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In this issue:

NO CHILD LEFT BEHIND DEBATE

HEALTH CARE CONSENT FOR MINORS, AND MORE

HF2565-HF2802

# SESSION Weekly

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On the cover: Morning light penetrates the cantilever stairwell in the State Capitol.

—Photo by Andrew VonBank

# Educational accountability

Report focuses on costs and consequences of fulfilling requirements of the federal No Child Left Behind Act

By TOM LONERGAN

The report we are releasing today will not settle the debate.”

That bit of soothsaying by Legislative Auditor James Nobles on the impact the federal No Child Left Behind Act may have on Minnesota set the stage for continued sharply divided opinion among legislators about the law’s increased costs to the state and school districts, as well as its consequences for public education.

The 90-page audit examining the federal law’s costs and other impacts was presented Feb. 26 to the House Education Policy Committee, which discussed the report but took no action.

Among the audit’s major findings were:

- more than 80 percent of the state’s public elementary schools won’t meet required student achievement targets by the year 2014, based on a simulated estimate;
- while education officials embrace the law’s goals of helping all children succeed in school, many school superintendents say it’s “costly, unrealistic, and punitive;”
- many school districts will likely bear significant costs in future years, and it’s “quite possible” those costs will exceed increases in federal education revenues; and
- the state could lose up to \$216 million in federal funding for fiscal year 2005 if the Legislature decides to opt out of the law, as some states are discussing.

A bill (HF2042/SF1921) to nullify state implementation of the two-year-old federal law, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Michele Bachmann (R-Stillwater), was heard in the Senate but did not

advance from committee, and it has not been heard in the House.

Despite bipartisan support for Olson’s bill, opponents of the federal act “face the \$200 million question,” said Rep. Alice Seagren (R-Bloomington), chair of the House Education Finance Committee in an interview after the meeting.

“We don’t have the dollars to fill in the gap,” Seagren said, adding that the state would still require standardized tests, school accountabil-



PHOTO BY TOM OLMSCHIED

**A report from the legislative auditor suggests more than 80 percent of the state’s public elementary schools will not meet achievement targets set by the federal No Child Left Behind Act by 2014.**

ity on student performance, and measures to address the “achievement gap” among low-income and minority students, regardless of the federal law.

Olson was critical of the auditor’s report, required by the 2003 Legislature, saying it doesn’t address the specific interests behind the request for the audit. “There’s a lot in the report not accounted for,” he said, citing past state spending on academic standards, student tests, and reports to meet federal requirements.

At the Feb. 26 hearing, Education Commissioner Cheri Pierson Yecke challenged several of the audit’s findings, particularly the simulation model developed by the University of

Minnesota’s Office of Educational Accountability that estimated most public grade school students won’t meet the law’s academic achievement levels by 2014.

The federal law, Yecke said, “is forcing us to confront serious issues.” While tests like the National Assessment of Educational Progress show state public school students improving in math and, to a lesser extent, in reading, she said, such tests based on large student groups hide the “underperformance of students of color.”

The act requires that public school students in grades 3-8 show annual learning improvement in math, reading, English language skills, and science, as measured by state standardized tests. Students will also be tested once in high school.

Reporting requirements on student academic progress will include all students in a

given grade, as well as the performance of eight student subgroups, including those in race/ethnicity, low-income, special education, and English language learner categories.

That part of the law is what worries school superintendents across the state, mainly because the failure of one student subgroup to make minimum academic progress can cause an entire school to not meet state-defined “adequate yearly progress” standards.

Schools and districts not showing academic achievement among all student groups face a progressive scale of penalties and sanctions over a 10-year-period, including paying for after-school tutoring, transporting students

to other public schools they may choose, and making staff or administration changes.

The audit could not estimate what those new costs will be but predicted they would be “significant.”

The survey was sent to all state school superintendents and charter school directors and received a 95 percent response.

“Only 5 percent of superintendents (responding) said that special education students should be held to the same academic standards as other students,” according to the audit, “and only 17 percent of superintendents said that limited-English students should be held to the same standards.”



## Up in flames

### First Minnesota Capitol destroyed, unoccupied market becomes home

Nonetheless, “less than 20 percent of superintendents favor opting out” of the federal law.

In an interview following the hearing, Rep. Carlos Mariani (DFL-St. Paul) called the audit a “helpful report.”

“It provided us with a pretty balanced sense of what’s at stake,” said Mariani, who is also executive director of the non-profit Minnesota Minority Education Partnership.

He said immigrant and communities of color in the state “embrace the goals” of the federal act but share some concerns of local education officials and other critics of the law.

“Do our students become the scapegoat” for public schools’ failure to make academic progress, Mariani asked. “We don’t want that.”

He said the report’s assumption that the vast majority of state elementary schools won’t meet academic progress levels in 10 years was “very conservative,” because it didn’t factor in expected growth of English language learning and minority student populations.

“They are precisely the groups failing to meet the standards,” said Mariani, who opposes a state opt out.

Among identified “new costs” was an estimated \$19 million annually for increased testing, to be borne by the state and school districts.

Unknown were annual costs to improve training of school paraprofessionals to meet new federal requirements and school district costs to align course curricula with new state standards in math, reading, and science.

The \$231 million in federal education funding the state will receive in 2004 includes \$118 million in Title I funding for school districts with a high percentage of students from low-income families.

Estimates from the U.S. Department of Education, according to the audit, show the state’s federal dollars linked to No Child Left Behind will decline to \$216 million in fiscal year 2005, with Title I funding down \$14 million based on the state’s 2000 census data.

Nonetheless, the audit showed a \$42 million increase in federal funding to the state for the years 2002-05, but warned as new federal requirements are implemented, “it is quite possible” state and school district costs will exceed federal revenues.

“The federal history is under-funding education,” said Rep. Lyndon Carlson (DFL-Crystal) in an interview, while citing special education funding as an example. A federal law passed in 1973 promised states 40 percent funding of new requirements for special education students, which Carlson said has never been realized.

“That’s why dealing with No Child Left Behind, some of us get pretty cautious,” Carlson said. “We’re going to incur major costs.”

It was neither inclement weather, nor in-temperate debate that nearly halted the Legislature’s actions the first week of March 1881 – it was a fire that burned the center of state government to the ground and nearly took the state’s most precious documents with it.

Both the House and Senate were in session about 9 p.m. on March 1 that year. It was a fairly routine evening: Senators were about to give a bill its third reading – they read the whole thing back in those days. Both bodies were then interrupted at nearly the same time, and lawmakers and staff rushed to the chamber doors to escape.

They would be denied. The Capitol dome was directly above the entrances to both chambers and the dome was ablaze, sending plumes of thick black smoke and raining debris.

Nearby stairwells were also blocked.

Pages and clerks worked to salvage essential paperwork and other important documents as legislators scrambled for a way out. Through it all, according to a story in the fall 1968 Gopher Historian, Samuel Jennison, secretary to Gov. John Pillsbury kept his cool, and worked to save whatever he could.

Jennison also had the presence of mind to adjourn the Senate proceedings for the day.

Senators ultimately crawled out a small window low enough to the ground to avoid risking significant injury. As the men crawled to safety, the chamber roof collapsed and within minutes the entire Senate wing was burning.

In the early stages, that is where most of the fire burned. As a result, the assistant sergeant-at-arms convinced legislators and visitors that the fire was actually out and at an opportune moment when a hallway cleared of smoke so individuals could leave, they safely exited the building.

Accounts suggest about 300 people evacuated the building, located on the square block between Wabasha, Cedar, Exchange, and 10th streets, that evening and none was killed or seriously injured in the fire.

But the struggle was not yet over. Firefighters arrived and attempted to put out

the blaze, but to no avail – it was already out of control. Accounts estimate that the entire building was aflame within a few minutes. It would only take three hours to destroy all but four remaining walls.

Valuable documents housed in the Capitol basement remained in the building. According to the Historian article, attendees at a concert in a nearby church, along with firefighters and police officers, charged into the building and carried out books, historical records, and other objects.

A large portion of the historical society’s items were saved, but the state’s law library was destroyed but for about 1,000 of the library’s 12,580 books, as were a number of original pieces of furniture.

About \$2 million worth of trust funds and bonds and other essential paperwork stored in safes were recovered from the smoldering building after the embers died down.

St. Paul’s mayor offered an as-yet unoccupied market for the state’s business until a new Capitol could be constructed, and legislative business resumed March 2. It served lawmakers for the remaining two days of the session, and an additional special session in September that year. During those proceedings, lawmakers appropriated \$175,000 for a new building.

The fire was not the first to threaten the building since it opened in 1853. Twice before small blazes were discovered and extinguished before too much damage occurred.

And despite the urging of Gov. Pillsbury, the Legislature had not voted to insure the Capitol. The loss was estimated at \$200,000. The cause was never officially determined, though engineers suspected an overheated ventilator shaft because of the burning wood that fell from the ceiling ventilator in the Senate chamber.

The new Capitol was constructed on the same spot but would become too small. Within 10 years of the fire, lawmakers were already planning the present-day Capitol to be occupied in 1905.

(M. KIBIGER)



Minnesota’s first Capitol.

Photo courtesy of the Minnesota Historical Society

★ **AGRICULTURE**

**Farm advancements**

Technology upgrades to dairy farms may be eligible for certain grant funds, under a bill approved by the House Jobs and Economic Development Finance Committee Feb. 26.

Rep. Dean Urdahl (R-Grove City), the sponsor of HF1667, told the committee that dairy industry representatives have said they need help with economic development. The intention of the bill, he said, is for small- and medium-sized farms to use the grants.

The bill authorizes the commissioners of the Agriculture and Employment and Economic Development departments to establish an eligibility process and make funds available to regional and statewide development organizations.

According to the bill, grant funds may be used to acquire, construct, or improve buildings or facilities, or otherwise acquire equipment for dairy animal housing, confinement, animal feeding, milk production, and waste management if related to dairy animals.

Among the potential items that grants could be used for are free-stall barns, fences, watering facilities, milking parlors, milk storage and cooling facilities, and equipment used to produce energy.

Wayne Marzolf, acting director of the Agriculture Finance division of the Agriculture Department, said the department is supportive of the bill, saying it would be complementary to the types of small and limited funds already available to dairy farmers, which total about \$800,000.

Joe Egge, executive director of Meeker County Development Corporation and Meeker County Economic Development Authority, said the state and local economic base is built on industries such as agriculture and traditionally those businesses have been ignored in funding for economic development. This program, he said, would help Minnesota dairy farmers modernize their facilities.

The bill now moves to the House Floor.

A Senate companion (SF1941), sponsored by Sen. Steve Dille (R-Dassel), awaits action in the Senate Agriculture, Veterans, and Gaming Committee.

**Financial aid for farmers**

Making a public-private farm improvement loan program more attractive for borrowers is the aim of a bill approved Feb. 26 by the House Agriculture and Rural Development Finance Committee.

Sponsored by Rep. Jeff Anderson (R-Austin), HF2267 would increase loan principal maximum amounts covered by the state Rural Finance Authority, and also change the net worth asset criteria for eligible borrowers.

“Since 1986, this program has helped 2,200 small and beginning farmers,” Anderson said. “The changes should make the program available to a few more.”

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

The authority works with private lenders who will continue to finance a 55 percent share of each loan. The program’s primary advantage to farmers is the state authority’s ability to offer 10-year loans at fixed interest rates

between 4 percent and 6 percent, depending on the type of loan financed.

If the bill becomes law, the authority’s maximum loan share would be \$200,000 to \$275,000 depending on the loan type. Allowable maximums now range from \$125,000 to \$250,000.

Increasing the net worth guidelines to \$350,000 for prospective borrowers, from its current \$274,000, is also expected to increase farmer participation, according to bill supporters. Net worth values are adjusted annually for inflation.

“This is not a case of something that’s broken,” said David Hoelmer, vice president of AgStar Financial Services in Mankato. “The program is working well but needs improvements.” His company is a partner with the authority on 100 loans, Hoelmer said.

Loans also exist for farm debt restructuring and livestock expansion. The state funds the loan program through the sale of general obligation bonds.

The bill’s Senate companion (SF2323), sponsored by Sen. Steve Dille (R-Dassel), awaits committee action.

★ **BONDING**

**Bond proceeds**

The city of Richfield would like state monies to restore the Riley Lucas Bartholomew House and create a history center next door, but the city is concerned that the state could ultimately disproportionately profit in the process.

To help, HF2096, sponsored by Rep. Paul Thissen (DFL-Mpls), would change the state proportions of proceeds acquired through the current property sale process.

The House Governmental Operations and Veterans Affairs Policy Committee approved the measure March 1 and sent it to the House Capital Investment Committee.

Under current statute, when a property that is partly bought with state bonds is sold, the proceeds are first used to pay the state bond proceeds, then the outstanding debt. Any remaining funds are split between the state and other parties who helped pay for acquisition or betterment of the property.

