to care by providing more places for patients to receive their necessary prescriptions.

In his view, too many patients are sent to expensive medical doctors for prescriptions optometrists could easily write themselves, he said. In a House committee, representatives of the Minnesota Optometric Association said oral medications to deal with eye conditions fall within optometrists' realm of expertise and most states already grant such authority.

A compromise contained in the law limits the scope of the new authority to less powerful oral medications. Optometrists still cannot prescribe medications containing strong narcotics, like Tylenol III, according to the law.

The compromise came about because opponents said the legislation further blurs the line between optometrists and ophthalmologists and could result in prescription of drugs that help eye conditions but also have harmful effects on other parts of the body. Some suggested optometrists ultimately want to enter the lucrative laser eye surgery market.

Sen. D. Scott Dibble (DFL-Mpls) sponsored the legislation in the Senate.

HF373/SF418*/CH62

Title protection

The title of "nurse" will receive official protection under Minnesota law due to legislation signed May 23 by Gov. Tim Pawlenty.

Even though "licensed practicing nurse" and "registered nurse" are already protected titles under state law, supporters of the legislation said most people associate the generic term nurse with a certain level of training and expertise and should be protected from people who claim to be nurses without that training.

Rep. Fran Bradley (R-Rochester) said that under current law some organizations providing health-related services have been able to advertise they have nurses on their staff to gain an image of credibility when those individuals are not actually trained nurses.

Thirty-seven states currently protect the title.

Rep. Tim Wilkin (R-Eagan) called the law unnecessary because the state already protects official nursing titles. He worried aloud during House debate that hospital staff providing care to patients who are perceived to be nurses would be subject to discipline under the law.

People or organizations violating the law by claiming to be nurses will be informed of the law and told to desist before any formal action will be taken.

A separate provision of the law will allow graduates of foreign nursing schools to work in nursing facilities if they have completed a competency evaluation and a medication training program.

It also extends the existence of some groups that advise the state Board of Medical Practices on certain issues. Those councils include the Acupuncture Advisory Council, the Respiratory Care Practitioner Advisory Council, and the Advisory Council on Licensed Traditional Midwifery.

The law also allows for speech-language pathologists and audiologists to be licensed under law rather than just registered, as is current practice.

Most provisions take effect Aug. 1, 2003.

Rep. Jim Abeler (R-Anoka) and Sen. Linda Higgins (DFL-Mpls) were the sponsors.

HF346/SF333*/CH87

★ HOUSING

Security deposits

Landlords will not have to pay as much interest to tenants when returning their security deposits, under a new law signed by Gov. Tim Pawlenty May 16.

According to long standing law, landlords must accumulate interest on the rental deposits and give that interest to the tenant, along with whatever portion of the deposit is returnable, when the tenant moves.

The interest rate was to be 3 percent until May 1, 2004, and at 4 percent thereafter. The

new law, however, reduces the interest rate to 1 percent effective Aug. 1, 2003. The change reflects the market in which interest earnings are on average between zero and 1 percent.

The payable interest amount has been altered numerous times to reflect market changes since the law was enacted in 1973. The current rate of 3 percent was set in 1996, and has remained at 3 percent during three subsequent reviews.

The sponsors were Rep. Arlon Lindner (R-Corcoran) and Sen. James Metzen (DFL-South St. Paul).

HF438/SF645*/CH52

Condemnation hearings

Timelines regulating hearings for landlords whose rental property face condemnation will be relaxed slightly under a new law signed May 25 by Gov. Tim Pawlenty.

The law came at the behest of the city of Minneapolis, which recently finished a pilot project. The project aimed to improve compliance with the tenant remedy act by utilizing civil action prior to criminal procedures against a landlord.

Only six properties were condemned due to lack of maintenance during the one-year project, down from 144 properties the year prior, according to city attorney Erik Nilsson, testifying at a February House committee meeting. The city strives to rectify potential condemnation situations because tenants are forced to move from condemned rental units.

Prior law requires that a hearing for the landlord be scheduled within five to 10 days of a housing violation notice. Effective Aug. 1, 2003, the new law will allow between seven and 14 days. The additional timeline will allow the city flexibility to better accommodate the procedures.

The extended hearing timeline will apply to all relevant situations throughout the state.

The sponsors are Rep. Len Biernat (DFL-Mpls) and Sen. Wes Skoglund (DFL-Mpls).

HF264/SF230*/CH114

Housing corporations created

Affordable housing efforts in St. Cloud and other Minnesota cities will be enhanced, under a new law signed by Gov. Tim Pawlenty May 16.

Effective May 17, 2003, the new law will allow housing and redevelopment authorities to form corporations for developing, preserving, and rehabilitating housing projects. Such entities could also become members of existing corporations.

Previously, housing and redevelopment

authorities were prohibited by law from forming corporations or limited liability partnerships. Without being a member of a corporation, housing authorities found it difficult to gain federal assistance and sell low-income housing tax credits to raise funds for low-income housing projects.

Proponents of the new law said the sale of low-income housing tax credits will promote private sector investment and therefore reduce the need of affordable housing initiatives on state taxpayer dollars. The new law will also help housing authorities gain acceptance in the financial community, supporters said.

The sponsors of the new law were Rep. Dan Severson (R-Sauk Rapids) and Sen. Ann Rest (DFL-New Hope).

HF1143/SF891*/CH50

INDUSTRY

Maintaining closed mines

Mining plants closing due to bankruptcy and other factors will be required to complete specific maintenance duties to keep the plant salable, under a new law signed by Gov. Tim Pawlenty May 25.

Effective May 26, 2003, the law was amended on the House floor to remove a clause protested by the mining industry that would have required state approval of any mine's plan to liquidate assets that would have diminished the ability to effectively operate the mine and its facilities at a later date.

Rep. Tom Rukavina (DFL-Virginia), who sponsored the law with Sen. David Tomassoni (DFL-Chisholm), offered the amendment to eliminate opposition to the legislation.

The new law is designed to strengthen legislation passed in 1993 specifying that plant owners must perform maintenance for two years following plant closure in order to keep the plant salable while the state and economic development groups seek a new owner.

Under the law, plant owners will be required to rotate major equipment, keep the facility heated to enhance machinery lubrication, and maintain fire prevention systems, security, and utilities.

Industry representatives testifying at the committee level noted that many maintenance chores were left undone at the 2001 closure of the LTV Steel Mining Company plant in Hoyt Lakes. Those opposed to the bill said it micromanages plant operations and doesn't allow the state to negotiate plant closure duties on a case-by-case basis.

HF359/SF308*/CH113

INSURANCE

Insurance guaranty changes

Individuals with pending insurance claims who find that their insurance company has gone bankrupt could collect no more than \$10 million from the state's insurance guaranty program, under a new law effective May 23, 2003.

The new law encompasses many technical changes — save for the bankruptcy amount limitation — to current laws governing the Minnesota Insurance Guaranty Association.

Specifically, it will add to the list of insurance types that are excluded from the guaranty program. Exempt are fidelity and surety bonds, and insurance of warranties and service contracts. The new law also broadens the definition of those who can file claims with the guaranty to include government entities.

The nonprofit guaranty group, controlled by a board of directors, was created by state statute in 1971. Every insurer selling property and casualty insurance must belong to the association. Members are assessed a certain percentage of their premiums to pay for the claims of the insured in the event an insurance company becomes insolvent.

Every state has an insurance guaranty program, according to law sponsors Rep. Jeff Johnson (R-Plymouth) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF946*/SF776/CH74

Notifying homeowners of cancellation

Homeowners must be informed of a Minnesota state insurance plan when their homeowner's insurance policies are canceled, under a new law effective Aug. 1, 2003.

The new law largely clarifies other statutes regarding the Minnesota property insurance placement facility, or the Minnesota FAIR Plan. FAIR stands for fair access to insurance requirements. It is overseen by the Department of Commerce.

Established by the Legislature, the plan provides limited property insurance when individuals are unable to get insurance from the private market. However, policies are not as desirable or as affordable as private insurance company plans. Minnesota residential and commercial property owners who have been unable to obtain property insurance are eligible for coverage, provided the property meets minimum requirements.

The plan is financed through premiums paid by customers. When shortfalls arise, the plan's member insurance companies are assessed a fee according to their share of the market.

The new law will also change the requirements for and terms of FAIR board members, as well as clarify how rates are set by the Department of Commerce, how commissions are paid to agents, and how written premiums are used to determine the plan's assessments base. Finally, the law will allow rejection of coverage without property inspection if the rejection is not related to the property's condition.

It will also require health insurance providers to notify clients that the insured's children who are full-time students are covered, as are disabled adult children.

Rep. Tony Sertich (DFL-Chisholm) and Sen. Linda Scheid (DFL-Brooklyn Park) were the sponsors.

HF203/SF350*/CH40

Terrorism coverage

A new law removes a prior legal requirement that Minnesota insurance companies automatically provide terrorism coverage. Instead, those companies may now offer it to customers for an additional fee.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Linda Scheid (DFL-Brooklyn Park), the law took effect April 8.

Prior to the new law, federal law required commercial property fire insurance policies to include acts of foreign terrorism, even if the policy expressly stated that terrorism was not covered. That special terrorism measure, which was temporary, was invoked through the federal Terrorism Risk Insurance Act following the Sept. 11 terrorist attacks in 2001.

The law applies only to commercial property; residential insurance is excluded.

HF267*/SF176/CH10

LAW

Joint and several liability

A significant piece of tort reform legislation became law May 19 when Gov. Tim Pawlenty signed a bill modifying Minnesota's joint and several liability statutes.

Joint and several liability provides a way for an injured person or organization to collect damages even if a liable party is unable to pay its portion. Previous law stated that courts could force a defendant assigned at least 15 percent of the liability in a civil case to pay any costs other defendants are unable to pay themselves.

Effective Aug. 1, 2003, the new law moves the 15 percent threshold to 50 percent and eliminates a provision that can force defendants found less than 15 percent liable to pay

up to four times that percentage under the same circumstances.

Supporters of the change said it isn't fair to make someone who is less than one-fifth liable pay all of someone's damages.

Opponents said the current practice prevents victims from being uncompensated when the person mostly responsible for damages is uninsured or bankrupt.

Rep. Paul Kohls (R-Victoria) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law. The provisions were initially contained in HF75, sponsored by Rep. Jeff Johnson (R-Plymouth).

HF1114/SF872*/CH71

Guardians for vulnerable Minnesotans

A new law will make changes to state statutes governing guardianship of children and incapacitated adults.

Effective Aug. 1, 2003, the law repeals and replaces dozens of sections of current state law, closely following the recommendation of a Minnesota State Bar Association committee appointed to review the laws.

The new law will close loopholes and clarify some legal processes, according to its House sponsor, Rep. Paul Thissen (DFL-Mpls).

Among other things, the legislation more clearly defines the roles of a "guardian" and a "conservator" as someone who acts on a person's behalf and someone who manages a person's estate, respectively.

In the area of guardianship for minors, a

court will be allowed to appoint a guardian for a child with the parents' consent or if the parents' rights have been terminated, or they are unable or unwilling to exercise their rights. It specifies who may apply to be a child's guardian and how that application should be made. Guardians are specifically allowed to apply for state benefits and services, entitled to "reasonable compensation," and liable for injury to the child caused by a third party to the same extent a parent would be.

For incapacitated individuals, the law will allow parents or spouses to appoint a guardian for someone they believe to be incapacitated in the event the parent or spouse is unable to care for the person. They will be given the ability to limit the powers of the guardians they appoint.

Another provision of the law creates a list of priorities for judges to use when appointing a guardian for an incapacitated person. In order, those priorities will be:

- the current active guardian;
- someone appointed under a health care directive;
- a spouse or someone identified by the spouse in a will;
- an adult child;
- a parent or someone identified by a parent in a will; or
- an adult with whom the person resided for six months.

The law specifies that incapacitated people will not lose their right to vote unless the court expressly takes it away.

THE EYES HAVE IT



PHOTO BY ANDREW VON BANK

House Index Office Supervisor David Surdez, left, and First Assistant Chief Clerk Al Mathiowetz, right, confer in the House Chamber during the busy last day of regular session May 19.

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

HF166/SF112*/CH12

Reporting crimes

People who honestly try to report crimes to law enforcement officials could not be held accountable for damages arising from their actions, under a new law.

Effective Aug. 1, 2003, people who seek assistance from law enforcement or who report illegal activities they witness will be immune from lawsuits arising from any damages their actions may cause, as long as they act with good intentions. People who deliberately mislead police or misreport a crime will still be liable for the results of their action, under the new law.

According to Rep. Rob Eastlund (R-Isanti), House sponsor, the issue arose when an off-duty 911 operator in his district reported an erratic driver he believed might be drunk. "The result of that was (the operator) got sued and ended up having to defend himself in civil court," Eastlund said. "He was exonerated but he had a bill to pay for his legal defense."

The law permits the awarding of reasonable attorney's fees to people who are sued but found not liable, under the law.

Sen. Leo Foley (DFL-Coon Rapids) was the Senate sponsor.

HF700*/SF722/CH35

Broadcast immunity

Broadcasters who unknowingly pass along incorrect information as part of an emergency broadcast will be immune from liability for damages that occur as a result of those broadcasts under a new law Gov. Tim Pawlenty signed May 20.

Effective Aug. 1, 2003, the new law protects Web sites, television stations, and radio stations from lawsuits resulting from information relayed through the Emergency Alert System, Amber Alert System, or other emergency notifications. Those systems are designed to quickly spread word of emergency information in the event of severe weather, war, or child abduction.

Under the law, broadcasters cannot be held liable for damages if the broadcasts are unintentionally inaccurate and cause damage as a result.

Current law requires television and radio stations to only broadcast messages from the president and allows them to choose which other emergency alerts to air. House sponsor Rep. Paul Kohls (R-Victoria) said the bill protects stations that might otherwise choose not

to air important information for fear of being sued.

Sen. Julianne Ortman (R-Chanhassen) sponsored the legislation in the Senate.

HF628*/SF673/CH65

★ LOCAL GOVERNMENT

Recuperating emergency costs

A new law clarifying that cities can legally place liens on personal property if the expense of an emergency service, such as a fire, is not paid by the recipient was signed by Gov. Tim Pawlenty May 20.

Cities have had this right since 1997, but clarification was needed, according to law sponsors Rep. Greg Blaine (R-Little Falls) and Sen. Don Betzold (DFL-Fridley).

The law takes effect Aug. 1, 2003.

The legislation arose from a May 2000 fire at Larson Auto Salvage in Blaine that cost \$107,000 to extinguish.

Involved in the 24-hour fire fight were 12 firefighting agencies and nine other entities and contractors, including the Department of Natural Resources, which dropped water on the blaze from special airplanes and helicopters. The fire was difficult to fight because each of the initial 100 cars reported to be on fire had to be picked off the ground with a special metal clamp vehicle and sprayed with water.

The agencies involved wanted to place a lien against the property so that expenses could be recovered should the property ever be sold. But both the fire department's legal counsel and the city attorney felt the current state statute was not clear enough regarding liens for emergency service.

HF428*/SF354/CH64

Official newspaper designation

A new law allowing local governmental units to choose out-of-jurisdiction newspapers for official public notices was signed by Gov. Tim Pawlenty May 19.

Under longstanding law, each township, city, county, school district, or other local government unit must designate annually one official newspaper of record for all legal and public notices, including meeting minutes.

Only newspapers maintaining offices within the territory of the local government unit could previously be chosen. If no main office for a qualified newspaper existed in the jurisdiction, but one or more qualified newspaper maintained a secondary office there, one of them had to be designated.

Effective Aug. 1, 2003, the new law will allow the legal notices to be published in any

qualified newspaper — even if it doesn't have an office in the jurisdiction — provided certain criteria are met.

Supporters said the law is good for competition because it doesn't bind local governments to designating, regardless of price, what may be the only newspaper with an office in the jurisdiction.

The new law lays out a high threshold to be met before local government units can choose an out-of-jurisdiction newspaper. The newspaper must be a qualified medium of official and legal publication, the publisher must swear that circulation reaches 75 percent or more of the households in the jurisdiction, and the governing body must vote unanimously to designate the newspaper.

The law received support from the Minnesota Newspaper Association.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Claire Robling (R-Jordan) sponsored the law.

HF944*/SF1062/CH59

Title examiner employment

Scott and Wright counties will have more flexibility in hiring examiners of title, under a new law signed by Gov. Tim Pawlenty May 16.

Examiners of title are appointed in each county by district court judges. They serve as legal advisors to county registrars in examining applicable titles to real property that must be recorded and registered.

Under long standing law, counties with populations of less than 75,000 may hire examiners of title on a fee-for-service basis. Counties beyond the population threshold — save for Stearns, Dakota, and Olmsted counties — have to employ examiners of titles as employees.

Effective Aug. 1, 2003, the new law adds Scott and Wright counties to the list of counties with populations larger than 75,000 exempt from the mandatory employee requirement.

The sponsors were Rep. Mark Buesgens (R-Jordan) and Sen. Claire Robling (R-Jordan).

HF554/SF422*/CH54

Met Council governance of Rockford

Effective Aug. 1, 2003, a new law will allow the city of Rockford to withdraw from the purview of the Metropolitan Council regional planning agency.

The council serves the seven-county metropolitan area, save for three cities. Removed in 1978 was New Prague; 1980, Northfield; and 1983, Hanover.

Rep. Dick Borrell (R-Waverly), House

sponsor, said Rockford has 1,100 homes in Wright County, which does not fall under the Metropolitan Council purview, and 84 homes in Hennepin County, which is in the council's jurisdiction. It's unnecessary, said Borrell, for the city to follow Metropolitan Council policies requiring submittal of long-range plans, low-income housing reports, and other paperwork for a small portion of the city.

