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In this issue:

CONCEALED CARRY PASSES

PERMIT REGULATIONS, RAIL AUTHORITIES, AND MORE

HF1557-HF1579

# SESSION Weekly

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On the cover: A group of fifth graders from Orono Elementary School are reflected in a Civil War flag case as they walk through the Capitol Rotunda during an April 17 historic tour.

— Photo by Kristine Larsen

# Strange roadbed-fellows

House committees at odds over environmental permit process for road projects

By NICOLE WOOD

Wetlands are recognized under state law for conserving surface waters and underground moisture, maintaining and improving water quality, preserving wildlife habitat, providing recreational opportunities, reducing runoff and stream sedimentation, providing for floodwater retention, helping moderate climatic change, and enhancing the natural beauty of the landscape.

The state's Wetland Conservation Act, as the collection of laws protecting the resource is known, emphasizes a "no net loss" approach in preserving the quantity, quality, or biological diversity of wetlands.

Transportation authorities — most often counties — are required to replace wetlands values and restore native plantings under an extensive road project permit process. Generally, the local government unit responsible for administering permits under the Wetland Conservation Act is the city or county, but it also could be a watershed district or soil and water conservation district.

Although the Legislature has attempted to streamline the permit process over the years, the paperwork can be difficult because a variety of local, state, and federal government units have jurisdiction over wetland areas.

The House transportation finance and policy committees heard testimony earlier this session from groups seeking administrative relief from certain requirements under the permit process.

In response to frustration over costs, delays, and duplicative governmental permit requirements, a revised wetland replacement ratio and other wetlands law modifications are advancing in the omnibus transportation finance plan (HF627), sponsored by Rep. William Kuisle (R-Rochester).

Meanwhile, government units who operate under the wetlands law and affected stakeholders — including the Board of Water and Soil

Resources, Minnesota Association of Watershed Districts, Association of Minnesota Counties, Pollution Control Agency, and Department of Transportation — have negotiated a compromise plan that emphasizes early coordination between all involved parties.

Rep. Dennis Ozment (R-Rosemount) has added the so-called "alternative consensus language" to the omnibus environment and natural resources finance bill (HF779).

Ozment said that while he recognizes the transportation committee is "of a different mind," he believes many of the frustrations are caused by the permit process itself rather than the extra

for additional traffic capacity projects.

The House Environment and Natural Resources Finance Committee held a hearing April 23 to review the provisions relating to wetlands restoration contained in the omnibus transportation funding package.

Specifically, the transportation bill would:

- limit native species planting permit requirements;
- exempt counties from securing any permits for work within rights-of-way on existing roads;
- expand the approved restoration zone for wetlands replacements for certain projects; and
- reduce wetlands replacement ratios from 2:1 to 1.5:1 for public transportation projects in those counties classified as having at least 50 percent but less than 80 percent of the wetland acreage, as it existed before the state's settlement, intact. Affected counties would include Anoka, Becker, Benton,

Chisago, Morrison, Otter Tail, Sherburne, and Todd.

Currently, wetlands affected by transportation projects in the seven-county Twin Cities metropolitan area must be replaced in those same counties. The transportation bill would instead allow for the replacements within a major watershed that drains into the defined metropolitan area.

While most acknowledged the need for more flexibility in the process, critics of the Kuisle transportation plan testified that it could roll back the state's goal of no net loss of wetlands, reduce local control, and perhaps put federal funds at risk.

"In doing this, we can save a lot of money in the way we do roads," Kuisle countered. "It's not an attempt to undo the wetland bill."

Representatives from Anoka County offered examples of seemingly prohibitive mitigation costs. The county recently spent more than \$2 million in environmental costs for a 3-mile project, according to County Commissioner Dennis Berg.

But others argued the length of road is not directly proportional to the environmental mitigation needs. "What may be a minor road project may be a major water management project," said Tim Kelly, Coon Creek Watershed



PHOTO BY ANDREW VON BANK

Anoka County Highway Engineer Doug Fischer, *left*, and Anoka County Commissioner Dennis Berg, *right*, testify before the House Environment and Natural Resources Finance Committee April 23 during a discussion of environment provisions in the House Transportation Finance Committee's omnibus bill.

costs related to environmental mitigation.

The provisions included in the environment finance bill would:

- provide public transportation authorities with at least a 45-day notice before watershed districts revise or establish rules;
- reinstate a process for public transportation authorities to appeal decisions by watershed districts to the Board of Water and Soil Resources; and
- allow for transportation authorities to purchase credits from the state wetland bank

District administrator.

The Anoka County testimony also highlighted practical challenges to implementing native grass planting requirements.

Incorporating high quality native grasses requires occasional burnings, County Highway Engineer Doug Fischer said, but burning ditches and medians in the high traffic metropolitan area is "quite problematic."

However, Bonnie Harper-Lore, restoration ecologist with the Federal Highway Transportation Administration, advised the committee of the federal interest in native plants and warned funding could be withdrawn if invasive plants are used.

The average cost per acre for a native grass roadside mix averages \$200, according to a Minnesota Department of Transportation (MnDOT) seeding cost comparison presented to the committee.

"The issue has been cost...but we believe the mixture MnDOT has put together is available at a reasonable cost to transportation authorities," said Board of Water and Soil Resources Director Ron Harnack.

Fischer also said delays could be avoided by exemptions from permit requirements. Professional standards would ensure voluntary compliance with environmental regulations, he said.

"We feel very strongly that local knowledge and local control is not only appropriate, but it is essential in ensuring that projects are permitted in such a way as to reduce environmental harm without undue burden," wrote Julie Klocker, Sauk River Watershed District administrator, in a report submitted to the committee.

"Nobody in a watershed wants to delay or add costs to a road project," Klocker said.

"It's not an attempt to go after the soil and water conservation districts," Kuisle said. "But we need some rhyme and reason in road projects."

There are very few issues where environmentalists and the "hook and bullet crowd" see eye to eye, and they typically involve habitat and wetlands, said Gary Botzek, executive director of the Fish and Wildlife Legislative Alliance, also speaking on behalf of the Minnesota Environmental Partnership and the Coalition of Minnesota Conservation Organizations. "Let's not throw the baby out with the ditch water," Botzek said.

While both spending packages fall in line for the most part with Gov. Tim Pawlenty's budget recommendations, the governor has said to the media and through his commissioners that he does not support a "retrenchment" in the state's wetland laws.

The environment package was approved by the House Ways and Means Committee April 23 and referred to the House Rules and Legislative Administration Committee. The transportation bill awaits a hearing in the House Ways and Means Committee. 🐾



## Preserving resources

### 1970 committee balanced water conservation with property rights of farmers

Since early in the state's history, Minnesota's leaders have been aware of the abundance of wetlands in the state. However, a clear direction for managing those wetlands was lacking in the early days. More than 100 years after statehood, lawmakers were still grappling with the proper balance between maintaining wetlands and maximizing land use, particularly for agriculture.

Back when the Legislature was only meeting every other year, the House Conservation Committee appointed a Subcommittee on Preservation of Wetlands to meet during the interim period in 1970. The subcommittee exam-

ined state policies relating to wetland reclamation and management, particularly as it related to wildlife management areas.

Testifiers and members of the subcommittee addressed the value of wetlands to control flooding and as a method for managing wildlife. They also considered the practices existing at the time of draining land that could be used for agriculture.

The subcommittee made a number of recommendations, including:

- accelerating wetland acquisition;
- changing laws regarding land drainage;
- encouraging state departments governing wetlands and wildlife and local governments to better communicate regarding selection and management of wetlands;
- encouraging a wetland banking program;
- making payments to local governments to compensate for taxes that were no longer collected on acquired wetlands; and
- urging greater understanding and cooperation in wildlife area management between hunters and farmers.

Early water management in the state focused on manipulating water to make land more suitable for farming, according to an analysis of wetland law. Practices in the 1930s slowed drainage of waters, and in 1937, a law specifically declared all streams and lakes wholly within the state to be public waters.

Later laws further clarified public waters and which waters could be drained. In 1951, a federal program appropriated funds to acquire wetlands for wildlife management.

By early 1970, the state had acquired 180,000 acres of wetlands at the total cost of

\$6 million. Federal purchases included another 70,000 acres. According to the subcommittee report, 600,000 acres of wetlands in the state were located on private land.

Several witnesses testified that the state should continue acquiring wetlands for wildlife management. However, they also acknowledged that local governments' concern regarding the loss of tax revenue from

acquired land was a significant concern.

"Chairman (Frank) DeGroat (representative from Lake Park) concluded that part of the problem involves a balance between acquiring land bordering wetlands to control preda-

tors and not removing so much land unnecessarily from the tax rolls as to damage the financial position of the local unit of government," the report said.

Several farmers also complained about existing practices, saying they went beyond preserving existing wetland and they obstructed use of high quality land for farmland. They also said they perceived hunters as nuisances because they didn't obey existing hunting laws.

However, farmers did support a water bank plan administered by the U.S. Department of Agriculture.

Since the report, a number of significant laws related to wetlands have been passed, most notably the Wetland Conservation Act of 1991, which established a "no net loss" policy with regard to wetland management. Simply put, the no net loss policy requires that replacing wetlands cannot result in a net loss of wetland. That has dictated either 2:1 or 1:1 replacement ratios in the state.

Also, several actions since 1970 have incorporated many of the suggested changes of the committee. Between 1979 and 1984, the state conducted an inventory of public waters and specifically identified all public waters on maps for each county.

In addition, practices under the Wetland Conservation Act and subsequent amendments allow for wetland banking and attempt to encourage cooperation between units of government particularly as they need to replace wetlands.

(M. KIBIGER)



Digging a ditch on Joseph Dostal farm in Beltrami County in 1915.

Photo courtesy of the Minnesota Historical Society

## ★ AGRICULTURE

### Ensuring ethanol funding

An amendment to the omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee removes a reference to a potential \$35 million designated to develop ethanol production in the state.

The amendment to HF752, offered by Rep. Jim Knobloch (R-St. Cloud), would not affect the bill's proposal for \$44.4 million in ethanol producer payment funding for 2004-05. The bill's proposal to allow ethanol producers to collect "catch-up payments" either before or after June 30, 2010 was also not changed by the amendment.

The amendment would restore existing language so that sufficient money is appropriated from the state general fund to support ethanol.

In February, Gov. Tim Pawlenty cut \$20.1 million in ethanol producer payments to help address the state's fiscal year 2003 budget deficit.

The omnibus bill proposes \$10.2 million more in ethanol producer payments for the next two years than the governor proposed. The bill would base the quarterly ethanol payments at 13 cents per gallon, 3 cents per gallon more than the governor's proposal.

For the current biennium, ending June 30, 2003, payments were based on a 20 cents per gallon rate.

The committee referred the omnibus agriculture finance bill, sponsored by Rep. Elaine Harder (R-Jackson), to the House Rules and Legislative Administration Committee where it may be combined with other omnibus finance bills before it reaches the House floor.

### Fighting disease

Funding to expand a state program that monitors chronic wasting disease in deer and elk was approved April 23 by the House Ways and Means Committee.

The language came in the form of an amendment to the omnibus agriculture and rural development finance bill (HF752).

Sponsored by Rep. Jim Knobloch (R-St. Cloud), the amendment provides that owners of captive cervidae (primarily deer and elk) pay an annual inspection fee of \$10 per animal, not to exceed \$100 per herd. The size of the herd would be determined by an inventory animal owners would be required to file annually with the state Board of Animal Health. The amendment would also establish a cervidae inspection account for the board to

administer and enforce the program.

