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In this issue:

THE 2004 TAX BILL ADVANCES

INVASIVE SPECIES, RENEWABLE ENERGY, AND MORE

HF3180-HF3185

# SESSION Weekly

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

#### Director

Barry LaGrave

#### Editor/Assistant Director

Michelle Kibiger

#### Assistant Editor

Mike Cook

#### Art & Production Coordinator

Paul Battaglia

#### Writers

Miranda Bryant, Patty Janovec,  
Tom Lonergan, Mary Kay Watson,  
Nicole Wood

#### Chief Photographer

Tom Olmscheid

#### Photographers

Andrew VonBank, Lisa Marie Sanders

#### Staff Assistants

Christy Novak, Aaron Hoffman

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**On the cover:** An afternoon visitor looks up in awe at the Capitol dome, as seen from the catwalk high above the Rotunda floor.

—Photo by Andrew VonBank

# Revenue raiser

House tax bill adds \$49.6 million in tax-related revenues, raises budget reserves, counts racino revenue worth \$36.2 million

By MICHELLE KIBIGER

The omnibus tax bill, approved by the House Taxes and Ways and Means committees, contains a number of proposals intended to raise revenue, adjust alternative minimum tax income exemptions, phase in a change to the way corporate franchise taxes are calculated, and transfer budget reserves in the event the state experiences additional budgetary problems before the fiscal biennium ends June 30, 2005.

As approved by the committees, tax provisions in the bill would result in \$49.6 million in additional revenues for 2004-05. It includes a \$3.8 million appropriation for increased compliance measures and for specific studies.

The bill also accounts for the financial provisions of the proposed casino at Canterbury Park, part of another bill (HF646) passed by the House during 2003. The tax bill accounts for \$39.7 million in additional revenue as a result of the casino and establishes a stable tax rate for the plan so it provides 40 percent of revenues to the general fund.

However, another provision would provide a 5 percent franchise fee on card club revenue at the racetrack.

In addition, the bill would bring the budget reserve to \$290 million and move \$350 million to the cash flow account. It would also add new spending priorities if the state has another budget surplus before a rebate may be considered:

- add to cash flow account until it reaches \$350 million,
- increase the budget reserve account until it reaches \$635 million,
- restore any property tax revenue shifts for K-12 education, and
- move holdback payments for K-12 state aid up to 90 percent.

There would also be a number of additional restrictions on Internet cigarette sales, as well as reductions on certain special tax rates.

The bill meets its target and keeps effects to the state budget in future biennia at a minimum, said Rep.

Ron Abrams (R-Minnetonka), the bill sponsor, at the April 21 Ways and Means Committee. Economically, he said he is hopeful that eventually the state will begin collecting more revenues than even forecasts expect, which would then allow more flexibility for provisions in the bill.

Several members expressed concern regarding things not dealt with in the bill, including local government aid and local sales taxes.

"I'm not concerned about what's in the bill," said Rep. Paul Marquart (DFL-Dilworth) before the House Taxes Committee April 20. "I'm concerned, members, by what is not in the bill." He said not addressing some of the local government aid cuts from 2003 created "extreme unfairness" to rural Minnesota.

"This bill doesn't correct any of those things," he said.

The bill would increase the exemption allowed for the alternative minimum tax through 2006. By then, the exemption for a married couple, filing a joint return would grow to \$44,000 from the current level of \$40,000, which according to nonpartisan fiscal and research staff, would reduce the number of total filers under the alternative minimum tax by 39 percent. In addition, all tax filers with federal adjusted gross incomes less than \$100,000 subject to the alternative tax would be reduced by 56 percent.

Congress created the alternative minimum tax



PHOTO BY TOM OLMSCHIED

Members of the House Taxes Committee debate the omnibus tax bill that, in part, would result in \$49.6 million in additional revenues for 2004-05, before approving the measure April 20.

To our readers:

This issue of *Session Weekly* marks the final issue under the direction of our editor, Michelle Kibiger. Michelle, who also serves as assistant director for House Public Information Services, is leaving the House after four-and-a-half years of dedicated work.

Michelle leaves behind a magazine that continues to win recognition, including a recently announced National Association of Government Communicators award for publications. Such an award is recognition for the hard work of all of our publications staff, including Michelle.

We wish her the best in her future pursuits.

Barry LaGrave

in the 1960s to target 155 taxpayers who made more than \$200,000 in income but paid no taxes. The tax operates parallel to the regular income tax system. It allows for fewer deductions, exemptions, and credits than regular income tax.

The move will cost the state \$2.2 million in revenue for 2005 and is projected to cost \$13.9 million in the 2006-07 biennium.

The bill would also phase out the charitable contribution limit for alternative minimum taxpayers.

The bill would also phase in a new structure for calculating corporate franchise taxes. Under current law, Minnesota taxes are calculated by a formula that weighs sales in the state at 75 percent, and both property and payroll at 12.5 percent. Under the bill, sales would bear the full 100 percent by 2012, which proponents say increases the incentive for businesses to physically locate in the state and pay employees good salaries.

A few tobacco-related provisions are also included in the bill. Sales taxes on cigarettes would be collected at the wholesale level, based on the gross invoice price of distributors. The provision is an attempt by the Revenue Department to increase compliance in payment of the tax.

In addition, delivery sales of tobacco products, typically from the Internet, would be regulated under the bill, including requirements that sellers verify the identity of the purchaser upon delivery and that shipped packages only be delivered to adults, as verified by a signature.

The bill would also create an international economic development zone within 60 miles of the



## State schoolers

### Minnesota state orphanage in Owatonna operated for 60 years

Minneapolis-St. Paul International Airport to serve as a regional distribution center that would increase capacity and handle air freight. The zone would be eligible for certain tax exemptions for up to eight years, including state and local sales tax on purchases used by businesses in the zone, property taxes on improvements within the zone, and a jobs credit for higher paying jobs.

The bill also includes a number of provisions heard during the 2004 legislative session.

- Income tax payers may subtract up to \$10,000 for travel and lodging expenses and lost wages related to organ donation, in HF2048, sponsored by House Majority Leader Erik Paulsen (R-Eden Prairie).
- The commissioner of revenue may disqualify a foreign operating corporation if it has no substantial business in the state, has significant transactions that don't reflect market prices, and its income is predominantly domestic on a multi-year basis. Such a finding would also result in a 15 percent surtax to the corporation, under the bill.
- Taxpayers may distribute benefits of the \$2,000 family cap when using the K-12 education credit among children, though they may only claim expenses for two children, part of HF2772, sponsored by Rep. Jim Knoblach (R-St. Cloud).
- Retail businesses would not qualify for incentives under the job opportunity building zones program, as provided in HF2316, sponsored by Rep. Tim Mahoney (DFL-St. Paul).
- Minnesota tax law would conform to new federal provisions, particularly with regard to taxable military income and deductions for contributions to health savings accounts. The health savings account provisions were part of HF1742 and HF1976, sponsored by Knoblach and Rep. Tim Wilkin (R-Egan).
- The Camp Ripley game refuge in Morrison County would receive a payment-in-lieu of taxes, contained in HF2928, sponsored by Rep. Greg Blaine (R-Little Falls). Payment in lieu for land utilization project lands would be increased from 37.5 cents per acre to 96 cents per acre under the bill, initially provided in HF1740, sponsored by Rep. Irv Anderson (DFL-Int'l Falls).
- Electric generating plants would be eligible for personal property exemptions, as long as the siting plan is approved by the host county and city. The provision includes partial exemptions for existing plans increasing their initial capacities.
- In-home day care providers would be treated as a residential property for tax purposes, under the bill, as provided in HF2200, sponsored by Rep. Doug Magnus (R-Slayton).

The Senate companion (SF2302), sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), awaits action in the Senate Taxes Committee. 🐼

In 1885 the Minnesota Legislature established the state's only publicly funded orphanage. Located in Owatonna, the State Public School for Dependent and Neglected Children opened its doors the next year.

From 1886 until 1945, 10,635 children lived, studied, played, and worked there. Some were orphans; most were not. Some thrived; others did not. While the average length of stay was about five years, a few spent their entire childhood there. More than 300 died and were buried in the campus cemetery.

Today, the Minnesota State Public School Orphanage Museum, started in 1992 by former resident Harvey Ronglien and his wife Maxine, exists as a testament to the thousands of children who spent their formative years at the institution.

According to museum records, the Legislature called for placing children from poorhouses and impoverished families under the guardianship of the state. Parental rights were revoked. These were the "at-risk" children of an earlier time. Unless they were adopted, they became wards of the state until they were 18 years of age.

The state school stressed a philosophy of "family-like" life in cottages, discipline, useful labor, education, and outplacement.

Virtually self-sufficient, the orphanage included a gymnasium, a greenhouse, and a 287-acre farm. At any one time, up to 500 children were housed in 16 cottages on the grounds of the school. Every child had at least two jobs: one in the cottage and one on the grounds. Matrons oversaw their behavior, work, and study.

Life at the orphanage was a pecking order, especially for the boys.

"The strong ruled," Maxine Ronglien said in an interview. "If you were a good student, it did not go over well in the cottages. And if you were involved in music or theater, you were a sissy."

The school was run according to state educational standards. However, the nature of the

school, with children arriving and leaving, made the task a challenge for teachers.

Recreation was considered an important part of education. Tumbling was popular, and the school's tumbling teams appeared at the state fair. Girls, in accordance with the values of the time, received fewer opportunities for recreation than boys.

Adoption rates were low, about 4 percent, and until the 1930s many children were put out on indentured contracts. While a few of these situations worked out, most did not. According to Maxine Ronglien, indentured children were rarely included in the families' lives, boys were frequently made to sleep in the barn, and girls were often sexually abused by the males in the family.

After World War II the foster care system became the preferred way of helping at-risk children, and the orphanage closed in 1945. The facility became a school for developmentally disabled children until the advent of mainstreaming. The school closed its doors in 1970, and its buildings stood vacant until 1974 when the city purchased the site for a civic center.

Today children once again play on the old school's grounds. Head Start, Big Brothers, and day care groups use some of the cottages. The gymnasium has become a recreation center, and the auditorium is now a community theater.

In 2003 an award-winning documentary, "The Children Remember," produced and directed by Kathleen Laughlin, showed the rest of Minnesota what Harvey Ronglien wrote about his 11 years of first-hand experience as a state schooler.

"The school housed, clothed, fed, and educated me," he said. "As an adult, I came to realize the institutional environment did not provide for certain needs a child craves.

"Emotional starvation is inseparable from institutional life. For many it left scars that would last a lifetime."

(M.K. WATSON)



Interior of Cottage Five at the Owatonna State School in 1900.

## BUSINESS

### Functional change

Business services at the Office of the Secretary of State would change in several ways under a bill approved by the House Ways and Means Committee April 20.

The bill now moves to the House floor.

Rep. Paul Kohls (R-Victoria), the sponsor of HF1798, said the change would create a modest savings for the office, while also making the business filing process more efficient through online options.

