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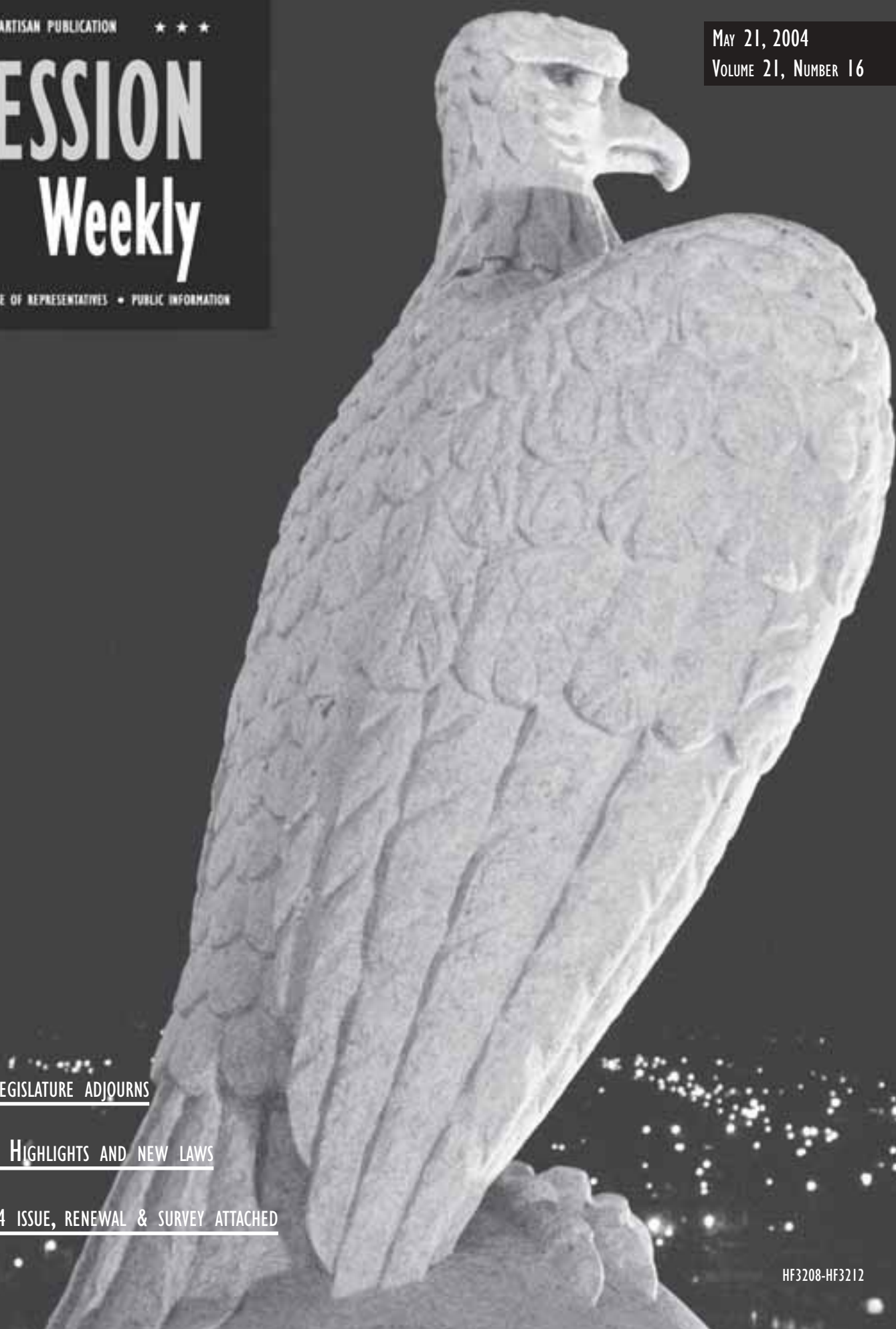
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LEGISLATURE ADJOURNS

HIGHLIGHTS AND NEW LAWS

FINAL 2004 ISSUE, RENEWAL & SURVEY ATTACHED

HF3208-HF3212



SESSION Weekly

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On the cover: One of the eagles at the base of the dome stands watch over the Capitol.

—Photo by Tom Olmscheid



Done for now

Legislators pass a number of smaller bills in 2004, but fail to agree on most larger issues

By MIKE COOK

Lawmakers came to St. Paul in February, many with stated goals of balancing the state budget, passing a bonding bill, toughening sentences for sexual predators, establishing new education standards, and maybe resolving the seemingly never-ending stadium debate.

More than three months later, they resolved just one of those.

The House adjourned *sine die* at 7:38 a.m. May 16; approximately 40 minutes after the Senate. The constitutional date for adjournment was May 17; however, the Legislature is prohibited from passing bills or overriding vetoes on that final day.

The top priority for both bodies this session was finding a way to resolve the state's projected \$160 million budget deficit. Both sides exchanged final offers in the waning hours, but no consensus could be reached.

Instead, Gov. Tim Pawlenty announced May 17 that he would not immediately call legislators back for a special session, and that he eliminated the potential shortfall through executive action.

That plan, effective immediately, consists of transferring \$110 million in federal receipts from the Health Care Access Fund to the general fund, delaying or freezing the sale of bonds for previously authorized capital improvement projects (\$18 million), reducing state agency budgets by another 3 percent (\$17 million), using money saved from no bonding bill (\$8 million), and diverting Department of Revenue agency cuts to increased tax compliance (\$7 million).

"If legislative leaders can come together with a better alternative, I'll consider a special session," he said. "But, I'm willing to carry the load alone."

For there to be a special session on the budget or any other issues, Pawlenty said leaders would need to agree on the scope and length of session beforehand. "I'm not going to call one because of their inability to be productive."

Shortly after adjournment, House Speaker Steve Sviggum (R-Kenyon) expressed disappointment with the session, but wouldn't call it a total loss. "I don't think you should say that to people that had bills passed that were very important pieces of legislation in their own right."

However, he lamented that lawmakers couldn't reach agreement to balance the budget, pass a capital investment bill, and enact tougher standards for sexual predators. "Those bills were on everybody's agenda but we just couldn't get together. Obviously, there will try to be blame all over the place, but it just wasn't to happen."

Sviggum said, "Senate Democrats started the session with a confrontational idea that they maybe were going to make their mark and it was about them, not about the good of Minnesota, the cooperation, and the needs of citizens around the state."

Across the aisle, House Minority Leader Matt Entenza (DFL-St. Paul) wasn't upbeat either.

"The only tangible change I can see is that mourning doves can be shot now. Other than that, the session is the most miserable failure in 20 years," he said.

He also expressed no doubts that his caucus will gain seats in the November election. "Republicans are the majority in the House



PHOTO BY TOM OLMSCHEID

During a May 17 news conference, Gov. Tim Pawlenty announces that he is taking executive action to solve the state's projected \$160 million deficit. The action came after legislative leaders failed to reach agreement and adjourned *sine die*.

and they and a Republican governor dominate the state politically and they couldn't get the job done."

Legislators did complete work on new educational standards after a flurry of activity in the final few minutes. House members passed the standards at about 6:50 a.m. May 16, and the Senate less than 10 minutes later — moments before adjourning for the year.

The social studies standards are a cross between fact-based and analytical versions offered by the respective bodies, as well as the less-controversial science standards.

Two other contentious issues were also resolved in the early morning hours.

At about 3:15 a.m. the House concurred with the Senate on lowering the blood-alcohol content level for drunken driving from 0.10 to 0.08. Approximately 25 minutes later, the Senate refused to confirm Cheri Pierson Yecke as education commissioner on a 35-31 vote, a move that angered the governor.

"In the dark of night, the Democrats in the Minnesota Senate have done a great disservice to our state," Pawlenty said in a statement. "By rejecting Commissioner Yecke on a party line vote, they have rejected innovation and accountability for our education system."

The agreed upon 0.08 legislation has an implementation date of Aug. 1, 2005. The Senate wanted to enact the legislation on Aug. 1, 2004, and the House Sept. 1, 2007.

The lower level will put Minnesota in compliance with federal regulations, and allow the

state to receive an estimated \$100 million in federal transportation funds that were at risk by not making the change.

An additional provision provides that if a person is convicted of drunken driving with a blood-alcohol content level of 0.08 or 0.09 and has no other impaired driving offenses in the next 10 years, their record will be expunged.

Members say goodbye

In following with tradition, lawmakers took time after adjournment to hear from, and honor, those not seeking re-election: Rep. Len Biernat (DFL-Mpls), Rep. Dick Borrell (R-Waverly), Rep. Elaine Harder (R-Jackson), Rep. Carl Jacobson (R-Vadnais Heights), Rep. Eric Lipman (R-Lake Elmo), Rep. Doug Stang (R-Cold Spring), Rep. Steve Strachan (R-Farmington), and Rep. Dale Walz (R-Brainerd).

Departing members thanked their constituents, colleagues, and House staff, while expressing how serving in the House was such an important part of their life.

"When I first came to the Capitol as a sixth-grader, I never imagined that I'd be here today, looking back on a career of 10 years," Harder said. "As sixth-grade students come to the Capitol and are wide-eyed and excited and enthusiastic, I share that experience with them. It was the experience of a lifetime to serve here in the Legislature."

For Stang, a stadium bill sponsor, it was an emotional time, as he indicated that he would rather have seven more days of stadium hearings before the House Taxes Committee than have to say goodbye.

"I have two beautiful little kids and they mean everything. Sometimes you know when you have to do the right thing, and the right thing isn't always easy," he said. "I remember the last several years listening to speeches of members who are retiring and the comments they've made about watching the little kids in the window as they drove away. I just can't do that anymore."

"The other night after my son left (the Capitol), he called me from home and said to come home. I'm going home."

For others, the Legislature is scheduled to reconvene Jan. 4, 2005.

SESSION WEEKLY WRITERS PATTY JANOVEC, TOM LONERGAN, AND NICOLE WOOD CONTRIBUTED TO THIS STORY.

In the event of a special session, check the House Web site at www.house.mn for updates from the House Public Information Services Office.

Attention Session Weekly subscribers!

Attached to the back two pages of this issue is the annual *Session Weekly* renewal and readership survey. Please take the time to review and return the information. We are pleased to offer several convenient formats you can choose from to renew your subscription for next year and submit your comments about the magazine. You can reach us through mail, via fax, or online. Your continued interest and feedback is important to us.

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- Please take a minute to fill out the Readership Survey.
- Or simply go to the main House Web site at **http://www.house.mn** and find the link to *Session Weekly* renewal.

New Laws 2004

We will be offering a Web-based version of our annual New Laws publication this year. The House has decided not to print a paper version for distribution due to budget constraints. New Laws 2004 will be available on the House Web site by August 2004.

If you would like to receive an e-mail notifying you when new House Information publications — including New Laws 2004, news releases, and other information — are available, please sign up for the House Information news mailing list. Select the House Mailing List link under the Information heading on **http://www.house.mn**.

THANK YOU!

***Editor's note:** This section contains bills that were passed by the House and Senate within the final three days before adjournment, and had not been acted upon by the governor as of early May 20. Under law, the governor has 14 days to act upon such bills. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto. A comprehensive summary of all bills signed into law or vetoed will be published by August 2004. A web-based version of New Laws 2004 will be available on the House Web site at **http://www.house.mn**.*

★ AGRICULTURE

Farm ownership

A multi-issue agriculture policy bill that includes a proposed easing of state restrictions on foreign ownership of farmland awaits action by Gov. Tim Pawlenty.

Sponsored by Rep. Howard Swenson (R-Nicollet) and Sen. Jim Vickerman (DFL-Tracy), HF2461/SF2428* was passed 53-9 by the Senate May 15 and 88-41 by the House later that day.

The bill would expand farmers' access to a number of Rural Finance Authority loan programs, lift some requirements in ethanol plant ownership disclosure reports, make it harder to bring a "nuisance" lawsuit against a farm owner, increase trespassing penalties on farms that raise domestic animals for commercial production and exempt small scale sellers of homemade pickles and other home-processed food products from state licensure requirements.

The bill contains the non-budget related parts of HF2755, the omnibus agriculture and rural development finance bill, sponsored by Rep. Elaine Harder (R-Jackson), that the House passed April 5, but was not acted upon by the Senate.

Disagreements from the 2003 session over an Agriculture Department proposal to lure farmers from the Netherlands to Minnesota by amending state law banning foreign ownership of farms were renewed for another debate.

Rep. Mary Ellen Otremba (DFL-Long Prairie) unsuccessfully offered an amendment to keep current state restrictions. She objected to allowing holders of an E-2 treaty investment visa to own dairy farms of up to 1,500 acres. The bill would amend state law to include such visa holders in the definition of "a permanent

resident alien of the United States." The immigrant person would have to live on the farm at least 10 months in a 12-month period, and eligibility would be limited to three years if the investment visa holder didn't actively pursue federal citizenship.

"We don't have any jurisdiction over them becoming legal," Otremba said. "Since 9/11, the (Immigration and Naturalization Service) has become extremely strict on this."

"We're not attempting to rewrite federal immigration law," said Rep. Greg Blaine (R-Little Falls), whose bill (HF447) on the issue passed the House in 2003 but was dropped in conference committee.

"If we do not change, (immigrant) farm families will not be able to consider Minnesota."

Supporters say the measure is needed to bolster the state's declining dairy industry and that Minnesota is losing potential farmers from Belgium and the Netherlands to neighboring states that don't have the same farm ownership restrictions.

"Are we saying: 'Immigrants need not apply?'" asked Rep. Jim Rhodes (R-St. Louis Park). "This sounds so un-Minnesotan."

Rep. Al Juhnke (DFL-Willmar) said the Legislature was "moving too fast on this." Laotian Hmong immigrants rent farmland and buy it after achieving legal status, Juhnke said. "Let the Dutch get a green card like everyone else."

The bill also makes trespassers on land posted as a "bio-security area" subject to a gross misdemeanor. Posted signs would include wording like, "Bio-security measures are in force."

Rep. Bruce Anderson (R-Buffalo Township) asked why the signs were necessary. "We're getting carried away with the language. Ninety-nine percent of the people wouldn't understand this."

Swenson said the warning signs were to keep "anti-livestock people" from entering a commercial livestock farm or approaching a livestock facility that's susceptible to the spread of disease.

"This is to protect against people that have malicious intent and want to cause damage."

★ BANKING

Thrifty lending

A bill awaiting action by Gov. Tim Pawlenty would conform state banking statutes to federal regulations for certain financial services.

Industrial loan and thrift companies make loans, and some accept deposits in various

ways, but their powers, structure, and forms of regulatory oversight differ.

In Minnesota, the Department of Commerce oversees loan and thrift institutions.

The bill would alter a requirement for an industrial loan and thrift company to obtain deposit-taking powers from the department.

"It requires that owners of loan and thrift companies must qualify to own a federal savings association in order to be authorized to accept deposits," said Rep. Doug Stang (R-Cold Spring), who sponsored HF2216*/SF2265 with Sen. Dan Sparks (DFL-Austin).

Stang indicated that Minnesota is one of only three states that have yet to conform.

Both the House and the Senate passed the measure May 15. The vote tallies were 130-0 and 61-0, respectively.

★ CONSUMERS

Local liquor laws

A bill that would clarify local liquor laws when they bump up near state prisons and approve the expansion of a few local liquor licenses awaits the governor's signature.

Under current law, liquor licenses are restricted from establishments within 1,000 feet of a state hospital, training school, reformatory, prison, or other institutions supervised by the Corrections and Human Services departments. Some municipal officials said the language was confusing as to exactly which institutions are included under state liquor control purview.

HF2816/SF2696*, sponsored by Rep. Andrew Westerberg (R-Blaine) and Sen. Sandra Pappas (DFL-St. Paul), would specify that the restrictions apply to establishments near state training schools, state reformatories, or state prisons. The House passed the measure 124-8 May 13, and the Senate did so 57-3 May 14.

Also under the bill, the city of St. Paul would be authorized to issue an on-sale beer and wine license for special events held on the State Capitol grounds to commemorate the Capitol centennial.

The city of Duluth, would be allowed to expand the existing liquor license at Wade Municipal Stadium by extending the serving area from enclosed beer stands to the entire stadium.

And the city of Elko would be authorized to issue a license to Elko Speedway to serve liquor seven days per week.

Another provision would modify brewpub license fees in accordance with the following production levels:

- \$2,500 for brewers who manufacture more than 3,500 barrels of malt liquor in a year;
- \$500 for brewers who manufacture 2,000 to

IMPROMPTU MEETING



PHOTO BY ANDREW VONBANK

House and Senate leaders share a lighter moment during impromptu negotiations on the House floor May 13. Legislative leaders met a number of times over the final week, but could not reach an agreement on many issues.

- 3,500 barrels of malt liquor in a year; and
- \$150 will continue to be the fee for brewers who manufacture fewer than 2,000 barrels of malt liquor in a year.

Telecom reforms

A telecommunications bill that is a compilation of consumer protection initiatives and industry regulatory reforms awaits the governor's signature.

HF2151*/SF2774, sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Steve Kelley (DFL-Hopkins), gained House and Senate approval May 15 on 130-1 and 51-5 votes, respectively.