The state has been monitoring chronic wasting disease on a voluntary basis with captive deer and elk herd owners since the disease first appeared in free roaming white-tailed deer in Wisconsin during the winter of 2001-02. The first two cases of chronic wasting disease in Minnesota were discovered last summer in two captive elk.

The bill would expand the state's chronic wasting disease surveillance program to cover an estimated 12,000 captive deer and elk in the state. Herd owners would be required to register with the state, meet new requirements for fencing their herds, and submit brain samples of deceased animals for testing.

Chronic wasting is a fatal progressive brain disease in cervidae family animals caused by an abnormal protein. The disease is not known to affect humans.

In March, representatives of the Minnesota Elk Breeders Association objected to a funding plan proposed by the Pawlenty administration that would have charged deer and elk herd owners \$200 annually, plus \$4 for each animal.

The bill was referred to the House Rules and Legislative Administration Committee where it may be combined with another omnibus finance bill before it reaches the House floor.

### Funding county fairs

About \$360,000 in state grant money for county fairs held in 2002, cut by Gov. Tim Pawlenty in February, would be restored under an amendment to an omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee.

Sponsored by Rep. Jim Knobloch (R-St. Cloud), the amendment to HF752 would require the state to pay county and district agricultural societies by July 15, 2003, "the amount of aid owed by the state for an annual fair held in the previous calendar year." It would also require that future state payments to the agricultural societies for county fair reimbursements be made by July 15 in the year after an annual fair was held. Current law has no set date for payment.

Pawlenty cut \$357,000 in county fair grants as part of a series of unallotments to balance the fiscal year 2003 budget.

Representatives of county agricultural societies have urged legislators to restore the grant payments that are used as reimbursements for cash premiums the fair-sponsoring groups paid to winners of youth group contests and other award-winning fair exhibitors.

The governor proposes to eliminate \$718,000 in county fair grants for the 2004-05 biennium, but the House Agriculture and

## SUNSHINE CAPITOL



PHOTO BY TOM OLMSCHIED

Thirteen visiting high school students from Ingolstadt, Germany, take some time to soak up a little warmth from the sun before heading into the Capitol for a tour April 23. The temperature topped out at 70 degrees that day.

Rural Development Finance Committee restored the money in its omnibus bill.

The Legislature first granted the county fair support money to agricultural societies in 1868.

## ★ ARTS

### Guthrie funding

Construction of a new Guthrie Theater near the Mississippi River in Minneapolis would begin with \$35 million in proceeds from state bond sales, under a bill discussed April 23.

HF254, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Jobs and Economic Development Finance Committee. It will be considered for inclusion in a possible House bonding bill.

Funding for a new Guthrie Theater has twice been approved by the Legislature and twice vetoed by former Gov. Jesse Ventura.

"This is like déjà vu all over again," said Rep. Greg Davids (R-Preston), noting his support of the bill.

Other representatives were also quick to offer their endorsement. "I believe it plays a state-wide vital role in what makes Minnesota work," said Rep. John Dorn (DFL-Mankato), of the Guthrie Theater.

Abrams said the Guthrie is an incomparable institution that plays a role in education, not only with the University of Minnesota, but also with every high school in the state. It tours to small cities throughout the Upper Midwest through a program called "The Stuff of Dreams."

The Guthrie was established in 1963 and has outgrown its current facility, located adjacent to the Walker Art Center, said Guthrie Artistic Director Joe Dowling. The original facility, he added, was not designed for additions or growth.

Construction documents and designs are in place for the new theater, allowing construction to ensue the moment state funding is available, Dowling said. The project would employ 1,800 full-time construction workers, create a one-time increase in construction activity of \$336 million, and create an \$82 million annual economic impact commencing with its anticipated 2006 opening.

Private funds of \$64 million have been pledged, allowing the Guthrie to provide \$90 million of the \$125 million cost, Dowling said. But many of the private fund pledges are contingent on the project moving forward, which is contingent on state funding.

"We can't do this alone," he said.

The new 250,000-square foot theater would be located in the historic Mills District in



Joe Dowling, artistic director of the Guthrie Theater, testifies before the House Jobs and Economic Development Finance Committee April 23 in support of state funding of the theater's new home to be located along the Mississippi River in Minneapolis.

downtown Minneapolis. It is slated to include three theaters, offices, production and rehearsal support spaces, classrooms, and a restaurant. Underground parking would accommodate 400 vehicles, with additional ramp parking available off-site.

The theater was designed by world-renowned French architect Jean Nouvel, and represents his first North American project. Exterior walls will be accented by humongous silkscreen images from past Guthrie productions.

A companion bill (SF115), sponsored by Sen. Larry Pogemiller (DFL-Mpls), was included in the Senate's bonding bill (SF2).

## ★ CONSUMERS

### Proper burial

Cemeteries that have interred bodies in the wrong burial spaces would be required to correct their mistakes, under a bill approved 129-0 by the House April 22.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF1234 would require cemetery operators who have been informed or have become aware of a wrongful burial to exhume the burial container and place it in the proper location. Expenses would be the responsibility of the cemetery.

Kathy Pantier of Owatonna told the House Commerce, Jobs, and Economic Development Committee April 2 that a cemetery inadvertently buried a body in the plot adjacent to the location in which her granddaughter had been buried earlier. Pantier's family had purchased vacant plots surrounding the granddaughter's plot for future interment of family members.

When the mistake was realized, Pantier said, the family of the recently buried was asked to allow the disinterment of that burial container. The family refused, she said, and a lawsuit was subsequently filed.

"I know that it's not going to help our case at all but I'm hoping it would help people in the future," Pantier said.

Under the bill, both families in any given case could avoid unearthing a wrongfully buried body by agreeing to leave the situation as is.

Ruth said several states have laws regulating burial errors.

A Senate companion bill (SF1252), sponsored by Sen. Dick Day (R-Owatonna), awaits action by the full Senate.

### Phone plan eligibility

A state program that provides a monthly telephone service credit to eligible households would change its participation rules under a bill approved April 23 by the House Jobs and Economic Development Finance Committee.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF1115 would require residents participating in the state's Telephone Assistance Plan program to meet federal Lifeline telephone service discount eligibility requirements to receive a greater monthly credit on their phone bill.

The bill, referred to the House Ways and Means Committee, was also approved by the House Regulated Industries Committee on April 2.

Of the approximately 35,000 people in the state program, 25,000 are already participating in the federal program, said Bonnie Becker, director of adult support programs for the state Human Services Department. Telephone companies providing local service advise phone customers of the program annually.

The bill would drop the state requirements for the program, which are income-based and limited to households with a disabled or elderly (at least 65 years old) member.

To continue in the program, a state resident

would have to meet income-based federal program requirements, including participation in Medicaid, food stamps, supplemental security income, federal public housing assistance, or low-income home energy assistance.

Regulated by the Department of Commerce, the Telephone Assistance Plan is funded by a monthly charge of 5 cents on each wire line (not wireless) in the state. The Public Utilities Commission has the authority to charge up to 10 cents per line monthly.

According to the Human Services Department Web site, residents who now participate in both the state and the federal Lifeline program can receive up to a \$9.50 phone bill credit per month. State program only participants are capped at about \$7 a month.

Becker said shifting the eligibility requirements to the federal guidelines could lead to more people being served in the program at a higher monthly credit. The federal Lifeline credit is not limited to elderly participants as the state program is.

Rep. Karen Clark (DFL-Mpls), a co-sponsor of the legislation that created the state program in the mid-1980s, said she was concerned that not all state participants in the program would meet the federal guidelines and could lose the monthly credit.

The bill would also relieve the Human Services Department of conducting an annual review of eligible participants. Becker said last year 80 people out of 35,000 were found to be ineligible for the program. Dropping the annual review would save the department \$314,000 in administrative costs, she said.

A companion bill (SF1260), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

## ★ CRIME

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### Brunch and dinner on weekends

Rep. Marty Seifert (R-Marshall) said Minnesota's prison inmates would be able to sleep in on weekends if a bill passed by the House April 22 becomes law. That's because HF1036 would take breakfast off the table on Saturdays and Sundays in favor of a midday brunch, saving the state about \$170,000 per year, according to Department of Finance estimates.

The bill to restrict inmates to two meals on weekends and holidays is evidence that in a time of budget cuts to programs for children, the poor, and the disabled, nearly everything is fair game, said Seifert, the bill sponsor. "If we are going to look at reductions to those programs, we also need to take a look at the child molesters, the rapists, the murderers, and

put some of their items on the table as well for reduction." It passed 108-22.

Originally, the bill would have also denied desserts to prisoners, but Department of Corrections officials said that provision would actually cost the state money. "We found out that that would cost more money to take desserts away because of calorie needs," Seifert said.

The bill's language would allow enough flexibility for corrections officials to determine which inmates still need three meals on weekends. Seifert said juveniles, women, diabetics, and the elderly would be among the prisoners he expects would be exempted from the proposal. Inmates confined to workhouses and work camps would also likely receive three meals each day because of caloric needs.

Opponents called the bill inhumane and politically motivated.

"Those people are in jail where they belong — as far as I'm concerned they can stay there for the rest of their lives," said Rep. Carlos Mariani (DFL-St. Paul). "But I'm not going to be accused of supporting and coddling them just because I think it's wrong for state governments to withhold food from people, any people."

The bill now goes to the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

The cost savings is already accounted for in the House judiciary omnibus bill currently before the House Ways and Means Committee.

### Clear communication

A bill that passed the House 113-15 April 22 would make it a crime to knowingly interfere with emergency communications between public safety officers.

Responding to cases where people have "hacked" into police and fire department emergency radio frequencies and disrupted communications, HF784 would make the activity a felony punishable by up to five years in prison and up to a \$10,000 fine.

Under current law, someone interfering with emergency communications would be charged with obstructing the legal process, a misdemeanor offense. Only when the interference creates a risk of death, bodily harm, or serious property damage, is it considered a felony.

Rep. Duke Powell (R-Burnsville), the bill's sponsor, said those risks are hard to prove in court, but that any disruption in the ability of law enforcement or emergency workers to communicate could have serious consequences.

The bill specifies someone must be deliberately disrupting emergency communications

among police, firefighters, or emergency medical workers to be prosecuted for the crime. It protects both radio signals and official cell phone communications from disruption.

In 2001, police arrested a man they called the "Burnsville Hacker," who used amateur radio equipment to broadcast his own voice over police and ambulance frequencies, interrupting conversations between officers, Powell said.

The bill now goes to the Senate, where Sen. Leo Foley (DFL-Coon Rapids) is the sponsor.

## ★ EDUCATION

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### Shrinking school board

The Duluth School Board would be reduced to seven members under a bill passed 114-12 by the House April 22.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF494 would allow the school board to reduce the number of its members elected on an at-large — or district-wide — basis from five to three. That would reduce the school board from nine members to seven.

The bill, which only affects the Duluth School District, would be effective for the November 2003 election. The number of school board members elected by smaller geographic areas within the overall school district would remain at four.

Huntley said the Duluth board is organized under a 1969 state law that allowed nine members. At that time, the district had 25,000 students, compared with 11,000 now, he said.

The bill would allow the Duluth School Board to adopt the change by resolution. The change would not be subject to a vote by school district residents.

The bill now moves to the Senate where it is sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth).

## ★ ELECTIONS

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### Boundary, affidavit issues

Minneapolis City Council members elected last fall outside their current boundary lines would have to run for office again under a bill that passed the full House 81-47 April 22.

Rep. Phyllis Kahn (DFL-Mpls), the sponsor of HF129, said the bill would prevent the state from entering into a "slam dunk voters rights case."