Rockford supported the legislation. Sen. Mark Ourada (R-Buffalo) was the Senate sponsor.

HF415/SF512*/CH8

Seeking office as employees

St. Louis County sheriff deputies and classified employees will no longer have to resign from their jobs when seeking election to the county office employing them, under a new law signed by Gov. Tim Pawlenty May 20.

Prior to the new law, only St. Louis County could require officers and classified employees to be removed from their jobs in the event they file for election to the county office by which they are employed. The new law repeals this section of law.

Rep. Mary Murphy (DFL-Hermantown), who sponsored the law with Sen. Tom Bakk (DFL-Cook), said she did not know the origins of the current statute. But, she said, "strong" sheriffs have used it to limit opposition.

Testifying for the legislation before a House committee were the St. Louis County Deputy Sheriff Association and the Minnesota Police and Peace Officers Association.

The new law is effective Aug. 1, 2003.

HF204/SF174*/CH70

Job descriptions

The Minneapolis mayor will have the authority to define the jobs, duties, and titles of top-level executive and management staff working for the city, under a new law signed May 25 by Gov. Tim Pawlenty.

The law will change special laws enacted during the 1980s that defined precisely the job titles and duties of appointed senior executive-level positions for the City of Minneapolis. Over time, however, organizational goals and policy issues have changed. Seeking legislative approval every time an employee description changes has become cumbersome, according to the city.

Under the law, the Minneapolis City Council will, by ordinance, be able to establish positions in the unclassified service and to provide for terms and conditions of employment. This change will apply largely to senior executive-level staff that work directly with

department heads, the mayor, or the city council, and serve at the pleasure of the mayor or the council.

According to information from the city, the city has 95 employees either serving as key political staff, controlling large or sensitive operations that are accountable to policymakers, or working as public policy leaders who have broad citywide influence. These include the city coordinator, director of public works, and the police chief. They are not protected by civil service commissioner rules.

Effective 90 days after the Minneapolis City Council and its chief clerical officer timely complete their compliance in accordance with state statute, the law was sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls).

HF389/SF421*/CH115

Conflict of interest change

A new law that will address conflicts arising for elected township supervisors whose private employers gain contracts for township services was signed by Gov. Tim Pawlenty May 25.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Dallas Sams (DFL-Staples), the new law states that a township may enter into a contract even if a township supervisor is an employee of the contractor, provided the supervisor has no role in preparing the contractor's bid or negotiating the contract.

In addition, it states that the supervisor is not precluded from serving as a township official during the contract term provided that the township supervisor abstains from voting on any official action relating to the contract.

Under prior law, a township supervisor in such a situation must choose between remaining an elected official and employment. This exacerbates the problem of finding people interested in serving on township boards, Westrom said.

The problem came to the legislator's attention last fall following a situation in Carlos Township. Strom Construction discovered it couldn't place a bid because one of its employees was on the township board, said owner Paul Strom.

That employee, Dwayne Waldorf, said the township board and its engineer were unaware of the conflict-of-interest law until informed by the board's attorney.

The exception that the new law will provide is similar to the exception for city council members who are employees of a utility that has a franchise with the city. Another similar provision passed into law in 2001 provided that city officials, in cities with a population

less than 5,000 could participate in federal grant programs even if their businesses were affected.

The new law is effective Aug. 1, 2003.

HF923*/SF911/CH119

MILITARY



Earning full pay

State and local government employees in the military reserves will receive a salary differential payment when called to active duty under a new law signed by Gov. Tim Pawlenty May 28.

The provision, sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Don Betzold (DFL-Fridley), will require a state employer to pay any net amount of salary lost to an employee called to service. The salary differential will apply for active service on or after the law's effective date, May 29, 2003.

Col. Dennis Lord, executive director of the Minnesota National Guard, said that lower ranking soldiers are paid less by the military than most civilian jobs. Because of the salary difference, some soldiers are suffering great financial hardships in serving the country for periods of time ranging 12 months to 24 months.

Minnesota has about 18,000 reservists, 500 of whom are state employees. Of those employees many are of higher rank in the military so the salary differential wouldn't apply to them, Lord said. But for the lower ranking soldiers paid less, the bill would help them significantly, he said.

HF294*/SF117/CH123

Tuition reimbursement extended

Minnesota National Guard soldiers and airmen will indefinitely receive reimbursement of their college tuition and the cost of books at current rates, under a new law.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. James Metzen (DFL-South St. Paul), the law will keep the reimbursement at 80 percent. As part of the 2001 state government finance law, the rate was increased from 75 percent to 80 percent. That provision was previously scheduled to expire June 30, 2003.

The new law takes effect Aug. 1, 2003.

Under the program, which began in 1989, the state pays for up to 80 percent tuition reimbursement for lower division programs in the College of Liberal Arts at the Twin Cities

campus of the University of Minnesota. Tuition will also be covered upon participation in a comparable program at a Minnesota public institution or outside the state. The level of coverage is up to the cost of a comparable program at the university.

Approximately 2,600 guard members now take advantage of the benefit, said Col. Dennis Lord, executive director of the Minnesota National Guard. An additional 320 soldiers now active in the war in Iraq are expected to participate in the program upon their return.

HF1080*/SF971/CH34

★ RECREATION

Youth officials

The second new law of 2003 dealing with employment of youth sports officials took effect May 9, 2003.

The new law allows youths between 11 and 14 years old to work as sports officials without filing for a child labor law exemption. However, it restricts youth sports officials to supervising players younger than age 14. Required are adult supervision and a parent's written permission.

Under current law, no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials. About 2,000 such exemptions are processed by the state each year.

The department and numerous Minnesota youth soccer and hockey organizations supported the bill.

Rep. Lynn Wardlow (R-Eagan) and Sen. Linda Higgins (DFL-Mpls) were the sponsors. HF446*/SF745/CH31

Younger referees

Youth between ages 11 and 14 will be allowed to work as assistant soccer referees, even if the players they officiate are in an older age bracket, under a new law effective May 3, 2003.

Under current law, no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events. Such exemptions will no longer be necessary.

The new law stipulates that assistant youth

SPECIAL SESSION AGENDA



PHOTO BY TOM OLMSCHIED

After leadership from the House and Senate met with Gov. Tim Pawlenty May 20, Speaker of the House Steve Sviggum told the Capitol press corps that the special session would be restricted to certain items. Joining Sviggum are, from left, Charlie Weaver, the governor's chief of staff, House Minority Leader Matt Entenza, House Majority Leader Erik Paulsen, Senate Majority Leader John Hottinger, and Assistant Senate Majority Leader Ann Rest.

soccer referees must have adequate supervision and a parent's written permission. It differs from a second law that provides a similar allowance, in that it allows children to officiate players who are older than they.

Rep. Ron Erhardt (R-Edina) and Sen. Michele Bachmann (R-Stillwater) were the sponsors.

HF1189/SF1064*/CH26

★ SAFETY

Handgun permit law

Effective May 28, 2003, a new law will govern the granting of handgun permits in the state of Minnesota.

The new law will require county sheriffs to grant handgun permits to anyone who meets specified criteria.

Applicants must be at least age 21, be trained in the proper use of a handgun, and be a U.S. citizen or permanent resident. Anyone listed in a state gang database or who has previously been convicted of a violent crime will be ineligible.

Previous law gave sheriffs and police chiefs wide discretion in granting permits to carry handguns, requiring that applicants demonstrate a personal or professional need to carry. The law was interpreted differently in different parts of the state, leading to calls for a more uniform permitting system.

The new law shifts the burden of proof to county sheriffs, who must prove that someone is legally disqualified or otherwise poses a risk to themselves or others before denying an application.

Under the law, someone under the influence of drugs or possessing a blood alcohol content of .04 will be prohibited from carrying guns even if that person possesses a permit to carry a firearm.

Businesses wishing to ban guns on their premises will have to post a sign near the entrance before they can personally request that a gun carrier leave their business.

Guns will be banned on the property of schools and daycare centers, unless safely locked in the trunk of a car.

Businesses, colleges, and universities can set their own rules governing where employees and students can carry guns on their property.

Though often called "concealed-carry legislation," there is no specific provision in the law requiring guns be either hidden or visible when carried in public.

In addition, the new law will impose a lifetime ban on possessing a firearm on individuals convicted of a felony-level violent crime. Prior law banned possession for the 10 years following the offense. In addition, the new law provides a process for an individual to petition to have his or her possession rights reinstated.

The new law appropriates about \$1.2 million in 2004-05 to the Department of Public

Safety to implement this portion of the law.

The new law also contains several technical provisions relating to the Department of Natural Resources.

The law will remove a requirement that the commissioner employ three assistant commissioners; provide snowmobile, gun, boat, and ATV safety training reciprocity with other states; and address litter prevention in state parks, recreation areas, and highways. The law specifically cites that cigarette filters and debris from fireworks are offensive matter that destroys the cleanliness of the land under the state's litter laws. Those provisions are effective Aug. 1, 2003.

Rep. Tony Cornish (R-Good Thunder) and Sen. Pat Pariseau (R-Farmington) sponsored the new law. Rep. Lynda Boudreau (R-Faribault) and Pariseau sponsored the original handgun legislation in HF261 and SF222.

HF823/SF842*/CH28

Hazardous duty expansion

Effective Aug. 1, 2003, a new law will expand the authority of hazardous materials teams in Minnesota.

Chemical assessment teams will be authorized to deal directly with the hazardous materials they encounter. Under current law, those teams are limited to only assessing the situation and performing certain defensive duties related to protecting the surrounding area while they call in emergency hazardous materials response teams to deal directly with the chemical threat.

By allowing the assessment teams to take simple mitigation actions on the materials themselves, the law alleviates potential problems caused by long response times from the emergency response teams.

The two types of teams specialize in different aspects of hazardous material situations, but officials said they have essentially the same training.

The state's Hazardous Materials Regional Response Team Program, directed by the Division of Emergency Management in the Department of Public Safety, consists of 10 chemical assessment teams and four emergency response teams. The teams are strategically located throughout the state to provide an immediate response to hazardous materials emergencies threatening public safety.

The new law also expands the definition of a hazardous material to substances intentionally released in connection with a criminal or terrorist act. Current statutes limit the definition only to accidentally released materials. The types of substances included in the definition will expand to include chemical and

biological substances and toxic gases, in addition to the explosive, corrosive, radioactive, and combustible substances already included.

Rep. Kurt Zellers (R-Maple Grove) and Sen. Dan Sparks (DFL-Austin) sponsored the legislation.

HF1066/SF941*/CH39

Tougher penalties for OSHA violations

A new law will increase penalties on employers who violate state occupational safety standards.

Effective Aug. 1, 2003, employers can be fined up to \$25,000 if a violation of state standards, rules, or orders results in the death of an employee.

In other circumstances, the new law may help protect small companies from bankruptcy by allowing the \$25,000 fine to be broken up into five annual \$5,000 installments as long as the violation is not deemed to be willful or repeated. The state labor and industry commissioner can elect to waive the fine each year after the first if the employer is not cited for any more violations.

Businesses will be exempt from such fines if the owner or an employee with a controlling interest in the company is the one who dies.

Separate provisions of the law lengthen employee notice requirements by requiring employers to post notices of a citation at or near the place where a violation occurred for 20 days. Previous law required 15 days.

The law also removes the state health commissioner from a 12-member occupational safety and health advisory board. Rep. Tim Mahoney (DFL-St. Paul), House sponsor of the new law, said all health and safety inspectors have been transferred to the Department of Labor and Industry, so the health commissioner is no longer needed on the board.

Sen. Michele Bachmann (R-Stillwater) was the Senate sponsor.

HF817/SF1098*/CH38

Redefining lighted vehicle lamps

Minnesota has required automobiles to display headlights when conditions create reduced visibility since the 1930s. Since 1990, vehicles have been required to display headlights during periods of rain, snow, sleet, or hail.

However, new automobile technologies, which provide for certain vehicles to operate all the time with lit headlights created an unintended safety concern. Running headlights do not activate taillights.

A new law will require that vehicle lamps

be lighted during times when visibility is reduced. It will amend state law to say that vehicle lights include both headlights and taillights.

Law enforcement officials testified that during periods of reduced visibility it's important for drivers to see that they are following vehicles as well and that is difficult if the taillights aren't running.

Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle Fischbach (R-Paynesville) were the sponsors. The law is effective May 15, 2003.

HF1268*/SF791/CH45

Emergency vehicle blue lights

Effective Aug. 1, 2003, a new law will allow emergency vehicles to display blue lights.

Specifically, it will allow all emergency vehicles to place flashing blue lights to the front of the vehicle on the passenger side only. Prior law only allowed blue lights on snowplows and transportation maintenance equipment.

Rep. Dale Walz (R-Brainerd), House sponsor of the law, said that blue lights are more visible, particularly in inclement weather.

Sen. Carrie Ruud (R-Breezy Point) was the Senate sponsor.

HF314*/SF210/CH49

Exemptions to seatbelt law

A new law that will expand exemptions from the state's mandatory seatbelt law for occupants of certain commercial vehicles that make frequent stops was signed by Gov. Tim Pawlenty May 23.

The law, sponsored by Rep. Ron Erhardt (R-Edina) and Sen. Chuck Wiger (DFL-North St. Paul), will include any motor vehicle that makes frequent stops and does not travel faster than 25 miles per hour.

During committee testimony, Erhardt said that the bill is intended to aid residential garbage and recycling collectors, which tend to stop at several houses in a block. The requirement to buckle up and unbuckle for each stop was a great inconvenience, Erhardt said.

Effective Aug. 1, 2003, the new law will not be limited to garbage collectors, however. Any motor vehicle meeting the 25 mile-per-hour and frequent-stop standards will be exempted.

HF723*/SF456/CH92

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★ TAXES

Common provisions

A new law initially part of the House omnibus tax bill but later removed to go forward on its own was signed May 25 by Gov. Tim Pawlenty.

The law was not void of controversy itself, however. Language that will allow counties to sell bonds to help construct the statewide public radio system was protested by Rep. Eric Lipman (R-Lake Elmo) and Rep. Phil Krinkie (R-Shoreview).

Already in place in the Twin Cities metropolitan area, the system allows law enforcement and public safety agencies to communicate via radio without going through a dispatcher. Varying radio frequencies and differing equipment limit such capabilities currently. Installation of the system backbone throughout the state is estimated at \$201 million.

"That means \$200 million of state money from somebody somewhere that your local county is going to come back to you ... sometime in the future and ask you to reimburse," Krinkie said.

The law includes separate provisions that will align the state estate tax law with its federal companion, provide relief to those subject to the so-called "death tax" (HF461); offer discounts to select taxpayers to encourage payment of past-due taxes (HF540); and align state sales taxes to allow taxes on Internet and catalog sales (HF1570).

Other provisions include:

- HF1587, extending a job credit on Northwest Airline's Minnesota corporate franchise tax, and exempting from Minnesota sales taxes all airline meals and beverages initially purchased in or brought into Minnesota and served outside of Minnesota airspace.
- HF1573, requiring the state to develop a handbook detailing the procedures, responsibilities, and requirements for local boards of appeal and equalization. Under current law, each city and township is required to convene such boards to hear complaints and appeals on property tax appraisals and property taxes.
- HF1199, charging cigarette distributors 35 cents per

pack if those cigarettes were manufactured by any company other than one of the four that have a settlement agreement with the state. Under the State v. Philip Morris Inc., those companies are Philip Morris, R.J. Reynolds, Lorillard, and Brown & Williamson.

- HF929, expanding the Metropolitan Mosquito Control District to include western Carver County and allowing private property entry, despite owner objection, to determine the need for control and actual action against disease-carrying mosquitoes, ticks, and black gnats. A conference committee compromise calls for giving objecting property owners 24-hour spraying notice.
- HF597, allowing the city of Duluth's economic development authority to create a 25-year tax increment financing district for an aircraft maintenance facility. The city hopes to woo Bombardier Aerospace, the world's third largest civil airframe manufacturer.

In addition, most measures in the House public finance bill, which was originally approved May 14, were included in the law.

Rep. Ron Abrams (R-Minnetonka) and Sen. Larry Pogemiller (DFL-Mpls) were the sponsors. It is generally effective May 26, 2003, but individual provisions may take effect at other specified times.

HF1565/SF1505*/CH127

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

TAX CONFEREES



Sen. Larry Pogemiller, *left*, the Senate Taxes Committee chair, responds to a question during a May 17 meeting of the tax conference committee.



House Taxes Committee Chair Rep. Ron Abrams, *right*, asks a question during a May 17 meeting of the House-Senate tax conference committee.

★ TRANSPORTATION

Replacing displaced railroad land

Occasionally, a state road construction project will require the state Department of Transportation to acquire land and relocate railroad tracks. When that happens, typically the department will acquire the land and pay the costs associated, which may be time consuming and expensive for the department, officials say.

A new law, signed by Gov. Tim Pawlenty May 25, is intended to streamline that process, according to its House sponsor, Rep. Doug Magnus (R-Slayton).

During committee testimony, Transportation Department officials said that the law won't substantially change current practice, except that the department will not be required to acquire the replacement land. Under the law, the railroad and the transportation commissioner will establish an agreement to replace the land.

The new law takes effect Aug. 1, 2003. It was sponsored in the Senate by Sen. Mike McGinn (R-Eagan).

HF988*/SF1038/CH102

★ VETERANS

Hmong memorial

A place will be reserved for a memorial to honor Hmong veterans who fought for the United States in the Vietnam War in the Capitol Complex, under a new law signed by Gov. Tim Pawlenty May 20.

