

A NONPARTISAN PUBLICATION

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# SESSION Weekly

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In this issue:

SESSION WINDING DOWN

CENTENNIAL CELEBRATION, WWII MEMORIAL, AND MORE

HF3193-HF3207

# Session Weekly

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

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On the cover: Several trees were split or uprooted in the Capitol Complex after a storm came through the area May 9.

— Photo by Tom Olmscheid

# Session stalemate

As the clock winds down, House and Senate leaders labor to reach agreement on end-of-session structure

BY *SESSION WEEKLY* STAFF

As the May 17 constitutional deadline for session adjournment nears, House and Senate leaders are struggling to reach agreement on the structure of budget negotiations and a tidy way to wrap things up.

The week leading up to adjournment featured plenty of rhetoric from all sides, including references to a stalemate, a logjam, and an offer to meet at the OK Corral.

Gov. Tim Pawlenty stepped in May 13 with a move to eliminate \$97 million of the projected \$160 million state budget deficit for fiscal years 2004-05.

"I will unilaterally take care of 60 percent of it," he said at a press conference announcing his plan.

The governor ordered Finance Commissioner

for the Legislature to take care of the remaining 40 percent of the deficit this session. The balance would come from items both bodies have already passed and agreed upon, Pawlenty said, such as accelerating the tax on leased cars and increasing Department of Revenue tax compliance efforts.

"This is a first step to allow other things to potentially take place," Sviggum said. "I can't imagine they would say no."

At risk if the Senate DFL does not agree to the first step, Pawlenty said, is a bonding bill that could create up to 10,000 jobs in the state, money for roads, educational standards reform, as well as a number of other proposals.

"The bizarre part about this session is that there is agreement in concept on many of those items," Pawlenty said.

"The point is we now have one last fleeting opportunity to get this session done in a productive fashion," he said. "We can do this. The question is, do they want to?"

Later that afternoon, Johnson praised Pawlenty for offering solutions to ending the House and Senate stalemate. But, he took great exception with the specifics of the proposal, and the form in which it was offered.

"Send us the bill," Johnson said. "This was a press release today and now we need to have the bill."

A press release of his own states, "The budget debate should follow the traditional legislative process and that process includes House-Senate conference committees where public input is encouraged."

The statement echoes a livelier comment he made earlier in the week: "All the speaker has

To our readers:

This year's final issue of *Session Weekly* is scheduled to be held until the 2004 Legislature completes its business. The publication date may vary in the event of a special session. A renewal card for the 2005 *Session Weekly* will appear in the final issue. Thank you for your continued interest in the legislative process and the magazine.

to do is appoint five people and meet us downstairs at the 'OK Corral' and we'll get to work."

Sen. Linda Berglin (DFL-Mpls) criticized the governor's proposal to take money from the Health Care Access Fund in order to balance the state budget.

"It's really unfortunate that the governor continues to believe the way we should balance the budget is by rationing health care," Berglin said.

As of *Session Weekly* press time, no accord has been reached. The governor said he has a dim view of calling a special session without a pre-arranged agreement and an increased amount of cooperation between the players.

House and Senate leaders have indicated they do not want to meet in session on Sunday, May 16. House leaders advised members to make themselves available May 14 and May 15.

Placing additional pressure on the timeline is a constitutional provision prohibiting the passage of bills by either body on the last day of session, and the actual mechanical limitations on printers that crank out the final version of bills.

"We are at a point where there is a concern about the production" of bills needing to be drafted for House and Senate consideration, Revisor Michelle Timmons said May 13. However, Timmons and her staff are up to the task. "The Office of the Revisor works for the Legislature and whatever we're required to do, we'll do," she said.

The fate of an omnibus bonding bill (HF2991) remains up in the air. The House version, passed April 29, calls for \$677.6 million in capital investment. A Senate version consisting of \$948.7 million in projects failed to pass that day May 6.

"Nothing much happens without the Senate Democrats and what we want is a bonding bill," Johnson said May 13.

Though agreements on the budget, bonding, taxes, and issues such as strengthened sex offender laws remain elusive, both bodies continue to pass a number of other bills, and a



PHOTOS BY TOM OLMSCHIED

House Speaker Steve Sviggum outlines the Republican budget-balancing plan May 13. Looking on are, from left, Senate Minority Leader Dick Day, Gov. Tim Pawlenty, and House Majority Leader Erik Paulsen.

Peggy Ingison to retain in the state's general fund \$80 million in federal money that otherwise would have been placed in the Health Care Access Fund. The remaining \$17 million will come from a 3 percent reduction to agency budgets.

Along with the Pawlenty directive came an offer to Senate Majority Leader Dean Johnson (DFL-Willmar) from the governor, House Speaker Steve Sviggum (R-Kenyon), and Senate Minority Leader Dick Day (R-Owatonna)



limited amount of conference committee activity inches forward.

The following update reflects recent activity from a couple of high profile committees:

### Blood-alcohol limit

A conference committee failed to reach any compromise May 11.

Both bills would lower the legal limit for blood alcohol concentration from 0.10 to 0.08, with the Senate bill effective Aug. 1, 2004, and the House bill effective Sept. 1, 2007.

The federal government is mandating that all states lower their blood-alcohol limit to 0.08 in order to continue receiving federal transportation dollars. Minnesota risks losing approximately \$100 million in federal transportation funds by not adopting the lower standard.

"What'll kill this bill is whether we'll get an effective date that is realistic," said Sen. Leo Foley (DFL-Coon Rapids), the sponsor of SF58.

Replied Rep. Steve Strachan (R-Farmington), the sponsor of HF97, "If this bill dies this year, we made an offer."

### Education

Conferees on K-12 and higher education met three times between May 10 and May 12.


No votes were taken by the committee, which is co-chaired by Rep. Alice Seagren (R-Bloomington) and Sen. Steve Kelley (DFL-Hopkins).

Education policy, finance, and tax-related issues are in three separate Senate-passed bills, while the House omnibus education bill covers policy and finance issues.

Thus far, Senate conferees have refused to discuss education finance issues.

Additionally, the committee is trying to agree to K-12 academic standards for social studies and science.

The Senate adopted a different set of social studies standards than the House, which passed standards proposed by the Education Department.

Both bodies have adopted the same set of science standards drafted by the department, with the only difference being a House amendment regarding the study of alternatives to scientific theories such as evolution. 

**SESSION WEEKLY WRITERS MIRANDA BRYANT, MIKE COOK, TOM LONERGAN, AND NICOLE WOOD CONTRIBUTED TO THIS STORY.**



**Senate Majority Leader Dean Johnson responds to the Republican budget-balancing plan.**

IT'S A FACT



## Appealing proposal

**Full-time tax court born out of need for timely resolution of tax disputes**

In 1939, taxpayers were granted a formal process for appealing the tax-related decisions of governmental bodies in the state. That year, the Legislature passed a law establishing the Board of Tax Appeals within the Department of Taxation, which would later become the Department of Revenue.

Though it is no longer under the specific auspices of an executive department, the Minnesota Tax Court operates as an executive branch agency with specific instruction that it serve independently.

According to the 1939 law, the agency would "not in any way (be) subject to the supervision or control of the commissioner of taxation."

As a part-time agency in its early days, the law specifically barred members of the board from participating in any interests that could potentially affect their judgment.

"No member of the board shall hold any other office under this state or any of its political subdivisions," the law stated, "nor any other office or position the salary for which is paid in whole or in part from appropriations of the tax revenues of the State of Minnesota."

The law went on to prohibit federal employment or candidacy for public office for board members.

The governor appointed three board members, and that appointment was subject to confirmation by the Minnesota Senate. Board members were paid \$25 per day for up to 150 days of service per year. That pay rate remained until 1965, when the amount was raised to \$45 per day for the same time period.

The tax board had the ability to hold hearings around the state as necessary to increase convenience for parties to a dispute. In addition, taxpayers had the ability to appeal board decisions further to the state Supreme Court.

Four years later, lawmakers passed a law to allow for a \$9,000 annual salary, and the dollar amount was completely removed in 1974.

However, the pressures on the district courts to hear appeals prompted the change from a part-time to full-time court in 1977. A new law that year, established the court, which had statewide jurisdiction over any dispute related to tax laws of the state, and appropriated \$208,000 for its first year.

The full-time court "was created in response to several pressing needs, including the demands for a resolution of the heavy backlog of property valuation cases pending in the district courts, as well as a backlog of cases in the existing part-time tax court," according to a history of the law and lawyers in Minnesota by the

state bar association. In addition, the full-time court aimed to minimize the expense and inconvenience to individual taxpayers, which often resulted from protracted tax disputes.

The court still had three members but state law now defined specific terms for the members, as well as clarifying the extent of jurisdiction statewide. Under the 1977 law, judges served six-year terms, which were staggered so that one judge was eligible for appointment every two years.

It also continued initial guidelines governing tax officials that disallowed them to act as counsel, attorney, or agent for a tax matter before the court for one year after their position on the court expired.

Today, the court employs three full-time judges and three administrative staff, operating on a budget of \$735,000 per year. According to its budget documents, it has never again suffered backlogs like those reported in the 1970s that prompted its creation.

The court handles between 1,000 and 7,000 statewide petitions annually, covering the range of tax issues. Many cases are resolved within a year, though the complicated nature of tax issues sometimes means other cases may take several years to be resolved.

(M. KIBIGER)



**The legal counsel that went before the Minnesota Supreme Court to argue iron ore tax valuation cases in 1936.**

Photo courtesy of the Minnesota Historical Society

★ **AGRICULTURE****Kosher codes**

The House passed a bill May 10 that would update the way kashrut, or the more common term kosher, dietary laws are referenced in Minnesota statutes. The vote was 131-1.

HF2864, sponsored by Rep. Frank Hornstein (DFL-Mpls), would require that Minnesota law define foods labeled as kosher be prepared "as prescribed by a rabbinic authority, with the name and institutional affiliation and denominational affiliation, if any, of the rabbinic authority identified." Current law states the food must be prepared "in accordance with orthodox Hebrew religious requirements."

Updating the 1929 food law would protect the kosher consumer, Hornstein said, because the current statute would not hold up under court scrutiny. Similar laws have been challenged as violating the establishment clause in states such as New York, New Jersey, and Maryland, he said.

"There's no pork in this legislation at all, not even close," he said, eliciting a chuckle from fellow House members.

Proponents have said that maintaining the orthodox Hebrew reference would allow one movement out of the orthodox, conservative, and reform movements within the Jewish religion to make kosher process decisions for all.

As introduced, the bill would have replaced the language with "prepared in accordance with Jewish religious requirements." The rabbinic authority reference was the outcome of negotiations between Jewish community members, Hornstein said, and the Jewish Community Relations Council supports the legislation.

While no one spoke against the bill on the House floor, opponents testified during the committee process that changing the law would take away from easily identified and respected standards set by the Orthodox Union kosher certification.

The bill now moves to the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor.

★ **BANKING****Business practices**

A new law signed by Gov. Tim Pawlenty May 10 will include credit unions under state law liability exemptions for safe deposit companies.

Credit unions are authorized

to offer safe deposit boxes to its members. The new law adds credit unions to a list of financial institutions that can choose to have their safe deposit box activities regulated by the state.

State statute is also amended to allow the National Credit Union Administration to insure time deposits.

Furthermore, the new law allows a law enforcement agency to recover its expenses if it successfully collects on a dishonored check. The law enforcement agency can recover up to a \$30 service charge per each dishonored check it collects.

Sponsors of the new law, which takes effect Aug. 1, 2004, are Rep. Doug Stang (R-Cold Spring) and Sen. Dan Sparks (DFL-Austin).

HF2551\*/SF2418/CH174

★ **BUSINESS****Towing vehicles**

Auto repair shops would be allowed to tow privately owned vehicles that have been abandoned on their property, under a bill passed by the House 132-0 May 11.

It now goes to the governor.

Under HF1972/SF1639\*, a vehicle repair or service business could impound a vehicle five business days after notifying the vehicle owner by certified mail that the vehicle will be removed.

House sponsor Rep. Thomas Pugh (DFL-South St. Paul) said a problem has arisen in which some vehicle owners never bother to retrieve their car after receiving an estimate. Reasons for this, according to Dave Stephens, owner of Dave Stephens' Automotive, are that sometimes the repair estimate is more than the vehicle's value, or the owner can't afford the repair. Stephens testified Feb. 25 before the House Transportation Policy Committee.