Previous committee discussions revolved around businesses being required to file online. Kohls successfully added an amendment that would allow for both online and paper filing and require that a reminder postcard must be sent regarding annual registration filings, and informing the corporation that failing to do so would result in dissolution.

More than 400 filings are performed per week online for Uniform Commercial Code filings. The bill would reduce the fee from \$20 to \$15 for those filing online, a cost saved by less paper filing by the office.

Other provisions in the bill include the following:

- elimination of a requirement of a county auditor to send the office a copy of each auctioneer license the auditor issues along with the fee the auditor collects for issuing the license,
- elimination of the requirement that the county clerk or recorder certify results of a local liquor law referendum to the secretary's office,
- transfer of the duties of overseeing notaries public from the commerce commissioner to the office, and
- instructs the Department of Finance to add the costs of the additional notary function to the base budget of the secretary of state's office.

Bert Black, planning director for the office, testified the costs for the transfer of notary duties are \$45,000 per year, and the fees collected total \$592,000.

A Senate companion (SF1836), sponsored by Sen. David Knutson (R-Burnsville), awaits action in the Senate Finance Committee.

## CONSUMERS

### Regulating cable, telecommunications

The House passed a bill April 19 that is a compilation of consumer protection initiatives and telecommunications and cable industry

regulatory reforms. The vote was 122-3.

HF2151, according to sponsor Rep. Torrey Westrom (R-Elbow Lake), is a sign of things to come in the area of telecommunications regulation.

Under the bill, local telephone and telecommunications carriers who provide directory assistance for a fee would be required to immediately credit a customer who was given the wrong information.

Another provision would require local carriers to obtain express prior authorization from customers before including charges from third-party service providers on bills. Examples of third-party billing include charges for Internet service, pagers, voice mail, or even club memberships.

The bill also would modify the interest rate on utility deposits to fluctuate with the United States Treasury, rather than remain set in law at a flat percent, Westrom said.

The bill gained a number of provisions on the floor that had previously appeared as HF892, HF979, HF1692, and HF2764.

- A provision added by Rep. Ray Vandever (R-Forest Lake) would require wireless telecommunications service providers to notify consumers under contract 30 days in advance of any substantive changes to the contract that would increase charges.
- Rep. Gregory Davids (R-Preston) successfully added a section of regulatory and technical changes that he said would modernize Minnesota statutes governing cable communications systems and make them consistent with current Federal Communications Commission rules.
- A provision added by Rep. Michael Beard (R-Shakopee) would modify the guidelines for telephone companies to extend or renew alternative regulation plans.
- Rep. Bob Gunther (R-Fairmont) successfully added a provision that he said aims to make it easier for small telephone companies to expand local calling areas, he said.
- Rep. Joe Opatz (DFL-St. Cloud) successfully offered an amendment that would require cable companies to immediately provide a consumer complaint telephone number to anyone who asks.

An amendment proposed by Rep. Tony Sertich (DFL-Chisholm) and later withdrawn would have placed a dispute between certain cable providers and Victory Sports One network into binding arbitration in order to make televised broadcasts of Minnesota Twins games more broadly available.

The bill now goes to the Senate, where Sen. Steve Kelley (DFL-Hopkins) is the sponsor.

### Modifying utility discounts

The House passed a bill April 19 that aims to provide low-income electric rate discounts to the neediest households and lighten reporting requirements for smaller utilities.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Ellen Anderson (DFL-St. Paul), HF1830/SF1753\* would specify that utility affordability programs "must be designed to target participating customers with the lowest incomes and highest energy costs in order to lower the percentage of income they devote to energy bills, increase their payments, and lower costs associated with collection activities on their accounts."

"Low income" describes a customer who is receiving assistance from the federal low-income home energy assistance programs, according to the bill.

Under the bill, the program must, in addition to any other program benefits, include a 50 percent electric rate discount on the first 300 kilowatt hours consumed in a billing period for low-income customers who are age 62 or older or disabled.

Another provision would modify the timeline under which the Department of Commerce requires certain municipal gas and electric utilities and rural electric cooperatives to file Conservation Improvement Plan reports documenting energy savings or improved efficiency.

An amendment successfully offered by Rep. Ray Cox (R-Northfield) would allow school districts to own, operate, and manage wind energy conservation systems. Two districts in Minnesota currently have such systems and there is some question over whether the state has granted authority, Cox said. The language also is included in the omnibus state government finance bill, he said. That bill (HF2684) passed the House and awaits action in a Senate committee.

Following a 126-0 House vote, the amended bill returned to the Senate, which did not concur and requested a conference committee be convened.

## CRIME

### Service animal protection

Individuals whose dogs harm service animals, commonly used by people with disabilities, can now be charged with a misdemeanor and ordered to pay restitution, under a new law signed

by Gov. Tim Pawlenty April 19.

Effective Aug. 1, 2004, the law will protect



service animals trained to work or perform tasks for an individual with a disability. Dog owners can be charged with a crime for intentionally or negligently permitting a dog to run uncontrolled off personal property, or failing to keep the dog properly confined and controlled, if that dog injures a service animal.

Supporters of the new law said training a service animal could cost tens of thousands of dollars, and that owners should be compensated when their animal is injured and can no longer perform its duties.

Groups supporting the new law include the Minnesota Guide Dog Users, the American Council for the Blind of Minnesota, and the Minnesota Council on Disability.

Twenty-seven states, including Minnesota, have laws providing service animal dogs with protection against harm by humans. But until now, no law addressed injuries to a service animal imposed by another canine.

Sponsors of the new law are Rep. Paul Kohls (R-Victoria) and Sen. Chuck Wiger (DFL-North St. Paul).

HF1817/SF1614\*/CH159

## ★ DEVELOPMENT

### Airport noise concerns

The construction of homes and businesses near the Minneapolis-St. Paul International Airport has long been a contentious issue due to air traffic noise complaints. And now land use zoning is becoming an increasing problem around outstate airports.

To educate themselves about the issues of incompatible land use at airports, members of the aviation subcommittee of the House Transportation Policy and Finance committees met April 20 to learn about the noise abatement program at the state's largest airport.

"We're primarily concerned about future planning and somehow structuring zoning and land use laws and how regional airport authorities can use those to head off problems with noise, growth, and encroachment on air space and airport activities and how we can do some sort of planning, some sort of zoning, some sort of regulation that helps communities and airports live together more compatibly," said Rep. Michael Beard (R-Shakopee), subcommittee chairman.

"One of the issues we've bumped against is the very twitchy issue of noise," he added.

Jeff Hamiel, executive director of the Metropolitan Airports Commission that oversees the Minneapolis-St. Paul International Airport and six reliever airports, said land use measures are a "three-legged stool." The stool's legs consist of the Federal Aviation Administration, the local airport, and the local community. The

role of the latter, he said, is to devise responsible land use planning around airports.

To mitigate airplane noise in schools and dwellings within airport impact areas, the Metropolitan Airports Commission has spent \$341.5 million since 1992. Qualified buildings have received new windows and doors, attic and wall insulation, roof vent and chimney treatments, and modifications to air conditioning and heating systems.

Buildings receiving treatment are in Richfield, Mendota Heights, Minneapolis, Bloomington, and Eagan.

Within the next 60 days the airports commission will decide whether to extend the noise mitigation boundaries to include more homes, Hamiel said.

The Minneapolis-St. Paul airport is the eighth largest in the United States and the 12th largest in the world. It handles more than 34 million passengers a year.

Beard reminded the committee of increasingly important land use issues around other growing regional airports in the state, such as those in Rochester, Duluth, St. Cloud, Marshall, Worthington, and Willmar. The latter recently moved due to land-use incompatibility issues.

In addition, St. Cloud city officials who disagree with Benton County land use zoning around that airport have contacted some legislators. Legislation addressing this could be introduced next year, said Rep. Dan Severson (R-Sauk Rapids).

## ★ EDUCATION

### Helping students with disabilities

A bill that would place a mental health representative on transition committees that help high-school age students with disabilities adjust to adult life awaits action by the governor.

HF2502/SF2609\*, sponsored by Rep. Alice Seagren (R-Bloomington) and Sen. Jane Ranum (DFL-Mpls), passed the House 127-0 April 19, two weeks after Senate approval was given 62-4.

The bill would amend a state law that requires a school district or special education cooperative to form community transition teams for special needs students in grade nine or an equivalent age, and their families.

The teams, Seagren said, "help kids who are disabled transition to work or higher education." The community transition interagency committees identify services and programs for secondary and postsecondary aged youth, and develop an implementation plan to assure that transition needs of individuals with disabilities are met.

They include representatives of special education, other education and training agencies, adults with disabilities who have received transition services, parents, business or industry, as well as county social service and health agencies.

The bill would add "the mental health community," to the list of required committee representation.

## NICE DOGGIE



PHOTO BY LISA M. SANDERS

Four-year-old Grace Nelsen touches the nose of Clifford the Big Red Dog in the Capitol Rotunda April 21. Nelson was visiting with Zion Early Childhood Center from Hopkins for the second annual Early Childhood Read-A-Thon. The event was co-sponsored by the Early Childhood Caucus and Minnesota's community libraries.

Districts or special education cooperatives must follow transition committee procedures determined by the state Education Department and annually report to the department on transition services provided to individuals with disabilities.

## ★ ELECTIONS

### Board members endorsed

The House Governmental Operations and Veterans Affairs Policy Committee recommended April 21 that two people be confirmed as members of the Campaign Finance and Public Disclosure Board.

Hilda Bettermann and Felicia Boyd were recommended for appointment to the board by Gov. Tim Pawlenty, subject to confirmation by the House and Senate. Appointments must be confirmed by a three-fifths majority of both bodies within 45 legislative days or adjournment of a biennial session, whichever is earlier.

According to its Web site, "The Board's four major programs are campaign finance registration and disclosure, public subsidy administration, lobbyist registration and disclosure, and economic interest disclosure by public officials."

Bettermann, a legislator from 1991 to 1998, is an instructor at Alexandria Technical College. Her resume includes current and past

volunteer community service activities as advisory committee member for the Central Lakes Area Sanitary District, former member of the Rural Health Advisory Council, the Workers' Compensation Council, and the Minnesota State Colleges and Universities system Trustee Advisory Council.

Since 1998 she has been a member of the Minnesota Board of Medical Practice and is currently president of the board. She's also a member of the Douglas County Hospital Board.

"As a former legislator and as a citizen who has and still does report to the Board, I understand the responsibilities of the Board in regard to elected officials and political campaigns," she said.

Boyd is a partner with the law firm of Faegre and Benson and has been working for 16 years in intellectual property litigation. The mother of five children, she also works with Boy Scout and Girl Scout-related troops.

Professional and trade associations she belongs to include the Section of Patent, Trademark, and Copyright Law of the American Bar Association; American Intellectual Property Law Association; and International Trademark Association.

Noting that Boyd belongs to a premiere litigation firm that represents several high profile politicians, and law firm staff directly file paperwork with the board, Rep. Eric Lipman

(R-Lake Elmo) asked if there would be a problem, how would she handle the situation.

Boyd said first she would look into conflict of interest rules that govern the situation and follow those, and if a client is involved she wouldn't take part in the situation.