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

The bill also modifies the interest rate on utility deposits to fluctuate with the United States Treasury, rather than remain set in statute at a flat percent.

Another provision would require wireless telecommunications service providers to notify consumers under contract 30 days in advance of any substantive changes to the contract that would increase charges. This provision would have a sunset date of Aug. 1, 2007, in order to give regulators and the industry an opportunity to examine whether the requirements are effective or cumbersome.

The bill also would set some guidelines for small telephone companies to expand local calling areas, and it would declare that the Public Utilities Commission must apply the same criteria and standards to all eligible telecommunications carriers seeking continued federal universal service funding to support maintenance or upgrades to facilities used to help keep local phone service affordable for all residents.

The bill also includes a number of technical changes designed to modernize the section of statutes governing cable communications systems.

★ CRIME

Drunken driving limit

Minnesotans choosing to drink and drive would face a lower blood-alcohol content threshold to be considered too drunk to be behind the wheel beginning next summer.

HF97/SF58* would change the level from 0.10 to 0.08 beginning Aug. 1, 2005. Both bodies of the Legislature passed the measure May 15. The vote tallies were 105-26 in the House and 74-13 in the Senate. At a May 17 press conference, Gov. Tim Pawlenty indicated he would sign the bill.

The date is a compromise between bills passed by the House and Senate. Senators wanted to enact the legislation on Aug. 1, 2004, and the House proposed Sept. 1, 2007. Rep. Steve

Strachan (R-Farmington) and Sen. Leo Foley (DFL-Coon Rapids) are the sponsors.

The lower level will put Minnesota in compliance with federal regulations. In addition, the state will not risk losing an estimated \$100 million in federal transportation funds by not making the change. Minnesota and Delaware had been the only states yet to enact the lower blood-alcohol limit.

A Department of Public Safety report estimates that 14 lives will be saved annually in the state with a lower limit. It is estimated that drunken driving incidents cost Minnesotans \$1.8 billion annually, \$1.1 billion of which is paid by someone other than the drunk driver.

An additional provision provides that if a person is convicted of drunken driving with a blood-alcohol content level of 0.08 or 0.09 and has no other impaired driving offenses in the next 10 years, their record will be expunged. Under current law, all DWI convictions must be kept on a driving record for at least 15 years.

Rep. Tom Rukavina (DFL-Virginia) and Rep. Torrey Westrom (R-Elbow Lake) spoke against concurrence of the conference committee report. They said that House conferees gave in on the implementation date, and they objected to the removal of language that would have permitted breath-testing instruments in bars. Such devices could be used to test customers' blood-alcohol level so they would have some awareness as to what level they are at, while also providing liability protections to manufacturers and liquor licensees.

Vehicle forfeitures

A bill that awaits gubernatorial action would make several changes to the state's driving while intoxicated (DWI) vehicle forfeiture law.

HF392/SF388* would make it easier for the state to take away vehicles from repeat drunken drivers by no longer requiring that the driver themselves own the vehicle subject to forfeiture.

The measure passed the Senate 62-0 May 14, after having passed the House 87-40 May 15, 2003.

"It solves some of the problems that have occurred as a result of current law," said Sen. Leo Foley (DFL-Coon Rapids), who sponsored the bill with Rep. Doug Fuller (R-Bemidji).

Supporters said that the bill would keep drunken drivers from dodging the law by driving a vehicle registered to a friend or family member. Under the bill, family and friends would lose their vehicle unless they could prove that they did not know the person to whom they lent the vehicle was going to break the law. "We're trying to get at offenders who purposely put a vehicle in someone else's name," Fuller said.

Opponents said it casts too wide of a net and risks taking valuable property from people not involved in a crime.

"The bill also provides for vehicle forfeiture if the driver fails to appear for any of the scheduled court appearances related to DWI and doesn't turn himself in within 48 hours after having missed the court appearance," Foley said.

Minnesota's vehicle forfeiture law applies to people who have committed a drunken driving offense with two or more aggravating factors, such as having a prior drunken driving conviction, having a blood-alcohol content level of 0.20 or greater, or having a child under age 16 in the vehicle.

Foley said a DWI task force, the county attorneys association, and a number of others brought the proposal forward.

ELECTIONS

Editor's Note: This is an updated version of a story that appears in the May 21, 2004, printed edition of Session Weekly.

HAVA conformance

The House and Senate passed a bill May 15 that would make changes to Minnesota's election laws in response to the federal Help America Vote Act (HAVA).

Following 130-0 and 64-2 votes, the bill awaits action by the governor.

Signed into law by President Bush in 2002, the act provides funds to states to replace punch card voting systems, establishes a commission to assist in the administration of federal elections and programs, and establishes elections standards for states and local units of government with responsibility for the administration of federal elections.

A 2003 law created an account to receive federal funds given to the state for election purposes. The account also contains \$6.5 million allocated by the 2003 Legislature to match some federal dollars. The money can be used for a number of purposes, including the development and administration of a complaint process, improving polling place accessibility, modifying the statewide voter registration system, and training local election officials.

Much of the 2004 bill focuses on policy issues and putting into state law what is required under HAVA so that two standards do not exist, thereby eliminating a potential situation where a voter could meet requirements to vote in state and local races, but not federal contests.

"There is detailed information about voter registration in the bill," said Rep. Lynda Boudreau (R-Faribault), who sponsored HF1006*/SF986 with Sen. Linda Higgins (DFL-Mpls). She added that it encompasses many different systems,

permanent registration, and the verification of registration.

For example, to comply with HAVA a small number of persons would be required to provide identification in order to vote. This would only be the case if a first-time voter in a federal election mails in a voter registration card and a county auditor cannot verify the information. The auditor is to notify the person, and offer four ways to complete the registration. If this is not done prior to Election Day the normal proof of residency used for Election Day registration must be provided to an election administration official at the polling place. Election Day registration is not changed.

ENVIRONMENT



From exotic to invasive

A bill that would revise statutory terminology relating to aquatic invasive species and put a little more teeth behind criminal penalties for those who disregard laws designed to keep Minnesota waters free from infestations awaits the governor's pen.

HF2363*/SF2211, sponsored by Rep. Denny McNamara (R-Hastings) and Sen. Wesley Skoglund (DFL-Mpls), would define invasive species as nonnative species that can naturalize and either "causes or may cause economic and environmental harm or harm to human health; or threatens or may threaten natural resources or the use of natural resources in the state."

The bill addresses the issue of transferring nets and other implements between infested and non-infested waters, as designated by the Department of Natural Resources. In most cases, resetting between the two is prohibited.

One provision of the bill would set tagging requirements for nets used in non-infested waters by commercial anglers who fish both infested and non-infested waters. However, under the bill, there is an exception for waters infested solely with Eurasian water milfoil. Nets used for commercial fishing and turtle, frog, or crayfish harvesting in milfoil-infested waters could be



Legislators and people interested in an exotic animals bill work in a hallway outside the House Chamber toward an agreement. The bill was passed in the early-morning hours of May 16 and awaits the governor's signature.

transferred but would have to be dried for a minimum of 10 days or frozen for a minimum of two days to kill any invasive organisms before use in non-infested waters. Commercial anglers would also be required to notify the department before making such a transfer.

Another provision would change the penalty from a misdemeanor to a gross misdemeanor for anyone who refuses to obey an order to remove invasive species from watercraft.

Among other civil penalty provisions, the bill would set in statute a \$50 penalty for failing to drain water from watercraft and equipment before leaving designated zebra mussel, spiny water flea, or other invasive plankton-infested waters.

The Senate passed the bill 61-0 May 12, and the House followed suit 119-8 two days later.

Selling state timber

A measure that would modify state timber sales in order to fulfill some recommendations from the governor's task force on Minnesota's forestry industry competitiveness awaits his signature.

HF2383*/SF2583, sponsored by Rep. Doug Lindgren (R-Bagley) and Sen. Tom Saxhaug (DFL-Grand Rapids), would create a forest management investment fund in the state treasury. Timber sale receipts from certain lands administered by the Department of Natural Resources Division of Forestry would be earmarked for the fund and rededicated to forestry efforts.

Proponents said the fund could provide a minimal level of stability for funding basic forest management. It would allow the department to carry balances between legislative funding cycles, which would be helpful due to the seasonal nature of the activities.

The bill would add the College of Natural Resources and the Natural Resources Research Institute, both at the University of Minnesota, to the membership list of an existing Forest Interagency Information Cooperative.

It would remove a 6,000-cord limit that is currently in place for timber sales on state lands at regular auction sales. The legal definition of a cord, according to the department, is a standard measure of a stack of wood that is 8 feet long, 4 feet wide, and 4 feet high.

Another provision would allow the department to enter into agreements with weight scale owners or operators to guarantee that state timber is properly measured.

And the bill would modify the authority of county administrators to allow them to accept a bank letter of credit in place of a down payment from purchasers for certain sales.

The Senate passed the measure 63-0 May 12, and the House 122-4 two days later.

Soil science

Legislation awaiting the governor's action could give the Pollution Control Agency some direction on the interpretation of soil features as the agency adopts new rules for water table analysis.

The committee process through which the legislation passed gave lawmakers new familiarity with the term "redoximorphic."

Redoximorphic features are formed in saturated soil by iron and manganese oxidation and other chemical processes. The features, often identified by gray mottled soil, indicate the level of the water table or presence of water at one time.

Under current agency rules for individual sewage treatment system design, the presence of such features could eliminate for homeowners the possibility of installing a trench system and require a more expensive mound system.

But there has been some confusion in the field about redoximorphic features that may have been from centuries ago, proponents argued.

HF2000*/SF1900 would require the agency rulemaking process to address the following:

- a definition of redoximorphic features and other criteria that can be used by system designers and inspectors,
- direction on the interpretation of observed soil features that may be redoximorphic and their relation to zones of seasonal saturation, and
- procedures on how to resolve professional disagreements on seasonally saturated soils.

Under the bill, passed 132-0 by the House May 12 and 56-0 by the Senate May 15, new rules must be in place by March 31, 2006.

Rep. Kathy Tingelstad (R-Andover) and Sen. Michael Jungbauer (R-East Bethel) sponsored the legislation.

Diluting pollution

A bill that aims to give residential septic system owners some options beyond the typical mound or trench filtration configurations when soil conditions call for a different approach awaits the governor's signature.

HF2040*/SF2090, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Dallas Sams (DFL-Staples), would create a 10-year pilot program for state certification and approval of new septic system technologies that could be a better fit for some.

The Senate passed the bill 64-0 May 13, and the House passed it 127-2 May 14.

One new type of residential system, known as a biodigester and water reclamation system, collects and separates blackwater — sewage from toilets and garbage disposals — from

other wastewater, known as greywater, and then allows the water to be mechanically or biologically recycled or returned to surface and groundwater supplies.

The bill would establish a pilot process with the Department of Health and Pollution Control Agency to get approval for these new technologies; the goal is to make those technologies more easily accepted and used by consumers to protect the environment.

Proponents hold out great hope for the technology to be used successfully along lakeshores.

Under the bill, the alternative systems would be required to meet state and federal wastewater treatment standards. Manufacturers would be obligated to achieve certification by the Pollution Control Agency, a process for which the agency could charge them up to \$4,000.

Manufacturers also would be required to provide appropriate training to install, maintain, operate, and monitor the systems. The agency, together with the Health Department and local regulatory authority, would require independently verified annual monitoring and maintenance reports from system owners.

★ GOVERNMENT

State contracts

The ratification of union contracts for state employees awaits the governor's signature.

This after the House passed the bill 129-0 May 16; four days after the Senate gave its approval 63-0.

Rep. Bill Haas (R-Champlin), the House sponsor of HF2034/SF1866*, said groups covered under the contract include: Minnesota Association of Professional Employees, American Federation of State, County, and Municipal Employees, and Minnesota State Colleges and Universities administration and faculty.

"I've talked to the unions and they are very anxious to get this bill ratified," Haas said.

Negotiated provisions entail no increase in salary for union employees, an average of 2 percent to 3.5 percent increase in steps within the contracts, and health insurance benefits were changed. The changes were "all agreed on by both sides," Haas said.

Most of the agreements and plans were approved by the Legislative Coordinating Commission's Subcommittee on Employee Relations, and have been implemented on an interim basis. The 2004 Legislature was required to approve the agreements and plans if they are to remain in effect.

Rep. Karen Clark (DFL-Mpls) unsuccessfully tried to amend the bill on the House floor

to restore a provision that would allow an employee to take sick leave with pay to care for an ill or dying member of their immediate household or go to a funeral if the immediate household member passes away.

“This is language that was originally in the contracts, but was removed,” she said. “I want to put it back in to make sure that this right is extended to household members who have already earned this sick leave to be used for this purpose.”

Haas said changes to the proposal could only be made in the negotiation process. The unions already signed the agreements, and requested that no amendments be added on the House or Senate floor.

Sen. Linda Scheid (DFL-Brooklyn Park) is the Senate sponsor.

Buying for less

A bill that would allow state agencies to enter into volume contracts with national purchasing alliances in order to purchase goods at a lower cost awaits action by Gov. Tim Pawlenty.

Rep. Laura Brod (R-New Prague), who sponsored HF2905/SF1859* with Sen. Dallas Sams (DFL-Staples), said it is a way for the state to save money. Although agencies are already permitted to combine purchases to achieve volume discounts, the bill expands the choices available to agencies by recognizing contracts bid by national purchasing alliances and cooperative municipalities in Minnesota.

The language is intended to elevate the use of contracts with alliances as another choice for state agencies and give alliances preferential treatment. To be eligible for such contracts, alliances must also comply with the rules and requirements for state contracts.

A Department of Administration official told a House committee that the department now has 200 contracts with multiple vendors and alliances are permitted to bid on those contracts.

Historically the department has not entered into contracts with such alliances, because they have failed to meet state contract requirements.

Both bodies passed the measure May 15; the House 120-7, and the Senate 63-0.

Claims bill

A bill awaiting action by Gov. Tim Pawlenty would authorize payment of \$134,297 to settle 11 claims against the state.

Each year, a joint House-Senate Subcommittee on Claims meets to determine which

petitions will be funded. All state agencies are eligible to receive funding to cover the claims.

Sponsored by Rep. Bruce Anderson (R-Buffalo Township) and Sen. Wesley Skoglund (DFL-Mpls), HF2255*/SF2038 would appropriate \$67,825 to the corrections commissioner for the payment or reimbursement for eight claims of injuries occurred while performing community service or sentencing-to-service work.

Another \$66,472 would be paid by the Department of Natural Resources for three claims relating to the destruction of tiling, revenue loss from a moratorium on raising sunken logs from lake bottoms, and reimbursement of fines paid during the settlement of a land dispute.

Much of the discussion in committee revolved around a farm owned by the Bode family in Nicollet.

The family and the Natural Resources Department have been at odds for more than 20 years. The department has twice removed a drain tiling system in a dispute over a wetlands designation on the family farm.

The family installed the tile to drain the wetland after a local panel heard the case and ruled that land did not qualify as a wetland. The department contested that the owners didn't have the right to tile, and the disagreement thus went through the court system. Ultimately, the Minnesota Supreme Court ruled in favor of the department that the area of the farm in dispute is a wetland. The bill would

give the Bode family \$27,000 for costs incurred from the appealing of court decisions.

Pawlenty cited the decision by the court in his reasoning for vetoing the Bode claim in a 2003 claims bill. He said the section of the bill, “reverses the decision made by the courts, setting a terrible precedent for wetland protection.”

Anderson said the landowners were not being treated fairly in the area because the neighboring farm was allowed to tile around the wetland area.

The bill adds that if the family accepts the payment, an administrative law judge will determine if the land in question is a wetland. That judgment would be final.

Both bodies passed the bill May 15; the House 126-4, and the Senate 58-0.

★ HEALTH

Transfer rules

The Legislature passed a law in 2003 that denies medical assistance eligibility for people who transfer assets for less than their fair market value within 72 months of application for assistance.

A bill awaiting action by Gov. Tim Pawlenty amends sections of the law as it relates to charitable contributions.

Rep. Fran Bradley (R-Rochester), who sponsored HF2581/SF2112* with Sen. Linda

FINAL HOURS BLUR



PHOTO BY ANDREW VONBANK

Lobbyists stay in motion as they attempt to get their bills heard during the final hours of the legislative session. (The photo was taken using a three-second exposure.)

Higgins (DFL-Mpls), said the idea for the change came to him from people at the United Way who began to find donors who were becoming more reluctant to provide donations.

"They were fearful of the look-back period that may grow as much as five or six years for transfers that could be counted as medical assistance," he said.

The intent of the 2003 Legislature was to close loopholes that allowed people to transfer assets, which resulted in taxpayers footing the bill for their nursing home care. Asset transfer can be a common practice where individuals reduce their assets so they may qualify for publicly funded health care to help cover costs, particularly in long-term care situations.

Transfers made for charitable causes that meet certain criteria would be exempted, and the bill would clarify how to prove a contribution was indeed charitable.

The bill identifies criteria that could establish that a gift is a charitable contribution made for a purpose other than maintaining medical assistance eligibility unless at the time of the gift the donor or the donor's spouse was receiving long-term care services, was advised by a medical professional of the need for long-term care services, or was a medical assistance applicant or recipient.