The repair shop owner, however, is prevented from having the vehicle towed, Pugh said. The sheriff's office in the given county can sell the abandoned vehicle at an auction on the business grounds, but the repair shop must pay for the public notice, Pugh said, and in some cases no one bids on the vehicle.

"It's not a very efficient way for the business to remove that vehicle," Pugh said.

State law allows for the towing and disposal of vehicles that have been abandoned on public roadways, in parking lots, and on private nonresidential property that has been properly posted. It does not allow for auto repair shops, however, to have vehicles towed.

Under this bill, the vehicles towed from the

repair shop grounds could be sold at auction by the sheriff's office, as are cars abandoned in public roadways and parking lots.

Pugh noted that no one opposed the bill at any committee meeting.

In the Senate, where Sen. Linda Scheid (DFL-Brooklyn Park) is the sponsor, the bill passed 67-0 April 19.

**Information disclosure**

The House passed a bill 113-20 May 10 that would give the State Board of Investment the ability to invest in venture capital business opportunities without concern that certain potentially proprietary information could be disclosed.

Sponsored by Rep. Lynne Osterman (R-New Hope), HF3061 requires the board to make public the name of the entity in which the board invests, the amount invested, the market value, the board's internal rate of return, and the age of the investment in years.

Howard Bicker, executive director of the Minnesota Board of Investment, testified in a House committee that concerns were raised by businesses about required information that would have been "hurtful" and filtered throughout a community.

Any information that would be considered "financial or proprietary" in nature would be non-public, "so trade secrets would not be divulged," said Osterman.

Much of the discussion revolved around an unsuccessful Osterman amendment that would have allowed the board to use \$200 million of the state's pension funds for investments in Minnesota businesses.

Currently about 25 states across the nation are considering this option, and doing it at a "much more aggressive rate than Minnesota," Osterman said.

"We inspire the use of pension funds for other political and well-intentioned uses...but ones which are inappropriate and perhaps inconsistent...with the primary fiduciary obligations which is to return the best deal that you can for the pensioners," Rep. Eric Lipman (R-Lake Elmo) said in opposition. The sole concern should be the return of investment, not the social, regional, or geographical investments, he added.

The bill now goes to the Senate, where Sen. Steve Kelley (DFL-Hopkins) is the sponsor. The invested pension funds provision was in the Senate version of the bill.

## ★ CONSUMERS

### Foreclosure consultant penalties

Scam artists convicted of preying on people threatened with home foreclosure would face stiff fines and a prison sentence, under a bill passed by the House 133-0 May 12.

HF2095, sponsored by Rep. Andrew Westerberg (R-Blaine), regulates "foreclosure consultants" and "equity purchasers," as well as provides remedies for homeowners.

In a practice known as "equity stripping," disreputable foreclosure consultants and equity purchasers prey on people whose homes are in mortgage foreclosure by promising to find financing to help people stay in their homes. In practice, they keep people waiting until they have no other option, thereby increasing the likelihood that the homeowner will sign over their homes and the home's equity. Ultimately, the scammer owns the home, evicts the previous homeowner, and sells the house at a profit, keeping the equity.

When the bill was heard in committees, legislators and testifiers noted that not all foreclosure consultants and equity purchasers are disreputable, however. Some do indeed help homeowners keep their homes.

"This bill targets bad actors who prey on people when they are most vulnerable," Westerberg said.

Under the bill, it would be a violation for a foreclosure consultant to:

- demand compensation until all services in the foreclosure contract are performed,
- charge more than 8 percent annually on any loan made to the homeowner,
- collect wages from the homeowners for compensation required by the foreclosure contract,
- acquire any interest in a residence in foreclosure, or
- take power of attorney from an owner for any purpose.

The House approved an amendment by Rep. Eric Lipman (R-Lake Elmo) that decreased the maximum penalty from \$100,000 and one year in prison to \$50,000 and one year in prison. Lipman said that despite the reduction of the fine, the penalty is still one of the harshest consumer protection fines in the state.

"This amendment and this whole bill has gone through a long, long process," said Rep. Cy Thao (DFL-St. Paul). "Essentially, this is an agreement between all the parties."

The bill now goes to the Senate, where Sen. Ellen Anderson (DFL-St. Paul) is the sponsor.

## BORLAUG RECOGNIZED



PHOTO BY ANDREW VONBANK

Dr. Norman E. Borlaug, the 1970 Nobel Peace Prize winner and a University of Minnesota graduate, is given a standing ovation after being recognized on the House floor May 10. A new law designates October 16 as Dr. Norman E. Borlaug World Food Prize Day. His work in agriculture has resulted in saving millions of human lives by averting famine and alleviating hunger and malnutrition.

### Alternative regulation plans

Telephone companies may elect to operate in Minnesota under an agreement known as an alternative form of regulation that provides for setting minimum consumer protection standards such as price controls, service standards, and infrastructure investment, in exchange for other operating flexibilities.

The House passed a bill 132-0 May 11 that would change the way such plans may be extended or renewed. It now moves to the governor's desk.

HF979/SF1115\*, sponsored by Rep. Michael Beard (R-Shakopee) and Sen. Dallas Sams (DFL-Staples), also would put in place some consumer protections regarding third-party billing practices.

Both measures were included in an omnibus telecommunications bill (HF2151) previously passed by the House, but one of the provisions pertaining to the Department of Commerce, the Public Utilities Commission, and Qwest needs to be in effect before the end of the week, Beard said.

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, voicemail, or even club memberships.

Under the bill, consumers would be eligible for a refund of bogus charges back six months from the date of the claim.

Said Beard: The bill "adds some strengthened consumer protection for protecting us from scurrilous and spurious charges that we are not aware of and makes the procedure for getting rid of those things a lot easier and a lot more clear."



For information on a bill about electric rate discounts, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ CRIME



For information on a new law about crimes against probation officers, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

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



## ★ EDUCATION

### Trust land federal funds

The House voted 126-0 May 6 to send a resolution to Congress seeking federal compensation for school trust lands, which became part of the federal Boundary Waters Canoe Area Wilderness more than 25 years ago.

The memorial resolution (HF2242/SF2222\*), sponsored by Rep. Barb Sykora (R-Excelsior) and Sen. Steve Kelley (DFL-Hopkins), would be sent to the state's congressional delegation.

The resolution, which passed the Senate 53-10 April 12, now goes to the governor.

In the resolution, the Legislature specifically asks Congress to increase a user reservation fee in the popular canoe wilderness area by \$3. That could raise up to \$90,000 annually to be added to the state's Permanent School Fund, Sykora said.

The fund provides about \$20 million a year for public school districts from lease and fee revenues generated on 3.5 million acres of state-held school trust and mineral rights lands. The Department of Natural Resources manages the school trust lands that Minnesota has held since statehood.

The 87,000 acres that Congress declared part of the federal wilderness area in 1978 remain a sore point with state legislators who maintain the state has never been compensated for the land.

"The resolution does absolutely nothing," said Rep. Tom Rukavina (DFL-Virginia). "It raises no money. We asked Congress to do the same thing five years ago."

"This is not a big deal," Sykora said. "It is a way to get some federal attention and get them to look at the larger issues."

The resolution urges the state's congressional delegation to initiate a federal land trade with the state, a payment for the school trust acreage, or a combination of the two.

Friends of the Boundary Waters Wilderness, which testified in March before the House Education Policy Committee in support of the bill, estimated that the \$3 increase in the wilderness area's \$12 reservation fee could yield \$93,000 annually for the state's public schools.

However, the group said that neither a "massive exchange" of state land within the wilderness area for federal land outside of it, nor a federal buyout were "good feasible options," according to written testimony.

"The land exchange carries enormous transaction costs, and the lack of federal acquisition funds hinders a timely purchase."



For information on a bill about school bus safety, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ EMPLOYMENT



For information on a new law about workers' compensation and a bill about affirmative action, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ ENERGY

### Ridding PCBs from equipment

Signed  
by  
the  
governor  
★ ★ ★

A new law signed by Gov. Tim Pawlenty May 10 aims to proactively provide electric utilities with an incentive to voluntarily phase out equipment containing polychlorinated biphenyls (PCBs).

PCBs are a class of man-made compounds that, up until serious health and environmental concerns arose in the 1970s, were commonly used as insulators in electrical equipment.

They are still sometimes found today in the oil that is placed in transformers and other electric utility equipment that has not reached the end of its service life, an average of 30 years according to industry estimates.

Under current law, the industry pays hazardous waste generator fees to the Pollution Control Agency for disposal of equipment that has reached the end of the line.

But some in the industry have said duplicative state and federal standards created a disincentive to get rid of the equipment in advance due to the cost of compliance with those double requirements.

Effective Aug. 1, 2004, the new law will waive state hazardous waste fees on PCB waste associated with oil-filled electronic equipment voluntarily disposed of or retro-filled prior to the end of its service life.

Waste generators and the agency will have to execute voluntary PCB phase-out agreements containing specific goals and a schedule for implementation.

The new law will not waive emergency fees or the fees on equipment being taken out of service at the end of its normal life span.

Rep. Dean Simpson (R-New York Mills) and Sen. John Marty (DFL-Roseville) sponsored the legislation.

HF2500/SF2422\*/CH176

## ★ ENVIRONMENT

### First in nuggets

A bill en route to the governor aims to ensure that a new process of producing high-quality iron nuggets from iron ore moves from demonstration to production in Minnesota before another state steals the economic thunder of being first to produce a better quality nugget.

The May 12 House vote was 128-3, and the Senate tally was 62-0 later that afternoon.

HF2986\*/SF3022, sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. Thomas Bakk (DFL-Cook), would exempt from certain environmental review the first iron nugget production facility in the state. The bill also would require the Pollution Control Agency and other state agencies with permit granting authority to provide public notice for necessary permits within four months of receiving a complete application.

"There's good news on the Iron Range," Dill said. "I know you don't hear that very often around here."

"This bill is about the possibility that the technology Minnesota has put the future of the Iron Range into, might go to Indiana before it happens here," Dill said. An Indiana company has told investors they could get through the environmental permit process more quickly.

The general belief has been that the Mesabi Nugget production facility would be constructed at the site of the successful demonstration plant in Silver Bay. But the reality of a two- to three-year environmental review process for a facility along the Lake Superior shore has prompted a change in plans and location.

Instead, the first production plant could be built on the site of the former LTV plant in Hoyt Lakes.

There is an existing operating permit for a 10 million-ton taconite plant for the site, and the two furnaces could be fired up again, Dill said. Instead, under the bill, the existing furnaces would be permanently shut down and preliminary estimates show that the nugget process replacing them would be as clean or cleaner than what was emitted under the old taconite process.

"Nothing in this bill will cause the (agency) to do any less oversight than they would under any normal circumstances," he said.

Rep. Rebecca Otto (DFL-Marine on St. Croix) failed to amend the bill with a mandate requiring the new plant to "emit less mercury per-ton of iron ore than the mercury that had been emitted from the permanently shut down furnaces in the year prior to being shut down."

However, the bill directs the agency to "strive in the permitting process to assure the lowest mercury emissions reasonably possible."

## Phosphorus fertilizers banned

Signed  
by  
the  
governor  
★ ★ ★

A new law signed by Gov. Tim Pawlenty May 10 will enact a statewide ban on the use of phosphorus fertilizers on established residential lawns.

The purpose of the law, sponsored by Rep. Denny McNamara (R-Hastings) and Sen. Dan Sparks (DFL-Austin), is to protect Minnesota's lakes and rivers from an overabundance of phosphorus that can cause algae bloom.

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, and proponents said variations in regulations concerning lawn fertilizers were becoming difficult for homeowners to decipher.

The new law will take effect Jan. 1, 2005, and will apply to fertilizer to be used for turf purchased at retail after Aug. 1, 2004.

The new law provides for exceptions when:

- a tissue, soil, or other test by a laboratory or method approved by the Department of Agriculture and performed within the last three years indicates that the level of available phosphorus in the soil is insufficient to support healthy turf growth;
- the property owner is first establishing turf via seed or sod procedures, and only during the first growing season; or
- the fertilizer containing phosphorus is used on a golf course under the direction of a person licensed, certified, or approved by an organization with an ongoing training program approved by the department.