## ★ ENVIRONMENT

### Phasing out phosphorus

Phosphorus could be banned statewide from the fertilizers used on established residential lawns, under a bill the House passed 88-40 on April 19.

HF2005, sponsored by Rep. Denny McNamara (R-Hastings), aims to protect Minnesota's lakes and rivers from an overabundance of phosphorus that can cause algae bloom, effectively choking other aquatic plants and depleting the oxygen supply.

Lawns do not need phosphorus unless they are new or being reseeded, McNamara said. One pound of phosphorus can grow 500 pounds of algae, he said, and it costs approximately \$350 to remove one pound of algae from a lake.

The 2002 Legislature approved a similar ban for the seven-county Twin Cities metropolitan area that took effect Jan. 1, 2004. Some counties outside of the metropolitan area also have adopted their own phosphorus restrictions.

"We are starting to see variations in the regulations concerning lawn fertilizers and a statewide regulation would make it easier for everyone to deal with," said Rep. Ray Cox (R-Northfield).

Under the bill, the ban would take effect Jan. 1, 2005, and would apply to fertilizer to be used for turf purchased at retail after Aug. 1, 2004.

Rep. Mark Buesgens (R-Jordan) questioned whether the ban would be enforceable.

"We are not hiring phosphorus police, if that's your question," McNamara said. It's a matter of education, not enforcement, he said.

Another component of the floor debate revolved around the potential effect of the ban on agricultural practices.

Rep. Dennis Ozment (R-Rosemount) said no major agricultural organizations in the state oppose the bill, though they have expressed concerns as to how far the restrictions will go down the road.

Residential lawns are totally separate from the agricultural community, Ozment said. "It does put a little more responsibility and accountability into the process" for homeowners who will have to do a little research to determine whether their lawn even needs fertilizer.

"I still consider this a stupid piece of legislation," said Rep. William Kuisle (R-Rochester). "It's unenforceable and it's a conquer-and-divide



PHOTOS BY ANDREW VONBANK

Newly appointed Campaign Finance and Public Disclosure Board members Hilda Bettermann, left, and Felicia J. Boyd, right, testify April 21 before the House Governmental Operations and Veterans Affairs Policy Committee. The committee endorsed both candidates, and their names will be forwarded to the full House for confirmation.

attitude, and the only ones who are left to be pointed at are the farmers.”

The bill now goes to the Senate, where Sen. Dan Sparks (DFL-Austin) is the sponsor.

## ★ GOVERNMENT

### **Delineating duties at DNR**

The House passed a bill April 15 that would revise some management and human resources practices at the Department of Natural Resources. The vote was 118-8.

HF2213, sponsored by Rep. Tony Cornish (R-Good Thunder), was brought forward at the request of the department. It now moves to the Senate, where Sen. Thomas Bakk (DFL-Cook) is the sponsor.

One technical provision makes an exception to the requirement that all outboard motors purchased by the department must be of the four-stroke engine model. Four-stroke engines are generally believed to be cleaner burning than traditional two-stroke engines. In this case, Cornish said, the bill would “give an exemption for the size of horsepower that a boat from the state can carry on the big water in Lake Superior.”

Another provision would eliminate the requirement for a security barrier in a conservation officer’s marked vehicle. It’s difficult to install a cage halfway down the seat of a pickup, Cornish said.

Additionally, as Cornish explained it, the bill wraps up four years of work on a project delineating authority to employees in the department. It would give certain employees other than conservation officers the powers to make citizens arrests and issue citations for petty misdemeanor violations.

It doesn’t cost the agency money to take existing employees and allow them a “collateral duty to enforce certain minor laws,” Cornish said.

But it took some time for conservation officers, natural resources officers, the Peace Officers Standards and Training Board, department management, and others to reach a compromise on the changes.

### **Transfer of duties**

Responsibilities formerly held in the Office of Strategic and Long-Range Planning would be statutorily transferred to the Department of Administration under a bill approved by the House Ways and Means Committee April 20.

Sponsored by Rep. Bill Haas (R-Champlin), HF2629 now moves to the House floor.

Duties that would be shifted under the bill include the areas of state demographer; the

Land Management Information Center; land use planning; municipal annexation, incorporation, and dissolution; and the Environmental Quality Board and related councils. These duties were relocated under a 2003 executive reorganization order.

Haas said the bill also permits the department to “buy energy needs into the future” by using forward pricing in purchasing energy for use in state facilities. He related it to residents who live in rural Minnesota or those who own lake homes being able to buy energy needs earlier in the year for less cost and “lock in your price.”

A successful amendment offered by Rep. Jim Knoblach (R-St. Cloud) transfers \$117,000 from the technology enterprise fund to the commissioner of administration for technology upgrades for the Minnesota Board of Nursing and deletes language that would have recreated the technology fund that was repealed in 2003.

Keith Payden, deputy commissioner/chief information officer for the department, testified for the technology enterprise fund to be reinstated to help the agency “in the future as a funding vehicle, a management vehicle, for enterprise cross agency endeavors” related to information technology. In 2003 the enabling language for the fund was repealed.

“I admit to my mistakes,” said Rep. Philip Krinkie (R-Shoreview) who said he helped start the fund after being lobbied heavily in 2001 by the department and to reinstate it “sets up a potentially, who knows what, slush fund at the department. The commissioner wanted to add in other revenues from other sources to the fund,” and it was supposed to be limited to a very few. The incentive concept of saving state dollars was never achieved with the fund’s intention, he said.

A Senate companion (SF2573), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action in a Senate committee.

## ★ HEALTH

### **Facility regulation**

A bill that would regulate outpatient surgical centers and diagnostic imaging facilities was approved by the House Ways and Means Committee April 20.

Sponsored by Rep. Lynda Boudreau (R-Faribault), HF2127 now moves to the House floor.

Provisions in the bill include requirements for licensure of diagnostic imaging and outpatient surgery facilities, adverse health event reporting by these facilities, and disclosure to patients regarding the financial interests of health care providers in these facilities.

A successful amendment by Boudreau

would postpone the effective date for outpatient surgical centers to comply with adverse health reporting requirements from Aug. 1, 2004 to Aug. 1, 2005, and would require the commissioner of health to secure sufficient funds from non-state sources to operate the reporting system. Boudreau said the system is designed to help medical professionals avoid future medical errors.

Another successful amendment offered by Boudreau added the tracking of workers’ compensation to the list of information the commissioner of health requires diagnostic imaging facilities to annually report. Other information required by the commissioner includes each individual’s medical service data and the names of individuals with a financial or economic interest in the facility.

Dave Renner, director of state and federal legislation for the Minnesota Medical Association, said the change was due to the Minnesota Hospital Association wanting to get a better handle on which mix of patients the facilities are serving. Worker compensation is a higher fee schedule and “some felt it would be inappropriate” to only take the workers compensation program and not other state programs.

Rep. Thomas Huntley (DFL-Duluth) said one of the allegations made is that the imaging centers and surgical centers are “not treating public patients because they don’t pay as much.” Huntley said he doesn’t think that is true, but the intent is for the public to understand the payment sources.

A Senate companion (SF2080), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action by the full Senate.

### **Licensure provisions**

The House Ways and Means Committee approved a bill April 20 that would make changes to licensure provisions for speech-language pathologists, audiologists, occupational therapy professionals, dentists, and other public health occupations.

The bill now moves to the House floor.

HF2175, sponsored by Rep. Jim Abeler (R-Anoka), was approved one week earlier, but Rep. Jim Knoblach (R-St. Cloud), the committee chair, said appropriation language needed to be added for the Board of Nursing related to certification of advanced practice registered nurses, and a provision that required dentists to carry medical malpractice insurance needed to be deleted.

Abeler said he wasn’t opposed to the change, although there were several cases of dental patients receiving implants when aftercare was not properly received causing the implants to fail. Abeler previously testified that dental malpractice insurance could have given the patients financial resolve.



Rep. Jean Wagenius (DFL-Mpls) raised concerns about children's immunizations and a provision in the bill that would require the commissioner of health to encourage health care providers to use thimerosal-free vaccines when available. Wagenius said the bill doesn't go far enough in protecting children by requiring the option for all immunizations.

According to the Centers for Disease Control, "Thimerosal is a mercury-containing preservative used in some vaccines and other products since the 1930s. No harmful effects have been reported from thimerosal at doses used in vaccines, except for minor reactions like redness and swelling at the injection site. However, in July 1999, the Public Health Service (PHS) agencies, the American Academy of Pediatrics (AAP), and vaccine manufacturers agreed that thimerosal should be reduced or eliminated in vaccines as a precautionary measure."

Abeler acknowledged the portion of the bill has been quite controversial, but said it gets it moving forward in the right direction by creating dialogue among concerned parties who "historically have not even talked."

Several additional regulations include: allowing physician's assistants to provide radiography, adding oriental massage to acupuncturists scope of practice, and graduates from nursing education programs in Canada must show proof of licensure in that country or the United States, while graduates from other countries must submit verification of graduation from a nursing program and be approved by the Board of Behavioral Health and Therapy.

A Senate companion (SF2351), sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits action by the Senate Finance Committee.

## ★ INSURANCE

### Calculating required reserves

A bill that would change the way real estate title insurance companies calculate their required reserves passed the House 127-1 on April 15.

According to Rep. Thomas Pugh (DFL-South St. Paul), the sponsor of HF2139, the 2001 Legislature changed the method of calculating title insurance reserves from the traditional method of basing it on premiums paid to basing it on the risk covered. If this bill becomes law, reserves will once again be based on premiums.

The problem with basing reserves on the risk covered, Pugh said in an interview, is that the risk is not known until later, so the reserves frequently have to be adjusted. He said basing

reserves on premiums is simpler to compute and simpler to monitor.

The Department of Commerce, which reviews and approves reserve formulas, supports the bill, Pugh said. Title insurance companies also like it, he said, because they would fare better from a tax standpoint.

Title insurance provides protection for people buying property from unforeseen claims on that property. A title company reviews the title history of a property and issues a commitment listing encumbrances and exceptions.

In exchange for a premium, usually a one-time payment, the company assumes the risk that the title is exactly as stated in the policy. If, at a later time, someone comes forward with a prior claim on the property, the title company covers the purchaser's losses. The reserve assures that funds will be available for this purpose.

The bill will now go the Senate, where Sen. Geoff Michel (R-Edina) is the sponsor.

## FINE ARTS FUNDING



PHOTO BY TOM OLMSCHEID

Sage Coy, a sixth-grader at Ramsey International Fine Arts Center, a Minneapolis Public Schools Magnet School, plays the cello as a small group from the school's music program play in front of the Capitol April 22. The performance was designed to bring attention to the decline in funding for their school and programs.

## ★ LOCAL GOVERNMENT

### Audit requirements

A bill that would increase the threshold amount for cities and towns required to have annual audits passed the House 121-6 April 15 and now awaits the governor's signature.