Convincing evidence could include:

- the donor made one or more gifts to the same organization more than 180 days prior to the date of the gift in question; or
- the gift was made to an organization for which the donor had provided volunteer services, acknowledged in writing, prior to the date of the gift.

The Senate passed the measure 58-0 May 12, and the House 131-0 May 15.

Survey changes

A bill that would make changes to the federally required nursing facility survey process, including training requirements and the requirement of an annual quality improvement report, awaits action by Gov. Tim Pawlenty.

Every nursing home in Minnesota must have a state license from the Department of Health to operate. Department staff, known as surveyors, regularly inspect homes for compliance.

Rep. Char Samuelson (R-New Brighton), who sponsored HF2246*/SF2103 with Sen. Dallas Sams (DFL-Staples), said the bill attempts to look at the survey processes in the nursing homes and includes some areas where these can be improved to alleviate processes that some deemed "out of control" and

"demoralizing for all concerned."

Among the changes are additional requirements for provider and surveyor training. Under the bill, training would be done jointly so that providers and surveyors learn together on new regulations.

The bill would require the health commissioner to establish a quality improvement program for the facility survey and complaint process. According to the bill, "The commissioner must regularly consult with consumers, consumer advocates, and representatives of the nursing home industry and representatives of nursing home employees in implementing the program." An annual quality improvement report must be submitted to the Legislature beginning Dec. 15, 2004.

Among things the report must include are: the number and outcomes of independent dispute resolutions, the number and outcomes of appeals, and the techniques of surveyors in the investigations. It also must identify and explain inconsistencies and patterns across state regions, including analyses and recommendations for identified quality improvement areas, and provide an action plan to address those areas.

The commissioner would be required to provide facilities with draft statements of deficiencies at the time of the survey exit process. Furthermore, under the bill, when citations are posted on the agency Web site, the facility's response must also be posted.

Provider contracting

A bill that would set requirements for contracting between health plan companies and health care providers, modify prior authorization procedures, and expand the provision regulating shadow contracting awaits the signature of Gov. Tim Pawlenty.

"The bill establishes a mechanism whereby healthcare providers will be able to input prior authorization requests to health plan companies on a 24-hour-a-day, seven-days-a-week basis," said Rep. Steve Smith (R-Mound), who sponsored HF606*/SF394 with Sen. Dallas Sams (DFL-Staples).

Additionally, Smith said, "There's a section that allows the provider to know what the provider will be paid under the contract before signing the document, and provides that amendments to the contract made during the term of the contract will have to be provided to the provider before they become effective, and give the provider the opportunity to get out or withdraw from the contract if the proposed amendments are not acceptable."

Another provision completes the process of

getting rid of so-called network shadow contracts. "Under this provision if a provider that is under a contract to a health plan is assigned to a different health plan product with a different reimbursement rate, that provider will have the opportunity to either agree to the assignment or decline," Smith said.

Smith said when the bill was introduced it was very contentious between health plans and Minnesota's medical service providers. All stakeholders subsequently worked out their differences and all medical provider service groups involved, health plans, and the Department of Employee Relations support the final product.

The bill has been worked on for three years, Smith said, and it has a zero fiscal note, meaning it should not have any fiscal implications for state coffers.

The House passed the measure 125-3 May 14 after it had received Senate approval 66-0 a day earlier.

★ LOCAL GOVERNMENT

Closing public meetings

A bill to allow public bodies to negotiate property sales and acquisitions in private awaits action by the governor.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Steve Kelley (DFL-Hopkins), HF2093/SF2114* passed the Senate 62-0 May 14 and the House 116-14 one day later.

The bill would amend the state's Open Meeting Law to allow a public body in a closed meeting to determine the asking price and strategy for the sale of real or personal property, to review confidential or nonpublic appraisal data, and to develop or consider property offers or counteroffers.

"To close meetings is a very serious issue," said Rep. Philip Krinkie (R-Shoreview). "What's the problem? Why do we need this now?"

Holberg said negotiating property purchases in public has been a problem for the Lakeville School District. "When (the district) starts to identify property they want to buy the price seems to go up."

Before holding a closed meeting for this purpose, the public body must identify on the record the particular real or personal property it will consider in the closed meeting.

An agreement on the actual purchase or sale, based on an offer considered at a closed meeting, must be approved by the public body at an open meeting with a required notice period and public disclosure of the purchase or sale price.

The bill would require that the proceedings of the closed meeting be tape recorded, with the recording to be released to the public after the property discussed in the closed meeting has been purchased or sold or the governing body decides to drop the matter. The tape must be preserved for eight years from the date of the closed meeting.

A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting.

The Minnesota School Boards Association expressed support for the bill, while the Minnesota Newspaper Association opposes it.

Under current law, a public body may only close a meeting to discuss labor negotiations or to evaluate the performance of an individual subject to its authority.

Using reverse auction

Municipalities could use the Internet to seek vendor bids, and purchase supplies, materials, and equipment using reverse auction, an electronic purchasing process, under a bill presented to the governor May 18.

Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. D. Scott Dibble (DFL-Mpls), HF1717/SF1790* passed the House 94-35 and the Senate 57-5, both on May 15.

Lanning said the bill would assist local governments in reducing purchasing costs and increasing efficiency. "There's no reverse auction authority to local units of government" for purchasing professional services like engineering, he said.

The bill would give municipalities the option to buy supplies, materials, and equipment using an electronic purchasing process in which vendors compete in an interactive environment to provide the lowest selling price.

Conversely, municipalities could also use the process to sell unused supplies, materials, or obsolete equipment at the highest purchase price.

The Department of Administration has used reverse auctions on some state contracts since 2000 and the Minnesota Department of Transportation offers two-way electronic bidding for construction contracts.

The bill would also allow city managers in council-manager local governments to make purchases or let contracts unilaterally if the amount is \$25,000 or less. State law now sets the threshold amount at purchases not exceeding \$15,000.

The threshold amount requiring purchasing bids let by local governments of less than 2,500 population would be increased by \$15,000 to \$50,000.

The bill was amended in conference committee to allow the Ramsey County Board of Commissioners to add a \$1 surcharge to

district court fines for felonies, and gross and petty misdemeanors. The resulting revenue would be used to fund a petty misdemeanor diversion program.

Interim zoning ordinances

The length of a municipal interim ordinance — which local governing bodies can adopt while considering proposed commercial or residential developments — would be restricted to 18 months in most cases, under a bill presented to the governor May 18.

As amended by conference committee, HF2021/SF2274*, sponsored by Rep. Mark Buesgens (R-Jordan) and Sen. Jim Vickerman (DFL-Tracy), passed the House 94-37 and the Senate 62-0, both May 15.

The bill would change state law that allows up to 30 months for an interim ordinance, which can be adopted by a municipality's governing body for "protecting the planning process and the health, safety and welfare of its citizens." Current law allows an interim ordinance to regulate, restrict or prohibit any use, development or subdivision for a year, with an 18-month extension option.

The bill would allow an extended interim ordinance as provided in current law to allow a city to amend its master plan for a municipal airport expansion.

It would also allow municipalities to extend

interim ordinances by up to 120 days for metropolitan agency or federal approvals, court orders, or other processes required by state or federal law, and provide a one year extension if a municipality had not adopted a comprehensive plan at the time it enacted an interim ordinance.

A municipality's ability to regulate nonconforming business use or land occupancy would be changed by the bill.

Improvement, restoration, and replacement — but not expansion — of a nonconformity would be allowed to continue, under the bill, provided the improvement began within a year from the time the nonconforming use was discontinued.

Rep. Michael Paymar (DFL-St.Paul) opposed the bill because he said it would harm the city of St. Paul's ability to regulate billboards. "It strips local control from communities trying to control nonconforming uses," Paymar said.

METRO AFFAIRS



Affordable housing

A decade of escalating new home prices has created a barrier for some Twin Cities suburban communities to participate in a state regulated affordable housing program that has a funding formula tied to market values.

A bill (HF2448/SF2177*) presented to the

IN MEMORY



PHOTO BY LISA M. SANDERS

Rep. Karen Clark, left, and Rep. Barb Sykora hold a tree straight as Rep. Denny McNamara begins to pack dirt around its base May 15 during a tree planting ceremony outside the State Office Building. The tree is to remember William Gregory Klinzing, son of Rep. Karen Klinzing, and Lauren Faith Zellers, daughter of Rep. Kurt Zellers.

governor May 18, would change the formula to allow more communities to participate.

The House adopted the conference committee report 118-13, as did the Senate 62-0, both on May 15.

“This is essential to keep the Livable Communities Act going,” said Rep. Ron Abrams (R-Minnetonka), the bill’s House sponsor. Its Senate sponsor is Sen. Linda Higgins (DFL-Mpls).

The bill would “reduce the current amount local governments spend” on affordable housing, Abrams said, which is a qualifying factor for grant programs that support newly constructed and rehabilitated housing under the act.

The funding formula — based on new residential market values — is used to determine the affordable life-cycle housing opportunities amount for municipalities participating in the program administered by the Metropolitan Council. The formula determines the minimum expenditure a local government must annually spend on affordable housing to qualify for grants.

According to the council, the minimum affordable housing spending amount for metropolitan area communities was \$16 million in 2003.

In 1996, the program’s first year, the amount required of a local government was \$531,000.

The bill would change the affordable housing amount calculation to not exceed the property tax levy for the Livable Communities Demonstration Account, which is currently \$9.2 million.

Since 1996, according to the council, the program has assisted participating communities in building or rehabilitating 1,300 homes, as well as nearly 1,000 new or rehabilitated rental housing units.

★ RECREATION

Snowmobiling both ways

A bill awaiting the governor’s signature would allow two-way snowmobiling along major state highways.

TUNED IN



PHOTO BY TOM OLMSCHIED

Televisions throughout the State Capitol were a busy meeting place during the waning days of session as lobbyists watch the Senate proceeding during the final hours.

Current law restricts snowmobile travel along highways and roads to the same direction as road traffic.

HF532*/SF522, sponsored by Rep. Larry Howes (R-Walker) and Sen. Tom Saxhaug (DFL-Grand Rapids), would not allow the practice without approval from the Department of Transportation commissioner. The safety of motorists and snowmobilers would have to be considered.

Though there are some safety concerns over broadly allowing the two-way riding, proponents testified that the practice could actually improve safety under certain conditions, particularly poorly lit roads and in areas that contain steep ditches on one side.

The House passed the bill 130-0 May 14, one day after Senate did the same 65-0.

★ SAFETY

Dangerous but regulated

A bill that would impose registration requirements on owners of certain exotic animals awaits the governor’s signature.

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. The bill met House and Senate approval May 15 after being hashed out in a conference committee. The vote totals were 128-1 and 44-10, respectively.

“To anyone who is potentially thinking of seeking election to the Legislature, do not carry any animal bills,” Strachan said jokingly. “I’m a slow learner.”

Currently in the state, certain non-domesticated animals are 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 of them as pets.

The bill would require owners of dangerous animals to register with the local animal control authority. Under the bill, microchip implantation is required if a regulated animal is sedated and it does not already have one. Failing to meet these requirements could result in a misdemeanor charge.

Under the bill, if an animal dies, breeders who run USDA-licensed facilities could replace it in perpetuity, but pet owners could replace the animal only once.

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

Proponents said that reducing or regulating the pool of private ownership would decrease the risk of injuries and diseases that could be transmitted to people. But the bill was met with significant opposition from breeders who said the restrictions could put them out of business.

Throughout the committee process, Strachan described the bill as a matter of public safety. He said the conference committee deliberations resulted in a bill that made increased inventory a possibility and placed looser restrictions on operators.

If the bill meets the governor’s approval, the effective date will be Jan. 1, 2005.

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

Pinpointing 911 callers

A bill that would improve 911 emergency services by requiring new multi-line phone systems to pinpoint the exact location of callers awaits the governor's signature.

HF622/SF653*, sponsored by Rep. Steve Strachan (R-Farmington) and Sen. Dallas Sams (DFL-Staples), would address the various requirements for residential, hotel, school, and business telephone systems. The measure received House (129-2) and Senate (62-0) approval May 15.

Strachan said the bill may resolve a problem 911 systems have had locating addresses. Multi-line phone systems that require the user to dial "9" for an outside line will often show the emergency operator the address of a business headquarters or a phone line switching location, rather than the location of where the call originated.

Police chiefs, fire chiefs, and ambulance operators support the measure, Strachan said. He also noted that he worked extensively with the chamber of commerce to resolve their concerns.

"It is not an expensive mandate on businesses," he said.

Under the bill, operators of a multi-line telephone system purchased after Dec. 31, 2004, would be required to design and maintain the system to provide a call back number and emergency response location.

The bill lays out the procedures for multi-line system operators to seek exemptions.

A separate provision would remove the option of license confiscation from the statutory list of actions that peace officers go through with regard to driver's license handling after stopping someone for suspicion of operating a motor vehicle under the influence of alcohol or drugs.

A third provision would authorize the transfer of nearly \$3.5 million from the state government special revenue fund to the Department of Public Safety to be used for 911 emergency telecommunications activities.

★ TRANSPORTATION

Light rail operations

A bill that would improve safety and impede fare swindlers along the new Hiawatha light-rail line awaits action by the governor.

HF2078*/SF1904 does two things. First, it attempts to prevent traffic jams that could be caused at downtown light rail vehicle track crossings by providing that all vehicles required by federal law to stop at 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 and the intersection is marked with signs indicating the requirements to drivers.

Without this provision, traffic could become backed up at light-rail crossings in downtown Minneapolis, and rear-end accidents could ensue, said Rep. Mary Liz Holberg (R-Lakeville), who sponsored the bill with Sen. Chuck Wiger (DFL-North St. Paul).

Second, the bill would allow 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 Senate passed the measure 66-0 May 13; the House did so 124-4 the next day. A portion of rail line that will eventually run between downtown Minneapolis and the Mall of America is scheduled to open June 26.

Larger bus, equestrian trailers

An Amboy resident who was pulled over for driving a bus that exceeded the state motor carrier length limit would be helped with a bill

awaiting the governor's signature.

HF1838*/SF1948, sponsored by Rep. Tony Cornish (R-Good Thunder) and Sen. Julie Rosen (R-Fairmont), would allow a passenger motor carrier operator to drive an articulated bus — an accordion-style motor vehicle — up to 61 feet in length without a permit. Current law requires a permit for any bus more than 45 feet in length. However, Cornish said, a variance exists for the Twin Cities metropolitan area.

The House passed the measure 124-1 May 14 after the Senate had forwarded it 60-1 May 13.

Cornish said the resident, who operates a bus company, bought an articulated bus in another state and drove it to Minnesota, only to later find out that the bus would violate state law.

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

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

The Senate removed the Fuller amendment, and the House concurred with the deletion.

HALL OF FAME WELCOME



PHOTO BY TOM OLMSCHIED

Former Minnesota Vikings defensive end Carl Eller, left, receives applause from House members after being honored at the beginning of the May 15 floor session for his outstanding career and August induction into the Pro Football Hall of Fame. Molly Heisenfelt, right, accompanied Eller to the House chamber. From 1975 to 1977, Eller recorded 44 sacks, according to unofficial statistics (sacks did not become an official National Football League statistic until 1982). Eller was a 1963 All-American at the University of Minnesota.

Editor's Note: The following section includes stories explaining many of the new laws that were passed by the 2004 Legislature. As a public service, we are reprinting most of the previous new laws stories run in *Session Weekly* this year. For a full listing of all bills passed this year, see the Governor's Desk section, beginning on page 33. For more detailed information and additional new laws stories, please refer to the *New Laws 2004* publication that will be published on the House Web site in August. Look for the link on the main House page (<http://www.house.mn>).

★ AGRICULTURE

Updating kosher codes

A new law will update the way kosher dietary laws are referenced in Minnesota statutes.

Effective Aug. 1, 2004, sections of Minnesota food law related to foods labeled as kosher will state that the item must 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 indicates it must be prepared "in accordance with orthodox Hebrew religious requirements."

Proponents of the new law said the orthodox Hebrew reference designated one movement out of the orthodox, conservative, and reform movements within the Jewish religion to make kosher process decisions for all.

Opponents said that changing the law would take away from easily identified and respected standards set by the Orthodox Union kosher certification.

Further support for the legislation came from some kosher consumers who worried the designation might 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.

Rep. Frank Hornstein (DFL-Mpls) and Sen. Richard Cohen (DFL-St. Paul) sponsored the legislation.

HF2864*/SF2756/CH232

★ BANKING

Business practices

A new law will include credit unions under state law liability exemptions for safe deposit companies.

Credit unions are authorized to offer safe deposit boxes to 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, selling vehicles

Effective Aug. 1, 2004, auto repair shops will be allowed to tow privately owned vehicles that have been abandoned on their property.

Under the new law, a vehicle repair or service business can impound a vehicle five business days after notifying the vehicle owner by certified mail that the vehicle will be removed. The owner, or agent of the owner, of a service or repair facility is exempted from civil liability to the unauthorized vehicle owner resulting from removal of the vehicle by a towing service.

The law is needed, proponents say, because some owners never bother to retrieve their vehicle after receiving an estimate, but the repair shop cannot have the vehicle towed.