Because Minneapolis held its city council elections in 2001 before redistricting lines were drawn, some councilors were elected to serve areas not actually within their redrawn district. In addition, Kahn said, a case could be made

that minorities are underrepresented, a violation of equal protection for voters under state and federal constitutions.

HF129 requires council members serving four-year, unstagged terms in wards whose redrawn population changes by 5 percent or more to be elected to new terms at the first general election following redistricting.

Although Kahn's bill "has some merit," said Rep. Keith Ellison (DFL-Mpls), the change would require the only two minorities serving on the council to run against one another. He also added there have been "no cries of color" behind HF129. Ellison emphasized the decision should be made at the local level, not by the state.

Under the bill if no election were scheduled to occur in a year ending in 2, 3, or 4 — such as 2002, 2003, or 2004 — the city must adopt one of two options: the city may provide for council members to serve the remainder of their term, if the council members serve at large from the completion of redistricting to the time when their successors are elected or qualified, or the city may provide for an election of council members ending in the year 2, 3, or 4.

If the city chooses the second option, the council member's election must be a two-year term followed by two four-year terms, or the reverse ending in a two-year term. Under a second option, a member whose term otherwise would expire a year after elected, would serve at-large or from the district to which they were elected from the completion of redistricting to the time when their successors are elected.

The bill would also change the affidavit form that candidates must fill out so that the person must also include their address. Among things current law mandates that candidates must state is that they are an eligible voter, they have no other affidavit on file as a candidate for any office at the same election, and that the name written on the affidavit is the candidate's true name or the name by which the person is generally known in the community.

The bill now goes to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

## ★ ENVIRONMENT

### Solid waste plans

Solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District will be granted some administrative relief under a new law signed by Gov. Tim Pawlenty

April 17.

When integrated solid waste planning

## ON THE JOB TRAINING



PHOTO BY TOM OLMSCHIED

Jennifer Larson, 6, sits in the arms of her father, Rep. Dan Larson, on the House floor as part of "Take Your Child to Work Day" April 24.

began in the mid-1980s, it was an evolving industry, and administrators were required to renew their plans with the state every five years, according to House sponsor, Rep. Denny McNamara (R-Hastings).

The systems are relatively stable now and changing filing requirements to every 10 years will allow solid waste staff to spend more time implementing programs than updating plans, proponents of the legislation have said.

Effective Aug. 1, 2003, the new law also modifies Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

The Senate companion bill was sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids).

HF1054/SF1001\*/CH13

### Bridge compensation

A bill that aims to provide drainage authorities with some alternatives to expensive bridge repairs passed the House April 22. The vote was 130-0.

The bill (HF1257) would allow drainage

authorities to compensate landowners for permanent removal of a private bridge if it would be less expensive than repairing the bridge and landowners agree to the situation and waive any rights to future reconstruction.

Most county boards in the state also serve as local drainage authorities, with the responsibility to maintain and replace ditches and bridges.

Rep. Howard Swenson (R-Nicollet), the bill's sponsor, said the legislation was prompted after estimates to replace a particular Nicollet County bridge over a drainage ditch on private land came in at \$72,000-\$100,000, while landowner compensation and removal would cost approximately \$35,000. However, the state attorney general told the drainage authority that current law does not allow for the compensation option, Swenson said.

A Senate companion (SF1195), sponsored by Senate Majority Leader John Hottinger (DFL-St. Peter), awaits a vote on the Senate floor.

### Arsenic amounts

Fertilizers containing certain levels of arsenic would be banned for sale in Minnesota under a bill approved 124-6 by the House April 22.

HF258, sponsored by Rep. Dan Dorman (R-Albert Lea), would amend state law that governs the agriculture commissioner's rulemaking authority regarding fertilizers.

The bill would prohibit the commissioner from licensing or registering for sale or use "any fertilizer containing more than 500 parts per million by weight of arsenic." The commissioner registers each type of fertilizer that can be sold or used in the state.

Arsenic is a very poisonous chemical element, compounds of which are used in insecticides.

Dorman said the bill is modeled after similar legislation introduced in Maine that is "targeted at a group of fertilizers" containing tailings, which are the waste products from the mining process, from an abandoned silver mine in Arizona.

Last summer, public health and environmental advocates from around the United States called on large retailers Home Depot, Lowe's, and Target to stop selling a fertilizer made from mining waste that's heavily contaminated with arsenic. An exemption in federal law, those advocates say, has made it difficult for states to regulate the sale of the fertilizer called Ironite.

A companion bill (SF680), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the full Senate.

## ★ ETHICS

### No probable cause for complaint

While not agreeing with the comments of Rep. Arlon Lindner (R-Corcoran), the House Ethics Committee failed to find probable cause for a violation against him April 24.

The 2-2 party-line vote means the committee's inquiry is now over.

If probable cause would have been found, Lindner could have faced a penalty ranging from censure to expulsion.

On the House floor March 10, Lindner reiterated his belief that homosexuals may not have been persecuted during the Nazi Holocaust. He is also the sponsor of a bill (HF341) that would remove sexual orientation as a protected class under the state Human Rights Act and in other statutory provisions. On the floor he said that he did not want to "wait until America becomes another African continent" in regards to HIV/AIDS.

A complaint filed by eight DFLers offered two counts against Lindner: that his conduct "violates accepted norms of House behavior" and that his comments "bring the House into dishonor or disrepute."

"I believe his interpretation of history is wrong and bizarre," said Rep. Greg Davids (R-Preston), a member of the committee. "While I don't agree with what he said, I believe he has the right to say it even if we find it offensive. If we do censure, one of my concerns is where does it stop?" He also said that those in Lindner's district should have the final say when they go to the polls next year, assuming Lindner seeks re-election.

Rep. Tom Pugh (DFL-St. Paul) said that Lindner's comments did cause harm both locally and nationally. "I don't think we have to sit back and be silent when his comments angered most Minnesotans," he said.

After the meeting, Bill English with the Coalition of Black Churches and African-American Leadership Summit shouted at Lindner in the hearing room, calling him a "redneck," and urging Lindner "to get some education." Lindner calmly said English was being "intolerant."

Lindner, who did not make any comments during the hearing, said afterward that he holds true to what he said and that he does not regret what he said "in the least," adding, "No apologies."

"I've reviewed the tape several times myself and to this day I don't see where there was probable cause for this charge," Lindner added. "I don't think we should have to evaluate in our own minds before we get up and make a point on the floor that 'If I say this, ethics charges are going to come' or protest and dissent is going to come. We don't treat our



PHOTO BY ANDREW VON BANK

Members of the House Ethics Committee deliberate April 24 before failing to find probable cause for a violation in the case of the complaint against Rep. Arlon Lindner.

Democratic colleagues like that and I don't think they should be treating us that way."

Rep. Keith Ellison (DFL-Mpls), one of the lead complainants in the case, said he does not feel the complaint was unnecessary.

"We stood up for the community," he said. "The people who were persecuted in the Holocaust and their ancestors and the people of African ancestry know that at least the Democratic leadership is willing to speak up for them. They may be insulted, but they're not going to be insulted by us not saying something about it."

## ★ GOVERNMENT

### Idea removal

The House Taxes Committee removed several tax provisions of the state government finance omnibus bill April 23.

One would have charged professional tax preparers \$5 per claim for every paper return they file, in excess of 100 returns, as opposed to filing electronically. Department of Revenue personnel testified before the House State Government Finance Committee that the fee would cover their costs per paper return.

Since 2000, professional tax preparers have been required to file returns electronically if they filed more than a certain number of returns the previous year. In 2000, the threshold was 500. It decreased in 2001 to 250, and in 2002 to 100.

Rep. Ron Abrams (R-Minnetonka), chair of the taxes committee, stated at a March 19 committee meeting that he did not like the provision.

The second removed provision relates to the state elections campaign fund.

Currently, an individual may designate on state income tax forms that \$5 go to help candidates for state office pay for campaign expenses. The individual decides if the \$5 is for a political party or for the state general campaign fund, which is distributed from the state general fund among candidates of all major political parties. The check-off does not reduce the taxpayer's refund or amount owed.

Gov. Tim Pawlenty proposed that the program change to a taxpayer-designated amount. Individuals would have been allowed to contribute up to \$25 and married couples up to \$50, under his proposal. The amount would also have been reduced from that individual's refund or be added to the amount owed the state.

The third provision would have allowed sports boards as a new form of legal gambling, and made them subject to a state tax. However, Abrams said the provision needed to be removed, as there is some question as to whether sports boards are legal under federal law.

The charitable gaming industry supported legalizing sports boards, saying that they would generate \$20 million in charitable gaming taxes for the state.

The portions of the state government finance omnibus bill removed through the amendment may yet be included in the omnibus tax bill.

## ★ HEALTH

### Medical assistance choice

A bill that would give certain adoptive families a choice between two types of state medical assistance for their adopted children passed the House 129-0 April 22.

The bill (HF151) would affect adopted

children eligible for government subsidized health care because of medical or rehabilitative needs by allowing them access to the same doctors or therapists they had prior to adoption. In addition, current law already allows for families to receive adoption assistance, regardless of their financial situation, for non-medical costs related to adopting special needs children.

Currently the human services commissioner has the authority to move enrollees from one medical coverage option to the other, sometimes requiring a change in doctors or clinics.

The two types of coverage under the state Medical Assistance program include a fee-for-service system and a prepaid system. Under the fee-for-service system, the Department of Human Services directly reimburses health care providers at rates specified by state law. Under the Prepaid Medical Assistance Program, the state pays outside health plans a flat rate for each enrollee and the plans pay the health care costs based on fees worked out with the providers.

Rep. Marty Seifert (R-Marshall), the House sponsor, said the department does not foresee increased costs to the state if the bill becomes law.

The bill now moves to the Senate, where it is sponsored by Sen. Dennis Frederickson (R-New Ulm).

### Insurance safeguards

**Signed by the governor**  
★ ★ ★

Gov. Tim Pawlenty signed a new law April 23 giving state protection to holders of long-term care insurance in the event their insurer goes out of business or becomes bankrupt.

Effective April 24, 2003, it puts long-term care insurance in the same category as health and life insurance. Under Minnesota law if a company providing those types of insurance goes bankrupt, the state protects its clients by ensuring up to \$300,000 in claims under the Minnesota Life and Health Insurance Guarantee Association.

The association is funded by money collected from the insurance companies it protects.

Rep. Greg Davids (R-Preston), the bill's House sponsor, said he offered the bill to clear up potential confusion caused because long-term care was not explicitly covered under that protection.

Long-term care insurance mainly covers costs associated with nursing home care. Only a small percentage of Minnesotans currently have the insurance, Davids said. Many legislators have said they want to find ways to

increase the use of long-term care insurance to help reduce state health care costs for the elderly.

The law passed the House 131-0 March 6 and the Senate 61-0 on April 6. Sen. Ellen Anderson (DFL-St. Paul) is the Senate sponsor.

HF51\*/SF537/CH19

### Establishing working groups

The commissioner of health would have to shine a spotlight on laws and regulations governing the fast-growing home healthcare industry under a bill that gained unanimous approval in the House April 22.

Sponsored by Rep. Char Samuelson (R-New Brighton), HF1251 would require the commissioner to set up a working group to summarize federal regulations that specifically burden states and home care providers. The group, made up of home care providers and other interested parties, would share its findings with the Legislature, other states, and organizations that advocate for states.

Samuelson said federal requirements putting rigid timeframes on submitting client information and governing when supervisory visits can take place hamper the ability of home care providers to do high quality work.

Once the findings are made, the bill would direct the commissioner to work with federal regulators and Minnesota's congressional delegation to make changes in federal law to provide more flexibility to states.