Under the new law, phosphorus fertilizers applied under these exceptions must not exceed rates recommended by the University of Minnesota and approved by the department.

HF2005\*/SF1999/CH179

## Ethanol impacts

The Environmental Quality Board writes rules for the environmental review of development projects in Minnesota. Under its most basic definition, the process starts with an environmental assessment worksheet to determine whether the size, scope, and location of the project would change the environment enough to trigger a large-scale environmental impact statement. A full environmental impact statement is mandatory for certain projects.

HF2633, sponsored by Rep. Bob Gunther (R-Fairmont), would exempt from a mandatory environmental impact statement an ethanol plant that produces less than 125 million gallons annually and is located outside of the seven-county Twin Cities metropolitan area.

The House passed the bill 102-25 May 6.

"This bill would allow an ethanol plant of 100 million gallons to be built in Minnesota instead of Iowa," Gunther said. The bill would enhance farmers' profits and create 80 jobs, he said, and it is part of the governor's initiative to streamline business permit processes in the state to accommodate economic development and boost competitiveness.

The bill would maintain an environmental assessment worksheet, as necessary, Gunther said.

"Essentially, you are saying there won't be an environmental impact statement on smaller sized ethanol plants," said Rep. Michael Paymar (DFL-St. Paul) "Is that correct?"

The city of St. Paul found that a lot of emissions from ethanol plants pose serious health risks to those living around the plants, Paymar said.

Because of the discussions in St. Paul, Gunther said, there now are fairly stringent pollution control rules and laws for odor.

There are volatile organic compounds that contain all kinds of carcinogens released from ethanol plants, Paymar said. "I don't see that the plants have addressed those issues."

"We are adhering to the law that was passed about emissions," Gunther said. "We will take care of those concerns."

In the Senate, where Sen. Julie Rosen (R-Fairmont) is the sponsor, the bill passed 53-8 May 12. It now goes to the governor.



For information on bills about land transactions and water table analysis, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## FAMILY



### Child support changes

An overhaul of Minnesota's child support system was passed 119-12 by the House May 11, in the form of an amendment to another bill.

The child support amendment would significantly change the way courts calculate child support payments.

The so-called "incomes shares" model at the bill's heart would take both parents' incomes into account when calculating how much money a non-custodial parent pays for child support. The amount would be based on an individual parent's share of both parents' combined gross income rather than on a percentage of a non-custodial parent's net income, as in current law.

To determine exact support amounts

under the proposal, judges would use a child support schedule derived from a U.S. Department of Agriculture annual report listing the average cost of raising children for parents of various incomes in the urban Midwest. The child support amount under the schedule would then be reduced by 20 percent in recognition of the higher cost of maintaining two separate households.

Rep. Michael Paymar (DFL-St. Paul) questioned if the change would lower the amount of child support payments that a person is ordered to pay. Paymar further implied that the answer to his own question was "yes."

Replied Rep. Steve Smith (R-Mound), "The answer is not always. Some would go down, some would go up."

The amendment, offered by Smith, was identical to a bill he introduced in 2003 that was passed by the House. However, HF778 was tabled in the Senate prior to adjournment of the 2003 session.

This year, the House amended Smith's bill onto HF1857/SF1758\*, whose House sponsor is Rep. Doug Meslow (R-White Bear Lake) and whose Senate sponsor is Sen. Don Betzold (DFL-Fridley). It would narrow the definition of paternity.

Under current law, a man is presumed to be the biological father if, among other criteria, he openly declares the child to be his biological child and lives with the child while the child is a minor. The bill would change the definition of a biological father to one that must have lived in the same household as the child for at least 12 months during the child's first two years.

The bill now returns to the Senate, where it passed without the child support provisions, 64-0 April 22.

### Parenting education

Divorcing couples arguing over child custody and visitation provisions would be required to attend at least eight hours of parenting classes, under a bill passed by the House 83-47 May 10.

Under current practice in Minnesota, divorcing parents contesting child custody matters are required to attend classes for a minimum of four hours and a maximum of eight.

HF2642, sponsored by Rep. Elaine Harder (R-Jackson), would require that such couples begin taking a minimum of eight hours of classes within 30 days after the first filing of any plea in their divorce.

Harder said advocates want to get couples involved in parenting education as soon as possible during divorce proceedings. The classes help couples learn skills that had they known earlier, she said, might have prevented



their divorce. These skills include communication, cooperation, and dispute resolution.

The idea, said Harder, is “not to drag the children into the fray and to spare the children as much anguish and emotional trauma as possible.”

Rep. Len Biernat (DFL-Mpls) said the bill was mostly supported by a number of groups offering parenting classes that aren’t making money. County governments throughout Minnesota objected to the bill, he said, for fear that they will be required to pay the class fees for those who can’t afford to do so.

“This sounds like an unfunded mandate,” added Rep. Ron Latz (DFL-St. Louis Park).

In response to a question from Rep. Michael Paymar (DFL-St. Paul), Harder said that the bill would not change the current practice that allows judges to excuse individuals from taking the classes. Paymar expressed concern about domestic violence victims being forced to take a class with their abusive spouse.

At a March 19 House Civil Law Committee meeting, several groups offering parenting classes explained their services.

Marilyn McKnight, owner of Erickson Mediation Institute, said it often takes parenting class participants several hours of classes to overcome their anger at being ordered to attend. Many, however, subsequently appreciate the chance to learn about the emotional nature of divorce, legal proceedings, and parenting.

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

## ★ GAMBLING

### Gaming for stadiums

A bill that would fund stadiums through gambling was presented to the House Taxes Committee May 6, but no action was taken.

After a short discussion, Rep. Ron Abrams (R-Minnetonka), the committee chair, told Rep. Tom Hackbarth (R-Cedar), the sponsor of HF1716, that he would remove his recommendation to forward the bill to the House Ways and Means Committee. “That way you won’t have an overwhelming vote against this idea and you can live to fight another day, maybe not this year, but in the future.” No other member made a motion.

Hackbarth said the bill, which has no Senate companion, would propose a constitutional amendment in the 2004 election that would permit the Legislature to authorize a single license for a privately owned casino in the Twin Cities metropolitan area.

Under the plan, the state would sell at least a 30-year license to a private entity to operate a casino. Of the money, Hackbarth said, “not

less than \$450 million would be put into a special account held aside and we would guarantee revenue bonds, not general obligation bonds, to be let out to build the three stadiums.” Anything over the amount would go to the state’s general fund.

Additionally, the state would charge a 15 percent tax to the casino on its gross gaming receipts with 10.5 percent coming back to the state to pay off the bonds. Team owners would be on the hook for a portion of their stadium costs, as would the University of Minnesota for its facility.

“When the stadium bonds are paid off, the \$450 million goes to the general fund in time, as soon as maybe 15 years down the road, and the 10.5 percent tax that was paying off the revenue bonds goes directly to the general fund,” he said. “It’ll be quite a windfall to the state of Minnesota.”

Jim Belisle, a lobbyist for Lakes Entertainment Inc., said this bill does not put stadium construction on the “backs of taxpayers. It does not increase the ticket cost and the concession costs for the fan. This is the only bill that gets the job done, in the easiest way it is to get the job done, without raising taxes or calling taxes user fees.”

## MORNING SONG



PHOTO BY ANDREW VONBANK

**Members of the Red Lake Nation and White Earth Band of American Indians participate in a morning song May 12. The Red Lake and White Earth communities placed a wigwam on the front lawn of the State Capitol grounds as part of American Indian Month and to create greater awareness of the Minnesota Gaming Equity Act.**

## State lottery changes

Several changes to the operation of the Minnesota State Lottery would occur under a bill passed 127-1 by the House May 6.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Ann Rest (DFL-New Hope), HF2199/SF2181\* would give the governor responsibility for appointing the state lottery director, require the director to submit a budget, and create a Lottery Organization Task Force to study and make recommendations on the future organization and profitability of the lottery.

Additionally, the bill lowers the operating expenses for fiscal years 2004 and 2005 to \$27.4 million from \$43.5 million. The expenses must not come from a direct function of lottery sales, which include the cost of lottery prizes, monies paid to lottery retailers as sales commissions or other compensation, costs to produce and deliver scratch game tickets, and amounts paid to an outside vendor to operate and maintain an online gambling system.

On the floor, Wilkin successfully offered an amendment to substitute the House language into the Senate file.

The bill is in response to a February 2004 legislative auditor’s report on the lottery that found concerns in a number of areas including promotional spending, the amount of leased space, and staffing levels.

Several amendments were unsuccessfully offered by members, including one by Rep. Rebecca Otto (DFL-Marine on St. Croix) that would have required lottery service businesses that purchases lottery tickets on behalf of customers to only accept forms of payment by cash, check, or money order. Currently it is the only form of gambling where credit card payments are accepted.

“Gambling is an addiction, it is an addictive behavior and the use of credit cards makes it that much more simple,” said Rep. Phyllis Kahn (DFL-Mpls).

Wilkin encouraged members to vote against the amendment to keep the bill “clean” and suggested Otto present the amendment as a bill next session. Otto said she did introduce the measure as HF2113, but didn’t get a hearing.

A conference committee report was passed by both bodies May 13. It now goes to the governor.

## Casino proposal fails

A bill that was designed to assist two American Indian communities through gambling revenues from a Twin Cities metropolitan area casino failed May 6 in a House committee.

On a 13-9 vote, the House Taxes Committee voted against HF2135, sponsored by Rep. Bill Haas (R-Champlin).

“The bill allows the state lottery to enter into



**Dan King, player development manager at Treasure Island Resort & Casino, testifies May 5 before the House Taxes Committee against a proposal that would establish a casino in the Twin Cities metropolitan area.**

an agreement with the White Earth and Red Lake bands to operate a casino in the northern part of the metro area," Haas said. "The lottery is involved because they will lease the slot machines to the new casino."

Casino profits could be used for things like upgrading schools, health care facilities, and roads and other infrastructure needs, he said. "These are the two largest tribes in the state and the two poorest."

Both tribes now have casinos, but Haas said they basically just provide employment for reservation members. Profits are low, he said, because they are in low traffic areas.

The tax committee heard the bill because it would exempt from sales tax the adjusted gross revenue from gaming machines operated by the lottery. Instead, state revenue would come from a 20 percent tax of adjusted gross gaming machine revenue.

"We're giving up 6.5 percent to get 20 percent," said Haas. A Department of Revenue analysis indicates that the revenue increase to the state would be \$26.8 million in fiscal year 2005, \$56.6 million in fiscal year 2006, and \$89.8 million in fiscal year 2007.

Rep. Alice Hausman (DFL-St. Paul), who voted against the plan, said she told tribal

representatives that she would try to help them in any way she could, including raising taxes, to address the poverty issue and other community challenges. "I hope we haven't reached a point in this state where the only way we can help people struggling to make their way is to suggest gambling revenues."

"I have my own concerns about the fact that everything, it seems, has to be moved down here to the metropolitan area," said Rep. Tom Rukavina (DFL-Virginia), who also voted no.

Much of the committee time was spent hearing the views of opponents to the overall expansion of gambling in the state, including two casino employees and the executive director of the Minnesota Indian Gaming Association.

In addition, an amendment offered by Rep. Ann Lenczewski (DFL-Bloomington) that would have prohibited Bloomington from consideration as a potential site for a casino was withdrawn. She said it was necessary to prevent a casino, such as one operated by Caesar's Entertainment, from being built on a site across from the Mall of America.

A companion bill (SF2015), sponsored by Sen. Sandra Pappas (DFL-St. Paul), awaits committee action.



For information on a bill about card club tables, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ GAME & FISH

### Dedicated funds

The newest reincarnation of a plan that would ultimately dedicate a percentage of the existing sales and use taxes to environmental purposes passed another hurdle May 11.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF1166 was approved 14-11 by the House Taxes Committee, and referred without recommendation to the House Ways and Means Committee.

The bill would propose a constitutional amendment to voters in the November 2004 election that one-eighth of 1 percent of state sales and use tax receipts be dedicated to a heritage enhancement fund that would improve, enhance, or protect game and fish habitat and provide hunter and angler access.

If approved by voters, the fund dedication would begin on July 1, 2007.