Under current law, 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, and in some cases no one bids on the vehicle.

Current law also 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. However, it does not allow for auto repair shops to have vehicles towed.

The new law provides that vehicles towed from repair shop grounds can be sold at auc-

tion by the sheriff's office, as are cars abandoned in public roadways and parking lots.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park) are the sponsors.

HF1972/SF1639*/CH224

Code revisions

A new law makes changes to the Uniform Commercial Code, effective Aug. 1, 2004.

The code is a set of laws regulating commercial transactions, in particular those involving the sale of goods and secured transactions. It encourages uniformity of commercial laws in every state and is enacted on a state-by-state basis.

The permanent editorial board for the Uniform Commercial Code, which consists of 12 members nationwide, was established to consider changes to the code and respond to changes in commercial practice.

Major changes are contained in two articles. The change in Article 1 broadens the definition of "good faith."

The changes in Article 7 allow for electronic documentation of title for goods that are in the custody of a commercial warehousing or transportation business. The adjustments reflect changes in the industry.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Don Betzold (DFL-Fridley) sponsored the law.

HF1983*/SF1805/CH162

★ CONSUMERS

Phone company billing, regulation

A new law aims to promote accurate telephone company billing statements and also will extend some alternative regulatory requirements phone companies operate under in the state.

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 certain other operating flexibility.

A provision of the new law, effective May 20, 2004, will change the way such plans may be extended or renewed.

Under the consumer protection reach of the new law, local carriers will be required 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.

Effective Aug. 1, 2004, if the company cannot produce evidence to the contrary, consumers will be eligible for a refund of bogus charges back six months from the date of the claim.

Rep. Michael Beard (R-Shakopee) and Sen. Dallas Sams (DFL-Staples) sponsored the legislation.

HF979/SF1115*/CH214

Utility subsidies, wind generators

A new law aims to direct low-income electric rate discounts toward the neediest households and lighten reporting requirements for smaller utilities.

The new law specifies that utility affordability programs "must be designed to target participating customers with the lowest incomes and highest energy costs in order to lower the percentage of income they devote to energy bills, increase their payments, and lower costs associated with collection activities on their accounts."

"Low income" describes a customer who is receiving assistance from the federal low-income home energy assistance program.

Under this provision, effective July 1, 2004, the program must include a 50 percent electric rate discount on the first 300 kilowatt hours consumed in a billing period for low-income customers who are age 62 or older or disabled.

Another provision, effective Aug. 1, 2004, modifies the timeline under which the Department of Commerce requires certain municipal gas and electric utilities and rural electric cooperatives to file Conservation Improvement Plan reports documenting energy savings or improved efficiency.

A third section, effective May 20, 2004, will allow school districts to own, operate, and manage wind energy conversion systems. The new law will cap the school district share of the installed capacity of the wind energy conversion system at 3.3 megawatts of nameplate capacity, in other words what the equipment is capable of producing. School boards operating such systems will be required to integrate wind energy conversion system lessons into the district curriculum.

Rep. Torrey Westrom (R-Elbow Lake) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the legislation.

HF1830/SF1753*/CH216

FAMILY MAN



PHOTO BY LISA M. SANDERS

Rep. Eric Lipman receives a hug from Rep. Greg Blaine after giving his farewell speech May 16. Lipman, a two-term member, chose not to seek re-election, in part because of his growing family.

★ CRIME

Graffiti ramifications

A new law aims to reduce the amount of graffiti on Minnesota walls, fences, and train cars.

Effective Aug. 1, 2004, the law will allow individuals whose properties are vandalized by graffiti to collect up to three times the actual property damages from the offender in civil court. Courts may order offenders to clean up the graffiti as an alternative to paying damages. If the offender is a minor, the law holds parents liable for up to \$1,000 in damages. The court is further permitted to award attorney fees and costs to a prevailing plaintiff.

Supporters say the law will bring more offenders to justice because of the lower standards of evidence required in civil courtrooms. Graffiti vandalism is punishable in criminal courts, but police must obtain an eyewitness or a confession.

The Minnesota Defense Lawyers Association opposed the provision that makes parents liable for their children's graffiti. The group said attorney's fees and the \$1,000 fine punish parents for activities beyond their knowledge or control. And, the association said, criminal courts should maintain jurisdiction in ordering clean-up duties.

Sponsors of the new law are Rep. Jim Davnie (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls).

HF339/SF40*/CH149

Service animal protection

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

Effective Aug. 1, 2004, the law will protect service animals trained to work or perform tasks for an individual with a disability. Dog owners can be charged with a crime for intentionally or negligently permitting a dog to run uncontrolled off personal property, or failing to keep the dog properly confined and controlled, if that dog injures a service animal.

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

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

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

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

HF1817/SF1614*/CH159

Employee safety

A new law treats crimes against probation officers as seriously as crimes against jail and prison employees.

The new law will subject anyone who assaults or inflicts demonstrable bodily harm against a corrections employee or probation officer to a felony charge, and a possible maximum penalty of two years in prison and a \$4,000 fine.

Effective Aug. 1, 2004, the new law also declares as a crime the throwing of bodily fluids or feces at a law enforcement officer or probation officer.

A person convicted of throwing bodily fluids or feces at a law enforcement officer faces a maximum penalty of three years in prison and a \$6,000 fine. The same crime against a probation officer or jail or prison employee carries a maximum penalty of two years in prison and a \$4,000 fine.

Rep. Sheldon Johnson (DFL-St. Paul), the House sponsor, said the legislation recognizes the increasing public safety concerns that law enforcement agents encounter in the course of their work. Johnson works in the corrections field.

The Senate sponsor is Sen. Mee Moua (DFL-St. Paul).

HF2352/SF2387*/CH184

Orders for protection

A new law allows orders for protection for domestic violence victims when their abusers are about to be released from jail or prison.

Previously, protection orders could only be extended for three reasons: violation of a past order, fear of physical harm, or actual acts of harassment or stalking. Orders are valid for a set period of time, which is often one year, and on occasion two years.

However courts cannot extend orders indefinitely. Previously they were limited in extending or granting orders when the abuser was released from jail or prison because the victim couldn't establish that there had been contact necessitating protection.

The new law is effective April 27, 2004.

Supporters of the law are the Minnesota Coalition for Battered Women, the Domestic Abuse Project in Minneapolis, the St. Paul Domestic Abuse Intervention Project, and the Watch Project in Minneapolis.

Sponsors of the new law are Rep. Steve Smith (R-Mound) and Sen. Don Betzold (DFL-Fridley).

HF1944*/SF1797/CH164

Paying for help, no porn

Sex offenders imprisoned in Minnesota will be charged a co-payment for their treatment and they will no longer have access to pornography, under a new law.

Effective Aug. 1, 2004, the sex offender treatment fee will be based on a schedule approved by the Department of Corrections commissioner. Revenues are to be provided to the treatment provider to pay for the cost of treatment. The fee will be based on an offender's ability to pay.

The law also prohibits those civilly committed as sexual psychopathic personalities or sexually dangerous persons from receiving or possessing pornographic material while receiving treatment in a state-operated facility. Pornography is prohibited in state prisons.

Rep. Judy Soderstrom (R-Mora) and Sen. Wesley Skoglund (DFL-Mpls) are the sponsors.

HF921/SF906*/CH134

EDUCATION



Trust land money

Congress will again be asked to consider federal compensation for school trust lands that became part of the federal Boundary Waters Canoe Area Wilderness more than 25 years ago.

A resolution, signed by Gov. Tim Pawlenty,

FOND FAREWELL



PHOTO BY LISA M. SANDERS

After 10 years in the House of Representatives, Rep. Elaine Harder says goodbye to her colleagues May 16. Harder said that when she first came to the Capitol in sixth grade she could not imagine that she would one day be a legislator.

will be sent to the state's congressional delegation in Washington, D.C., and the supervisor of the Superior National Forest, which includes the wilderness area.

The resolution urges the state's congressional delegation to initiate a federal land trade with the state, a payment for the school trust acreage — declared part of the federal wilderness area in 1978 — or a combination of the two.

The Legislature also asks Congress to increase a \$12 user reservation fee in the wilderness area by \$3, which could mean potential revenue of about \$90,000 annually for the state's Permanent School Fund.

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 uncompensated 87,000 acres of school trust land in the federally protected area remains a sore point with state legislators.

An environmental group that supported an increase in the wilderness area's reservation fee said a \$10 million federal payment for the trust lands was discussed between federal and state officials in 1997, but no agreement was reached.

Rep. Barb Sykora (R-Excelsior) and Sen. Steve Kelley (DFL-Hopkins) sponsored the resolution.

HF2242/SF2222*/R1

Transition committee membership

A mental health representative must be placed on transition committees that help secondary and postsecondary aged youth with disabilities adjust to adult life, under a new law.

Effective April 27, 2004, the law amends state statute requiring a school district or special education cooperative to form community transition teams for special needs students in grade nine or an equivalent age, and their families.

Community transition interagency committees identify services and programs for secondary and postsecondary special education students, and develop an implementation plan to meet the transition needs of individuals with disabilities.

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

Districts or special education cooperatives must follow transition committee procedures determined by the state Education

Department and annually report to the department on transition services provided to individuals with disabilities.

Sponsors of the new law are Rep. Alice Seagren (R-Bloomington) and Sen. Jane Ranum (DFL-Mpls).

HF2502/SF2609*/CH166

★ ELECTIONS

Campaign sign size, numbers

A new law will allow noncommercial signs of any size and in any number to be posted from Aug. 1 of a state general election year until 10 days after Election Day.

During the 2002 campaign, Rep. Peter Adolphson (R-Minnetonka) was informed that several Eden Prairie residents had complained that he had more than one sign on a resident's property. He and Sen. David Hann (R-Eden Prairie) sponsored the new law.

Existing law states that municipalities can enact an ordinance regulating the size of noncommercial signs, but statutes say nothing about the number of signs. At the time Adolphson said the cities of Eden Prairie and Minnetonka interpreted the law to also mean one sign per candidate.

Effective Aug. 1, 2004, the new law designates that in any municipality, regardless of whether the municipality has an ordinance that regulates the size or number of commercial signs, noncommercial signs of any size and in any number can be posted during the designated time period.

HF307*/SF497/CH142

District boundary adjustment

Residents in two Edina apartment buildings will no longer find their neighbors across the hall voting in a different House district, under a new law.

Census lines drawn in 2002 went through the middle of two large apartment buildings. Effective April 30, 2004, the law adjusts the boundary between House districts 41A and 41B to follow a census block line.

Problems arose during the 2002 election when some building residents, most of whom are elderly, felt disenfranchised when they went to the wrong place to vote after talking with neighbors about where their polling place was located.

Rep. Ron Erhardt (R-Edina) and Sen. Geoff Michel (R-Edina) are the sponsors.

HF2482/SF2300*/CH170

★ EMPLOYMENT

Reference information disclosure

A new law will provide disclosure protection to employers that share certain reference information with prospective employers about current and former employees.

Effective Aug. 1, 2004, the law will allow companies, without the employee's consent, to pass along basic employment information such as wages and job description, as well as written disclosures of any instances of theft, harassment, violence, or other illegal conduct documented in the employee's record.

The law will establish a higher burden of proof for employees who legally challenge a current or former employer's information disclosure. Employees bringing suit must show clear and convincing evidence that the information was both knowingly wrong and harmful to them.

Business representatives expressed support for the new law, sponsored by Rep. Jim Knoblach (R-St. Cloud) and Sen. David Knutson (R-Burnsville), while labor union representatives opposed it.

The law will also require school districts to share documented information about employee sexual misconduct or violence toward a student.

Such information is already public if an employee was fired based on the misconduct. Under the new law, the information must be shared even if the school district employee resigned.

Similar legislation passed both houses of the Legislature in 2001, but did not make it past a conference committee.

HF480*/SF837/CH137

Regulating debt collectors

A new law changes the regulation of individual debt collectors from licensing to registration.

Rep. Doug Stang (R-Cold Spring), the House sponsor, said the law would streamline the process, while maintaining current consumer protections. He said the licensing process is supposed to take several weeks but has been backlogged two months or longer. Changing from licensing to registration would allow debt collectors to go to work immediately.

According to the Department of Commerce, a collection agency is "a business that collects, for others, bills or other indebtedness from debtors who have not paid an account to a creditor." Collection agencies hire individuals to work as debt collectors.

Agencies and those they hire must now be licensed by the department. Under the new

law, the department will still provide oversight; only the type of regulation changes. Collection agencies will continue to be licensed, but individual collectors will be registered. Those who violate state law will face the same sanctions they do now.

Under the law, effective Jan. 1, 2005, collection agencies will still be responsible for the actions of debt collectors who work for them.

The Senate sponsor is Sen. Dan Sparks (DFL-Austin).

HF2187*/SF2650/CH208

Disabled worker study

A one-year project to study extended employment of people with severe disabilities will be conducted in Thief River Falls, under a new law.

Running from July 1, 2004, to June 30, 2005, the study will provide for an on-site industrial employment model for individuals with severe disabilities.

It will be monitored by the Department of Employment and Economic Development and implemented by the Occupational Development Center, a nonprofit company. The project will provide the state with information to clarify the distinction between center-based and community employment subprograms.

The center's Custom Products division will provide employment. The company must pay minimum wage or better to all employees with severe disabilities and provide benefits equal to those provided to non-disabled employees. All work teams will be integrated and the project must maintain a minimum 60 percent ratio of disabled persons.

The Employment and Economic Development Department must complete a program evaluation by Oct. 1, 2005.

The law will also provide \$2.4 million in federal matching vocational rehabilitation funds to the Centers for Independent Living, whose funding was cut 30 percent by the 2003 Legislature. The centers provide job training to moderately disabled people. The funding would be effective for fiscal year 2005.

Effective May 14, 2004, the law is sponsored by Rep. Tony Sertich (DFL-Chisholm) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF2035/SF1946*/CH188

DEED changes

An initiative from the Department of Employment and Economic Development, dealing with housekeeping and technical changes to workers' compensation, is now law.

One section of the law defines what qualifies as a "good reason" for quitting a job for the

purpose of receiving workers' compensation.

The only good reason for quitting specifically defined by the law would be sexual harassment. Any other reason would be evaluated based on the facts of a case and on whether a "reasonable person" would quit in that situation. This section takes effect Aug. 1, 2004.

Other provisions in the law include:

- permitting the department to send notices, determinations, and decisions to applicants and employers by electronic mail if a person requests (effective July 1, 2005);
- adding services performed by a member of a limited liability company member to the definition of employment, regardless of how much the company member owns (effective Jan. 1, 2005); and
- a requirement that new employers and those going out of business register and notify the department electronically (effective July 1, 2005).

Rep. Tony Sertich (DFL-Chisholm) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the legislation.

HF2235*/SF2243/CH183

★ ENERGY

Ridding PCBs from equipment

A new law 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

Nugget race

A new law aims to ensure that the 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 the first to produce a better quality nugget.

Effective May 20, 2004, the new law will exempt from certain environmental review the first iron nugget production facility in the state and 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.

The goal is to get the Mesabi Nugget production plant up and running on the site of the former LTV plant in Hoyt Lakes. A full-scale production facility was proposed 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 prompted a change in plans.

The legislation was impelled by concerns that Indiana would entice the facility operators to leave Minnesota with the promise of quicker, cheaper environmental permits.

There is a bit of an environmental tradeoff to the new law, proponents said. Two furnaces under an existing operating permit for a 10 million-ton taconite plant at the Hoyt Lakes site could have been fired up again. Instead the existing furnaces will be permanently shut down. Preliminary estimates show that the nugget process replacing them would be as clean or cleaner than what was emitted under the old taconite process.

The new law also directs the agency to "strive in the permitting process to assure the lowest mercury emissions reasonably possible."

Rep. David Dill (DFL-Crane Lake) and Sen. Thomas Bakk (DFL-Cook) sponsored the legislation.

HF2986*/SF3022/CH220

Phosphorus fertilizers banned

A statewide ban on the use of phosphorus fertilizers on established residential lawns will be enacted, under a new law.

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

MOVING ON



PHOTO BY LISA M. SANDERS

Rep. Carl Jacobson receives a round of applause after giving his farewell speech May 16. Jacobson, who was first elected in 2000, said some of the other goals in his life have become a bigger priority.

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

Encouraging ethanol

Effective May 20, 2004, a new law will 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 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.

Some lawmakers have criticized the environmental permit process in Minnesota, saying it is costlier and more time-consuming than in competing states.

Proponents were concerned an ethanol plant proposed for the southern part of the state would instead be built in Iowa.

Rep. Bob Gunther (R-Fairmont) and Sen. Julie Rosen (R-Fairmont) sponsored the legislation.

HF2633*/SF2621/CH217

MAJOR - MINOR MEETING



PHOTO BY TOM OLMSCHIED

House Minority Leader Matt Entenza and House Majority Leader Erik Paulsen meet at one side of the Speaker's Rostrum as Paulsen presides over the House.

Regulating petroleum tanks

A new law will modify the Pollution Control Agency's field citation practices to make aboveground storage tanks subject to the same regulations as underground storage tanks with respect to environmental considerations such as spill, overfill, and corrosion protections and leak detection methods.