The working group would also be charged with studying whether home care licensing procedures are appropriate and whether separate federal licenses are necessary. A report on the issue would be due to the Legislature in 2005.

An amendment offered by Rep. Cy Thao (DFL-St. Paul) was ruled not germane to the bill. It would have increased staffing standards at Minnesota nursing homes from two nursing hours per patient each day to three. Thao said the change would ensure nursing home patients receive an "adequate level of care."

Samuelson said nursing homes are very different businesses from home care providers and the amendment did not belong with her bill.

The bill, passed 129-0, now goes to the Senate, where Sen. Sheila Kiscaden (IP-Rochester) is the sponsor.

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## HOUSING



### Assistance for the homeless

Homeless shelter clients needing help in securing a place to live would be assisted under a bill that proposes dedicating \$10 million in bond proceeds to transitional and permanent housing efforts.

HF1124, sponsored by Rep. Lynne Osterman (R-New Hope), will be considered for inclusion in a House bonding bill either this year or next year. It was presented April 23 to the House Jobs and Economic Development Finance Committee.

The money would be given to the state Housing Finance Agency for transfer to the housing development fund to make loans for permanent and transitional supportive housing efforts. Nonprofit organizations that purchase, create, or rehabilitate transitional and permanent housing typically receive the funds.

Numbers compiled for the federal government indicate there are 15,000 individuals and families with unmet housing needs throughout Minnesota, according to Michael Dahl, director of the Minnesota Coalition for the Homeless.

There are 2,000 units of supportive housing in Minnesota and an additional 1,800 in the planning process that need capital support, said Jonathan Farmer, executive director of the Minnesota Supportive Housing Consortium.

HF1124 would provide a direct resource to economic development authorities and housing rehabilitation authorities that can't currently meet all the housing needs. The goal, he said, is to serve people whose incomes are 10 percent to 20 percent of the median income. This requires projects that have minimal debt service.

A Senate companion bill (SF165), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action in the Senate Finance Committee.

## INDUSTRY



### Tax savings

A proposed mining project on the Minnesota Iron Range that hopes to bring employment to a couple thousand individuals would gain financial help under a bill that includes a number of mining tax law changes.

HF1556, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Taxes Committee April 22. Abrams is chair of the committee.

The proposed changes would affect any company mining or processing nonferrous ore in Minnesota. To date, the only party proposing such mining is Teck Cominco Limited, a

Canadian company involved in mining, smelting, and refining in North America and South America.

Still in the feasibility stage, what the company calls the Mesaba project includes a prototype plant that if proven to be successful would be followed by a larger full-scale operation. The mine would be built at a copper-nickel reserve near Babbitt, southwest of Ely. Copper ore would be transported by rail for processing into a concentrate at the former LTV Steel Mining Company plant, which closed in 2001, in Hoyt Lakes.

John Key, the project's general manager, said the operation would directly employ 1,000 people and indirectly employ another 1,000.

HF1556 would:

- repeal the alternative minimum tax under the occupation tax for both taconite and nonferrous mining companies;
- clarify that refining operations are subject to the occupation and net proceeds taxes, rather than mining and corporate franchise taxes;
- compute the net proceeds tax for nonferrous mining similarly to the occupation tax. (The net proceeds tax is imposed in lieu of the property tax. The occupation tax is imposed in lieu of the corporate franchise tax). This would considerably expand possible deductions and make the tax more like an income tax rather than a property tax; and
- modify the revenue distribution formula from the net proceeds tax to make it more like the revenue distribution from property taxes on the mine, production, and refining facilities. This would provide some proceeds to the state general fund. In addition, 40 percent of revenues would be distributed to all taxing districts in the taconite fiscal disparities program.

The bill, which has no Senate companion, will be considered for inclusion in the omnibus tax bill.

### Definition clarification

The state's so-called "gravel tax" enacted into law in 2001 laid out what materials could be taxed when transported on public roads and highways. However, a lack of definition for one material is causing a problem.

HF1528, sponsored by Rep. Dennis Ozment (R-Rosemount), defines the aggregate material of "borrow" to mean "granular borrow consisting of durable particles of gravel and sand, crushed quarry or mine rock, crushed gravel or stone, or any combination thereof."

In presenting the bill April 22 to the House Taxes Committee, Ozment said the Department of Revenue helped craft the definition following Dakota County's request to address the situation.

Dakota County provides 35 percent of the aggregate material for the Twin Cities metropolitan area, and confusion has resulted without a definition for borrow, said County Commissioner Joe Harris.

Nonpartisan House researchers said a definition in state statute would help the counties differentiate between the many descriptions of borrow used by agencies, including the Minnesota Department of Transportation.

The 2001 aggregate materials tax, or gravel tax, allows 28 counties in the state to outright impose a tax on aggregate materials. However, any other county may charge the tax after first conducting a public hearing and then gaining approval of the county board.

HF1528 will be considered for inclusion in the tax omnibus bill.

A Senate companion bill has not yet been introduced.

## ★ LAW

### Reporting protection

People who honestly try to report crimes to law enforcement officials could not be held accountable for damages arising from their actions under a bill the House passed 128-1 April 22.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF700 would make people who seek assistance from law enforcement or who report illegal activities immune from lawsuits arising from damages caused by their actions, as long as they acted with good intentions. People who deliberately mislead police or misreport a crime would still be liable for the results of their action, under the bill.

Eastlund said the issue arose when an off-duty 9-1-1 operator in his district reported an erratic driver he believed might be drunk. "The result of that was (the operator) got sued and ended up having to defend himself in civil court," Eastlund said. "He was exonerated but he had a bill to pay for his legal defense."

The bill would require the awarding of attorney's fees to people who are sued, but found not liable under the law. Lawmakers approved an oral amendment to limit such an award to "reasonable" attorney's fees.

The bill now goes to the Senate, where Sen. Leo Foley (DFL-Coon Rapids) is the sponsor.

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

## Broadcast protection

Broadcasters who unknowingly pass along incorrect information as part of an emergency broadcast would be immune from liability for damages that occur as a result of those broadcasts under a bill the House passed 129-0 April 22.

Sponsored by Rep. Paul Kohls (R-Victoria), HF628 would protect Web sites and television and radio stations from lawsuits resulting from information relayed through the Emergency Alert System, Amber Alert System, or other emergency notifications. Those systems are designed to quickly spread word of emergency information in the event of severe weather, war, or child abduction.

Under the bill, broadcasters could not be held liable for damages if the broadcasts are unintentionally inaccurate and cause damage as a result.

Current law only requires television and radio stations to broadcast messages from the president and lets them choose which other emergency alerts to air. Kohls said the bill is intended to protect stations that might otherwise choose not to air important information for fear of being sued.

The bill now moves to the Senate, where Sen. Julianne Ortman (R-Chanhassen) is the sponsor.

## ★ LOCAL GOVERNMENT

### Additional flood relief

Nearly 11 months after seemingly endless rains fell in much of northwest Minnesota, particularly the city of Roseau, communities are still working to get back to the way things were before floodwaters ravaged the area.

Roseau Mayor Jeff Pelowski told the House Capital Investment Committee April 22 that 50 families are still living in trailers and struggling to make house payments to avoid foreclosure before the city can buy them out, and that more construction needs to be completed in the city.

"The flood of 2002 was a greater than a 500-year flood event," Pelowski explained to committee members. He said that HF1048 would be "phase two" of repairing the city.

Sponsored by Rep. Maxine Penas (R-Badger), the bill would provide \$20.5 million in general fund money to Roseau through the Department of Natural Resources, Department of Trade and Economic Development, and the Housing Finance Agency. The original bill sought \$48.6 million.

Included in the work yet to be done, Pelowski said, is continued repair of the

sewers that backed up and overflowed, rebuilding of the police department, and the building up of city streets and flood protection levees.

Also included in the bill is \$2 million for the prevention of overland flooding at the Polaris Industries facility, the 12th largest employer in Minnesota.

Although the city received flood assistance money during a September 2002 special session, the \$31.8 million package was just enough to make it through the winter, Pelowski said.

In his budget plan, Gov. Tim Pawlenty didn't account for any bonding for fiscal year 2004, leaving committees to come up with cash for the flood-ravaged areas. Typically, governors make bonding recommendations in the second year of a legislative biennium, which would be effective for the odd-numbered fiscal year.

Though the bill originally included bonding, those provisions were removed from the bill by the committee and replaced by the general fund appropriations.

"This is no longer a bonding committee," said Rep. Loren Solberg (DFL-Grand Rapids), and he suggested the bill be passed to get it out of the committee.

Rep. Phil Krinkie (R-Shoreview), the committee chair, explained the bill deals with capital projects that are the purview of the committee. Although no House bonding bill is currently in the plans for this session, he said, having the HF1048 before the committee could be seen as a "preliminary information meeting" if there were a bonding bill.

However, funding for some of these projects are in other omnibus bills, including the environment and natural resources finance bill (HF779) and the jobs and economic development finance bill (HF748).

The Senate companion to HF1048 (SF892), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), has been included in a Senate bonding bill.

The bill was approved and now moves to the House Ways and Means Committee.

### Publishing legal notices

A bill allowing local government units to choose out-of-jurisdiction newspapers for official public notices was approved by the House 130-0 April 22.

Under current law, each township, city, county, school district, or other local government unit must designate annually one official newspaper of record for all legal and public notices, including meeting minutes.

Only newspapers maintaining offices within the territory of the local government unit may be chosen. If no main office for a qualified

newspaper exists in the jurisdiction, but one or more qualified newspapers maintain a secondary office there, one of them must be designated.

HF944, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would change the law to allow the legal notices to be published in any qualified newspaper — even if it doesn't have an office in the jurisdiction — provided certain criteria are met.

Holberg said she sponsored the bill after the local school board association in her district complained about the current law. The school board, she said, received multiple bids for legal publication services. But only one newspaper had an office within the jurisdiction, and therefore had to be chosen despite its higher price.

"It is not good for competition," Holberg said.

HF944 lays out a high threshold to be met before local government units could choose an out-of-jurisdiction newspaper. The newspaper must be a qualified medium of official and legal publication, the publisher must swear that circulation reaches 75 percent or more of the households in the jurisdiction, and the governing body must vote unanimously to designate the newspaper.

The Minnesota Newspaper Association worked with Holberg on the bill, she said.

Mark Anfinson, the association's lawyer, told

the House Local Government and Metropolitan Affairs Committee on March 25 that his initial reaction to the bill was not "kind." However, he added, in the suburban areas there are often multiple newspaper chains serving the same city, but with only one maintaining an office in the area.

"In the suburban area I think the time is right to refine the law," Anfinson said.

The bill now goes to the Senate, where Sen. Claire Robling (R-Jordan) is the sponsor.

## RECREATION



### Youth referees

A bill that would allow youth between ages 11 and 14 to work as assistant soccer referees even if the players are in an older age bracket was approved by the House 133-0 April 24.

HF1189/SF1064\*, sponsored by Rep. Ron Erhardt (R-Edina), is similar to HF446, sponsored by Rep. Lynn Wardlow (R-Eagan), that was approved unanimously by the House March 27. HF446 also allows youths between ages 11 and 14 to serve as sports officials, but limits them to overseeing only younger players. That bill awaits a Senate floor vote.

Both bills are exceptions to current law, under which no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events.

About 2,000 exemptions are processed by the state each year for youth sports officials.

HF1189/SF1064\* stipulates that assistant youth soccer referees must have adequate supervision and a parent's written permission.

In the Senate, where the bill is sponsored by Sen. Michele Bachmann (R-Stillwater), the bill passed 58-0 April 16. It now goes to the governor.