The new law will specifically permit the location of the memorial on the Capitol mall. The Capitol Area Architectural and Planning Board will oversee the project, and costs associated with the memorial will come from the Hmong community.

Michael Yang, director of immigrant and refugee policy with the Urban Coalition, told a House committee how thousands of Hmong were trained by the Central Intelligence Agency to fight in association with the U.S. against the expansion of communism in Laos.

Hmong soldiers risked everything, including their lives, to gather intelligence, rescue American downed

PHOTOS BY TOM OLMSCHIED

pilots behind enemy lines, cutting off communist supply lines to fight U.S. troops in South Vietnam, and confronting communist elements in Laos to maintain neutrality, said Yang.

The bill takes effect Aug. 1, 2003. Rep. Cy Thao (DFL-St. Paul) and Sen. Steve Murphy (DFL-Red Wing) were the sponsors.

HF1335/SF1282*/CH69

Limiting records

Gov. Tim Pawlenty signed a new law May 28 that will restrict who can have access to the discharge records of Minnesota veterans.

Effective Jan 1, 2004, the law will classify certificates of discharge as private information and require the Department of Veterans Affairs to give out the information only if the person requesting the information proves their identity, has a tangible interest in the information, and fills out a release form.

The law limits the people who have a tangible interest as the following:

- the veteran themselves,
- a surviving spouse,
- a surviving child,
- a surviving parent, or
- a guardian of the veteran.

No fee can be charged for the service.

A representative from the Department of Veterans Affairs told a House committee that any person can currently walk into the depart-

MIDNIGHT HOUR



PHOTO BY ANDREW VON BANK

The midnight deadline closes in on the last day of regular session May 19.

ment and request someone's discharge papers. Private information, such as a social security number, is included on the papers and can be used to steal a person's identity.

Under state law, discharge information

becomes public 10 years after a veteran dies and 30 years after the information was created.

The law's contents were also part of the House omnibus data practices bill (SSHF29/SSSF10*) that awaits the governor's signature.

Rep. Jeff Anderson (R-Austin) and Sen. Steve Murphy (DFL-Red Wing) sponsored the legislation.

HF768*/SF1039/CH124

Historical drive designation

Minnesota will have a new historic district effective Aug. 1, 2003: Victory Memorial Drive, a road bordering Minneapolis and Robbinsdale.

Established in 1921 as a memorial to World War I veterans, the drive is one of the largest such memorials in the country.

Originally, 568 elm trees were planted in straight military-style rows in memory of fallen soldiers from Hennepin County. In 1928, a marker was placed in front of each tree with the name, rank, and company of a soldier. Dutch Elm disease forced some trees to be cut down and replanted.

As a result of the historic designation, the road may now be eligible for preservation grants to help maintain it as a memorial.

Rep. Joe Mullery (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls) were the sponsors.

HF456*/SF511/CH30

Following the action

Whether you're looking for information on the final actions of the regular legislative session or wondering what happened during the special session, you can find the information on the Legislature's Web site.

A few notes on procedure

•Who calls a special session? **The governor does.** According to the Minnesota Constitution, the governor may call the Legislature into special session.

• How long does it last? **The Legislature determines the length of a special session.** Once the governor calls them into special session, the Legislature dictates the items considered in special session and may meet until their work is complete.

• Is the legislation the same? **No – legislators must introduce new bills during a special session.** The legislation in a special session remains separate from the bills in a regular session.

Tracking bills online

• In the address field of your Internet browser, type in the Legislature's main Web page: www.leg.mn

• Click on the "Legislation and Bill Status" link.

• At the very top of the page is the link for special session bills. If you're looking for regular session bills, choose either House bills or Senate bills from that link.

What's on the Web

• You may search by bill number or by other items, such as bill author, topic, or action. When you choose either House bills or Senate bills, you will go to a form. You can enter a search term into one or more of the fields. Or you can click on one of the links to do a general topic search. Also, you may notice that a menu at the top of the page allows you to search either special session bills or regular session bills.

Looking for a vote?

Every bill and many amendments that the Legislature considers on either the House or Senate floor requires a recorded roll-call vote.

On each bill status page there is a link called "Recorded roll-call votes" that will take you to the votes on that particular bill in the House. (This feature is not available for Senate bills.)

Also, the main House Web page (www.house.mn) has a link near the top, under House Legislation, called "Recorded roll-call votes."

You can also find votes the old fashioned way – in the House and Senate Journal. Simply search for the bill you are looking for, and on the bill status page, find the place where a vote was taken and click on the link for the journal page.

Session laws, supplementary information

Once the governor signs a bill into law, it is called an act. You can also find acts on the Legislature's Web site.

Return to the Legislature's "Legislation and Bill Tracking" page (<http://www.leg.state.mn.us/leg/legis.asp>). Toward the bottom of the page, there's a section called "Laws and Vetoes." Click on the "Session Laws" link and find the year you are looking for.

The nonpartisan House Research and House Fiscal Analysis Departments also provide summaries of legislation and spreadsheets showing how funds and appropriations are distributed. You can find them with the information accompanying each bill.

Senate summaries and fiscal information are also available for select bills.

When in doubt, call for help

If you're having trouble navigating the Web site, call House Public Information Services at (651) 296-2146 or (800) 657-3550, and we'll answer your questions. Also, you can call the House Chief Clerk's Office for copies of bills and acts at (651) 296-2314. For status of bills, call the House Index office at (651) 296-6646. For the Senate, contact the Senate Information Office at (651) 296-0504.

'Hogs, frogs, and jobs'

Funding law for agriculture, environment, development includes provisions relating to ATVs, ethanol, workforce issues

By MIRANDA BRYANT, TOM LONERGAN, AND NICOLE WOOD

More than \$636 million from the state general fund will be dedicated toward the environment, agriculture, jobs and economic development, and emergency housing services over the next two years, under an omnibus spending package signed May 28 by Gov. Tim Pawlenty.

Total spending reaches more than \$1 billion when additional funding sources such as lottery proceeds, license and permit fees, and federal dollars are added to the equation.

The funding package, which initially passed the House as HF779 before being reconciled in a House-Senate conference committee, also encompasses the agriculture finance measures put forth in HF752 by Rep. Elaine Harder (R-Jackson) and the jobs and economic development initiatives from HF748, sponsored by Rep. Bob Gunther (R-Fairmont).

Pawlenty line-item vetoed one item in the measure — a \$400,000 biennial appropriation from the agricultural fund to the Agricultural Utilization Research Institute.

The law is sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Steve Murphy (DFL-Red Wing). Funding provisions are effective July 1, 2003.

Here are some highlights.
HF967/SF905*/CH128

DNR, PCA, Agriculture

More than half of the overall spending — nearly \$586 million — will be directed toward the Department of Natural Resources (DNR) for responsibilities such as wildlife, minerals, forestry, state parks, and game and fish law enforcement.

The law will allocate \$221 million to the Pollution Control Agency for land, water, and

air monitoring and regulation enforcement. A \$4.7 million appropriation to the agency will support a clean water partnership initiative directed toward local governments. Another \$4.6 million will fund the agency's county feedlot administration grant program. The law consolidates a number of accounts and funds that support agency activities into the environmental fund and the remediation fund.

The overall Agriculture Department budget for the 2004-05 biennium will be an estimated \$146 million, including anticipated federal funding, and additional licensing and fee revenues.

Jobs and housing

The overall budget for jobs and housing weighs in at \$326.4 million.

The jobs and economic development finance budget provides for the Department of Trade and Economic Development, Department of Economic Security, Housing Finance Agency, Labor and Industry Department, Public Service Department, and the Minnesota Historical Society.

A partnership promoting biotechnology and medical genomic research between the University of Minnesota and Rochester's Mayo Clinic will be given \$2 million. The initiative, offered by the governor, will also have the clinic and the university each contributing \$500,000.

The historical society will receive \$900,000 more than was proposed by the House budget, slightly lessening the agency's 2004-05 budget biennium cut proposed by the House to \$9.6 million. The

cuts, according to the historical society, will result in seven historic sites being closed and 200 full- and part-time employees being laid off.

The Minnesota Film and TV Board will re-

ceive \$350,000 in the 2004-05 biennium, following the conference committee compromise. The House proposal would have eliminated the agency's funding altogether.

Other agencies

The Office of Environmental Assistance will receive \$52 million. Of that amount, \$25 million is earmarked for grants to counties for recycling programs and solid waste management.

Smaller biennial budget amounts will include \$36 million for the Minnesota Zoological Board and \$31 million for the Board of Water and Soil Resources.

Funding for the Science Museum of Minnesota will be set at \$1.5 million over the biennium. The House and the governor had recommended eliminating museum funding beginning in fiscal year 2005.

The Minnesota Conservation Corps will receive just under \$1.7 million as it transitions from the DNR to a private nonprofit entity.

The law also includes \$8.3 million for the Board of Animal Health and \$3.2 million for the Agricultural Utilization Research Institute. The governor had recommended merging the two entities into the Agriculture Department. However, both agencies will remain independent.

A number of environmental projects will be funded through a \$32.7 million appropriation to the Legislative Commission on Minnesota Resources.

Revising road construction permits

The law takes a conciliatory path toward environmental permit requirements for road construction projects. One provision will adjust the watershed district rulemaking process to allow for comment and appeal from transportation authorities, rather than providing exemptions from permit requirements as a House transportation committee had proposed.

Another provision will allow one of the two acres under the 2:1 wetland replacement ratio for road work in the seven-county Twin Cities metropolitan area to be placed in a major watershed that drains into the defined metropolitan area.

Developing ATV trails

After a nudge from the governor's office, a conference committee reached a compromise on off-highway vehicle trail designations. The law directs the DNR to establish a continuous 70-mile trail for off-highway vehicles with four rest areas by April 1, 2007, and complete a for-

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PHOTO BY ANDREW VON BANK

Several historic sites statewide will be shut down or have reduced access, including services at the Minnesota History Center in St. Paul, due to budget cuts for the Minnesota Historical Society contained in the law.

mal trail system.

The Environmental Quality Board is instructed to develop new environmental standards for motorized trail use, and certain state forest motorized trails are temporarily exempted from environmental review. Other provisions will require all off-highway vehicles to be registered with the state and direct money toward local law enforcement agencies for enforcement and public education expenditures. Qualified clubs will also be eligible for safety and conservation education grant money.

The law specifies guidelines for off-highway vehicle operation in ditches and spells out other restricted areas. Enforcement efforts will be bolstered with the establishment of a civil citation for operators who cause environmental damage or break the law.

And the law will activate a damage account until July 1, 2005, to pay for the restoration of property damaged by off-highway vehicles.

Increasing fees

Certain state park permit fees will be raised, including the annual permit from \$20 to \$25 and the daily permit from \$4 to \$7, and a separate motorcycle state park permit will be created. Various hunting, angling, and commercial fishing fees will increase. Additionally, the law will raise water appropriation permit fees, eliminate the senior discount for certain state park camping, and enable the Minnesota Zoo to charge an entry fee for elementary school children on organized field trips.

The law increases many agriculture-related fees, including those covering food handlers, processors, inspections, and seeds, and will establish a new set of fees to fund an expanded nursery and horticulture inspection program.

No mourning dove hunt

A House provision that would have authorized a mourning dove hunting season and a stamp earmarked for habitat improvement was removed in conference committee. Mourning dove hunts have been banned in the state since 1947.

Retaining airline jobs

Commercial airlines with corporate headquarters in Minnesota will temporarily be exempt from paying Petroleum Tank Release Cleanup Fund fees until July 1, 2005, provided the company directs the savings toward minimizing job losses. Beneficiaries will be Northwest, Sun Country, and Mesaba airlines.

Supporting ethanol

House and Senate conferees adopted the House proposal to spend \$44.4 million for ethanol producer payments. Payments during fiscal 2004 and 2005 will be based on a rate of 13 cents per gallon, 7 cents a gallon lower than the current rate.

The law maintains the 13 cents per gallon rate for ethanol payments into the 2006-07

biennium but will keep the 20 cents-a-gallon rate in statute.

Included are so-called catch-up payments for ethanol plants to eventually recover \$20 million cut by the governor from the program during fiscal year 2003 and reduced payments during the upcoming biennium.

Chronic wasting disease control

The law will earmark more than \$800,000 during the next two years for a mandatory surveillance program, administered by the Board of Animal Health, to control chronic wasting disease in cervidae animals, primarily deer and elk.

Owners of captive deer or elk herds will be required to register with the board and pay a fee of \$10 per animal, up to a maximum of \$100 annually.

The law will also give the DNR the option to seize and destroy live cervidae possessed in violation of the law.

Reviewing feedlots

The law removes new and expanded livestock feedlots between 300 and 1,000 animal units from petition-generated environmental review. Feedlot permits are issued by delegated counties through the Pollution Control Agency.

Added in conference committee was a Senate proposal requiring that a landowner proposing a new feedlot or expanding an existing one provide notice to neighboring property owners not less than 20 business days before a feedlot permit will be issued. Current law provides notice for not less than 10 business days.

The law will also require the state Environmental Quality Board to study and evaluate environmental review information and the public input process regarding proposed feedlots of less than 1,000 animal units, and report its findings to the Legislature by Jan. 15, 2004.

Workforce issues

The workforce development fund will gain more revenues, due to a House-Senate compromise that increases for two years the special assessment rate employers pay to the fund. The fund provides for the training of laid-off and unemployed workers, and did so in 2002 at the amount of \$66 million.

Under current law, all employers must pay the assessment for each one of their employees earning more than \$22,000 in a year. The current rate levies seven-hundredths of 1 percent per year on all taxable wages.

As written in the new law, the rate will rise to one-tenth of 1 percent for two years, effective Jan. 1, 2004, with additional discretion for the state to raise the rate to 0.12 percent in 2004 and 2005. The rate will fall back to its current level of seven-hundredths of 1 percent in 2006. The rate increase will generate \$25 million more in the biennium.

Minnesota Technology Inc., an economic development organization serving Greater Minnesota, will be forced to transform from a state

agency to a non-profit, stand-alone entity through an appropriation giving \$3 million in 2004, but nothing thereafter. The Senate plan called for giving it \$11.6 million in the 2004-05 biennium. The House number was \$2 million in 2004 only, and at zero



PHOTO BY TOM OLMSCHIED

The law maintains a 13-cent per gallon payment by the state to ethanol producers through 2006-07.

thereafter.

Apprentices enrolled in official apprenticeship job-training programs will be charged \$30 per year, under the law. In addition to a \$350,000 allocation from the workforce development program, the revenues will fund employees at the state Labor and Industry Department overseeing the apprentice program. The governor proposed cutting the staff.

Emergency housing

Homeless shelters, transitional housing, and homeless prevention programs will receive \$14.1 million in the 2004-05 biennium, an increase from the original House plan.

The appropriation is less than that in the 2002-03 biennium and will result in an additional 2,000 people being turned away from homeless shelters every night, according to Rep. Karen Clark (DFL-Mpls).

Flooding reconstruction

Roseau and surrounding areas will receive \$7.9 million to address flood damage through a combination of direct appropriations and bond sales.

Further study required

The new law will order studies on a number of issues, including:

- state park funding;
- motorized trail use on state lands;
- unstable sewage systems;
- impaired waters program;
- solid waste management funding;
- phosphorus in the wastewater stream;
- workforce service areas; and
- North American Free Trade Agreement effects on Minnesota's manufacturing industry.

Back to school

Sponsors say bill's cuts will not affect core K-12 instruction funding, but other areas will be reduced

By TOM LONERGAN

Minnesota's public school districts and charter schools will be supported by about \$11.9 billion in state general fund spending for 2004-05, under a bill awaiting action by Gov. Tim Pawlenty.

Education finance represents more than 40 percent of state general fund spending.

Overall, the spending plan (SSHF51) does not differ markedly from the administration's education budget recommendations proposed in February or the omnibus education finance bill the House passed April 30.

A compromise bill that merged different House and Senate K-12 spending proposals passed the House 68-61 on May 22 and passed the Senate the same day by one vote, 34-33.

House Minority Leader Matt Entenza (DFL-St. Paul) said state education funding is being cut \$180 million from existing levels, and he predicted the cuts would "cause a massive increase in property taxes across the state."

Rep. Alice Seagren (R-Bloomington), sponsor of the bill along with Sen. Steve Kelley (DFL-Hopkins), said the cuts represent a "2 percent reduction overall." Most cuts would not affect core K-12 instruction funding, she said, but are applied to compensatory and special education revenue, and funding for English language learning students, among other areas. Rep. Jim Abeler (R-Anoka), chided House DFL members for suggesting the education bill would "leave every child behind."

"I can't think of a more irresponsible thing to say," said Abeler, a member of the House Education Finance Committee. "We tried hard to serve most of the kids."

A proposal Abeler sponsored that would allow school districts the option to seek additional revenue through advertising, sponsorships, and offering building naming rights is included in the bill.

The bill would set the following state education appropriations:

- general education funding at \$9.95 billion;
- special education funding at \$1.27 billion;
- early childhood programs at \$92.4 million;
- adult education programs at \$71.9 million; and

- state education department and academies at \$81.5 million.

The latter category includes \$47.3 million for the renamed Department of Education, which administers K-12 funds, policies, and regulations. The state's Board of Teaching would collect an additional \$10 per license in fees from teachers during the next two years. Teachers and administrators' licenses will cost \$57.