Gone from the proposal by an author's amendment is funding dedicated to parks and trails, zoos, and impaired waters. Hackbarth said it was time to scale the bill back to its original



**Mark LaBarbera, president of the Minnesota Outdoor Heritage Alliance, testifies May 11 before the House Taxes Committee in support of a proposal that would dedicate a percentage of sales and use taxes to environmental programs.**

position, which was intended for game and fish.

A Department of Revenue analysis indicates that in fiscal year 2008, the fund could gain approximately \$87.5 million.

"This is a positive step forward for the hunters and anglers in Minnesota," said Rep. Paul Kohls (R-Victoria).

However, tax committee members from both parties expressed concern about the corresponding loss to the general fund.

"We've got serious budget problems and this doesn't help because it takes from other areas," said Rep. Tom Rukavina (DFL-Virginia).

"Why not raise the sales tax by one-eighth of 1 percent?" asked Rep. Katie Sieben (DFL-Newport). Hackbarth said he was not in favor of raising taxes, and admitted that he took a no-new-taxes pledge.

Rep. Ron Abrams (R-Minnetonka), the tax committee chair, voted against the bill. "I generally don't like dedicated funds. It doesn't make for good budgeting."

Yet, some who fish and hunt see this funding as a long overdue investment.

"We think the economy that we drive and the taxes we provide warrant our return," said John Schroers, vice president of the Minnesota Outdoor Heritage Alliance. "Everyone benefits from clean air and clean water."

A Senate companion bill (SF401), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action by the Senate Rules and

Administration Committee. However, the Senate version differs by the percentage of sales tax dedication and the scope of funding.

### **Governor gets game and fish bill**

After a few extra parliamentary motions, an omnibus game and fish bill that would reinstate a mourning dove hunting season in Minnesota, encourage youth hunting by altering some license fees and regulations, and allow for a three-year license revocation for those who fail to pay court-ordered fines for game and fish violations is headed for the governor's desk.

HF2368\*/SF2203, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Tom Saxhaug (DFL-Grand Rapids), also would order a Department of Natural Resources report on the impact of the season on the state's mourning dove population.

Under the bill, on the opening day of duck season the shooting hours for migratory game birds, except woodcock and mourning doves, would begin at 9 a.m. rather than noon, as is current practice. The department would be directed to study the impacts of the change in shooting hours, including the harvest success and the affect on local waterfowl populations, and report back to the Legislature by Jan. 15, 2007.

Youth-directed provisions include allowing turkey hunters under the age of 16 to be accompanied by unlicensed, unarmed adults and sanctioning Minnesota residents under the age of 18 to take up to 25 turtles for nonprofit turtle racing, as long as the turtles are greater than 4 inches in length.

The bill returned from the Senate with a number of amendments and the House voted not to concur May 10. The next day brought a change of heart.

"Upon further review and reflection from yesterday, we have decided to concur with the Senate version of the game and fish bill," Hoppe said May 11. The House then re-passed the bill 93-39.

Hoppe said highlights from the added Senate language include provisions that would protect albino deer, allow people with extreme visual impairments to use a muzzleloader with a scope during the deer season, and allow for turkey hunting by archery in the last two weeks of the spring season.

Other new language would call for the department to coordinate lead tackle awareness and public education efforts and promote the availability of fishing tackle that does not contain lead, such as lead-free jigs and sinkers.

The department also would be authorized to establish a quality deer management pilot zone in Kittson, Lake of the Woods, Marshall, Pennington, and Roseau counties in which

hunters age 18 or older may not shoot deer that have antlers less than the width of the ears when the ears are fully extended and fewer than four points on one side. A two-day special firearm deer season for youth residents ages 12 to 15 to take antlerless deer would be designated in the zone. Under the bill, "a violation related to antler size in the quality deer management zone is not a crime and shall not result in a penalty, but is punishable only by a warning."

### **Agreement costs**

The House passed a bill 70-60 May 12 that would direct the legislative auditor to report to the Legislature by Jan. 3, 2005, on "all costs incurred by state and local governments associated with any agreement between the state and a tribe related to the management of game and fish or other natural resources or to the administration of treaties."

Under HF1800, sponsored by Rep. Sondra Erickson (R-Princeton), the auditor would be asked to "itemize the costs incurred by category and year, since the commencement of any agreement or since July 1, 1994, whichever is most recent." The report must include costs for payments to federal agencies for assistance in administering the agreements.

An amendment offered by Erickson to instead direct the Department of Natural Resources to report to the Legislature all costs incurred by the department for the same game and fish tribal agreement matters was ruled out of order.

"This is a bill about accountability," Erickson said. "It seems that over the years the (department) has lost track of the costs."

Erickson said she calculates expenditures may have surpassed \$100 million.

"I'm just interested in information," she said. "I have no agenda."

Rep. Larry Howes (R-Walker) raised a concern about the broader picture of state and tribal relations at a time when the governor has broached the idea of renegotiating other gaming compacts.

"I kind of look at this as more of a poke in the eye at a time when they are trying to renegotiate the compacts," Howes said.

Rep. Keith Ellison (DFL-Mpls) questioned whether some citizens could construe the bill as an attempt to go back on agreements or treaties.

"The consequences of not upholding this state's word are very harmful, very hurtful, very dangerous," Ellison said.

Ultimately, debate segued from a discussion of treaties to questioning the Legislature's authority over the legislative auditor's topic selection process and activities.

"Let's not let the Legislative Audit

Commission decide what this body does or doesn't do," said Rep. Philip Krinkie (R-Shoreview).

The bill now moves to the Senate, where Sen. Betsy Wergin (R-Princeton) is the sponsor.

## **★ HEALTH**

### **Medical records access**

A bill that would allow a minor child's parent or guardian access to the child's health records passed the House 86-47 May 11.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF352 would amend a more than 30-year-old state law that provides minors confidentiality when seeking medical treatment.

"This law places legal barriers between parents and their children," Wilkin said. "Our children have not fared well with this law," which he called, "one of the most liberal in the nation."

The bill now goes to the Senate, where Sen. Sean Nienow (R-Cambridge) is the sponsor.

Bill opponents said the law has helped teens overcome difficult family situations to obtain medical care and advice for chemical dependency, sexually transmitted diseases, and other health needs.

"This law has served Minnesota well," said Rep. Katie Sieben (DFL-Newport), citing the state's low national ranking in its teen pregnancy rate. "If we cut off a minor's access to family planning, it will lead to a rise in teen pregnancies."

The law, in effect since the early 1970s, does not allow parents to view medical records without their child's consent. The bill would amend the law in part by adding: "A parent or guardian is entitled to full access to a minor child's health records except as otherwise explicitly provided in law."

The bill would allow parents to sign a notarized agreement with a health care provider to permit a minor child to consent for future health care services. It would also allow officials of a licensed residential facility providing short-term shelter for homeless or runaway minors to provide consent for medical and mental health care, except "family planning services."

An amendment by Rep. Michael Paymar (DFL-St. Paul) that would have restored existing law and provide a parent "opt in" regarding medical records access was defeated.

"We're not living in a perfect world," Paymar said. "Young people won't seek help if they know that parents have access to the information."

"Every teen is scared to tell their parent what they've done wrong," Wilkin responded. "But if they have to tell their parents to get relief, they're going to tell them."





For information on new laws about adverse event reporting, a moratorium exemption, and assisted living facilities terminology, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## HUMAN SERVICES

### Nursing home enhancement

A bill that the House sponsor described as a way to help improve state nursing homes was passed 126-0 by the House May 6.

It passed the Senate 57-0 one day later. It now goes to the governor.

One part of HF1754/SF1604\*, sponsored by Rep. Char Samuelson (R-New Brighton) and Sen. Linda Berglin (DFL-Mpls), would allow for the human services commissioner to negotiate planned closures for nursing facilities beginning July 1, 2004 provided there is no cost to the state. Between Aug. 1, 2001 and June 30, 2003, the Department of Human Services was authorized to approve planned closures of up to 5,140 nursing facility beds and approve planned closure rate adjustments to beds remaining in operation.

An amendment added on the House floor "moves that the state go forward with the development of a new nursing home reimbursement system that also would include quality indicators for the system," Samuelson said. "A recommendation would be brought forward by Jan. 15, 2005 with potential implementation of a new system by Oct. 1, 2006."

"This at least gets us into the data collection, which I think will get us a better system for establishing rates," said Rep. Fran Bradley (R-Rochester).

Third, a request for a medical assistance property related rate adjustment and the documentation of construction cost must currently be submitted to the human services commissioner within 60 days after the construction completion date to be considered eligible. The bill says the commissioner "shall provide a rate notice reflecting the allowable costs within 60 days after receiving all the necessary information to compute the rate adjustment."

"This will be a benefit to nursing facilities to get their rate adjustments in a timely fashion," Lori Meyer, director of government affairs for the Minnesota Health and Housing Alliance, told the House Health and Human Services Policy Committee March 8.

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## INSURANCE

### Cancellation notice

A clarifying bill that prescribes certain notice requirements for fire insurance and amends provisions regulating township mutual combination policies was passed by the House 122-9 May 10.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. Dallas Sams (DFL-Staples), HF2777/SF2620\* now goes to the governor. The Senate passed the bill 57-0 May 5.

For an insurance policy, the bill clarifies some language in regard to notices if that policy is declined within the first 60 days, Brod said. "The language also clarifies some references to town fire mutual insurances in regards to statutory language. It doesn't change any rights that are for the consumers or insurance companies."

Under the bill, in the event of a midterm cancellation, "notice must be mailed to the insured at least 30 days before the effective cancellation date." Current law indicates the insured must receive a 30-day notice.

"In the event of a nonrenewal, notice must be mailed to the insured at least 60 days before the effective date of renewal," under the bill. Previous law said a 60-day notice must be sent to the insured.

## LOCAL GOVERNMENT

### Airport closures

Local governments would be prohibited from closing municipal airports unless certain measures are followed, under a bill the House passed 128-4 May 10.

Rep. Michael Beard (R-Shakopee) said he was offering HF2737 to prevent from happening in Minnesota what occurred in Chicago.

According to the *Chicago Tribune*, Mayor Richard Daley sent bulldozers in at 11 p.m. on March 30, 2003 to tear up a runway at Meigs Field, used by private pilots in downtown Chicago. The mayor said his actions, which came without public notice, were meant to protect the city's residents against possible terrorism threats at the airport. Skeptics said the mayor's actions were a "land grab" to facilitate construction of a nature preserve and park.

Beard's bill lays out several steps that must be taken before a Minnesota county, city, town, or joint powers board can close one of its airports.

First, the local government unit would have to notify the state transportation commissioner of its intent to close the airport.

Second, the government unit would not be allowed to abandon, significantly alter, demolish, or convey the airport property for a

180-day period following notice of closure. Violations would bring a fine of \$1,000 a day.

Third, the government unit would be required to conduct a public hearing regarding the airport closure within 90 days of the closure notice. Public testimony would be allowed at the hearing.

And finally, before the public hearing, the state transportation commissioner would be required to evaluate the impact of the airport closure on the state airport system.

"I must reiterate that this does not prevent a municipality from closing an airport," Beard said. It would, however, he said, prevent a municipality from closing an airport without public process.

Rep. Ron Erhardt (R-Edina) defended the actions of Daley.

"We need more initiative, and he's the guy that really displays that," Erhardt said.

Replied Beard, "I think initiative is a kind word to put on it."

The bill now goes to the Senate, where Sen. Michael Jungbauer (R-East Bethel) is the sponsor.

### Publishing public notices



A new law signed May 10 by Gov. Tim Pawlenty updates and revises the laws governing publication of political subdivisions' public notices.

Sponsored by Rep. Peter Adolphson (R-Minnetonka) and Sen. Jim Vickerman (DFL-Tracy), the new law will take effect Aug. 1, 2004.

It will update and revise 17 sections in state statute that govern the publication of political subdivisions' public notices. Political subdivisions include counties, municipalities and school districts, as well as local and district commissions, boards, or authorities.

State law requires a political subdivision to contract with a designated qualified newspaper for publication of public notices, meeting minutes, and other legal documents.

The law will require a qualified newspaper that maintains a Web site to post official notices on the site at no additional cost. The Web posting must be maintained for the notice's full publication period. A failure to post a government's official notice on a Web site would not affect the validity of the public notice.

