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In this issue:

TAX BILL PASSES

HEALTH AND HUMAN SERVICES FUNDING, AND MORE

HF1595-HF1604

# SESSION Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services. During the 2003-2004 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: Recent rain and warm weather brought out the apple blossoms around the State Capitol.

— Photo by Andrew Von Bank

# Tax and aid formulas

Local government aid changes generate lively debate between all members as House passes omnibus measure

By MIRANDA BRYANT

Issues between Greater Minnesota and the Twin Cities metropolitan area widened May 7 while House members vigorously debated the beleaguered local government aid program, eventually passing a \$2.7 billion two-year tax budget. The vote was narrow — 70-63.

“Minnesota is in tough economic shape,” said Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee and sponsor of HF1597. “So, yes, this is a very, very difficult bill to vote for . . . and from a policy standpoint an even more difficult bill to vote against.”

But DFL members said the budget would have the poorest and most vulnerable bearing the brunt of the burden while the wealthiest are left untouched.

“Millionaire man here needs to pay his fair share,” said House Minority Leader Matt Entenza (DFL-St. Paul), holding up a marionette puppet swaddled in paper currency.

Key provisions in HF1597 include a job opportunity building zone initiative (HF3) and a biotechnology and health science zone proposal (HF1183), both recommended by Gov. Tim Pawlenty. Each would offer tax breaks to new and expanding companies in certain geographic areas to stimulate job and economic growth.

- Also included are measures that would:
- align the state estate tax law with its federal companion, providing relief to those subject to the “death tax” (HF461);
  - offer discounts to select taxpayers to encour-

### What's in the bill:

Selected bills included in the omnibus package:  
 HF78 (Kahn)  
 HF343 (Abeler)  
 HF355 (Dorman)  
 HF421 (Buesgens)  
 HF597 (Huntley)  
 HF704 (Brod)  
 HF733 (Walker)  
 HF815 (Thissen)  
 HF929 (Brod)  
 HF954 (Abrams)  
 HF1057 (Dempsey)  
 HF1079 (Lanning)  
 HF1089 (Marquart)  
 HF1199 (Abrams)  
 HF1508 (Hackbarth)  
 HF1533 (Westrom)  
 HF1556 (Abrams)  
 HF1573 (Nelson, P.)

- age payment of past-due taxes (HF540);
- reduce the taconite production tax for mining companies (adaptation of HF1574); and
- align state sales taxes to allow taxes on Internet and catalog sales (HF1570).

Discussion on the House floor largely focused on the local government aid program. The budget contains a new funding formula proffered by Pawlenty.

Revenue Commissioner Dan Salomone told the House Taxes Committee May 2 that the current formula is expensive, poorly designed, and doesn't target state aid to the cities most in need. By removing political factors, the new formula attempts to objectively measure a city's need versus its ability to raise revenues, he added.

“I think this formula has promise,” said Rep. Morrie Lanning (R-Moorhead).

Many members and lobbyists said that reforming the formula in the same year that cuts are being levied makes the situation difficult.

For cities larger than 2,500 people, the proposed formula calculates need by assessing the age of housing, population decline, household size, accidents on city streets, and the city's status as either a metropolitan or non-metropolitan municipality.

For smaller cities, the formula continues to include the age of housing, population figures, and the percent of commercial and industrial property, as is now the case.

Removed, however, is the amount of aid received in 1993 that has been carried over, or “grandfathered,” for some cities.

Associations representing cities and counties objected before the taxes committee to the imposition of property tax levy limits and the addition of reverse referendum powers.

A levy is the total dollar amount raised in prop-

erty taxes by a local government unit. Under current law, limitations on levy increases are to expire for all government units, save for school districts, after 2003. However, Pawlenty is concerned that cities would raise their property taxes to compensate for the losses in government aid from the state, and he therefore suggested the levy limit.

Reverse referendum authority would allow constituents to vote to reverse spending increases and tax increases imposed by the city in which they live. Such measures diminish the



PHOTO BY TOM OLMSCHIED  
 Gordon Folkman, *right*, research director for the Department of Revenue, explains the county general support aid formula to the House Taxes Committee May 1 as Revenue Commissioner Dan Salomone, *left*, listens.

power of city councils and mayors, according to some witnesses.

In blistering testimony against the provision, Keith Carlson, executive director of the Metropolitan Inter-County Association's, said reverse referenda “allows our voters to second guess us.” “If this is such a good policy, why don't you impose it on yourselves?” Carlson said.

Offering an unsuccessful amendment on the floor that would have allowed constituents to vote to reverse state spending increases and tax increases was Rep. Ann Lenczewski (DFL-Bloomington). If local governments are going to be subject to reverse referenda, so should the state, she said.

### Not in the bill:

Selected bills not included in the package:  
 HF11 (Mullery)  
 HF241 (Paymar)  
 HF331 (Howes)  
 HF364 (Fuller)  
 HF405 (Erhardt)  
 HF495 (Johnson)  
 HF514 (Lenczewski)  
 HF721 (Sykora)  
 HF1149 (Seifert)  
 HF1250 (Dorn)  
 HF1438 (Ozment)  
 HF1455 (Nelson, P.)  
 HF1408 (Abrams)





## Fair competition

### Law banning circuses stemmed from early competition

In determining a city's ability to raise money — which in itself is part of the local government aid formula — the House bill calls for counting 100 percent of the taconite aid revenues that are distributed to local government units.

That would lead to “geographic genocide,” said Rep. Tom Rukavina (DFL-Virginia). Taconite aid is charged on mining operations in lieu of property taxes. Revenues are distributed to qualifying cities, towns, counties, and school districts.

Abrams and Salomone both said that taconite aid revenues were included because they reflect a city's ability to raise money.

An amendment was rejected that would have lessened aid cuts by no longer requiring dedication of motor vehicle sales taxes to transit services throughout the state. Metropolitan-area cities would have been allowed, however, to levy property taxes for transit operating expenses.

The amendment's sponsor, Rep. Dan Dorman (R-Albert Lea), said that adding transit aid into the formula would bring balance and equity to local government aid.


“The Dorman amendment helps a majority of the members in this body,” said Rep. Paul Marquart (DFL-Dilworth), in support of the measure. “We have to put politics aside. This vote is way too important for that.”

Total proposed 2004-05 biennium appropriations for local government aid and market value credit reimbursements for cities are \$1.14 billion under the bill, slightly more than the governor recommended and \$363 million less than current law. Market value reimbursements compensate for credits property owners deduct from tax statements, up to \$304 per qualified home.

In calendar year 2004 alone, the House plan would cut \$73 million in local government aid to Minneapolis and St. Paul, \$58 million to the Twin Cities suburban communities, and \$69 million to Greater Minnesota.

Voted down was an amendment by Rep. Keith Ellison (DFL-Mpls) that would have allowed job opportunity zones in places other than Greater Minnesota. The current bill prohibits such zones in the seven-county metropolitan area.

A successful amendment, offered by Rep. Fran Bradley (R-Rochester), addresses mandates. It would allow counties to proportionally reduce mandated service levels and programs when state funding is reduced for that program. The provision would expire June 30, 2005.

The House 2004-05 biennium tax budget bill surpasses that recommended by the governor by \$93 million. The \$2.7 billion bill appropriates the following for local government units: cities, \$1.1 billion; counties, \$722 million; townships and special districts, \$71 million; school districts, \$166 million; and the category of “individuals and others,” such as property tax and renter refunds and political contribution refunds, \$625 million. 

Though a bill to repeal a law banning circuses around state fair time stirred some controversy this session due to amendments to it, its initial passage seemed to bring a quiet end to an era of competition regarding the permanent location for the annual exposition.

Competition concerned fair officials both during its early days and during the years straddling the stock market crash of 1929 and the subsequent Great Depression.

Early on, the State Agricultural Society, formed in 1860, determined a different location for the fair each year, which typically ran for about a week. The fairs were primarily held in Minneapolis, St. Paul, and Rochester, with a few years of diversion to Winona, Owatonna, and Red Wing.

A fierce competition between Minneapolis and St. Paul developed over the course of the society's first 25 years, which lent to the equally fierce competition of an enterprising newspaper editor and Minneapolis booster, William S. King.

According to an account, *Blue Ribbon: a social and pictorial history of the Minnesota State Fair*, by Karal Ann Marling, the society voted in 1871 to move the fair to St. Paul, despite strong dissent from Minneapolis. Marling wrote that this action prompted Hennepin County's efforts to “sink the state fair.”

King led the effort, which included arranging for nationally known speakers, horse races, extraordinary displays of Minneapolis-made products and goods, and exhibits from stockbreeders. The revived Hennepin County Fair immediately preceded the state fair, Marling wrote.

According to Marling, King's actions suggested he would rather kill the fair than let Ramsey County get it. However, despite his best efforts the state fair grew stronger by adding industrial advancements to its displays of agricultural strength.

The next several years would prove difficult to the fair. While in St. Paul it was unsuccessful in 1874 — barely breaking even —

and in 1875, weather and grasshoppers reduced attendance considerably. An October fair in 1876 was greeted with cold weather and rain and resulted in significant debt.

Marling wrote that fair officials put King in charge the next year “to stave off another disaster,” and the state fair moved to Minneapolis under his direction.

For the next few years, the two fairs existed simultaneously with some success. But by 1883, the viability of a mobile fair was less certain and a permanent site be-

came the goal, which was achieved in 1885, though not without some further opposition by King and the Minneapolis interests.

Circuses became the fair's primary competition in the boom years of the 1920s.

In 1928, the Ringling Bros. set two Minneapolis show dates in mid-August, and an additional date in St. Paul immediately following.

Four years later, the same situation occurred, and after being unsuccessful in appeals to the cities, the agricultural society board turned to the Legislature for help.

Times had changed, and officials were increasingly concerned about the success of the fair. Some appealed to people's sense of state loyalty. Others claimed that the fair's success was a sign that the state would emerge victorious from the Great Depression.

Said one commentator in 1932, according to Marling's book, “Perhaps at no time in the history of the state would a visit to the state fair mean more to the average individual. The fair (will) reassure him in the face of an all too common pessimism, that men are at work, that progress is being made in the face of adversity, and that success still crowns the efforts of those who strive. The fair offers that opportunity.”

The Legislature passed the law banning circuses within 18 days of the state fair during the 1933 session. One caveat — circuses were not illegal during the fair if they were conducted in conjunction with activities of an agricultural society in the state.

(M. KIBIGER)



Balloon ascension at W. S. King's Fair in Minneapolis in 1881.

Photo courtesy of the Minnesota Historical Society

## ★ CRIME

### Prosecuting identity theft

The House passed a bill May 6 that would make reporting cases of identity theft much easier for victims and prosecuting such crimes easier for prosecutors, according to its sponsors. The vote was 132-0.

Sponsored by House Majority Leader Erik Paulsen (R-Eden Prairie), HF821/SF980\* would allow local law enforcement agencies to take reports of identity theft from people living or working within their jurisdiction even if the crime occurred somewhere else. Currently departments cannot take reports for crimes that occur in other jurisdictions. The bill would also let prosecutors bring charges against identity thieves in either the county where the theft occurred or the county where the victim lives or works.

"ID fraud is becoming one of the fastest growing white-collar crimes in the country," Paulsen said. He said the bill would allow flexibility for law enforcement and eliminate a lot of headaches for victims.