One-time transition revenue totaling about \$35.7 million in the state funding plan is expected to help schools match their existing classroom spending. Nearly two-thirds of the transition state aid is for fiscal year 2004, however, leaving larger cuts proposed for fiscal year 2005, particularly in supplemental education programs. School districts would have the option in fiscal year 2005 to replace the transition revenue through property tax levies.

Locally generated property tax revenue, the other major source of education funding, would provide an additional estimated \$2.56 billion for school districts during the next two years.

The bill would provide no increase in levy authority overall for districts to seek additional revenue from property taxpayers, but some suburban districts would have authority to seek small inflationary increases in operating revenue through tax referenda.

School districts with lower total property value would receive more state equalization aid, and equity revenue for small rural districts would also increase.

House and Senate conferees shifted monies within the proposed K-12 education spending proposals to soften cuts in several areas, including early childhood education, after-school and summer school programs, and compensatory

revenue for districts with high enrollment of students from low-income families.

The conferees restored \$5 million of an \$8 million cut the House had initially approved in state funding of federally supported Head Start programs and also eliminated a requirement that a percentage of future state grants for Head Start be considered for "innovative programming."

The conference bill would provide \$4 million more in state aid than the \$30.8 million the governor had proposed for early childhood and family education programs. Still, fees would likely increase for program participants.

"There can be some fee changes to charge some of the parents that can afford it," Seagren said.

Conferees adopted the governor's recommendation to fund English language learning students for only five years. The House had proposed a seven-year program with funding being phased out in the last three years. The amount of state aid per pupil for English language learners will increase, but will be based on a more narrowly defined formula.

Approximately \$102 million was included in the bill for extended day school programs, which include after-school classes for students in academic need, and summer school. The new "extended time revenue" was not proposed by the governor.

A framework and a funding mechanism for online learning programs would be established under the bill.

Students could enroll in a maximum of 12 semester-long courses online and complete course work at a different grade level than their own.

Teachers with a state license could assemble and deliver online course instruction. The bill would limit the teacher-to-student ratio for an online course to 1:40.

The bill would waive, for the next two years, a state requirement for a Jan. 15 (in even-years) teacher contract deadline in school district

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PHOTO BY ANDREW VON BANK

The education finance bill passed by the House and Senate would provide \$11.9 billion for classroom instruction and other programs.

Operational funding

Law provides double-digit percentage reductions for most state agencies, other ideas to reduce the cost of government

By MIKE COOK

State agencies would have about \$598.7 million in direct general fund appropriations under a new law, signed by Gov. Tim Pawlenty May 28.

The number represents about a 9.1 percent cut from 2002-03 levels. The House proposal was \$545.5 million and the Senate \$607.3 million.

The House passed the omnibus state government finance law shortly before midnight on May 19, the final day of the regular session, but the Senate did not have time to take up the measure. Instead it was the first passed in special session by both bodies one day later.

"This has a lot of innovative change, which I think will be good for government in providing services and good for the taxpayers of this state," said Rep. Bill Haas (R-Champlin), the law's House sponsor. The Senate sponsor was Sen. Jane Ranum (DFL-Mpls).

The law calls for a legislative reduction of 9.6 percent, including a House reduction of 8.5 percent, Senate cut of 9 percent, and reductions to the Legislative Coordinating Commission of 9.6 percent. Within the LCC, the Legislative Commission on the Economic Status of Women is retained, but the Subcommittee on Geographic Information Systems Office is not. Both were to be eliminated in the House plan, and just the geographic office in the Senate plan.

All constitutional officers' budgets will be cut by 15 percent. Earlier plans had cuts as high as 24.8 percent for the attorney general's office. Most other state agencies will be cut between 10 percent and 15 percent.

The Lawful Gambling Control Board and Minnesota Racing Commission will become fee-supported under the law. However, both are given some money in fiscal year 2004 to begin the transition.

The law does not contain a wage freeze for state employees, something the governor

initially proposed, nor a provision that would limit the state contribution to employee health plans at 2003 levels. Both were in the initial House plan.

Calling it a bad law for state employees, Rep. Bill Hilty (DFL-Finlayson), Rep. Tom Rukavina (DFL-Virginia), and Rep. Jean Wagenius (DFL-Mpls) all asked for specific numbers on how many state employees would lose their jobs during House floor debate.

Haas said he could not answer that because the law allows agency managers to distribute cuts as they see fit.

"They are going to need to manage their



PHOTO BY ANDREW VON BANK

The state government finance law provides budgets for a number of state departments, including the Legislature and constitutional officers, which are housed in the State Capitol.

money and work to make sure their services continue going to the people of Minnesota and make sure they have the employees to do it. We're not telling them to lay off 'X' number of people; that's a department decision. We are not here to micromanage government," he said. "I have not seen any reports from agencies or from departments as far as potential layoffs. We've built in flexibility to make reductions and give them ways other than laying off employees to get to where they need to go."

Sen. Mady Reiter (R-Shoreview), a member of the State Government Budget Division of the Senate Finance Committee, said during the session she heard many good ideas where department heads can make cuts without

reducing staff.

Haas, who chairs the House State Government Finance Committee, also said staffing could be a union negotiation issue because an increase in pay may mean less employees since the amount of money available is limited.

Rep. Phyllis Kahn (DFL-Mpls) was critical of the law, saying it hurts women.

It will provide that no political subdivision need to submit pay equity reports for 2003 and 2004, and that beginning in 2005 a political subdivision must report no more frequently than once every five years, instead of every three years. It also provides that the state auditor, rather than the commissioner of employee relations, monitor compliance with the local government pay equity laws.

"The two-year moratorium in this (law) will weaken compliance," Kahn said. "Every year one-third of the local reporting governments are out of compliance at the beginning of the reporting cycle. At the end of the year with extensive assistance from (the Department of Employee Relations) almost all have achieved compliance. This only benefits those seeking to avoid fair pay for women in their workforce."

Other potential state savings in the law include:

- limiting art in new or renovated state buildings to the lesser of \$100,000 or 1 percent of total cost;
- a required evaluation to determine whether participation in a multi-state or multi-agency drug purchasing program for employees can reduce costs or improve benefit; and
- an evaluation of the use of cell phones by state employees and the number of vehicles in the state fleet. Policies are to be implemented to reduce usage that is not cost-effective.

The law also includes an expansion of reverse auction — an electronic bidding process where bidders can see what competitors are offering and then lower their price in order to win the contract — to engineering design and computer services. It is already used for some goods and services.

"Reverse auction will save money," Haas said. "If we can get something that costs a dollar for 90 cents, that is 10 cents we can use elsewhere."

The law also contains about \$14 million in fee increases for things such as charitable

gambling licenses, and lobbyist registrations. "Some go to cover the cost of whatever operation the fee is related to, but some go directly to the general fund," Hilty said in criticism of the fees as being a tax.

For example, lobbyists and principals will pay more fees to support Campaign Finance and Public Disclosure Board operations that regulate those groups. The board as a whole will not be totally fee-supported.

Other bill provisions include:

- reductions of 35 percent for Minnesota Public Radio and 30 percent for public television;
- the sale of at least \$5.5 million of state-owned lands;
- all unclaimed state lottery prize winnings will be put into the general fund, instead of being split three ways, including money to the environment and natural resources fund;
- an independent entity must study the economic effect of a gaming facility on existing tribal gaming facilities within 100 miles of the metropolitan area if the state lottery is authorized to operate a gaming facility in



the metropolitan area;

- a 7-cent-per-month increase in the fee users pay for emergency 911 phone service. The money will be used to provide grants to local governments to support bonds for a system that links public safety radio systems;
 - the elimination of the state's printing agency;
 - an agency must write an evaluation of the work done, including an appraisal of timeliness, quality, and cost upon completion of a professional or technical services contract;
 - authorization for the governor, under certain circumstances, to hire a private counsel rather than rely on the attorney general; and
 - the Capitol Area Architectural and Planning Board will remain its own entity, but get a 20 percent cut in appropriations. The House wanted to move the agency into the Department of Administration.
- 2003 Special Session HF1*/SF1/CH1

The new law calls for an evaluation of the use of cell phones by state employees and the number of vehicles in the state fleet.

House passes bonding bill

A year after Gov. Jesse Ventura vetoed funding for a number of bonding projects, the House and Senate approved a \$230.9 million bonding measure May 29 including funding for many of the ones that drew the veto pen.

Needing three-fifths of members to pass, the bill (SSHF8), sponsored by Rep. Phil Krinkie (R-Shoreview) and Sen. Keith Langseth (DFL-Glyndon), cleared the House 100-27 and the Senate 49-13.

Rep. Jim Knoblach (R-St. Cloud) described the situation as, "déjà vu all over again" as he presented the projects to members on the House floor. He also indicated that the bill would benefit different areas in different categories across the state.

More than \$108 million of the total would go toward higher education, including \$59.7 million for the Minnesota State Colleges and Universities system and \$48.7 million for the University of Minnesota.

Among the projects funded are:

- \$24.7 million for the Translational Research Facility at the university's Twin Cities campus, of which half must come from non-state sources before state funds would be allocated;
- \$10 million to convert Centennial Hall at St. Cloud State University from library to classroom use,

- \$10 million to acquire property near MnSCU campuses,
- \$8.6 million for a social science building renovation at the university's Morris campus, and
- \$8.4 million for Minnesota State University, Mankato to continue an athletic facility upgrade.

One of the more controversial parts of the bill during debate were two arts provisions: \$25 million for a new Guthrie Theater and \$5 million for a Children's Theatre expansion.

The bill would continue to aid people that were affected by the flooding last summer in and around Roseau. Among the provisions are the following:

- \$3 million for flood hazard mitigation grants,
- \$1.12 million to help local governments fix and replace infrastructure that was damaged,
- \$1 million to help with road and bridge repair and replacement,
- \$500,000 to Roseau to relocate the flood damaged city hall, auditorium, library, museum, and police department out of the Roseau River floodway, and
- \$400,000 to repair a structure on state Highway 220 north of Climax that was damaged.

Other projects that would be funded include:

- \$20 million to the Minnesota Department of Transportation for a local road improvement program;
- \$5.5 million to build the Trollwood Performing Arts School in Moorhead;
- \$5 million to the Minnesota Amateur Sports Commission to construct a sports conference center;
- \$5 million to acquire land and build a Paul and Sheila Wellstone Center for Community Building in St. Paul;
- \$3.5 million for freight access improvements at the Winona harbor;
- \$2.7 million to the Como Conservatory in St. Paul for the renovation of a fern room and construction of a bonsai collection space, an orchid growing and display house, and a children's activity zone;
- \$2.7 million to acquire land for wetlands and restore wetlands drained or filled as a result of the repair, maintenance, or rehabilitation of existing public roads;
- \$1 million for Greater Minnesota transit facilities;
- \$1 million for the design of the Northwest Busway Corridor; and
- \$500,000 for a National Eagle Center in Wabasha. The money would not be given until \$1 million in non-state sources have been committed to the project.

College fund

Higher education law appropriates about 15 percent less than 2002-03 levels for public colleges and universities

By MIKE COOK

The \$2.56 billion higher education omnibus law, signed May 28 by Gov. Tim Pawlenty, cuts funding to colleges, while trying to help students pay anticipated higher expenses by changing the state grant program.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. Sandra Pappas (DFL-St. Paul), the law calls for general fund appropriations of nearly \$1.11 billion for the Minnesota State Colleges and Universities (MnSCU) system and slightly more than \$1.1 billion for the University of Minnesota. Each of those numbers represents about a 15 percent cut from the 2002-03 base.

The university appropriation is about \$13 million more than recommended by Pawlenty, and the MnSCU number is about \$15 million higher.

University President Robert Bruininks told conferees May 8 that the institution has already laid off 525 employees and expects as many as 700 total layoffs. In addition, he said, tuition would increase by about 15 percent next year and employees will continue to pay more for their health care.

"No matter what there will be significant cuts of historic proportions on our campuses," MnSCU Chancellor James McCormick said at the same meeting. "We'll have to close programs, have fewer faculty, look at a double-digit tuition increase, and cut off applications earlier."

The Mayo Medical Foundation will receive \$2.78 million, also a 15 percent reduction, the same as recommended by the governor and initially proposed by the Senate. The House bill had an additional \$170,000 to the foundation.

For the Higher Education Services Office (HESO), which administers the state grant program among its duties, the \$350 million appropriation is about \$20 million less than recommended by the House and governor and is \$40 million more than the Senate proposed. The total is about an 11 percent increase above current levels.

Included in the office allocation is an additional \$39.5 million for the state grant



PHOTO BY TOM OLMSCHIED

The higher education finance law will likely result in higher tuition for public college students, but the law also provides more money for the state grant program.

program. The program was forced to stop accepting applications in January 2003 due to demand.

"Within the grant program itself we had to make some other changes to recognize the growing demand within the system as a result of increased enrollment, increased tuition, and so on," Stang said.

For example, the child-care grant maximum will be capped at \$2,200 for each eligible child per academic year, instead of the current \$2,600. Eligibility for the program will also be reduced from 10 to eight equivalent semesters, as is eligibility for state grants. Eligibility for students in two-year programs will be limited to the two-year tuition and fee maximum for two-year institutions.

Language in the legislation will no longer permit the office to transfer money from the child-care and work-study grants to make up a shortfall in the state grant program. To help prevent a program deficit the office must prorate awards by equally reducing the dollar amounts through an equal surcharge to the applicant's assigned family responsibility and a percentage added to the student responsibility.

The law also calls for the governor to appoint the office director, who must be confirmed by the Senate. The provision is effective Dec. 30, 2004 or when a vacancy occurs in the

position, whichever occurs first. Proponents say that the creation of a cabinet-level position will give higher education more of a voice in the state.

In addition to maintaining the student advisory and HESO councils, the Higher Education Advisory Council will be altered by eliminating four positions and making one of the six remaining positions a gubernatorial appointee.

Among other provisions in the law are:

- the addition of two students to the Regent Candidate Advisory Council, which recommends candidates to the Legislature for the university's governing body;
- beginning June 1, 2003, each postsecondary institution must provide information on the risks of meningitis and the effectiveness and availability of a vaccine to first-year students living in on-campus housing;
- Fond du Lac Community and Tribal College in Cloquet will be permitted to offer a four-year degree in elementary education; and
- a request that the Minnesota Association of Colleges and Teacher Education collect data to measure the involvement of teacher education program faculty with K-12 schools. The data must include the extent to which faculty are licensed to teach at the K-12 level, and the K-12 teaching of that faculty within the last five years. A report is due to the Legislature by Feb. 15, 2004.

Not included in the final law was an original House provision to appropriate \$6 million for the MnSCU system to be used for health education. System officials said the money would be used to help train more nurses, a field in which the state is experiencing a significant shortage expected to continue in future years.

Also not included in the final law were the following:

- a Senate provision that would prohibit institutions, including student and alumni associations, from giving student information to credit card companies without the student's consent and prohibit credit card companies from marketing credit cards to undergraduates;
- an opt-in provision for paying fees that fund campus student organizations (originally in the House proposal); and
- increased penalties for rioting.

Stang said there was concern about the provision because it essentially prohibited a student convicted of rioting from

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Caring for Minnesotans

Omnibus bill changes eligibility for a number of assistance programs, such as welfare and child-care aid

By MICHELLE KIBIGER

In one of its last actions of the 2003 special session, the House passed 78-54 on May 29 a health and human services finance bill that would appropriate about \$8.7 billion for those functions in 2004-05. Nearly \$7.5 billion of that appropriation comes from the state's general fund.

The bill now awaits Gov. Tim Pawlenty's action.

The final agreement represents a reduction of about \$960 million from anticipated 2004-05 funding levels, including \$805 million in projected general fund spending.

The bill would provide funding for the Health and Human Services departments, which include a number of welfare, health care, and community services programs, as well as the state's veterans homes. Though funding in the bill is higher than in 2002-03, with the state facing a \$4.2 billion projected deficit, a number of programs needed to be cut to accommodate increased health care costs within existing revenue streams.

House sponsor of the bill (SSHF6), Rep. Fran Bradley (R-Rochester), described the bill as better than the version that left the House in April and better than the governor's proposal.

"The bill that we return today to you is something that we can support on both sides of the aisle," said Bradley. "It supports all the constituencies well" that will be affected by the bill.

The Senate version, sponsored by Sen. Linda Berglin (DFL-Mpls), passed 34-28 the same day.

Other members were not convinced that the bill improved enough from the original House version. Acknowledging that the bill was better, House Minority Leader Matt Entenza (DFL-St. Paul) said, "Today we take a dramatic and terrible step in the wrong direction," referring to the shifts and changes in coverage the bill would enact.

In order to balance the budget, the bill would also shift the remaining tobacco endowment funds, slightly more than \$1 billion, to

the general fund.

Health care

A proposal to merge the General Assistance Medical Care program with the MinnesotaCare program in the initial House bill was not included in the final compromise. A number of other changes were made to formulas involving health care programs.

General Assistance Medical Care provides state-funded health care primarily to low-income Minnesotans ineligible for other state and federal health care programs. MinnesotaCare is the state's subsidized health care program for low- and moderate-income families.

Eligibility for adults without children to obtain MinnesotaCare benefits would be limited to income limits of between 75 percent and 175 percent of federal poverty guidelines, which in 2003 is an annual income of \$8,980 for a single person. In addition, benefits would be capped at \$5,000 with the anticipated infusion of federal money. The overall adjustments would save \$108 million over the biennium.

In addition, General Assistance Medical Care benefits would be limited for adults without children to 75 percent of federal poverty guidelines. Those adjustments and other administrative changes would result in a \$104 million savings to the general fund over the biennium.