Todd Nollenberger, a member of the Richfield school board, said that for properties like the Riley Lucas Bartholomew House, the state would then profit without having made contributions over time as the property accrued value.

The bill changes the calculations so that the

**RALLY FOR MENTAL HEALTH**



PHOTO BY TOM OLMSCHIED

Mireille Bardy, left, a drop-in leader, and Pamela Schuh, right, a center counselor at Mental Health Resources in Minneapolis, applaud during a March 1 rally in the Capitol Rotunda. People with mental illness, families, and providers pointed out the problems in the system and the issues of concern to the mental health community during the rally.

value of the property improved with state money is its fair market value at the time the betterment began.

The Senate companion, SF20977, sponsored by Sen. Jane Ranum (DFL-Mpls), awaits action in the Senate Finance Committee.

## ★ BUDGET

### Good news, no guarantees

The Department of Finance released a state budget forecast Feb. 27 that shows a slight improvement since November 2003.

New numbers indicate Minnesota's projected deficit for fiscal years 2004 and 2005 has fallen \$25 million to \$160 million for the biennium.

The deficit is the difference between tax revenues and expenditures for education, health and human services, and other state financial obligations through June 30, 2005.

The consensus among economists, said State Economist Tom Stinson, is that "everything's on the table for this to be a very good year."

Jobs will grow but not at the same rate they did in the late 1990s, Stinson said. "That truly was the best economy of our generation and we're not going to see that again."

Nationwide economic growth is expected to be 4.8 percent, the strongest in 20 years.

The good news is Minnesota is outperforming the national economy, Stinson said. The bad news is the state gained many jobs during the summer of 2003 and "now we've been treading water."

The state does have \$631 million, or 2.2 percent of biennial spending, in reserve, although Finance Commissioner Peggy Ingison said economic advisors generally believe reserves should be built up when the economy is good – and 4.8 percent growth is considered good.

The forecast will help House and Senate leadership set budget targets for committee bonding recommendations and supplemental budget requests.

The Legislature and governor are constitutionally required to enact tax and spending bills that will result in a balanced budget at the end of a biennium. The requirement is not explicitly stated, but borrowing money to cover a deficit is prohibited.

Looking ahead to fiscal years 2006 and 2007, current spending in law is projected to exceed revenues by \$441 million.

"Any spending increases beyond those in current law would add to the future budget shortfall," according to the department.

## ★ BUSINESS

### Tobacco sales penalties

Penalties for retail stores that sell cigarettes and tobacco products to minors would be made uniform statewide, eliminating any city's ability to determine disciplinary actions, under a bill approved March 3.

HF561, sponsored by Chris Gerlach (R-Apple Valley), was approved by the House Civil Law Committee and now moves to the House floor.

In 2003, the bill was approved by three House committees, but stalled awaiting action by the full House. Rules dictate such bills are returned to committee.

Legislators heard business owners testify in 2003 that some municipalities' fines and license revocations were so strict as to threaten their livelihood.

However, public health officials and local government representatives said that allowing cities to set stiffer penalties leads to greater diligence on the part of clerks checking purchasers' identifications, which therefore decreases teen smoking.

Current law allows each city to exceed state-mandated minimum fines to businesses and sales clerks. Also left to local control is the number of days a business's tobacco license may be suspended, if a suspension is applied.

Under the bill, a first violation would bring a fine between \$75 and \$500 to the business. Subsequent violations within 24 months would carry higher penalties, with the stiffest being a fine between \$250 and \$5,000 and a license revocation of up to seven days.

"The bill pre-empts local control and we would be opposed to that," said Jennifer O'Rourke, a government liaison with the League of Minnesota Cities.

Added Matt Flory, government relations liaison for the American Cancer Society, "Local control makes the law effective."

Gerlach said he has addressed concerns raised last year. The 2004 bill reinstates minimum fines, which he said was never his intent to eliminate. The crux of the issue, he emphasized, is not the minimum fines, but the maximum.

But Rep. Ron Latz (DFL-St. Louis Park) questioned why the bill did not state a minimum license revocation period. Allowing revocations of either "up to" three days or "up to" seven days could allow a city to choose only one day, he said.

"I don't think that's going to be a problem," Gerlach responded.

The Senate companion bill (SF992), sponsored by Sen. David Knutson (R-Burnsville), awaits committee action.

## ★ CONSUMERS

### No attorney fees

Two efforts to grant homeowners attorney fees when successfully suing their homebuilders for defects failed March 3 in the House Civil Law Committee.

The amendments pertained to HF1801, sponsored by Rep. Karen Klinzing (R-Woodbury). It addresses situations where homeowners can't get their builder, or the builder's insurance company, to rectify serious defects, such as moisture and mold problems. Many homes beset by such problems were built in the 1990s.

Originally, the bill would have awarded the homeowner costs and reasonable attorney fees if declared the prevailing party in a lawsuit. However, the House Commerce, Jobs, and Economic Development Policy Committee amended the bill to allow attorney fees only if the builder refused, without a "good faith basis," to make the repairs under the warranty. The amendment was considered a victory for homebuilders and insurance companies.

Rep. Thomas Pugh (DFL-South St. Paul) attempted to reverse the commerce committee's action through an amendment restoring the bill's original language, thereby weighing in on the side of the homeowners.

Not allowing the courts to award attorney fees could consume 10 percent or more of a \$300,000 verdict, Pugh said. "You can never get square" if you're an owner whose home requires substantial repairs. The amendment failed by one vote.

A second amendment, offered by Rep. Eric Lipman (R-Lake Elmo), would have allowed attorney fees if the court found that the loser's case was "not substantially justified." It, too, failed by one vote.

Sheila Asleson, a member of the Homeowners Against Deficient Dwellings, said she wanted the attorney fees language reinstated. She spent \$20,000 on her home, which was less than two years old, to address mold problems that forced a temporary move.

"There is no one to stand up for the homeowners," Asleson said.

Speaking against the bill was Michael Noonan, vice president of Rottlund Homes in Roseville. Awarding attorney fees would encourage lawsuits, he said.

The bill was approved and moves to the House State Government Finance Committee. Its companion (SF2248), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action.



For information on discussions to help reduce cramming on telephone bills, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ EDUCATION

### Epinephrine use

Students at risk from severe allergic reactions would be allowed to carry a needed treatment with them in school, under a bill discussed March 2 by the House Education Policy Committee.

Sponsored by Rep. Karen Klinzing (R-Woodbury), HF1915 would provide for student use, with a parent's permission, of an epinephrine auto-injector while in school.

Epinephrine is a form of adrenaline that relieves temporary shortness of breath, chest tightness, and wheezing due to bronchial asthma. It reverses the symptoms of an anaphylactic reaction, which can be caused by food, insect stings, medication, or latex.

The committee held the bill for consideration of amendments at an unspecified date.

Supporters said some school districts don't allow highly allergic students to carry epinephrine auto-injectors as a precaution against other students taking them. They testified that a student's risk of anaphylaxis, which could be fatal if not treated, requires that capable students be allowed to carry epinephrine, rather than leave the treatment device with the school nurse.

"Epinephrine should be no further away from a child than a spare tire is from a car," said Dr. Allan Stillerman, an allergy/asthma



Nathan Klein, 10, of Woodbury, who has asthma and food allergies, testifies March 2 before the House Education Policy Committee in support of a bill that would allow students to carry an epinephrine auto-injector while in school.

specialist and member of the Anaphylaxis and Food Allergy Association of Minnesota.

Nathan Klein, 10, of Woodbury, said immediate access to epinephrine "has saved my mom's and my sister's lives." Klein said he has several allergies and asthma.

Storing the auto-injector, marketed as a prescription drug called an EpiPen, with the school nurse "doesn't work," Klein said. "It's not hard to learn how to use an EpiPen."

The drug can be self-injected into the outer thigh. According to the national Anaphylaxis and Food Allergy Association Web site, food-induced anaphylaxis is believed to cause 30,000 trips to hospital emergency rooms and between 150 and 200 deaths annually.

The bill would require parents to submit annual written authorization for a student to carry epinephrine and require a school nurse to assess a student's ability to safely use an auto-injector in a school setting.

A companion bill (SF1880), sponsored by Sen. Mady Reiter (R-Shoreview), awaits committee action.

### Safer colors

Whether they're wearing blaze orange or fluorescent yellow-green, the message from school safety patrols helping someone across the street will remain, "Stop."

A bill (HF2587), sponsored by Rep. Nora Slawik (DFL-Maplewood), would bring state Department of Public Safety rules regarding the color of vests, sashes, ponchos, and "Sam Browne belts" worn by school safety patrol students in line with current fashion.

The House Education Policy Committee didn't act on the bill following a March 2 hearing due to a procedural question. The bill does not cite a state law to be changed, only a rule.

"Schools are already doing this," Slawik said. "It's fairly simple but important."

The American Automobile Association provides vests, belts, badges, flags, and training materials to volunteer safety patrols from elementary, middle, and junior high schools.

Gail Weinholzer, public affairs director for Minnesota AAA, said the color switch from blaze orange to fluorescent yellow-green has been ongoing since the late 1990s to match roadside school zone signs. National safety studies have shown the more reflective bright yellow-green is easier for drivers to see, Weinholzer said.

Also testifying in support of the bill were Kate Osterman, 10, and Tawny Steinmeyer, 11, safety patrol volunteers from New Hope Elementary School.

"The new color makes us safer because people can see us better," said Kate, the daughter of Rep. Lynne Osterman (R-New Hope).

"It's important that all the schools in



Tawny Steinmeyer, left, and Kate Osterman, right, school safety patrol officers at New Hope Elementary School in New Hope, rehearse their testimony at the back of a hearing room before testifying in front the House Education Policy Committee March 2. The girls support a bill that would change colors for school safety patrol belts.

Minnesota do this," Tawny added.

AAA has sponsored school safety patrols nationwide since 1926, according to the organization's Web site. "Sam Browne belts," are named after Sir Samuel James Browne (1824-1901), a British general. They have a shoulder strap that runs diagonally across the chest and were once a common part of police and military uniforms.

The bill also covers the color of school safety patrol flags, which can be blaze orange, fluorescent yellow, or yellow-green with a yellow octagon bearing the word "Stop" in black letters.

A companion bill (SF2118), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits committee action.

### Referendum ballot questions

A bill providing for an easier-to-read school ballot question and restoration of four school district operating levies was heard March 2 by the House Education Finance Committee.

Sponsored by Rep. Alice Seagren (R-Bloomington), the committee chair, HF2140 would simplify the state-required language for a school operating referendum ballot question. It would also restore cuts enacted by the 2003 Legislature to the building/land lease, unemployment insurance, legal judgment, and safe schools levies used by school districts for some administrative and personnel costs.

The bill will be considered for inclusion in the committee's omnibus finance bill.

Scott Croonquist, executive director of the Association of Metropolitan School Districts, said the funding restoration component of the bill would bring a \$15 million enhancement to 26 member districts in his organization if the levies were restored to the levels that existed prior to 2004.

Restoring the levies would be of "minimal cost to the state," Croonquist said.

Restoration of the lease levy authority to the former \$100 per pupil maximum would help

growing districts such as Rochester meet their facility needs, said Mike Pieper, director of business services for the Rochester School District.

The levy amount was lowered last year to 90 percent of the actual cost of a building/land lease, or \$90 per pupil, whatever is less.

The unemployment insurance and legal judgment levies were each limited by the 2003 Legislature, to 90 percent of the amount above \$10 per pupil unit, and the safe schools levy was reduced by \$3 to \$27 per pupil unit.

Alan Hopeman, executive director of finance and business services for the Wayzata School District, supports the ballot language changes in the bill.

State requirements for school operating referendum ballot questions include complex market value percentage formulas and difficult-to-understand wording similar to "per resident marginal cost pupil unit."

"There's confusion among voters over the ballot language," Hopeman said. "We've found people don't understand it."

The bill would simplify ballot language, remove a requirement to print an estimated referendum tax rate on the ballot, and remove required language that states the money "is used to finance school operations."

Hopeman said the latter language causes confusion with school building maintenance versus other school operations a ballot question could address.

The ballot would still be required to show the actual dollar amount of a tax increase on typical property types.

A companion bill (SF2059), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), awaits committee action.

### **Districts working together**

As declining enrollment continues to pinch rural school district budgets, finding ways to share the cost of non-instructional services may free additional dollars for education.

That was the message supporters of HF1999 brought to the House Education Finance Committee Feb. 26.

Sponsored by Rep. Tony Cornish (R-Good Thunder), the bill would create planning grants for school districts, charter schools, and service cooperatives to study the feasibility and savings potential of sharing transportation, purchasing and payroll functions, community education, building maintenance, and food service.

The bill will be considered for inclusion in the committee's omnibus finance bill.