Effective Aug. 1, 2004, the new law also will shorten the compliance grace period facility operators have to meet the regulations and raise the penalties for certain violations.

The agency has the regulatory authority to issue red tags to facility operators for failure to comply with state and federal requirements. The tag is attached to the top of the tank's fill pipe, and it signifies that petroleum product deliveries are prohibited until the violation is corrected.

Under the new law, which was forwarded at the behest of the Minnesota Petroleum Marketers Association, facility owners will have 60 days to correct a violation before a citation is issued, unless there is a discharge associated with the violation or it is a repeat violation from a previous inspection. Currently, the grace period is 90 days.

Another provision will raise from \$250 to \$500 the penalty for violating rules relating to upgrading existing underground storage tank systems, up to a maximum of \$2,000 per tank system, and raise from \$100 to \$250 the penalty for violating underground storage tank system general operating requirements.

Rep. Joe Hoppe (R-Chaska) and Sen. Thomas Bakk (DFL-Cook) sponsored the law.

HF2365/SF2299*/CH169

★ GAMBLING

State lottery changes

A new law makes several changes to the operation of the Minnesota State Lottery.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Ann Rest (DFL-New Hope), the law gives the governor responsibility for appointing the state lottery director; requires the lottery director to submit a budget in compliance with the rules, format, and instructions established by the commissioner of finance; and creates a Lottery Organization Task Force to study and make recommendations on the future organization and profitability of the lottery.

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

The nine-member task force will be comprised of the commissioners of finance and natural resources, two House members, two Senate members, the lottery director, and two gubernatorial appointees by Feb. 1, 2005.

The law, effective May 20, 2004, also 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.

HF2199/SF2181*/CH233

Charitable provisions

A new law makes several changes to charitable gambling, including raising the total winnings of a bingo prize from \$2,500 to \$2,800, unless a cover-all game is played, in which case the limit increases from \$3,500 to \$3,800.

Rep. Carl Jacobson (R-Vadnais Heights) and Sen. Jim Vickerman (DFL-Tracy) sponsored the law.

It also makes changes to the Minnesota Gambling Control Board. Added to oversight responsibilities include adopting rules for tipboard games with multiple seals and cumulative or carryover tipboard prizes.

Other provisions include:

- Veterans' posts can spend up to \$1,500 per person to send as many as two veterans to Washington, D.C., for the May 29 dedication of the National World War II Memorial. The measure places a cap on the total amount from each organization at \$6,000. Originally the provision was HF1835 sponsored by Rep. Marty Seifert (R-Marshall).
- A person under age 18 may play bingo on one occasion at an event sponsored by a licensed organization as part of an annual community event, if a parent or guardian accompanies the person.
- The number of days in a calendar year on which an organization may conduct lawful gambling on premises other than those for which the organization has a premises permit is increased to four and one event up to 12 consecutive days in connection with a county fair, state fair, church festival or civic celebration. Previous law was one day or one event.
- A gambling organization may not report cash shortages in any fiscal year that exceed three-tenths of 1 percent of the gross receipts from lawful gambling. Previous law allowed for four-tenths of 1 percent.

Most of the law is effective May 1, 2004, except for the cash shortages section, which takes effect July 1, 2004.

HF2521*/SF2435/CH172

★ GAME & FISH

Doves, ducks, and deer

A new law will reinstate a mourning dove hunting season in Minnesota and get tougher on scofflaws who disregard game and fish regulations.

Effective Aug. 1, 2004, the law will allow for a three-year license revocation for those who fail to pay court-ordered fines for game and fish violations.

Under the new law, on the opening day of duck season the shooting hours for migratory

FISHING FOR VOTES



PHOTO BY TOM OLMSCHIED

Rep. Bill Haas untangles the line on his antique fishing rod prior to the start of the May 15 legislative session. Haas wore a fishing vest and brought equipment to commemorate the fishing opener.

game birds, except woodcock and mourning doves, will begin at 9 a.m. rather than noon, as is current practice.

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 four inches in length. The Department of Natural Resources discontinued issuing new turtle seller's licenses in 2002, and the new law allows a turtle seller's license to be transferred to the child of the licensee.

Other provisions will 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.

The department also is authorized to establish a quality deer management pilot zone in Kittson, Lake of the Woods, Marshall, Pennington, and Roseau counties in which the antler size of deer is further considered.

The new law amends a restriction put in place last year to prohibit the spread of chronic wasting disease by disallowing the importation of intact hunter-harvested carcasses. Hunters from outside Minnesota now will be allowed to transport the carcasses on a straight shot through the state. The provision also further clarifies that the importation restrictions are on carcasses from known chronic wasting disease endemic areas identified by the Board of Animal Health.

The department is prescribed to report on the effect of the new season on the state's mourning dove population; the impacts of the change in shooting hours, including the harvest success, on local waterfowl populations; and ways to improve wildlife habitat within the right-of-ways of public roads.

And the law calls 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.

Rep. Joe Hoppe (R-Chaska) and Sen. Tom Saxhaug (DFL-Grand Rapids) sponsored the legislation.

HF2368*/SF2203/CH215

★ GOVERNMENT

Pension funds

A new law addresses a myriad of pension-related topics, including salary contributions for state employees and compliance with federal issues.

Sponsored by Rep. Steve Smith (R-Mound) and Sen. Don Betzold (DFL-Fridley), it changes laws related to the military service credit purchase program, tightens requirements for disability benefits in the Public Employees Retirement Association police and fire plans, ratifies salary contributions for state, judicial, and Minnesota State Colleges and Universities employees that are in excess of the pension cap, and protects

workers pensions when their government employer is privatizing.

Additionally, it orders the chief administrative officers of a number of public pension plans to jointly contract with an actuarial consulting firm to conduct annual actuarial valuations and related services for a number of the major Minnesota public pension plans.

It requires the contract to require completion of specified actuarial valuations, experience data collection, and cost analyses for certain proposed legislation. An annual report to the Legislature summarizing the annual actuarial valuations is required.

Much of the discussion revolved around the financial status of the Minneapolis Police Relief Association and the Minneapolis Teachers Retirement Fund Association funds. While the funds continue to struggle, several legislators said the law doesn't go far enough to address the problems.

The law, effective May 20, 2004, extends the amortization date to 2020 for the police association, but a conference committee removed language that would have addressed issues with the teacher's fund.

HF890/SF806*/CH223

Promoting propane safety

A new law, effective Aug. 1, 2004, will allow the Propane Education and Research Council to plan for the future by removing an Aug. 1, 2009, sunset date from statute.

The Legislature approved the formation of the council in 2001. According to state law, the purpose of the group, including propane producers and propane retail marketers, is to establish, support, or conduct research, training, and education programs concerning the safe and efficient use of propane.

Rep. Larry Howes (R-Walker) and Sen. Steve Murphy (DFL-Red Wing) sponsored the legislation.

Proponents of the legislation argued for the program's validity. The program has produced a certified employee training program, Minnesota propane consumer guide, and safety tips for fish house heating and propane use at construction sites, Howes said.

HF2653/SF2455*/CH222

Department changes

A new law makes comprehensive house-keeping and technical changes to the Department of Employment and Economic Development.

Rep. Lynne Osterman (R-New Hope), the House sponsor, said the change eliminates duplications such as the name of the agency,

moves archaic functions outside of new agency scope, updates the statutes that related to previous departmental reorganizations, updates statutes to current federal law, and repeals outdated law and rules.

The Legislature abolished the Department of Economic Security effective July 1, 2003, and transferred its duties to the new Department of Employment and Economic Development, which was previously called the Department of Trade and Economic Development.

Part of the law includes cost measures for the trade area of the department to relocate. Osterman said the cost is expected to run between \$50,000 and \$70,000, with the buyout of the lease at its current St. Paul site running \$347,000.

A department merger update said the consolidation of offices provides a single, cohesive agency to provide workforce and economic development services. In addition, it allows them to consolidate the offices in the same physical space, thereby eliminating millions in future lease payments.

The law is effective May 19, 2004.

Sen. Julie Rosen (R-Fairmont) is the Senate sponsor.

HF2386*/SF2350/CH206

Making DNR rules

A new law will modify the Department of Natural Resources rulemaking process for a number of duties.

State law recognizes an agency rule as "every agency statement of general applicability and future effect, including amendments, suspensions, and repeals of rules, adopted to implement or make specific the law enforced or administered by that agency or to govern its organization or procedure."

The Legislature grants authority to agencies to adopt rules, and agencies must follow certain procedures before formally proposing the rules and forwarding them for possible public notice or administrative law judge review.

The new law addresses department rulemaking exemptions in the following select areas: name designations for lakes and other geographic features; designations of recreational areas, scientific and natural areas, and wildlife management areas; and declarations of certain areas as infested with forest pests.

Effective May 20, 2004, the new law will clarify that the department's current practice of making determinations in areas such as those mentioned above under the commissioner's written order is acceptable. The new law provides that the written orders must be published in the State Register.

Other provisions allow for the department

to set certain fees by rule rather than running them past the Legislature to be placed in law. The new law does not, however, change hunting or fishing fees or other major categories set by the Legislature.

The legislation, sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Dennis Frederickson (R-New Ulm), was brought forward at the behest of the department.

HF2433/SF2472*/CH221

★ HEALTH

Adverse event reporting

The duties of the Department of Health and health facilities in the reporting of adverse health care events is clarified, under a new law.

Effective Aug. 1, 2004, the law makes some technical changes to an act passed in 2003 that requires the reporting of 27 events that should never happen in hospitals, such as surgery on the wrong body part or person, patient death or disability related to medical devices or drugs, or patient protection errors such as discharging an infant to the wrong person.

Under the law, medical errors that now involve children will be reported; the boards of practice for physicians, nurses, physicians assistants, pharmacists, and podiatrists will be mandated reporters of adverse events; members and employees of the boards of medical practice, chiropractic examiners, pharmacy, and podiatric medicine are exempted from liability for making certain reports or for maintaining certain records; and the protection of the confidentiality of investigative documents held by the Department of Health is addressed.

Rep. Lynda Boudreau (R-Faribault) and Sen. Steve Kelley (DFL-Hopkins) sponsored the law.

HF2537/SF2365*/CH186

Provider regulations

A new law aims to improve how diagnostic imaging facilities and outpatient surgery centers are regulated.

Among the highlights of the law, effective Aug. 1, 2004, are:

- additional licensure requirements for diagnostic imaging facilities and outpatient surgery centers;
- facilities are required to comply with adverse reporting requirements;
- disclosure to patients regarding the financial interest of health care providers in these facilities; and
- the health commissioner is given the right to inspect the books, audits, and records of a hospital or outpatient surgical center if there is reason to believe a report is

incomplete or false. Current law gives inspection authority "as reasonably necessary."

Supporters say benefits of the law include giving policymakers better data on trends and facility ownership, allowing the state to determine if low-income Minnesotans have access to needed services, and creating equal accountability across the health care system.

The law represents a compromise among Minnesota's health care providers. After some initial concerns with the original proposal, the Minnesota Nurses Association, Minnesota Medical Association, and Minnesota Hospitals Association worked together and support the law.

Rep. Lynda Boudreau (R-Faribault) and Sen. Linda Higgins (DFL-Mpls) sponsored the legislation.

HF2127/SF2080*/CH198

Moratorium exception methods

A new law will lay the framework for the process through which hospitals seeking exceptions to the state hospital moratorium submit the request to lawmakers and agency officials.

Under current law, hospitals are prohibited from increasing or redistributing bed capacity. The 1984 Legislature placed this moratorium on the construction of new hospitals in the state, and most exceptions must currently obtain legislative approval.

Effective Aug. 1, 2004, the new law will establish a process by which the health commissioner must issue findings and recommendations to the Legislature when hospitals seek an exception.

Under the new law, hospitals will be required to pay for the cost of the review and answer a number of questions designed to establish whether the exception is in the public's best interest.

Proponents said the legislation is intended to take moratorium exception approval out of the political process and give the department the third-party ability to review applications.

Opponents questioned whether the new process could ultimately stymie competition in the health care arena.

Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle Fischbach (R-Paynesville) sponsored the legislation.

HF2085*/SF1835/CH231

Hospital construction

A new law adds to the list of hospital construction moratorium exceptions.

Rep. Loren Solberg (DFL-Grand Rapids), who sponsored the law with Sen. Tom Saxhaug (DFL-Grand Rapids), said the Itasca County

Hospital requested an exception to the moratorium to add 14 beds that would be used for rehabilitation services.

A construction moratorium was imposed by the state several years ago to help control health care costs, but 16 other exemptions had previously been enacted in law.

According to state statute: "The following construction or modification may not be commenced: (1) any erection, building, alteration, reconstruction, modernization, improvement, extension, lease, or other acquisition by or on behalf of a hospital that increases the bed capacity of a hospital, relocates hospital beds from one physical facility, complex, or site to another, or otherwise results in an increase or redistribution of hospital beds within the state; and (2) the establishment of a new hospital."

The law takes effect Aug. 1, 2004.

HF1896/SF1716*/CH187

Terminology change

A new law provides a state statute clarification for the way some assisted living facilities are termed.

Rep. Brad Finstad (R-New Ulm), who sponsored the law with Sen. Mee Moua (DFL-St. Paul), said the law is a technical fix.

He said the state addresses assisted living facilities as "housing with services," which is causing some problems with terminology commonly used for long-term care insurance.

Effective Aug. 1, 2004, a registered housing with services establishment "that holds, or contracts with an individual or entity that holds, a home care license and all other licenses, permits, registrations, or other governmental approvals legally required for delivery of the services the establishment offers or provides to its residents, constitutes an 'assisted living facility' or 'assisted living residence.'"

HF1936/SF1671*/CH185

HOUSING

Proof of a paid mortgage

A new law will ensure that homeowners who are paying off mortgages receive certificates of satisfaction — despite any multiple refinancing efforts.

The law addresses a problem stemming from today's climate in which finance companies frequently change names and homeowners refinance mortgages multiple times in search of lower interest rates. As frequently happens, transferring documents are not filed with the county records office. This makes it difficult to clear the mortgage.

Effective Aug. 1, 2004, the law will require that the satisfaction certificate list the name of the broker, the mortgage provider and the property owner, as well as the date of the mortgage, the date of the recording of the document, and the volume and page number or document number of the mortgage in the real property records where the mortgage is recorded.

Sponsors of the new law are Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Thomas Neuville (R-Northfield).

HF1805/SF1621*/CH153

HUMAN SERVICES

Nursing home enhancement

Facility closures, medical assistance property-related rate adjustment requests, and the creation of a new nursing facility reimbursement system are three components of a new law.

Effective May 14, 2004, the human services commissioner is allowed 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.

Additionally, the state is permitted to go forward with the development of a new nursing facility reimbursement system that will include quality indicators for the system. A recommendation is to be brought forward by Jan. 15, 2005, with potential implementation of a new system by Oct. 1, 2006.

Furthermore, a request for a medical assistance property-related rate adjustment and the documentation of construction costs must currently be submitted to the commissioner within 60 days after the construction completion date to be considered eligible. The new law 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."

Rep. Char Samuelson (R-New Brighton) and Sen. Linda Berglin (DFL-Mpls) sponsored the law.

HF1754/SF1604*/CH194

★ HUMANITIES

Acquiring abandoned property

The Minnesota Museum Property Act will be added to state statutes, effective Aug. 1, 2004.

Sponsored by Rep. Dean Urdahl (R-Grove City) and Sen. Linda Higgins (DFL-Mpls), the law establishes procedures for museums to acquire ownership of loaned items that have been abandoned, whether the owner is known or unknown.

Museums accumulate unclaimed and undocumented objects when people do not claim them after loaning them for exhibits, identification, or evaluation.

The law will regulate the acquisition of title to undocumented property, as well as loans of property made to museums and historical societies.

It will also allow the organizations to apply conservation measures to loaned property for health and safety reasons, or to protect other museum property, if there is no written loan agreement to the contrary.

The law requires museums to keep accurate records of all property on loan, including the name and address of the owner, and the beginning and ending dates of the loan period.

Property loaned to a museum with an expiration date will be deemed abandoned, under the law, when there has been no written contact between the owner and the museum for seven years after the expiration date.

If no expiration date was established, the law will deem the property abandoned when there has not been written contact between the museum and the owner for seven years after the museum took possession of the property.

The law requires a museum to provide notice to the owner if it wishes to acquire title to abandoned property, including further notice of abandoned property by publication and on the organization's Web site.

If the museum receives a timely written claim for the property from the owner, it must return it. If the notice produces no timely written claim to the property, the museum becomes the owner.

HF1645*/SF1559/CH213

State observance

A new law declares October 16 as Dr. Norman E. Borlaug World Food Prize Day in honor of his contributions to humanity through work in agriculture.

Borlaug, one of only four living Nobel Peace Prize winners in the United States, is credited with saving millions of lives by averting famine and alleviating hunger and malnutrition through his invention of a high yielding, disease resistant variety of wheat available in more

than 20 nations. He won the prize in 1970.

A University of Minnesota graduate, Borlaug continues to fight hunger at age 90 by helping farmers in several countries increase their production.

Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul), the new law says that public schools may offer instruction and programs in observance of his contributions. It takes effect Aug. 1, 2004.