HF1843/SF2903\*, sponsored by Rep. William Kuisle (R-Rochester) and Sen. David Senjem (R-Rochester), would amend a state law affecting cities or towns with populations of more than 2,500 by increasing the minimum annual gross revenue amount that triggers a state required audit from \$500,000 to \$670,500.

The bill passed the Senate 64-2 on April 5.

If signed into law, the bill would affect a city's or town's audit requirements for 2004. Threshold amounts tied to the audit requirement would be adjusted for inflation each year thereafter.

Kuisle testified before the House Local Government and Metropolitan Affairs Committee in February that the bill would help small local governments cut paperwork and potentially save money.

He said an annual audit, which is often contracted for, costs the affected local government an estimated \$2,000.

## ★ TRANSPORTATION

### Operating a larger bus

An Amboy resident who was pulled over for driving a bus that exceeded the state motor carrier length limit would be helped with a bill approved by the House 123-4 April 15.

HF1838, sponsored by Rep. Tony Cornish (R-Good Thunder), would allow a passenger motor carrier operator to drive an articulated bus up to 61 feet in length without a permit. Current law requires a permit for any bus more than 45 feet in length. However, Cornish said, a variance exists for the metropolitan area.

Cornish said the resident, who operates a bus company, bought an articulated bus for \$38,000 in another state and drove it to Minnesota. After being stopped for violating the law, he contacted the state Department of Transportation for help.

Gene Halverson, road information and permit chief with the department, previously told the House Transportation Policy Committee that Metro Transit operates similar buses. No such bus is operated by a private business, however.

"This is the only bus of this type in the state that we know (of)," Halverson said.

The House approved an amendment,

## STARTING WITH A SONG



PHOTO BY LISA M. SANDERS

Bemidji State University choral students perform April 19 from the gallery of the House Chamber prior to the start of that day's session.

offered by Rep. Doug Fuller (R-Bemidji), that would allow a pickup-fifth wheel-equestrian equipment combination to be driven on highways. Fuller said the language would help people in northern Minnesota who haul buggies behind their fifth wheels while traveling to equestrian events.

The amendment would require the three-vehicle combination to remain under 60 feet, the maximum allowed under current recreational vehicle combination laws.

Both the Cornish and Fuller provisions were amended onto the House omnibus transportation finance bill that passed the House April 7.

The bill now goes to the Senate, where Sen. Julie Rosen (R-Fairmont) is the sponsor.

## VETERANS

### Extending leasing authority

The House passed a bill 127-0 April 15 that would allow for a 60-year lease of state-owned property on the Minnesota Veterans Home campus at Hastings.

HF2688/SF2626\*, sponsored by Rep. Denny McNamara (R-Hastings) and Sen. Sharon

Marko (DFL-Cottage Grove) passed 60-0 in the Senate March 25. It will now go to the governor.

The bill would allow the Minnesota Veterans Homes Board to enter into an agreement with Dakota County to lease land for the construction of 60 units of permanent housing. The lease would cost the county \$1 per year over the 60-year term.

The new facility would provide 30 units for veterans and 30 units for county residents. Currently, there is a 200-bed facility for veterans on the 128-acre campus.

According to Sandra Larson, public affairs director for the board, the bill was necessary because the board currently has only a 20-year leasing authority.

The county would fund the facility through low-interest loans, she said. Neither the state nor the veterans would be asked for financial support. Plans are not yet definite.

"Our constituents are the veterans' organizations," Larson said. "We want to make sure they're comfortable with it before we proceed.

"It is a joint effort," she said. "We have nothing to lose."

## Frequently called numbers

(Area code 651)

<b>Information, House</b>	
175 State Office Building .....	296-2146
Toll free .....	1-800-657-3550
<b>TTY, House</b> .....	296-9896
Toll free .....	1-800-657-3550
<b>Chief Clerk of the House</b>	
211 Capitol .....	296-2314
<b>Index, House</b>	
211 Capitol .....	296-6646
<b>Sergeant-at-Arms, House</b>	
45 State Office Building .....	296-4860
<b>Committee Hotline, House</b> .....	296-9283
<b>Information, Senate</b>	
231 Capitol .....	296-0504
Toll free .....	1-888-234-1112
<b>TTY, Senate</b> .....	296-0250
Toll free .....	1-888-234-1112
<b>Secretary of the Senate</b>	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
<b>Index, Senate</b>	
110 Capitol .....	296-5560
<b>Sergeant-at-Arms, Senate</b>	
Senate Chamber .....	296-7514/296-1119
<b>Committee Hotline, Senate</b> .....	296-8088
<b>Legislative Reference Library</b>	
645 State Office Building .....	296-3398
<b>Governor's Office</b>	
130 Capitol .....	296-3391
Toll free .....	1-800-657-3717
<b>Attorney General's Office</b>	
102 Capitol .....	296-6196
Toll free .....	1-800-657-3787
<b>Secretary of State's Office</b>	
180 State Office Building .....	296-2803
<b>Capitol Security</b>	
B-5 Capitol .....	296-6741
<b>Emergency</b> .....	296-2100

## Where to find information

### Senate Information Office

231 State Capitol (651) 296-0504

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

### Senate Media Services

B-44 State Capitol (651) 296-0264

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

# Unwelcome visitors

Department of Agriculture is developing ways to ward off non-native, invasive species

By TOM LONERGAN

Springtime's promise of warm summer days means thousands of out-of-state tourists will soon be arriving to enjoy Minnesota's lakes, parks, and camping areas.

However, some seasonal "accidental" visitors from Europe, Asia, and South America — who may have already begun their Minnesota-bound journey — will be as welcome as a July blizzard.

They include the European gypsy moth, Asian longhorned beetle, the emerald ash borer that is native to China, and soybean rust, a South American based fungal disease.

The Department of Agriculture's Agronomy and Plant Protection Division seeks to head off these invasive species, as well as others, before they become attached to a Minnesota-based tree, plant, or farm crop.

"Invasive plant pests are growing with the mobility of commercial industry," said Greg Buzicky, division director. He testified in March before the House Agriculture and Rural Development Finance Committee in support of increased funding for the department's invasive species program.

The omnibus agriculture and rural development finance bill (HF2755), sponsored by Rep. Elaine Harder (R-Jackson) and passed by the House April 5, includes \$191,000 in additional funding for the program, effective July 1, 2004.

A companion bill — part of a fiscal year 2005 supplemental budget package — also passed the Senate in April, albeit without the additional program funding. Differences between the bills have yet to be resolved.

If the additional funding is approved, the department would hire a plant pathologist, a public outreach coordinator, and additional seasonal

help to track and detect invasive species.

"In the last few years, there's been a huge increase in pressures from invasive species," Geir Friisoe, plant protection manager, said in an interview. "It's been due to global trade and more movement of people. It's in Minnesota's best interest to keep out a lot of these (pests)."

The leaf-eating gypsy moth may be the most familiar non-native pest, even though it has yet to gain a foothold in the state. Ranked as the country's "single most destructive pest of trees and shrubs," according to the Agriculture Department's Web site, the insect's first verified egg masses were found in Duluth in 1969.

During the past 30 years, the department has set several hundred thousand gypsy moth traps during summer months to lure the flying adult male. In 2003, 16,000 small cardboard box traps placed in eastern edge counties and the Twin Cities metropolitan area caught 535 male moths. Since 1980, more than 5,500 moths have been caught.

The trapping and early detection program is designed to find and wipe out any start-up gypsy moth populations. The state also sprays a naturally occurring bacterium called Btk in targeted egg-infested areas to control gypsy moth caterpillars.

The largest state infestation of gypsy moths was discovered in 2002 in southwest Minneapolis. A 1,000-acre area of the city and parts of two suburbs were sprayed, Friisoe said.

All these efforts have merely delayed the moth's "natural migration" to the state by perhaps 15 years. "There's a natural tidal wave coming toward us," Friisoe said, with the moth now permanently residing in most of eastern Wisconsin.

A federal quarantine kept the moth in the northeastern United States for most of the early 20th century. Humans have unknowingly

assisted its rapid migration west as the moth can lay its summer eggs on vehicles, camping equipment, outdoor furniture, and even doghouses. "Hitchhiking" with humans is how the moth got its "gypsy" moniker.

Friisoe said the state's other top invasive species priorities are to stop the ash tree eating emerald ash borer and soybean rust disease.


In southeast Michigan, 13 counties have been quarantined, meaning there are restrictions on the sale of nursery stock and firewood following an ash borer infestation that has claimed nearly 6 million of that state's 700 million ash trees.

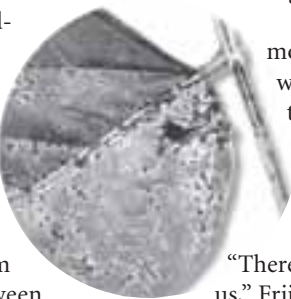
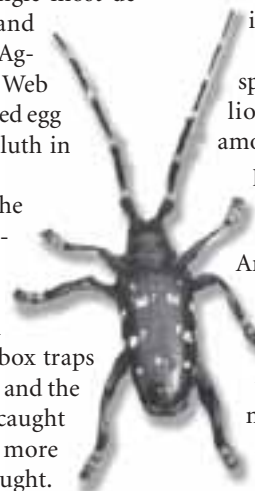
The ash borer poses "an ecological threat to the urban forest," rather than an economic threat to Minnesota forest products, Friisoe said. The China-based beetle probably arrived in Michigan in the 1990s in wood packing material.

Stopping wind-blown soybean rust spores is important to the state's \$1.3 billion soybean industry. Soybeans are among the state's leading agricultural exports. State and federal agriculture officials predict it's a matter of years — or possibly months — before the South American-based disease reaches North American fields.

The state recently received approval from the federal Environmental Protection Agency to allow farm use of a fungicide known as mycobutanil if the federal Department of Agriculture confirms soybean rust is in the United States.

The 2003 Legislature provided the Agriculture Department with more authority to "respond quicker and more effectively" to invasive pest threats, Friisoe said. This includes statutory authority for the agriculture commissioner to declare quarantines to "stop the movement of potentially infested" nursery stock and other plant material.

"It's to contain or stop the movement of material. We don't apply it to people or property generally." 



Pests on this page include the Emerald Ash Borer, top left, the Asian Longhorned Beetle, center, the European Gypsy Moth, far right, and Soybean Rust.



Lobbyists reach for their copy of the omnibus tax bill April 19.



Rep. Doug Lindgren, *bottom*, and lobbyists line the hearing room wall to look through the tax bill.



Revenue Commissioner Dan Salomone takes a look at the tax bill.



Lobbyist Barry Tilley looks through his copy of the tax bill.

# FIRST LOOK AT THE TAX BILL



Joel Michael from the House Research Department gives an overview of the omnibus tax bill to the House Taxes Committee.



A legislator examines his copy of the omnibus tax bill.

PHOTOS BY TOM OLMSCHIED



Lobbyists get their first look at the omnibus tax bill during the April 19 hearing of the House Taxes Committee.

# Capital investment

House plan offers more for higher education and transportation, but less than governor's recommendation in many other areas

By MARY KAY WATSON

**A** House bonding bill that differs in total spending and individual priorities from the plan proposed by Gov. Tim Pawlenty was approved April 21 by the House Capital Investment Committee.