Under the bill, reports filed in a county other than where the crime took place would not count towards that county's property crime statistics.

The House adopted an amendment, offered by Rep. Tom Pugh (DFL-South St. Paul), which would create the crime of mail theft in Minnesota. Originally contained in HF463, the amendment would impose a felony sentence of up to three years in prison and a maximum fine of \$5,000 for stealing or opening mail addressed to someone else.

Pugh said it is increasingly common for identity thieves to obtain and use private information contained in letters stolen from mailboxes or post offices. That information can include photographs, identification cards, bank account or credit card numbers, medical information, and social security numbers.

While already a federal crime, Pugh said federal courts and prosecutors do not have the resources to deal with any but the biggest instances of mail theft. The amendment would allow Minnesota prosecutors to file mail theft charges in either the county where the theft occurred or the county where the victim lives or works in order to give them more flexibility in prosecuting the crime.

Any of the identity theft crimes outlined in the bill could be combined for the purposes of charging an offender who committed multiple instances of theft within a six-month period.

The Senate passed the bill 64-0 on April 7. Because of the Pugh amendment, the bill will return to the Senate for a vote to concur with the changes. Sen. Leo Foley (DFL-Coon Rapids) sponsors the bill in that body.

### Appearing in court

Minnesota's forensic scientists would be able to spend more time in the laboratory and less time in the courtroom, under a bill the House passed May 5.

On a 116-15 vote, legislators passed HF909/SF942\*, which would allow courts to accept reports about who handled particular pieces of evidence without requiring scientists to verify those reports in person. Currently forensic scientists from the state Bureau of Criminal Apprehension must appear in court to testify to the accuracy of a chain of custody report, which details when, where, and by whom pieces of evidence were handled.

The bill's House sponsor, Rep. Eric Lipman (R-Lake Elmo), said such reports are relatively administrative matters that rarely become important in a criminal case. Much more important, he said, are reports detailing a scientist's analysis of the evidence, which do not require scientists to appear in court.

Lipman said the bill would allow courts to treat both types of reports the same way.

Defense attorneys who wish to challenge or question the reports could still subpoena scientists at least 10 days before a trial.

Rep. Tom Rukavina (DFL-Virginia) said he worried the bill removes a defendant's right to confront their accuser.

Lipman said the scientists are "busy people who are of value to the system. They should be at their lab desk."

"If there is some question that the scientist made some mistake in the analysis, under current law you have 10 days to request the scientist," he said.

In the Senate, where Sen. Satveer Chaudhary (DFL-Fridley) is the sponsor, the bill passed 61-0 on April 15. It now goes to Gov. Tim Pawlenty for a signature or veto.

### Arson penalties

Minor cases of arson that cause personal injury would result in higher criminal penalties, under a bill the House passed 120-9 May 5.

Sponsored by Rep. Doug Fuller (R-Bemidji), HF385 would upgrade the crime of fifth-degree arson to a gross misdemeanor if it results in bodily harm, including causing illness or impairing a person's physical condition. The penalty for such an offense would be up to a year in prison and a fine up to \$3,000.

Fifth-degree arson is currently a

## CAPITOL TRAGEDY



PHOTO BY ANDREW VON BANK

St. Paul fire and rescue workers use the Jaws of Life to extract a victim of an auto incident on the State Capitol lawn May 6. The driver lost control of the sport-utility vehicle and crashed into a tree near the intersection of John Ireland Blvd. and Rev. Dr. Martin Luther King Jr. Blvd. The passenger, a 68-year-old St. Paul woman, died one day later from her injuries.



misdemeanor offense, punishable by up to 90 days in jail and up to a \$700 fine. A separate provision of the bill would increase the maximum fine for that offense to \$1,000. The offense applies in cases where someone intentionally burns any property valued at less than \$300 in a non-public place. Arsons committed at higher loss values or in public buildings are covered under higher-degree arson offenses in state law.

Fuller said prosecutors who want another tool to punish low-level arsonists brought him the bill. State courts and corrections officials said the number of people that would be prosecuted under the bill is "very small" and the changes would not result in many new cases or prisoners.

Rep. Tom Rukavina (DFL-Virginia) said the bill is another instance of legislators increasing penalties on minor offenses. "I don't know why we have to keep jacking up what used to be a petty misdemeanor to a year in jail and a \$1,000 fine for what could be a stupid mistake by a kid," he said.

A Senate companion (SF355), sponsored by Sen. Wes Skoglund (DFL-Mpls), awaits further consideration in the Senate Finance Committee.

### Emergency communication

Volunteers assigned to carry police radios with them or in their cars in order to help law enforcement officials are technically breaking the law in Minnesota. The House passed a bill 127-4 May 5 that would change that law and give local police and sheriffs another tool in providing security at festivals and other events that take place in their area.

On the floor, Rep. David Dill (DFL-Crane Lake) said that a volunteer in his district was ticketed for having a police radio at a community event. It's not uncommon for law enforcement to use volunteer security personnel at events that require extra security, but giving the volunteers radios violates a state law that dates back to 1935. That law makes it a misdemeanor offense to carry radio equipment capable of receiving police emergency frequencies without a proper license and was meant to prevent criminals from monitoring police communications.

"Realizing that we are talking about thousands and thousands of volunteers that are routinely using radios to help us respond to ambulance calls and fire calls and helping at community events ... we thought it would be appropriate to streamline the regulations," Dill said.

The bill Dill sponsors (HF808/SF351\*) would permit people to carry emergency radio equipment with the written permission of

their local sheriff or police chief instead of having to apply to the state Bureau of Criminal Apprehension.

The House approved an amendment, offered by Rep. Duke Powell (R-Burnsville), that would make it a felony to interfere with police communications. The language in the amendment was the same as HF784, which the House passed 113-15 April 22. Powell said a companion bill did not make a committee deadline in the Senate, so attaching it to another Senate bill was the best way to get the measure approved.

The amendment specifies that someone must be deliberately disrupting emergency communications among police, firefighters, or emergency medical workers to be prosecuted for the crime.

Because of the amendment, the bill must go back to the Senate for a vote to concur or to appoint a conference committee. Sen. Tom Bakk (DFL-Cook) sponsors the bill in that body.

## ELECTIONS



### Election Day registration

People who have not pre-registered to vote and fail to present picture identification on Election Day to register would be ineligible to cast a ballot under a bill approved May 6 by the House Ways and Means Committee. The bill now moves to the full House.

Rep. Lynda Boudreau (R-Faribault), the sponsor of HF1006, said the photo identification requirement gives some assurance that a person is who they say they are.

The bill establishes guidelines to implement the Help America Vote Act, signed into law last year by President Bush. The state is required to establish election guidelines to receive \$6.5 million in federal funds to spend on elections.

The Help America Vote Act provides funds to states to replace punch card voting systems, establishes a commission to assist in the administration of federal elections and programs, and establishes elections standards for states and local units of government with responsibility for the administration of federal elections.

The addition of the picture identification requirement is not a federal mandate in the Help America Vote Act, but Boudreau said several state legislators have expressed concerns about voter fraud associated with Election Day registration.

Rep. Loren Solberg (DFL-Grand Rapids) illustrated the potential problem of requiring a picture identification by explaining how his

grandmother never had a driver's license and lived in a nursing home. Under HF1006, if she hadn't pre-registered, she'd have been turned away on Election Day.

Having a form of photo identification is almost standard in today's society, said Boudreau, but she acknowledged the requirement could be an issue for elderly voters.

A Senate companion (SF986), sponsored by Sen. Chuck Wiger (DFL-North St. Paul), awaits action in the Senate Rules and Administration Committee.

### School board primaries

A bill that would require school districts to hold a nonpartisan primary if there are more than two candidates running for a single position on a school board, or twice the number of candidates running than the number who will be elected passed the House 95-34 May 5.

Opponents said the bill is an unfunded mandate for school districts, costing \$30,000 to \$40,000 per election. It is a cost that rural districts cannot afford, said Rep. Connie Bernardy (DFL-Fridley).

The change is a "small price to pay for making sure the right people get elected," said Rep. Jim Knoblach (R-St. Cloud), the House sponsor.

In the St. Cloud school district's last election, he said there were 12 candidates competing for four positions. The winning member won with 13.6 percent of the vote, causing the legitimacy of the win to be questioned, explained Knoblach.

"Why not just make it your own (district)," questioned Rep. Tom Rukavina (DFL-Virginia) emphasizing his district is currently cutting teaching positions to deal with the budget deficit and can't afford a primary that the bill would require. He said the cost equates to at least one full-time teaching position.

Knoblach replied, "This is a very small cost for the benefit that it gains." Only about a dozen districts would be effected every year, he added.

Currently law states that school districts may choose to hold a primary, but one is not required. The bill would apply to the St. Cloud school district the day after enactment, but for all other districts the law would take effect Jan. 1, 2004.

The bill now moves to the Senate, where Sen. Dave Kleis (R-St. Cloud) is the sponsor.

### Where to find information

Senate Information (651) 296-0504 1-888-234-1112	Senate Index (651) 296-5560
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## ★ ENVIRONMENT

### Sewage charges

A bill that would allow the Clearwater River Watershed District to charge for disposing of sewage and other waste passed the House May 6. The vote was 126-5.

Sponsored by Rep. Mark Olson (R-Big Lake), the bill (HF837) would give the watershed district authority to charge users for sewer maintenance expenses on a monthly or quarterly basis.

The Clearwater River Watershed District encompasses the drainage area of the Clearwater River in Central Minnesota, some 160 square miles, including parts of Meeker, Stearns, and Wright counties.

Currently, the watershed district has to use its assessment authority, Olson said. "They need this mechanism to be more efficient in the way they operate."

The bill also would allow overdue charges to be sent to and collected by the county.

"We've worked with all affected units of government and no other unit of government has been willing to come forward to provide these services and protect the environment in the Clearwater River watershed in this regard," Olson said.

The League of Minnesota Cities and Association of Minnesota Counties supports the legislation, Olson added.

The bill now moves to the Senate, where Sen. Steve Dille (R-Dassel) is the sponsor.

### Soil and water policies updated

The laws governing Minnesota's 91 soil and water conservation districts were first drafted in 1937 in response to Dust Bowl environmental conditions. A bill (HF414) that would update those policy statements to reflect modern land and water management concepts passed the House May 5 on a 111-19 vote.

The bill, sponsored by Rep. Ray Cox (R-Northfield), also would change the petition process to establish, consolidate, divide, or terminate conservation districts.

Current law states that "improper land use practices have caused serious wind and water erosion of the land of this state, the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage."

The bill would strike that introduction and replace it with what proponents describe as more positive language.