The celebratory date was chosen because it coincides with the United Nations World Food Day, said Hausman.

HF2878*/SF2537/CH148

Meeting electronically

A new law permits the Minnesota State Council on Disability to meet by telephone or other electronic means under specific conditions.

Rep. Fran Bradley (R-Rochester), who sponsored the law with Sen. Linda Higgins (DFL-Mpls), said it is in response to a logistics issue. He said there have been times where it has been hard for the sufficient number of members to attend the meeting in order to achieve a quorum. There are still many rules that must be followed to ensure public access but the change would help facilitate the business of the council, he said.

The conditions required for the electronic means to be used include:

- members of the council participating in the meeting and regular meeting location can hear one another and can hear all discussion and testimony;
- at least one member of the council is physically present at the regular meeting location;
- all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded; and
- the council must give notice of the regular meeting and if members may be participating by electronic means.

The law takes effect July 1, 2004.

HF2691*/SF2639/CH195

★ INSURANCE

Care provider coverage

A new law raises the limits for nursing homes and long-term care facilities in the Minnesota Joint Underwriting Association.

Effective May 19, 2004, the law allows the association to issue malpractice insurance policies to long-term care providers who are members of an activated class with limits up to \$2 million per claimant under one policy

and \$4 million for all claimants under one policy in a single year. The latter can only occur if the association finds the higher limits are needed for the applicant to conduct its business. Previous levels were \$1 million and \$3 million. Nursing home providers, who brought the proposal forward, expressed a desire to set the limits higher based on needs.

"Prudent business practice or mere desire to have higher limits is not a sufficient standard for the association to issue such policies," under the new law.

Regulated by the Department of Commerce, the association provides liability insurance coverage for persons unable to attain it through ordinary means where coverage is required by law or is necessary for the conduct of business and serves a public purpose. All property and casualty insurance companies in the state are required by state law to be members.

Rep. Laura Brod (R-New Prague) and Sen. Dan Sparks (DFL-Austin) sponsored the law.

HF2017*/SF1944/CH212

Cancellation notice

A new law refines certain notice requirements for fire insurance and amends provisions regulating township mutual combination policies.

For an insurance policy, the law clarifies language in regard to notices if the policy is declined within the first 60 days. Additionally, the law clarifies some statutory language in reference to town fire mutual insurances. Consumer or insurance company rights are not changed, under the law.

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," according to the law. Under current law, a 60-day notice must be sent to the insured.

Rep. Laura Brod (R-New Prague) and Sen. Dallas Sams (DFL-Staples) sponsored the new law, which takes effect Aug. 1, 2004.

HF2777*/SF2620*/CH202

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★ LAW

Conflicts of laws among states

A new law designates rules to be considered in Minnesota court cases in which more than one state's statute of limitations would apply, and if the case involves applying the law from one or more other states.

Under the law, if a claim in Minnesota is based on the law and limitation period of another state or more than one state, the Minnesota conflicts of law rules would decide which state's limitation period to follow.

Also, if another state's limitation period is substantially different from Minnesota's making it hard for either a plaintiff to sue, or a defendant to defend, the Minnesota limitation period would apply.

The law applies to claims after the Aug. 1, 2004 effective date, or brought up in a civil matter more than one year after the effective date.

Rep. Paul Kohls (R-Victoria) and Sen. Ann Rest (DFL-New Hope) sponsored the law.
HF2444*/SF1976/CH211

★ LOCAL GOVERNMENT

Publishing public notices

A new law 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 updates and revises 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 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

Changing charter rules

Members of a city council could be prohibited from serving on the city's charter commission, under a new law effective Aug. 1, 2004.

Sponsored by Rep. Ray Vandevier (R-Forrest Lake) and Sen. Michele Bachmann

(R-Stillwater), the new law will change state statute governing charter commissions to allow a commission-drafted charter or charter amendments – subject to approval by voter referendum – to propose that members of a city's governing body cannot serve on the charter commission. Only a person holding a judicial office is disqualified from serving on a charter commission, under existing law.

The new law also removes from statute a restriction that a person cannot be appointed to more than two successive terms on a charter commission.

State law allows voters in cities governed by charters to petition a district court to appoint a charter commission to amend a city's charter or draft a new one. A charter is a governing foundation document for a city, similar to a state constitution.

A city council can also request a district court to appoint a charter commission, or the court can appoint a commission on its own if it determines it is in a city's best interest.

HF1392*/SF1334/CH197

Seeking water source

A new law will give the cities of Crystal, Golden Valley, and New Hope the go-ahead to explore making a long-term investment in a reliable water source.

The three municipalities have been operating under a joint water commission since the 1960s that currently purchases treated water from the city of Minneapolis.

The commission is seeking other options after experiencing rate increases of 179 percent since 1997, according to city managers.

Effective May 20, 2004, the new law will give the commission authority to proceed with a plan that could include drilling an independent groundwater supply from the Prairie du Chien/Jordan aquifer and building a treatment system.

Legislative approval is necessary before any permit requests to draw more than 2 million gallons per day average in a 30-day period are processed by the Department of Natural Resources.

Proponents noted that the three could drill individually without coming to the Legislature, even though the combined daily use would hit that threshold.

Opponents questioned the regional consequences to the aquifer and whether the additional draw would be sustainable.

Ultimately, the decision to grant the permit rests with the department.

Rep. Lynne Osterman (R-New Hope) and Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.

HF1897*/SF1740/CH230

Storm sewer charges

A new law gives the city of Minneapolis a different way to calculate storm sewer charges for multiple unit apartment buildings.

Effective dates of the law vary. A provision that will include Minneapolis and other cities “of the first class” in a state statute covering storm and sanitary sewer authorizations takes effect Aug. 1, 2004. The remainder of the new law will be effective Jan. 1, 2006.

Sponsors of the new law are Rep. Frank Hornstein (DFL-Mpls) and Sen. Chuck Wiger (DFL-North St. Paul).

Hornstein said the law will allow Minneapolis to correct a problem with the way it charges large multiple family buildings for sewer and water services. Basing the charges on water consumed, as required by existing law, is not equitable for owners of multiple-unit buildings, he said. A representative of the Minnesota Multi-family Housing Association said that apartment building owners were paying more than their proportional share for storm sewer service.

The new law will allow Minneapolis four options to calculate storm sewer charges “adjusted for reasonable calculation of storm water runoff.”

A city official said the change would not mean a new fee for property owners.

HF1935/SF1626*/CH141

Conflict of interest

A new law provides conflict of interest exceptions for officers of watershed districts and soil and water conservation districts.

Effective March 20, 2004, a state statute that clarifies conflict of interest issues is amended to include the two political subdivisions.

The law now provides that a governing body of any port authority, seaway port authority, economic development authority, watershed district, soil and water conservation district, town, school district, hospital district, county or city “may contract for goods and services with an interested officer of the governmental unit.” The vote must be unanimous.

Rep. Michael Beard (R-Shakopee) and Sen. Claire Robling (R-Jordan) sponsored the new law.

Beard said the change was needed so a watershed district manager in his district could be reappointed to the watershed board. The manager had resigned due to a personal conflict of interest. The manager’s spouse was a partner in a law firm that had a contract with the watershed district.

HF1980/SF1799*/CH139

Annual town audits

A new law will affect annual financial audit requirements for 2004 for cities or towns with populations of more than 2,500.

Effective April 23, 2004, the law increases the minimum annual gross revenue amount that triggers a state required audit for a small city or town from \$500,000 to \$670,500. Threshold amounts tied to the audit requirement will be annually adjusted for inflation after 2004.

Since towns were added in 1992 to the financial reporting law, the threshold amount has been \$500,000.

Rep. William Kuisle (R-Rochester), who sponsored the law with Sen. David Senjem (R-Rochester), said the law would help small local governments cut paperwork and potentially save money. An annual audit, which is often contracted for, costs the affected local government an estimated \$2,000, Kuisle said.

HF1843/SF2903*/CH161

Tort protection

Community action groups that offer affordable housing will be provided tort liability immunity as a cost saving measure, under a new law.

Community action agencies are insured under the Minnesota Counties Insurance Trust. The law will help reduce the agencies’ insurance costs by allowing municipal liability protection be extended to them.

Effective May 14, 2004, the law amends the definition of “municipality” in the existing statute providing immunity from tort liability by adding the language: “a limited partnership in which a community action agency is the sole general partner.”

Inclusion in the law will not affect the community action agency’s ability to receive federal funding for affordable housing.

Rep. Kathy Tingelstad (R-Andover) and Sen. Satveer Chaudhary (DFL-Fridley) sponsored the new law.

HF2987/SF2065*/CH193

Payroll processing

Cities in Minnesota are authorized to use an electronic time recording system for payrolls, under a new law.

Effective April 27, 2004, the new law amends a statute that governs the process by which statutory cities pay wages for city employees, as well as claims for goods and services.

The law allows a city to use electronic time recording systems “if the governing body of the city adopts policies to ensure that the time-keeping and payroll methods used are accurate and reliable.”

Rep. Mark Buesgens (R-Jordan), who sponsored the law with Sen. Sharon Marko (DFL-Cottage Grove), said the measure will allow cities better “efficiency in payroll processing.”

HF2906*/SF2871/CH165

SAYING GOODBYE

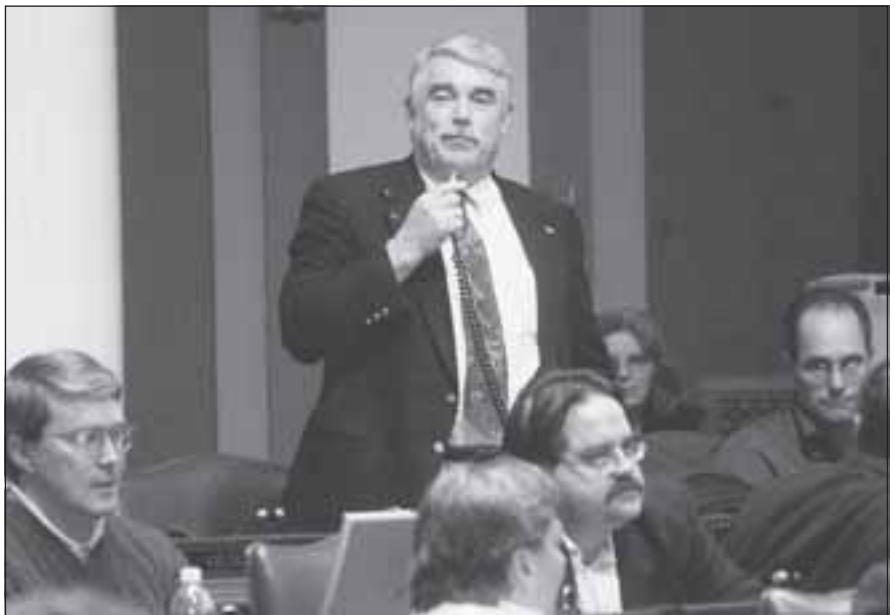


PHOTO BY LISA M. SANDERS

Rep. Dick Borrell says goodbye to fellow House members May 16. He is not seeking re-election after one term to enjoy more things outside the State Capitol.

Electronic payments, receipts

A new law permits township governments to pay bills and accept payments via electronic funds transfer.

Effective April 7, 2004, the new law provides townships the same authority cities and counties were granted by the 2001 Legislature to process business transactions electronically.

Township governments can make payments by electronic or wire funds transfer, and accept payments by credit or debit card, and other forms of electronic or wire funds transfer.

The law is expected to help town governments reduce service costs.

Sponsors of the new law are Rep. Loren Solberg (DFL-Grand Rapids) and Sen. David Tomassoni (DFL-Chisholm).

HF2033/SF1958*/CH152

Attorney fees

Minneapolis police officers will continue to have attorney fees paid if a misconduct complaint filed against an officer is not upheld, under a new law effective Aug. 1, 2004.

The law changes an existing statute 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.

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

The Minneapolis authority no longer conducts evidentiary hearings due to budget cuts and the city's desire to more quickly resolve citizen complaints.

The new law changes statutory language to 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.

Attorney costs and fees are paid to the Minneapolis Police Federation, the union that represents officers in disciplinary and misconduct allegations. The union requested the technical change in state law to comply with a city ordinance change.

Sponsors of the new law are Rep. Len Biernat (DFL-Mpls) and Sen. Lawrence Pogemiller (DFL-Mpls).

HF2275/SF2231*/CH200

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at (651) 296-2881 to schedule a tour.

METRO AFFAIRS



Paying electronically

The Metropolitan Council can now make payments by electronic funds transfer.

Effective March 20, 2004, state law is amended to allow disbursement of council money by electronic funds transfer in addition to checks.

"This will provide (the council) a cost savings which each state agency has," said Rep. Mark Buesgens (R-Jordan), who sponsored the law with Sen. Chuck Wiger (DFL-North St. Paul).

The council, a regional planning and service agency, covers the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

HF1822/SF1814*/CH140

MILITARY



Selective service registration

Some Minnesota men will automatically be registered with Selective Service by applying for a driver's license, under a new law.

Effective Aug. 1, 2004, 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 will be required to electronically transmit pertinent information on such applicants to the federal government.

The law will assist men who forget to register, or those who don't have time to do so separately.

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 law.

Under the federal Military Selective Service Act, men between the ages of 18 and 25 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, men with disabilities that would disqualify them from military service must register, even if assistance must be solicited from a friend or relative to do so. Lastly, mem-

bers of the National Guard or Reserves 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.

Rep. Jim Rhodes (R-St. Louis Park) and Sen. Mee Moua (DFL-St. Paul) sponsored the law. HF1216/SF1192*/CH192

RETIREMENT



Fund investment

A new law permits the State Board of Investment to invest Metropolitan Council postretirement health funds if requested by the regional agency.

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 law, 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 law will 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

Minnesota and American flags in the State Capitol area will be required to be flown at half-staff upon the death of public safety personnel killed in the line of duty, under a new law.

The new law 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.

Rep. Ray Vandever (R-Forest Lake) and Sen. Mady Reiter (R-Shoreview) sponsored the law, which takes effect Aug. 1, 2004.

HF2930*/SF2733/CH173

Statewide Radio Board

A new law will create the Statewide Radio Board with authority over the backbone infrastructure of a developing statewide public safety radio communications system.

Effective May 18, 2004, the law will also continue for two years the Metropolitan Radio Board, which has built and operated the Twin Cities regional piece of the system.

The Public Safety Radio System Planning Committee will become the 21-member Statewide Radio Board, under the new law, to be chaired by the public safety commissioner.

The board — to include five state agency commissioners, the State Patrol chief, and local and county elected and public safety officials — will have overall responsibility for the statewide communications system to be known as the Allied Radio Matrix for Emergency Response.

As the system continues to develop, the law will allow the Metropolitan Radio Board — which represents nine counties in the Twin Cities metropolitan area — to add local and regional enhancements to the system's first phase and continue the planning and operation of the system's second phase into such regions as St. Cloud and Rochester.

The law allows two counties, or a city and one or more counties in a region, to establish a regional radio board to operate and maintain regional and local improvements to the statewide radio system.

If requested, the state board, by a two-thirds vote, can direct the Metropolitan Council to issue revenue bonds to finance phase development of the radio system.

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 Twin Cities metropolitan area counties.

By July 1, 2006, the board will transfer its responsibilities to the state board. The law repeals a June 30, 2004, metropolitan board expiration date to allow more time for the transition.

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.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Jane Ranum (DFL-Mpls) sponsored the law.
HF2136/SF1973*/CH201

Railroad track clearance

A new law will enhance vehicle safety around railroad crossings, particularly where there may be a tendency for traffic to back up.

Effective Aug. 1, 2004, the law prohibits all

vehicles when stopped at railroad tracks from crossing the tracks "until the roadway is clear of traffic so that the vehicle can proceed without stopping until the rear of the vehicle is at least 10 feet past the farthest railroad track."

Violators would be subject to misdemeanor penalties.

State law already requires vehicles to stop 10 feet from the nearest track, except in the case of motor vehicles carrying passengers for hire, school buses, Head Start buses, or any other vehicle required to stop at railroad crossings, when the stopping distance is between 15 feet and 50 feet.

Rep. Doug Meslow (R-White Bear Lake), who sponsored the law with Sen. Mady Reiter (R-Shoreview), said the law is necessary to keep vehicles from stopping atop tracks when traffic is backed up.

Some opponents said the law is unnecessary because it's common sense not to stop on railroad tracks.

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.

HF2217*/SF1852/CH229

Permitted to drive

A new law 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

Personal protection orders

A new law will allow victims of domestic violence to receive orders for protection and restraining orders more quickly in some cases.

Effective Aug. 1, 2004, the law will make *ex parte* orders for protection and temporary restraining orders effective upon the signature of a court referee. Currently, the process is delayed in some counties where orders must be forwarded for a judge's counter signature following the referee's signature.

The law received support, according to House sponsor Rep. Michael Paymar (DFL-St. Paul), from the chief judges of Hennepin and Ramsey counties and from domestic violence programs.

Sen. Wesley Skoglund (DFL-Mpls) is the Senate sponsor.

HF2491/SF2498*/CH145

One call says it all

A new law aims to ensure that excavating around public utilities is done in a safe manner by making some changes to the responsibilities excavators and utilities have under the Gopher State One Call system.