The \$682.7 million proposal meets the target set by the House Ways and Means Committee, but does not approach the \$757.3 million recommended by Pawlenty.

The bill (HF2991), sponsored by the committee chair, Rep. Philip Krinkie (R-Shoreview), calls for \$620.1 million in general obligation bonding, \$56.2 million in user financing, \$3.8 million in trunk highway funds, and \$2.6 million in direct appropriations from the general fund.

"My intent was to be (inclusive) and follow a process utilizing the strategic scores and the

from someplace, given that the House bill totals \$74.6 million less than the governor's recommendations.

Among those receiving less than the governor recommended are the Departments of Administration, Corrections, Education, Employment and Economic Development, Human Services, and Natural Resources; the Minnesota Housing Finance Agency; the Minnesota Historical Society; Minneapolis; and the Minnesota Zoo.

Higher education projects fared better with the committee than in the governor's proposal. The University of Minnesota would receive \$90.5 million under the bill. It requested \$188.7 million, and the governor recommended \$76.6 million.

The Minnesota State Colleges and Universities system would receive \$145.8 million out



Park. Some committee members were concerned about the relatively small amount of funding going toward biotechnology.

"There was a huge promise in the headlines," said Rep. Alice Hausman (DFL-St. Paul). "Our budget does not fulfill that promise."

Rep. Tim Mahoney (DFL-St. Paul) pointed out that Florida is funding \$1 billion in biotechnology, Arizona \$800 million, and Minnesota \$35 million to \$40 million.

"I understand we're not putting as much money toward bioscience as other states," Krinkie said. "But we have a better incubator in the university and the Mayo Clinic than other states have."

Among transportation projects funded in the bill are several for mass transit. Though Krinkie opposes the provision, the bill contains \$37.5 million for the Northstar commuter rail system. The appropriation is required for the state to obtain federal funding for the project.

The project would extend from Minneapolis to Big Lake on the Burlington Northern Santa Fe Railroad tracks, along U.S. Highway 10.

The governor supports the commuter rail, but not the Personal Rapid Transit demonstration project, which the bill would fund to the tune of \$4 million, twice what the House Transportation Finance Committee requested for what it considered a low priority project.

"I have a great concern about the PRT project – the word 'boondoggle' comes to mind," said Rep. Margaret Anderson Kelliher (DFL-Mpls).



SESSION WEEKLY FILE PHOTO

The Department of Corrections would get \$40 million less than recommended by the governor, under the House bonding bill.

governor's recommendations," Krinkie said.

The committee strayed some from both guidelines, giving higher education \$71.1 million more than the governor proposed, local projects \$17.9 million more, and \$9 million more in transportation projects.

Those and other increases have to come

of a requested \$275 million, under the bill. Pawlenty recommended \$88.6 million.

The bill includes funding for the University of Minnesota/Mayo Biotechnology Research Facility, but it leaves out other requests that would promote growth in bioscience, such as Minneapolis' request for funding a University Research



The House bonding bill includes \$37.5 million for the Northstar commuter rail line from Big Lake to Minneapolis.

SESSION WEEKLY FILE PHOTO

“These are the kinds of projects around the country that are at the junk-bond level.”

A \$20 million bonding authorization from 2002 for the Northwest Busway would be cancelled. The busway project would create a dedicated bus lane along Hennepin County highway 81 through the northwestern section of the county. Rep. Doug Stang (R-Cold Spring) said he was disappointed by the cancellation.

“To go back in time and take a project that was already approved and cancel it is unfair,”

Stang said.

A Bemidji hockey arena would be funded in the bill for \$18 million. That proposal, sponsored by Rep. Doug Fuller (R-Bemidji), was heard in the House Higher Education Finance Committee, which gave no recommendation, nor was the project recommended by the governor. Fuller brought it to the capital investment committee, of which he is vice chair, as a separate request.

The flow of money from the Amateur Sports Commission to Bemidji State University to build the arena is “convoluted,” Hausman said. “We don’t usually route it that way.”

“I did not want this project to compete with other MnSCU projects,”

Fuller said. He also noted that the commission would receive money to build the facility, similar to the situation that occurred with the construction of the National Hockey Center in St. Cloud.

Hausman asked what Fuller thought the outcome might have been had the project competed. He said he did not know.

The bill makes no provision for housing for the homeless. The Housing Finance Agency requested \$20 million for supportive housing, a

request endorsed by 62 organizations and institutions, as well as the governor.

Michael Dahl, executive director of the Minnesota Coalition for the Homeless, said the funding was “absolutely necessary.” The state’s mental health system is “failing people,” he said, with the result that many more are homeless.

“You can tell a society by the way it treats those on the bottom,” said Richard Amos, program manager for Saint Stephen’s Housing Services in Minneapolis.

“I hope the hockey arena is built to allow homeless people to sleep there while we solve the problem of homelessness,” said Rep. Mike Jaros (DFL-Duluth).

The bill also excluded the Red Lake Public Schools \$22.1 million request for the third phase of its master plan, which the governor supports. The tribal school district has little ability to raise money locally because the community has a very small tax base.

“The school district has taken all the recommendations from your committee and worked diligently with the governor and the Department of Education,” said Monte Hammitt, bonding bill consultant for the district. He said other projects are being funded without having gone through that process.

“We got a three-star rating,” Hammitt said. “Your dollars are working. We need your help to continue.”

Bonding requests from Minneapolis were also “ignored,” said Kelliher, who cited the planetarium and the Shubert Theater renovation as projects that would bring millions into the city. “I feel like an ‘invisibility cloak’ is over my city,” she said.

While state trail acquisition got a boost from the committee, other requests from the Department of Natural Resources did not fare as well. For example, Reinvest in Minnesota was funded at less than half the governor’s recommendation.

Rep. Jim Knobloch (R-St. Cloud) successfully offered an amendment that would move \$1.5 million from trail acquisition and \$1.5 million from local initiatives to fund grants to counties and public regional parks organizations outside the Twin Cities metropolitan area.

Funding for the expansion of the prison at Faribault was less than half the governor’s recommendation. It was not discussed in the meeting.

“Whenever you have \$2 billion in requests, it’s always difficult to make a determination,” Krinkie said. “I hope we’ve arrived at something that is acceptable to the majority of the members.”

The bill will go next to the House Ways and Means Committee before going to the full House for consideration. 🐼

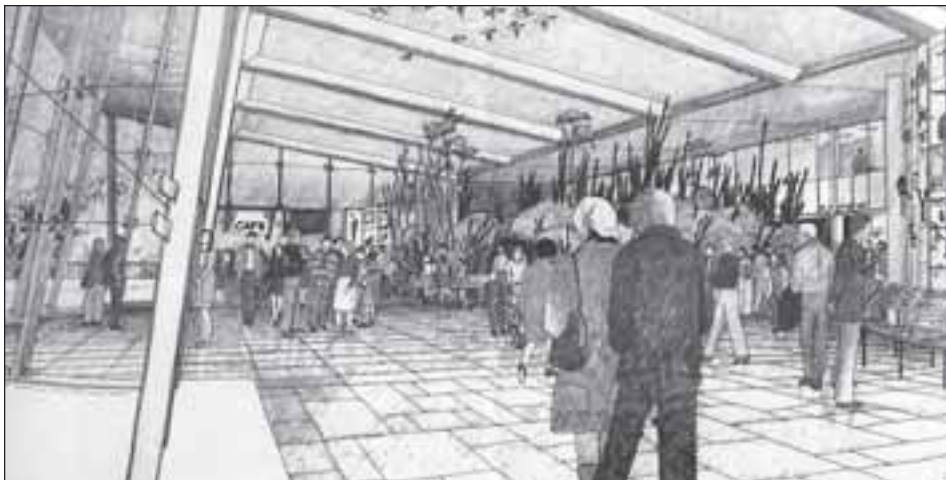


Image courtesy of the Minnesota Zoo

Under the 2004 House bonding bill, the Minnesota Zoo would receive \$2 million of the governor’s \$25 million recommendation to fund, in part, the Master Plan, which includes the Biodiversity Center, pictured above, the first segment of the zoo’s redevelopment plan.

# Seeking sustainability

University officials provide progress report on initiative to develop state's renewable energy resources

By NICOLE WOOD

**W**hen astronauts orbit the globe, the nighttime view over North Korea — and other nations representing a third of the world's population — projects a dark gaping hole in a sea of lights.

These nations around the globe aspire to the same thing: finding a way to harness energy for development and food production but lacking some resources, said Dr. Robert Elde, dean of the University of Minnesota College of Biological Sciences, in testimony before the House Regulated Industries Committee April 21.

Elde, who also chairs the executive committee that oversees the university's Initiative for Renewable Energy and the Environment, displayed a composite photo of the Earth at night highlighting the amount of electricity used to illuminate businesses and homes. He was attempting to put into context the "big picture view" of energy consumption and the foreign policy challenges caused when some countries enjoy a rising standard of living powered by energy and others do not.

These big picture factors come into play as university researchers and industry partners work to lay the foundation for the effective use of renewable energy and resources in Minnesota and around the globe.

On a yearly basis, Elde said, the United States holds 2 percent of the world's known oil reserves and uses 26 percent of the world's oil — more than Japan, China, Germany, Canada, and Russia combined. This is not sustainable, he said.

The Legislature made a statutory commitment to support sustainable energy alternatives and "to monitor, through energy policy planning and implementation, the transition from historic growth in energy demand to a period when demand for traditional fuels becomes stable and the supply of renewable energy resources is readily available and adequately utilized."

To help, the 2003 Legislature funded the university's renewable energy research initiative with \$20 million from money provided by Xcel Energy for alternative energy development.

In addition to energy conservation

improvement expenditures, Xcel currently contributes nearly \$16 million per year to an account known as the Renewable Development Fund that finances renewable energy production, research, and development. The fund was expanded by 2003 legislation relating to spent cask storage at the Prairie Island nuclear generating plant.

Rep. Torrey Westrom (R-Elbow Lake), the committee chair, requested an update from the university and Xcel on progress made on hydrogen and other renewable technologies since the funding began in July 2003.

"We are very excited about what this legislation you passed last year has done to transform the university in just a few months," Elde said.

In addition to upholding national security, the goals of the initiative are to promote statewide economic development and sustainable ecosystems through the development of renewable resources and processes, Elde said.

The work is organized into different groups to examine hydrogen, energy efficiency, bio-products and bio-energy, and environmental policy.

The university is required to transfer at least 10 percent of the initiative funds to a rural campus or experiment station.

The West Central Research and Outreach Center at the University of Minnesota-Morris currently has a successful wind energy conversion project underway due to resources made available through the initiative, said Greg Cuomo, who directs center activities.

That part of the state has plenty of wind to harness. Indeed, Cuomo joked that he realized

the resource was there to develop a model for integrated renewable energy systems in the rural community as he was "watching the snow blow sideways out my window."

When Westrom asked whether the partnership between the Twin Cities and Morris campuses has been a good fit, Cuomo replied that he has sensed good cooperation and interest from researchers on the Twin Cities campus to connect with the demonstration lab in Morris.