Approximately a dozen school innovation and cooperative planning grants would be awarded by the state Department of Education, said Greg Marcus, the department's government relations director. Instruction would

not be among services to be shared.

Mary Ann Nelson, assistant education commissioner, said that at the end of the 2000-01 school year half of the state's school districts had declining enrollments. The bill's intent, Nelson said, "is to get at the resistance some districts have" about shared service agreements. The bill is among a number of education initiatives proposed by Gov. Tim Pawlenty.

"Rural districts want to become more efficient and keep more money in our classrooms," said Vernae Hasbargen, director of legislative action for the Minnesota Rural Education Association. The bill would expand cooperative purchasing, practiced by some districts, into other areas, she said.

Lloyd Styrwoll, superintendent of Grand Rapids schools, said his district is studying shared services with smaller neighboring districts because Grand Rapids has lost 1,000 students during the past 10 years.

School district consolidation is "politically charged" due to community identity and potential job losses, which is why shared services need to be considered, Styrwoll said. "These are things that need to happen on behalf of our very survival."

"Why do we need this?" asked Rep. Barb Goodwin (DFL-Columbia Heights). "A lot of this is already available in (current) law." Goodwin said she supports the idea behind the bill but asked that money to fund the grants not be taken from instruction.

The bill did not specify a general fund amount to support the grants.

A Senate companion (SF2240), sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits committee action.

## **EMPLOYMENT**

### **Clarifying workers' compensation**

The House Commerce, Jobs, and Economic Development Policy Committee approved a bill dealing with workers' compensation Feb. 26 and sent it to the House floor.

"The bill has been agreed to by labor, business, and both sides of the aisle," said Rep. Tony Sertich (DFL-Chisholm), the sponsor of HF2235.

The bulk of the 89-page bill, an initiative from the Department of Employment and Economic Development, deals with house-keeping and technical changes, addressing topics such as electronic transmission.

Lawmakers' discussion focused on one section of the bill, which 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 bill would be sexual harassment. Any other reason would have to be evaluated based on the facts of a case and on whether a "reasonable person" would quit in that situation.

"The bill makes it clear that we look at each case individually," said Lee Nelson, director of unemployment insurance legal affairs for the department. Each case would be decided based on its merit, he said.

Rep. Barbara Goodwin (DFL-Columbia Heights) asked whether the bill would increase the burden of proof on the employee.

According to nonpartisan House research information, the bill suggested could go either way, but it would give a person the chance to give more evidence than the current law provides.

Sertich said it is his intent "to broaden, not limit" the situations in which employees may receive workers' compensation by offering case-by-case hearings.

## **ENERGY**



### **Studying renewable energy**

The House Regulated Industries Committee reviewed a number of proposals March 3 that would change the way renewable energy initiatives are funded, supported, or mandated by the state.

The general consensus reached by lawmakers, utility representatives, wind energy generators, and energy conservation advocates was that an interim study to set a statewide course for renewable energy initiatives would be best.

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

Renewable technology types eligible for funding include wind, biomass, solar, water power, and fuel cells.

HF2451, sponsored by Rep. Dean Simpson (R-New York Mills), would change the structure of the board that oversees renewable project expenditures, expand the scope of eligible projects beyond the area served by the utility, and require the board to annually transfer unencumbered funds to a separate renewable energy account under the Department of Commerce.

Renewable energy board members reminded committee members that only Xcel ratepayers contribute to the fund.

"If it's a statewide fund we're after, everyone should contribute," said Bill Grant, who is also associate executive director for the Izaak Walton League.

Another bill (HF1734) that looks to the fund

for support would boost the overall availability of renewable energy production incentives to wind energy conversion system operators. The measure is sponsored by Rep. Elaine Harder (R-Jackson).

In addition to a waiting list for incentive eligibility, some small wind energy providers said they are having trouble connecting to the energy grid.

Providers in southwest Minnesota are concerned with achieving access to transmission lines “in an aggregated manner, not an aggravated manner like we are now,” said Mark Willers, a Rock County turbine owner and Minwind president.

HF2268, sponsored by Rep. Doug Magnus (R-Slayton), would require utilities to act as agents for certain wind energy developers seeking to connect with the utility’s system.

The bill also would create a renewable energy development director position at the Department of Commerce to advocate for the completion of renewable energy projects.

Under HF2202, sponsored by Rep. Torrey Westrom (R-Elbow Lake), electric utilities not living up to legal requirements to meet certain renewable energy objectives would be required to allocate 5 percent of funds that would otherwise be spent on conservation improvements to construct an electric generating plant using renewable fuels or invest in similar qualifying projects.

The topics addressed in the bills will be considered for inclusion in a study. There are no Senate companion bills.

### **Bonding for biomass**

Biomass, organic matter that is available on a renewable basis for conversion to energy, is one of Minnesota’s underutilized resources, House Regulated Industries Committee members were told March 3.

A bill (HF2490) sponsored by Rep. Bob Gunther (R-Fairmont) would direct \$1 million in bond proceeds to the Department of Commerce to fund grants for four to five biomass-fueled heating and cooling systems at facilities owned by cities, state colleges, or universities.

Under the bill, eligible biomass includes sustainably harvested forest and agricultural residues, waste wood, biogas created when organic matter breaks down, mill residues, and dedicated energy crops.

The bill explicitly states that the biomass fuel source must be procured in an environmentally sustainable matter.

Grant money could be used for engineering and feasibility studies, surveys, and other planning activities. Existing community energy systems seeking to make upgrades or launch new projects would also be eligible.

A successful combined heat and power plant fueled by wood waste at the St. Paul District Energy facility heats and cools the State Capitol, said Shalini Gupta, a research assistant with Minnesotans for an Energy Efficient Economy.

Minnesota ranks fifth in the nation for biomass availability, she said.

The committee approved the measure and it now moves to the House Jobs and Economic Development Finance Committee.

A Senate companion bill (SF1975), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits action in the Senate Jobs, Energy, and Community Development Committee.

## **★ ENVIRONMENT**

### **Phosphorus fertilizer ban**

A bill that would extend a partial ban on phosphorus lawn fertilizers to the entire state is headed to the full House.

The House Environment and Natural Resources Policy Committee approved the bill (HF2005) March 3. Current law bans phosphorus lawn fertilizer use in the Twin Cities metropolitan area.

Rep. Denny McNamara (R-Hastings), the bill sponsor, said it is intended to protect lakes and water supplies statewide, because the only purpose the nutrient serves is to make waters green and encourage algae growth.

Under the bill, certain entities may still use phosphorus fertilizers. Golf courses may use it if the staff are trained, certified, and licensed to do so. The Department of Agriculture administers a training program through the University of Minnesota for this purpose.

Already, 350 people out of the 475 affected under the metropolitan area ban have taken the training course.

In addition, phosphorus fertilizer may be used on new lawns to help them establish roots, and soil deemed to be phosphorus deficient may also be supplemented.

Gary Botzek, a board member of the Minnesota Environmental Partnership, said the bill would also help property owners along lakes by maintaining and improving property value.

“We do not want our blue lakes to be turned into green, algae-filled lakes,” he said.

The Senate companion bill (SF1999), sponsored by Sen. Dan Sparks (DFL-Austin), awaits committee action.

### **Deliberating ‘voluntary’ easements**

Negotiations are underway between farm groups and other conservation interests over a project that has been referred to as the centerpiece of Gov. Tim Pawlenty’s clean water initiative.

The House Environment and Natural Resources Finance Committee reviewed two bills March 2 that would support a so-called second generation Conservation Reserve Enhancement Program (commonly referred to as CREP), though officials differ over the program’s permanent easements.

Both bills were held over for additional discussion and possible inclusion in the committee’s bonding recommendations.

The program is a combination of the U.S. Department of Agriculture Conservation Reserve Program and the state Reinvest in Minnesota Reserve, voluntary programs aimed to reduce sedimentation and soil erosion by encouraging landowners to set aside marginal or environmentally sensitive agricultural land along waterways.

The state has successfully enrolled 100,000 acres along the Minnesota River watershed in the enhancement program and this new initiative proposes another 100,000 acres from three watersheds, including basins in southeastern and southwestern Minnesota and the Red River Valley.

Rep. Ray Cox (R-Northfield) is sponsoring a bill (HF2249) that would appropriate \$20 million in bond proceeds and \$3.2 million from the general fund to the Board of Water and Soil Resources for the program.

Under the bill, the money could go toward 35-year or permanent easements at the will of



**Bruce Albright, Buffalo-Red River Watershed District administrator, testifies before the House Environment and Natural Resources Finance Committee March 2 in support a bill that would provide funds for Oakport Township flood hazard mitigation.**

the landowner, except that wetlands easements, per current law, would be permanent.

A bill sponsored by Rep. William Kuisle (HF2294) would expend the same amount of money but the number of permanent easements is limited.

Under that bill, the funds are directed toward 30-year easements. Wetland easements, which are required by law to be permanent, are limited to 20 percent of the total number of easements acquired, and 5,000 acres of permanent easements may be purchased in the Red River watershed for flood control.

The Minnesota Farm Bureau Federation's support for conservation "ought not be questioned," said Al Christopherson, farm bureau president, but the group is opposed to permanent easements.

A lot can change over the course of even 10 years, including land use and new technology, he said. "In Farm Bureau's view, an easement that lasts more than one generation is indeed permanent."

It's not voluntary if the next generation is paying taxes on something they don't get revenue from, Christopherson said.

The Senate companion to the Cox bill (SF2145), sponsored by Sen. Rod Skoe (DFL-Clearbrook), awaits committee action. The Kuisle-sponsored bill does not have a Senate companion.

### Restoring state park forests

Rep. David Dill (DFL-Crane Lake) is sponsoring a bill (HF2450) that would direct \$1 million to the Department of Natural Resources for accelerated forest restoration projects at state parks along the North Shore of Lake Superior.

The House Environment and Natural Resources Finance Committee heard the request March 2 and will consider it for possible inclusion in its bonding recommendations.

After intensive logging of white pines and other timber in the Arrowhead region until the 1920s or so, there were major fires in young forests along the North Shore that scorched the soil and burned the seeds, Dill said. Birch trees accounted for much of the new growth.

The state has since created several state parks in the area and those parklands are in need of forest regeneration efforts, he said.

State parks are more than camping areas and trails, Dill said. "They are also a forest and should be managed like forests" to achieve wildlife and species diversity.

Parks that would be eligible for restoration funding include Cascade River, George H. Crosby Manitou, Gooseberry Falls, Grand Portage, Judge C.R. Magney, Split Rock Light-house, Temperance River, and Tettegouche.

The bill encourages the department's parks division to seek innovative forest management techniques and partner with the forestry division, University of Minnesota, tribal officials, and county land managers, Dill said.

"I've watched the North Shore parks over my increasingly long life span deteriorate in terms of their forest cover," said Steve Thorne, a Minnesota Center for Environmental Advocacy board member.

As the birch trees slowly decay, the undergrowth converts to grass and brush rather than a thrifty stand of spruce or pine, he said.

"It's our billboard to the world," Thorne said. "We have an opportunity to make it a demonstration area for the way that particular type of forest should be managed."

The bill focuses on methods that would be appropriate for the conditions in each park, whether it's mechanical thinning, underplanting, or other cutting edge management techniques, Thorne said.

Gov. Tim Pawlenty did not recommend funding for these forest restoration efforts.

"Right now, I will make my pitch to have this be our highest priority of anything we're doing," said Rep. Phyllis Kahn (DFL-Mpls).

A Senate companion bill (SF2363), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits action in the Senate Finance Committee.

### Updating DNR statutes

The House Environment and Natural Resources Policy Committee approved a technical bill Feb. 26 that aims to clean up statutes governing the Department of Natural Resources.

Among the department activities covered in HF2212, sponsored by Rep. Dennis Ozment (R-Rosemount), are electronic licensing, snowmobile safety training and youth supervision, and motorboat noise regulation.

Electronic licensing is a relatively new system, and the bill would clarify license filing fee collections between the department and approved agents and clean up language currently on the books that refers to it as a pilot program.

The bill would also grant the department authority to refund license fees to hunters and anglers called to active military service before they can enjoy the open season, and to family members of those who die before a season opener.

Another licensing provision would allow charter boat operators to issue one-day fishing licenses.

The bill attempts to address some confusion over supervision requirements for young snowmobilers on both private and public lands.

Current law states that without a snowmobile safety certificate, a person under the age of 14 may operate a snowmobile on public land, public easements, or water or grant-in-

aid trails only if accompanied by an adult on the same or an accompanying vehicle.

Under the proposal, an adult supervision clause is added that would place the adult "in a position to manage, direct, and oversee," according to the department, but the adult would not necessarily have to ride along.

Another provision would clarify in law that 16- and 17-year-olds are eligible to take the adult snowmobile safety course offered by the department.

The bill would specify that the department could test motorboats and marine engines for noise violations at idle. Current law only prescribes pass-by tests at certain distances.