Gopher State One Call is a notification center designed to protect personal safety and pocketbooks in the excavation process.

The 1987 Legislature mandated the formation of a centralized statewide information center on the advice of a pipeline safety commission formed after a serious 1986 pipeline accident in the Twin Cities metropolitan area.

Under current law, homeowners and contractors are required to notify the nonprofit statewide call center of any intended excavations within 48 hours. An excavation means "an activity that moves, removes, or otherwise disturbs the soil by use of a motor, engine, hydraulic or pneumatically powered tool, or machine-powered equipment of any kind, or by explosives."

Operators collect certain data from callers, including when, where, and how long the dig will be, and inform utilities with buried lines of the intentions to dig. The utilities are notified of excavation plans and mark with paint or flags the approximate location of their lines. Participating utilities include gas, electric, cable television, sewer, telephone, and water line operators. The utilities pay for the service, and participation is mandatory under state law.

According to the organization's Web site, its operators handle more than 5 million communications per year.

Effective Aug. 1, 2004, the new law will make some technical changes to the blueprint requirements excavators follow during the bid process and modify the timeline for call center notification in both emergency and non-emergency situations.

Rep. Ray Cox (R-Northfield) and Sen. Dan Sparks (DFL-Austin) sponsored the legislation. HF995*/SF1268/CH163

★ TOURISM

Promoting Minnesota

A new office within the executive branch called Explore Minnesota Tourism is created, under a new law.

Tourism functions are currently administered within the Department of Employment and Economic Development, but the transfer of duties to a new agency will help “increase the awareness of tourism in Minnesota,” according to John Edman, deputy commissioner of the Minnesota Office of Tourism.

The move is projected to have no net fiscal impact to the state.

Rep. Gregory Davids (R-Preston), who sponsored the law with Sen. Thomas Bakk (DFL-Cook), said the current configuration no longer meets the needs of the industry.

Edman said Minnesota is being outspent on tourism marketing by neighboring states. With more people leaving the state to travel than people coming here from elsewhere, it is time to look at other funding mechanisms for promoting Minnesota travel. He said for every dollar the state spends, it gets \$4.60 back in taxes. By giving Explore Minnesota Tourism the flexibility to pursue public-private partnerships, the law will make the office more effective at generating marketing dollars.

Under the law, the governor will continue to appoint the director, as well as a 28-member council to oversee the tourism office.

Effective July 1, 2004, the law also permits the director to sell reports, publications, or related publicity or promotional material of the office.

HF2044/SF2009*/CH171

★ TRANSPORTATION

Bridge review

The review of bridge replacements and repairs will be streamlined, under a new law.

Effective Aug. 1, 2004, the 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

CAPPING OFF THE SESSION



PHOTO BY ANDREW VONBANK

Rep. Ray Vandevener dons a Krispy Kreme hat on the last night of session after 16-dozen of the popular doughnuts were delivered to the retiring room.

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, said 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

Preservation designation

A new law streamlines the designation of natural preservation routes on county state-aid highways.

Effective Aug. 1, 2004, a section of law is removed that required 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.

The repeal leaves intact the remaining portion of the statute that regulates the designation of natural preservation routes. It states 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.

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.

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

HF1898*/SF1953/CH181

Garbage truck weight

Under a new law, seasonal weight limits do not apply to certain garbage trucks that collect municipal mixed solid waste.

Effective May 19, 2004, the law allows trucks to continue making their routes despite any posted weight restrictions until July 1, 2005, provided the trucks do not exceed 14,000 pounds per axle.

Some heavy vehicles are already exempt

from temporary annual weight restrictions, including school buses and recycling trucks.

The provision's expiration date coincides with completion of a study on road wear and weight restrictions, being conducted by the Minnesota Department of Transportation and the Center for Transportation Studies at the University of Minnesota.

The law allows law enforcement to impose a civil penalty on garbage and recycling truck drivers violating weight restrictions.

Garbage companies favor the law, but city engineers and county representatives are in opposition, fearing that the new law could exacerbate the condition of county roads, which reportedly have \$195 million in preservation and maintenance needs throughout the state. They also said that the garbage hauling industry has increased truck sizes to increase profits and is now asking the Legislature for an exemption.

Rep. Ron Erhardt (R-Edina) and Sen. William Belanger Jr. (R-Bloomington) sponsored the new law.

HF722*/SF457/CH205

Trucking trailers

Cargo, horse, and livestock trailers can be more easily transported from manufacturer to dealer, and Minnesota statutes are amended to accommodate federal motor carrier regulations, under a new law.

Effective May 20, 2004, the law allows manufacturers of trailers used for cargo, horses, and livestock to purchase a \$120 annual permit allowing them to hitch two empty, new trailers to a vehicle for transportation only to the dealer. The trailers may not exceed 28.5 feet in length and can only be moved in a three-vehicle combination on routes where such a configuration is allowed.

Law proponents said that manufacturers desire to bring empty horse trailers to the dealership two at a time.

Other components of the law are in keeping with federal motor carrier regulations.

One provision requires truck drivers transporting hazardous materials to immediately telephone the state hazardous materials emergency reporting line in three situations: when a hazardous materials accident occurs, when hazardous materials are unintentionally released from a package, or when a shipment containing a hazardous material not previously declared is discovered.

Another section amends a statute that exempts drivers from hours-of-service rules following assistance to an emergency relief effort. It increases from 24 to 34 hours the mandatory time off if the driver has been on duty for more than 60 hours in seven days if the employing carrier does not operate every day in

the week or 70 hours in eight days if the carrier operates every day.

Rep. Peter Nelson (R-Lindstrom) and Sen. Mark Ourada (R-Buffalo) are the sponsors.

HF2671*/SF2930/CH225

Behind the wheel

A new law makes substantial changes to the hours that truck drivers may work.

The new rules add an hour to allowed driving times, but also increases required off-duty rest times. Furthermore, more non-driving activities have been added to the definition of driving.

The changes, effective April 30, 2004, were mandated by an update of federal law in January.

Earlier this year, trucking companies throughout the nation objected to the new federal rules, fearing that the changes would drive up costs.

However, the Federal Motor Carrier Safety Administration, on its Web site, states that the new hours-of-service rule will save 75 lives and prevent 1,326 fatigue-related injuries and 6,900 incidents of property damage every year. Prevention of such incidents would save the American economy \$628 million a year.

The cause of driver fatigue is the length of a driver's workday, not just the amount of time he or she spends on the road, according to the federal agency.

Sponsors of the law are Rep. Michael Beard (R-Shakopee) and Sen. Mark Ourada (R-Buffalo).

HF1978*/SF1910/CH167

★ VETERANS

Leasing land

A new law permits the Minnesota Veterans Homes Board to lease land on its Hastings campus to Dakota County for up to 60 years for the construction of permanent supportive housing for veterans and county residents.

The measure is necessary because the board currently has only a 20-year leasing authority. The lease will cost the county \$1 per year over the 60-year term.

Plans are for 30 units for veterans and 30 units for county residents. Currently, there is a 200-bed facility for veterans on the 128-acre campus.

The county plans to fund the facility through low-interest loans. The program is meant to be self-sufficient: neither the state nor the veterans will be asked for financial support. Plans are not yet finalized.

The law is sponsored by Rep. Denny McNamara (R-Hastings) and Sen. Sharon Marko (DFL-Cottage Grove).

HF2688/SF2626*/CH160

VETO

LAW



Property protection

Gov. Tim Pawlenty vetoed a bill that would have protected private property cave owners from injury lawsuits by recreational explorers.

The veto came in the wake of the April 27 deaths of three teenagers from carbon monoxide poisoning in St. Paul caves near the Mississippi River. The odorless, colorless gas tends to build up in the caves.

"In light of the deaths this week in a St. Paul cave, this is an issue we should not take lightly," Pawlenty said in a press release. "We've seen first-hand the dangers involved in cave exploration. This bill could decrease precautions to avoid tragedy in the future."

The veto is the only one of the 2004 legislative session.

Under current law, a landowner making his property available for recreational activities without charge has no responsibility to prevent individuals from harming themselves. Activities currently covered by the law are hunting, trapping, fishing, swimming, boating, camping, picnicking, hiking, bicycling, horseback riding, firewood gathering, pleasure driving, snowmobiling, water skiing, as well as activities including winter sports, use of trails on foot or motorized vehicles, and the viewing of historical, archaeological, scenic, or scientific sites.

The bill would have added rock climbing and cave exploration to the list. Rep. Gregory Davids (R-Preston) and Sen. Mady Reiter (R-Shoreview) were its sponsors.

The Minnesota Speleological Survey asked for the addition of rock climbing to the definition as well, recognizing that access to cave entrances occasionally requires rock climbing and rappelling. The group is an affiliate of the National Speleological Society, an organization dedicated to the study, exploration, and conservation of caves.

Members expressed support for the bill, admitting it is their responsibility if they get in trouble while exploring and wanting to make sure landowners are not held responsible for the activities of cave explorers.

HF1861*/SF1645/CH168

Senate Information Office

231 State Capitol (651) 296-0504

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

Standards adopted

Academic standards in science and social studies were passed just before legislators concluded their work for the year

BY TOM LONERGAN

Shortly before legislators left for summer vacation, they passed new public school academic standards in science and social studies — the product of 10 months of debate and discussion among parents, school district administrators, teachers, and others.

The House passed a conference committee report (HF1793), which included the new K-12 education standards and a number of technical issues 73-56 less than one hour before adjourning. After no discussion, the Senate vote was 45-18 less than 10 minutes later, and about a minute before its members left *sine die*.

Gov. Tim Pawlenty said at a May 17 news conference that he intended to sign the bill, which calls for implementing the science and social studies standards in the 2005-06 school year.

Health and physical education were also added as state required academic standards, with the details to be developed by local school districts.

The social studies document covering U.S. and world history, geography, economics, government, and citizenship was a compromise between earlier House- and Senate-passed versions, said Rep. Alice Seagren (R-Bloomington), who co-chaired the conference committee with Sen. Steve Kelley (DFL-Hopkins).

In March, the House adopted the draft created by an Education Department-appointed citizens committee. In May, the Senate adopted a different draft written by a group of social studies teachers and University of Minnesota professors.

The science standards — covering the physical, life, earth, and space sciences, as well as science history and nature — were those drafted by an Education Department-appointed committee. They do not include a provision passed earlier by the House requiring the study of alternatives to scientific theories, such as evolution.

Rep. Jim Davnie (DFL-Mpls)

said the social studies standards remained “too broad” in subject coverage and — with the science standards — would cost local school districts and the state at least \$35 million to implement.

“The greatest cost is not in money,” Davnie said, “but in lost opportunity for success for our children.”

Rep. Mindy Greiling (DFL-Roseville) called the conference committee report “a travesty.” Referring to how the conference committee reached its standards compromise, Greiling said, “This is the antithesis to openness in government.”

Seagren said the conference committee worked with the Education Department and school curriculum directors recommended by the Association of Metropolitan School Districts to blend the differing House and Senate versions. The compromise draft, she said, was put together “to be as neutral politically as possible.”

The conference committee met several times May 15 and concluded its work shortly after 3 a.m. May 16.

The U.S. history standards were the focus of months of debate after the department produced the first social studies committee draft

in September 2003. That draft was criticized for being overloaded with facts and dates of historical events, as well as being culturally and politically biased.

The Senate draft was criticized for being overly process/theory-oriented, giving the Declaration of Independence and other founding documents short shrift, and being similar in some respects to the Profile of Learning, which the 2003 Legislature repealed.

Annual statewide tests based on the science standards, required by federal law, would begin in the 2007-08 school year. Science tests must be given once in grades 3, 4, or 5, once during the grade 6-9 years, and a life sciences test must be given once when a student is in grades 10-12.

No federal or state test is required for social studies.

Annual tests in language arts and mathematics, based on standards adopted by the 2003 Legislature, will be required for grades 3 through 8 and at the high school level in 2005-06.

The Minnesota comprehensive assessments are the student performance tests the state requires for schools to comply with the federal No Child Left Behind Act.

The bill also calls for a study on implementing a computer-based adaptive test to replace the comprehensive assessments. That study would be due to the respective House and Senate education committees by June 15, 2005.

The comprehensive assessments, which are based on the repealed profile graduation requirements, are under Education Department revision to reflect the new academic standards.

The bill would also restrict the release of annual school performance “report cards” data, allowing time for schools to privately appeal to the Education Department disputed student academic test results that the state reports to the federal government. The report cards also include annual school safety and staff information.

Additionally, the department, under the bill, would be required to post student performance data, known as “adequate yearly progress determinations,” and school performance report cards on its Web site no later than Sept. 1.



PHOTO BY TOM OLMSCHEID

Rep. Alice Seagren, left, and Sen. Steve Kelley, right, chairs of House-Senate Education Conference Committee, listen as Senate staff explain the side-by-side comparison of the House and Senate bills. The Legislature passed new educational standards in the final minutes of the 2004 session.

Pounding away

After four years in the House, Jacobson looking forward to the next chapter in his life

By PATTY JANOVEC

After a long discussion and frank advice several years ago from a former representative, Rep. Carl Jacobson (R-Vadnais Heights) said he took to heart the suggestion, “When you reach the point when your heart really is not in it 100 percent it’s probably time to start getting ready to move on.”

Working on a 1953 Chevy truck is much more satisfying to him now than the long hours of being a legislator, so it’s time to step down, he said. “I’ve found that pounding tin and spraying paint is a lot more enjoyable to me than pounding on doors and marching up and down the street.” A hobby in the past, he says vehicle restoration could become a business in the future.

“I look at some of the other things I want to do in life, and some of the other goals I have in life, and they’ve become a little bigger priority,” Jacobson said of his decision to not seek re-election.

Legislation he authored adding several provisions for charitable gambling in veterans’ organizations is what he’s most proud of. Jacobson felt it was the least he could do to honor his father, who passed away during his first session in office. “I thought why not do this as a memorial to him and to help save the VFWs and the (American) Legions because they are hurting financially and their numbers are dropping fairly rapidly.” He said if the legislation helps someone else’s dad have a couple more dinners with his friends at the VFW, then he’s accomplished what he set out to do.

The most difficult aspect of being a lawmaker, he said, is when a constituent or friend calls hurting and in trouble, and “you know they are honestly making an effort to try and get out of their situation whatever it is,” but there isn’t a legislative solution. He said that is especially true when compared to those who he sees make no effort, and are “getting everything they need.”

While tough times make the job relentless, Jacobson said what has made the experience worth it is, “building the relationships where two people can fight like cats and dogs on a



PHOTO BY TOM OLMSCHEID

After two terms in the House, Rep. Carl Jacobson has decided to move on.

single issue, and five minutes later they are fighting together for something else.”

Others may remember Jacobson as a member who would stay true to his word.

“The thing I like about Carl is he’s always up front with you,” said Rep. Tom Rukavina (DFL-Virginia). “In a place where people give you their word, and then sometimes they weasel out of it, he never did.”

Joking between the two friends seems commonplace. That is understandable considering both grew up on the Iron Range. Rukavina laughingly said he jokes with Jacobson: “I saw your ma and dad up there and they love you even though they don’t agree with your politics.”

Jacobson served on the House State Government Finance, Government Operations and Veterans Affairs Policy, Taxes, and Health

and Human Services Policy committees during his four years in office.

“Taxes was just a natural,” he said in reference to his background in public accounting. Committee Chair Rep. Ron Abrams (R-Minnetonka) ran an impressive committee, and Jacobson said he doesn’t know if he’ll ever have another opportunity to work with such a role model as Abrams.

Jacobson wishes more things could have been accomplished in his time at the Legislature. He said government has reached a point where it is very good at building bureaucracy and building systems that keep people in government working, but “I don’t know that we’re doing a great job at providing service.”

Jacobson said the last few years have been difficult and frustrating when facing multi-billion dollar budget deficits, and doing “very little in the way of preparing for the future.” An aging population looms, with many retirees coming to the forefront, and he believes lawmakers have not done a good job of preparing for those issues.

When elected in 2000, he said that his goals included holding the line on spending and “bringing sanity and intelligence to the budget process. We’ve done a great job in recent years...of making things incredibly complicated and complex and difficult to understand. We’ve done a very poor job of making things sensible.”

While not closing the door completely on his career in politics, Jacobson said, “I’ve learned along the way here in four years that you just never say never.” 🐾

STEPPING DOWN

Rep. Carl Jacobson
Republican
District 54B — Vadnais Heights
Terms: 2

Career Notes: An advocate for charitable gambling and veterans’ issues, Jacobson carried the omnibus charitable gambling bill in 2003. The law allows for rent paid by organizations to be based on a percentage of gross profits and allows for licensed organizations to participate in electronically linked bingo games thereby providing for a single prize pool.

Eight will not seek House re-election

A total of eight members of the Minnesota House of Representatives have announced they will not seek re-election in November 2004. That includes one DFLer and seven Republicans. Over the past few weeks, we have provided Stepping Down profiles on most of the departing members.

However, due to the late date of some member announcements, we have not been able to write profiles on all of them. Below is a list of members who have announced they will not return, as of May 20, 2004, and their length of service in the House.