## SAFETY



### Redefining lighted vehicle lamps

Minnesota has required automobiles to display headlights when conditions create reduced visibility since the 1930s. Since 1990, vehicles have been required to display headlights during periods of rain, snow, sleet, or hail.

However, new automobile technologies, which provide for certain vehicles to operate all the time with lit headlights, created an

### SENIOR RALLY



PHOTO BY ANDREW VON BANK

Hundreds of seniors and caregivers from across Minnesota gather in the Capitol Rotunda April 23 to rally against the growing crisis of short staffing in long-term health care.

unintended safety concern, said Rep. Dan Severson (R-Sauk Rapids).

Running headlights do not activate taillights.

The House passed Severson's bill (HF1268) 113-17 on April 22. The bill specifies that vehicle lights that must be lighted during times when visibility is reduced include both headlights and taillights.

John Dennig, a trooper with the State Patrol, during testimony in the House Transportation Policy Committee April 1, testified to the safety issues created when a vehicle is not operating its taillights. While motorists can see when someone is heading toward them, "that doesn't help in the situation in the back of the vehicle," he said. "It requires the driver to physically reach down and turn the switch on."

The bill now moves to the Senate, where it is sponsored by Sen. Michelle Fischbach (R-Paynesville).

## TAXES

### Claiming a homestead

Farm owners who don't live on their farms and are having an immediate family member care for the land would still be allowed to claim the property as a special agricultural homestead for tax purposes, under a bill heard April 23.

Rep. Marty Seifert (R-Marshall) told the House Taxes Committee that he is sponsoring HF1149 after being contacted repeatedly by an elderly woman in a nursing home who feels "picked on" by the current law.

State statute defines that in order for a farm owner who has delegated the farming operation to another person to claim the farm as agricultural homestead for tax purposes, both the owner and the active farmer must be Minnesota residents and both must live within four townships or cities of the farm. In addition, this only applies when the active farmer is the owner's spouse or child.

HF1149, which would take affect with the 2003 assessment, would allow for either the farm owner or the active farmer to be Minne-

sota residents and for either to live within four townships or cities of the farm.

Seifert said the proposal addresses situations like the one with his constituent. She is paying her nursing home fees herself, but because she is not living on the farm and because her children moved from Nebraska to operate it, she is unable to claim the farm as a special agricultural homestead.

The bill would allow more flexibility for those declaring the property, said nonpartisan House researchers. And Seifert said it would help small family operated farms.

HF1149 will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1485), sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Taxes Committee.

### Refunds for renters

Group residential home clients whose rent is paid in part by public assistance would potentially receive less through the state's renters' property tax refund program, under a bill heard April 22 by the House Taxes Committee.

HF1548, sponsored by Rep. Laura Brod (R-New Prague), would clarify that the renters' property tax refund, which is based partially on household income, must be apportioned based on the fraction of income not received from public assistance. For example, if 25 percent of a person's income were from sources other than public assistance, the person would receive 25 percent of the refund that would otherwise be received.

Current law applies to residents of nursing homes, intermediate care facilities, and long-term residential facilities.

Department of Revenue officials testified that the department has also been applying the law to group residential home clients, even though forms and instructions for claimants don't reference such clients. Letters have been sent to group homes in recent years stating that the law does apply to them.

HF1548 would clarify that group residential home clients are in fact to be included in the law. Doing so would assist individuals

completing the renters' property tax refund forms, Brod said.

The bill will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1358), sponsored by Sen. Thomas Neville (R-Northfield), was heard by the Senate Taxes Committee April 15 and will be considered for inclusion in its omnibus bill.

### Planning ahead

The city of Newport, in the southeast Twin Cities metropolitan area, doesn't yet have any hotels with 25 or more rooms, but a bill invoking a lodging tax is preparing for the inevitable.

Rep. Katie Sieben (DFL-Newport) told the House Taxes Committee April 22 that HF1555 would allow the city to impose a lodging tax of up to 4 percent on hotels and motels with at least 25 rooms. The bill, which Sieben is sponsoring, further states that if the city also imposes the tourism lodging tax allowed under general law, the combined rate of the two taxes cannot exceed 4 percent.

Sieben said a \$350 million bridge construction project is changing a highway in the area, prompting several hotel and motel operators to consider locating in the city of 3,400 people.

In response to a question from Rep. Arlon Lindner (R-Corcoran), Sieben said a lodging tax would not have hotels and motels reconsidering Newport. Many Minnesota cities have such a tax and it has not impeded businesses, she said.

The bill states that the city must use tax revenues on economic development and redevelopment, including creation of open spaces, parks, and trails.

HF1555 will be considered for inclusion in the House tax omnibus bill.

Sieben said the Senate companion bill (SF1481), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), was heard by the Senate Taxes Committee April 22 and will be considered for inclusion in its omnibus bill.

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# Down the right track?

Some say regional rail authorities are unnecessary in the Twin Cities, while others say they benefit local communities

By MIRANDA BRYANT

When regional rail authorities were created by the Legislature in 1980, they were originally designed to allow Greater Minnesota counties the option of preserving and possibly expanding existing freight and rail services.

Seven years later, the law expanded to allow regional rail authorities to study, plan, and design light-rail systems.

Since that time, a number of rail authorities have developed rail plans and advocated

current and proposed commuter transit systems, particularly in Ramsey and Hennepin counties. Abrams, who chairs the House Taxes Committee, made his comments during an April 16 meeting of the committee.

During that meeting, lawmakers debated a bill (HF688), sponsored by Rep. Phil Krinkie (R-Shoreview), that would abolish all regional rail authorities in the seven-county, Twin Cities metropolitan area. The bill will be considered for inclusion in the committee's omnibus tax bill.

Regional rail authorities were created as spe-

makeup of regional rail authorities. Authority members are appointed by the county boards. In the case of the metropolitan counties, the respective county boards have appointed themselves as the various regional railroad authorities.

As such, metropolitan-area regional rail authorities are a redundant and unnecessary level of government, Krinkie said. Their duties can and should be performed by county governments, the Minnesota Department of Transportation, and the Metropolitan Council, he added.

In presenting his case, Krinkie distributed minutes from the Dec. 17, 2002 meeting of the Ramsey County Regional Rail Authority. He noted the authority's proposal to levy \$140 million to save money for a transit corridor project that hasn't yet been approved by the Legislature nor funded by the federal government. Krinkie added that the regional rail authority ultimately only levied \$4.2 million to provide for current projects.

"I call it being very presumptuous," Krinkie said.

Krinkie also noted that the Ramsey County Regional Rail Authority is spending \$40,182 on lobbyists to seek federal funds for proposed commuter transit projects, as well as contracting a firm at a cost of \$250,000 to educate the public about a study on the proposed Central Corridor transit project, which has yet to receive specific approval from the state.

Another portion of the minutes Krinkie highlighted said the rail authority had earlier approved a \$3.7 million grant contract with the Minnesota Department of Transportation for the Central Corridor Transit Study. This, he said, has Ramsey County taxpayers paying the state to study a proposed project that should be studied by the state and the Metropolitan Council without additional taxpayers' dollars.

Both Krinkie and Abrams questioned why it was appropriate for Twin Cities metropolitan area counties to lobby the federal government for funding for the Hiawatha light-rail transit line and then insist that the operating costs be covered not by the counties, but by the state.

In response to a question by Rep. Jerry Dempsey (R-Red Wing), Krinkie said the bill would not limit a county's ability to sell bonds for transportation projects. Counties, he

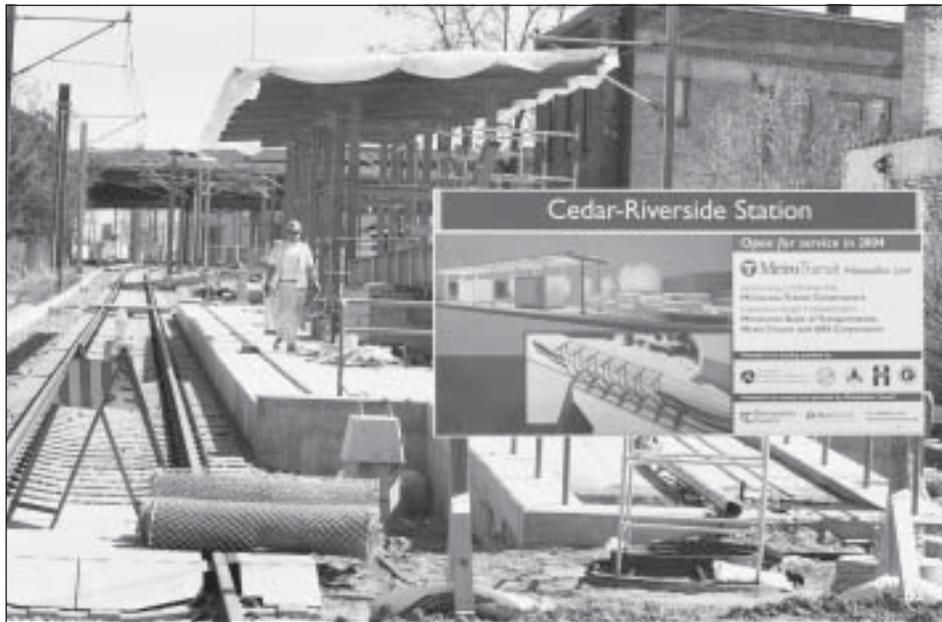


PHOTO BY TOM OLMSCHEID

Lawmakers are questioning the roles of regional rail authorities, which were established by the Legislature in 1980 to study use of existing rail for future transit projects, such as the Hiawatha light-rail transit project pictured here under construction.

for the expansion of rail transit in the state.

However, some lawmakers are now questioning whether the roles of regional rail authorities, as they have evolved, are remaining true to the original intent of the laws, and whether the activities they are engaging in and spending money on are appropriate public functions.

"I know the current situation is an absolute first-class mess," said Rep. Ron Abrams (R-Minnetonka) of studies on, and funding for,

cial units of local government, with the powers to levy local property taxes. The idea was to address situations in which, for example, a small town grain elevator would be left without railroad service.

Though all 87 counties in the state are allowed to create regional railroad authorities, few Greater Minnesota counties have done so. Conversely, all seven metropolitan counties have regional rail authorities.

The original law did not dictate the specific

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# On to the Senate

Plan to change concealed weapons permit policy pits personal protection against perceived safety risks

By JEFF JONES

For the second time in the past three years, the House has passed a bill that would fundamentally change the way concealed weapons permits are granted in Minnesota April 23.

By requiring the state's sheriffs to issue handgun permits to any applicants not specifically excluded by law, the bill would significantly change the state's policy on concealed weapons permits and, according to the state Bureau of Criminal Apprehension, result in 20,000 new gun permits each year after the first. The bureau estimates about 50,000 new permits will be issued initially upon enactment of the measure.

On an 88-46 vote, the House passed the language from HF261, sponsored by Rep. Lynda Boudreau (R-Fairbault), which had been amended onto a technical bill for the Department of Natural Resources (HF823/SF842\*).

Though House Speaker Steve Sviggum (R-Kenyon) said he had doubts about whether the gun issue was properly related to the natural resources bill as required by House rules, a majority of members voted to allow the amendment. Since the original bill was already passed in the Senate, the amended version will return there for a vote to approve the changes or take the bill to a conference committee.

In order to receive a handgun permit under current law, applicants must prove to their local sheriff or chief of police that they have an "occupation or personal safety hazard" requiring them to carry a gun. However, law enforcement officials around the state set different standards for granting such requests. Under the bills county sheriffs would be given the responsibility of granting permits and they could not deny an application without showing that a person is specifically prohibited by law from receiving a permit.