This is a standard idle measurement that noise experts have agreed upon, said Kim Elverum, department boat and water safety coordinator. The idle reading is easier to use because "we don't have to have boats flying by," he explained.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee.

A Senate companion bill (SF2216), sponsored by Sen. John Marty (DFL-Roseville), awaits action in the Senate Environment and Natural Resources Committee.

### Transporting invasive species

A bill that would clarify definitions relating to exotic and invasive species, increase penalties for transporting them, and limit activities in infested waters was approved by the House Environment and Natural Resources Policy Committee March 3.

Much of the bill (HF2363), sponsored by Rep. Denny McNamara (R-Hastings), merely clarifies the accepted definitions of invasive species in aquatic contexts, including Eurasian water milfoil, zebra mussels, and others.

Under the bill, sport gill netting for whitefish and trouts would be prohibited in waters designated as infested due to invasive fish or invertebrates.

Also, limitations would be placed on bait harvesting and commercial fishing in waters infested by Eurasian milfoil. Specifically, bait harvesters could only use minnow traps up to 16 inches wide and 32 inches long. Harvesters must allow nets used in infested waters to dry for at least 10 days or must freeze them for at least two days before they can be used in non-infested waters.

The bill also clarifies the process for commercial fishers who incidentally catch invasive species, including the Asian carp that are being found in Minnesota, to dispose of them properly.

In addition, the bill would increase criminal penalties for intentionally transporting

prohibited invasive species to a gross misdemeanor, which carries a fine of up to \$1,000. The bill would authorize conservation officers to issue warnings or civil citations to boaters who fail to drain their boats or otherwise transport invasive species incidentally.

The bill would also raise civil penalty maximums from \$100 to \$250 for transporting prohibited species.

Members expressed concern regarding the increased penalties. If a conservation officer spotted a clump of milfoil left accidentally on his boat trailer, asked Committee Chair, Rep. Tom Hackbarth (R-Cedar), could he be charged with a gross misdemeanor and fined.

Jay Rendall, exotic species coordinator with the Department of Natural Resources, said that would violate the provisions of the bill but the bill also provides for civil remedies in such cases. He testified that the intent of the bill was for penalties to reflect the gravity of damage related to transporting such species.

Considering the permanent damage to the body of water, Rendall said, "a \$1,000 penalty seems low."

Rep. Jean Wagenius (DFL-Mpls) suggested an administrative remedy might be appropriate in these situations when the motive isn't to penalize but to repair the damage.

"What we're after is getting things back to the way they should be," she said.

The bill now moves to the House Governmental Operations and Veterans Affairs Policy Committee. Its companion (SF2211), sponsored by Sen. Wes Skoglund (DFL-Mpls), received the approval of one committee and awaits action in another.



For information on DNR provisions regulating electronic licensing and snowmobile certificates, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ GAMBLING

### Citizen approval needed

Residents would get to choose whether a casino-style gambling facility could be built in their city under a bill, sponsored by Rep. Ann Lenczewski (DFL-Bloomington).

The bill (HF1741) allows voters to prohibit a state-operated or state-licensed gambling facility in a city unless the voters have approved the facility in a referendum.

Approved by the House Governmental Operations and Veterans Affairs Policy Committee on March 3, the bill now goes to the House Floor.

By bill definition, a gambling facility does not include a racetrack or a facility where charitable gaming occurs.

Lenczewski said Bloomington has concerns about a casino being built near the Mall of America, which could occur under a bill (HF2571) sponsored by Rep. Lynda Boudreau (R-Faribault).

If Boudreau's bill hadn't been designed with Bloomington in mind, said Lenczewski, her bill would not be before the committee.

Taxpayers helped pay \$108 million for the development of the mall, and now others want to reap the rewards of the facility's success by building a casino in the area, said Lenczewski.

Rep. Alice Seagren (R-Bloomington), a bill co-sponsor, said the area is family friendly and a casino would not be "appropriate for our community."

An amendment by Rep. Loren Solberg (DFL-Grand Rapids) would make the cost of holding a referendum the responsibility of the municipality. The bill originally had the state picking up the cost for cities.

The Senate companion (SF1591), sponsored

by Sen. Jane Ranum (DFL-Mpls), awaits action in the Senate Agriculture, Veterans, and Gaming Committee.



For information on a bill to legalize sports tipboard gambling, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ GAME & FISH

### Bound for the taxidermist

The threat of chronic wasting disease transmission to Minnesota's wild deer and elk population prompted the 2003 Legislature to place certain restrictions on hunter-harvested carcass importations.

Under the law, hunters are prohibited from bringing cervidae carcasses into the state unless the meat is cut and wrapped or no portions of the spinal cord and brain tissue remain. Health officials generally believe the abnormal proteins that cause the disease accumulate in those tissues.

These protection measures have caused difficulties for some businesses that process meat or prepare animal skins, House Environment and Natural Resources Policy Committee members were told Feb. 26.

A bill (HF2055) sponsored by Rep. Dan Severson (R-Sauk Rapids) would allow hunters to once again import deer and elk carcasses as long as they could provide verifiable evidence to conservation officers that the remains were destined for a taxidermist or meat processor.

"The reaction last year was to shut the borders down to anyone bringing a carcass in," Severson said. This resulted in a tough financial year for taxidermists in his district, he said, and some experienced a 15 percent loss in business.

The concern surrounded the possibility that hunters would be butchering and disposing carcasses "in the back 40," said Ed Boggess, assistant chief of the Department of Natural Resources wildlife section. The department is amenable to revisiting the issue, Boggess said, because licensed commercial facilities have appropriate disposal methods.

Some representatives suggested that the verification process should be in writing, given the need to trace hunters and hunting locations in the event of a disease outbreak.

"I believe we should have a paper trail," said Rep. Rebecca Otto (DFL-Marine on St. Croix).

Severson said he wants to be sure to equip conservation officers with an enforceable law and the specifics of "verifiable" could be further debated.

## RACING & GAMING



PHOTO BY TOM OLMSCHIED

**Randy Sampson, president and CEO of Canterbury Park Holding Corp., testifies before the House Governmental Operations and Veterans Affairs Policy Committee March 3 in support of a bill that would provide gaming machines at the Shakopee horse racing facility.**

The proposal will be considered for possible inclusion in an omnibus game and fish bill.

A Senate companion bill (SF1777), sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits committee action.

## ★ GREATER MINNESOTA

### Dollars for Duluth zoo

The only accredited zoo in Greater Minnesota is looking to add a couple of exhibits containing unique and endangered animals and make some other capital improvements with a boost from the state and a local match.

Rep. Mike Jaros (DFL-Duluth) is sponsoring a bill (HF1747) that would provide the Lake Superior Zoo in Duluth with \$400,000 in bonding funds to continue with its master plan for development. The money would leverage a match of \$400,000 from the city.

The House Environment and Natural Resources Finance Committee reviewed the proposal March 2.

The Lake Superior Zoo was near and dear to the heart of late Rep. Willard Munger, Jaros said. "The last thing he told me to do was to take care of the zoo."

Specializing in northern animals, the zoo serves approximately 135,000 visitors annually, said zoo director Mike Janis. "Duluth is not exactly a kind climate for animals like giraffes and elephants."

The master plan includes developing red panda and meerkat exhibits, constructing an observation deck over a waterfall, installing restrooms, and beginning a woodland trail.

Referring to the exhibits at the Minnesota Zoo, Rep. Phyllis Kahn (DFL-Mpls) asked why duplicate exhibits such as meerkats and red pandas that are already in place there.

Red pandas are so critically endangered that a zoo management group has asked the Duluth zoo for assistance, Janis said. The Duluth climate is appropriate to the survival of the pandas, he said.

Furthermore, the exhibit designs would be considerably different, Janis said. "We're two-and-a-half hours away and... serving a geographical niche." He also compared their request to the Minnesota Zoo's request, saying it was only a fraction of what the Apple Valley facility would receive.

The request will be considered for possible inclusion in the committee's capital investment recommendations.

A Senate companion (SF1664), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits committee action.

## ★ HEALTH

### Patient confidentiality

A bill that would change current law relating to minors' consent for health care received considerable scrutiny at the March 3 meeting of the House Health and Human Resources Policy Committee.

Current law, which has been in effect since the 1970s, permits minors to seek medical treatment and be assured of confidentiality. Parents may not view those medical records without their child's consent.

HF352, sponsored by Rep. Tim Wilkin (R-Eagan), would give parents full access to their children's health records. The bill was amended, approved, and sent to the House floor.

Current law "is not sound public policy," said Teresa Stanton Collett, a law professor at St. Thomas University. "It represents a flawed understanding of adolescent needs and family dynamics."

"No one cares more for my children than me," said Evelyn Eubanks, a mother from Minneapolis. She called the current law "counterproductive and destructive."

"I think the system works very well," said



**Evelyn Eubanks of Minneapolis testifies before the House Health and Human Services Policy Committee in support of a bill that would allow parents to view their child's medical records without the child's consent.**

Dr. Christopher Reif, a family physician in Richfield. He said without minor consent and teen confidentiality he fears many adolescents would not seek help when they need it.

"I embrace parental involvement," said Dr. Chuck Oberg, president of the American Academy of Pediatrics. "My concern is for minors who are not in healthy relationships with their parents. Current law helps us see these patients."

Asked Rep. Fran Bradley (R-Rochester): "What percentage of families (is) so dysfunctional that we need this wedge between parents and teens?"

"When teens feel they can turn to their parents first, they do, and they will," said Dr. Edward Ehlinger, director of Boynton Health Services at the University of Minnesota. He said confidentiality gets teens "in the door" so they can be diagnosed and treated early.

Research has shown that access to confidential health care does not increase teen participation in high-risk behaviors, Ehlinger said.

Two amendments received committee approval.

One offered by Rep. Neva Walker (DFL-Mpls) deletes the section of the bill that takes the right of consent away from minor parents regarding their own children's medical care.

The other, from Rep. Michael Paymar (DFL-St. Paul), makes an exception if the minor is a victim of incest, in which case the minor would be permitted to obtain confidential medical treatment. It would also delete the section repealing the right of a minor to obtain medical care but without guarantee of confidentiality.

A Senate companion (SF570), sponsored by Sen. Sean Nienow (R-Cambridge), awaits committee action.

### Facility regulation

A bill relating to the regulation of outpatient facilities for surgery and diagnostic imaging hit a rough spot in the House Health and Human Services Policy Committee March 1 as advocates of hospital interests and clinical interests did battle before a committee that seemed as much in disagreement as the testifiers.

HF2127, sponsored by Committee Chair, Rep. Lynda Boudreau (R-Faribault), was approved and sent to the House Health and Human Services Finance Committee. A Senate companion (SF2080), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits committee action.

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



**Thomas Thompson from St. Mary's Health Center in Detroit Lakes testifies before the House Health and Human Services Policy Committee March 1 about a bill related to the regulation of outpatient surgical centers and diagnostic imaging facilities.**

Proponents said hospitals operate on a narrow margin and need the income from surgery and diagnostic services to provide funding for charity cases, emergency room care, and reinvestment.

"This bill truly creates a level playing field," said Randy Ulseth, administrator of the Kanabec Hospital in Mora. He said it would ensure that outpatient centers can't "cherry pick" the most profitable parts of the business.

"This proposal appears to be protectionism, pure and simple," said Jim Million of Fridley. Outpatient facilities provide "better access, expertise, personalized attention, and lower cost," he said. Million, testifying as a patient, also serves as chair for the Minnesota Chamber of Commerce task force on health policy.

Robert Brigham, a senior administrator for the Mayo Health System, said the system supports much of the bill but opposes the section that would require governmental pre-licensure review for outpatient facilities.

Rep. Fran Bradley (R-Rochester) suggested removing the "troublesome" section, revising it, and bringing it back for consideration before the finance committee. Boudreau agreed and committed to working with the entities to rework it.

With that section withdrawn, Rep. Jim Abeler (R-Anoka) withdrew an amendment that would convene a task force. "I do not trust the process this bill has gone through," he said.

"We all need a chance to state our thoughts."

Bradley, chair of the finance committee, said he expected committee members and representatives of the Minnesota Hospital Association and the Minnesota Medical Association to rework the bill before he would be willing to hear it in his committee.

### **Bonding recommendations**

The House Health and Human Services Finance Committee approved bonding requests totaling \$36.8 million March 2, agreeing to the ranking proposed by Committee Chair, Rep. Fran Bradley (R-Rochester).

The House Capital Investment Committee received and discussed the recommendations March 3 but made no decision regarding them.

The top six of 14 items are those recommended by the governor for new facilities for the sex offender program and for repairs, redevelopment, or asset preservation for various projects for veterans homes and regional treatment centers.