Rep. Eric Lipman
R-Lake Elmo
District 56A
Terms: 2



Rep. Len Biernat
DFL-Mpls
District 59A
Terms: 4



Rep. Elaine Harder
R-Jackson
District 22B
Terms: 5



Rep. Doug Stang
R-Cold Spring
District 14B
Terms: 4



Rep. Dick Borrell
R-Waverly
District 19B
Terms: 1



Rep. Carl Jacobson
R-Vadnais Heights
District 54B
Terms: 2



Rep. Steve Strachan
R-Farmington
District 36B
Terms: 1



Rep. Dale Walz
R-Brainerd
District 12B
Terms: 2

BILL INTRODUCTIONS

MAY 14 - 15, 2004

HOUSE FILES 3208 - 3212

Friday, May 14

HF3208—Johnson, J. (R)
Civil Law

Regulating defamation actions; providing for requests for corrections or clarifications.

HF3209—Meslow (R)

Civil Law

Uniform disclaimer of property interests act adopted.

HF3210—Latz (DFL)

Civil Law

Uniform nonjudicial foreclosure act adopted.

HF3211—Johnson, J. (R)

Regulated Industries

Wine importer restrictions modified to prohibit exclusive wholesale agreements.

Saturday, May 15

HF3212—Davids (R)

Commerce, Jobs &

Economic Development Policy

Industrial loan and thrift companies acting as currency exchanges separate licensure required.

Tracking new laws, vetoes

Exactly 3,051 bills were introduced during the 2004 Legislative Session — 1,554 by the House and 1,497 by the Senate. Of those, 163 bills (and one resolution) were passed by both bodies during the session and sent to the governor.

So what happened to the other bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 163 bills that have been sent to the governor? Most were signed into law, and one was vetoed.

Here's a quick review of the governor's veto authority during the second year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor 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 at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill 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.

If a bill is passed during the last three days of the 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 of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and 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 spending items to which he or she objects. 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.

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 — unless it is re-introduced next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. A Web-based version will be available on the House Web site at <http://www.house.mn> by August 2004.

Editor's note: The following chart includes the 163 bills (and one resolution) that passed both the House and the Senate and have been sent on to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin.

Here are definitions of some of the terms used in the chart.

Governor's options

- enactment

The date the governor signed the bill into law.

- line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- Veto

The governor did not approve the bill.

• *An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Effective dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

- Aug. 1, 2004

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

- July 1, 2004

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- Day after enactment

The act becomes effective on the day after the governor signs it.

- Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- Various

Different parts of the act have different effective dates.

- with exceptions (we)

Act includes other effective dates.

- with qualifications (wq)

Act adds conditions to the effective date.

- retroactive (retro.)

Act goes into effect as of a specified date in the past.

2004 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 20, 2004)

HF—House File
SF—Senate File
R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications
*—version of the bill the governor signed or vetoed

†—approved without governor's signature
liv—line item veto

Note: All effective dates are 2004 unless otherwise stated

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
Agriculture Policy									
2442	Swenson	2437*	Rest	Farm product liens and financing statements regulations modified.	191	5/13			various
2864*	Hornstein	2756	Cohen	Kosher food labeling basis clarified.	232	5/19			8/1
2461	Swenson	2428*	Vickerman	Electronic grain purchase documents authorized.	254			x	
Civil Law									
480*	Knoblach	837	Knutson	Job reference info., school violence data, employee personnel records disclosure.	137	3/22			8/1
2491	Paymar	2498*	Skoglund	Domestic abuse ex parte protection, temp. restraining orders.	145	3/26			8/1
1803	DeLaForest	1745*	Knutson	Trust law provisions, guardianship/conservatorship law changes.	146	3/26			various
339	Davnie	40*	Berglin	Graffiti damages recovery action provided.	149	4/2			8/1
1805	Pugh	1621*	Neuville	Mortgage satisfaction certificates and assignments or releases.	153	4/6			8/1
1861*	Dauids	1645	Reiter	Recreational definition modified for recreation land use liability.	168		4/29		
1425*	Holberg	1414	Betzold	Money judgment stays of execution regulated and bond amounts limited.	190	5/13			5/14
2987	Tingelstad	2065*	Chaudhary	Local government unit tort liability immunity for limited partnerships.	193	5/13			5/14
1824	Lipman	1803*	Hottinger	Uniform Limited Partnership Act of 2001 enacted and modified.	199	5/15			various
2444*	Kohls	1976	Rest	Civil action limitation periods regulated.	211	5/18			8/1
2288*	Biernat	2500	Skoglund	Conciliation court debtor disclosures modified.	226	5/19			8/1
2577*	DeLaForest	2131	Betzold	Revisor's bill.	228	5/19			various
2419*	Kohls	2393	Scheid	Purchase money mortgages provided.	234	5/19			various
2095*	Westerberg	2412	Anderson	Mortgage foreclosure consultant contracts.	263			x	
2642*	Harder	1846	Dille	Parent education programs, notices required relating to family law.	273			x	
2093	Holberg	2114*	Kelley	Public bodies closed meetings for property purchase/sale negotiation.	276			x	
2087*	Borrell	1889	Skoglund	Service cooperative claims data.	290			x	
2044	Dauids	2009*	Bakk	Tourism functions transfer.	171	4/30			7/1
2235*	Sertich	2243	Anderson	Unemployment insurance definitions and penalty provisions modified.	183	5/10			various
730*	Howes	289	Betzold	Home warranty statute of limitations specified for certain breach of warranty.	196	5/15			8/1
2777	Brod	2620*	Sams	Fire insurance notice requirements prescribed.	202	5/15			8/1
2640*	Dauids	2607	Scheid	Insurance fraud law enforcement agency created.	269			x	
Commerce, Jobs and Economic Development Policy									
1983*	Pugh	1805	Betzold	Uniform Commercial Code revisions enacted.	162	4/26			8/1
2551*	Stang	2418	Sparks	Safe deposit companies regulated.	174	5/10			8/1
2035	Sertich	1946*	Stumpf	Extended employment pilot project; vocational rehabilitation program funding.	188	5/13			5/14
2098	Dorman	2453*	Lourey	Oxygenated gasoline requirements modified.	189	5/12			8/1
2439	Brod	2379*	Scheid	Real estate brokers and salespersons regulated.	203	5/15			8/1
2386*	Osterman	2350	Rosen	Economic Security/Employment & Economic Dev. depts. merged.	206	5/18			5/19
2187*	Stang	2650	Sparks	Debt collection agency employees registered instead of licensed.	208	5/18			1/1/2005
2017*	Brod	1944	Sparks	Joint underwriting association regulated and coverage modified.	212	5/18			5/19
1645*	Urdahl	1559	Higgins	Minnesota Museum Property Act.	213	5/19			8/1
2139*	Pugh	2257	Michel	Real estate title insurance required premium reserves provided.	227	5/19			8/1
2801	Nelson, M.	1922*	Rest	Homeowner's insurance specified underwriting practices prohibited.	239	5/19			1/1/2005
2216	Stang	2265*	Sparks	Industrial loan and thrift companies accepting deposits status clarified.	253			x	
Education Finance									
1793*	Seagren	1774	Kelley	Omnibus prekindergarten - 12th grade and higher education finance bill.	294			x	
2242	Sykora	2222*	Kelley	Resolution for BWCAW reservation fee increase.		5/13			
Education Policy									
2502	Seagren	2609*	Ranum	Mental health community rep. included on a community transition team.	166	4/26			4/27
2191	Seagren	2141*	Kelley	Commission on National and Community Service program modified.	286			x	
Environment and Natural Resources Policy									
1836*	Rukavina	1693	Tomassoni	Mineral tailing deposition into mine pits permitting clarified.	157	4/14			8/1
2365	Hoppe	2299*	Bakk	Petroleum storage tank violations enforcement procedures expansion.	169	4/29			8/1
2500	Simpson	2422*	Marty	Polychlorinated biphenyls (PCB) wastes regulated.	176	5/10			8/1
2005*	McNamara	1999	Sparks	Phosphorus use in fertilizers restriction extended.	179	5/10			various
2368*	Hoppe	2203	Saxhaug	Omnibus game and fish bill.	215	5/19			8/1
2633*	Gunther	2621	Rosen	Ethanol plant environmental review exemptions.	217	5/19			5/20
2986*	Dill	3022	Bakk	Iron nugget production facility environmental review exemption.	220	5/19			5/20
2433	Hackbarth	2472*	Frederickson	DNR commissioner rulemaking exemptions and authorities granted.	221	5/19			5/20
1897*	Osterman	1740	Kelley	Groundwater consumptive use provided.	230	5/19			5/20
2383*	Lindgren	2583	Saxhaug	Forest resources interagency info. coop.; State Timber Act modified.	241			x	

**2004 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 20, 2004)**

HF—House File we—with exceptions †—approved without governor's signature
 SF—Senate File wq—with qualifications liv—line item veto
 R—Resolution *—version of the bill the governor
 CH—Chapter signed or vetoed

Note: All effective dates are 2004 unless otherwise stated

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
2363*	McNamara	2211	Skoglund	Invasive and nonnative species control provisions modified.	243			x	
2040*	Olson	2090	Sams	Wastewater treatment technology certification program created.	248			x	
2000*	Tingelstad	1900	Jungbauer	Water table level analysis clarified.	249			x	
2212*	Ozment	2216	Marty	DNR provisions modified.	255			x	
2213*	Cornish	2210	Bakk	DNR equipment requirements modified.	260			x	
2334*	Howes	2204	Saxhaug	Surplus state lands sale.	262			x	
				Governmental Operations and Veterans Affairs Policy					
973	Brod	1015*	Sparks	Veterans Affairs access taxpayer ID info to notify veterans of health hazards.	135	2/26			2/27
307*	Adolphson	497	Hann	Noncommercial sign ordinance exemption state general election years.	142	3/26			8/1
1064*	Samuelson	1197	Wergin	State employee technical and housekeeping changes provided.	143	3/26			8/1
2878*	Hausman	2537	Anderson	Dr. Norman E. Borlaug World Food Prize Day designated.	148	4/2			8/1
2105*	Penas	2632	Saxhaug	Iron Range Resources and Rehabilitation Commissioner's Office established.	150	4/2			4/3
3005*	Soderstrom	2840	Lourey	County seat voting times modified.	158	4/14			4/15
2482	Erhardt	2300*	Michel	House districts 41A and 41B boundary adjustment.	170	4/30			5/1
2521*	Jacobson	2435	Vickerman	Lawful gambling provisions modified.	172	4/30			various
2930*	Vandever	2733	Reiter	Flags in Capitol area half-staff following death of persons killed in line of duty.	173	5/10			8/1
2874	Ozment	2703*	Ranum	State hiring process provisions and definitions modified.	207	5/18			8/1
890	Smith	806*	Betzold	Retirement plans actuarial services.	223	5/19			5/20
2199	Wilkin	2181*	Rest	State Lottery director provisions amended.	233	5/19			5/20
1798	Kohls	1836*	Knutson	Secretary of State filing procedures simplified.	251			x	
2166*	Urdahl	2260	Vickerman	Veterans benefit programs administration modified.	256			x	
1086	Smith	676*	Betzold	Retirement provisions modified.	267			x	
2058	Meslow	1907*	Higgins	Campaign Finance & Public Disclosure Board expanded.	277			x	
2609*	Thissen	2376	Wiger	Affirmative action provisions modified.	287			x	
2905	Brod	1859*	Sams	State agency cooperative purchase of goods authorized.	291			x	
1006*	Boudreau	986	Higgins	Help America Vote Act of 2002 conformity provided.	293			x	
2034	Haas	1866*	Scheid	State contract labor agreements and compensation plans ratified.	296			x	
				Health and Human Services Finance					
2762*	Wilkin	2613	Kiscaden	MN Comprehensive Health Association minimum premium rate increased.	268			x	
				Health and Human Services Policy					
1702	Powell	1748*	Kubly	Emergency medical services provisions modifications.	144	3/26			various
2688	McNamara	2626*	Marko	Hastings veterans home property leasing authority.	160	4/22			8/1
1936	Finstad	1671*	Moua	Assisted living facilities to housing with services establishments law.	185	5/10			8/1
2537	Boudreau	2365*	Kelley	Adverse health care events reporting requirements modified.	186	5/10			8/1
1896	Solberg	1716*	Saxhaug	Itasca, Hennepin counties hospital construction moratorium exceptions.	187	5/10			8/1
1754	Samuelson	1604*	Berglin	Planned nursing facility closures required to be budget neutral.	194	5/13			5/14
2691*	Bradley	2639	Higgins	Disability Council authorized to meet by telephone or electronic means.	195	5/15			7/1
2127	Boudreau	2080*	Higgins	Outpatient surgical center requirements modified.	198	5/15			various
2052*	Abeler	2196	Hottinger	Supportive housing, managed care pilot project sunset date extended.	204	5/15			8/1
2027*	Anderson, J.	2020	Sparks	Nursing home construction moratorium exemption provided.	218	5/19			8/1
1141	Samuelson	1080*	Skoe	Veterans homes statutory language updated.	219	5/19			various
2085*	Severson	1835	Fischbach	Hospital moratorium exceptions review provided.	231	5/19			8/1
297	Bradley	2869*	Kiscaden	Radioactive and nuclear material fees modified.	236			x	
2391*	Bradley	2192	Kiscaden	Controlled substance dispensing authority modified.	242			x	
606*	Smith	394	Sams	Minnesota Health Plan Contracting Act.	246			x	
2246*	Samuelson	2103	Sams	Nursing facility survey process modified.	247			x	
1593	Strachan	1530*	Betzold	Dangerous animal ownership limitations.	264			x	
2581	Bradley	2112*	Higgins	MA prohibition on asset transfers for certain charitable gifts.	266			x	
2050*	Finstad	1715	Kelley	Foreign medical school graduates credentials verification required.	270			x	
2175*	Abeler	2351	Kiscaden	Health, dental, and counseling occupation requirements modified.	279			x	
2207*	Bradley	2150	Kiscaden	Pharmaceutical manufacturer rebate program participation authorized.	280			x	
2258*	Wilkin	2587	Sparks	Health organization risk-based capital requirements established.	285			x	
2277*	Abeler	2179	Kiscaden	Human services licensing provisions modified.	288			x	
				Jobs and Economic Development Finance					
2799*	Gunther	2646	Anderson	Dislocated worker program provisions modified.	257			x	
2492	Kelliher	2386*	Dibble	Federally subsidized transit facilities bidding exception provided.	265			x	

2004 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 20, 2004)

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
392	Fuller	388*	Foley	DWI vehicle forfeiture standards and procedures clarified.	235			x	
1838*	Cornish	1948	Rosen	Recreational vehicle combination usage regulated.	240			x	
532*	Howes	522	Saxhaug	Snowmobile use of highway right-of-way.	244			x	
2078*	Holberg	1904	Wiger	Railroad grade crossing requirements.	245			x	
2737*	Beard	2178	Jungbauer	Municipal airport closure notice to MnDOT, public notice required.	250			x	
2479	DeLaForest	2263*	Ortman	Highway contract and restriction provisions modified.	295			x	
Ways and Means									
2255*	Anderson, B.	2038	Skoglund	Claims bill.	271			x	
2867*	Knoblach	2732	Cohen	K-12, general, early childhood ed., health/human services funding.	272			x	
2446*	Knoblach	2558	Cohen	State fund and account elimination and consolidation principles.	284			x	
Floor									
	none	1546*	Betzold	Revisor's bill.	289			x	

HF—House File
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we—with exceptions
wq—with qualifications
*—version of the bill the governor signed or vetoed

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liv—line item veto

Note: All effective dates are 2004 unless otherwise stated

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MINNESOTA INDEX

Session 2004

House files introduced during the 2004 session	1,554
In the biennium	3,212
In the 2001-02 biennium	3,741
Senate files introduced during the 2004 session	1,497
In the biennium	3,073
In the 2001-02 biennium	3,480
Number of bills introduced this biennium	6,285
In 2001-02	7,221
In 1999-2000	8,016
Bills sent to the governor in 2004	163
In 2003	133
In 2002	185
In 2001	218
In 2000	250
Bills that became law	102
Bills waiting for gubernatorial action (as of noon, May 20)	60
Number of gubernatorial vetoes in 2004	1
In the four years Jesse Ventura was governor	54
When Arne Carlson was governor (1991-98)	179
When Rudy Perpich was governor (1983-90)	20
Gubernatorial vetoes since 1939	415
Maximum number of legislative days that lawmakers can meet in regular session during the biennium	120
Number used in 2003-04	111
In 2001-02	116
In 1999-2000	118
Pages in the 2004 House Journal	3,844
Pages for the biennium	8,288
In 2001-02	8,952
In 1999-2000	10,170
In the 2003-04 Senate Journal	5,219
Time the House adjourned <i>sine die</i> May 16	7:38 a.m.
Number of House members that have announced they will not be back in 2005 (as of noon, May 20)	8
Number not returning which are DFL, Republican	1,7
Days between the May 16 House adjournment and the Nov. 2 general election	170
Time lawmakers are scheduled to convene Jan. 4, 2005	noon

Sources: House Public Information Services Office; Legislature Web site (www.leg.mn); Governor's Log 2004; Journal of the House; Journal of the Senate.

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