The bill specifies sheriffs may consult with police chiefs when doing a background check on applicants and that police chiefs can be appointed as agents of the sheriff for purposes of taking applications.

The bill would charge a fee for applying for

a handgun permit. Sheriffs' offices could charge the amount it costs them to process applications up to \$100.

In response to criticism from law enforcement organizations, the bill would allow sheriffs to deny an application if a person presents a "substantial likelihood" of being a danger to themselves or to the public. It sets up a judicial process for appealing and justifying such determinations.

As a result of an amendment offered by Rep. Lynne Osterman (R-New Hope) and adopted by the House, the bill would prohibit anyone with a history of violent crimes from ever receiving a permit. Currently, many offenders are eligible for gun permits 10 years after they finish serving their sentences. Other people who could not receive a permit under the bill include:

- anyone under age 21,
- nonresidents of Minnesota,
- anyone who has not taken a course in firearm safety and usage, and
- anyone listed in a criminal gang database.

The bill would relax requirements on businesses not wishing to allow people with guns into their establishments. While previous versions would have required that private businesses install lockers for permit holders to store their guns, the bill now would only require posting a conspicuous sign near their entrance stating that firearms are not allowed inside.

Under the bill, employers, colleges, and universities could set their own policies about letting students or employees carry weapons on their property, while the property of day care centers, elementary schools, and high schools would be off limits to guns. Parents picking

up children from school could have guns in their cars but would have to place them in their trunks when they leave the car. Members defeated an amendment offered by Rep. Jim Rhodes (R-St. Louis Park), to give schools more control over their individual firearms policies.

Opponents of the bill said they worry a dramatic increase in guns on the street would make the state inherently more dangerous. Boudreau and other supporters said the bill is a matter of personal protection, giving law-abiding citizens the chance to protect themselves, and others, from would-be criminals.

Though the legislation is often referred to as "conceal carry," there is no provision in the bill



PHOTO BY TOM OLMSCHIED

Leonard Winborn, *right*, of Peace Projects Inc., and the father of Tyesha Edwards, the Minneapolis girl killed by a bullet from a drive-by shooting that penetrated the wall of her house while she was studying, listens as the House passes the concealed carry bill. Also pictured are Kaye Rakow, *far left*, and LaVonnie Easter of Citizens for a Safer Minnesota.

requiring guns carried under the permits to be concealed. The House defeated an amendment offered by Rep. Ron Erhardt (R-Edina) to require that guns always be visible.

House Minority Leader Matt Entenza (DFL-St. Paul) and Rep. Ron Abrams (R-Minnetonka) chastised House Republican leaders for using parliamentary tactics to force a vote in the Senate.

Rep. Mark Olson (R-Big Lake) said the moves were necessary because DFL leaders in the Senate won't allow a floor vote on the legislation even though a majority of members support it.

The bill now returns to the Senate, where members will have the options of either accepting the House amendments or rejecting them and calling for a conference committee.



# Protecting everyone

Board of Animal Health benefits two-legged Minnesotans by keeping four-legged ones safe

By TOM LONERGAN

The disease names, like West Nile Virus and chronic wasting, are now easier to say; veterinarians respond, test and diagnose animal ailments much more efficiently, due to advances in science and technology; and there are far fewer horses in the state than the 1900 census count of 782,129.

While much has changed since the 1903 Minnesota Legislature created the Livestock Sanitary Board — renamed the Board of Animal Health in 1980 — the small independent agency's primary mission remains to protect the health of the state's domestic animals, and in the process help farmers and livestock producers avoid financial ruin.

State-employed veterinarians spent the early decades of the 20th century tracking and controlling tuberculosis and brucellosis in cattle, diseases easily transmitted to humans. One crucial factor in battling the diseases was the pasteurization of milk.

The diseases “used to kill people and caused tremendous economic losses” in agriculture, said William Hartmann, the state veterinarian and Board of Animal Health executive director. Hartmann is the state's seventh chief veterinarian appointed by the board in the past 100 years. Serving on an annual basis, he was first appointed in 2001.

While prevention of brucellosis and tuberculosis was well in hand by 1950, Hartmann said, the state wasn't declared free of swine and bovine tuberculosis until 1975-76, and brucellosis wasn't completely eradicated until 1984, according to “One Hundred Years of Progress – The History of Veterinary Medicine in Minnesota,” by Dr. John Arnold and Dr. H.C.H. Kernkamp.

The authors note that the board's action to suppress and control tuberculosis in the first decades of the 1900s, although controversial and opposed by some legislators because it involved condemnation of property, proved to be a national model.

“The early certification of many herds in the state made Minnesota a pioneer in the use of the ‘test and slaughter’ program for the

control and elimination of tuberculosis in cattle. As the result, the Minnesota plan was incorporated into the nationwide modified free herd tuberculosis plan of the Bureau of Animal Industry.”

Board of Animal Health programs also led to the eradication of hog cholera, scabies in sheep, and glanders. The latter disease, also called “farcy,” was “a highly contagious and fatal disease of horses ... transmissible to humans.”



In the 1930s, the Board of Animal Health addressed disease caused by a severe drought in western Minnesota and neighboring states. The livestock, pictured here, were brought to the Capitol by farmers at the time to raise awareness of the problem.

Photo courtesy of the Minnesota Historical Society

The number of horses destroyed each year due to glanders peaked at 606 in 1905-06, and by 1911-12, “the board announced that glanders was well on its way of being eliminated in Minnesota.” A major factor was the closing of public water troughs in Minneapolis and St. Paul.

Hartmann said the board continues to work closely with its historical partners — the state Board of Health and the University of Minnesota. In 1883, 20 years before the Livestock Sanitary Board was created, the Board of Health ruled that local health boards were responsible for controlling animals suffering with diseases communicable to humans.

The first director of the Board of Health's veterinary department was Dr. M.H. Reynolds, the head of the university's veterinary science division. Arnold and Kernkamp wrote, “Unfortunately, Dr. Reynolds was given little enforcement authority” and “was limited to offering sugges-

tions and hoping that the livestock owners would abide by the rules and regulations.”

Today's Board of Animal Health has a biennial budget of \$8 million. A staff of about 40 people oversees voluntary and mandatory programs to control and eradicate animal diseases in the state. Three veterinarians lead divisions that monitor diseases affecting cattle, swine, poultry, and related animals. The board assigns veterinarians to seven district offices throughout the state.

Hartmann said the board responded quickly in the summer of 2002 when the first cases of West Nile Virus and chronic wasting disease appeared in Minnesota.

Last year, nearly 1,000 horses tested positive for the virus, which can cause encephalitis — an inflammation of the brain and spinal cord. Thirty percent of the horses died. Birds

serve as the host for the virus, which is spread by mosquitos. Neither horses nor humans can spread the disease.

The board provides information about the disease and encourages horse owners to protect their animals before the onset of mosquito season with a recently developed vaccine.

Two elk infected by chronic wasting disease were found in two different herds last summer. Four herds were quarantined and three have been “de-populated,” Hartmann said. The disease affects cervidae (elk and deer) and is caused by abnormal proteins. The disease has not been detected in free roaming deer in the state, as it has in Wisconsin.

The board's chronic wasting control program has been voluntary. A bill to require two-thirds of the state's captive elk herds be registered with the state and participate in the board's surveillance program is part of this year's omnibus agriculture finance bill.

Five state residents, appointed by the governor, serve on the Board of Animal Health. Three represent livestock producers and two are veterinarians, the same board composition the Legislature approved in 1903.

Hartmann said a celebration marking the board's centennial is being planned for later in the year. 🐾

# Minnesota State Government

## State Departments\*

### Administration

200 Administration Building  
50 Sherburne Ave., St. Paul 55155 ..... 296-8261  
**Brian Lamb** - Commissioner ..... 296-1424

### Agriculture

Agriculture Building  
90 W. Plato Blvd., St. Paul 55107 ..... 297-2200/1-800-967-2474  
**Gene Hugoson** - Commissioner ..... 297-3219

### Children, Families & Learning

1500 Highway 36 W., Roseville 55113 ..... 582-8200  
**Cheri Pierson Yecke** - Commissioner ..... 582-8204

### Commerce

133 E. Seventh St., St. Paul 55101 ..... 296-4026  
**Glenn Wilson Jr.** - Commissioner ..... 296-6025

### Corrections

Suite 200  
1450 Energy Park Drive, St. Paul 55108 ..... 642-0200  
**Joan Fabian** - Commissioner ..... 642-0282

### Economic Security

390 N. Robert St., St. Paul 55101 ..... 296-3711/1-888-438-5627  
**Harry Mares** - Commissioner ..... 296-3711

### Employee Relations

Second Floor, Centennial Office Building  
658 Cedar St., St. Paul 55155 ..... 297-1184  
**Cal Ludeman** - Commissioner ..... 296-3095

### Finance

400 Centennial Office Building  
658 Cedar St., St. Paul 55155 ..... 296-5900  
**Dan McElroy** - Commissioner ..... 297-7881

### Health

The Golden Rule Building, Suite 400  
85 Seventh Place E., St. Paul 55101 ..... 215-5800  
**Dianne Mandernach** - Commissioner ..... 215-5813

### Housing Finance Agency

400 Sibley, Suite 300, St. Paul 55101 ..... 296-7608/1-800-657-3769  
**Tim Marx** - Commissioner ..... 296-5813

### Human Rights

Army Corps of Engineers Center, Suite 700  
190 E. Fifth St., St. Paul 55101 ..... 296-5663/1-800-657-3704  
**Velma Korbel** - Commissioner ..... 296-9038

### Human Services

Human Services Building  
444 Lafayette Road, St. Paul 55155-3815 ..... 297-3933  
**Kevin Goodno** - Commissioner ..... 296-2701

### Labor & Industry

443 Lafayette Road, St. Paul 55155 ..... 284-5005/1-800-342-5354  
**Scott Brener** - Commissioner ..... 296-2342

### Military Affairs

Fourth Floor, Veterans Service Building  
20 W. 12th St., St. Paul 55155-2098 ..... 282-4662  
**Maj. Gen. Eugene R. Andreotti** - Adjutant General ..... 282-4666

### Natural Resources

500 Lafayette Road, St. Paul 55155-4001 ..... 296-6157  
**Gene Merriam** - Commissioner ..... 296-2549

### Pollution Control Agency

520 Lafayette Road N., St. Paul 55155 ..... 296-6300/1-800-657-3864  
**Sheryl Corrigan** - Commissioner, Board Chair ..... 296-7301

### Public Safety

Town Square  
444 Cedar St., St. Paul 55101 ..... 282-6565  
**Rich Stanek** - Commissioner ..... 282-6565

### Revenue

600 N. Robert St., St. Paul 55146 ..... 296-3781  
**Dan Salomone** - Commissioner ..... 296-3403

### Trade & Economic Development

500 Metro Square  
121 Seventh Place E., St. Paul 55101-2146 ..... 297-1291/1-800-657-3858  
**Matt Kramer** - Commissioner ..... 296-6424

### Transportation

395 John Ireland Blvd., St. Paul 55155 ..... 296-3000/1-800-657-3774  
**Lt. Gov. Carol Molnau** - Commissioner ..... 296-3000

### Veterans Affairs

Second Floor, Veterans Service Building  
20 W. 12th St., St. Paul 55155 ..... 296-2562  
**Jeffrey L. Olson** - Commissioner ..... 296-2345

\* and other major agencies  
Area code 651 except where otherwise noted.