Undocumented immigrants would not

receive any Medical Assistance or General Medical Assistance program benefits under the bill. Medical Assistance is funded by both the state and federal government and is the state's version of the Medicaid program. The initiative would trim about \$35.5 million from the biennial budget.

In addition, Medical Assistance benefits for pregnant women would be reduced from 275 percent of federal poverty guidelines to 200 percent and for children from 170 percent of the guidelines to 150 percent.

Payments to hospitals and managed care facilities for the three programs would also be reduced under the bill. And a number of services under the programs would also be subject to co-payments.

Child-care aid

Sliding fee child-care assistance would also change under the bill. The initial House plan reduced eligibility significantly to compensate for funding in nursing homes, meals-on-

wheels, and senior companion programs.

The new bill would trim general child-care assistance eligibility to between 175 percent and 250 percent of federal poverty guidelines, limit reimbursement for legal non-licensed facilities at 80 percent, and freeze other provider reimbursement rates at 2003 levels.

In addition, co-payments for families would be adjusted under the bill.

Welfare changes

Pawlenty proposed a number of changes to the state's

welfare program, also known as the Minnesota Family Investment Program. Many of the changes focus on restructuring benefits to encourage more recipients to move into the workforce.



PHOTO ILLUSTRATION BY TOM OLMSCHIED

The omnibus health and human services bill contains provisions that would modify the state's prescription drug benefit program.

Continued on page 41

More and less

Omnibus package includes reduced funding for corrections, judiciary, public safety, and increases fees for some court services

By JEFF JONES

A new law providing funding for the state's judicial, corrections, and public safety systems for the next biennium, while at the same time raising some additional revenue, was signed by Gov. Tim Pawlenty May 28. Funding provisions are effective July 1, 2003.

After cutting funding to the base budgets of most agencies and departments it covers, the new law will allocate more than \$1.4 billion from the general fund, about \$5 million less than the initial House plan, \$63 million less than the Senate, but still \$46 million more than Pawlenty recommended. It also softens the impact of some cuts by bringing in about \$93 million in new revenues through increased fees and fines.

In addition to raising and appropriating money, the law includes a variety of policy provisions, from housing state prisoners in local jails to increased penalties for methamphetamine manufacturers.

The state Supreme Court, Court of Appeals, and district courts will receive cuts of about 3 percent under the bill, with slightly more going to the Supreme Court and slightly less going to district courts than the original House proposal.

Most of the increased fees the state will collect come from a variety of court services. In most cases House and Senate negotiators accepted Senate fee proposals, which were about twice as high as those from the House on average. Some of the fee increases include:

- certain filings in a civil case (increased from \$135 to \$265),
- filing certain appeals (\$250 to \$500),
- issuing a subpoena (\$3 to \$12), and
- depositing a will (\$5 to \$20).

In addition, the law will institute higher co-payments for people receiving public defender services. According to the bill, a person would pay \$50 if they are accused of a misdemeanor,

\$100 for a gross misdemeanor, and \$200 for a felony, whether the individual is found guilty or innocent. Previously, everyone using a public defender pays a flat \$28 co-payment.

Revenue from the co-payments will help to partially mitigate cuts to the state Public Defense Board. Rep. Eric Lipman (R-Lake Elmo) said that along with other provisions limiting what people public defenders must serve, the co-payments will help the state keep as many public defenders as possible. "It's a simple, modest requirement. We are going to do all we can to make sure that we don't squander that resource," Lipman said.



PHOTO BY TOM OLMSCHIED

Fees for a variety of court services and for individuals receiving public defenders will increase under a new law signed by Gov. Tim Pawlenty.

The Department of Human Rights will take an 11 percent cut in its base budget under the bill.

Rep. Keith Ellison (DFL-Mpls) argued during debate that money from a \$75 affirmative action certificate fee he inserted into the House proposal had been drained into the general fund rather than staying within the department. " (Now) they'll have to take staff time to be a collection agency where before the money they collected was going to be a benefit," he said.

The Department of Public Safety will take a 10 percent cut to its budget, about 3 percent deeper than the House had proposed.

Bill opponents said the cuts will put the state at risk. Referring to reductions in state anti-terrorism funding, police training, and the CriMNet electronic criminal information system, said House Minority Leader Matt Entenza (DFL-St. Paul), "at the very time when our country is in crisis, we are cutting police and firefighters, and we are cutting funds to prepare us for a disaster."

Supporters said the federal government will supply the state increased anti-terrorism money.

The new law will cut \$6 million to battered women's programs and shelters. The House originally proposed \$10 million in cuts, the governor \$4 million, and the Senate zero.

Affecting those serving time for crimes, the law will address growing prison populations by moving prisoners with less than six months remaining on their sentences to local jails and by allowing officials to double-bunk inmates in most prisons. It will also allow officials to serve some inmates only two meals per day on weekends and holidays.

Judges will be permitted to impose so-called staggered sentences on multiple-drunken driving offenders, where a three-year prison sentence can be served in three segments each spaced one year apart. Judges may decide not to execute any segments after the first if the offender meets certain requirements.

Other House provisions contained in the bill include:

- allowing law enforcement officers to use gun silencers in "high-risk" situations (originally HF1058),
- making deliberate interference with law enforcement or emergency radio communications a felony offense (HF784),
- giving probation officers the option to mete out penalties for technical probation violations without a court hearing (HF1354),
- making the attempted manufacture of methamphetamine a controlled substance crime (HF416),
- increasing penalties for identity theft crimes committed against eight or more people (HF821), and
- continuing to collect DNA samples from all convicted criminals and current prison inmates.

Rep. Steve Smith (R-Mound) and Sen. Leo Foley (DFL-Coon Rapids) sponsored the law. 2003 Special Session HF2/SF2*/CH2

Local government aid

Tax bill changes the distribution for program funds, creates zones to promote economic development in distressed areas

By MIKE COOK

An agreement to fund local units of government, a major sticking point during budgetary negotiations, now awaits the signature of Gov. Tim Pawlenty.

A key part of the omnibus tax bill (SSHF7), approved 68-65 by the House May 27 and the Senate 34-29 on May 29, is \$465 million in local government aid (LGA) to be paid to cities based on taxes payable in calendar year 2003 and \$437 million for calendar year 2004. The longstanding program has two purposes — to reduce property taxes, and to bring equity to communities by providing state money for services, including police and fire, road maintenance, and parks.

By comparison, approximately \$586 million was certified to be paid to cities in calendar year 2003. Pawlenty's plan reduced the number to \$352 million for 2004. The compromise total represents about \$30 million more than the House proposal.

Cities that rely heavily on the aid include Albert Lea, Duluth, Minneapolis, St. Paul, and Willmar. Approximately \$18 million of the additional funding will go to Minneapolis and St. Paul. By comparison, among the cities that receive no local government aid is Edina. Others receiving minimal amounts include Chanhausen, Egan, Mendota Heights, Plymouth, Shoreview, and Woodbury.

The statewide average of local government aid is now \$150 per-capita, according to non-partisan House researchers.

Advocates have said the aid continues to be critical to communities with low population growth and low property values, as well as to large urban cities with ever-growing problems of crime, lack of affordable housing, and sustaining good jobs. But critics say the existing aid program is flawed because it distributes money based on previous spending habits. Indeed, part of the complicated funding formula guarantees cities their 1993 state allocation. However, the grandfathering proposal is phased out in the bill. Only aid granted since 1995 for specific purposes is retained.

Under the bill, a new city aid formula is to

be implemented in 2004. Proffered by the governor and his staff, it attempts to remove political factors, and to objectively measure a city's need versus its ability to raise revenues. For cities larger than 2,500 people, it calculates need for aid by assessing the following factors:

- amount of housing constructed before 1940,
- population decline in the past 10 years,
- household size,
- the average number of accidents on city streets in the past three years, and
- the city's status as either a metropolitan or non-metropolitan municipality.

In determining the need for aid for smaller cities, the formula continues to include the age of housing, population figures, and the percent of commercial and industrial property, as is the case in current law.

"This is a fair, needs-based formula and a relative needs index that will serve Minnesotans far better than the formula it replaces," said Rep. Ron Abrams (R-Minnetonka), the House sponsor. "You can't defend the current formula."

In determining a city's ability to raise money on its own, the bill calls for calculating 50 percent of local government option sales tax revenues and incrementally higher percentages of any taconite tax aid a community receives. Under the bill, 100 percent of taconite aid will be considered as part of a city's ability to raise revenue by 2008. The taconite tax is charged to mining operations in lieu of property taxes. Revenues are distributed to qualifying cities, towns, counties, and school districts.

Some opposed to the bill say it hurts rural Minnesota where forecasts indicate some cities would receive a reduction of more than 30 percent versus minimal percentage decreases in some Twin Cities suburban communities. "Rural Minnesota is in tough times and LGA helps keep us viable," said Rep. Paul Marquart (DFL-Dilworth).

Our cities have greater wealth and it is our obligation to share that, said Rep. Ann Lenczewski (DFL-Bloomington). "But to say the suburbs are the bad guys, I don't buy it."

Some opponents of LGA reductions have said that cities will simply increase their property taxes to make up the difference; thereby attempting to keep services status quo or they'll reduce services, including police and fire protection.

The bill would ultimately restrict local prop-

erty tax increases. It states that cities and counties can recover 60 percent of their reduced aid through higher property tax levies only for the first year of the budget cycle.

"Instead of two years of levy limits followed by reverse referen-

dum, there is one year of levy limits and no reverse referendum," Abrams said. "Cities of under 2,500 remain exempt from levy limits as they always have been."

"It's clear taxes are going up," warned House Minority Leader Rep. Matt Entenza (DFL-St. Paul). "There is now no question about that."

Tax-free zones

The bill also includes the tax-free zone initiative, supported by Pawlenty.

Under the bill, the commissioner of the Department of Trade and Economic Development may designate up to 10 areas, dubbed job opportunity building zones, of up to 5,000 acres each in economically distressed rural portions of the state. The bill also calls for the establishment of five agricultural processing facility zones, which would be limited to the

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PHOTO BY TOM OLMSCHIED

Members of the tax conference committee meet May 22 in hopes of working out an agreement. Despite days of work, the committee was one of those unable to reach agreement in the final days of the regular session.

Full speed ahead

Finance bill includes accelerated construction, additional state troopers, and operating funds for light-rail transit

By MICHELLE KIBIGER

A \$3.79 billion transportation package is on its way to the governor for approval, following passage 82-50 by the House May 27 and the Senate 35-27 May 29.

The bill (SSHF5), which largely resembles the bill that originally left the House in late April, appropriates about \$2.48 billion from the trunk highway fund and \$161.2 million from the general fund, among other budgetary appropriations for the 2004-05 biennium.

Among items covered in the bill are appropriations for state and local road construction, the departments of Transportation and Public Safety, and transit operations through the Metropolitan Council.

Included in the bill is part of a proposal by Gov. Tim Pawlenty to sell \$400 million in trunk highway bonds, and spend up to an extra \$400 million through 2009 in order to leverage advance federal transportation money. The governor originally proposed \$550 million in bonds and up to \$550 million in advance construction.

The bill accounts for about \$72 million in budget reductions to the Transportation Department for the biennium to finance the bonds.

Sponsored by Rep. Bill Kuisle (R-Rochester) and Sen. Dean Johnson (DFL-Willmar), the bill went to conference committee during the regular session, but conferees were unable to reach an agreement.

The bill would allocate about \$3.5 billion to operations, maintenance, and construction in the state highway, county state aid highway, and municipal state aid road systems – about \$300 million more than in the original House

bill.

However, provisions in the initial Senate plan that would raise gas taxes and increase license tab fees were not included in the new proposal. It would raise additional revenue for certain special funds and public safety functions by increasing certain license plate and driver's license fees.

For metropolitan transit, the bill would provide about \$114.7 million for the biennium, \$2.4 million more than the original House or about \$16 million below 2002-03 levels. In addition, the Transportation Department would receive \$31.9 million for Greater Minnesota transit operations as was provided in the original House plan, but still reflecting a cut of \$3.6 million in general fund appropriations for the biennium.

The new bill changes the funding formula for the Hiawatha light-rail transit line, set to

begin operations in 2004. Initially, it would have provided 40 percent of operating costs from the state. The new bill would split the costs, as follows: 50 percent from the state and 50 percent from Hennepin



PHOTO BY TOM OLMSCHIED

The transportation finance package provides up to \$800 million in a combination of additional bonding for transportation and advance construction to leverage federal money.

County.

While the bill would retain the 20.5 percent dedication of the motor vehicle sales tax to transit in the metropolitan area, it would repeal the additional 2 percent set to go to metropolitan transit beginning in 2004. That provision was in both the initial House and Senate bills.

Other transit-related issues include the following:

- regional rail authorities in the Twin Cities metropolitan area, which would have

initially been abolished in the House bill, will remain, though conferees indicated interest in changing their makeup and adding accountability measures to their operation;

- the southwest transit corridor, in the southwestern Twin Cities metropolitan area, would be prohibited from pursuing a rail transit option for two years; and
- the Metropolitan Council would be required to request proposals from internal staff and private vendors to operate the Hiawatha light-rail transit line.

A number of other policy-related provisions are also included in the bill.

As part of the agreement to fund additional state troopers, the bill would allocate up to \$7.2 million over the biennium through certain alcohol surcharges collected through the Department of Public Safety. The surcharges would be collected if establishments, in cities that elect to allow bars and restaurants to serve alcohol until 2 a.m., choose to stay open. Kuisle estimated that 40 new troopers would be hired, under the proposal.

State law would limit speed limits in school zones to up to 30 miles per hour below posted speeds, under the bill. Law already sets the minimum speed limit on any road at 15 miles per hour.

The commissioner of transportation is directed to report to the Legislature regarding the status of the highway rest area program, including the feasibility of developing lease agreements with outside vendors or local governments to operate the rest areas.

Single occupant vehicles would be allowed to use high-occupancy vehicle lanes, particularly those along Interstate 394 west of Minneapolis, by paying a fee. The money collected from these motorists would first be used to pay administrative overhead to operate the program and then could be used to expand transit opportunities or fund improvements to the corridor.

Special license plates would be limited under the bill, which would now require an applicant to show that at least 10,000 car owners would purchase the plates.

The Transportation Department would be required to study the use of rumble strips, for safety purposes, along the centerlines of two-lane state highways.


Not included in the bill is the measure dealing with driver's licenses and identification

cards for temporary foreign visitors in the state. That measure, originally contained in HF1, would have linked the expiration date of such cards with the day the visitor's legal status in the country expires. It would also have placed a status check date on the front and back of the license to alert law enforcement

that the individual's legal status may have expired.


Initially, the House bill included \$940,000 for flood rehabilitation grants associated with northwestern Minnesota flooding from the summer of 2002. That money was removed from the bill and transferred to another

portion of the budget.

Also, a provision to raise the speed limit along Interstate 35E in downtown St. Paul to 55 miles per hour was not included in the bill. Nor was a proposal to classify public safety 911 operators as essential employees. 

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negotiations, and requires school districts considering project labor agreements with union-based contractors to hold a public hearing before issuing proposals for construction bids.

Other labor-related provisions the House had proposed to exempt school districts from paying prevailing wages on construction projects and allowing districts to seek outside contracts for non-instructional services like food and maintenance were removed from the final bill. 

Higher Education continued from page 36


receiving state grant money and because of the administrative problem institutions would have performing background checks.

Some members against the law expressed concern that the numbers are leading to tuition increases of up to 15 percent each of the next two years.

"I'm going to give you 3,300 reasons to vote against this bill," said Rep. Thomas Huntley (DFL-Duluth) on the House floor. "At (the University of Minnesota-Duluth) in the year 2000 tuition and fees was \$5,400. Today tuition is \$6,700, and in two years with this bill tuition will be \$8,700."

Because a majority of senators on the conference committee would not sign the conference report, the final bill language was amended to another bill on the House floor. It passed both bodies in that format.

The funding provisions in the law are effective July 1, 2003.

HF772/SF675*/CH133 

Human Services continued from page 37

Among the adjustments is a new requirement that individuals exit the program when they reach 115 percent of federal poverty guidelines. Currently, recipients exit at 120 percent of guidelines.

Emergency assistance programs would only be available to recipients once per year, under the bill. In addition, certain 24-month educational programs for recipients would continue to be funded under the proposal.

Prescription drugs

With regard to the state's prescription drug

program, eligibility would be reduced from 135 percent of federal poverty guidelines to 120 percent.

A prescription drug discount program is instituted in the bill, as well. Under the provision, any individual making up to 250 percent of federal poverty guidelines would be eligible for the discount program, which is based largely on a manufacturer/pharmacy rebate system. No age requirement is part of the plan.


In addition, an initial House ban on coverage of RU-486, which is used to induce abortion and to treat a number of other things such as cancer and glaucoma, was removed from the bill.

Other items

A number of programs for individuals with mental and physical disabilities would either be reduced, adjusted, or reorganized under the bill, including state-operated services. Treatment services for adult mental health would be restructured under the bill. And certain mental health screenings for children, particularly those exposed to violent or threatening environments, would receive additional funding.

Continuing care grants would be reduced by \$14 million for the biennium. They fund such items as senior companion, home-delivered meals, senior nutrition, epilepsy demonstration, and regional planning programs.

Automatic cost-of-living adjustments for nursing facilities would be eliminated under the bill, at a savings of \$24.6 million.

Alternative care program changes would result in a \$20 million savings in 2004-05. In addition, nursing home facility rates and surcharges, including their payments related to inter-governmental transfers would increase under the bill. 

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sites of agricultural processing facilities themselves.