The new law will allow more public notice information to be disseminated electronically or by alternative means in certain circumstances.

Solicitations for bids, requests for information, and requests for proposals can be posted on a political subdivision's Web site, under the new law, or in a recognized industry trade journal, as long as the posting is in the same

format and follows the same length of publication time required in a qualified newspaper.

Financial statements will be added to the list of materials that can be summarized in a published public notice, as long as the full text of the summary is available for public inspection by standard or electronic mail.

When a summary of proceedings is published, the new law will require a notice that a full version of the proceedings is available without cost at the political subdivision's office or by standard or electronic mail.

The new law repeals a grandfathered provision that allows newspapers designated as a local government's official publication prior to May 20, 1965 to retain that status, even if the newspaper no longer meets state qualified requirements.

Additionally, a bi-monthly newspaper is deemed as qualified to publish government public notices.

HF2270\*/SF2067/CH182

### Developer fees

A new law signed by Gov. Tim Pawlenty May 10 will require a connection between fees a municipality charges a developer and the local government's development-related public costs.

Sponsored by Rep. Carla Nelson (R-Rochester) and Sen. Betsy Wergin (R-Princeton), the law takes effect Aug. 1, 2004.

It will amend state law that allows a municipality to charge development fees and require that land in a proposed commercial or housing development be dedicated for public infrastructure, conservation, or recreation purposes.

Language will be added to existing law that, "there must be an essential nexus between the fees or dedication . . . and the municipal purpose sought to be achieved by the fee or dedication."

Such fees, under the law, could not be used by a municipality for "ongoing operation or maintenance."

In the event of a fee dispute, the law will allow a developer's application with a municipality to proceed pending a decision on an appeal. The developer must pay the fee, which the municipality must put in an escrow account.

HF2103\*/SF2273/CH178

### Public finance bill

A bill that its sponsor calls "one of the most non-controversial bills ever to be reported out of the tax committee" was passed 125-5 by the House May 10.

Rep. Ron Abrams (R-Minnetonka), chair of the House Taxes Committee, said HF3081 "is a fairly technical bill." However, it also contains a number of policy-related changes for local gov-

ernments, and it would give the Metropolitan Council authority to bond for capital improvements and a public safety radio system.

The council, under the bill, would be permitted to issue \$32 million in bonds for capital expenditures under its regional transit master plan and transit capital improvement plan. This includes things like fleet expansion, bus garages, scheduling systems, and park-and-ride facilities.

In the previous five years, the Legislature has approved \$199.4 million in transit bonding.

Additionally, the bill deals with public safety radio subsystems by allowing the council to issue revenue bonds to "provide money for assistance to a local government unit for up to 50 percent of the cost of building a subsystem in the southeast district or in the counties of Benton, Sherburne, Stearns, or Wright in the central district of the State Patrol." The money would help these areas become part of a system designed to let all officers communicate and be compatible with systems used by local agencies.

Other provisions in the bill include:

- special service districts would be allowed to contract with nonprofit corporations outside the Twin Cities metropolitan area for management and/or provisions of the district's services;
- the sunset for special service and housing improvement districts would be extended from June 30, 2005 to June 30, 2007;
- the Aitkin Drainage and Conservancy District, abolished in 1987, would be reestablished to administer a deteriorating diversion channel on the Mississippi River;
- the city of St. Paul would be allowed to create a nonprofit organization to maintain, manage, and operate all or a portion of the RiverCentre complex, and to manage and operate a convention and visitor's bureau; and
- the Minnesota Housing Finance Agency (HFA) would be authorized to transfer \$50 million of its tax-exempt bonds for calendar year 2004 to the Higher Education Services Office (HESO).

"The HFA is not able to use, because of low interest rates, the entire bond allocation and this is simply an efficient way in which to transfer this bonding authority to HESO," Abrams said.

An amendment offered by Rep. Mark Olson (R-Big Lake) to allow local governments to issue bonds and loan the proceeds to a public or private entity to design, construct, and furnish a personal rapid transit system was defeated.

"I think it's inappropriate for members to be OK with letting a county or city use their bonding authority to go into debt to bring a product to market," said Rep. Ann Lenczewski (DFL-Bloomington).

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

### Paying attorney fees

Minneapolis police officers would continue to have attorney fees paid if a misconduct complaint filed against an officer is not upheld, under a bill the House passed 132-0 May 10.

HF2275/SF2231\*, sponsored by Rep. Len Biernat (DFL-Mpls) and Sen. Lawrence Pogemiller (DFL-Mpls), now heads to the governor's desk. The Senate passed the bill 63-0 May 3.

The bill would amend state law that provides a police officer's attorney fees be paid by the city if a citizen's complaint is not upheld at an evidentiary hearing before a Civilian Review Authority.

Biernat said the "technical change" is needed because the authority no longer conducts evidentiary hearings because of budget cuts and to speed up resolution of citizen complaints.

The bill would provide that an officer's legal costs be paid if there is "a finding that the complaint is sustained by the authority," but subsequently not upheld by a higher legal authority.

In testimony before the House Local Government and Metropolitan Affairs Committee in March, James Moore, a Minneapolis city attorney said the city had no position on the bill. He said the reimbursement of attorney costs and fees are paid to the Minneapolis Police Federation, the union that represents officers in disciplinary and misconduct allegations.

Under state law, a home rule charter or statutory city, town or county can establish a civilian review authority. Minneapolis is the only city with such an authority.

### Tort liability immunity

A bill that could reduce costs for community action agency groups offering affordable housing options was passed by the House 126-0 May 6.

HF2987/SF2065\* amends the definition of "municipality" under the law providing immunity from tort liability by adding the term: "a limited partnership in which a community action agency is the sole general partner."

"Community action agencies are often involved in offering affordable housing and are insured under Minnesota Counties Insurance Trust," explained Rep. Kathy Tinglestad (R-Andover), sponsor of the House bill. "This legislation will help reduce those costs by allowing municipal liability protection to be extended under that partnership while still maintaining (community action's) ability to receive federal funding for affordable housing."

Tinglestad described the bill as a technical correction.

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"No individual organization testified in opposition to this," she added.

House passage came without discussion. The Senate bill, sponsored by Sen. Satveer Chaudhary (DFL-Fridley), was approved 64-0 March 15.

The bill now goes to the governor.

## MILITARY



### Selective service registration

Some Minnesota men would automatically be registered with Selective Service by applying for a driver's license, under a bill passed by the House 122-0 May 6.

HF1216/SF1192\*, sponsored by Rep. Jim Rhodes (R-St. Louis Park), states that an application for a new or renewed driver's license, learner's permit, or Minnesota identification card by a male under the age of 26 constitutes consent to register with Selective Service. The Department of Public Safety would be required to electronically transmit pertinent information on such applicants to the federal government.

"This is not about the draft," Rhodes said. "This is about registering for Selective Service, which is a federal law (and) every male has to do this."

Rhodes said the bill would assist men who forget to register, or those who don't have time to do so separately. Under current practice, men must visit a U.S. post office to complete a form.

Information about those between ages 16 and 18 who are applying for a Minnesota driver's license would be forwarded to Selective Service upon the applicant's 18th birthday, under the bill.

Under the federal Military Selective Service Act, men between the ages of 18 and 26 are required to register with the federal government. While Selective Service in itself is not a military draft, it does provide a system for drafting the number of men needed should the president reinstate the draft during a war or national emergency.

Failure to register is punishable by a maximum sentence of five years in prison and a \$250,000 fine.

Those who must register include parolees, refugees, and applicants for asylum. In addition, handicapped men must register, even if assistance must be solicited from a friend or relative to do so. Lastly, members of the National Guard and Reserve Forces who are not on full-time active duty must register.

Those exempt from registration include women, non-immigrant aliens who were lawfully admitted, and active-duty military

personnel. Men unable to register due to hospitalization, institutionalization, or incarceration must do so within 30 days after their release.

The bill passed on the House floor without discussion and now goes to the governor. In the Senate, where Sen. Mee Moua (DFL-St. Paul) is the sponsor, the bill passed 55-9 on May 15, 2003.

## RECREATION



### Stadium woes

The plan to fund new stadiums for the Minnesota Twins and Minnesota Vikings failed on a 13-13 vote in the House Ways and Means Committee May 7.

Sponsored by Rep. Doug Stang (R-Cold Spring), HF3089 would have local governments picking up the largest portions of the cost and a local referendum required for user tax increases.

Stang told members the bottom line is the teams want new stadiums because they "need to generate additional revenue."

Team officials testified that in order to remain competitive in their leagues, revenue needs to be raised and a new stadium would help do that.

Several amendments were adopted, including one offered by Rep. Tom Rukavina (DFL-Virginia) that would increase revenue by \$48.7 million by extending metrowide liquor and rental car taxes now set to expire in January 2006. The money would replace a plan that would direct some sales and income taxes at the stadium to debt repayment.

Gov. Tim Pawlenty reportedly opposes extending those taxes.

Rep. Margaret Anderson Kelliher (DFL-Mpls) offered a successful amendment that would require the stadiums to be sustainable buildings. "When we're investing public money in terms of these public investments we must make sure that they are done in a way that is smart and that lowers the life cycle cost of the facility which benefits both the public and the business here."

Another successful amendment offered by Kelliher would require host communities of a stadium and those managing the project to be in conversations on several issues including: living wage jobs, first source hiring for those displaced and residents of the host community, and neighborhood livability issues such as parking for directly affected neighborhoods.

It's important for those communities to have the right to sit down and talk with those involved in such a project to insure the investments that are public dollars benefit the community affected, she said.

House Speaker Steve Sviggum (R-Kenyon) said later that day that he would not be putting any effort into reviving the bill, but others could.

A companion bill (SF2536), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Finance Committee.

## RETIREMENT

### Fund investment

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The State Board of Investment can invest Metropolitan Council post-retirement health funds if requested by the regional agency, under a new law signed by Gov. Tim Pawlenty May 10.

Sponsored by Rep. Mark Buesgens (R-Jordan) and Sen. Chuck Wiger (DFL-North St. Paul), the new law is effective May 11, 2004.

Buesgens said the bill, requested by the Metropolitan Council, will allow the council the option to request investment — through the state agency — of council funds held in reserve for the payment of potential and estimated postretirement health benefits.

A Metropolitan Council representative said the bill would allow a potential higher rate of return over time because the council funds would be part of a larger state investment board funding pool.

The council is a regional planning agency serving the seven-county Twin Cities metropolitan area.

HF1821/SF1815\*/CH175

## SAFETY



### Honoring fallen Minnesotans

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Minnesota and American flags in the State Capitol area are required to be flown at half-staff upon the death of public safety personnel killed in the line of duty, under a new law signed by Gov. Tim Pawlenty May 10.

The bill also orders the flags be flown at half-staff upon the death of Minnesota military personnel killed in the line of duty.

In each case, the governor will determine the length of time the flags will be flown at half-staff.

"This bill is a way to honor our police, firefighter, and emergency service personnel across the state," Rep. Ray Vandever (R-Forest Lake) said on the House floor.

Said Rep. Rebecca Otto (DFL-Marine on St.



Croix) who added the military personnel language on the House floor: "They are serving our country and working towards our safety, as well."

Vandever and Sen. Mady Reiter (R-Shoreview) sponsored the law, effective Aug. 1, 2004.

HF2930\*/SF2733/CH173

### Exotic animal registration

A bill that would impose registration requirements on owners of certain exotic animals passed the House 107-24 May 11.

HF1593/SF1530\*, sponsored by Rep. Steve Strachan (R-Farmington) and Sen. Don Betzold (DFL-Fridley), would impose registration requirements on owners of bears; large cats, such as lions and tigers; and nonhuman primates, including chimpanzees, and gorillas.

"Some of you would call it an animal bill," Strachan said. "I would call it a public safety bill."

Certain non-domesticated animals are currently controlled by local ordinances, and breeding facilities are required to meet U.S. Department of Agriculture (USDA) animal welfare guidelines for fence specifications, nutrition, and veterinary care.

But, Strachan said, dangerous wild animals are not regulated at all by the state, and the USDA does not regulate ownership as pets.

"Wild animals are not pets," he said. "They revert to their wild state."

Under the bill, all owners of exotic pets would have to comply with USDA standards and register with local animal control authorities. Breeders who are USDA-licensed would be allowed to replace their animals in perpetuity; however, pet owners could replace an animal only once.