Topping that list is a \$1.1 million drainpipe replacement project at the veterans home in Minneapolis. According to a report from the Veterans Home Board, more than 50 percent of pipes are failing due to corrosion.

The second priority is \$3 million for planning and designing new secure facilities for an expanded sex offender program at the St. Peter Regional Treatment Center.

The following projects, in descending order of priority, were recommended by both the committee and the governor:

- \$6 million for general repairs and maintenance at various veterans homes statewide;
- \$6.2 million for redevelopment, reuse, and demolition projects at five regional treatment centers;
- \$1 million for roof repairs at various state facilities; and
- \$4 million for repair and maintenance projects at regional treatment centers.

In addition, the committee recommended bonding for seven veterans home projects, not recommended by the governor. Funding of veterans home projects has the added advantage of leveraging federal funding. Recommended projects, in descending order, are:

- \$1 million for an adult day care facility at the Minneapolis home (HF1521);
- \$1.3 million for renovating clinical space at Silver Bay (HF1521);
- \$282,000 for an addition to the Alzheimer unit at Luverne (HF1521, HF2306);
- \$1.6 million for dining and kitchen renovations at Minneapolis (HF1521);
- \$2.3 million for a special care unit at Fergus Falls (HF1521);
- \$3.6 million to establish a veterans nursing

home on the Willmar Regional Treatment Center campus (HF2315); and

- \$4 million to purchase the former Minnesota Correctional Facility in Sauk Centre for use as a state veterans home (HF2441).

In addition, the committee recommended \$1.4 million in bonding for the Hennepin County Medical Center to expand and renovate its crisis intervention center (HF2112), another project not on the governor's list.



For information on the findings of the Minnesota Citizens Forum on Health Care Costs, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## **HIGHER EDUCATION**



### **Riot penalties**

College students taking part in a riot could run the risk of losing state funding for their educational costs, under a bill approved by the House Higher Education Finance Committee.

HF1730, sponsored by Rep. Carla Nelson (R-Rochester), would make students at a postsecondary institution convicted of property damage or violence in connection with a riot ineligible for awards from state grant programs and they must pay the highest applicable tuition rate, including that charged to non-Minnesota students.

Nelson told the committee March 1 that the provision is similar to one the House approved as part of the committee's omnibus finance bill last year but was removed in conference committee. "The difference is that this bill has a limit of one year versus a lifetime ban, as was the case last year," she said, noting this bill would make it easier to track students and would not as severely penalize those who want to return to school later in life.

"The message is that we will not use taxpayer money to fund students who riot," she said.

Both the University of Minnesota and Minnesota State Colleges and Universities system already have student codes of conduct. In some cases suspensions and expulsions are in order.

For example, of the 22 students arrested in connection with the fall 2003 riot at Minnesota State University, Mankato, 14 were sanctioned with penalties ranging from probation to a one-semester suspension.

Jeff Thompson, vice president of the Minnesota State College Student Association, spoke against the bill, as did Sam Edmunds, state chair of the Minnesota State University Student Association. Edmunds said the bill would disproportionately affect lower income students that have

a greater reliance on state aid, it would be a double punishment, and students should not be held to a higher standard than non-students who are part of an uprising.

"You can't take money away from citizens that they don't get," Nelson responded.

Also critical was Rep. Ron Latz (DFL-St. Louis Park), who said the bill was not drafted "narrow enough" because it leaves a number of unanswered questions, including who determines what is done in "connection with a riot."

Nelson said she would be willing to work with any dissenters to address their concerns before the bill, which has no Senate companion, moves next to the House Civil Law Committee.

### **Bonding recommendations**

The House Higher Education Finance Committee approved a list of nearly \$430.4 million in bonding requests March 3 and forwarded it to the House Capital Investment Committee.

All items requested by the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system are included. The MnSCU request was \$274.9 million and the university request was \$155.5 million. Gov. Tim Pawlenty recommended \$88.6 million and \$76.6 million respectively.

Some committee members had concerns with the ranking of projects because the list does not mirror that of the systems. Members ranked the projects, and committee staff compiled the choices for the final list.

Rep. Lyndon Carlson (DFL-Crystal) said he feared that if the committee ranked the projects, it could lead to a previous time when people used political pressure to get what they wanted, which ultimately led to "less than the best request we could make."

Countered Rep. Denny McNamara (R-Hastings), "In some cases I saw something that I thought was more important. I don't want to just say that we took what was given to us."

Atop the MnSCU list is \$100 million for scheduled repairs and maintenance, compared to \$49 million recommended by Pawlenty, followed by science renovations at Winona State University (\$10.2 million) and Minnesota State University, Moorhead (\$9.7 million), a technology center renovation at Century College in White Bear Lake (\$4.5 million), and renovation of the former library at St. Cloud State University into classroom space (\$2.9 million). All four were included in the governor's bonding proposal.

The top nine MnSCU items mirror the system's recommendation.

Scheduled repairs and maintenance tops the university's list at \$90 million (the governor rec-

ommended \$38 million), followed by \$9.6 million for educational facility renewal at the Academic Health Center on the Minneapolis campus, \$9.3 million for renovation of the life sciences building at Duluth, \$13.3 million for renovation of a vacant building into an Education Sciences Building on the Minneapolis campus, and a \$16.8 million Kolthoff Hall renovation on the Minneapolis campus. The governor recommended all but the health center funding, which was fifth on the university's priority list, behind the other three projects.

Two other projects heard by the committee were given a positive recommendation: \$18 million for an arena at Bemidji State University and \$20 million for a biotechnology and genomics lab in Rochester, recommended by the governor. Committee Chair, Rep. Doug Stang (R-Cold Spring) said those should be respectively funded through the Amateur Sports Commission and the House Jobs and Economic Development Finance Committee.

### **Doctoral degrees**

Students may ultimately be able to pursue an advanced degree at a Minnesota State Colleges and Universities (MnSCU) institution, under a bill heard by the House Higher Education Finance Committee.

The measure (HF2337), sponsored by Rep. Marty Seifert (R-Marshall), would permit the system to prepare a report for submission to the Legislature that would detail the development and offerings of applied doctoral level programs and degrees. A report must be submitted by Jan. 15, 2007.

"This simply lets the schools discuss the idea," Seifert said. MnSCU would pay all costs associated with the study.

Under current law, the planning or development of doctoral level programs is prohibited until the House and Senate education committees, the Senate Finance Committee, and the House Ways and Means Committee have given a recommendation.

A moratorium was initiated on the development of such programs by the then chancellor of the State College Board in 1969. "The prohibition occurred with enactment of a statute defining the mission of the state universities in a way that excludes the awarding of doctoral degrees," said Mitchell Rubinstein, MnSCU director of academic programs. That took place in 1991.

Seifert said such programs would expand opportunities for students in Greater Minnesota, many of whom would otherwise go online for the schooling necessary for an advanced degree. The University of Minnesota and many private colleges already offer doctoral degrees.

"There has been an increased demand in a number of professional areas," said Dennis Nunes, dean of the School of Graduate Studies at St. Cloud State University, who listed speech pathologists, mental health practitioners, and school administrators as examples. Nunes said these professions demand highly prepared individuals, especially in rural parts of the state.

The Inter-Faculty Organization supports the bill, said Russ Stanton, director of government relations. "The faculty views this as a way to teach highly motivated students."

The bill will be considered for inclusion in an omnibus bill. Sponsored by Sen. John Hottinger (DFL-St. Peter), a companion bill, SF2276, awaits action by the Senate Finance Committee.

## **HOUSING**



### **Services rendered**

The House Commerce, Jobs, and Economic Development Policy Committee approved a bill Feb. 26 that would allow manufactured home park owners to collect fees for water and sewer usage.

Headed to the House floor, HF2227 would give park owners authority to install water meters for each household and bill according to usage.

Several park residents spoke against the bill, suggesting that installing meters and charging for usage is tantamount to breaking lease agreements that include water and sewage in the rent. They fear eviction if they could not afford the utility charges.

"This bill attacks the integrity of lease agreements," said Jim Paist, executive director of All Parks Alliance for Change. He said the bill violates manufactured home park laws and hurts low-income individuals.

Metering rewards residents who conserve, said Mark Lambert, owner of several manufactured home parks. He argued that metering helps find problems like running toilets. Without metering, he said, costs from such problems are spread over all residents, whether or not they are responsible.

"The goal is not to enrich park owners but to establish a fair set of rules," said Rep. Chris Gerlach (R-Apple Valley), the bill sponsor.

Current state law already allows park owners to charge residents for utility services. If there are no devices installed that accurately meter each household's usage, the park has to charge each household the same amount for the service.

Under the proposal only actual usage could be billed, and the billing statements would have to show both usage and the rate charged. Administrative costs and the cost of installing

meters could not be billed to residents.

The bill would require that park owners who install meters must either reduce the monthly rent or waive the next regularly scheduled rent increase if current lease agreements include utilities. Meters would have to be visible to residents, and billing must be either monthly or quarterly so charges can't stack up.

"The bill offers some good protections," said Ron Giteck, an attorney with the state Attorney General's Office. He said the office supports the bill because metering results in lower usage.

A companion bill (SF2268), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits committee action.



For information on affordable, life-cycle housing, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ INDUSTRY

### Production tax exemption

Members of the House Taxes Committee heard a bill Feb. 26 that would clarify state law regarding the ore production tax. The bill (HF2083), which will be considered for possible inclusion in the omnibus tax bill, would specifically help a Minnesota company that is researching and developing a new value-added iron ore production technology.

The bill would provide "short-term tax relief ... between the research stage and the commercial production stage," said Rep. David Dill (DFL-Crane Lake), the bill's sponsor.

The Mesabi Nugget Research Project is working to develop the new technology at North Shore Mining in Silver Bay. The process creates concentrated iron nuggets by using scrap and salvage steel.

The bill is an initiative of the Iron Range Resources and Rehabilitation Agency, said Jack LaVoy, director of marketing, communications, and external affairs. "We believe this is the dawn of a whole new generation of iron production on the Iron Range."

Larry Lehtinen, president of Mesabi Nugget, said the \$30 million research project set for completion in September will lead to a \$200 million to \$250 million investment in about two years as the company moves to develop two production facilities at North Shore Mining. The facilities will support an estimated 600 jobs, he said.

HF2083 would amend existing law to address taxes due during developmental phases of a project. Current law provides a two-year

exemption from ore production taxes for new facilities, which would theoretically cover any research or developmental stages.

The bill would specifically define commercial production as 50,000 tons per year, which would effectively allow the research and development stage to be as long as necessary. The two-year exemption from production taxes would not kick in until a facility reached the commercial production threshold, under the bill, and a facility would then be subject to a phase-in system where it wouldn't pay 100 percent taxes until the sixth year of commercial production.

Under the bill, once a facility reaches commercial production it remains at that classification, whether its production levels fall below the 50,000-ton threshold or not.

The Mesabi Nugget project represents the first time these laws relating to reduced ore production have been used since their inception in 1995.

Lehtinen estimated the facility would produce about 6,000 tons of iron nuggets in 2004. He called the bill a "critical incentive" to investors.

A Senate companion (SF2105), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits committee action.



For information on a bill that would create a statewide health insurance pool for school employees, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ LOCAL GOVERNMENT

### Alternate form of transportation

A local government could back development of an electrically powered personal rapid transit system prototype, under a bill approved March 3 by the House Local Government and Metropolitan Affairs Committee.

Sponsored by Rep. Mark Olson (R-Big Lake), HF1650 would amend state law to allow a city, county, or township to issue bonds and loan money to a public or private entity to design and build the automated transit system.

The bill, which now moves to the House Taxes Committee, could "kick start initiatives in the private sector," Olson said.

Backers of the experimental transit system that moves people in three-passenger, pod-like vehicles along an elevated guideway, are seeking up to \$6 million in local government funds as part of a public-private partnership that would build a 2,200-foot oval loop model to test system operation and safety.

Representatives of the Fridley-based Taxi 2000 Corporation, designers of the system

prototype, testified in support of the bill.

J. Edward Anderson, corporation founder and CEO, said the system is designed for urban areas with population densities of 3,000 to 4,000 people per square mile.

Anderson said downtown Minneapolis could use a personal rapid transit system to connect with the Hiawatha Light-Rail Transit line. "Without a system like this, it will be hard to distribute people downtown without congestion."

One major benefit of the system would be minimal land use, Anderson said, since posts and guideways for the system could be built adjacent to existing freeways.

The system would be "four times as efficient" as personal vehicles, "can use renewable energy, and there would be no road rage," he added.

Rep. Frank Hornstein (DFL-Mpls), who opposes the bill, said construction and operating cost estimates studied in Chicago and Cincinnati were much higher than the system backers' estimate.

"There are many, many issues involved," Hornstein said.

A companion bill (SF1574), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits committee action.

### Hazardous materials facility funding

The city of Hopkins would receive aid in its effort to build a new hazardous materials training facility under a bill heard March 2 by the House Judiciary Policy and Finance Committee.