## Boards & Agencies

### Board of Pardons

Suite 200  
1450 Energy Park Drive, St. Paul 55108-5219 ..... 642-0284  
**Jeffrey Shorba** - Secretary ..... 642-0284

### Campaign Finance & Public Disclosure Board

First Floor, Centennial Office Building  
658 Cedar St., St. Paul 55155 ..... 296-5148  
**Jeanne Olson** - Executive Director ..... 296-1721

### Capitol Area Architectural & Planning Board

204 Administration Building  
50 Sherburne Ave., St. Paul 55155 ..... 296-7138  
**Nancy Stark** - Executive Secretary ..... 296-1162

### Higher Education Services Office (HESO)

1450 Energy Park Drive, Suite 350  
St. Paul 55108-5227 ..... 642-0533/1-800-657-3866  
**Robert Poch** - Director ..... 642-0502

### Iron Range Resources & Rehabilitation Board

P.O. Box 441, Eveleth 55734 ..... (218) 744-7400/1-800-765-5043  
**Sandy Layman** - Commissioner

### Law Library

Ground Floor Judicial Center  
St. Paul 55155 ..... 296-2775

### Metropolitan Council

Mears Park Center  
230 E. Fifth St., St. Paul 55101 ..... 602-1000  
**Peter Bell** - Chair ..... 602-1453

### Minnesota Historical Society

Minnesota History Center  
345 Kellogg Blvd. W., St. Paul 55102-1906 ..... 296-6126  
**Nina M. Archabal** - Director ..... 296-2747

### Minnesota State Colleges & Universities (MnSCU)

500 World Trade Center  
30 E. Seventh St., St. Paul 55101 ..... 296-8012/1-888-667-2848  
**James McCormick** - Chancellor ..... 296-8012  
**Mary Choate**, Minnetonka - Board Chair

### Minnesota Tax Court

Minnesota Judicial Center  
Suite 245, St. Paul 55155 ..... 296-2806  
**George Perez** - Chief Judge

### Minnesota Veterans Homes Board

122 Veterans Service Building  
20 W. 12th St., St. Paul 55155 ..... 296-2073  
**Wayne M. Sletten** - Chair

### Office of Environmental Assistance

520 Lafayette Road, Second Floor, St. Paul 55155 ..... 296-3417  
**Sherry Enzler** - Director ..... 215-0263

### Public Utilities Commission

Metro Square Building, Suite 350  
121 Seventh Place E., St. Paul 55101 ..... 296-7124/1-800-657-3782  
**Burl Haar** - Executive Secretary ..... 296-7526  
**LeRoy Koppendrayner** - Chair

### University of Minnesota

100 Church St. S.E.  
202 Morrill Hall, Minneapolis 55455 ..... (612) 625-5000  
**Robert Bruininks** - President ..... (612) 626-1616  
**Maureen Reed**, Stillwater - Board of Regents Chair

### Workers' Compensation

**Court of Appeals**  
Minnesota Judicial Center, Suite 405  
St. Paul 55155 ..... 296-6526  
**Thomas L. Johnson** - Chief Judge ..... 297-1594

Area code 651 except where otherwise noted.

## Frequently called numbers

(Area code 651)

#### Information, House

175 State Office Building ..... 296-2146  
Toll free ..... 1-800-657-3550  
**TTY, House** ..... 296-9896  
Toll free ..... 1-800-657-3550  
**Chief Clerk of the House**  
211 Capitol ..... 296-2314  
**Index, House**  
211 Capitol ..... 296-6646  
**Sergeant-at-Arms, House**  
45 State Office Building ..... 296-4860  
**Committee Hotline, House** ..... 296-9283

#### Information, Senate

231 Capitol ..... 296-0504  
Toll free ..... 1-888-234-1112  
**TTY, Senate** ..... 296-0250  
Toll free ..... 1-888-234-1112  
**Secretary of the Senate**  
231 Capitol ..... 296-2343  
Voice mail/order bills ..... 296-2343  
**Index, Senate**  
110 Capitol ..... 296-5560  
**Sergeant-at-Arms, Senate**  
Senate Chamber ..... 296-7514/296-1119

**Committee Hotline, Senate** ..... 296-8088

#### Legislative Reference Library

645 State Office Building ..... 296-3398  
**Governor's Office**  
130 Capitol ..... 296-3391  
**Attorney General's Office**  
102 Capitol ..... 296-6196  
**Secretary of State's Office**  
180 State Office Building ..... 296-2803  
**Capitol Security**  
B-5 Capitol ..... 296-6741  
**Emergency** ..... 296-2100

# Minnesota State and Federal Offices

## U.S. Senators

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Washington, D.C. 20510  
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Bishop Henry Whipple  
Federal Building, Suite 298  
St. Paul, MN 55111  
(612) 727-5220  
1-888-224-9043  
Fax: (612) 727-5223

222 Main Street, Suite 200  
P.O. Box 937  
Biwabik, MN 55708  
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2017 Highway 59 SE, Suite 24  
Thief River Falls, MN 56701  
(218) 681-2166  
(218) 681-2169

E-mail: [dayton.senate.gov/webform.html](http://dayton.senate.gov/webform.html)  
Web site: <http://www.senate.gov/~dayton>

Senator  
Norm Coleman (R)  
B-3 Dirksen Senate Office Building  
Washington, D.C. 20510  
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E-mail: [mark.kennedy@mail.house.gov](mailto:mark.kennedy@mail.house.gov)  
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Red Lake Falls, MN 56750  
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Suite 107  
714 Lake Ave.  
Detroit Lakes, MN 56501  
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Brainerd City Hall  
501 Laurel St.  
Brainerd, MN 56401  
(218) 828-4400  
Fax: (218) 828-1412

Elk River City Hall  
13065 Orono Parkway  
Elk River, MN 55330  
(763) 241-0188  
Fax: (763) 241-0233

38625 14th Ave., Suite 300B  
North Branch, MN 55056  
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 St. Paul 55155  
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 Fax: (651) 296-0674

**Lieutenant Governor**  
**CAROL MOLNAU (R)**  
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 State Capitol  
 St. Paul 55155  
 (651) 296-3391

**State Auditor**  
**PATRICIA AWADA (R)**  
 525 Park St.  
 Suite 400  
 St. Paul 55103  
 (651) 296-2551

**Attorney General**  
**MIKE HATCH (DFL)**  
 Room 102  
 State Capitol  
 St. Paul 55155  
 (651) 296-6196  
 Consumer Division: (651) 296-3353  
 1-800-657-3787

**Secretary of State**  
**MARY KIFFMEYER (R)**  
 Room 180  
 State Office Building  
 St. Paul 55155  
 (651) 296-2803  
 Election Division: (651) 215-1440  
 Open Appointments: (651) 297-5845  
 Business Information &  
 Uniform Commercial Code:  
 (651) 296-2803

## Joint Legislative Services

**Legislative Coordinating Commission (LCC)**  
 51 State Office Building ..... (651) 296-9002

**LCC Central Accounting**  
 70 State Office Building ..... (651) 296-8890

**LCC Subcommittee on Rules**  
 55 State Office Building ..... (651) 296-1121

**Claims (Joint Subcommittee on Claims)**  
 51 State Office Building ..... (651) 296-0099

**(GIS) Subcommittee on Geographic Information Systems**  
 55 State Office Building ..... (651) 296-0098

**Legislative Advisory Commission (LAC)**  
 Fourth Floor, Centennial Office Building  
 658 Cedar St., St. Paul 55155 ..... (651) 296-5188

**Office of Legislative Auditor**  
 Centennial Office Building, Room 140  
 658 Cedar St., St. Paul 55155-1603 ..... (651) 296-4708

**Legislative Commission on the Economic Status of Women**  
 G-22 State Capitol ..... (651) 296-8590  
 Toll Free ..... 1-800-657-3949

**Joint Subcommittee on Employee Relations (LCC)**  
 51 State Office Building ..... (651) 296-2963

**Legislative Commission on Health Care Access**  
 309 Capitol ..... (651) 296-4261

**Legislative Commission on Minnesota Resources (LCMR)**  
 65 State Office Building ..... (651) 296-2406

**Legislative Commission on Pensions & Retirement**  
 55 State Office Building ..... (651) 296-2750

**Legislative Commission on Planning & Fiscal Policy**  
 51 State Office Building ..... (651) 296-9002

**Iron Range Resources & Rehabilitation Board (IRRRB)**  
 P.O. Box 441  
 Eveleth 55734 ..... (218) 744-7400

**Mississippi River Parkway Commission**  
 P.O. Box 59159  
 Minneapolis 55459-8257 ..... (763) 212-2560

**Electric Energy Task Force**  
 322 Capitol ..... (651) 296-4370

**Regent Candidate Advisory Council**  
 51 State Office Building ..... (651) 296-9002

**Board of Trustees Candidate Advisory Council**  
 85 State Office Building ..... (651) 296-9002

**Campaign Finance & Public Disclosure Board**  
 190 Centennial Office Building ..... (651) 296-5148  
 658 Cedar St., St. Paul 55155  
 Toll Free ..... 1-800-657-3889

**Legislative Reference Library**  
 645 State Office Building  
 Circulation ..... (651) 296-3398  
 Reference ..... (651) 296-8338

**Office of the Revisor of Statutes**  
 700 State Office Building ..... (651) 296-2868

## Minnesota State Agencies

(Area code 651)

**Agriculture** ..... 297-2200  
 Toll Free ..... 1-800-967-2474

**Children, Families and Learning** ..... 582-8200

**Commerce** ..... 296-4026

**Corrections** ..... 642-0200

**Economic Security** ..... 296-3711  
 Toll Free ..... 1-888-GET-JOBS

**Employee Relations** ..... 297-1184  
 Job Information Hotline ..... 296-2616

**Finance** ..... 296-5900

**Health** ..... 215-5800

**Human Rights** ..... 296-5663  
 Toll Free ..... 1-800-657-3704

**Human Services** ..... 297-3933

**Labor and Industry** ..... 284-5000  
 Toll Free ..... 1-800-342-5354

**Military Affairs** ..... 282-4662

**Natural Resources** ..... 296-6157  
 Toll Free ..... 1-888-MINNDNR

**Pollution Control Agency** ..... 296-6300  
 Toll Free ..... 1-800-657-3864

**Public Safety** ..... 282-6565  
 Driver and Vehicle Services ..... 296-6911  
 Fire Marshal ..... 215-0500  
 Alcohol and Gambling  
 Enforcement Division ..... 296-6979  
 State Patrol ..... 282-6871

**Revenue**  
 Taxpayer Assistance ..... 296-3781

**Trade and Economic Development** ..... 297-1291  
 Toll Free ..... 1-800-657-3858  
 Office of Tourism ..... 296-5029  
 Toll Free ..... 1-800-657-3700

**Transportation** ..... 296-3000  
 Toll Free ..... 1-800-657-3774

**Veterans Affairs** ..... 296-2562

## Other Information Numbers

**Federal Information** ..... 1-800-688-9889

**White House** ..... (202) 456-1414  
 1600 Pennsylvania Ave.  
 Washington D.C. 20500

**State DFL Party** ..... (651) 293-1200

**State Republican Party** ..... (651) 222-0022

**State Independence Party** ..... (651) 487-9700

**State Green Party** ..... (612) 871-4585

**House Information Services** ..... 296-2146  
 TTY ..... 296-9896  
 Toll Free voice and TTY ..... 1-800-657-3550

**Senate Information** ..... 296-0504  
 Toll Free ..... 1-888-234-1112

**State Information** ..... <http://www.state.mn.us>

**Legislative Information** ..... <http://www.leg.mn>

## Tracking new laws, vetoes

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

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

In the first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site ([http://www.house.leg.state.mn.us/bills/chapters.asp?ls\\_year=83&session\\_number=0](http://www.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0))

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures statement of need and reasonableness content requirement clarification and expansion.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical, clarifying, and conforming changes provided.	3/31	
6	744	726*	State building code cumulative fees collection reporting requirement modifications.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements, compensation plan amendments and salary increase proposals ratification.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	

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

### Where to find information

#### House Public Information Services

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

House Public Information Services is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly*

newsmagazine, educational brochures for all ages, and member directories. All information is available at no charge.