Proponents say the provisions could help jump-start economic development initiatives in parts of the state that are now struggling.

Qualifying zone businesses would forgo sales, income, and property taxes for up to 12 years. Individuals investing in the zone businesses would be exempt from applicable income and capital gains taxes.

The property tax exemption would not extend to land; commercial-industrial property, where neither the owner nor the lessee is a qualified business; debt service levies on general obligation bonds; and school-operating referenda approved by voters prior to designation of the zone. Cities and counties could opt to not provide exemption from their taxes.


Furthermore, one biotechnology and health science industry zone would be designated, under the bill.

Proffered by Pawlenty, the idea is to facilitate proper commercialization of the hundreds of discoveries every year at the University of Minnesota, the Mayo Clinic in Rochester, and at other research institutions. Officials say these discoveries could improve the quality of life by curing disease, making food safer and more abundant, reducing dependence on fossil fuels and foreign oil, making better use of Minnesota agriculture products, and creating "tens of thousands of new, high-paying jobs."

Eligible facilities would include those researching, developing, or manufacturing a biotechnology product, medical device, or service, as well as those promoting, supplying, or servicing such a facility.

Other provisions

The bill would provide additional items, including:

- \$596 million to build up the state budget reserve;
 - dedication of 6.5 cents per pack of cigarette tax revenues to the University of Minnesota's Academic Health Center special revenue fund;
 - a special tax-rate for low-alcohol dairy cocktails;
 - appropriation of \$100,000 each year to one or more nonprofit organizations for the coordination and provision of taxpayer assistance services; and
 - \$1.5 million for border city enterprise zone and border city development zone tax reductions. The five cities that qualify are Moorhead, Dilworth, East Grand Forks, Breckenridge, and Ortonville.
- Sen. Larry Pogemiller (DFL-Mpls) sponsored the bill in the Senate. 

— STAFF WRITER MIRANDA BRYANT CONTRIBUTED TO THIS STORY.

Tracking new laws, vetoes

Exactly 3,234 bills were introduced during the 2003 Legislative Session — 1,658 by the House and 1,576 by the Senate. Of those, 133 bills were passed by both bodies during the session and sent to the governor.

In the 2003 First Special Session, the House introduced another 70 bills, with the Senate introducing another 47. Of those, 12 were transmitted to the governor for approval, through May 29.

So what happened to the other 3,100 bills? Some were duplicates, some were folded into other bills, but most are in limbo, awaiting legislative action when the next regular session begins on Feb. 2, 2004.

And what happened to the 133 bills that were 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 first 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 in the first year of the

biennium results in the bill becoming law.

The timing of these actions is as important as the actions themselves.

For bills passed in the special session, the governor has 14 days from "presentment" to veto them — the same rules that apply in the second year of the biennium. If the governor takes no action on a bill during this time, the bill is vetoed in what is commonly referred to as a "pocket veto."

And the important thing to remember in the first year of the biennium is this: the governor has three days from the time of "presentment" to veto a bill.

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

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the 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 within three days after the governor receives the bill.

A two-thirds vote of the members in each house is needed to override a veto. So the Legislature, either next year or when it is called

into special session before then, could vote to override the governor's veto.

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

So what happens to the bills that weren't approved by the Legislature this year?

Bills that were awaiting floor action on the General Register now return to the last committee they were acted upon, where they will stay unless action upon by the 2004 Legislature. This rule also applies to any bill up for consideration on the Consent Calendar, Calendar for the Day, or Fiscal Calendar.

For appointed conference committees that have not submitted a report upon adjournment, the bill returns to the body it originally came from and is laid on the table. The conference committee is then disbanded.

Bills that are passed by one body and not the other remain alive for the second year of the biennium. The house that approved the bill in the first year need not repass the bill in the second.

Bills pending before the Rules and Legislative Administration Committee from either body return to the standing committee to which the bill was previously referred.

Bills vetoed by the governor are returned to the body where the bill originated and laid on the table.

Bills remaining in standing committees can be taken up in the second year of the biennium in the committee to which they were last referred.

Editor's note: The following chart includes the 133 bills that passed both the House and the Senate and have been sent on to the governor for consideration. Two were vetoed and one had a portion line-item vetoed. The bills are, for the most part, sorted according to the committee of origin. However, only two omnibus appropriation bills were passed by both bodies before adjournment of the regular session May 19. As a result, the governor called a special session for the Legislature to finalize those bills. As of May 29, 12 bills from the special session had been submitted to the governor. Nine of those await his approval or veto.

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, 2003
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, 2003
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.

2003 MINNESOTA LEGISLATURE FINAL ACTION (as of May 29, 2003)					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 *—version of the bill the governor signed or vetoed									
†—approved without governor's signature liv—line item veto									
HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
				Agriculture Policy					
94	Seifert	187*	Dille	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	14	4/14			7/1
258*	Dorman	680	Dibble	Arsenic; fertilizers containing arsenic prohibited.	33	5/12			8/1
1374*	Urdahl	1263	Dibble	Agriculture Department headquarters named the Orville L. Freeman building.	67	5/19			8/1
1213	Swenson	990*	Murphy	Foods provisions modified relating to wild rice, organic foods, and milk storage.	107	5/27			Various
967	Ozment	905*	Murphy	Omnibus environment, agriculture, economic development, and housing finance bill.	128	5/28	liv		Various
772	Stang	675*	Sams	Omnibus higher education finance bill.	133	5/28			Various
				Civil Law					
273*	DeLaForest	195	Betzold	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	2	3/19			Various
112*	Pugh	92	Neuville	Title, lien, and mortgage technical changes provided.	5	3/31			Various
457	Holberg	356*	Cohen	Child de facto custodian provisions modifications.	7	4/4			8/1
166	Thissen	112*	Betzold	Uniform Guardianship and Protective Proceedings Act.	12	4/11			Various
678	DeLaForest	578*	Foley	Civil commitment examiner and health officer definitions clarified.	22	4/28			8/1
700*	Eastlund	722	Foley	Civil action immunity provided for good faith reports to or requests for assistance.	35	5/12			8/1
817	Mahoney	1098*	Bachmann	Occupational safety and health provisions modifications.	38	5/13			8/1
628*	Kohls	673	Ortman	Emergency notification actions liability limitation provided.	65	5/20			8/1
1114	Kohls	872*	Scheid	Purchase-money mortgage conveyance by spouses provisions modified.	71	5/19			8/1
264	Biernat	230*	Skoglund	Housing violation summons and hearing scheduling requirements modified.	114	5/25			8/1
754*	Osterman	688	Gaither	Displaced person definition changed to correspond with federal law.	117	5/27			8/1
1326	Latz	1176*	Hottinger	Civil actions against the state in federal court provisions clarified.	132	5/28			8/1
				Commerce, Jobs and Economic Development Policy					
267*	Wilkin	176	Scheid	Fire insurance standard policy provisions modified relating to terrorism.	10	4/7			4/8
536*	Simpson	382	Scheid	Joint underwriting association coverage and market assistance responsibilities modified.	21	4/28			8/1
1189	Erhardt	1064*	Bachmann	Minors working as assistant soccer referees exempted from child labor age restrictions.	26	5/2			5/3
446*	Wardlow	745	Higgins	Minors exempted from minimum age restrictions for work as youth athletic program referees.	31	5/8			5/9
203	Sertich	350*	Scheid	FAIR property insurance plan provisions modification.	40	5/13			Various
710*	Atkins	1097	Bachmann	Obsolete mandatory retirement language deleted.	46	5/15			8/1
1234*	Ruth	1252	Day	Cemetery interment errors corrections provided.	48	5/15			8/16
1143	Severson	891*	Rest	Housing and economic development authorities authorized to create legal partnerships.	50	5/16			5/17
1039	Davids	1069*	Sparks	Financial institution exam, applications, loans, and organizational provisions regulated.	51	5/16			Various
438	Lindner	645*	Metzen	Interest rates on rental security deposits provided.	52	5/16			8/1
645*	Paulsen	937	Kiscaden	Tech. business licensing provisions modified to provide exemptions from MN Electrical Act.	58	5/19			Various
946*	Johnson, J.	776	Scheid	Insurance guaranty assoc. regulation and insurance information usage regulation provided.	74	5/22†			5/23
547*	Davids	674	Sams	Farm implement dealers warranty work payment regulated.	78	5/22			8/1
155	Kohls	28*	Betzold	Uniform commercial code revisions enacted.	81	5/22			8/1
894*	Pugh	878	Metzen	Manufactured homes certificates of title provisions modified.	90	5/23			5/24
741*	Howes	718	Murphy	Motor vehicle dealer advertising regulated.	94	5/23			8/1
984*	Swenson	679	Skoe	Minnesota Cooperative Associations Act adopted.	105	5/25			8/1
821	Paulsen	980*	Foley	Identity theft reporting procedures and venue provided.	106	5/27			Various
673*	Haas	994	Sparks	Comprehensive health association authorized to offer policies with higher annual deductibles.	109	5/27			5/28
359	Rukavina	308*	Tomassoni	Mining owners and operators duties specified when operations are discontinued.	113	5/25			5/26
501	Meslow	420*	Wiger	Travel clubs regulated.	125	5/28			8/1
1132	Gerlach	1099*	Bachmann	Entertainment agency laws repealed.	131	5/28			8/1
95*	Seifert	291	Marko	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	4	3/31			8/1
				Education Policy					
6	Anderson, B.	287*	Murphy	Pledge of Allegiance recitation required in all public schools.	120	5/27			Various
302*	Sykora	481	Kelley	Profile of Learning repealed.	129	5/21			Various
517	Demmer	296*	Michel	Department of Children, Families and Learning renamed the Department of Education.	130	5/28			8/1
				Environment and Natural Resources Policy					
111	Opatz	94*	Kleis	St. Cloud State land conveyance description correction.	1	2/27			2/28/03
1054	McNamara	1001*	Saxhaug	Solid waste management plans updating and content requirements modified.	13	4/17			8/1
850*	Brod	841	Neuville	Sibley County land conveyance from Minnesota Valley state recreation area.	24	5/2			Various
823	Cornish	842*	Pariseau	DNR gifts, and grants authority modified; concealed carry handgun permits.	28	4/28			Various
335*	Ozment	781	Marty	Irrigation system moisture or rainfall sensing equipment required.	44	5/14			7/1
859*	Lindgren	888	Saxhaug	Timber sale provisions modified and criminal penalties provided.	73	5/22			8/1
837*	Olson	1054	Dille	Clearwater River Watershed District authorized to charge facilities for disposing sewage.	83	5/23			8/1
1257*	Swenson	1195	Hottinger	Drainage authority authorized to compensate landowners for bridge removal.	84	5/23			5/24

2003 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 29, 2003)

HF—House File
SF—Senate File
R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications
*—version of the bill the governor
signed or vetoed

†—approved without governor's
signature
liv—line item veto

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
414*	Cox	392	Murphy	Soil and water conservation district law updates provided.	104	5/25			8/1
				Governmental Operations and Veterans Affairs Policy					
64	Seifert	61*	Betzold	State agencies rule adoption procedures modified.	3	3/24			7/1
330	Swiggum	293*	Hottinger	Public employment labor agreements ratified.	11	4/9			Various
827	Severson	768*	Betzold	Capitol Area Architectural and Planning Board enabling language modified.	17	4/17			8/1
912	Kielkucki	1095*	Rosen	State soldiers assistance fund use restriction clarification.	18	4/17			4/18
1112*	Adolphson	1185	Murphy	Veterans Affairs Department authorized to access certain state databases.	25	5/2			10/1/2004
456*	Mullery	511	Higgins	Hennepin: Victory Memorial Drive designated as a historic district.	30	5/12			8/1
1080*	Brod	971	Metzen	National Guard tuition reimbursement program extended.	34	5/12			8/1
585	Nornes	479*	Larson	Certified public accountants authorized to perform annual audits for county nursing homes.	53	5/16			8/1
361*	Kielkucki	329	Sams	Special election procedures for town officials provided.	56	5/19			8/1
553	Kielkucki	407*	Vickerman	Optional election of certain town offices provided.	60	5/19			8/1
1335	Thao	1282*	Murphy	Hmong veterans of the war in Laos during the Vietnam War commemorative statue provided.	69	5/20			8/1
504*	Kielkucki	384	Vickerman	Ballot questions limited to those meeting all deadlines.	75	5/22			8/1
503*	Kielkucki	385	Vickerman	Ballot preparation provisions clarified.	76	5/22			8/1
677*	Erickson	638	Scheid	Architects, engineers, surveyors, landscape architects, geoscientists, interior designers licensure.	85	5/23			5/24
624*	Seifert	1070	Senjem	Local government impact notes provided for state agency rule proposals.	103		5/27		
1244*	Jacobson	1153	Vickerman	Lawful gambling clarifying and technical changes provided.	110	5/27			Various
943*	Rhodes	997	Michel	State finance practices and procedures modified.	112	5/27			Various
294*	Eastlund	117	Betzold	State employees called to active duty authorized to receive payment of a salary differential.	123	5/28			5/29
768*	Anderson, J.	1039	Murphy	Military certificates of discharge classified as private data.	124	5/28			1/1/2004
				Health and Human Services Finance					
1158*	Bradley	993	Berglin	County nursing home payment adjustment increased, and money appropriated.	9	4/7			Various
				Health and Human Services Policy					
774	Abeler	790*	Kiscaden	Department of Human Services Background Studies Act.	15	4/17			4/18
647*	Swenson	533	Hottinger	Nicollet County nursing home construction moratorium exception provided.	16	4/17			7/1
51*	Davids	537	Anderson	Health insurance provisions clarified relating to long-term care insurance.	19	4/23			4/24
266*	Finstad	224	Kiscaden	Purchasing alliance stop-loss fund modified relating to health plan companies.	20	4/23			8/1
1384	Powell	1071*	Senjem	Alkaline hydrolysis regulations and requirements application.	32	5/12			8/1
410	Abeler	433*	Higgins	Alzheimer's disease specialized training required in certain facilities and services.	37	5/12			8/1
1026*	Kohls	962	Ortman	Medical assistance capitated payment option authorized for certain services.	47	5/15			8/1
1251*	Samuelson	1266	Kiscaden	Licensed home care agencies excluded from supplemental nursing services law.	55	5/16			Various
419*	Sykora	796	Robling	Child care licensing provisions modified.	57	5/19			8/1
373	Nornes	418*	Dibble	Optometrist drug prescription limitation removed.	62	5/19			8/1
1044*	Brod	127	Skoglund	Health professional boards costs and penalties relating to disciplinary proceedings clarified.	66	5/20			8/1
653	Olsen	727*	Knutson	Postadoption services req. modified to require release of nonidentifying history of birth family.	68	5/20			8/1
1095*	Bradley	1060	Berglin	Construction deadline extended for previously approved nursing home moratorium exception projects.	72	5/22			7/1
321*	Cox	257	Neuville	Northfield medical facilities related to the municipal hospital authorized.	77	5/22			5/23
346	Abeler	333*	Sams	Health care advisory councils extended; speech-language pathology or audiology provisions modified.	87	5/23			Various
1001	Boudreau	1019*	Kelley	Adverse Health Care Events Reporting Act of 2003 adopted.	99	5/27			8/1
223	Clark	39*	Berglin	Essential community provider application authorized for a specified Hennepin County clinic.	100	5/27			5/28
151*	Seifert	396	Frederickson	Children eligible for adoption assistance exempted from prepaid medical assistance program.	101	5/25			7/1
279*	Abeler	229	Fischbach	Physician assistants authority expanded.	108	5/25			8/1
1140*	Soderstrom	1215	Kiscaden	Nuclear materials regulation agreement under the Atomic Energy Act of 1954 requirements modified.	111	5/27			Various
692*	Abeler	574	Higgins	Pharmacists scope of practice modified to include administration of influenza and pneumococcal vaccine.	118	5/27			Various
865	Powell	328*	Solon	Psychology board independent examination of a practitioner required.	122	5/27			7/1
				Jobs and Economic Development Finance					
1059*	Osterman	1034	Saxhaug	Housing finance agency clarifying and technical changes to programs provided.	61	5/19			Various
				Judiciary Policy and Finance					
268*	Strachan	225	Marko	State fair police dept. authorized to employ additional part-time peace officers.	23	4/28			4/29
920	Fuller	907*	Skoglund	Corrections Department forensic pathologists authorized to issue death certificates.	27	5/2			8/1
909	Lipman	942*	Chaudhary	Criminal proceedings blood specimens evidence admissibility.	29	5/12			8/1
1226	Meslow	515*	Skoglund	Financial crimes investigation modifications.	36	5/12			7/1
1066	Zellers	941*	Sparks	Hazardous materials incident response provisions modifications.	39	5/13			8/1
385*	Fuller	355	Skoglund	Arson in the fifth degree gross misdemeanor provided.	82	5/23			8/1
522	Strachan	256*	McGinn	Search warrant regulations modified.	86	5/23			8/1
731	Kohls	926*	Marty	Property manager background checks on Minnesota computerized criminal history system provided.	89	5/23			5/24