HF2364, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would appropriate \$500,000 in bonds to the city for the facility, which would be part of a new fire station.

One of 11 hazardous materials teams throughout Minnesota is headquartered at the Hopkins Fire Department. As such, the department is responsible for providing training to law enforcement and public safety agencies in 90 cities in a five-county area. The training regards hazardous materials incidents and terrorism awareness.

Fire Chief Don Beckering said the city's current fire station does not allow simulations or large-scale testing of equipment. Training is typically conducted at individual fire stations throughout the region, a task that proves difficult during the winter, he said.

The process would be easier and more effective, Beckering suggested, if training occurred at a dedicated training facility.

Rhodes said the state funds would constitute 10 percent of the project's overall cost, with 90 percent being contributed by the city.

The bill will be considered for inclusion in the committee's bonding recommendations.

Its Senate companion (SF2325), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits committee action.

### Plat review

Counties and their civil engineers favor a bill requiring county commissioner review of city and township development proposals that abut county highways.

Cities are opposed to the notion, however.

The bill (HF1913), sponsored by Rep. William Kuisle (R-Rochester), was approved March 3 by the House Transportation Policy Committee.

According to Anoka County Engineer Doug Fischer, current law requires that a city or township solicit comments from county engineers on developers' preliminary or initial plats that would abut county highways. The city and townships are not required to heed the comments, however, which often pertain to perceived traffic problems and restrictions on future highway design and construction.

The bill would require that such plat filings be submitted to the appropriate county board for review and approval. The county commissioners' review would be limited to the amount of right-of-way dedicated to highway purposes, drainage, access, and traffic flow.

At the same time, the bill would repeal current law prohibiting counties from proceeding with county state-aid projects that traverse a city without the city's approval. Kuisle acknowledged that this provision might be overreaching and that he is not "wedded" to it.

The idea of the bill, Kuisle said, is to force counties and cities to work together on highways and access issues.

The Association of Minnesota Counties, the Metropolitan Inter-County Association, and the Minnesota County Engineers Association support the bill.

Against it are the Association of Metropolitan Municipalities and the cities of Fridley, Coon Rapids, and Andover.

"Current law works reasonably well," said David Beudet, Oak Park Heights mayor.

Allowing county boards to review and approve plats would slow the process and remove municipal consent, Beudet added. Some counties, he said, could require the penultimate or last development in an area to provide traffic improvements that benefit not only the residents of that housing project but all the city's drivers. It would be impossible to ensure the benefactors are charged their portion of their improvement.

The bill, which lacks a Senate companion, now moves to the House Local Government and Metropolitan Affairs Committee.

### Seeking municipal water permits

The cities of Crystal, Golden Valley, and New Hope, which have operated under a joint water commission since the 1960s, are looking to make a long-term investment in a reliable water source.

Currently the water commission purchases treated water from the city of Minneapolis.

A bill (HF1897) headed for the House floor aims to give the three municipalities some options to ward off rate increases from Minneapolis that city managers say are becoming burdensome for residents. Dan Donahue, New Hope city manager, said rates have increased 179 percent since 1997.

The House Environment and Natural Resources Policy Committee approved the measure, sponsored by Rep. Lynne Osterman (R-New Hope), March 2.

Though they will continue to actively negotiate with Minneapolis, feasibility studies have shown drilling an independent groundwater supply from the Prairie du Chien/Jordan aquifer and building a treatment system would be a cheaper option, Donahue said.

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

Osterman noted that the three cities could drill individually without coming to the Legislature.

Rep. Jean Wagenius (DFL-Mpls) questioned the regional consequences to the aquifer and whether the additional draw would be sustainable.

It's not fair that these three cities would be asked to "shoulder the burden of regional choices," said Golden Valley Mayor Linda Loomis.

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

A Senate companion bill (SF1740), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Environment and Natural Resources Committee.

## METRO AFFAIRS



### Alternative transportation

Visually impaired individuals expressed support March 2 for a bill that would allow a taxicab subsidy for those with special transportation needs.

HF1744, sponsored by Rep. Torrey Westrom (R-Elbow Lake), would direct the Metropolitan Council to spend 10 percent of its Metro Mobility expenditures in 2005 on a new program allowing taxis as an alternate form of transportation.

Metro Mobility is a bus service available to

people with disabilities who are unable to or have difficulty using regular transit service. It is offered to passengers who qualify in 89 communities in the Twin Cities metropolitan area.

Westrom, who is blind, said his efforts to get Metro Mobility to make improvements have been refused, even when those improvements would create savings. Metro Mobility services are sometimes frustrating for users, particularly those who have to wait half a day to get to their destination, he told the House Transportation Finance Committee.

"Because I am disabled and have to use Metro Mobility, I must face the possibility of spending eight hours away from my home to attend a two-hour meeting, because of Metro Mobility rules," said Thomas Heintz, legislative coordinator for the American Council of the Blind of Minnesota.

Added Ken Rogers, group president, with a guide dog at his side, "Would you put up with this type of system if you had to rely on it?"

Under the bill, the user would pay \$4 or \$5, Westrom said, as well as 25 percent of the ride's cost. Metro Mobility would pay 75 percent of the remaining cost.

Heintz said that the current Metro Mobility subsidy is \$21 per ride.

The National Multiple Sclerosis Society wrote to the committee to indicate support of taxi use by individuals with disabilities. However, Joel Ulland, public policy director, said his organization has questions about the bill.

For example, he wrote, "It is unknown if the Metropolitan Council contracts with taxi providers, will they be required to go through the extensive driver training programs that federal law requires of special transportation providers?"

Nobody from the Metropolitan Council or Metro Mobility testified.

The bill will be considered for a bonding recommendation. It lacks a Senate companion.

## RECREATION



### Grooming ice trails

It's not a good idea to drive an 8-ton snowmobile trail groomer on just any frozen lake, but there are places in northern Minnesota where the conditions are right, the House Environment and Natural Resources Policy Committee was told Feb. 26.

Rep. David Dill (DFL-Crane Lake) is sponsoring a bill (HF1832) that would expand state grants-in-aid trail funding eligibility and legal liability immunity to cover ice trails groomed by snowmobile clubs on Lake of the Woods, Rainy, Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion lakes.

Currently, the funding and liability protection to assist local trail advocates with construction

and maintenance of snowmobile trails is available only for land trails, with the exception of waters in Voyageurs National Park.

It's an accepted notion that snowmobile trails are on land, but trails do cross waters, Dill said, explaining that there are certain areas in his district where you can't get around on a snowmobile without crossing water.

"We've proven that it can be done safely," he said.

"We really need to be careful," said Laurie Martinson, Department of Natural Resources trails and waterways director. "We're going to focus on parts of the state where we have ice standards to begin with."

Clubs would be required to hire independent third parties to test the ice conditions, she said.

Established by the Legislature in 1973, the grants-in-aid trail program now covers more than 15,000 miles of trails. Reimbursement under the program has been competitive — not all requests are approved — and Dill was asked where the dollars would come from to cover additional miles.

There's time to work out the budget, he said, because the new ice trails would not be eligible for the program until 2005.

The bill now moves to the House Civil Law Committee. A Senate companion (SF1810), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits committee action.

### Boosting metro parks funding

Metropolitan regional parks officials are advocating for a level of state capital investment in the system beyond the \$7 million proposed by the governor this year.

Rep. Kathy Tingelstad (R-Andover) is sponsoring a bill (HF2652) that would direct nearly \$10.5 million in bond proceeds toward the acquisition, rehabilitation, and development of regional parks and trails.

The House Environment and Natural Resources Finance Committee reviewed the request March 2 and will consider it for inclusion in its bonding recommendations.

Under the bill, the money would pass through the Department of Natural Resources to the Metropolitan Council. The council plans the regional park system and directs capital funds to park implementing agencies, including Anoka, Carver, Dakota, Ramsey, and Washington counties; the Three Rivers Park District of Hennepin and Scott counties; the cities of Bloomington and St. Paul; and the Minneapolis Park and Recreation Board.

Under the proposal, every \$1,000 in state investment leverages \$670 in Metropolitan Council bonds and provides for an immediate 67 percent return on investment, said John VonDeLinde, Anoka County director of parks

and recreation. The 10 park management partners fully support the bill, he said.

"This is bricks and mortar money," VonDeLinde said. "That translates into jobs for construction workers, manufacturers, and materials suppliers."

The funds would also protect nearly 1,000 acres of open space, attract tourism dollars, and reduce future requests for cash to rehabilitate aging buildings by funding preventive maintenance efforts at current rates, he said.

The bill would also restore resources beyond the governor's priority projects, VonDeLinde said, including shoreline restoration at St. Paul's Como Lake and stabilizing some historic features at Mill Ruins Park in Minneapolis.

A Senate companion (SF2380), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits committee action.

## TAXES

### Credit for long-term care insurance

Individuals who purchase long-term care insurance would be eligible for a higher tax credit, under a bill heard Feb. 26 by the House Taxes Committee.

The bill (HF1968), sponsored by Rep. Paul Kohls (R-Victoria), will be considered for possible inclusion in the omnibus tax bill.

Under current law, individuals who purchase long-term care insurance may receive an income tax credit equal to 25 percent of their monthly premiums paid, but not deducted under itemized deductions for medical care. The limit for that credit is currently \$100 per person or \$200 per married couple.

The bill would raise the limit to \$500 for an individual or \$1,000 for a married couple beginning with tax year 2004.

The motive for the bill, Kohls said, is to encourage individuals to purchase private long-term care insurance in preparation for the future, rather than waiting to acquire it through public entities when they need it.

According to the Revenue Department, more than 43,000 filers claimed the credit in 2002. The department estimates that claims for the credit will grow about 5 percent each year.

"It provides a bit of insight into what tax policy can do and should do to encourage individuals ... to provide for their long-term care needs through the private insurance market," Kohls said.

Though no specific information exists regarding whether tax credits influence insurance purchasing behavior, a study is in the works. Eric Carlson, who has sold long-term care insurance for several years, said that a decrease in price does lead to a 15 percent to 24 percent increase in purchases, and tax credits are essentially a

decrease in price for the consumer.

According to the Department of Revenue, the bill would cost the state between \$12 million and \$14 million over the next three fiscal years.

Sponsored by Sen. Brian LeClair (R-Woodbury), a companion bill (SF15) is moving through the committee process.

## TRANSPORTATION



### Studying alternatives to gas tax

A road user task force would be developed to establish a new way to collect taxes based on road use under a bill sponsored by Rep. Ron Erhardt (R-Edina).

The House Governmental Operations and Veterans Affairs Policy Committee approved HF2210 March 1 with some changes the House Transportation Policy Committee.

The bill would encourage the Legislature to consider replacing the gas tax with a fee based on the number of miles driven by a vehicle. The task force would examine existing and alternative user tax systems.

Erhardt said the idea is driven by long-term concerns that gas tax revenues will decline due to the advancement of alternative fuel vehicles and improved vehicle mileage.

The task force would "gather studies and make decisions for the best way for highways and bridges to be funded."

- As amended, the task force would include:
- the commissioners of transportation, public safety, revenue or designees from the departments;
  - six citizen members appointed by the governor;
  - an elected county official, a county board member, and an elected township officer, all appointed by the governor;
  - three senators, one of whom must be a member of the minority caucus; and
  - three House members, with one minority caucus member.

The final report must evaluate technology and methods for identifying vehicles, collecting and reporting the miles traveled by a particular vehicle, receiving payments from participants in proposed pilot projects, reliability of technology, ease of use, public acceptance, costs of implementation and administration, and any potential evasion of accurate reporting.

The bill, which has no Senate companion, moves to the House Transportation Finance Committee.



For information on a constitutionally dedicated funding source for transit and a plan to develop a 10-ton road system in the state, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## Monday, March 1

### HF2565—Demmer (R)

#### Transportation Policy

License plates; special veterans license plates authorized.

### HF2566—Demmer (R)

#### Governmental Operations & Veterans Affairs Policy

Veterans outreach events provided, and money appropriated.

### HF2567—Abeler (R)

#### Health & Human Services Policy

Medical assistance prior authorization modified.

### HF2568—Hilstrom (DFL)

#### Judiciary Policy & Finance

Sexual psychopathic personalities and sexually dangerous persons pre-commitment detention funding provided.

### HF2569—Hilstrom (DFL)

#### Judiciary Policy & Finance

Sexual misconduct crime maximum sentences increased, criminal sexual conduct in the sixth degree established, and patterned and predatory offender sentencing law modified.

### HF2570—Lenczewski (DFL)

#### Taxes

Municipalities required to use fiscal disparities proceeds on expenditures that benefit the entire metropolitan area.

### HF2571—Boudreau (R)

#### Education Policy

Casino; merit-based scholarship programs established, casino control commission established, casino license authorized, lawful gambling tax rates reduced, money appropriated, and constitutional amendment proposed.