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

#### Chief Clerk's Office

211 State Capitol (651) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.

**Tuesday, April 22**

HF1557—Seifert (R)

**Higher Education Finance**

Riots; students convicted of rioting offenses deemed ineligible for postsecondary state grant awards and required to pay highest applicable tuition rate.

HF1558—Jaros (DFL)

**Taxes**

Mortgage interest income tax deduction limited, funding provided for homeless persons assistance programs, and money appropriated.

HF1559—Lanning (R)

**Taxes**

Affordable housing contributions tax credit provided.

HF1560—Erickson (R)

**Health & Human Services Finance**

Family planning grant funds prohibited from being used to subsidize abortion services.

HF1561—Kelliher (DFL)

**Taxes**

Household income used instead of market value as the basis for computing property taxes on homestead properties, and money appropriated.

**Wednesday, April 23**

HF1562—Lanning (R)

**Taxes**

Vacant commercial, industrial, and residential property tax class rate increased; and appeals of classification provided.

HF1563—Dempsey (R)

**Environment & Natural Resources Finance**

Goodhue Pioneer Trail funding provided, bonds issued, and money appropriated.

HF1564—Lenczewski (DFL)

**Taxes**

Local government aid city aids formula modified.

HF1565—Abrams (R)

**Taxes**

Electric generation facility sales and property tax exemption qualifying period extended.

HF1566—Abrams (R)

**Taxes**

Guthrie Theater construction materials sales tax exemption provided.

HF1567—Clark (DFL)

**Jobs & Economic Development Finance**

Bridges rental housing assistance program funding provided, and money appropriated.

HF1568—Stang (R)

**Ways and Means**

Omnibus higher education finance bill providing funding for Minnesota State Colleges and Universities system, the University of Minnesota, and other higher education; issuing bonds; and appropriating money.

HF1569—Bradley (R)

**Taxes**

Rochester sales tax revenue additional uses authorized, and bonding authority increased subject to local approval.

HF1570—Abrams (R)

**Taxes**

Sales and use tax provisions modified to conform to streamlined sales tax project.

**Thursday, April 24**

HF1571—Clark (DFL)

**Governmental Operations & Veterans Affairs Policy**

Iraq; resolution memorializing Congress to protect the health of military personnel serving in Iraq.

HF1572—Olson, M. (R)

**Education Finance**

School bus carrier liability limited.

HF1573—Nelson, P. (R)

**Taxes**

Appeals and equalization course for property tax local boards of review provided, meeting requirements imposed, and proof of compliance required.

HF1574—Sviggum (R)

**Taxes**

Taconite production tax rate and distribution modified, funds and accounts transfers provided, and tax payments provided.

HF1575—Urdahl (R)

**Jobs & Economic Development Finance**

Cokato mandated water treatment facility grant provided, bonds issued, and money appropriated.

HF1576—Krinkie (R)

**Taxes**

Circle Pines tax increment financing district extension authorized.

HF1577—Koenen (DFL)

**Taxes**

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

HF1578—Thissen (DFL)

**Taxes**

Tax preparers regulated, consumer protections established, and enforcement authority provided.

HF1579—Lesch (DFL)

**Taxes**

St. Paul and Ramsey County collocated police and sheriff facility construction materials sales tax exemption provided.

**C**OMMITTEE SCHEDULE  
\*\*\*

APRIL 28 - MAY 2, 2003

**MONDAY, April 28****11:00 AM**

THE HOUSE MEETS IN SESSION

**TUESDAY, April 29****12:00 PM**

THE HOUSE MEETS IN SESSION

**WEDNESDAY, April 30****12:00 PM**

THE HOUSE MEETS IN SESSION

**THURSDAY, May 1****9:00 AM**

THE HOUSE MEETS IN SESSION

**FRIDAY, May 2****9:00 AM**

THE HOUSE MEETS IN SESSION

explained, can sell bonds for virtually any reason. Special levy authority was granted to regional rail authorities to purchase rights-of-way for future transportation projects.

Rep. Ann Lenczewski (DFL-Bloomington) said a number of legislators asked her if Krinkie was attempting to stop the Northstar Corridor commuter rail project between Minneapolis and Rice and light-rail systems in general. The bill as she understands it, she said, would not do that nor would it prohibit lobbying activities or studies on the part of county governments.

Several people defended the authorities.

Regional rail authorities have been good stewards of public funds and strive to gain value from investments, said David McCauley, an Anoka County commissioner and member of the Anoka County Regional Rail Authority.

Twin Cities metropolitan area authorities have also engaged in planning and engineering to advance transit projects, and have secured \$330 million in federal funds, added Hennepin County Commissioner Randy Johnson. Those federal funds could potentially have been lost to other states' projects.

Problems would result if regional rail authorities were abolished, said Gary Erickson, director of Hennepin County Regional Rail Authority. Specifically, the Hennepin County authority holds 100 leases and 60 easements for abandoned railroad rights-of-way, as well as two long-term contracts with railroad companies.

The Senate companion to the bill (SF686), sponsored by Rep. Mady Reiter (R-Shoreview), was tabled April 8 by the Senate Transportation Policy and Budget Committee. 🗳️

## Where to find information

### Senate Information Office

231 State Capitol (651) 296-0504

The Senate Information Office is responsible for all information about the Senate, including the committee schedule, bill status, legislator information, and the distribution of bill copies.

### Senate Media Services

B-44 State Capitol (651) 296-0264

Senate Media Services, a bipartisan office, produces television programs, multi-media productions, scriptwriting, photography and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

# Reflections

Long bright spring days draw many visitors to the State Capitol, and prompt even frequent visitors to revisit and admire the architectural achievements, however subtle, displayed on the façade of the building.

Adornments conceived by architect Cass Gilbert combine to provide a sense of welcome and ownership to state residents, and an inviting appeal to those who visit.

In some ways, Gilbert looked at the outside decor of the building as a "teaser" to get the public to venture inside, and view how art and architecture easily complement a seat of government where laws are made.

Two factors helped to enhance the Capitol facade's stately persona – location and design.

The present site, chosen in 1893 over 18 other proposals, sits atop a hill to provide a commanding view out across the city.

The front of the building faces south-southeast toward the U.S. Capitol in Washington.

Gilbert's basic design was that of the Italian Renaissance in "a most stately and dignified character." He proposed that the outer structure be of elegant white Georgia marble, but had to compromise with those who opposed his use of stone from another state. So Gilbert added St. Cloud granite to the stairs, terraces, and ground floor level to make the structure look like it was sitting on a specially built platform.

The artistic and aesthetic subtleties Gilbert added to the facade are best seen while approaching the building on foot.

The center of its length draws the most focus — from the tip of the gilded orb above the massive dome to the street level. From the Capitol's base, visitors see 50 grand steps that lead to the wide first floor granite porch, which often gets used as a stage by

public groups. Three wide marble arches define the main entrance that leads into a loggia, or open area before one enters the first floor of the building through massive wooden doors.

The loggia supports a platform on which is placed another open area, accessible only from inside on the second floor. The space is graced from the outside with another three massive arches with Corinthian columns in between, all reaching from the roof of the first floor to the roof of the third floor.



Most visitors are impressed by the prominent Quadriga or "Golden Horses" finished in gold leaf, and the massive dome whose exterior is 89 feet in diameter. But those with a discerning eye may see even more.

They see how Gilbert creatively combined in stone the classic with the modern by the use of many symmetrically placed decorations on the building's outer layer. He added small portals surrounded by elaborate wreaths, large eagles, evenly spaced columns, the initial "M" in calligraphy style, sculpted flowers and leaves wrapped in ornamental drapery.

A little known but most important feature are six human figures sculpted by the Quadriga artist, Daniel Chester French. Four women and two men sculpted to support the Quadriga symbolize the virtues that support and assist the progress of the state. They depict Bounty, Courage, Integrity, Prudence, Truth, and Wisdom.

Cass Gilbert created his masterpiece to speak to the ages and to keep lawmakers and other Minnesotans mindful that development and growth are the results of a unity of diverse ideas.

— LECLAIR GRIER LAMBERT

SPEAKER OF THE HOUSE: STEVE SVIGGUM  
 MAJORITY LEADER: ERIK PAULSEN  
 MINORITY LEADER: MATT ENTENZA

# MINNESOTA INDEX

## Minnesota nurses

Number of registered nurses (RN) as of Dec. 31, 2002 .....	66,222
Licensed practical nurses (LPN) .....	22,445
Registered nurses who are female, as percent .....	92.8
Percentage of LPNs who are women .....	95.8
Percentage growth in employment between 1990 and 2000 .....	44
Estimated number of job openings for RNs in Minnesota .....	3,000
Active registered nurses planning to leave the profession in the next two years, as percent .....	15
Current number of registered nurses younger than age 30, as percent .....	11.2
Percentage who are age 50 and older .....	33.7
Current licensed practical nurses younger than age 30, as percent .....	12.7
Percentage who are age 50 and older .....	33.1
Average age of a Minnesota registered nurse in 2000 .....	45.3
National average .....	42.4
Number of registered nurses living in the seven-county Twin Cities metropolitan area .....	31,325
In Greater Minnesota .....	25,339
RN's practicing in Minnesota, but living outside the state .....	9,558
Licensed practical nurses living in the seven-county Twin Cities metropolitan area .....	7,052
In Greater Minnesota .....	14,032
LPNs practicing in Minnesota, but living outside the state .....	1,361
Registered nurses with an associates degree who received their degree from a state institution, as percent .....	86
Nurses with a baccalaureate degree from a Minnesota institution, as percent .....	70
Approximate percentage of registered nurses planning to pursue additional nursing education within the next two years .....	25
Average pay for a registered nurse at their primary worksite, per hour .....	\$26.70
Average pay for those in the Twin Cities metropolitan area, per hour .....	\$29.18
Average hourly wage in Greater Minnesota .....	\$24.12
Percentage of registered nurses who believe their personal level of pay is satisfactory .....	66
Percentage who believe they are appropriately compensated for the work expected of them .....	46
Registered nurses, as percent, who feel they have sufficient input into the program of care for each patient .....	75
Percentage who feel they have sufficient time for direct patient care .....	46
Registered nurses who feel there is too much clerical and "paperwork" required in their job, as percent .....	80

Sources: State of Minnesota Board of Nursing; *Findings from the Minnesota Registered Nurse Workforce Survey*, Office of the Rural Health Primary Care, Minnesota Department of Health, January 2003; Minnesota Nurses Association.

## FOR MORE INFORMATION

For general information, call:  
 House Information Office  
 (651) 296-2146 or  
 1-800-657-3550

To obtain a copy of a bill, call:  
 Chief Clerk's Office  
 (651) 296-2314

To find out about bill introductions or  
 the status of a specific bill, call:  
 House Index Office  
 (651) 296-6646

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

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

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

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

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

Senate Index  
 (651) 296-5560

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 formats to individuals with disabilities by calling  
 (651) 296-2146 voice, (651) 296-9896 TTY, or  
 (800) 657-3550 toll free voice and TTY.