2003 MINNESOTA LEGISLATURE FINAL ACTION (as of May 29, 2003)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF	Author	SF	Author	Bill Title					
HF—House File SF—Senate File R—Resolution CH—Chapter we—with exceptions wq—with qualifications *—version of the bill the governor signed or vetoed †—approved without governor's signature liv—line item veto									
1035	Strachan	1158*	Betzold	DWI breath-testing instruments provisions modified.	96	5/25			8/1
1278	Lipman	964*	Moua	Predatory offender registration law definitions provided.	116	5/27			8/1
808	Dill	351*	Bakk	Radio equipment capable of receiving police emergency transmissions use clarified.	121	5/25			8/1
				Local Government and Metropolitan Affairs					
744	Erickson	726*	Sams	State building code cumulative fees collection.	6	4/3			4/4
415	Borrell	512*	Ourada	Rockford Metropolitan Council jurisdiction removal.	8	4/2			8/1
433*	Strachan	486	Solon	State and other agency response deadline provisions modified relating to zoning.	41	5/13			6/1
770*	Solberg	863	Saxhaug	Aitkin County Long Lake conservation center fund made a separate county enterprise fund.	42	5/13			8/1
554	Buesgens	422*	Robling	Title examiner alternative means of compensation provided.	54	5/16			8/1
944*	Holberg	1062	Robling	Local public notice newspaper designation requirements exception provided.	59	5/19			8/1
93	Lesch	374*	Pappas	St. Paul Civic Center Authority powers and duties technical changes provided.	63	5/20			Upon local approval
428*	Blaine	354	Betzold	Cities authorized to exercise town powers within their limits.	64	5/20			8/1
204	Murphy	174*	Bakk	Political activity restrictions modified for certain St. Louis Co. officers and classified employees.	70	5/20			8/1
244	Lesch	231*	Pappas	St. Paul civil service separation retroactive effective date established.	80	5/22			8/1
582	Olson	857*	Sams	Lake improvement district creation and termination provisions modified.	91	5/23			5/24
293*	Brod	197	Vickerman	Municipalities authorized to prescribe fees by a fee schedule.	93	5/23			8/1
657	Nelson, P.	484*	Wergin	Counties authorized to require dedication of land for public parks.	95	5/27			8/1
845	Abrams	770*	Rest	Hennepin County Medical Center and HMO exempted from contracting requirements.	98	5/25			8/1
389	Hornstein	421*	Higgins	Minneapolis City Council authorized to establish unclassified service positions.	115	5/25			Upon local approval
923*	Westrom	911	Sams	Township officer conflict of interest law exception provided.	119	5/25			Upon local approval
				Regulated Industries					
317*	Hackbarth	172	Foley	County facilities use for commercial wireless service providers authorized.	43	5/14			Various
1115	Hoppe	1260*	Kelley	Telephone assistance plan provisions modified.	79	5/22			8/1
671*	Gunther	660	Metzen	Telephone company service promotions and packages regulated.	97	5/27			Various
719*	Beard	143	Pappas	Brewpubs authorized to make off-sales, posting and lic. prov. modified, bar hours expanded to 2 a.m.	126	5/28			Various
				Taxes					
1565	Abrams	1505*	Pogemiller	Omnibus tax policy bill.	127	5/25			7/1
				Transportation Policy					
1268*	Severson	791	Fischbach	Vehicle light display when visibility is impaired provisions clarified.	45	5/14			5/15
314*	Walz	210	Ruud	Blue lights display on front of emergency vehicles authorized.	49	5/14			8/1
723*	Erhardt	456	Wiger	Seat belt law exemption modified relating to work vehicles traveling under 25 miles per hour.	92	5/23			8/1
988*	Magnus	1038	McGinn	Railroad lands replacement authorized when needed for a trunk highway.	102	5/25			8/1
				Ways and Means					
679	Anderson, B.	552*	Skoglund	Claims against the state payment provided.	88		5/23		
				Special Session					
SSHf1*	Haas	SSHf1	Ranum	Omnibus state government finance bill.	1	5/28			Various
SSHf2	Smith	SSHf2*	Foley	Omnibus judiciary finance bill.	2	5/28			Various
SSHf12	Gunther	SSHf18*	Anderson	Unemployment insurance provisions modified to increase the solvency of the trust fund.	3			x	
SSHf25	Gunther	SSHf28	Sams	Trade and Econ. Dev. Dept. renamed Dept. of Employment and Econ. Dev.	4			x	
SSHf33	Samuelson	SSHf13*	Lourey	Dental practice provision modified.	5			x	
SSHf19	Seifert	SSHf6*	Betzold	Administrative rules use of the good cause exemption notice requirements imposed.	6			x	
SSHf16	Rhodes	SSHf8*	Scheid	Help America Vote Act account established.	7			x	
SSHf29	Krinkie	SSHf10*	Marko	Administration Department provisions modified and data practices regulated.	8			x	
SSHf51*	Seagren	none	none	Omnibus early childhood, family, and K-12 education funding bill.	9			x	
SSHf34	Wardlow	SSHf27*	Kelley	Municipal guaranteed energy savings contracts maximum length extended to 15 years.	10			x	
SSHf9*	Westrom	SSHf21	Murphy	Prairie Island facility additional dry cask storage requirements provided.	11	5/29			5/30
SSHf37	Smith	SSHf22*	Betzold	Omnibus pension bill modifying provisions relating to state and public employee retirement.	12			x	

Friday, May 16**HF1626—Sykora (R)**
Civil Law

Parenting time center funding surcharge fee imposed on divorce filings.

HF1627—Clark (DFL)
Judiciary Policy & Finance
Persons carrying firearms required to obtain permission from possessors of private residences before entry.

HF1628—Bernardy (DFL)
Environment & Natural Resources Finance
Senior citizen fishing license reinstated.

HF1629—Hackbarth (R)
Taxes
Shooting range property tax classification provided.

HF1630—Thissen (DFL)
Commerce, Jobs & Economic Development Policy
Workers' compensation timeliness of payment standard modified.

HF1631—Kahn (DFL)
Governmental Operations & Veterans Affairs Policy
Piping; government purchase of piping or pipe products prohibited from companies who have violated federal Occupational and Safety Health Act regulations.

HF1632—Latz (DFL)
Judiciary Policy and Finance
City councils authorized to prohibit firearms in a city hall or city meeting.

Monday, May 19

HF1633—Davids (R)
Commerce, Jobs & Economic Development Policy
Cable telecommunications laws modified providing technical and clarifying revisions.

HF1634—Eken (DFL)
Taxes
Qualified family business definition provided, and specified property, income, corporate franchise, sales, and motor vehicle sales tax exemptions provided.

HF1635—Thissen (DFL)
Governmental Operations & Veterans Affairs Policy
Metropolitan Airports Commission required to complete its 1996 sound insulation program.

HF1636—Heidgerken (R)
Taxes
Ethanol; retailers who install equipment to dispense E85 fuel provided tax credit.

HF1637—Kielkucki (R)
Civil Law
Abortion; Minnesota Constitution amended to establish the same standard as the United States Constitution for issues relating to abortion.

HF1638—Klinzing (R)
Education Finance
East Metro Integration District No. 6067 grant provided, bonds issued, and money appropriated.

HF1639—Anderson, I. (DFL)
Governmental Operations & Veterans Affairs Policy
Legislature authorized to extend the duration of regular sessions by majority vote of both bodies by proposed constitutional amendment.

HF1640—Kuisle (R)
Environment & Natural Resources Finance
Olmsted County non-motorized riding and hiking trail funding provided, and money appropriated.

HF1641—Koenen (DFL)
Governmental Operations & Veterans Affairs Policy
Corrections Department required to purchase blankets made within the state.

HF1642—Koenen (DFL)
Transportation Policy
Recreational vehicle combination maximum allowable length increased to 65 feet.

HF1643—Olson, M. (R)
Civil Law
Civil actions involving fault regulated.

HF1644—Dorman (R)
Transportation Finance
Motor vehicle purchase rebate provided for flexible fuel vehicles.

HF1645—Urdahl (R)
Commerce, Jobs & Economic Development Policy
Minnesota museum property act adopted providing museum and archives repositories loans and abandoned property regulation, and providing a process for establishing ownership of loaned property.

HF1646—Latz (DFL)
Judiciary Policy & Finance
City councils and county boards authorized to prohibit carrying firearms in a city hall, courthouse, or a city or county meeting; and penalties prescribed.

HF1647—Peterson (DFL)
Regulated Industries
Wind energy conversion facilities incentive payment eligibility limited.

HF1648—Boudreau (R)
Governmental Operations & Veterans Affairs Policy
Prior Minnesota State Retirement System service transfer authorized for a specified corrections employee.

HF1649—Boudreau (R)
Governmental Operations & Veterans Affairs Policy
Prior Minnesota State Retirement System service transfer authorized for a specified civil commitment review coordinator.

HF1650—Olson, M. (R)
Local Government & Metropolitan Affairs
Personal rapid transit local bonding authorized.

HF1651—Olson, M. (R)
Education Policy
Pledge of Allegiance; resolution urging Congress to limit the appellate jurisdiction of the federal courts regarding the recitation of the Pledge of Allegiance in public schools.

HF1652—Olson, M. (R)
Health & Human Services Policy
Health care discriminatory charges prohibited.

HF1653—Huntley (DFL)
Health & Human Services Policy
Health plan coverage for routine costs of clinical trials required.

HF1654—Solberg (DFL)
Education Finance
Independent School District No. 316, Coleraine, special levy authorized.

HF1655—Huntley (DFL)
Transportation Policy
Vehicle lights display regulation technical, conforming, and clarifying revisions provided.

HF1656—Hoppe (R)
Commerce, Jobs & Economic Development Policy
Telecommunications laws recodified, excise tax imposed on certain telecommunications, cable, and video programming services, and money appropriated.

HF1657—Clark (DFL)
Health & Human Services Policy
Ovarian cancer surveillance test coverage extended to women at risk for ovarian cancer.

HF1658—Clark (DFL)
Health & Human Services Policy
Environmental toxicity data collection provided relating to birth defects and cancer.

Special Session**Tuesday, May 20**

HF1—Haas (R)
Omnibus state government finance bill appropriating money for the general legislative and administrative expenses of state government and economic development.

HF2—Smith (R)
Omnibus judiciary finance bill appropriating money for the courts, public safety, corrections, and other criminal justice agencies; imposing criminal and civil penalties; and setting fines and fees.

Wednesday, May 21

HF3—Knoblach (R)
Rules & Legislative Administration
Appropriations adjustments provided for fiscal year 2003.

HF4—Seagren (R)
Rules & Legislative Administration
General education revenue obsolete language removed.

HF5—Kuisle (R)
Rules & Legislative Administration
Omnibus transportation finance bill.

HF6—Bradley (R)
Rules & Legislative Administration
Omnibus health and human services bill modifying public assistance, health care, long-term care, licensing, and children's services provisions; making forecast adjustments; and appropriating money.

- HF7—Abrams (R)**
Rules & Legislative Administration
Job opportunity building zones, biotechnology and health services industry zone, and tax increment financing provided; specified tax payments accelerated; county payments provided; gambling taxes required; and money appropriated.
- HF8—Krinkie (R)**
Rules & Legislative Administration
Omnibus capital improvements bill authorizing bonding for higher education, transportation, trade and economic development, and other purposes; and appropriating money.
- HF9—Westrom (R)**
Rules & Legislative Administration
Prairie Island facility additional dry cask storage requirements provided, alternative energy development incentives and objectives modified, and consumptive use of water authorized.
- HF10—Buesgens (R)**
Rules & Legislative Administration
Metropolitan Council appointment and authority provisions modified, direct wastewater treatment user fees provided, redistricting plan adopted, and certain reporting requirements and other obsolete provisions repealed.
- HF11—Buesgens (R)**
Governmental Operations & Veterans Affairs Policy
Racino; gaming machines authorized on premises of a license racetrack, horse racing purse payments established, gaming machine revenue tax imposed, report required, and money appropriated.
- HF12—Gunther (R)**
Rules & Legislative Administration
Unemployment insurance provisions modified to increase the solvency of the trust fund.
- HF13—Howes (R)**
Rules & Legislative Administration
State land acquisitions provided; state parks, recreation areas, forests, and wildlife management areas modified; land exchanges required; appropriations conditions modified; and Boundary Waters Canoe Area provisions modified.
- HF14—Ellison (DFL)**
Judiciary Policy & Finance
Trespass; persons carrying a firearm required to obtain express permission before entering a public or private building, governmental subdivisions authorized to make and enforce relevant policies, and criminal penalties provided.
- HF15—Howes (R)**
Rules & Legislative Administration
10-year warranty against defective materials provided for completed dwelling sales, and limitation on actions based on breach of warranty specified.
- HF16—Rhodes (R)**
Rules & Legislative Administration
Help America Vote Act account established, funding provided and fund use specified, and money appropriated.
- HF17—Smith (R)**
Rules & Legislative Administration
Local municipal housing code violation reinspection special assessments authorized.
- HF18—Holberg (R)**
Rules & Legislative Administration
Sexual abuse against a minor personal injury civil action limitations period modified.
- HF19—Seifert (R)**
Rules & Legislative Administration
Administrative rules use of the good cause exemption notice requirements imposed.
- HF20—Solberg (DFL)**
Governmental Operations & Veterans Affairs Policy
Open meeting law expanded to include certain meetings of the governor with legislative leadership.
- HF21—Holberg (R)**
Rules & Legislative Administration
Money judgment stays of execution regulated.
- HF22—Slawik (DFL)**
Judiciary Policy & Finance
Minnesota Citizens' Personal Protection Act of 2003 repealed.
- HF23—Howes (R)**
Rules & Legislative Administration
State land acquisitions provided; state parks, recreation areas, forests, and wildlife management areas modified; state land sales and conveyances authorized; and flood mitigation grants provided.
- HF24—Beard (R)**
Rules & Legislative Administration
Brewpubs off-sales authorized; posting, licensing, and sampling provisions modified; and local on-sale liquor licenses authorized.
- HF25—Gunther (R)**
Rules & Legislative Administration
Department of Trade and Economic Development renamed department of employment and economic development.
- HF26—Fuller (R)**
Rules & Legislative Administration
DWI; vehicle forfeiture definitions, standards, and procedures clarified and modified for forfeitures associated with driving while impaired.
- HF27—Hackbarth (R)**
Rules & Legislative Administration
Mourning dove hunting season authorized, report required, and money appropriated.
- HF28—Knoblach (R)**
Rules & Legislative Administration
Job reference information disclosure protections provided, schools required to disclose data relating to acts of violence or inappropriate sexual contact with students, and employee personnel records inspection rights regulated.
- HF29—Krinkie (R)**
Rules & Legislative Administration
Administration Department provisions modified and data practices regulated.
- HF30—Kuisle (R)**
Rules & Legislative Administration
State highway routes modified, vacated, and transferred.
- HF31—Magnus (R)**
Rules & Legislative Administration
Job opportunity building zones provided, and money appropriated.
- HF32—Dorman (R)**
Rules & Legislative Administration
Workers' compensation technical changes provided, medical fee schedule conversion factor frozen for one year, and surcharge rate established.
- HF33—Samuelson (R)**
Rules & Legislative Administration
Dental practice provision modified.
- HF34—Wardlow (R)**
Rules & Legislative Administration
Municipal guaranteed energy savings contracts maximum length extended to 15 years.
- HF35—Brod (R)**
Rules & Legislative Administration
Veterans affairs commissioner authorized access to taxpayer identification information to notify veterans of possible health hazards exposure.
- HF36—Wilkin (R)**
Rules & Legislative Administration
Medicare supplement insurance regulated, state law conformity with minimum federal standards provided, hearing aid coverage for certain children required, and evaluation of mandated health benefit proposals required.
- HF37—Smith (R)**
Rules & Legislative Administration
Omnibus pension bill modifying provisions relating to state and public employee retirement.
- HF38—Lenczewski (DFL)**
Governmental Operations & Veterans Affairs Policy
Casinos; location of a state-operated or state-licensed gambling facility prohibited in a city that has adopted a resolution of disapproval.
- HF39—Lenczewski (DFL)**
Environment & Natural Resources Finance
Old Cedar Avenue bridge maintained, bonds authorized, and money appropriated.
- HF40—Lenczewski (DFL)**
Ways & Means
Revenue forecast inflation provided.
- HF41—Lenczewski (DFL)**
Taxes
Metropolitan Revenue Distribution Act abolished.
- HF42—Lenczewski (DFL)**
Transportation Finance
Bloomington trunk highway construction project bonds authorized and money appropriated.
- HF43—Lenczewski (DFL)**
Commerce, Jobs & Economic Development Policy
Do-not-call list loopholes closed and definition modified.
- HF44—Lenczewski (DFL)**
Jobs & Economic Development Finance
Bloomington arts center funding provided, bonds issued, and money appropriated.
- HF45—Lenczewski (DFL)**
Judiciary Policy & Finance
Firearms; city councils authorized to prohibit carrying a firearm in a city hall or city meeting, and penalties provided.
- HF46—Lenczewski (DFL)**
Taxes
Light-rail transit operating subsidies fiscal disparities adjustment provided.
- HF47—Lenczewski (DFL)**
Taxes
Bloomington's obligation to make additional contributions to the fiscal disparities pool eliminated.
- HF48—Lenczewski (DFL)**
Judiciary Policy & Finance
Firearms; cities authorized to prohibit carrying firearms on city property, and penalties provided.

HF49—Lenczewski (DFL)
Ways & Means
July revenue forecast required.

HF50—Lenczewski (DFL)
Taxes
State spending increases limited and constitutional amendment proposed.

Thursday, May 22

HF51—Seagren (R)
Omnibus early childhood, family, and kindergarten through grade 12 education funding bill.

HF52—Finstad (R)
Rules & Legislative Administration
Baseball parks operated by private nonprofit corporations and used by amateur players exempted from property taxation.

HF53—Hoppe (R)
Rules & Legislative Administration
Game and fish licensing provisions modified, mourning dove hunting season established, dogs permitted to track and trail bear, reports required, and money appropriated.

HF54—Davnie (DFL)
Civil Law
Graffiti damage recovery action provided.