"Maintaining and conserving the quality of soil and water for the environmental and economic benefits they produce, preventing degradation and restoring degraded soil and water

## FOOD FOR THOUGHT

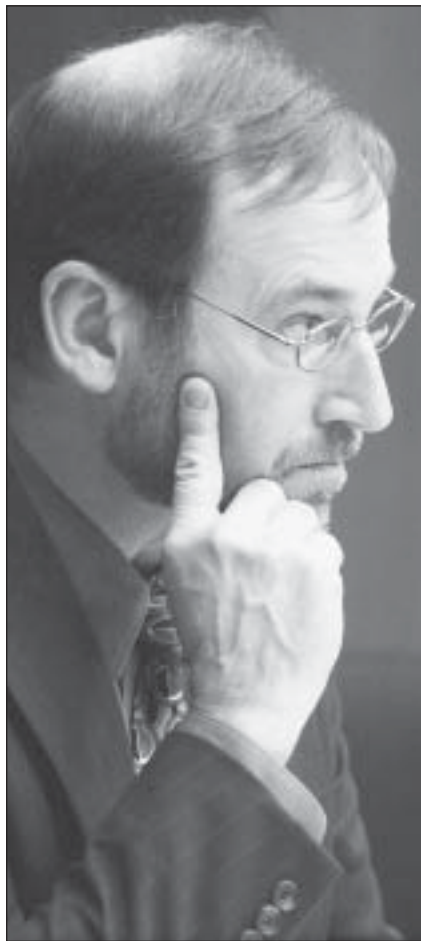


PHOTO BY TOM OLMSCHEID

Greg Buzicky, director of the state Department of Agriculture Agronomy and Plant Protection Division, listens while being questioned by members of the House Ways and Means Committee May 6.

resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens," the bill reads.

As introduced, the bill referred to "enhancing" the quality of soil and water rather than "conserving," however members on both sides of the aisle questioned the ambiguity of the wording.

When the bill left the House Environment and Natural Resources Policy Committee in February, Cox agreed to work with the Farm Bureau, Minnesota Association of Wheat Growers, and others on clarifying the intent of "enhancing" and identifying any obligations the new language would place on the private owners, who hold 78 percent of the land in Minnesota.

Also gone from the bill is a proposal to grant soil and water conservation districts levy authority.

According to the Minnesota Association of

Soil and Water Conservation Districts, additional financing authority would have helped them address a variety of areas, including oxygen depletion, new programs associated with the 2002 federal farm bill, and pollution prevention.

Rep. Bill Kuisle (R-Rochester) said the bill would clearly expand the scope and control of soil and water conservation districts.

"There's nothing sinister here," said Rep. Tony Cornish (R-Good Thunder), explaining that the bill was simply a technical reconfiguration of existing law.

A Senate companion (SF392), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action on the Senate floor.

## ★ FAMILY

### Divorce, child support changes

Fees associated with filing for divorce could increase, and combined incomes may be considered in determining child support under HF110, now on its way to the House floor.

The House Ways and Means Committee approved the bill, sponsored by Rep. Steve Smith (R-Mound), May 6.

HF110 would reorganize and clarify family law language, and would add a few significant changes such as a "marital dissolution" fee of \$25, in addition to the civil filing fee for each party appearing in a divorce or legal separation proceeding.

The courts would be required to prepare a six-month review hearing form that must be sent with every decree of dissolution that establishes child custody, parenting time, or support rights and obligations. The form is a way to review that support is being paid and court-ordered parenting time is being followed.

A new formula would also be considered when determining child support payments that would use incomes of both parents, and judges would use statistics from the U.S. Department of Agriculture to determine the costs of raising a child. The support must then be divided proportionate to each parent's combined income.

Further, the bill would create new language in determining appropriate levels of health care coverage for children from the marriage. Criteria that would be considered include accessibility, how comprehensive and affordable it should be, and a child's special medical needs. If both parents have comparable health coverage, the child would be covered under the parent with the least costly health plan. However, the cost of the coverage and any unreimbursed medical expenses would be divided between the parents, proportionate to their combined incomes.

In 2002 there were 17,704 divorce cases filed in the state, of which 9,340 affected children.

Portions of the bill's Senate companion (SF751), sponsored by Sen. David Hann (R-Eden Prairie), were included in SF758, sponsored by Sen. Tom Neuville (R-Northfield). That bill awaits action in the Senate Finance Committee.

## ★ GAMBLING

### **Bigger bingo pots**

Multiple bingo sites could soon be linked electronically allowing participants to win a larger pool of money, according to a bill that passed the House on May 5.

Those provisions were amended onto HF1244, which House sponsor Rep. Carl Jacobson (R-Vadnais Heights) described as "clarifying language and definitions" for the Minnesota Gambling Control Board. The bill passed 100-29.

Rep. Tony Kielkucki (R-Lester Prairie), sponsor of HF734, proposed the amendment to increase chances that it would receive a Senate vote. The bill was awaiting action by the full House.

An organization can currently offer a jackpot of up to \$300 per bingo game, but the prize could increase to \$8,000 to \$9,000 if several halls can link together, Kielkucki said during a committee meeting earlier this session.

HF1244 would make general policy adjustments to the Gambling Control Board.

The most significant difference from current law would be to allow rent paid by an organization for space leased for gambling to be based on a percentage of gross profit.

Also, high school raffles would now have to report to the gambling board their gross receipts, expenses, prizes, and price. All tickets for the raffles must be sold at the same price, and an individual must be 18 to purchase one, according to existing law.

A Senate companion (SF666) to the linked bingo games, sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits further action by the full Senate. He also sponsors SF1153, which contains the gambling board clarification language. It awaits action by the full Senate.

## ★ GOVERNMENT

### **Funding package passes**

After more than 10 hours of debate, the House passed its omnibus state government finance bill May 1 on a 71-62 vote.

HF749/SF1524\* features nearly \$473.7 million

in general fund spending, \$65 million less than recommended by Gov. Tim Pawlenty.

"We're at a time where we have to change. We can't keep going down the same course," said Rep. Bill Haas (R-Champlin), the House sponsor of the bill.

Among the items in the bill are the following:

- reductions in appropriations to most state agencies ranging from 10 percent to 15 percent,
- clauses for state employees that provide for no wage increase in the biennium and the state would pay no more than it currently does for health coverage, and
- at least a \$10 million reduction in cell phone usage and the state's vehicle fleet.

"This bill says we'll pay more and get less," said House Minority Leader Matt Entenza (DFL-St. Paul). "This will demoralize our state workforce, diminish our ability to provide service to Minnesotans, and ultimately hurt our economy."

House Majority Leader Erik Paulsen (R-Eden Prairie) offered a different view.

"This is about how we pay for agencies of state government," he said. "We are holding the bureaucracy to the same cost-cutting standards that Minnesota families and businesses have gone through for the past several years."

The bill also provides for reverse auction to be used by the state in its purchasing of goods and services. Under the option, the state would put out a proposal for what it needs and companies would be able to openly bid against one another for the contract, which supporters say will lower what the state ultimately pays. Paulsen, who called the provision "one of the most exciting aspects of the bill," said this process should save the state much more than the anticipated \$4 million to \$5 million in the biennium.

The Senate did not concur with the House changes to the bill, and a conference committee was appointed to work out a compromise between the two versions. Sen. Richard Cohen (DFL-St. Paul) is the Senate sponsor.

### **Performing state treasurer duties**

Since the position of state treasurer was abolished in January, the duties of the office have been handled by the Department of Finance, under an executive branch reorganization order.

HF943, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would give the department statutory authority to fulfill the duties, such as cutting checks, verifying, and processing all spending in state government.

The bill was passed by the House 68-61 on May 5.

During debate on the bill, members questioned the protection of taxpayer dollars under the setup.

Rep. Eric Lipman (R-Lake Elmo) likened the move to a "fox guarding both chicken coops," while House Minority Leader Matt Entenza (DFL-St. Paul) said that in most businesses the financial areas are separated for checks and balances.

Others suggested different places for the duties to be transferred.

Rep. Phil Krinkie (R-Shoreview) said the functions should be under the state auditor's purview, and Lipman said the duties should go to the Minnesota State Board of Investment.

Also included in the bill would be the elimination of detailed reporting on service contracts by the Department of Finance.

State spending in this area is also a major concern, said Rep. Barb Goodwin (DFL-Columbia Heights), who sponsored HF384 that would put a moratorium on state professional contracts. That bill did not advance from the House Governmental Operations and Veterans Affairs Policy Committee prior to committee deadlines.

A Senate companion (SF997), sponsored by Sen. Geoff Michel (R-Edina), has been included in the Senate's omnibus state government finance bill (SF1534). A conference committee has been requested for the omnibus bill.

## ★ HEALTH

### **Alzheimer's training**

Organizations that provide care for people with Alzheimer's disease would have to ensure their staff is trained to work with Alzheimer's patients if a bill now on its way to the governor becomes law.

Under HF410/SF433\*, which the House passed 112-19 on May 5, direct care staff and supervisors working in nursing homes, home care, and adult day care facilities would have to be trained in caring for people with dementia. That training would include an explanation of Alzheimer's disease and related disorders, assistance with activities of daily living, problem solving with challenging behaviors, and communication skills.

The bill calls for each organization to provide consumers with a written description of the nature and frequency of their staff's training.

The bill's sponsor, Rep. Jim Abeler (R-Anoka), called the bill an "incremental move" towards ensuring quality care for Alzheimer's patients.

Rep. Tom Rukavina (DFL-Virginia) said



new mandates on health care providers are inappropriate while the state is talking about cutting funding for nursing homes and other senior care programs. "It's a small mandate, (but) it's still a cost," he said.

Rep. Mark Buesgens (R-Jordan) compared to bill to unpopular state education standards, calling it "the Profile of Learning for nursing homes."

According to Rep. Fran Bradley (R-Rochester), the bill arose because some organizations that advertised Alzheimer's services were not qualified to deliver.

Abeler said the affected organizations helped to write the bill's language and say they won't suffer significant costs because of it. "In many cases, (workers) are trained very well," Abeler said. "If a facility provides no training at all, they have to tell people and then people can choose."

"There are ways to approach these people that are either good ways or bad ways," said Rep. Char Samuelson (R-New Brighton). "So it is imperative that the staff that work in these units get proper training for dealing with the people living there."

In the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor, the bill passed 50-13 April 15.

### Administering drugs

Minnesota pharmacists would be allowed to administer two common immunizations under a bill that passed the House 131-1 May 6.

Sponsored by Rep. Jim Abeler (R-Anoka), HF692 would permit pharmacists with proper permission and training to give influenza and pneumococcal vaccines to adults. Pharmacists administering the immunizations would have to do so under agreement with a licensed physician.

In a House committee, representatives of the Minnesota Pharmacists Association said that pharmacists have long been involved in promoting and educating people about the value of immunizations. They said there have been increases in immunization rates in the 36 other states that currently allow pharmacists to immunize patients.

They said new pharmacists are already trained in administering vaccinations as part of graduate school curriculum.

Abeler said the goal of the bill is to be able to immunize more senior citizens, though it would allow pharmacists to vaccinate anyone over 18. Any vaccinations performed under the bill would have to be reported to a patient's primary physician.

The bill next heads to the Senate where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

## STATEHOOD WEEK



PHOTO BY TOM OLMSCHIED

Michael Salzberg, a State Capitol site guide, portrays Dr. John Murphy, a delegate to the Minnesota Constitutional Convention in 1857, for school groups during their May 6 tours of the State Capitol. The portrayals are done, as part of Statehood Week. The chandelier in the Capitol Rotunda is scheduled to be lit May 9 and May 11 in celebration of Minnesota becoming a state.

## INSURANCE



### Claim limit, technical changes

Individuals with pending insurance claims who find that their insurance company has gone bankrupt could collect no more than \$10 million from the state's insurance guaranty program, under a bill that passed the House 131-0 May 6.