Proponents have said that reducing the pool of private ownership would decrease the risk of injuries and diseases that could be transmitted to people.

The bill would provide a significant number of exemptions, Strachan said, including organizations such as accredited zoos, sanctuaries, circuses, rodeos, and county fairs.

"The effect on breeders under this bill is a market change because pets are restricted further than they are now," Strachan said. "I think that's a good thing."

Though some lawmakers said they disagreed with restricting business growth within the industry, an amendment offered by Rep. Greg Blaine (R-Little Falls) that would have placed the regulatory responsibility with the Board of Animal Health, instead of local authorities, as Strachan had proposed, and

allowed exotic species owners to replace their animals in perpetuity failed.

The amendment "assists an industry of responsible animal owners...without an outright prohibition or ban of animals," Blaine said.

Rep. Mary Murphy (DFL-Hermantown) spoke dramatically in favor of the Strachan proposal over the Blaine amendment.

"The communities are waiting for us to act," Murphy said. "So, if a politician comes door-knocking there will be a sign that says 'Tiger on the Premises,' rather than 'knock, knock, knock, ROAR.'"

The Senate did not concur with the House changes, and a conference committee has been assigned to work out the differences.

### Provisional license provisions

The House voted down a bill May 10 that would have prohibited first-year drivers from operating vehicles during some nighttime hours and from carrying more than one passenger.

The vote was 92-39.

HF2304, sponsored by Rep. Jim Rhodes (R-St. Louis Park), related to provisional license holders. Provisional licenses are valid for two years and represent the second phase of the graduated driver's license system, applicable to those aged 19 and younger.

In their first year of driving with a provisional driver's license, drivers would not be allowed to drive, under the bill, with more than one passenger under the age of 21, save for immediate family members. These same individuals would also be prohibited from driving between midnight and 5 a.m., unless accompanied by a parent or guardian.

However, the bill allowed both prohibitions to be overridden through a note signed by the driver's parent or guardian.

At a March 24 committee meeting, Rhodes said the issue is the number of injuries caused by teenagers in their first year of driving.

"I'd like to save a child," he said, citing the death of a student in the Hopkins area last year.

Several members spoke against the bill on the House floor.

Rep. Marty Seifert (R-Marshall) said the bill undermined parents' ability to regulate their children's behavior. "The definition of the family is mom and dad, not Uncle Sam and Big Brother," he said.

Rep. Tom Rukavina (DFL-Virginia) said he voted against a proposed curfew provision when the House passed the graduated driver's license system in 1997.

"...I just kind of get tired around here making criminals out of good kids," Rukavina said. "If we put this into law, that's exactly what we're going to be begging for."

But Rep. Nora Slawik (DFL-Maplewood) favored the bill. Sixteen- and 17-year-olds have more accidents than any other group, she said.

"We're talking about a bill that's going to help kids," she said.

The Senate companion bill (SF2144), sponsored by Sen. Steve Murphy (DFL-Red Wing), has been incorporated into an omnibus transportation policy bill approved by the Senate 45-17 May 10.

### Permitted to drive

A new law signed May 7 by Gov. Tim Pawlenty limits the ability of most teenagers to gain a driver's license following accidents or drunken driving incidents.

Effective May 8, 2004, a young person whose provisional license is revoked due to a drunken driving crime or a crash-related moving violation cannot regain a license until age 18. Furthermore, that person must complete a formal driving instruction course, document three months' experience in operating a motor vehicle, and pass the driver's license written examination.

Also under the new law, any person under age 18 who is driving without a permit or license and convicted of a DWI-related crime or a crash-related moving violation cannot be given a provisional license or instructional permit. In order to obtain a regular license, this person must pass a written test, obtain a learner's permit and hold it for at least six months, and then pass a behind-the-wheel test.

The new law is referred to as "Vanessa's Law" in memory of Vanessa Weis, who was killed in May 2003 just days before her 16th birthday. She was a passenger in a vehicle being driven by an unlicensed 15-year-old who lost control of the vehicle. Vanessa's mother, Mary Weiss of St. Louis Park, blamed the accident on excessive speed, inattentive driving, and youthful inexperience.

Rep. Greg Blaine (R-Little Falls) and Sen. Betsy Wergin (R-Princeton) sponsored the law. HF2555/SF2851\*/CH177

### Agency extension

A regional agency with jurisdiction over building the Twin Cities metropolitan area portion of a statewide public safety radio and communication system would be extended, under a bill the House passed 117-15 May 10.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Jane Ranum (DFL-Mpls), HF2136/SF1973\* now heads to the governor's desk. The Senate passed the bill 64-0 May 5.

The Metropolitan Radio Board was established by the 1995 Legislature to set standards



for the construction and operation of a high-frequency (800MHz) digital public radio system covering nine metropolitan area counties.

Holberg said the bill addresses “short- and long-term issues on governance of the radio system,” which, she added, will “expand into the St. Cloud corridor and down to Rochester.”

The bill would repeal a June 30, 2004, board expiration date, and would allow more time for a transition to a statewide public safety communications network. Under the bill, the board would be continued to June 30, 2006.

The regional agency’s board would be expanded to 19 members, under the bill, by adding representatives from Chisago and Isanti counties.

The current 17-member board includes representatives of counties and cities in the Twin Cities metropolitan area. It was established to set standards for the construction and operation of a high frequency digital public safety radio system for the area.

The radio system’s first phase started operating in 2002. The system cost of about \$36 million was funded through the Metropolitan Council, state-issued bonds, the trunk highway fund, and a portion of 911-emergency line fees paid by all telephone users. The council provides the radio board with office space and administrative support at no cost.

Holberg said the state Department of Public Safety, which opposed the bill in a February hearing before the House Local Government and Metropolitan Affairs Committee, supported an amended version brought to the House floor.

### Railroad clearance

A bill that would prohibit all vehicles when stopped at railroad tracks from crossing the tracks until the roadway ahead is clear of traffic was passed by the House 90-40 May 10.

HF2217, sponsored by Rep. Doug Meslow (R-White Bear Lake), would apply to two classes of vehicles. Vehicles “for hire” that are required by federal law to stop at railroad crossings, such as buses, would not be allowed to cross the tracks until traffic is flowing sufficiently to allow them to clear the other side of the tracks by at least 10 feet.

Secondly, all other vehicles, such as passenger automobiles, could not proceed across the tracks until they are able to clear the other side of the tracks by any distance.

Violators would be subject to misdemeanor penalties.

In the March 18 House Judiciary Policy and Finance Committee, Meslow said the bill was necessary to keep vehicles from stopping atop tracks when traffic is backed up. He cited a case

in White Bear Lake in which a car was hit when it straddled the tracks as traffic was backed up. And John Apitz, a lawyer representing the Minnesota Regional Railroads Association, cited a similar situation in Elk River. In neither case did the driver die.

Several members objected to the bill on the House floor.

“It’s just common sense that you shouldn’t stop on the railroad tracks, Rep. Meslow,” said Rep. Tom Rukavina (DFL-Virginia). “I don’t think we need a law for that.”

Added Rep. Mary Murphy (DFL-Hermantown), “Do you know that under this bill a person can get their car wrecked, they could get hurt, and they could get a ticket?”

Rep. Bernie Lieder (DFL-Crookston) defended the bill on the House floor. “There are a lot of accidents that have happened and I think this bill would clarify that particular problem that we have,” he said.

The fact that many drivers have inadvertently broken traffic laws, such as running a red light, for instance, does not negate the need for such a law, Meslow said in committee. “I think it’s important that there are laws that set out what it is we’re supposed to do.”

In the Senate, where Sen. Mady Reiter (R-Shoreview) is the sponsor, the bill passed 59-3 May 13. It now goes to the governor.

## ★ TRANSPORTATION

### Policy provisions, part II

The House on May 12 passed its second omnibus transportation policy bill in nearly two months, approving provisions that would regulate toll roads, change how the state takes private property, and begin the examination of a proposed second beltway around the Twin Cities metropolitan area.

HF2247, sponsored by Rep. William Kuisle (R-Rochester), was passed 98-31. It now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

Many of the provisions in HF2247 are identical to those in HF3141, approved by the House 83-50 April 7. Also sponsored by Kuisle, it lacks a Senate companion.

Under the bill, tolls could not be charged of drivers on any toll lane or road once construction and debt costs of the toll facility are recovered.

Additionally, the state could not strike up more than two private toll facility agreements with developers before July 1, 2006.

And, under the bill, at no time could an agreement contain a “non-compete clause.” Private developers have used such clauses in other states to keep the government from

improving or constructing other highways that developers believe take away business from their privately constructed toll roads.

“It’s not so much a red light as much as a flashing yellow,” said Rep. Frank Hornstein (DFL-Mpls) in introducing the concept (HF2539) March 10 at a House Transportation Policy Committee meeting. Portions of his bill regulating toll road facilities were included in the larger omnibus transportation finance bill.

An amendment offered by Rep. Ray Vandever (R-Forest Lake) to prohibit toll roads on all but Interstate 394 failed on a voice vote.

Discussions of toll roads have received more attention recently at the Capitol. In 2003, the Legislature approved HOT lanes, which will allow single-occupant vehicles to use carpool lanes for a fee.

According to the Transportation Department, HOT lanes will begin soon on Interstate 394, west of downtown Minneapolis. Fees, which are yet to be announced, will be collected electronically. Drivers, however, would maintain an ability to use adjacent lanes free of charge.

Plans for a second toll road initiative, so-called FAST lanes, are moving forward. According to John Doan, FAST Lanes program director, lane designation will come sometime in 2005.

The bill also includes a directive to the department to study possible alignment of main highways as a second beltway outside Interstates 494 and 694. A report — including timetables and right-of-way needs — would be due to the Legislature by Jan. 15, 2005.

Also under the bill, government entities would maintain the ability to take private property for public projects, but only when there is overwhelming evidence that the land is needed for a public purpose.

Other provisions in the bill include: rumble strips on rural roads, a pilot taxi project for disabled riders, a plan for a statewide 10-ton county and county state-aid highway system, and a plan to allow private entities to lease state rest areas on major highways in order to prevent their closure.

### Light rail operations

The new Hiawatha light-rail line that will eventually run between downtown Minneapolis and the Mall of America is scheduled to begin operating June 26. A bill passed by the House would help it operate more smoothly.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF2078 was approved 128-2 May 10.

The bill does two things. First, it attempts to prevent traffic jams that could be caused at downtown railroad crossings. It provides that

all vehicles required by federal law to stop at all railroad crossings regardless of the presence of a train, such as school and passenger buses, would be allowed to pass through the intersection if a train is not approaching. This applies only to crossings at the intersection of two or more public streets if the intersection is controlled by a traffic signal.

Without this provision, Holberg said, traffic could become backed up at light-rail crossings in downtown Minneapolis. Rear-end accidents could ensue, she added.

Second, the bill allows law enforcement agents and Metropolitan Transit police to ticket passengers who attempt to ride the train without paying for or presenting the proper fare.

The bill now goes to the Senate, where Sen. Charles Wiger (DFL-North St. Paul) is the sponsor. The provision is also in the Senate omnibus transportation policy bill.

### Bridge review

A new law signed May 10 by Gov. Tim Pawlenty will streamline the review of bridge replacements and repairs.

Effective Aug. 1, 2004, the new law repeals a statute that requires review by the appropriate regional development commission or the Metropolitan Council of all bridge replacements and repairs that are funded by grants from Minnesota state transportation bonds. The reviews were originally envisioned to ensure consistency with long-term comprehensive development plans.

Organizations representing county governments want the law changed, according to Rep. Peter Adolphson (R-Minnetonka), who sponsored the law with Sen. Ann Rest (DFL-New Hope). The Metropolitan Council is not opposed to it, he added.

Adolphson characterized the new law as "mandate relief." Dennis Berg, an Anoka County commissioner, told a House committee that many regional development commissions haven't been reviewing bridge repairs and replacements. Eliminating the law wouldn't damage the integrity of the process, which still requires local government unit approval, he added.

Current law, according to nonpartisan House Research Department staff, was enacted in 1976 when the state transportation fund was created. At the time, the state had no process for reviewing bridge projects funded by state grants, and lawmakers wanted to ensure adequate local review. Since then, such projects have been reviewed *pro forma* by regional development commissions without substantial impact.