Westrom then asked to hear the perspective from Xcel Energy.

The utility is currently "feeling comfortable" with the way the renewable research money is being spent, said Ann Kraft, Xcel Energy product developer.

Through her work at the utility, Kraft is involved with "trying to figure out the utility of the future and where hydrogen fits into that."

Rep. Bob Gunther (R-Fairmont) asked about the realities and timeline of a so-called hydrogen economy and the shift from fossil fuels to cleaner alternatives.

The hydrogen economy could take at least 50 years to become fully integrated, Kraft said. Hydrogen fuel cell development on a smaller scale, such as powering laptop computers and cellular telephones, may come before the technology powers things on a large grid utility scale, she said.

In addition to making sure the research and development funds are spent in the right place, "Legislative directives are going to help move things along more quickly," Kraft said.

As for pending legislative directives, a bill (HF2806) sponsored by Westrom that would create a renewable

energy working group to recommend how existing state policies and programs to develop renewable energy could be amended, coordinated, and integrated awaits action by the full House. A companion bill (SF2828), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits committee action.



PHOTO BY TOM OLMSCHIED  
**Greg Cuomo, head of the West Central Research and Outreach Center, gives the House Regulated Industries Committee an explanation of the types of renewable energy research being performed at the Morris facility during an April 21 meeting.**



# Criminal connection

Plan to merge state's gang strike force and 22 narcotics task forces supported by some, brings skepticism by others

By **MIRANDA BRYANT**

**M**any in the business of combating gangs and illegal drugs in Minnesota have said the two crime elements are intertwined, and efforts to combat them should be linked just as closely.

Others, however, say that gang and illegal drug activity are too disparate to justify merged law enforcement activity and combined state budgets.

Nonetheless, the House judiciary finance omnibus bill (HF2028) would merge the Minnesota Gang Strike Force with 22 regional narcotics task forces operated by law enforcement agencies throughout the state. The bill would appropriate nearly \$2.6 million in 2004 and 2005 for the combined effort, as recommended by Gov. Tim Pawlenty. Combined with federal funds currently appropriated to the drug task forces, the merged agency would have a \$5.4 million budget.

Sponsored by Rep. Steve Smith (R-Mound), the bill passed the House 117-13 March 31. In the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor, the bill was rolled into its supplemental budget-balancing measure.

The proposed merger has set off a maelstrom of opposing viewpoints.

"We aren't broke," said Ron Ryan, statewide commander of the Minnesota Gang Strike Force. "Don't fix us for problems that may exist in the drug task force."

In its six-year life, the gang strike force has taken more than 1,000 firearms off the street, tracked 9,000 gang members through a computerized intelligence system, and provided training on gang awareness and investigative techniques to 4,500 law enforcement agents, prosecutors, judges, and school employees. Last year, Ryan said, the force made 700 arrests throughout the state.

The force has dismantled several criminal gangs, Ryan said, including three in the past year that were prosecuted for sexual assault and prostitution of Hmong girls, some of whom were ages 11 and 12.

But Michael Campion, superintendent of the state Bureau of Criminal Apprehension,

said the proposed plan is better. Currently, only seven police departments and five sheriff departments receive gang strike force money. They are the cities of Minneapolis, St. Paul, St. Cloud, Duluth, Mankato, Marshall, and Worthington, and Benton, Dakota, Ramsey, Sherburne, and Stearns counties.

"Frankly more money and better coverage — somebody has to convince me that that's a bad thing," Campion said.

The merger idea arose late in the 2003



PHOTOILLUSTRATION BY PAUL BATTAGLIA

**A proposal in the judiciary finance bill would combine gang and drug task force funding. Proponents say the two activities are linked.**

legislative session. Funding for the Minnesota Gang Strike Force was eliminated and a study was ordered to examine a proposed merger between the task forces.

Ryan submitted a letter to the House Judiciary Policy and Finance Committee indicating that the merger was suggested due to the false belief that the gang strike force rejected requests for help from Greater Minnesota police agencies. "We have never turned down a request for assistance," he wrote.

Following the legislative directive, former Public Safety Commissioner Rich Stanek began conducting meetings with police chiefs and law enforcement officials to study the issue.

According to Campion, the framework for the proposed merger is a result of the working

group's efforts. The merger would create one oversight council comprised of federal, state, and local criminal justice professionals. The council would make recommendations to the Department of Public Safety for the distribution of state grants to local agencies fighting gang and drug activities.

A statewide coordinator, selected by the council, would oversee all gang and drug activity in Minnesota.

The metropolitan gang strike task force, as it exists now under the Minnesota Gang Strike Force, would remain in place.

Information submitted to the committee showed that the Minnesota Sheriff's Association and the Minnesota Chiefs of Police Association support the merger. Opposed are nearly four dozen past and present Minnesota

Gang Strike Force investigators, the Minnesota Police and Peace Officers Association, the majority of Hennepin County commissioners, and St. Paul Mayor Randy Kelly.

Dennis Delmont, executive director of the Minnesota Chiefs of Police Association, said his group approached the merger idea with cynicism and suspicion. But three of its police chiefs "came to the conclusion that this is the most effective and efficient way to deal with two terrible problems: drugs and gangs in Minnesota."

The Minnesota Gang Strike Force was left with \$350,000 when its funding was eliminated

by the 2003 Legislature, Ryan said. Since then it has operated with forfeiture funds from the state attorney general's office and federal judges. Such revenues are earned from the sale of property seized by law enforcement during drug busts and other arrests.

"Unless we receive a minimum of \$1.5 million for some sort of gap funding, the Minnesota Gang Strike Force is gonna be out of business June 30, 2004," Ryan said.

The committee received no testimony on the drug task forces. According to the Minnesota Office of Drug Policy and Violence Prevention, the 22 drug task forces throughout the state work in 64 multi-county jurisdictions. Twenty-three counties receive no drug task funds. 🐾

# Not enough time

Family and professional commitments play significant role in Lipman deciding not to seek a third term

By Mike Cook

A math problem centered on time is causing Rep. Eric Lipman (R-Lake Elmo) to say good-bye to the House of Representatives.

In addition to being a husband and father of two young children, the two-term member has tried to effectively balance being a lawyer for Mohrman and Kaardal with being a lawmaker, serving on three House committees and two commissions.

"As rewarding as my legislative service has been, it is time for me to focus on just one job and the needs of my growing family," he said. "It's been very satisfying to be part of all the decision-making and to represent the concerns of my community here, but all the satisfactions are for the candidate and all the suffering and sacrifices are for my family."

Not running doesn't mean that Election Day will be a quiet time for Lipman, his wife Kimberly, 4-year-old daughter Jenna, and 18-month-old son Noah. A third child is expected on the day voters will go to the polls. "I think someone was trying to tell me a message," he said.

Calling it a tough choice, Lipman said he knew this would be his last term when the pregnancy test results were known. "I'm interested in public affairs, making a difference, and contributing to the process along the way. However, legislative service, if you take it seriously and try to be involved, is becoming nearly a full-time job."

Lipman says he is a person who does not want to short-change anything he does, something he fears could happen by stretching himself too thin. "Because I wasn't planning on being here forever anyways and certainly with the needs of helping my wife ... it's challenging, but I'm not sure there was another choice for me. The prescription I have in my own life is 'Do fewer things better.'"

Calling himself a "committee grunt," which he partially describes as being up to speed on bills before the committee and making refinements, Lipman serves on the House Civil Law, Governmental Operations and Veterans Affairs Policy,



PHOTO BY LISA M. SANDERS

A self-described "committee grunt," Rep. Eric Lipman is leaving the House to focus on his expanding family and his law career.

and Judiciary Policy and Finance committees.

Some of the greatest pride Lipman says he has taken is ensuring that legislative intent is clear in any proposal. "The role I play in committee is that of the member draftsman. In my private life as a practicing lawyer we struggle a lot with what did the Legislature intend when it selected these words and not other words. It's important for (legislators) to spend some time and resources on getting the words right."

Lipman smiled while recalling a time when someone from the Office of the Revisor of Statutes told him that they wanted a bill introduced to clean up some language in state statutes and he was the first legislator that they considered.

"I point to that with pride that they would think of me," he said. "Maybe I'm wrong for the place if I'm not thinking about the bill that

will get me on the front of the newspaper, but I took satisfaction in it."

Others noticed Lipman's skills in both draftsmanship and vocalizing his thoughts.

"Regardless of what the issue is he can articulate so well, he can make reference to present statute, its implication on the future, and its negatives and positives in regard to how it affects the common good," said Rep. Sondra Erickson (R-Princeton). "He has drama in his delivery, a vocabulary that is specific and not filled with legalese, and he's so polite."

"He's a very personable man, he's a smart man, he's got a good sense of humor, an affable guy," said Rep. Keith Ellison (DFL-Mpls), whose bill to reduce drug sentencing Lipman signed on as the first co-author. "I like working with him. When you're at odds with him he is a formidable opponent. He and I disagreed probably more often than we agreed, but I never walked away from a disagreement with him feeling disrespected or abused."

Before this session concludes, Lipman says he hopes a handful of proposals he has worked on will be approved: completion of a Bayport sewer system, authorization of a Lake Elmo comprehensive plan, and election changes to help Minnesota comply with federal requirements as part of the Help America Vote Act. "I think it's a great vote of confidence of the secretary of state and my colleagues that something that is intimately tied to their fortune was left to my care," he said.

Will Eric Lipman ever run for office again, maybe when his children are older?

"I'd like to be on the ballot someday," he said. "I certainly care deeply about public service. I certainly enjoy the opportunity to try and contribute." 🗽

## STEPPING DOWN

**Rep. Eric Lipman**  
**Republican**  
**District 56A – Lake Elmo**  
**Terms: 2**

**Career Notes:** In addition to being concerned with legislative intent during his four years in the Minnesota House, Lipman has been a consistent proponent for election reform to ensure uniformity and fairness.

# Law enforcer

## Strachan to leave House after one term for promotion to Lakeville police chief

By MIRANDA BRYANT

Rep. Steve Strachan fully expected to be seeking re-election to his House seat this fall. But instead of continuing to craft laws, he'll be enforcing them.

The first-term Republican from Farmington began serving as the police chief in Lakeville April 6. As such, he will not seek re-election in the fall.

Strachan has worked for the police department for 17 years, most recently as a sergeant. He will do both jobs simultaneously until a newly elected state representative is sworn into office in January 2005.

"I never thought I'd be a one-termer," Strachan said, explaining that his leave of the Legislature is bittersweet.

Strachan has had a prominent role during the 2004 session for key pieces of legislation. He is the House sponsor of a bill that would lower the state's blood-alcohol concentration limit for drunken driving from 0.10 to 0.08 percent. The House and the Senate have approved the measure, but disagree on the effective dates. Strachan has been appointed to a six-person conference committee to address the bills' differences.

"I would like to see it finished before I leave," Strachan said. "That's something I know will save lives."