HF946, sponsored by Rep. Jeff Johnson (R-Plymouth), encompasses many technical changes — save for the bankruptcy amount limitation — to current laws governing the Minnesota Insurance Guaranty Association.

In addition, the bill would add to the list of insurance types that are excluded from the guaranty program. Exempt would be fidelity and surety bonds, and insurance of warranties and service contracts. It would also broaden the definition of those who can file claims with the guaranty to include government entities.

The nonprofit guaranty group, controlled by a board of directors, was created by state

law in 1971. Every insurer selling property and casualty insurance must belong to the association. Members are assessed a certain percentage of their premiums to pay for the claims of the insured in the event an insurance company becomes insolvent.

According to Johnson's testimony April 2 before the House Commerce, Jobs, and Economic Development Policy Committee, every state has an insurance guaranty program.

A Senate companion bill (SF776), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), was approved April 7 by the Senate Commerce and Utilities Committee and awaits floor action.

### Keeping coverage

A law requiring that homeowners be informed of a Minnesota state insurance plan when their homeowner's insurance policies are canceled would be clarified, under a bill approved 127-4 by the House May 6.

HF203/SF350\*, sponsored by Rep. Tony Sertich (DFL-Chisholm), largely clarifies current law. It would change the name of the state plan from Minnesota property insurance placement facility back to the Minnesota FAIR Plan. FAIR stands for "fair access to insurance requirements."

The plan is overseen by the Department of Commerce, which concurs with the changes made in the bill, according to Sertich.

Established by the Legislature, the plan provides limited property insurance when individuals are unable to get insurance from the private market. FAIR policies are not as desirable or as affordable as private insurance company plans. Minnesota residential and commercial property owners who have been unable to obtain property insurance are eligible for coverage, provided the property meets minimum requirements.

FAIR is financed through premiums paid by customers. When shortfalls arise, the plan's member insurance companies are assessed a fee according to their share of the market.

HF203/SF350\* would also change the requirements for and terms of FAIR board members and would clarify how rates are set by the Department of Commerce, how commissions are paid to agents, and how written premiums are used to determine the FAIR assessments base. Finally, the bill would allow rejection of coverage without property inspection if the rejection were not related to the property's condition.

An amendment on the floor incorporated HF662, offered by Rep. Jim Abeler (R-Anoka). It would require insurance providers to notify clients that the insured's children who are

full-time students are covered, as are disabled adult children.

In presenting HF662 previously to the House Health and Human Services Policy Committee, Abeler stressed that the bill makes no changes to current law requiring insurers to offer coverage to certain eligible dependants after they have reached a particular age. It only adds language requiring providers be explicit about the availability of such coverage.

The amended bill now returns to the Senate where it is sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), and previously passed 59-0 April 16.

### Raising deductibles

A state high-risk health insurance pool would be allowed to offer higher deductibles for clients desiring smaller premiums, under a bill approved May 6 by the House.

HF673, sponsored by Rep. Bill Haas (R-Champlin), passed 132-0.

Minnesota Comprehensive Health Association (MCHA), a nonprofit corporation created in 1976 by the Legislature, offers health insurance to Minnesotans who have been denied private health insurance coverage due to pre-existing health conditions. Under state law, all health insurance companies doing business in the state must belong.

Among 30 high-risk pools in the United States, Minnesota is the second oldest and the largest, counting 31,000 members, of which 60 percent live in Greater Minnesota. Individuals seeking coverage must have lived in Minnesota for six months and have proof of rejection by a private health insurance carrier.

Pre-existing conditions are not covered under the client's first six months on the program.

State law mandates that premiums be offered at prices 1 percent to 25 percent higher than private market rates. Client premium rates vary by age and deductible plan, but not by gender or medical history. The average age of members is 50, with premiums varying from \$590 a month to \$856 a quarter.

The plan currently offers premiums with annual deductibles of \$500, \$1,000, and \$2,000. HF673 would add optional deductibles of \$5,000 and \$10,000 and provide for 100 percent coverage for clients choosing these new, higher deductibles. Haas said clients have requested higher deductibles in order to get lower premiums.

The association covers half of its costs through premiums, with state law requiring that member insurance companies be assessed the remaining costs. Companies in turn pass the assessment on to clients, which in today's market are usually small businesses and

individuals. Medium- and large-size entities, including the State of Minnesota, often opt to self-insure. Therefore, small businesses bear the brunt of the association's assessment.

In addition, HF673 would add language pertaining to employees who have lost work, in part, to international competition under the Federal Trade Act of 2002. Under this federal provision, individuals can receive a tax credit for 65 percent of their premiums. Waived are the six-month residency requirement, the pre-existing condition limitation, and the requirement of proof of prior rejection by an insurance company.

Currently, the risk pool contracts with Blue Cross and Blue Shield of Minnesota for health care services. HF673 would allow extension of the contract for three years.

A Senate companion bill (SF994), sponsored by Sen. Dan Sparks (DFL-Austin), awaits a floor vote.

## RECREATION

### Younger referees

Youth between ages 11 and 14 will be allowed to work as assistant soccer referees, even if the players they officiate are in an older age bracket, under a new law signed by Gov. Tim Pawlenty



May 2.

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

About 2,000 exemptions have traditionally been processed by the state each year for youth sports officials, but they will no longer be necessary under the new law.

Effective May 3, 2003, the new law stipulates that assistant youth soccer referees must have adequate supervision and a parent's written permission.

Rep. Ron Erhardt (R-Edina) and Sen. Michele Bachmann (R-Stillwater) were the sponsors.

HF1189/SF1064\*/CH26

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## SAFETY

### Authority expansion

In a response to increased worries about domestic terror attacks, a bill on its way to Gov. Tim Pawlenty's desk would expand the authority of hazardous materials teams in Minnesota.

Under HF1066/SF941\*, which the House passed 131-1 May 6, chemical assessment teams would be authorized to deal directly with the hazardous materials they encounter. Under current law, those teams are limited to assessment and defensive duties related to protecting the surrounding area while they call in emergency response teams to deal directly with the chemical threat.

By allowing the assessment teams to take action on the materials themselves, the bill would alleviate potential problems caused by long response times from emergency response teams.

The two types of teams specialize in different aspects of hazardous material situations, but have essentially the same training, according to earlier testimony before a House committee.

The bill, sponsored by Rep. Kurt Zellers (R-Maple Grove), would also expand the definition of hazardous material to substances intentionally released in connection with a criminal or terrorist act. Current statutes limit the definition only to accidentally released materials. The types of substances included in the definition would also expand to include chemical and biological substances and toxic gasses in addition to the explosive, corrosive, radioactive, and combustible substances already included.

The Senate passed the bill 62-0 on April 15. It is sponsored there by Sen. Dan Sparks (DFL-Austin).

### Tougher penalties

The House recommended changes to part of the state's occupational safety laws May 5, when it passed a bill to increase penalties on employers who violate state safety standards. The vote was 127-3.

Under HF817/SF1098\*, employers could be fined up to \$25,000 if a violation of state standards, rules, or orders results in the death of an employee.

In other circumstances, the bill would help protect small companies from bankruptcy by allowing the \$25,000 fine for a violation that results in an employee's death to be broken up into five annual \$5,000 installments as long as the violation is not deemed to be willful or repeated. The labor and industry commissioner could elect to waive the fine each year after the first if the employer is not cited for

any more violations.

House members also approved an amendment offered by Rep. Doug Stang (R-Cold Spring) that would allow the commissioner to exempt businesses from such fines if the owner or an employee with a controlling interest in the company is the one who dies.

Separate provisions of the bill would lengthen employee notice requirements by requiring employers to post notices of a citation at or near where a violation occurred for 20 days. Current law requires 15 days.

The bill also removes the health commissioner from a 12-member occupational safety and health advisory board. The bill's sponsor, Rep. Tim Mahoney (DFL-St. Paul), said all health and safety inspectors have been transferred to the Department of Labor and Industry, so the health commissioner is no longer needed on the board.

Sen. Michele Bachmann (R-Stillwater) sponsors the bill in the Senate, where it passed 56-0 on April 16. Since the version passed in the House is different, the bill now returns to the Senate for a vote to concur with the House changes or to appoint a conference committee.

### Public Safety Department provisions

On a 131-1 vote, the House passed a bill May 5 that would provide several adjustments to law regarding the state Department of Public Safety, particularly as it relates to vehicle registration and state identification cards and driver's licenses.

Patricia McCormack, acting director of the department's division of driver and vehicle services, testified at an April 2 House Transportation Policy Committee meeting that the bill is an effort to continue to streamline procedures "so that we're more able to provide fast, fair, and accurate service."

Sponsored by Rep. Bill Kuisle (R-Rochester), the bill (HF643) would provide the following:

- changes requirements that vehicle registration renewals on leased vehicles be sent to the leasing company rather than the individual leasing the vehicle;
- allows individuals waiting for a special license plate to become available to temporarily display a permit on their vehicle rather than a regular license plate;
- prohibits the department from issuing vehicle registration if the vehicle is owned or leased by a motor carrier subject to an out-of-service order issued by a federal government agency, typically issued for a safety violation; and
- allows the department to set an expiration date for Minnesota identification cards and

## CHAMBER BLOOMS



PHOTO BY TOM OLMSCHIED

A sure sign of spring and the final days of the session are when the tulips begin to appear on the chamber desks of House members.

driver's licenses that is earlier than the four-year expiration date dictated in statute, provided that the date is not based solely on age.

During the April 2 hearing, Rep. Frank Hornstein (DFL-Mpls) asked if the age requirement provision was connected to the bill (HF1) that would place a status check date on a foreign visitor's identification card or driver's license that would correspond with the date the individual must leave the country. McCormack said that it could, but the provision would be applied more directly to individuals who may need closer monitoring and may not get a license for the four-year period because of health or safety reasons.

In addition, the original bill would have reduced the weight limit from 12,000 pounds to 10,000 pounds at which trucks must be weighed on state scales. That provision was amended out of the bill during debate on the House floor.

The bill now goes to the Senate, where Sen. D. Scott Dibble (DFL-Mpls) is the sponsor.

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<http://www.leg.mn>

## TRANSPORTATION



### Common-interest land acquisition

When the state Department of Transportation must obtain right-of-way for transportation projects, each property owner is notified of plans and participates in negotiations with the department.

In situations where property is owned by common interests, such as is the case with condominiums and townhouses, the owner of each individual unit must be notified. However, any common green spaces or other areas are regulated by the association for those units rather than each individual property owner.

A bill intended to clarify the procedure for acquiring such common-interest property passed the House May 6 on a 130-1 vote.

HF981, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would allow the department to deliver service of eminent domain proceedings, the legal term for such property acquisition, to the townhouse or condominium association. In addition, the associations would be allowed to grant easements for rights-of-way and related purposes through common areas.

During committee testimony on the bill, Holberg said the bill is also intended to help streamline right-of-way acquisition processes, which can be costly and time-consuming for the department.

The bill now moves to the Senate, where it is sponsored by Sen. Mee Moua (DFL-St. Paul).

### State highway transfers

Each year, the state Department of Transportation reviews the state's highway system to assure that each road still serves specific statewide purposes. As a result, the department recommends that some roads be turned back to local communities.

The bill accomplishing that task this year passed the House May 6 132-0.

