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# SESSION Weekly

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In this issue:

VIRTUAL SCHOOLS PROPOSAL

SCHOOL ZONE SPEED LIMITS, AND MORE

HF1469-HF1527

# 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: 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.

If you have Internet access, visit the Legislature's web page at:  
<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.

## ★ ETHICS

### Decision pending

The probable cause hearing regarding a complaint against Rep. Arlon Linder (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



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.

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

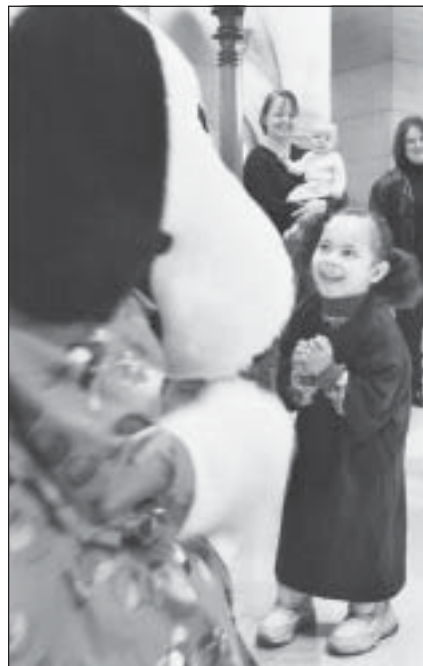


PHOTO BY TOM OLMSCHEID

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

**H**e 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 OLMSCHEID

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

## Minnesota House and Senate Membership

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

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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](http://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](http://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

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### Index, House

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### Sergeant-at-Arms, House

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**Committee Hotline, House** ..... 296-9283

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### 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)

#### Taxes

Biomass electric generating facility sales tax exemption extended.

### HF1490—Eken (DFL)

#### Education Policy

Domestic abuse additional training requirements provided for peace officers, teachers, and school administrators.

### HF1491—Lanning (R)

#### Taxes

Disaster areas allowed to qualify as redevelopment districts with an original net tax capacity equal to the land value.

### 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)

#### Transportation Finance

Traffic violators apprehended by state patrol assessed an additional fine surcharge, trooper training account created, and money appropriated.

### HF1498—Davids (R)

#### Regulated Industries

Open video telecommunications systems regulation provided.

### 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)

#### Taxes

Market value homestead credit reimbursement to cities payment eliminated, transit levy authority reinstated, additional transit financing means provided, and local government aid to cities reduced.

## 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

State agency rulemaking obsolete provision repealed.

### 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)**  
Agriculture & Rural Development Finance  
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)**  
Taxes  
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)**  
Health & Human Services Finance  
Veterans Homes Board funding provided for state share of specified projects, bonds issued, and money appropriated.

**HF1522—Sykora (R)**  
Education Finance  
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)**  
Higher Education Finance  
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."

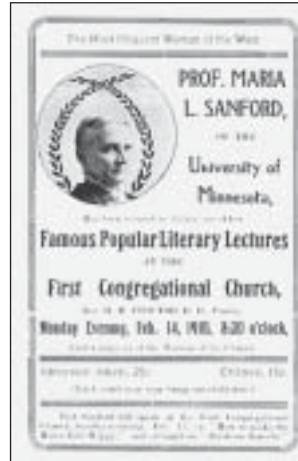
Sanford, who walked everywhere unless it was an exceptionally long distance, was easily recognized. Her demeanor was usually austere.

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

## I N D E X

### Crime and punishment

Incarcerated adults in Minnesota on July 1, 2002 .....	6,946
Number that were female .....	445
Incarcerated adults on July 1, 1998 .....	5,507
Number that were female .....	273
Average annual adult prison population in 1990 .....	3,184
In 1975 .....	1,509
In 1965 .....	1,945
Average age of prisoners on July 1, 2002 .....	33.8
On July 1, 1998 .....	32.7
Inmates age 50 or older on July 1, 2002 .....	470
On July 1, 1998 .....	310
Incarceration rate per 100,000 Minnesota population in June 30, 2002 .....	139
One year prior .....	132
State rank in 2001 .....	49
Adults under community-based supervision as of July 1, 2002 .....	117,179
Juveniles held in primary juvenile correctional facility (Red Wing) as of	
June 2002 .....	166
Juveniles under community-based supervision .....	16,764
Deaths in Minnesota's adult corrections population in 2001 .....	12
Those that were from natural causes .....	10
Department of Corrections general fund appropriations in fiscal year 2003,	
in millions .....	\$374.2
In 2002, in millions .....	\$362.2
Percentage of fiscal year 2003 dollars spent on adult facilities .....	62.2
Percentage in 2002 .....	62.2
Average per-prisoner annual cost in fiscal year 2002 .....	\$29,160
Percentage increase in commitments from January to June 2002 versus	
one year prior .....	13.9
Admissions to state correctional facilities in fiscal year 2002 .....	4,950
In fiscal year 1998 .....	3,874
Number of prisoners released in 2002 .....	4,250
In 1998 .....	3,535
Average sentence length, in months, for those sentenced in fiscal year 2002 .....	41.9
In calendar year 1997, in months .....	39.9
Approximate percentage of inmates participating in the MINNCOR Industries	
program .....	12
Millions in sales from products made in the MINNCOR program in 2002 .....	\$23.6

Sources: Minnesota Department of Corrections, [www.doc.state.mn.us](http://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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