### HF2572—DeLaForest (R)

#### Civil Law

Class action certification requirements provided.

### HF2573—Erickson (R)

#### Governmental Operations & Veterans Affairs Policy

Teacher retirement plan extended leave of absence programs sunset provided.

### HF2574—Hilstrom (DFL)

#### Judiciary Policy & Finance

Bureau of Criminal Apprehension required to investigate Level III sex offenders who fail to verify their living address.

### HF2575—Abeler (R)

#### Health & Human Services Finance

Child mental health screening limited to available appropriation.

### HF2576—Latz (DFL)

#### Education Finance

School districts reimbursed full cost for each full paid, reduced, and free student lunch that is a special diet based on religious beliefs of the student.

### HF2577—DeLaForest (R)

#### Civil Law

Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating redundancies; and making technical corrections.

### HF2578—Kahn (DFL)

#### Environment & Natural Resources Finance

Cedar Lake Trail extension funding authorized, bonds issued, and money appropriated.

### HF2579—Kelliher (DFL)

#### Ways & Means

February revenue forecast date adjusted.

### HF2580—Strachan (R)

#### Judiciary Policy & Finance

Aggressive driving crime established, reckless driving increased penalty provided, and driver's license suspension required for either crime.

### HF2581—Bradley (R)

#### Health & Human Services Policy

Medical assistance prohibition on asset transfers for certain charitable gifts exception provided.

### HF2582—Abeler (R)

#### Health & Human Services Finance

Nursing facility and community services payment rates increased, and money appropriated.

### HF2583—Slawik (DFL)

#### Taxes

Charitable contribution subtraction for non-itemizers increased.

### HF2584—Huntley (DFL)

#### Civil Law

Nonprofit health care trust defined, and requirements established for certain agreements and transactions between nonprofit health care trusts and non-charitable entities.

### HF2585—Smith (R)

#### Judiciary Policy & Finance

Recording and registration fees surcharges increased.

### HF2586—Cornish (R)

#### Education Policy

Immunity from liability provided for school district and district employee notification of students with a history of violent behavior.

### HF2587—Slawik (DFL)

#### Education Policy

School safety patrol accessories and flags colors provided.

### HF2588—Lenczewski (DFL)

#### Taxes

Single sales apportionment authorized under the corporate franchise tax.

### HF2589—Nelson, M. (R)

#### Education Finance

Pupil funding restored for pupils that are counted as more than 1.0 pupils in average daily membership.

### HF2590—Ellison (DFL)

#### Judiciary Policy & Finance

Restoration of civil rights and eligibility to vote required for certain offenders.

### HF2591—Ellison (DFL)

#### Taxes

Lead hazard reduction valuation exclusion provided.

### HF2592—Jacobson (R)

#### State Government Finance

St. Paul; Ford Building demolition funding restrictions imposed.

### HF2593—Sieben (DFL)

#### Governmental Operations & Veterans Affairs Policy

Students who are eligible to vote granted time off from school to vote.

### HF2594—Anderson, B. (R)

#### State Government Finance

Camp Ripley National Guard Youth Camp operation and staffing funding provided, and money appropriated.

### HF2595—Vandever (R)

#### Local Government & Metropolitan Affairs

Legislative Commission on Metropolitan Government oversight responsibilities provided.

### HF2596—Hackbarth (R)

#### Environment & Natural Resources Policy

Natural resources specific location data classified.

### HF2597—Nelson, P. (R)

#### Environment & Natural Resources Finance

Natural Resources Department contracts and grants payment terms modified.

### HF2598—Otremba (DFL)

#### Health & Human Services Policy

Prescription cost disclosure by pharmacists required.

### HF2599—Otremba (DFL)

#### Agriculture Policy

Seed availability and competition provided, retained patented seed registration required, fee provided, account created, penalty imposed, and money appropriated.

### HF2600—Jacobson (R)

#### Governmental Operations & Veterans Affairs Policy

Gambling oversight citizens committee created and money appropriated.

### HF2601—Dill (DFL)

#### Taxes

Taconite aids eliminated from local government aid formula, local government aid appropriation increased, homestead credit reimbursement reductions delayed, motor vehicle tax proceeds allocation modified, and transit levies authorized.

### HF2602—Johnson, S. (DFL)

#### Environment & Natural Resources Policy

Mercury switch collection program required by motor vehicle manufacturers.

### HF2603—Solberg (DFL)

#### Ways & Means

State budget compliance with governmental accounting principles reports and recommendations required, and disclosure of impact of inflation on state expenditures required.

### HF2604—Murphy (DFL)

#### Higher Education Finance

University of Minnesota-Duluth parking facility funding provided, bonds issued, and money appropriated.

### HF2605—Lindgren (R)

#### Education Finance

Advance final payment eligibility for certain school districts provided.

### HF2606—Lindgren (R)

#### Environment & Natural Resources Finance

Remediation fund expenditures clarified.

### HF2607—Lindgren (R)

#### Health & Human Services Policy

Child welfare case manager qualifications modified.

- HF2608—Dill (DFL)**  
**Health & Human Services Finance**  
Veterans Homes Board project funding provided, bonds issued, and money appropriated.
- HF2609—Thissen (DFL)**  
**Governmental Operations & Veterans Affairs Policy**  
Affirmative action provisions modified.
- HF2610—Zellers (R)**  
**Education Finance**  
Brooklyn Park; family center funding provided, bonds issued, and money appropriated.
- HF2611—Slawik (DFL)**  
**Judiciary Policy & Finance**  
Local government units and public medical facilities gun ban authorized.
- HF2612—Dorman (R)**  
**Health & Human Services Finance**  
Minnesota Care tax on wholesale drug distributors repealed.
- HF2613—Erhardt (R)**  
**Transportation Policy**  
Toll roads and bridges future construction authorization repealed.
- HF2614—Erhardt (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Public safety radio communicators defined as essential employees, public safety radio communications operator unit created, and transition provided.
- HF2615—Rhodes (R)**  
**Jobs & Economic Development Finance**  
Minneapolis; Shubert center funding provided, bonds issued, and money appropriated.
- HF2616—Mahoney (DFL)**  
**Jobs & Economic Development Finance**  
Minnesota Partnership for Biotechnology and Medical Genomics collaborative research funded and money appropriated.
- HF2617—Mahoney (DFL)**  
**Jobs & Economic Development Finance**  
Employment and Economic Development Department marketing initiative money appropriated.
- HF2618—Mahoney (DFL)**  
**Jobs & Economic Development Finance**  
University Enterprise Laboratories biotechnology facility funding provided, bonds issued, and money appropriated.
- HF2619—Smith (R)**  
**Judiciary Policy & Finance**  
Public defender representation and access to government data provided, public defense co-payment deposit regulations modified, and appropriation increased.
- HF2620—Clark (DFL)**  
**Jobs & Economic Development Finance**  
Minneapolis; former Sears site improvement bonds issued and money appropriated.
- HF2621—Meslow (R)**  
**Judiciary Policy & Finance**  
DWI offense aggravating factor calculation issues clarified.
- HF2622—Smith (R)**  
**Civil Law**  
Court authority to grant guardians power to consent to administration of neuroleptic medications provided.
- HF2623—Westrom (R)**  
**Transportation Policy**  
Trailers re-categorized for purposes of dealer bond requirements and alternative bond types provided.
- HF2624—Solberg (DFL)**  
**State Government Finance**  
Mount Itasca biathlon and cross-country ski facility improvement bonds issued and money appropriated.
- HF2625—Kuisle (R)**  
**Transportation Policy**  
Transportation property acquisition provided, section marker provisions modified, land conveyances provided, right-of-way acquired, and Route No. 268 of trunk highway system turned back.
- HF2626—Lenczewski (DFL)**  
**Governmental Operations & Veterans Affairs Policy**  
Minneapolis Employees Retirement Fund service credit purchase for prior city employment as a permit employee authorized.
- HF2627—Osterman (R)**  
**Transportation Policy**  
Highway safety rest area and travel information center regulation provisions modified, and money appropriated.
- HF2628—Anderson, I. (DFL)**  
**Environment & Natural Resources Policy**  
Off-highway vehicle operation restrictions modified.
- HF2629—Haas (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Planning office transfer to Department of Administration codified, forward pricing for energy purchases authorized, and Small Business Procurement Advisory Council reinstated.
- HF2630—Smith (R)**  
**Judiciary Policy & Finance**  
Post-conviction relief limited.
- HF2631—Tingelstad (R)**  
**Health & Human Services Policy**  
Human Services Department duties imposed, and foster care provider and prospective adoptive parent rights provided.
- HF2632—Tingelstad (R)**  
**Environment & Natural Resources Policy**  
Aquatic plant permit provisions modified.
- HF2633—Gunther (R)**  
**Environment & Natural Resources Policy**  
Ethanol plant environmental review exemptions provided.
- HF2634—Gunther (R)**  
**Jobs & Economic Development Finance**  
Petroleum inspection fee increased, fee recovery regulated, and money appropriated.
- HF2635—Gunther (R)**  
**Jobs & Economic Development Finance**  
Apprentice training fee due date specified.
- HF2636—Erickson (R)**  
**Health & Human Services Finance**  
Assistive technology money appropriated.
- HF2637—Samuelson (R)**  
**Health & Human Services Policy**  
Childcare, family investment program, long-term care, and health care changes provided.
- HF2638—Eastlund (R)**  
**Regulated Industries**  
On-farm biogas recovery facility definition clarified.
- HF2639—Heidgerken (R)**  
**Health & Human Services Finance**  
Nursing facility designation as metropolitan facility for purposes of medical assistance reimbursement provided.
- HF2640—Davids (R)**  
**Commerce, Jobs & Economic Development Policy**  
Insurance fraud law enforcement agency created, powers and duties prescribed, and insurance assessments to fund insurance fraud prevention account established.
- HF2641—Harder (R)**  
**Civil Law**  
Marriage administrative responsibilities modified and report required.
- HF2642—Harder (R)**  
**Civil Law**  
Parent education program minimum participation level in contested custody or parenting time cases required.
- HF2643—Abrams (R)**  
**Taxes**  
Alternative minimum tax exemption and charitable contribution subtraction modified.
- HF2644—Abrams (R)**  
**Taxes**  
Corporate franchise tax apportionment formula sales factor weight increased.
- HF2645—Abrams (R)**  
**Taxes**  
Corporate franchise tax single sales apportionment provided.
- HF2646—Paymar (DFL)**  
**Health & Human Services Policy**  
Denturist licensure established.
- HF2647—Paymar (DFL)**  
**Judiciary Policy & Finance**  
Crime victim ombudsman office, powers, and duties reestablished and money appropriated.
- HF2648—Abeler (R)**  
**Health & Human Services Policy**  
Clinical trial routine cost coverage required.
- HF2649—Buesgens (R)**  
**Commerce, Jobs & Economic Development Policy**  
Taxi service operator commercial auto policy discounts for drivers completing accident prevention courses required.
- HF2650—Kuisle (R)**  
**Taxes**  
Dependent care individual income tax credit modified.
- HF2651—Smith (R)**  
**Judiciary Policy & Finance**  
Interstate Compact for Adult Offender Supervision amended and interstate compact repeal delayed.

**HF2652—Tingelstad (R)**  
**Environment & Natural Resources Finance**  
Metropolitan regional park acquisition and betterment funding provided, bonds issued, and money appropriated.

**HF2653—Howes (R)**  
**Regulated Industries**  
Propane education and research council sunset date removed.

**HF2654—Howes (R)**  
**Education Finance**  
Independent School District No. 116, Pillager, fund transfer authorized.

**HF2655—Abeler (R)**  
**Health & Human Services Policy**  
Case management services for children with severe emotional disturbances modified.

**HF2656—Wagenius (DFL)**  
**Regulated Industries**  
Greenhouse gas emissions from electric generation facilities state reduction plan development required.

**HF2657—Erhardt (R)**  
**Transportation Policy**  
Noise barrier construction on certain trunk highways required.

**HF2658—Swenson (R)**  
**Agriculture Policy**  
Nuisance claims against certain agriculture operations limited.

**HF2659—Swenson (R)**  
**Health & Human Services Policy**  
Nursing home property reimbursement rate for previously approved moratorium exception project modified.

**HF2660—Howes (R)**  
**Environment & Natural Resources Policy**  
Forest management investment fund established.

**HF2661—Howes (R)**  
**Environment & Natural Resources Policy**  
Timber sales on tax-forfeited land provisions modified.

**HF2662—Holberg (R)**  
**Civil Law**  
Assessor data modified relating to government data practices.

**HF2663—Stang (R)**  
**Higher Education Finance**  
Higher education; telecommunications council sunset extended, Higher Education Services Office data access provided, child care grants modified, education benefits of public safety officers modified, and rules repealed.