HF968, sponsored by Rep. Doug Magnus (R-Slayton) would change the status of the following roads in the designated trunk highway system:

- changes the description of a road near Rochester between U.S. Highway 14 and Interstate 90 that was inadvertently misidentified in 2001,
- transfers highway 266 near Worthington to Nobles County,
- transfers highway 273 near Belview to Redwood County, and
- vacates highway 302 between Sauk Centre



and the former Minnesota Home for Girls, no longer operated by the state.

During committee discussion about the bill, Betsy Parker, assistant director of government relations for the department, explained the legal provisions governing the trunk highway system. She said that the system was limited to 12,200 miles in 1920, and that the state assumes responsibility for constructing and maintaining larger roads connecting more traffic.

The governing philosophy, she said, also dictates that smaller roads between local communities should be locally maintained.

Parker also testified that turnbacks designated in the bill all receive the consent of the local government either via resolution or memorandum.

The bill now goes to the Senate where Sen. Dave Kleis (R-St. Cloud) is the sponsor.

### Replacing displaced railroad land

Occasionally, a state road construction project will require the state Department of Transportation to acquire land and relocate railroad tracks. When that happens, typically the department will acquire the land and pay the costs associated, which may be time consuming and expensive for the department, officials say.

However, a bill passed by the House 131-0 on May 5 would streamline that process, according to its sponsor, Rep. Doug Magnus (R-Slayton). The bill (HF988) would allow the railroad company to acquire its own replacement lands and the state would then reimburse all reasonable costs associated with the acquisition.

At a March 26 House Transportation Policy Committee meeting, Betsy Parker, associate director of government relations for the

department, testified that substantially nothing would change from current practice, except that the department would not be required to acquire the replacement land. Under the bill, the railroad and the transportation commissioner would establish an agreement to replace the land.

At the hearing, Rep. Mary Liz Holberg (R-Lakeville), wondered aloud what would prohibit the railroad from purchasing the land at three times its actual value. Parker said that the department would determine what a reasonable value is and that would be part of the pre-arranged agreement between the commissioner and the railroad.

The bill now goes to the Senate, where Sen. Mike McGinn (R-Eagan) is the sponsor.

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Facility naming rights could be in the works for school districts looking to make some extra cash

By TOM LONERGAN

Is a “Target High School” or a “Pizza Hut Stadium” on the horizon for Minnesota School districts?

According to several school officials, don’t count on it, even though school districts would have the option of leasing the naming rights for school buildings, ice arenas, and stadiums under both the House and Senate omnibus education bills.

The bills (HF1404\*/SF1528) were passed by the respective legislative bodies April 30 and May 2 and are headed to a conference committee for compromise on a number of differences, including cuts to supplemental school programs and new state academic standards to replace the Profile of Learning.

Both bills propose authorizing school districts to pursue “sponsorship and advertising revenue.” Besides leasing the naming rights to school facilities, the bills propose school districts may also “sell advertising on or in the facilities” and “on or in school buses,” subject to bus advertising content restrictions in existing state law.

The school sponsorship and advertising

or facilities named in someone’s honor. It’s not so much about a ‘Pepsi Arena.’”

Meeks said advertising and sponsorship revenue would be “another option for cash-starved districts.” He said he doubted an “Xcel Energy High School” would result from the proposal.

School boards would likely seek such revenue in “very limited situations,” Meeks said. “It would be for the special things,” he added, citing an art exhibit or a sporting facility concession stand as examples. “You may see the local lumberyard or a sporting goods company as sponsors.”

Jan Alswager, manager of government relations for Education Minnesota, predicted a few of the state’s 343 school districts “will jump at this.”

She said the proposal represented “a significant policy shift.” State support of schools “has not kept pace with inflation,” she said, “schools have been cutting and now we have to sell building naming rights?”

Alswager said the advertising and sponsorship issue could “force a discussion at the local level.”

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*“This can give districts the opportunity to generate extra revenue. It may encourage memorials or facilities named in someone’s honor. It’s not so much about a ‘Pepsi Arena.’”*

— Rep. Jim Abeler

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proposal was originally in HF558, sponsored by Rep. Jim Abeler (R-Anoka). The bill received a brief hearing March 11 before the House Education Finance Committee.

Abeler and Bob Meeks, director of government relations for the Minnesota School Boards Association, were the only testifiers.

“This can give districts the opportunity to generate extra revenue,” Abeler said in a recent interview. “It may encourage memorials

“Is it in the best interests of students or for the purposes of receiving more money? If it’s the money, the result is poorly thought out public policy.”

Two school superintendents who said their districts don’t seek advertising or sponsorship revenue indicated the bill wouldn’t likely change their policies.

“It’s a very unfortunate sign of the times,” said Rochester Schools Superintendent

Jerry Williams. “It’s a sad statement that we would have to do that.”

The district would only consider leasing building naming rights or selling advertising “as a last resort,” Williams said. “The school board ultimately makes the decision and I would welcome the community to weigh in heavily.”

The 16,000-student district recently negotiated an exclusive vending contract with Pepsi, Williams said, but product logos will “not be plastered all over.” The vending machines have generic fronts, he added.

Naming rights “are not even on our radar screen,” said Marshall School District Superintendent Tom Tapper. “I don’t expect we’ll be pioneers.”

He said voters in the 2,500-student district in southwest Minnesota recently passed a dual question \$37 million bond issue for a new high school and auditorium.

The Schwan Food Company, a Marshall-based business, is providing matching money for the auditorium. “There was never any discussion of a naming right,” Tapper said.

Seeking supplemental revenue through advertising and sponsorships would be unique to districts, based on their special needs, Tapper said. “We’ve never approached it or thought of it and I don’t expect to.”

The Anoka-Hennepin School Board “has talked about new ways of raising revenue,” said Mary Olson, the district’s director of communications, but no district buildings have been named as a means to do that.

Fees for after school and community education programs, she said, “have gotten so high we’re looking at ways of providing revenue that doesn’t draw on the general fund.”

Abeler said that although state law does not prohibit schools from selling advertising or leasing naming rights, his proposal “makes it permissible.” The decision is “best left to school boards to decide based on their sensibilities,” he said.

“I can assure you if it becomes a controversial issue locally, it will become a school board election issue and then the people will vote.”

The companion to Abeler’s bill was SF682, sponsored by Sen. David Tomassoni (DFL-Chisholm). 🐼

# Hard day's night

Members debate impact of spending cuts, amendments in early morning discussion of health and human services bill

By JEFF JONES

**A** plan to spend nearly 9 percent less than current funding in the areas of health and human services passed the House in the early morning hours of May 2.

After considering 20 amendments during a four-and-a-half hour debate, the House passed HF437 on a 74-59 vote at about 4 a.m. Designed to overhaul the state's health and welfare systems, the bill would implement most of Gov. Tim Pawlenty's budget recommendations to curb spending in the departments of Health and Human Services. It would spend more than \$7.3 billion from the general fund, a roughly \$700 million reduction from current spending levels.

The bill would accomplish those reductions by tightening eligibility requirements for state assistance, reducing or eliminating grants and programs, streamlining administrative processes, and raising fees and co-payments for a variety of services.

Rep. Fran Bradley (R-Rochester), the bill's sponsor, said members should take pride in the bill. "It was a reform-centered effort. The results were tough but fair. ... I think it does a

terrific job for the people that we serve."

House Minority Leader Matt Entenza (DFL-St. Paul) criticized the bill's budget cutting tactics and the lateness of the hour. "We're going to cut nursing homes by over \$74 million while grandma's sleeping. We're going to cut senior nutrition programs by almost \$3.5 million while our seniors rest unaware."

The bill proposes significant changes to Minnesota's welfare and public assistance programs by reducing eligibility and putting greater emphasis on moving recipients into the workforce. It would also save the state money from subsidized health care programs by lowering income eligibility levels, changing reimbursement rates to doctors and hospitals, and raising medical co-pays for patients. The state General Assistance Medical Care program would be combined with MinnesotaCare, under the bill.

Rep. Thomas Huntley (DFL-Duluth) warned that many hospitals, including the state's main teaching hospital, Hennepin County Medical Center, could not withstand the costs the bill would shift onto them. "They're either going to close their doors or

they're going to raise their rates to everybody else," he said.

The bill restores much of the money the governor proposed cutting from nursing homes, meals-on-wheels programs, and senior companion programs. It also largely protects funding for programs for the disabled and mentally handicapped.

Rep. Tim Wilkin (R-Eagan) praised the effort to save those programs. "We made all sorts of changes to this bill, to address the very sensitive items that are in it. We improved it, and a lot of the advocacy community is on board."

Much of the money used to restore the services would come from state funding for child-care assistance programs, which the bill would cut by about 50 percent from base budgets, 35 percent more than the governor recommended.

The bill also seeks to give counties more flexibility in administering reduced state money by consolidating targeted grants into larger block grants for counties to spend according to their own needs.

While nothing in the package specifically dealt with the issue of abortion, many proposed amendments sought to add such language to the bill.

Rep. Larry Howes (R-Walker) offered an amendment to prohibit abortion-inducing drugs from being covered under the prescription drug discount program the bill would establish. The amendment was adopted 88-43.

Huntley called the measure too broad,



PHOTO BY ANDREW VON BANK

A provision in the omnibus health and human services finance bill would require legislative approval of plans to close regional treatment centers, like the Fergus Falls center, pictured here.



saying some drugs that can induce abortion in the first weeks of pregnancy, including the pill called RU486, are also used to treat ailments such as cancer, glaucoma, and pulmonary hypertension.

Some are also used to help induce labor, said Rep. Margaret Anderson Kelliher (DFL-Mpls). "You're telling people who are lower income, who are 10 or 12 days overdue, 'Well, I guess you'll just have to wait,'" she said.

Bradley, who supported the amendment, said it would not have much effect because the drug discount program is designed primarily for senior citizens. It would be available only to low income individuals not covered by other state or private insurance programs and would not take effect for another two years.

Rep. Mary Ellen Otremba (DFL-Long Prairie) unsuccessfully offered an amendment that would have removed a section of the bill denying extra cash benefits to women on welfare who have additional children — part of the governor's recommendation to reduce state welfare spending. Otremba said a similar law in New Jersey succeeded in reducing the number of children born to welfare recipients but resulted in 350 more abortions annually in that state.

"The family cap success was because of increased abortions that decreased births,"

Otremba said. "In other words, the abortions achieved the birth reduction."

Rep. Lynda Boudreau (R-Fairbault) said the governor's proposal would not reduce food or medical benefits to families but would keep them from receiving additional cash benefits from the state.

The House adopted a separate Otremba amendment that would give parents access to their children's medical records. While state law gives minors the right to seek treatment (including abortions) for pregnancy, sexually transmitted diseases (STDs), or alcohol and drug abuse without parental permission, the amendment would allow parents to see what treatments have been performed.

Rep. Nora Slawik (DFL-Maplewood) opposed the amendment. "This is going to cause kids to have fear of getting treatment for STDs. It could cause fear, for young women who are pregnant, that their parents are going to find out," she said.

Another amendment offered by Rep. Eric Lipman (R-Lake Elmo) would have defined the term "therapeutic abortion" as one necessary to prevent a woman from being hospitalized. It was intended to limit the effect of a Minnesota Supreme Court Decision that gave women receiving state medical assistance the

right to therapeutic abortion. Lipman called the court decision "absolute, unadulterated hogwash," and "the worst decision ever."