Strachan also helped craft a package of bills toughening the sentencing and monitoring of sex offenders. He sponsored one component of the package, requiring homeless sex offenders who have been released from prison to register their general whereabouts with law enforcement.

The 39-year-old says he is a "pragmatic Republican," otherwise described, he said, as a moderate.

"Sometimes it's easy to say 'That's a bad idea,' because it didn't come from us," Strachan said. But, he said, he makes a practice of accepting good ideas for what they are, regardless of their DFL or Republican origins.

For example, he said, he modified the sex offender bill following a contention by Rep. Keith Ellison (DFL-Mpls) that it was too aggressive on young people engaged in mutually consensual



PHOTO BY ANDREW VONBANK

Recently named the new chief of police in Lakeville, Rep. Steve Strachan announced that he is leaving the House after one term.

sexual activity. A 20-year-old having sex with a 16-year-old is wrong, Strachan said, "But do we want to put them in jail for life?"

Strachan serves on the House Governmental Operations and Veterans Affairs Policy, Judiciary Policy and Finance, and State Government Finance committees.

"His life experience brought a helpful perspective when we were considering public safety issues," said Rep. Mary Murphy (DFL-Hermantown), DFL lead on the judiciary committee. "Besides that, he has a wonderful sense of humor and an innate respect for and kindness to others."

Last year Strachan was also appointed to Gov. Tim Pawlenty's Stadium Screening Committee. The group was charged with making recommendations to the Legislature on the possible financing and construction of professional sports stadiums for the Twins and the Vikings in the metropolitan area.

"I think the governor is on the right track," Strachan said. "He's sort of focusing on 'This is a problem and it's not going to go away.'"

Strachan previously served on the Farmington City Council before being elected to the newly redrawn District 36B in 2002. Some of the stereotypes of the Legislature have proven true, he said, such as posturing by legislators and intentional distraction from the issues.

Conversely, he said, there are a number of good Republicans and DFLers in the Legislature.


"A huge majority on both sides are here for the right reasons," Strachan said of his peers. "I can leave here honestly saying I've done all I can to create solutions rather than division."

Strachan says he has taken extra measures to keep his constituents informed of his initiatives and the workings of the Legislature. On a Weblog he offers through the House Web site, Strachan posts everything from updates on specific bills, to links to newspaper articles, to jokes.

He began the Weblog to better address the diverse character of his district and as an effort to explain why things occur at the Legislature.

"I think people sort of appreciate straight talk," Strachan said. The Weblog has proven popular, urging him to continue it in his new job.

Strachan said he would leave the Legislature with an appreciation for the many friends he has made at the Capitol, and a stronger connection with his ancestry. Using the resources at the Legislative Reference Library, Strachan learned that his great grandfather, a Scottish immigrant, was a Minnesota legislator during the Civil War.

"It sounds like a platitude, but having the opportunity to serve as a state representative is a tremendous opportunity. When I'm 95 years old I'll be able to look back and say I was a state representative." 

### STEPPING DOWN

**Rep. Steve Strachan**  
**Republican**  
**District 36B — Farmington**  
**Terms: 1**

**Career Notes:** As a career police officer, Strachan worked on many issues affecting the law enforcement community. He was chief sponsor of a bill that would require multi-line telephone systems, such as those in apartment buildings, to provide 911 caller locations. He also sponsored a bill that would regulate the ownership of dangerous animals, such as bears, primates, and lions.

# 2004 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R)	369	1729	44B Latz, Ron (DFL)	225	7026
43B Abrams, Ron (R)	585	9934	40B Lenczewski, Ann (DFL)	237	4218
42A Adolphson, Peter (R)	597	3964	66A Lesch, John (DFL)	223	4224
19A Anderson, Bruce (R)	437	5063	1B Lieder, Bernie (DFL)	323	5091
3A Anderson, Irv (DFL)	321	4936	2B Lindgren, Doug (R)	523	4265
27B Anderson, Jeff (R)	583	4193	32A Lindner, Arlon (R)	417	7806
39B Atkins, Joe (DFL)	221	4192	56A Lipman, Eric (R)	567	4244
35A Beard, Michael (R)	451	8872	22A Magnus, Doug (R)	515	5505
51B Bernardy, Connie (DFL)	337	5510	67A Mahoney, Tim (DFL)	289	4277
59A Biernat, Len (DFL)	303	4219	65B Mariani, Carlos (DFL)	203	9714
12B Blaine, Greg (R)	387	4247	9B Marquart, Paul (DFL)	311	6829
19B Borrell, Dick (R)	545	4336	57B McNamara, Denny (R)	577	3135
26B Boudreau, Lynda (R)	559	8237	53B Meslow, Doug (R)	377	5363
29B Bradley, Fran (R)	563	9249	58A Mullery, Joe (DFL)	209	4262
25A Brod, Laura (R)	581	4229	6B Murphy, Mary (DFL)	343	2676
35B Buesgens, Mark (R)	445	5185	30A Nelson, Carla (R)	571	0573
45B Carlson, Lyndon (DFL)	283	4255	46A Nelson, Michael (DFL)	231	3751
61A Clark, Karen (DFL)	307	0294	17B Nelson, Peter (R)	433	5377
24B Cornish, Tony (R)	487	4240	18A Newman, Scott (R)	367	1534
25B Cox, Ray (R)	413	7065	10A Nornes, Bud (R)	471	4946
31B Davids, Gregory (R)	379	9278	47B Olsen, Stephanie (R)	531	4280
62A Davnie, Jim (DFL)	241	0173	16B Olson, Mark (R)	501	4237
49A DeLaForest, Chris (R)	503	4231	15B Opatz, Joe (DFL)	277	6612
29A Demmer, Randy (R)	371	9236	45A Osterman, Lynne (R)	431	4176
28A Dempsey, Jerry (R)	575	8635	11B Otremba, Mary Ellen (DFL)	247	3201
6A Dill, David (DFL)	315	2190	52B Otto, Rebecca (DFL)	393	3018
27A Dorman, Dan (R)	579	8216	37B Ozment, Dennis (R)	479	4306
23B Dorn, John (DFL)	201	3248	42B Paulsen, Erik (R)	459	7449
17A Eastlund, Rob (R)	449	5364	64B Paymar, Michael (DFL)	253	4199
2A Eken, Kent (DFL)	329	9918	31A Pelowski, Gene (DFL)	295	8637
58B Ellison, Keith (DFL)	229	8659	1A Penas, Maxine (R)	553	9635
64A Entenza, Matt (DFL)	267	8799	20A Peterson, Aaron (DFL)	313	4228
41A Erhardt, Ron (R)	591	4363	40A Powell, Duke (R)	411	4212
16A Erickson, Sondra (R)	407	6746	39A Pugh, Thomas (DFL)	273	6828
21B Finstad, Brad (R)	353	9303	44A Rhodes, Jim (R)	443	9889
4A Fuller, Doug (R)	525	5516	5A Rukavina, Tom (DFL)	279	0170
37A Gerlach, Chris (R)	533	5506	26A Ruth, Connie (R)	415	5368
50A Goodwin, Barbara (DFL)	331	4331	50B Samuelson, Char (R)	423	0141
54A Greiling, Mindy (DFL)	259	5387	41B Seagren, Alice (R)	477	7803
24A Gunther, Bob (R)	485	3240	21A Seifert, Marty (R)	357	5374
47A Haas, Bill (R)	569	5513	5B Sertich, Anthony (DFL)	233	0172
48A Hackbarth, Tom (R)	409	2439	14A Severson, Dan (R)	389	7808
22B Harder, Elaine (R)	509	5373	57A Sieben, Katie (DFL)	211	4342
66B Hausman, Alice (DFL)	245	3824	10B Simpson, Dean (R)	473	4293
13A Heidgerken, Bud (R)	359	4317	55B Slawik, Nora (DFL)	317	7807
46B Hilstrom, Debra (DFL)	239	3709	33A Smith, Steve (R)	543	9188
8A Hilty, Bill (DFL)	207	4308	8B Soderstrom, Judy (R)	439	0518
36A Holberg, Mary Liz (R)	349	6926	3B Solberg, Loren (DFL)	309	2365
34B Hoppe, Joe (R)	537	5066	14B Stang, Doug (R)	375	4373
60B Hornstein, Frank (DFL)	227	9281	36B Strachan, Steve (R)	345	1069
4B Howes, Larry (R)	351	2451	28B Sviggum, Steve (R)	463	2273
7A Huntley, Thomas (DFL)	335	2228	23A Swenson, Howard (R)	517	8634
54B Jacobson, Carl (R)	429	7153	33B Sykora, Barb (R)	403	4315
7B Jaros, Mike (DFL)	291	4246	65A Thao, Cy (DFL)	215	5158
43A Johnson, Jeff (R)	401	5511	63A Thissen, Paul (DFL)	301	5375
67B Johnson, Sheldon (DFL)	243	4201	49B Tingelstad, Kathy (R)	507	5369
13B Juhnke, Al (DFL)	281	6206	18B Urdahl, Dean (R)	521	4344
59B Kahn, Phyllis (DFL)	255	4257	52A Vandever, Ray (R)	529	4124
60A Kelliher, Margaret Anderson (DFL)	261	0171	62B Wagenius, Jean (DFL)	251	4200
56B Klinzing, Karen (R)	539	1147	61B Walker, Neva (DFL)	213	7152
15A Knobloch, Jim (R)	453	6316	12A Walz, Dale (R)	527	4333
20B Koenen, Lyle (DFL)	327	4346	38B Wardlow, Lynn (R)	491	4128
34A Kohls, Paul (R)	421	4282	55A Wasiluk, Scott (DFL)	217	1188
53A Krinkie, Philip (R)	365	2907	51A Westerberg, Andrew (R)	549	4226
30B Kuisle, William (R)	565	4378	11A Westrom, Torrey (R)	381	4929
9A Lanning, Morrie (R)	593	5515	38A Wilkin, Tim (R)	551	3533
63B Larson, Dan (DFL)	287	7158	32B Zellers, Kurt (R)	557	5502

\*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155  
List as of January 28, 2004.

# 2004 Minnesota Senate Members

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

\*Capitol or State Office Building, St. Paul, MN 55155  
For phone numbers, contact Senate Information at 651-296-0504

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Doug Lindgren-(R) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Carla Nelson-(R) B Rep. William Kuise-(R) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Jim Rhodes-(R) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter (Pete) Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Lynne Osterman-(R) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Len Biernat-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Doug Fuller-(R) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	<b>32</b> A Rep. Arlon Lindner-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony (Tony) Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Dick Borrell-(R) Sen. Mark Ourada-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	<b>47</b> A Rep. Bill Haas-(R) B Rep. Stephanie Olsen-(R) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
<b>6</b> A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	<b>20</b> A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	<b>34</b> A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	<b>48</b> A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	<b>62</b> A Rep. Jim Darnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettner Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Michael Paymar-(DFL) Sen. Jane B. Ranum-(DFL)
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## Tracking new laws, vetoes

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

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

In the second year of the biennium (even-numbered years), as this year is, a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

(Sundays are not counted in the three-day limit, but holidays are.)