HF1851\*/SF1954/CH180

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## SPECIAL THANKS



PHOTO BY TOM OLMSCHIED

House Taxes Committee Chair Rep. Ron Abrams holds a plaque he received May 11 in appreciation of his tenure as chair. Abrams must step down as chair because House rules do not allow members to serve as chair of a standing committee with substantially the same jurisdiction during more than three consecutive regular biennial sessions that the member's caucus is in the majority. Rep. Connie Ruth, committee vice chair, *left*, presented the plaque to Abrams for his "professionalism, perseverance, and patience." Also pictured are Blair Tremere, committee administrator, and Kathy Kieffer, committee legislative assistant.

### Preservation designation

Gov. Tim Pawlenty signed a law May 10 that streamlines the designation of natural preservation routes on county state-aid highways.

Effective Aug. 1, 2004, a section of law is removed that requires all requests by counties for the designation of natural preservation routes to be reviewed by an advisory committee. The committee consisted of a representative from the Department of Natural Resources, a county commissioner, a representative of an environmental organization, and three members of the public.

According to the nonpartisan House Research

Department, natural preservation routes are highways within the county state-aid highway system that may be built to different standards because they are located in scenic or historically or environmentally sensitive areas.

The repeal leaves intact the remaining portion of the statute that regulates the designation of natural preservation routes. It requires that in order for the state to designate the route, the county board with jurisdiction over the road must receive a petition requesting the road's designation. The county board must act on the petition request within 60 days.

Rep. Ron Erhardt (R-Edina) and Sen. Ann Rest (DFL-New Hope) sponsored the law.

HF1898\*/SF1953/CH181

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## ROOF REPAIR



PHOTO BY TOM OLMSCHIED

A layer of rolled roofing is applied to half of the Judicial Center roof May 10, following a storm that hit the Capitol Complex May 9. In addition to the damaged roof, several trees were uprooted or otherwise damaged.



# STATEHOOD

PHOTOS BY TOM OLMSCHIED



State Capitol site guides dress in costume as part of Statehood Week. Elizabeth Karel, *left*, portrays a territorial schoolteacher and Michael Salzberg, *right*, portrays Dr. John Murphy, a delegate to the 1857 Minnesota Constitutional Convention. The portrayals are done for school groups during their tours of the State Capitol. The groups hear how Minnesota's boundaries were drawn before it became a state on May 11, 1858.



Portraying a delegate to the 1857 Minnesota Constitutional Convention, Dick Klein tells a sixth-grade class from John Adams Middle School in Rochester May 12 how Minnesota's boundaries were drawn.

## Birthday bash

As State Capitol centennial approaches, planners work on party plans and structural preservation

By MIRANDA BRYANT

One of the most significant birthday celebrations in the state is fast approaching, and planners are working diligently to secure party plans and new “party clothes.”

The Minnesota State Capitol will turn 100 years old on Jan. 2, 2005. As such, the building’s keepers hope to give the building a new wardrobe in the form of fresh interior paint and replastering, and to formalize a roster of centennial events.

The goal is to involve as many Minnesotans as possible in the yearlong centennial celebration.

“It is their house,” said Nancy Stark, executive secretary of the Capitol Area Architectural Planning Board. “Everybody owns the Capitol — you, me, and everybody.”

Stark said centennial events are being kept secret until this summer or fall. However, a story in the Jan. 1, 2004 *St. Paul Pioneer Press* stated that a large kickoff party on Jan. 5, 2005, and a June 14 Flag Day celebration are under consideration, as are a poster design contest for schoolchildren, the planting of a ceremonial garden on the Capitol grounds, and the tying of a yellow ribbon around the building.

A traveling history display of Capitol memorabilia, complete with interactive video screens, will visit each of the state’s 87 counties during the summer of 2005, Stark said.

In addition, the state’s sizable Civil War flag collection could be incorporated into the celebration, should money be raised to properly preserve and better display the 48 aging textiles. Carolyn Kompelien, manager of the State Capitol historic site for the Minnesota Historical Society, said about \$1.4 million is needed.

“The hope is...that some of the flags could be on display during the centennial year,” Kompelien said.

Leading the centennial planning efforts is the all-volunteer State Capitol 2005 Commission. The group was appointed by former Gov. Jesse Ventura in 2001, and re-appointed in 2003 by Gov. Tim Pawlenty. Eleven members are named by the governor, and four by the Legislature.

Stark said the group is working with the

Minnesota Historical Society, the state Department of Administration, and the Capitol Area Architectural and Planning Board. The latter is a state agency charged with preserving the architectural integrity of the Capitol, as well as the surrounding buildings and grounds.

While the commission was handed a sizable task, it was not given a budget to match. Save for \$57,000 donated by the governor’s inaugural committee, no money has been allocated for the centennial. The commission therefore formed the nonprofit group Friends of the Minnesota State Capitol and is aiming to gain sponsorships for the party events.

Simultaneously, the group’s fund-raising

Yet, no one is denying the building’s needs. Areas worthy of attention include mechanical, electrical, heating and ventilation, and humidity and temperature control systems.


“The Capitol was set up to be an office building and not a museum, and it wants to function that way, but with modern technology it’s having to improvise with a lot of things that the building structure doesn’t want to accommodate,” Stark explained.

The planning board requested \$4.9 million in bonding money. Of that, \$3.2 million is needed for plastering and repainting of public spaces on three floors of the Capitol, restoration of public spaces on a fourth floor, and restoration of the dome’s interior. The remaining \$1.7 million is necessary to complete a schematic design for the phased renovation and restoration of the building’s interior, and to pre-design space in a new or existing building to accommodate large public hearings and meetings.

The House included \$1.9 million in its omnibus bonding bill (HF2991), approved 102-30 April 29. The Senate earmarked \$3.1 million in its bonding bill (SF3057) that was amended to the House file before failing by two votes May 6.

Minnesota’s Capitol is one of several statehouses needing serious restoration. Stark said Utah recently vacated its Capitol for a four-year, \$200 million res-

toration project, and Texas, Wisconsin, Nebraska, Kansas, and Ohio have recently spent millions on their capitols.

Minnesota’s premier building is the third such building. The first Capitol burned to the ground in an 1881 accidental fire and its replacement became too small. Cass Gilbert, who later designed what was the tallest building in the world at its 1913 completion, the Woolworth Building in New York City, designed the present day Capitol. It took nine years and \$4.5 million to construct. 



The State Capitol under construction in 1904.

Photo courtesy of the Minnesota Historical Society

subcommittee has a larger goal — securing endowments to preserve and maintain the building. According to Stark, \$55 million to \$60 million is needed to restore the aging four-story structure.

The State Capitol is visited by 131,000 people annually. It is the headquarters for the governor, the Minnesota Senate, and the Minnesota House of Representatives. And it is a museum, showcasing 11 statues, 17 busts, and 49 paintings.

“We are very, very fortunate that we have had a building of 100 years that has worked as well as it has,” Stark said.

# Honorable and noble

## World War II Veterans Memorial planned for State Capitol grounds

By NICOLE WOOD

**M**innesota veterans unable to attend the May 29 dedication of the National World War II Memorial in Washington, D.C., might be heartened to learn that the bonding bill passed by the House April 29 includes construction funding for a monument a bit closer to home.

HF2991, sponsored by Rep. Philip Krinkie (R-Shoreview), would dedicate \$500,000 for the final construction phase of the Minnesota World War II Veterans Memorial on the State Capitol Mall.

The mall features a number of war-related monuments, including ones dedicated to the Korean and Vietnam wars, and the first American naval gun to fire a shot in World War II, but there is no monument specifically dedicated to the men and women who served in the Second World War.

State funding for the monument has had a bumpy ride in recent legislative sessions. Design dollars were vetoed by Gov. Jesse Ventura in 1999, restored in 2000, and then construction funding was dropped in a 2002 House-Senate conference committee.

This session, funding for the memorial was put forth in HF156, sponsored by Rep. Irv Anderson (DFL-Int'l Falls), before it was selected for inclusion in the bonding bill.

Anderson, a World War II veteran, and Michael Pugliese, Department of Veterans Affairs deputy commissioner, presented the final design concept to the House State Government Finance Committee Feb. 27.

The estimated cost for the project is \$1.15 million, Pugliese said, and the \$500,000 legislative appropriation combined with private contributions — some \$470,000 to date — would keep the project on target. Private funding sources include individual

donations, the American Legion and other veterans service organizations, and revenue from special veterans license plates. By comparison, the cost of the Vietnam Memorial was about \$900,000 and the Korean Memorial about \$600,000. Pugliese said he is hopeful that a groundbreaking ceremony will be held this year, on or around Veterans Day.

Proponents have said time is of the essence. In announcing his support for the project, Gov. Tim Pawlenty noted there are only 80,000 living veterans of the 326,000 Minnesotans who served in the armed forces in the war. Of those who served, 6,284 lost their lives.

"It is a fitting time to build this memorial because between 1,200 and 1,500 World War II veterans are dying per day (across the country)," Anderson said.

He also commented on the changing public opinion surrounding military service, what he described as "a great difference in philosophy" between the World War II-era and now.

"Today, if a soldier has to stay overseas for 18 months, public opinion sends him home. But it was nothing for a soldier to spend four long years overseas in World War II," Anderson said.

With respect to those years away from family and children, "It's unconscionable what they went through," he said.

"It's a very honorable and noble project," said Rep. Bill Haas (R-Champlin). "It's long overdue."

Design elements include a dozen vertical glass panels, anchored on granite bases and etched with images and narratives of Minnesotans' wartime experiences.

The memorial would stretch across the plaza between the Veterans Affairs Building and Rev. Dr. Martin Luther King Jr. Boulevard, just below the Capitol building.

Under the plan, the rose garden currently in that space would be relocated to surround the memorial area. The primary paving material would be comprised of colored concrete, accented by Minnesota granite.

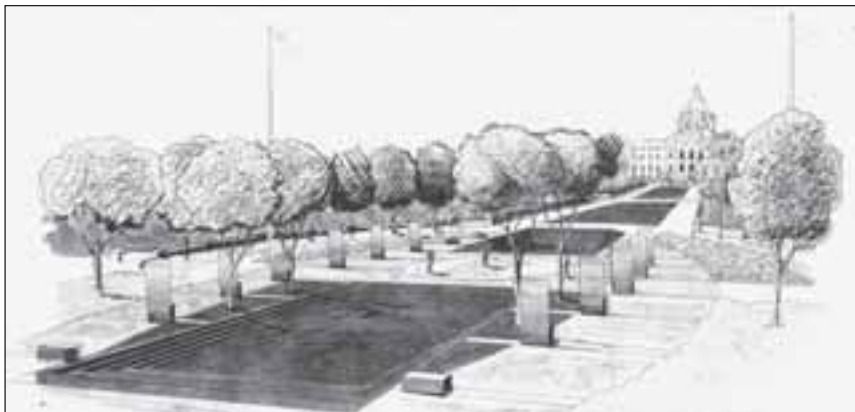
A map of Minnesota surrounded by bronze stars honoring Minnesota heroes at home and abroad would occupy the center of the memorial.

"The Minnesota World War II Veterans Memorial brings the voices of Minnesota Veterans to the heart of the state Capitol," according to the department's Web site. "The design encompasses various elements to tell the story of Minnesota's veterans and civilians during the greatest struggle in human history."

The firm of Myklebust-Sears, part of the winning design team, hosts a public art discussion forum on the Internet, and that site currently contains some insightful comments into the final design phase of the memorial project. Andrea Myklebust, one of the project designers, writes of the glass panels, "The intention is that they will carry narrative content which tells the story of WWII through the eyes of Minnesotans — 'windows' into those stories, if you will."

She also mentions that there have been lively discussions regarding the content for the panels, "with some people wanting no war imagery, and others feeling it should be a part of the space."

Finally, one of her postings reveals the rationale for various design elements that go into such an undertaking as the memorial: "Telling a story in a compelling way; Creating a beautiful, humane, inviting space; and Making something strong, so it will last." 



An illustration of the proposed Minnesota World War II Memorial.

Illustration courtesy of the Minnesota Department of Veterans Affairs



# Back to Baxter

Walz decides not to seek re-election in light of demanding law enforcement career

By MIRANDA BRYANT

**G**rowth is most often good for one's career. But in the case of Rep. Dale Walz, growth is stymieing his job — or at least one of them.