The amendment was ruled out of order because it was deemed to have a financial impact on the bill.

Relating to state health facilities, an amendment from Rep. Al Juhnke (DFL-Willmar) that would require legislative approval of any plan to close or end programming at regional treatment centers or state operated nursing homes was approved.

Bradley also successfully offered an amendment to delete a contentious provision regarding so-called "step-therapy" for medical assistance patients with mental illness. It would have allowed the human services commissioner to develop a program requiring doctors to prescribe the least costly drugs or therapy to treat a patient's medical condition and prescribe progressively more costly treatments only when each initial treatment is deemed unsafe or ineffective.

Since the House bill is different from a corresponding Senate omnibus bill (SF1532), sponsored by Sen. Linda Berglin (DFL-Mpls), a 10-member conference committee has been appointed to work out the differences. 🐼



## Volunteering service

### Teachers in Portland agree to work without pay for short time to ease deficit

In an effort to trim budgets without trimming the education workforce, teachers in the Portland (Ore.) School District agreed in early March to work 10 days for free in the upcoming school year.

The contract, agreed to by approximately 3,600 teachers, will preserve a full school year for the district, which had proposed cutting 24 days off of the 171-day academic calendar. The state's education department previously waived requirements for the minimum number of instructional hours due to the state's budget crisis. For teachers, the contract will mean a 5 percent reduction in salaries, which range from \$28,725 to \$60,371.

The 53,000-student district saw its budget shrink by \$21 million between

September and the time of contract ratification because of state revenue shortfalls. Local officials say the shortfall may reach \$50 million next school year, and district leaders have looked at cutting jobs, closing up to six elementary schools, and increasing class size to 42 students. The district already utilizes outside custodial services for its 98 schools, has reduced its central administrative staff by more than one-third since 1990, and has sold or leases buildings to the city and local private schools.

The problem, some district officials said, dates back to 1990 when state voters approved a plan that capped local property taxes, and shifted the responsibility for financing schools from the local level to the

state. At about the same time state leaders agreed to a new equity formula that tried to close the revenue gap between school districts.

However, Portland school officials say that because they have higher numbers of students that cost more to educate, such as second-language learners and special needs students, the plan was bad for them even though legislators told them that the measure would not harm them.

In January state voters rejected a proposition that would have created an additional \$95 million in new state tax revenue for schools with the dollars being divided up among all districts.

(M. Cook)

# Thinking ahead

1950 report encouraged policies to position Minnesota as player in U.S. and world markets

By MICHELLE KIBIGER

When Minnesota policymakers were looking toward the future in 1950, they couldn't have known the economic booms the following decade would bring. They only had the context of the five years since the end of World War II as they looked at the state's economic position.

At the time, the state had nearly 3.2 million people, 184,000 farms, 186,400 people employed in manufacturing enterprises, wholesale sales of \$4.9 billion, and retail sales of \$2.9 billion.

While officials had reason for optimism, one report indicated a fair amount of skepticism about the state's prospects, as well. That report, *Minnesota at Midpoint – 1950, an Economic Survey of Minnesota at the Turn of the Half Century*, urged the state to adopt certain policy directions.

Particularly, the report addressed six items — forests, agriculture, vacation travel trade, iron mining, public service enterprises, and manufacturing — that authors identified as keys to the state's strength.

The state Department of Business Research and Development, which was one of several precursors to today's state Department of Trade and Economic Development, produced the report.

"The war dislocated our economic structure as it did that of other states and the nation as a whole, to such an extent as to preclude any accurate measurement of progress," said the report. "It is pleasant to be able to report that, in the main, the impact of those war years raised us to unprecedented economic levels, and that the post-war years did not put us on a toboggan racing rapidly down a steep and rocky decline.

"At the same time, the facts upon which this report is based make certain that Minnesota has never faced more problems than it does at this time. Another all-out war, a sharp slump in agricultural prices, another disastrous forest fire, any number of possible eventualities, may make some of the gains of the past 10 years here totaled seem transitory indeed."

Specifically, the report noted room for improvement in the six areas, particularly in relation to the economic aspects of each.

Minnesota needed a way to set its products and assets apart from other states, the department said. In agriculture, mechanization was dubbed a "miracle" for reducing the need for farm labor while the value of farm production was increasing. The war had tapped agricultural laborers and the report indicated they were not returning to their former vocations.

As a result, the report suggested maximizing mechanization options, while finding a way to market Minnesota products so they would become a household name like "Vermont maple syrup."

The report also supported partnerships between the University of Minnesota and agricultural and business/manufacturing communities. The university could support the research needed to develop products and technologies unique to Minnesota.

Also, the report suggested developing policies to protect forest resources for lake and stream conservation and for wildlife habitat protection. It also encouraged soil conservation practices for both the state's forests and its farmland.

For mining, the report indicated concern about competing markets in Brazil, Venezuela, and Canada, whose deposits seemed to be of higher quality. To compete, the report suggested, the state needed to find cheaper fuel sources for mining activities, and it should pursue a more marketable or higher quality source of ore for future stability in the iron mining industry, essential not only for its commercial benefit but also because of taxes paid on mining operations.

The department also encouraged additional spending to promote tourism and recreation in the state. "The most effective stimulant to vacation travel in our state is that association of

economic influences represented by more paid vacations, more hard-surfaced highways, and more family cars," the report said. "What is lacking in the recreation picture of the state is some giant investment, such as Miami Beach in Florida, Sun Valley in Idaho, and Jasper Park in the Canadian Rockies. A focal point such as these, located, let us say, at Gooseberry Falls on the North Shore Drive, would insure national attention and dramatic appeal."

The harshest criticism of the state leveled in the report was that it had not done enough to develop long-term plans for conserving resources and developing new, enterprising ideas for business expansion. Other states are doing it, the report said, and Minnesota should try



Workers at the Union Brass and Metal Manufacturing Company, in St. Paul.

Photo courtesy of the Minnesota Historical Society

and gain some advantage before the other states are out of reach.

"The peculiar genius of an economic nature possessed by the American worker is his ability to change raw materials so as to make them more desirable and more valuable," wrote the department. "That genius has never been absent from the homes, shops, and factories of Minnesota. In the hundred years of our history, a ready adaptability to the many factors which apply to industry has been displayed by our citizens."

In conclusion, the report built on this statement, suggesting that merely connecting the already existing pieces might bring the desired result.

"Our human resources, intelligently applied to our natural resources, should make of this land, not only a pleasant one in which to live, but also a profitable one in which to work." 🐾

# Appraising trust lands

Debate continues over intermingled federal-state land ownership in the Boundary Waters Canoe Area Wilderness

By NICOLE WOOD

Shortly before statehood, Minnesota was granted several million acres of land from the federal government to support public education. The land is held in public trust and managed by the Department of Natural Resources. Proceeds from natural resource management activities, including logging, mining, and land leases and sales, are dedicated to the state's Permanent School Fund for K-12 education expenditures.

Approximately 93,000 acres of the 2.5 million school trust fund acres still held by the state are within a portion of the Superior National Forest that Congress in 1978 designated as the Boundary Waters Canoe Area Wilderness.

School trust lands within the area do not generate money for the fund because federal laws restrict commercial activities, such as logging and other motorized access, on wilderness lands.

The 1999 Legislature passed a resolution in support of an exchange for U.S. Forest Service land outside of the wilderness area "as a solution to the long-standing problem of intermingled land ownership within the Superior National Forest." The next year, lawmakers directed the University of Minnesota-Duluth (UMD) to conduct a land valuation study of the state-owned parcels in the wilderness area, including school trust, university trust, county tax-forfeited, and DNR-acquired lands.

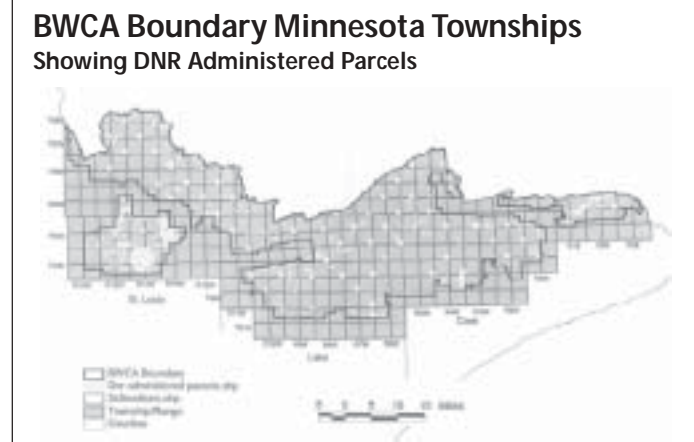
Acting Director Jim Skurla and Curt Anderson of UMD's Bureau of Business and Economic Research presented the House Environment and Natural Resources Policy Committee with the appraisal results Feb. 13.

The study, subject to the hypothetical condition that the wilderness area restrictions did not exist, places the probable value of the 116,000 acres of state-owned lands within the area, which includes the school trust fund acreage, at approximately \$91.7 million. Of that amount, school trust lands are estimated to be worth \$72 million.

Anderson told the committee it was cost prohibitive to statistically survey every inch of trust fund land. "You'd be paddling for the next five years," said Rep. David Dill (DFL-Crane

Lake), whose district encompasses the area. Instead, Anderson explained, the study is an extrapolation model based on a parcel of 5,281 acres, in the west-southwest portion of the area, that exhibit geographical traits common to the rest of the state-owned acreage.

The study identified five land categories and assigned values to each based on prominent geographical characteristics, accessibility, and lakeshore acreage:



State-owned parcels of school trust lands dot the protected Boundary Waters Canoe Area Wilderness across a grid of townships in St. Louis, Lake, and Cook counties.

Photo courtesy of UMD Bureau of Business and Economic Research Boundary Waters Canoe Area Wilderness Land Valuation Report Volume 3: GIS Maps and Physical Inventory

- water flow influence (tributaries, wetlands, rivers) = \$350/acre;
- interior forest/wetlands = \$450/acre;
- lakeshore development = \$1,200/acre;
- remote small lake = \$950/acre; and
- developable island = \$5,000/acre.

Mineral wealth was not taken into consideration because the state's mineral rights may not be exchanged or sold.

Separate U.S. Forest Service surveys over the past few decades place the value at an average of \$90.4 million.

"I think the valuation is extremely low," said Dill. "This land is valuable beyond our wildest imagination."

Dill described the dismal economic state in the Arrowhead region and argued that the economic impact value of the land, if it were avail-

able for development or commercial logging and mineral extraction, would be far greater than the appraised market value represented in the report.

Several environmental group representatives said they would support a federal buyout over an exchange. The rate of return on investing sale proceeds would be greater than management activities could produce, they assert.

"We see this as a double win for kids," said Sarah Strommen of Friends of the Boundary Waters Wilderness. "You get more money for the school fund and wilderness protection."

The issue kept a low profile in the House this session until late in the evening May 1 when Dill offered an amendment to the state government omnibus bill that would have directed the DNR to auction off four select parcels of school trust lands within the area.

"By selling this land we get real-time information," Dill said, suggesting the lands for sale in the amendment would provide a true market valuation.