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "*sine die*" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed

during the final three days of the session, or within three days after the governor receives the bill at any other time.

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 session.

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

This information is also available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
134	921	906*	Sex offender treatment co-payments authorized.	2/17/2004	
135	973	1015*	Veterans Affairs Dept. authorized to access taxpayer ID information to notify veterans of health hazards.	2/26/2004	
136	1794*	1615	Airport federally funded projects minimum required local contribution decreased.	3/10/2004	
137	480*	837	Job reference information, school violence data, and employee personnel records disclosure regulated.	3/22/2004	
138	1743	2182*	Public utility performance-based regulation plan purpose modified.	3/19/2004	
139	1980	1799*	Watershed and soil and water conservation district officers conflicts of interest clarified.	3/19/2004	
140	1822	1814*	Metropolitan Council government electronic funds transfer use authorized.	3/19/2004	
141	1935	1626*	Storm and sanitary sewer financing provisions modifications.	3/26/2004	
142	307*	497	Noncommercial sign ordinance exemption provided during state general election years.	3/26/2004	
143	1064*	1197	State employee technical and housekeeping changes provided.	3/26/2004	
144	1702	1748*	Emergency medical services provisions modifications.	3/26/2004	
145	2491	2498*	Domestic abuse <i>ex parte</i> protection or temporary restraining orders effectiveness.	3/26/2004	
146	1803	1745*	Trust law provisions modified and guardianship and conservatorship law changes provided.	3/26/2004	
147	1855	1903*	Counties hazardous buildings and property removal authority.	4/2/2004	
148	2878*	2537	Dr. Norman E. Borlaug World Food Prize Day designated.	4/2/2004	
149	339	40*	Minors personal injury or property damage parental liability limit increase; graffiti civil.	4/2/2004	
150	2105*	2632	Iron Range Resources and Rehabilitation Commissioner's Office established.	4/2/2004	
151	2118	2063*	Local government units financial institution deposits collateralization requirements clarification.	4/2/2004	
152	2033	1958*	Towns electronic or wire transfer payments and credit card or electronic payments acceptance authority.	4/6/2004	
153	1805	1621*	Mortgage satisfaction certificates and assignments or releases.	4/6/2004	
154	2107	1653*	Real property survey and monument requirements modified.	4/8/2004	
155	2651*	2347	Interstate Compact for Adult Offender Supervision amended and interstate compact repeal delayed.	4/14/2004	

CH	HF	SF	Description	Signed	Vetoed
156	2455*	2499	Five-level correctional facility classification system authorized.	4/14/2004	
157	1836*	1693	Mineral tailing deposition into mine pits permitting clarified.	4/14/2004	
158	3005*	2840	County seat voting times modified.	4/14/2004	
159	1817	1614*	Service animal injuries criminal penalty and restitution requirement.	4/19/2004	

## BILL INTRODUCTIONS

APRIL 16 - 22, 2004

HOUSE FILES 3180 - 3185

### Monday, April 19

#### HF3180—Wilkin (R)

##### Rules & Legislative Administration

Medicaid and Medicare Center memorialized by resolution to designate the state of Minnesota as a single-state region under the Medicare Modernization Act.

#### HF3181—Brod (R)

##### Education Finance

School boards authorized to elect to levy debt service against referendum market value.

#### HF3182—Bernardy (DFL)

##### Taxes

Tax increment financing authorities authorized to establish urban renewal areas.

### Wednesday, April 21

#### HF3183—Westerberg (R)

##### Taxes

Alcohol "dime-a-drink" tax imposed, cigarette and tobacco taxes increased, and MinnesotaCare provider tax eliminated.

#### HF3184—Juhnke (DFL)

##### Education Finance

Common School District No. 815, Prinsburg, special levy authorized.

#### HF3185—Ellison (DFL)

##### Judiciary Policy & Finance

Civil freedoms; resolution affirming the Minnesota Legislature's commitment to the civil freedoms guaranteed by the constitutions of Minnesota and the United States.

## U.S. Representatives

### First District

#### Gil Gutknecht (R)

425 Cannon House  
Office Building  
Washington, D.C. 20515  
(202) 225-2472  
Fax: (202) 225-3246

Suite 108  
1530 Greenview Drive S.W.  
Rochester, MN 55902  
(507) 252-9841  
1-800-862-8632 in MN  
Fax: (507) 252-9915

109 E. Second St.  
Fairmont, MN 56031  
(507) 238-2835

E-mail: [gil@mail.house.gov](mailto:gil@mail.house.gov)  
Web site: <http://www.house.gov/gutknecht/>

### Second District

#### John Kline (R)

1429 Longworth House  
Office Building  
Washington, D.C. 20515  
(202) 225-2271  
Fax: (202) 225-2595

101 E. Burnsville Pkwy.  
Suite 201  
Burnsville, MN 55337  
(952) 808-1213  
Fax: (952) 808-1261

Web site: [www.house.gov/kline](http://www.house.gov/kline)  
Access to e-mail through  
Web site

### Third District

#### Jim Ramstad (R)

103 Cannon House  
Office Building  
Washington, D.C. 20515  
(202) 225-2871  
Fax: (202) 225-6351

1809 Plymouth Rd. S.  
Suite 300  
Minnetonka, MN 55305  
(952) 738-8200  
Fax: (952) 738-9362

E-mail: [mn03@mail.house.gov](mailto:mn03@mail.house.gov)  
Web site: <http://www.house.gov/ramstad/>

### Fourth District

#### Betty McCollum (DFL)

1029 Longworth House  
Office Building  
Washington, D.C. 20515  
(202) 225-6631  
Fax: (202) 225-1968

165 Western Ave. N., Suite 17  
St. Paul, MN 55102  
(651) 224-9191  
Fax: (651) 224-3056

Web site: <http://www.house.gov/mccollum>  
Access to e-mail through  
Web site

### Fifth District

#### Martin Olav Sabo (DFL)

2336 Rayburn House  
Office Building  
Washington, D.C. 20515  
(202) 225-4755  
Fax: (202) 225-4886

286 Commerce at the  
Crossings  
250 Second Ave. S.  
Minneapolis, MN 55401  
(612) 664-8000  
Fax: (612) 664-8004

E-mail: [martin.sabo@mail.house.gov](mailto:martin.sabo@mail.house.gov)  
Web site: <http://www.house.gov/sabo/>

### Sixth District

#### Mark Kennedy (R)

1415 Longworth House  
Office Building  
Washington, D.C. 20515  
(202) 225-2331  
Fax: (202) 225-6475

1111 Highway 25 North  
Suite 204  
Buffalo, MN 55313  
(763) 684-1600  
Fax: (763) 684-1730

22 Wilson Ave. N.E., Suite 104  
P.O. Box 6010  
St. Cloud, MN 56304  
(320) 259-0099  
Fax: (320) 259-0786

14669 Fitzgerald Ave. N.,  
Suite 100  
Hugo, MN 55038-9367  
(651) 653-5933  
Fax: (651) 653-1549

E-mail: [markkennedy@mail.house.gov](mailto:markkennedy@mail.house.gov)  
Web site: <http://markkennedy.house.gov>  
or [www.house.gov/markkennedy](http://www.house.gov/markkennedy)

### Seventh District

#### Collin Peterson (DFL)

2159 Rayburn House  
Office Building  
Washington, D.C. 20515  
(202) 225-2165  
Fax: (202) 225-1593

Minn. Wheat Growers Bldg.  
2603 Wheat Drive  
Red Lake Falls, MN 56750  
(218) 253-4356  
Fax: (218) 253-4373

714 Lake Ave., Suite 107  
Detroit Lakes, MN 56501  
(218) 847-5056  
Fax: (218) 847-5109

320 Fourth St. S.W.  
Centre Point Mall  
Willmar, MN 56201  
(320) 235-1061  
Fax: (320) 235-2651

SW/SC 1420 East College  
Drive  
Marshall, MN 56258  
(507) 537-2299

E-mail: [tocollin.peterson@mail.house.gov](mailto:tocollin.peterson@mail.house.gov)  
Web site: <http://www.house.gov/collinpeterson/>  
or <http://collinpeterson.house.gov>

### Eighth District

#### James L. Oberstar (DFL)

2365 Rayburn House  
Office Building  
Washington, D.C. 20515  
(202) 225-6211  
Fax: (202) 225-0699

231 Federal Building  
Duluth, MN 55802  
(218) 727-7474  
Fax: (218) 727-8270  
TDD: (218) 727-7474

Chisholm City Hall  
316 Lake St.  
Chisholm, MN 55719  
(218) 254-5761  
Fax: (218) 254-5132

Brainerd City Hall  
501 Laurel St.  
Brainerd, MN 56401  
(218) 828-4400  
Fax: (218) 828-1412

38625 14th Ave., Suite 300B  
North Branch, MN 55056  
(651) 277-1234  
Fax: (651) 277-1235

Web site: <http://www.house.gov/oberstar/>  
Access to e-mail through  
Web site.

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# MINNESOTA INDEX

## Mining in Minnesota

Mining industry contribution to the state's annual economy, in billions .....	\$1.5
Goods and services purchased by the industry from Minnesota companies, in millions .....	\$900
Number of iron mining and processing operations in Minnesota .....	6
Investment in plants and machinery that the development of taconite has drawn over time, in billions .....	\$4
Minnesotans, in March 2004, who were employed in mining .....	4,802
In March 2003 .....	5,101
In March 2000 .....	6,900
Mining employment as total percent of state workforce in March 2004 .....	0.18
Estimated millions in wages and benefits to mining employees .....	\$260
Estimated number of other jobs throughout the state that depend on Minnesota mines .....	13,200
Local tax revenue, as of October 2002, that would be lost annually in northeastern Minnesota without iron mining, in millions .....	\$70
Percent of taconite, as approximate, that is iron ore .....	25
Metric tons of iron ore produced in Minnesota in 2002 .....	39.3
Percent increase from 2001 .....	15
State rank in iron ore production .....	1
Domestic iron ore shipments to the U.S. steel industry in 2002, as percent, from Minnesota .....	70
Estimated billions of tons of taconite pellets that could be produced from existing Iron Range reserves .....	9
Using today's mining methods, and anticipating a continuing worldwide steel demand, years until reserves would be expected to be depleted .....	200
Year that George Stuntz is credited with discovering iron ore while searching for gold on the Vermillion Range .....	1865
Year the first iron ore was shipped from the Vermillion Range near Tower .....	1884
From the Mesabi Range .....	1892
From the Cuyana Range .....	1911
Length of Mesabi Range, in miles, between Babbitt and Grand Rapids .....	110
Tons of taconite that large dump trucks used in mining can hold .....	240
Tons of iron ore pellets that the largest ore ships that sail Lake Superior can carry .....	65,000
Estimated percent of iron ore pellets shipped by rail .....	18
Year gold was discovered on Little American Island in Rainy Lake .....	1893

Sources: Iron Mining Association of Minnesota, Iron Range Economic Alliance, Minnesota Department of Employment and Economic Development, Minnesota Department of Natural Resources, U.S. Geological Survey.

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