The Republican representative from Brainerd has decided not to seek re-election to District 12A. The population growth in his district is placing additional demands on his "day" job — that of captain at the Baxter Police Department. It is no longer possible, he said, to take an annual five-month leave of absence to serve as a legislator.

"There's problems there with the growth that weren't there before," he said, citing an increase in drug crimes and methamphetamine labs. "It's just not working anymore. I need to be there full time."

Acting on this realization wasn't easy for the 39-year-old who was initially elected in 2000. "When I first got elected, in the back of my mind I thought I'd like three terms," Walz explained.

Though his leave comes sooner than he anticipated, it doesn't come without a sense of accomplishment.

Walz co-authored the "concealed-carry" bill, signed into law in 2003. It created statewide standards that county sheriffs must use in deciding whether to issue handgun permits to individuals. The law is intended to open the permit process to more people.

Walz also put his name behind the so-called woman's right-to-know law, approved in 2003. It requires abortion providers to inform patients who are seeking abortions about the risks of the procedures 24 hours before the surgery.

"My district's very pro-life," Walz said. The father of three said that he respects the opinions of others, but can't vote in favor of abortion matters.

"It's in my heart," he said, of his pro-life stance.

Walz also co-authored a controversial and unsuccessful bill in 2003 that would have put into law a set of Department of Public Safety rules mandating that the visa expiration date for temporary foreign visitors be printed on that person's driver's license or identification card.

"This bill gives law enforcement personnel



PHOTO BY TOM OLMSCHIED

**Rep. Dale Walz will leave the House after two terms to devote more time to his job as a police captain in Baxter.**

the tools they need to enforce the laws of our country," Walz said last year. "It closes some of the gaps in the system and makes it easier to find those who live here illegally."

And he supported bills this year to impose tougher sentences on high-risk sex offenders and on methamphetamine makers.

"I would say overall Minnesota is getting very serious about how we handle crimes and criminals," Walz said.

But there is one item on his "to do" list that he won't be able to accomplish — that of "getting us totally out of the deficit in the next couple years."

"It will happen, I just won't be here to see it," said the self-described optimist. "All indications are we've rounded the corner."

During the 2003-2004 biennium, Walz served on the committees of judiciary policy

and finance; jobs and economic development finance; and commerce, jobs, and economic development policy.

By his own admission, Walz has been quiet in committee meetings and on the House floor. If he doesn't have something to add or question, and if his mind is decided on an issue, there's no point in talking, he explained. But he's been happy to field questions posed to him as a law enforcement official.

And unless someone from Walz's profession is elected in the fall, the House will be without a police officer in its ranks. At the start of the 2003 session, Walz was one of three police officers in the 134-member body. One other cop resigned and another has decided not to seek re-election in the fall.

But Rep. Sheldon Johnson (DFL-St. Paul), a probation officer, said the House wouldn't necessarily be at a disadvantage without a police officer. Law enforcement officials and their lobbyists can continue reporting to the capitol to testify and answer questions, he explained.

What may be missed, however, is the perspective of someone like Walz who knows intimately the issues affecting the men and women in the field, Johnson said.

"I was impressed especially with his concern for the line staff that are actually doing the work in the community," Johnson said. "He's aware and dedicated to those doing the work of public safety."

There are a few things Walz won't miss — the long hours and the commute between his home and St. Paul. But he will miss the people he's met while serving in the Legislature.

Said Walz, "I can hold my head up high and say 'I served in the House of Representatives.' Not many people can say that." 🐼

## STEPPING DOWN

**Rep. Dale Walz**  
**Republican**  
**District 12A — Brainerd**  
**Terms: 2**

**Career Notes:** In addition to addressing law enforcement issues in the House, Walz has been an advocate for balanced budgets and tax cuts. In 2003 he proposed a property tax freeze for qualified senior citizens. And in light of last year's multi-billion dollar budget deficit, he proposed a 4 percent salary cut for state legislators and constitutional officers.

## 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
Res. 1	2242	2222*	Resolution for BWCAW reservation fee increase.	5/13/2004	
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*	Graffiti damages recovery action provided.	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	
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	
160	2688	2626*	Hastings veterans home property leasing authority.	4/22/2004	
161	1843	2903*	Towns annual audits subjection expansion.	4/22/2004	
162	1983*	1805	Uniform Commercial Code revisions enacted.	4/26/2004	
163	995*	1268	Notice and plan requirements modified for excavating around utility facilities.	4/26/2004	

CH	HF	SF	Description	Signed	Vetoed
164	1944*	1797	Domestic abuse orders for protection grounds expanded.	4/26/2004	
165	2906*	2871	Payroll processing efficiency increased for local governments.	4/26/2004	
166	2502	2609*	Mental health community representative included on a community transition team.	4/26/2004	
167	1978*	1910	Truck driver hours law technical corrections provided.	4/29/2004	
168	1861*	1645	Recreational purpose definition modified relating to liability on land used for recreational purposes.		4/29/2004
169	2365	2299*	Petroleum storage tank violations enforcement procedures expansion.	4/29/2004	
170	2482	2300*	House districts 41A and 41B boundary adjustment.	4/30/2004	
171	2044	2009*	Tourism functions transfer.	4/30/2004	
172	2521*	2435	Lawful gambling provisions modified.	4/30/2004	
173	2930*	2733	Capitol flags at half-staff following the death of public safety officer or Minnesota military personnel.	5/10/2004	
174	2551*	2418	Safe deposit companies regulated.	5/10/2004	
175	1821	1815*	State Board of Investment authorized to invest Metropolitan Council postretirement reserves upon request.	5/10/2004	
176	2500	2422*	Polychlorinated biphenyl (PCB) wastes regulated.	5/10/2004	
177	2555	2851*	Instruction permit and provisional driver's license issuance after certain conditions limited.	5/7/2004	
178	2103*	2273	Municipalities authorized to require the dedication of land for public purposes.	5/10/2004	
179	2005*	1999	Phosphorus use in fertilizers restriction extended.	5/10/2004	
180	1851*	1953	State transportation fund project approval by Regional Dev. Comm. or Met Council requirement repealed.	5/10/2004	
181	1898*	1953	Natural preservation routes on county state-aid highways review by advisory committee requirement repealed.	5/10/2004	
182	2270*	2067	Newspaper public notice publication provisions modified.	5/10/2004	
183	2235*	2243	Unemployment insurance definitions and penalty provisions modified.	5/10/2004	
184	2352	2387*	Peace officers and correctional employees assault crimes expansion.	5/10/2004	
185	1936	1671*	Assisted living facilities under housing with services establishments law.	5/10/2004	
186	2537	2365*	Adverse health care events reporting requirements modified.	5/10/2004	
187	1896	1716*	Itasca and Hennepin counties hospital construction moratorium exceptions.	5/10/2004	
188	2035	1946*	Extended employment pilot project; vocational rehabilitation program additional funding.	5/13/2004	
189	2098	2453*	Oxygenated gasoline requirements modified.	5/12/2004	
190	1425*	1414	Money judgment stays of execution regulated and bond amounts limited.	5/13/2004	
191	2442	2437*	Farm product liens and financing statements regulations modified.	5/13/2004	
192	1216	1192*	Driver's license and ID card applicants info. transmission for selective service registration.	5/13/2004	
193	2987	2065*	Local government unit tort liability immunity for limited partnerships.	5/13/2004	
194	1754	1604*	Planned nursing facility closures required to be budget neutral.	5/13/2004	

## BILL INTRODUCTIONS

MAY 7 - MAY 13, 2004

HOUSE FILES 3193 - 3207

### Friday, May 7

#### HF3193—Abeler (R)

##### Health & Human Services Finance

Minnesota Family Investment Program consolidated fund modified.

#### HF3194—Westrom (R)

##### Judiciary Policy & Finance

Supreme Court forms required to be available in electronic format, court submissions in civil and criminal cases required in electronic format, public database storage required, and money appropriated.

#### HF3195—Latz (DFL)

##### Taxes

Tax preparers required to notify clients of the non-game wildlife checkoff.

#### HF3196—Borrell (R)

##### Education Finance

Independent School District No. 728, Elk River, divided into two separate school districts.

### Tuesday, May 11

#### HF3197—Kahn (DFL)

##### Environment & Natural Resources Policy

Great Lakes; governor requested by resolution to include the Great Lakes and Lake Superior in providing comments on federal ocean policy report.

#### HF3198—Mariani (DFL)

##### Education Policy

No Child Left Behind Act waiver from ineffective provisions requested, report required on policies and programs to supplement the positive effects of the act relating to achievement and accountability, and money appropriated.

### Wednesday, May 12

#### HF3199—Larson (DFL)

##### Governmental Operations & Veterans Affairs Policy

State gaming board established and authorized to operate a casino in the metropolitan area, and constitutional amendment proposed.

#### HF3200—Buesgens (R)

##### Governmental Operations & Veterans Affairs Policy

Legislative sessions limited to odd-numbered years.

### Thursday, May 13

#### HF3201—Clark (DFL)

##### Health & Human Services Finance

Women, infants, and children (WIC) coupons use allowed to purchase organic food.

#### HF3202—Seifert (R)

##### Health & Human Services Finance

Board on Aging required to obtain legislative approval before changing intrastate funding formulas.

#### HF3203—Seagren (R)

##### Taxes

Local government aid accounts established, funding allocated, and funding mechanisms modified for existing transit aid funds and the city local government aid program.

#### HF3204—Vandever (R)

##### Transportation Finance

Motor fuel taxes; Congress memorialized by resolution to dedicate certain revenue from motor fuel taxes to highway purposes.

#### HF3205—Vandever (R)

##### Transportation Finance

Highway funding; Congress memorialized by resolution to provide for distribution of federal assistance to the states for highways and transit as block grants rather than through categorical assistance programs.

#### HF3206—Stang (R)

##### Judiciary Policy & Finance

Carbon monoxide alarms required in all dwellings, and criminal penalties imposed.

#### HF3207—Mullery (DFL)

##### Judiciary Policy & Finance

Safety; Legislature required to expend all funds and provide by law for the equal safety of all persons, and constitutional amendment proposed.



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

# MINNESOTA INDEX

## Caps and gowns

Minnesota public high school graduates in 2003 .....	59,432
Number of Hispanic graduates .....	2,699
African American .....	2,495
Asian Pacific Islander .....	1,139
American Indian .....	736
Estimated public high school graduation rate in 2003, as a percent .....	84.4
State rank .....	3
Percentage of top ranked state (New Jersey) .....	89.3
National rate in 2003 .....	67.2
Percent of Minnesotans age 25 and older in 2002 with a high school diploma .....	92.2
National rank (tie with Alaska) .....	1
National average in 2002 .....	84.1
Percent in lowest ranked state (Texas) .....	78.1
Minnesota public high school graduates in 2001 .....	56,581
Percent increase in number of graduates from 1997 to 2001 .....	17.4
National increase, as percent, from 1997 to 2001 .....	8.9
Projected Minnesota public high school graduates in 2012 .....	55,830
Projected decrease, as percent, in number of state high school graduates	
from 2000 to 2012 .....	2.7
Projected increase nationally, as percent .....	9.2
Students in grades 7-12 who dropped out of Minnesota public schools in 2003 .....	11,007
As percentage of students enrolled .....	2.6
Number of dropouts that were white .....	6,150
Number of dropouts that were minorities .....	4,857
Minnesota high school dropout rank nationally in 2000 .....	19
Percent of 2002 Minnesota high school graduates enrolled in a	
post-secondary institution .....	64
Of those, percentage who attended a Minnesota post-secondary institution .....	49
Students, as percent, who started in 1996 at a Minnesota private college or	
university and graduated with a bachelor's degree or less within six years .....	69
Percent at University of Minnesota .....	51
Percent at a Minnesota State Colleges and Universities institution .....	45
Percent of athletes entering the University of Minnesota from 1994-97	
that earned a degree within six years .....	63
Big Ten rank .....	8

Sources: Minnesota Department of Education; Minnesota Higher Education Services Office; Education State Rankings, 2003-2004, Morgan Quitno Press; National Education Association; National Collegiate Athletic Association; *Lansing State Journal*.

## FOR MORE INFORMATION

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