Dill ultimately withdrew the amendment after some debate on proper uses of area lands, implying it was a negotiating tool and it was never his intention to sell the land.

"I have spent my adult life trying to get the players to the table and it was only today that I had the parties outside and they agreed to come to the table, and Rep. (Dennis)

Ozment, our fine chairman, has agreed to work on this with me." Ozment (R-Rosemount) is the House Environment and Natural Resources Finance Committee chair.

"We had to do something," Dill continued. "Our people are suffering and I had to bring it to this body in an attempt to do something to get this up to the front burner. Not for us — partially for us — but mainly for the people of this state and the children of this state and the schools of this state and if for no other reason than to satisfy the requirements of the Constitution of Minnesota."

While state lawmakers will continue to review the issue, resolution of the matter and agreement from the federal government may ultimately require cooperation from Minnesota's congressional delegation. 🐾



# Playing the odds

With gambling legalized in all but four U.S. states, many are considering expansion to ease budget woes

By PATTY JANOVEC

All but four U.S. states allow some form of legalized gambling. Of those, 38 states have a state lottery and 28 states allow casino gambling. However, only 11 of those states allow casino gambling off of American Indian tribal land.

Minnesota is among the states that have not authorized casinos separate from those run by American Indian tribes. But a proposal that has passed the House and awaits action by the Senate would change that. If the bill, which authorizes slot machines at Canterbury Park, became law, Minnesota would become one of several states that use gambling revenue to boost the general fund.

A January 2003 report by the National Conference of State Legislatures (NCSL) indicates that more than a dozen states are considering additional gambling to resolve deficit issues.

Among the proposals are:

- more Indian tribal casinos, a multi-state lottery, and video gaming at horse tracks in New York;
- dockside riverboat casinos would bring in more funds to Indiana through raising taxes on those operations;
- a 5 percent increase in casino gaming taxes at Illinois casinos, and
- additional state lotteries in Maryland, Ohio, and Washington.

A study done in February 2003 by NCSL shows that charitable bingo, card rooms, state-run casinos and gaming, American Indian casinos, or sports betting is allowed in some form in every state except Arkansas, Hawaii, Tennessee, and Utah.

According to the NCSL, consumers spent \$61.4 billion on gambling nationwide in 2000, with states receiving about \$26.8 billion in net revenues.

Congress created in 1996 a one-time National Gambling Impact Study Commission "to conduct a thorough study of the attitudes, events, and trends shaping the social and economic impacts of legal gambling in America."

The commission noted that lotteries date back to early America to help finance the establishment of the first English colonies. Public works projects such as building churches and paving streets were supported through gambling.



PHOTO ILLUSTRATION BY TOM OLMSCHIED

A number of states nationwide are exploring expanded use of gambling revenue to ease budget woes.

Eventually scandal ensued, involving the bribery of state and national officials, in a Louisiana lottery that operated nationally. In 1870 the federal government outlawed state lotteries until a revival in 1964 when

New Hampshire began a state lottery.

Minnesota introduced its lottery in 1990. There are currently five types of lottery operating in states: instant games, daily numbers and games, lotto, electronic terminals for keno, and video lottery.

In 1973 state lotteries generated \$35 billion. The number increased to \$150 billion in 1997. Minnesota raked in \$378.66 million in 2002.

The commission reported, "State governments have become dependent on lottery sales as a source of revenue, and have tried to justify the money by earmarking it for good causes, such as education."

In fact, of the 38 state lotteries, a portion of only 10 states' revenues goes into general funds, including Minnesota, where the number is 13 percent.

The Congressional commission found that only 16 of the remaining states earmark all or part of the lottery revenues for education.

For example, Georgia allots funds to the HOPE Scholarship Program. Along with providing college scholarships, the program also supports kindergarten education for 65,000 children.

Proceeds from the Minnesota State Lottery break down into several areas. In fiscal year 2002, general fund lottery proceeds contributed a combined \$38.5 million to K-12 education, health care, aid to local governments and public safety. Funds are also dedicated to environmental and wildlife efforts.

The national commission, while it did not render conclusions regarding whether gambling proceeds were a reliable source of revenue for states, did strongly urge states allowing gambling to periodically measure the costs and benefits to the state as a whole.

The Minnesota lottery reports that its \$3.54 million contribution to state-provided services for problem gamblers is the sole source of funding for those programs.

The congressional findings report other states use gambling revenue in a number of ways: parks and recreation, tax relief, and economic development. The state of Washington used gambling dollars to help construct Safeco Field for the Seattle Mariners baseball team, and police and fire pensions are paid for by gambling proceeds in Indiana.

The national commission also examined casinos, which were legalized to operate in 28 states as of 1999.

Six states have riverboat and dockside casinos, and there are approximately 260 casinos

on tribal reservations nationwide.

Riverboat casinos began in 1991 in Iowa, the report notes, and “by 1998 there were over 40 riverboat casinos in operation in Illinois, Indiana, Missouri, Iowa, and nearly 50 riverboat and dockside casinos in Louisiana and Mississippi.”

New casinos are popping up in such states as New York, which recently signed compacts with the Seneca tribe for development of casinos near Niagara Falls, according to *International Gaming and Wagering Business*.

Tribal gambling brought in \$212 million, rising to \$6.7 billion in 1997, according to the commission.

Minnesota’s tribal casinos total 18 in number and are exempt from state and federal

taxes. And like other states, they are governed by compacts between the state and the tribal governments. Minnesota’s compacts do not provide tribal governments the exclusive right to conduct casino gaming in the state. The compacts do not require tribal casinos to contribute revenue to the state either, with the exception of recovering some inspection-related costs.

According to an NCSL brief about tribal gaming, a state can’t tax tribal government gaming revenues, although tribes can agree to share a limited portion of their gaming money with state and local governments, subject to approval by the U.S. secretary of the interior. Some have done so, usually in exchange for the exclusive right to conduct casino-style

gaming within a state’s borders.

The most prominent example is the Foxwoods Casino, operated by the Mashantucket Pequot Tribe near Ledyard, Conn. The original Pequot agreement with Connecticut stated the tribe’s willingness to give the state either \$100 million or 25 percent of its net revenues annually, whichever was greater, so long as no non-tribal casinos were permitted in the state.

In Wisconsin, existing state-tribal gaming compacts were amended between February 1998 and March 1999 to begin providing tribal payments, which amount to approximately 7.6 percent of net revenues, though the number is not specified in the agreement. 🗿

## RESOURCES

# Call or click

Legislative Reference Library offers range of research and information services

The Legislative Reference Library was established in 1969 as a nonpartisan service to the Legislature and its staff. Today, it has evolved into a highly specialized information resource.

The library serves as the official repository of legislative documents, such as reports, tape recordings of hearings, and minutes from hearings. In addition, the library keeps a number of other resources about the Legislature, including newspaper clippings, budget documents, and other publications produced by state agencies.

The library handles a number of inquiries from legislators, legislative staff, and the public. If you have a question about the Legislature, and you’re not sure where to begin, the librarians are a helpful guide to the process.

Call (651) 296-3398, write to the library at 645 State Office Building, or e-mail a request to [refdesk@library.leg.state.mn.us](mailto:refdesk@library.leg.state.mn.us). Visit the library Web site at <http://www.leg.state.mn.us/lrl/lrl.asp>



PHOTO BY ANDREW VON BANK

### Did you know?

Many of the Internet resources available on the Legislature’s Web site are there because of the work of the library. Because it is the official repository of legislative documents and many state reports, it catalogs all of those resources and provides direct links to online versions where available.

In addition, library staff convert paper copies so that they may be accessed by the Internet. Many of the pieces of historical data about the

Legislature and state government are found in reference materials available in the library, but would not otherwise be available to the public and to legislators and legislative staff, if that conversion service were not provided.

The library also has access to thousands of other pieces of information via its network with other libraries in the state.

Loan privileges are only extended to legislators and legislative staff. However, the library is open to the public from 8 a.m. to 6 p.m., Monday through Friday.

The library serves as the agency for central planning and direction of the Legislature’s Web site. Library staff help establish a consistent look for all legislative Web sites. They maintain general information pages, including the frequently asked questions and youth pages, and help coordinate updates and changes to the design of the site.

In addition, patrons can access the library’s catalog from its Web page and the vast Internet-based resources contained there. The popular “Links to the World” page contains useful links to various sources of information, including other state government sites, interest groups, and statistical services.



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

## How to get here

### Location

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

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

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

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

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

### Parking

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

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

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

The main handicapped entrance to the Capitol is on the northwest side of the building, just off Lot N; there also are drop-off entrances on

the south side under the front steps and on the northeast side of the building.

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

## What to do

### Tours

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

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

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

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

The society offers "Voice of the People: Your Role in Minnesota Government," a half-day session for students in grades 9-12.

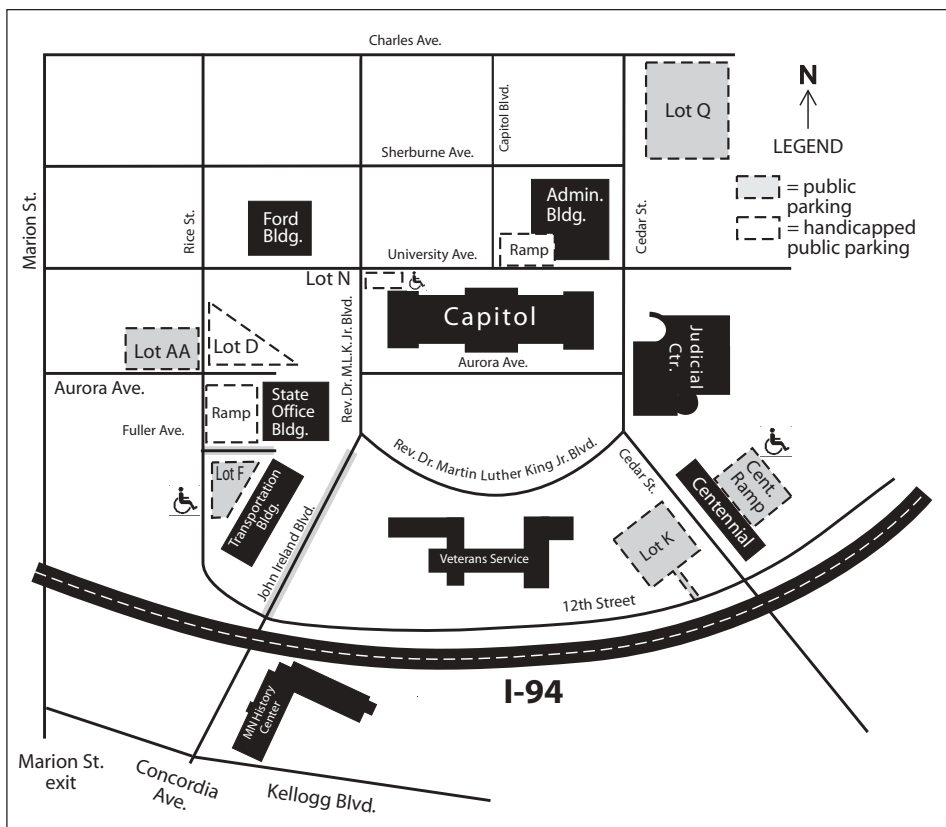
Also, special tour events are scheduled monthly throughout the year. Some of these events entail admission fees; others are free. A special events guide is available upon request.