Friday, May 23

HF55—Abrams (R)
Rules & Legislative Administration
Precinct caucus date changed, state party nominating elections and primary date changed, state party nomination election ballot requirements modified, and cities and school districts authorized to change the date of their primary.

HF56—Meslow (R)
Rules & Legislative Administration
Technical clarifications provided for Laws 2003, chapter 48, relating to correction of interment errors.

Saturday, May 24

HF57—Anderson, B. (R)
Rules & Legislative Administration
Claims against the state payment provided, and money appropriated.

HF58—Soderstrom (R)
Rules & Legislative Administration
Sex offender treatment co-pay collection authorized, and civilly committed sexual psychopaths prohibited from receiving obscene or pornographic materials.

Tuesday, May 27

HF59—Dill (DFL)
Environment & Natural Resources Policy
Lead fishing tackle awareness, education, and grants provided.

HF60—Severson (R)
Rules & Legislative Administration
Sauk Rapids bridge bonds issued and money appropriated.

HF61—Dorman (R)
Rules & Legislative Administration
Market value homestead credit reimbursement payment to cities eliminated, transit levy authorization reinstated, and city local government aid reduced.

HF62—Boudreau (R)
Rules & Legislative Administration
Personal Protection Act of 2003 reasonable request to prohibit firearms provision modified.

HF63—Lipman (R)
Rules & Legislative Administration
Memorial fund trusts provided, application provision modified, procedures clarified, and duplicative affidavit requirement eliminated.

Wednesday, May 28

HF64—Tingelstad (R)
Rules & Legislative Administration
Northstar commuter rail line funding provided, bonds issued, and money appropriated.

HF65—Olson (R)
Rules & Legislative Administration
Personal rapid transit applications study required to supplement transportation system options.

HF66—Buesgens (R)
Rules & Legislative Administration
Metropolitan Council vacancies exempted from public meeting requirement, other Metropolitan Council and agency provisions modified, re-districting plan adopted, obsolete language deleted, and conforming changes provided.

Thursday, May 29

HF67—Abrams (R)
Rules & Legislative Administration
Political party definition changes repealed relating to major and minor political parties.

HF68—Krinkie (R)
Rules & Legislative Administration
Omnibus bonding bill providing funding to acquire and better public land and buildings and other improvements of a capital nature, requiring studies and reports, providing flood relief to Roseau, issuing bonds, and appropriating money.

HF69—Thissen (DFL)
Governmental Operations & Veterans Affairs Policy
Time restriction for governor to sign or veto a bill modified.

HF70—Olson (R)
Rules & Legislative Administration
Personal rapid transit study required.

Constitutional Officers

Governor
TIM PAWLENTY (R)
130 State Capitol
St. Paul 55155
(651) 296-3391
1-800-657-3717
Fax: (651) 296-0674

Lieutenant Governor
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St. Paul 55155
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525 Park St.
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St. Paul 55155
(651) 296-2803
Election Division: (651) 215-1440
Open Appointments: (651) 297-5845
Business Information &
Uniform Commercial Code:
(651) 296-2803

2003 Minnesota House of Representatives Members

District/Member/Party			Phone (651) 296-	District/Member/Party			Phone (651) 296-
		Room*				Room*	
48B	Abeler, Jim (R)	369	1729	63B	Larson, Dan (DFL)	287	7158
43B	Abrams, Ron (R)	585	9934	44B	Latz, Ron (DFL)	225	7026
42A	Adolphson, Peter (R)	597	3964	40B	Lenczewski, Ann (DFL)	237	4218
19A	Anderson, Bruce (R)	437	5063	66A	Lesch, John (DFL)	223	4224
3A	Anderson, Irv (DFL)	321	4936	1B	Lieder, Bernie (DFL)	323	5091
27B	Anderson, Jeff (R)	583	4193	2B	Lindgren, Doug (R)	523	4265
39B	Atkins, Joe (DFL)	221	4192	32A	Lindner, Arlon (R)	417	7806
35A	Beard, Michael (R)	451	8872	56A	Lipman, Eric (R)	567	4244
51B	Bernardy, Connie (DFL)	337	5510	22A	Magnus, Doug (R)	515	5505
59A	Biernat, Len (DFL)	303	4219	67A	Mahoney, Tim (DFL)	289	4277
12B	Blaine, Greg (R)	387	4247	65B	Mariani, Carlos (DFL)	203	9714
19B	Borrell, Dick (R)	545	4336	9B	Marquart, Paul (DFL)	311	6829
26B	Boudreau, Lynda (R)	559	8237	57B	McNamara, Denny (R)	577	3135
29B	Bradley, Fran (R)	563	9249	53B	Meslow, Doug (R)	377	5363
25A	Brod, Laura (R)	581	4229	58A	Mullery, Joe (DFL)	209	4262
35B	Buesgens, Mark (R)	445	5185	6B	Murphy, Mary (DFL)	343	2676
45B	Carlson, Lyndon (DFL)	283	4255	30A	Nelson, Carla (R)	571	0573
61A	Clark, Karen (DFL)	307	0294	46A	Nelson, Michael (DFL)	231	3751
24B	Cornish, Tony (R)	487	4240	17B	Nelson, Peter (R)	433	5377
25B	Cox, Ray (R)	413	7065	10A	Nornes, Bud (R)	471	4946
31B	Davids, Gregory (R)	379	9278	47B	Olsen, Stephanie (R)	531	4280
62A	Davnie, Jim (DFL)	241	0173	16B	Olson, Mark (R)	501	4237
49A	DeLaForest, Chris (R)	503	4231	15B	Opatz, Joe (DFL)	277	6612
29A	Demmer, Randy (R)	371	9236	45A	Osterman, Lynne (R)	431	4176
28A	Dempsey, Jerry (R)	575	8635	11B	Otremba, Mary Ellen (DFL)	247	3201
6A	Dill, David (DFL)	315	2190	52B	Otto, Rebecca (DFL)	393	3018
27A	Dorman, Dan (R)	579	8216	37B	Ozment, Dennis (R)	479	4306
23B	Dorn, John (DFL)	201	3248	42B	Paulsen, Erik (R)	459	7449
17A	Eastlund, Rob (R)	449	5364	64B	Paymar, Michael (DFL)	253	4199
2A	Eken, Kent (DFL)	329	9918	31A	Pelowski, Gene (DFL)	295	8637
58B	Ellison, Keith (DFL)	229	8659	1A	Penas, Maxine (R)	553	9635
64A	Entenza, Matt (DFL)	267	8799	20A	Peterson, Aaron (DFL)	313	4228
41A	Erhardt, Ron (R)	591	4363	40A	Powell, Duke (R)	411	4212
16A	Erickson, Sondra (R)	407	6746	39A	Pugh, Thomas (DFL)	273	6828
21B	Finstad, Brad (R)	353	9303	44A	Rhodes, Jim (R)	443	9889
4A	Fuller, Doug (R)	525	5516	5A	Rukavina, Tom (DFL)	279	0170
37A	Gerlach, Chris (R)	533	5506	26A	Ruth, Connie (R)	415	5368
50A	Goodwin, Barbara (DFL)	331	4331	50B	Samuelson, Char (R)	423	0141
54A	Greiling, Mindy (DFL)	259	5387	41B	Seagren, Alice (R)	477	7803
24A	Gunther, Bob (R)	485	3240	21A	Seifert, Marty (R)	357	5374
47A	Haas, Bill (R)	569	5513	5B	Sertich, Anthony (DFL)	233	0172
48A	Hackbarth, Tom (R)	409	2439	14A	Severson, Dan (R)	389	7808
22B	Harder, Elaine (R)	509	5373	57A	Sieben, Katie (DFL)	211	4342
66B	Hausman, Alice (DFL)	245	3824	10B	Simpson, Dean (R)	473	4293
13A	Heidgerken, Bud (R)	359	4317	55B	Slawik, Nora (DFL)	317	7807
46B	Hilstrom, Debra (DFL)	239	3709	33A	Smith, Steve (R)	543	9188
8A	Hilty, Bill (DFL)	207	4308	8B	Soderstrom, Judy (R)	439	0518
36A	Holberg, Mary Liz (R)	349	6926	3B	Solberg, Loren (DFL)	309	2365
34B	Hoppe, Joe (R)	537	5066	14B	Stang, Doug (R)	375	4373
60B	Hornstein, Frank (DFL)	227	9281	36B	Strachan, Steve (R)	345	1069
4B	Howes, Larry (R)	351	2451	28B	Sviggum, Steve (R)	463	2273
7A	Huntley, Thomas (DFL)	335	2228	23A	Swenson, Howard (R)	517	8634
54B	Jacobson, Carl (R)	429	7153	33B	Sykora, Barb (R)	403	4315
7B	Jaros, Mike (DFL)	291	4246	65A	Thao, Cy (DFL)	215	5158
43A	Johnson, Jeff (R)	401	5511	63A	Thissen, Paul (DFL)	301	5375
67B	Johnson, Sheldon (DFL)	243	4201	49B	Tingelstad, Kathy (R)	507	5369
13B	Juhnke, Al (DFL)	281	6206	18B	Urdahl, Dean (R)	521	4344
59B	Kahn, Phyllis (DFL)	255	4257	52A	Vandever, Ray (R)	529	4124
60A	Kelliher, Margaret Anderson (DFL)	261	0171	62B	Wagenius, Jean (DFL)	251	4200
18A	Kielkucki, Tony (R)	367	1534	61B	Walker, Neva (DFL)	213	7152
56B	Klinzing, Karen (R)	539	1147	12A	Walz, Dale (R)	527	4333
15A	Knoblach, Jim (R)	453	6316	38B	Wardlow, Lynn (R)	491	4128
20B	Koenen, Lyle (DFL)	327	4346	55A	Wasiluk, Scott (DFL)	217	1188
34A	Kohls, Paul (R)	421	4282	51A	Westerberg, Andrew (R)	549	4226
53A	Krinkie, Philip (R)	365	2907	11A	Westrom, Torrey (R)	381	4929
30B	Kuisle, William (R)	565	4378	38A	Wilkin, Tim (R)	551	3533
9A	Lanning, Morrie (R)	593	5515	32B	Zellers, Kurt (R)	557	5502

List as of March 3, 2003.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155

2003 Minnesota Senate Members

Phone			Phone		
District/Member/Party	Room*	(651) 296-	District/Member/Party	Room*	(651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	301 Cap.	8881	39 Metzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	151 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	317 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	129 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Ranum, Jane (DFL)	120 Cap.	7-8061
42 Hann, David (R)	G-27 SOB	1749	53 Reiter, Mady (R)	132D SOB	1253
58 Higgins, Linda (DFL)	328 Cap.	9246	45 Rest, Ann (DFL)	205 Cap.	2889
23 Hottinger, John (DFL)	208 Cap.	6153	35 Robling, Claire (R)	143 SOB	4123
13 Johnson, Dean (DFL)	121 Cap.	3826	24 Rosen, Julie (R)	G-23 SOB	5713
49 Johnson, Debbie (R)	135 SOB	3219	4 Ruud, Carrie (R)	109 SOB	4913
48 Jungbauer, Michael (R)	115 SOB	3733	11 Sams, Dallas (DFL)	328 Cap.	7-8063
44 Kelley, Steve (DFL)	205 Cap.	7-8065	3 Saxhaug, Tom (DFL)	124 Cap.	4136
31 Kierlin, Bob (R)	127 SOB	5649	46 Scheid, Linda (DFL)	303 Cap.	8869
30 Kiscaden, Sheila (IP)	G-15 SOB	4848	29 Senjem, David (R)	G-17 SOB	3903
15 Kleis, Dave (R)	G-25 SOB	6455	2 Skoe, Rod (DFL)	124 Cap.	4196
37 Knutson, David (R)	133 SOB	4120	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettner (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	149 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	226 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

*Capitol or State Office Building, St. Paul, MN 55155
For phone numbers, contact Senate Information at 651-296-0504

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1 A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	15 A Rep. Jim Knoblach-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	29 A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	43 A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	57 A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
2 A Rep. Kent Eken-(DFL) B Rep. Doug Lindgren-(R) Sen. Rod Skoe-(DFL)	16 A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	30 A Rep. Carla Nelson-(R) B Rep. William Kuisle-(R) Sen. Sheila M. Kiscaden-(IP)	44 A Rep. Jim Rhodes-(R) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	58 A Rep. Joe Mullery-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Linda Higgins-(DFL)
3 A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	17 A Rep. Rob Eastlund-(R) B Rep. Peter (Pete) Nelson-(R) Sen. Sean R. Nienow-(R)	31 A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	45 A Rep. Lynne Osterman-(R) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	59 A Rep. Len Biernat-(DFL) B Rep. Frank Hornstein-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A Rep. Doug Fuller-(R) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	18 A Rep. Tony Kielucki-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	32 A Rep. Arlon Lindner-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	46 A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	60 A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
5 A Rep. Tom Rukavina-(DFL) B Rep. Anthony (Tony) Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A Rep. Bruce Anderson-(R) B Rep. Dick Borrell-(R) Sen. Mark Ourada-(R)	33 A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	47 A Rep. Bill Haas-(R) B Rep. Stephanie Olsen-(R) Sen. Leo Foley-(DFL)	61 A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
6 A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	20 A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	34 A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	48 A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	62 A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
7 A Rep. Thomas Huntley-(DFL) B Rep. Brad Finstad-(R) Sen. Yvonne Prettner Solon-(DFL)	21 A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	35 A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	49 A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	63 A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Ranum-(DFL)
8 A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	22 A Rep. Doug Magnus-(R) B Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A Rep. Mary Liz Holberg-(R) B Rep. Steve Strachan-(R) Sen. Pat Pariseau-(R)	50 A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	64 A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
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10 A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	24 A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	38 A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	52 A Rep. Ray Vandever-(R) B Rep. Rebecca Otto-(DFL) Sen. Michele Bachmann-(R)	66 A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	39 A Rep. Thomas W. Pugh-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzen-(DFL)	53 A Rep. Philip Krinkle-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	67 A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A Rep. Dale Walz-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	26 A Rep. Connie Ruth-(R) B Rep. Lynda Boudreau-(R) Sen. Dick Day-(R)	40 A Rep. Duke Powell-(R) B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	54 A Rep. Mindy Greiling-(DFL) B Rep. Carl Jacobson-(R) Sen. John Marty-(DFL)	
13 A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	27 A Rep. Dan Dorman-(R) B Rep. Jeff Anderson-(R) Sen. Dan Sparks-(DFL)	41 A Rep. Ron Erhardt-(R) B Rep. Alice Seagren-(R) Sen. Geoff Michel-(R)	55 A Rep. Scott Wasiluk-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
14 A Rep. Daniel Severson-(R) B Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	42 A Rep. Peter Adolphson-(R) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	56 A Rep. Eric Lipman-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

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Readership Survey: 2003 *Session Weekly*

Please take a moment to tell us what you think of *Session Weekly*. Your opinions will help us plan for next year. You can register your answers at: **www.house.mn** or mail to us at Session Weekly Survey, 175 State Office Building, St. Paul, MN 55155.

Tell us about yourself

Gender: ☐ Male ☐ Female

Age: ☐ Under 18 ☐ 19-24 ☐ 25-39 ☐ 40-59 ☐ 60+

Where do you live:

☐ Mpls/St. Paul ☐ Twin Cities suburbs ☐ Other metropolitan area (i.e. Duluth, St. Cloud, Rochester) ☐ Greater Minnesota

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. What day of the week do you typically receive the *Session Weekly* in the mail? _____

5. 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/It's a Fact
<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	

6. 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

7. Do you have any suggestions for improving the magazine?

8. Do you have Internet access? ☐ Yes ☐ No Do you read *Session Weekly* on the Internet? ☐ Yes ☐ No

9. If *Session Weekly* were available as an Internet-only resource, would you use it? ☐ Yes ☐ No

Do you have any suggestions related to an online-only version of *Session Weekly*?

10. Would you be willing to donate money to fund printing and mailing costs associated with *Session Weekly*? ☐ Yes ☐ No

11. Do you use the Legislature's Web site? ☐ Yes ☐ No

Please list the things that you use the Web site for:

12. What other Internet resources would be useful to you?

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

2003 Legislative Session

Total number of special sessions in state history, including 2003	43
Consecutive years, including 2003, with a special session	3
Number of special sessions in the 1990s	7
Number of House files introduced during the 2003 regular session	1,658
In 2001	2,565
In 1999	2,475
Number of Senate files introduced in 2003 regular session	1,568
In 2001	2,407
In 1999	2,285
Special session bills introduced by the House	70
Introduced by the Senate	47
Regular session bills sent to governor	133
In 2001	217
In 1999	250
Regular session bills signed by Gov. Tim Pawlenty	131
Regular session bills vetoed in part or in whole by Gov. Pawlenty	3
By Gov. Jesse Ventura in 2001	5
By Ventura in 1999	18
Bills vetoed from 1939 to 2002	411
Last year without a veto	1978
Number of resolutions sent to governor in 2003	0
In 2001	4
In 1999	3
Pages in the 2003 Journal of the House for the regular session	4,424
In 2001	5,516
In 1999	5,484
Maximum number of legislative days lawmakers can meet in regular session during a biennium	120
Number of Legislative days used so far	59
In 2001	59
In 1999	67
Days from when the gavel fell to conclude the 2003 regular session to when the next regularly scheduled session begins at noon on Feb. 2, 2004	259

Sources: House Public Information Services Office; Legislative Reference Library; Chief Clerk's Office Governor's Log 2003; Legislature Web site (www.leg.mn).

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
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