For more information about the tours or to reserve a time, call the Capitol Historic Site Program, (651) 296-2881.

### Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.

At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the





session's midpoint, however, the legislative pace quickens.

The House usually meets at 3 p.m. Mondays and Thursdays, and the Senate meets at 11:30 a.m. Mondays and at 9 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a week, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (651) 296-2314, or Senate Information, (651) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

## Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088. Printed agendas for the week also appear in each issue of the *Session Weekly*.

Committee meetings are open to the public. When a public hearing is scheduled, the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in House Public Information Services in Room 175, State Office Building, or the Senate Information Office in Room 231, State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Services Office.

## Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in

session. A large, year-round cafeteria is available in the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul. Bus rides downtown cost 50 cents. You can catch the bus on Rev. Dr. Martin Luther King Jr. Blvd.

## Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

If group members want to meet with their individual legislators or testify before a committee (see "Committee meetings"), arrangements should be made at least a week in advance.

Often such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms — particularly when the topic is controversial.

## About security

Visitors to the Capitol need not be concerned or postpone a visit due to security concerns.

While security has been tightened, measures may not be obvious to the casual visitor. Remember only that you may need to identify yourself to a security officer stationed at a public entrance.

## E-mail schedules

Anyone with e-mail can receive both House and Senate committee schedules.

To sign up to receive the House committee schedule, direct your Web browser to <http://www.house.mn/list/join.asp?listname=houseschedule> and fill out the subscription form on the Legislature's Web site.

You can also sign up for the Senate schedule on the Internet. Point your Web browser to <http://www.senate.leg.state.mn.us/schedule/listserv.htm> and fill out the subscription form.

## Where to find information

### House Public Information Services

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

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

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

### House Television Services

216C State Capitol (651) 297-1338

House Television Services, part of the House Public Information Services department, is responsible for live coverage of House floor sessions and some committee hearings. Such coverage is aired in the Twin Cities area on KTCI-TV, Channel 17. The House also broadcasts via satellite statewide, available on local cable systems. Internet users can also view committee hearings and floor sessions via the House TV Web site. Refer to the site at <http://www.house.mn/hinfo/television.htm> for more information.

All televised floor sessions and committee hearings are close-captioned for people with hearing impairments.

### Chief Clerk's Office

211 State Capitol (651) 296-2314

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

### House Index Department

211 State Capitol (651) 296-6646

The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories. The office can also give you the current status of legislation.

### Senate Information Office

231 State Capitol (651) 296-0504

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

### Senate Media Services

B-44 State Capitol (651) 296-0264

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

## Tracking new laws, vetoes

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

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

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

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

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

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

required to veto the entire bill.

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

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

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link. Or, retrieve bill status updates on the House Web site ([http://www3.house.leg.state.mn.us/bills/chapters.asp?ls\\_year=83&session\\_number=0](http://www3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0))

Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	111	94*	St. Cloud state land conveyance description correction.	2/27	
2	273*	195	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.	3/19	
3	64	61*	State agencies rule adoption procedures modified.	3/24	
4	95*	291	Archaic prohibition on misrepresenting the size of certain items relating to wagons repealed.	3/31	
5	112*	92	Title, lien, and mortgage technical changes provided.	3/31	
6	744	726*	State building code cumulative fees collection.	4/3	
7	457	356*	Child de facto custodian provisions modifications.	4/4	
8	415	512*	Rockford Metropolitan Council jurisdiction removal.	4/2	
9	1158*	993	County nursing home payment adjustment increased, and money appropriated.	4/7	
10	267*	176	Fire insurance standard policy provisions modified relating to terrorism.	4/7	
11	330	293*	Public employment labor agreements ratified.	4/9	
12	166	112*	Uniform Guardianship and Protective Proceedings Act.	4/11	
13	1054	1001*	Solid waste management plans updating and content requirements modified.	4/17	
14	94	187*	State fair season circuses prohibition repeal (24-hour waiting period for abortions).	4/14	
15	774	790*	Department of Human Services Background Studies Act.	4/17	
16	647*	533	Nicollet Co. nursing home construction moratorium exception provided.	4/17	
17	827	768*	Capitol Area Architectural and Planning Board enabling language modified.	4/17	
18	912	1095*	State soldiers assistance fund use restriction clarification.	4/17	
19	51*	537	Health insurance provisions clarified relating to long-term care insurance.	4/23	
20	266*	224	Purchasing alliance stop-loss fund modified relating to health plan companies.	4/23	
21	536*	382	Joint underwriting association coverage and market assistance responsibilities modified.	4/28	
22	678	578*	Civil commitment examiner and health officer definitions clarified.	4/28	
23	268*	225	State fair police dept. authorized to employ additional part-time peace officers.	4/28	
24	850*	841	Sibley Co. land conveyance from Minnesota Valley state recreation area.	5/2	
25	1112*	1185	Veterans Affairs Dept. authorized to access certain state databases.	5/2	
26	1189	1064*	Minors working as assistant soccer referees exempted from child labor age restrictions.	5/2	
27	920	907*	Corrections Dept. forensic pathologists authorized to issue death certificates.	5/2	
28	823	842*	DNR authority modified relating to employees, gifts, and grants; concealed carry handgun permit requirements modified.	4/28	
29	909	942*	Criminal proceedings blood specimens evidence admissibility.		
30	456*	511	Hennepin; Victory Memorial Drive designated as a historic district.		
31	446*	745	Minors exempted from minimum age restrictions for work as youth athletic program referees.	5/8	

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

## Monday, May 5

HF1595—Slawik (DFL)  
Judiciary Policy & Finance  
Minnesota Personal Protection Act of 2003 repealed.

HF1596—Anderson, B. (R)  
Transportation Policy  
Driver instruction permit and provisional drivers' license provisions modified.

HF1597—Abrams (R)  
Ways & Means  
Omnibus tax bill modifying provisions relating to income, corporate franchise, estate, sales and use, motor vehicle sales, tobacco, healthcare provider, and other taxes; requiring reports and data disclosure; and appropriating money.

## Wednesday, May 7

HF1598—Howes (R)  
Health & Human Services Policy  
Plasma; resolution urging adoption of quality and safety standards for the collection and processing of human plasma.

HF1599—Lenczewski (DFL)  
Local Government & Metropolitan Affairs  
Local government information systems applicable legislative enactment validated.

HF1600—Seifert (R)  
Health & Human Services Policy  
Lyon County nursing home moratorium exception provided.

## Thursday, May 8

HF1601—Jaros (DFL)  
Governmental Operations & Veterans Affairs Policy  
Judges appointed and reappointed by the governor, judges term of office increased to 10 years, merit selection commission recommendations provided, and constitutional amendment proposed.

HF1602—Hackbarth (R)  
Judiciary Policy & Finance  
Death penalty authorized for first-degree murder under aggravating circumstances, statutory framework provided, automatic appellate review provided, task forces established, and money appropriated.

HF1603—Gunther (R)  
Taxes  
Fairmont tax increment financing district original tax capacity adjustment authorized.

HF1604—Howes (R)  
State Government Finance  
Workers memorial construction on capitol grounds funding provided, bonds issued, and money appropriated.

# COMMITTEE SCHEDULE

MAY 12 - 16, 2003

## MONDAY, May 12

8:15 AM

Taxes  
Room: 200 State Office Building  
Chair: Rep. Ron Abrams  
**Agenda:** HF199 (Anderson, I.) Koochiching County authorized to establish a port authority, and local government units authorized to apply for foreign trade zone powers.  
SF692/HF609 (Kelliher) Minneapolis authorized to establish a community planning and economic development department.  
HF756 (Rhodes) County levy authority modified to fund statewide public safety radio system.  
HF766 (Samuelson) Arden Hills, Blaine, Circle Pines, Mounds View, New Brighton, Roseville, and Shoreview multi-city housing authority established.  
HF1056 (Abrams) Metropolitan area transit and paratransit capital expenditure financing provided and bond issuance authorized.  
HF1427 (Bernardy) Anoka County public safety radio improvements bonds validated.

HF1469 (Abrams) Capital improvement bonds, and other capital and public financing and economic development tools and procedures provided for cities, counties, and other municipalities and local governments.  
Possibly other bills that may properly come before the committee.

9:00 AM

Transportation Policy  
Subcommittee on Aviation  
Room: Basement Hearing Room  
Chair: Rep. Ron Erhardt  
**Agenda:** Ray Rought, Director of the MnDOT Office of Aeronautics.  
Mitch Killian, Government Affairs Manager for Metropolitan Airports Commission.  
Glen Weibel, Minnesota Business Aviation Association.

## TUESDAY, May 13

8:15 AM

Meeting Time Note: At the call of the chair; watch House Schedule and posted notices for confirmation/cancellation  
Taxes  
Room: 200 State Office Building

Chair: Rep. Ron Abrams  
**Agenda:** Bills, to be announced, that may appropriately come before the committee.

As of *Session Weekly* press time, House floor session times were unavailable and no meetings were scheduled for May 14 - 16.

Looking ahead . . .

## WEDNESDAY, May 21

9:30 AM

Room: 316 State Capitol  
Chair: Rep. Tim Wilkin  
**Agenda:** Selection of topics for the Program Evaluation Division.  
Review report on Department of Commerce settlement with American Bankers Insurance.



MINNESOTA HOUSE OF REPRESENTATIVES  
 PUBLIC INFORMATION OFFICE  
 175 STATE OFFICE BUILDING  
 ST. PAUL, MINNESOTA 55155-1298

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

# MINNESOTA INDEX

## Hook and ladder statistics

Fire departments in the state .....	789
How often a fire was reported in Minnesota in 2001, in minutes .....	34
Estimated loss by fire in 2001, in millions .....	\$174.3
Per day .....	\$447,659
Per minute .....	\$332
Between 1989 and 2001, property destroyed by fire, in billions .....	\$1.7
Amount in residential property, in millions .....	\$777
Total fires in Minnesota in 2001 .....	15,463
Decrease from 2000, as percent .....	8
Residential structure fires in 2001 (single family, apartments, mobile homes, hotels, motels) .....	3,912
Mobile property (autos, trucks, trains, buses, boats) .....	3,730
Industrial, manufacturing, other buildings .....	1,296
Average number of residential structure fires in state from 1997-2001 .....	3,632
State fire deaths in 2003, as of May 6 .....	13
In 2002 .....	64
In 2001 .....	47
Percentage of 2001 deaths that occurred in residential settings .....	87
Residential deaths, as percent, that occurred where smoke detectors were improperly maintained or absent altogether .....	34
Minnesota fire deaths in the 1970s .....	961
In the 1980s .....	776
In the 1990s .....	585
On-duty firefighter deaths in 2001 nationwide, excluding World Trade Center fatalities .....	99
Number in Minnesota .....	0
How often an arson fire was reported in Minnesota in 2001, in hours .....	6.1
Damage caused by arson fires, in millions .....	\$9.25
Decrease from 2000, as percent .....	9
Average number, as approximate, of wildfires in Minnesota each year .....	2,200

**Sources: *Fire in Minnesota — 2001*, Minnesota Department of Public Safety, Fire Marshal Division, October 2002; National Fire Protection Association; Minnesota Department of Natural Resources.**

## FOR MORE INFORMATION

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

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

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

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

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

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

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

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