**HF2664—Lanning (R)**  
**Education Policy**  
School employee background checks disqualifying crimes specified.

**HF2665—Soderstrom (R)**  
**Judiciary Policy & Finance**  
Lifetime supervision required for certain repeat sex offenders released from prison.

**HF2666—Hornstein (DFL)**  
**Governmental Operations & Veterans Affairs Policy**  
State Board of Investment pilot project authorized allowing additional investments in financial institutions rated outstanding under the Federal Community Reinvestment Act.

**HF2667—Hornstein (DFL)**  
**Education Policy**  
No Child Left Behind Act educational impact evaluation required in addition to evaluation of other state and federal laws requiring student testing.

**HF2668—Seagren (R)**  
**Transportation Policy**  
Child passenger-restraint systems and seat belts requirements modified.

**HF2669—Stang (R)**  
**Commerce, Jobs & Economic Development Policy**  
Financial institution investment authority regulated, and obsolete references to the credit union advisory task force removed.

**HF2670—Davids (R)**  
**Health & Human Services Policy**  
Insurance coverages, fees, forms, disclosures, reports, and premiums regulated.

**HF2671—Kuisle (R)**  
**Transportation Policy**  
Motor carrier provisions modified.

**HF2672—Koenen (DFL)**  
**Governmental Operations & Veterans Affairs Policy**  
Renville; RenVilla Nursing Home employees added to privatization coverage under the Public Employees Retirement Association.

**HF2673—Koenen (DFL)**  
**Jobs & Economic Development Finance**  
Buffalo Lake; municipal garage and city streets reconstruction funding provided for tornado damage, bonds issued, and money appropriated.

**HF2674—Koenen (DFL)**  
**Agriculture Policy**  
Farm tractor clock-hour meter tampering prohibited.

**HF2675—Koenen (DFL)**  
**Health & Human Services Finance**  
Medical assistance cost division provisions modified.

**HF2676—Kohls (R)**  
**Civil Law**  
Human Rights Department provisions modified relating to charge processing, sanctions, and data release; and 180-day hearing repealed.

**HF2677—Kohls (R)**  
**Civil Law**  
Human Rights Act technical changes provided.

**HF2678—Hackbarth (R)**  
**Environment & Natural Resources Policy**  
Off-highway vehicle operation provisions modified, rulemaking exemption provided, and forest classification status review provisions modified.

**HF2679—Soderstrom (R)**  
**Health & Human Services Policy**  
Sexual psychopathic personalities and sexually dangerous persons who have been civilly committed limited from patients' and residents' bill of rights.

**HF2680—Nelson, P. (R)**  
**Transportation Policy**  
License plates; special veterans license plates authorized on certain one-ton trucks.

**HF2681—Magnus (R)**  
**Education Finance**  
Transportation sparsity formula modified relating to education finance, and money appropriated.

**HF2682—Fuller (R)**  
**Health & Human Services Finance**  
Hospital payment adjustment provision modified for diagnostic related group payments.

**HF2683—Anderson, J. (R)**  
**Health & Human Services Finance**  
Low-rate nursing facilities reimbursement rates increased, and reimbursement provided for nursing facility medical liability insurance costs.

**HF2684—Krinkie (R)**  
**Regulated Industries**  
Energy reliability utility assessments implemented retroactively.

**HF2685—Davids (R)**  
**Commerce, Jobs & Economic Development Policy**  
Ovarian cancer surveillance tests included in medical insurance coverage for women at risk for ovarian cancer.

**HF2686—Davids (R)**  
**Commerce, Jobs & Economic Development Policy**  
Workers' Compensation Reinsurance Association regulated on the same basis as other domestic insurance companies.

**HF2687—Haas (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Campaign corporate spending restrictions modified.

**HF2688—McNamara (R)**  
**Health & Human Services Policy**  
Minnesota Veterans Home - Hastings leave authority extended.

## Wednesday, March 3

**HF2689—Dempsey (R)**  
**Taxes**  
Electric utility property value determination rule amendment and new rules prohibition enacted.

**HF2690—Rhodes (R)**  
**Education Policy**  
Personal and family financial management and investment education included as an elective for high school graduation.

**HF2691—Bradley (R)**  
**Health & Human Services Policy**  
Disability Council authorized to meet by telephone or electronic means.

**HF2692—Johnson, J. (R)**  
**Taxes**  
Property tax refund early payment authorized on returns filed electronically.

**HF2693—Penas (R)**  
**Higher Education Finance**  
Northland Community and Technical College remodeling and expansion projects funded, bonds issued, and money appropriated.

**HF2694—Wilkin (R)**  
**Local Government & Metropolitan Affairs**  
Metropolitan Airports Commission membership confirmation required, and duties and compensation range of chair increased.

**HF2695—Tingelstad (R)**  
**Resources Policy**  
Individual sewage treatment system programs requirements modified, account established, and money appropriated.

**HF2696—Hornstein (DFL)**  
**Taxes**  
Car sharing income tax credit provided.

**HF2697—Strachan (R)**  
**Judiciary Policy & Finance**  
County jails authorized to purchase prescription drugs from foreign nations, bids for health care insurance coverage provided for inmates, and report to legislature required.

**HF2698—Klinzing (R)**  
**Transportation Policy**  
Residential roadway definition modified to remove length limitation.

**HF2699—Kuisle (R)**  
**Taxes**  
Aggregate material removal operator definition exceptions provided.

**HF2700—Lesch (DFL)**  
**Judiciary Policy & Finance**  
Methamphetamine-related crimes established, restitution required in certain situations involving controlled substances, methamphetamine awareness and education account established, criminal penalties imposed, and money appropriated.

**HF2701—Dempsey (R)**  
**Taxes**  
Electric generation facility property tax exemption provided.

**HF2702—Otremba (DFL)**  
**Health & Human Services Policy**  
Family planning agencies authorized to refuse to offer certain family planning services.

**HF2703—Sertich (DFL)**  
**Local Government & Metropolitan Affairs**  
Iron Range; county funding for a museum operated by the Iron Range Resources and Rehabilitation Agency required.

**HF2704—Ozment (R)**  
**Judiciary Policy & Finance**  
Cigarettes; fire-resistant standards rule adoption required, and expedited process authorized for rule adoption.

**HF2705—Dorman (R)**  
**Taxes**  
Albert Lea sales tax authorized.

**HF2706—Hoppe (R)**  
**Environment & Natural Resources Policy**  
Environmental advisory councils extended.

**HF2707—Boudreau (R)**  
**Taxes**  
Electric generation facility property tax exemption provided.

**HF2708—Tingelstad (R)**  
**Judiciary Policy & Finance**  
Unlawful trafficking in persons crimes established, restitution required to victims, property forfeiture provided, and criminal penalties imposed.

**HF2709—Boudreau (R)**  
**Health & Human Services Policy**  
MinnesotaCare limited benefit set of otometric services coverage provided.

**HF2710—Nelson, P. (R)**  
**Taxes**  
Sales tax prepared food definition sunset removed.

**HF2711—Nelson, P. (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Correctional retirement plan prior service credit payment amounts provided, and funds transferred.

**HF2712—Nelson, P. (R)**  
**Transportation Policy**  
Cell phone operation prohibited in moving motor vehicle by holder of provisional driver's license or instruction permit.

**HF2713—Blaine (R)**  
**Agriculture Policy**  
Private manure applicator certification program eliminated.

**HF2714—Wagenius (DFL)**  
**Jobs & Economic Development Finance**  
Small scale municipal sewage treatment systems funding provided, bonds issued, and money appropriated.

**HF2715—Koenen (DFL)**  
**Agriculture & Rural Development Finance**  
Agricultural Utilization Research Institute funding provided, and money appropriated.

**HF2716—Koenen (DFL)**  
**Agriculture & Rural Development Finance**  
Ethanol producer payments provided at the level required by statute, and money appropriated.

**HF2717—Koenen (DFL)**  
**Jobs & Economic Development Finance**  
Minnesota Technology Inc., funding reinstated.

**HF2718—Vandever (R)**  
**Transportation Policy**  
Toll collection on highways limited to collection until all construction costs of the facility have been paid.

**HF2719—Mahoney (DFL)**  
**Higher Education Finance**  
Bioscience endowed chairs funding provided to the University of Minnesota, and money appropriated.

**HF2720—Heidgerken (R)**  
**Commerce, Jobs & Economic Development Policy**  
Insurance Guaranty Association Act amended to improve coverage for political subdivisions of the state when their insurance company becomes insolvent.

**HF2721—Dorn (DFL)**  
**Education Finance**  
Class size ratio determination method restored, and class size reduction revenue allocated.

**HF2722—Cox (R)**  
**Environment & Natural Resources Policy**  
Wetlands; specifications provided for review and waivers of 401 certification under the federal Clean Water Act, and environmental review modified to take into account relevant local plans.

**HF2723—Mahoney (DFL)**  
**Jobs & Economic Development Finance**  
Bioscience industry partnership with the Minnesota State Colleges and Universities provided, and money appropriated.

**HF2724—Abeler (R)**  
**Health & Human Services Policy**  
Childcare assistance, adoption and child placement, child welfare, economic supports, mental health, and continuing care for the elderly provisions modified.

**HF2725—Dorn (DFL)**  
**Education Finance**  
School districts subject to the health and safety management cost cap authorized to recoup the cost of defibrillators under the health and safety revenue program.

**HF2726—Mahoney (DFL)**  
**Commerce, Jobs & Economic Development Policy**  
Manufactured home park sales notice required.

**HF2727—Abeler (R)**  
**Jobs & Economic Development Finance**  
Supported employment program for persons with severe and persistent mental illness funding cuts restored, and money appropriated.

**HF2728—Mariani (DFL)**  
**Environment & Natural Resources Finance**  
St. Paul Downtown Airport/Holman Field permanent flood control perimeter dike construction funding provided, bonds issued, and money appropriated.

**HF2729—Dorn (DFL)**  
**Taxes**  
Electric generation facility sales and use tax exemption provided.

**HF2730—Kahn (DFL)**  
**Education Policy**  
School board required to lease existing closed school facilities to an eligible charter school sponsor.

**HF2731—Sieben (DFL)**  
**Health & Human Services Policy**  
Family planning and education increased and expanded, after-school enrichment programs provided, contraceptive information provided, family planning website created, ENABL program modified, and money appropriated.

**HF2732—Sieben (DFL)**  
**Commerce, Jobs & Economic Development Policy**  
Organ donors paid leave of absence law made permanent.

**HF2733—Sieben (DFL)**  
**Health & Human Services Policy**  
Insurance discrimination against medical supplies and equipment providers prohibited.

**HF2734—Cox (R)**  
**Regulated Industries**  
Hydropower importation from Manitoba study required relating to the development of renewable energy sources and related economic development in Minnesota, and money appropriated.

**HF2735—Peterson (DFL)**  
**Jobs & Economic Development Finance**  
Job opportunity building zones for small cities designated.

**HF2736—Beard (R)**  
**Regulated Industries**  
Brewpubs and small brewers license fees and production level conformity provided.

**HF2737—Beard (R)**  
**Transportation Policy**  
Municipal airport closure prohibited without legislative approval.

**HF2738—Nelson, P. (R)**  
**Local Government & Metropolitan Affairs**  
Local government alternative annexation process provided.

**HF2739—Abeler (R)**  
**Taxes**  
Anoka County Regional Railroad Authority authorized to exercise economic development authority powers.

**HF2740—Boudreau (R)**  
**Health & Human Services Policy**  
Sign language interpreter services added to medical assistance coverage.

**HF2741—Larson (DFL)**  
**Transportation Finance**  
Deputy motor vehicle registrars authorized to accept credit and debit card payment of motor vehicle taxes and fees.

**HF2742—Larson (DFL)**  
**Health & Human Services Finance**  
Prescription drug discount program eligibility provision modified.

**HF2743—Swenson (R)**  
**Agriculture Policy**  
Farming by business organization restrictions modified.

**HF2744—Hilstrom (DFL)**  
**Judiciary Policy & Finance**  
Level 3 sex offender release one-year notice to counties required.

**HF2745—Kahn (DFL)**  
**Local Government & Metropolitan Affairs**  
Pension deficit bonding referendum required, and draft legislation required for 2005 legislative session.

## Thursday, March 4

**HF2746—Demmer (R)**  
**Education Policy**  
Postsecondary enrollment options program student enrollment and counseling requirements modified.

**HF2747—Clark (DFL)**  
**Environment & Natural Resources Finance**  
Lead abatement provisions modified, fee imposed on the sale of paint, and money appropriated.

**HF2748—Clark (DFL)**  
**Environment & Natural Resources Finance**  
Lead abatement provisions modified, fee imposed on the sale of paint, and money appropriated.

**HF2749—Westerberg (R)**  
**Commerce, Jobs & Economic Development Policy**  
Foreclosure consultants and equity purchasers regulated, contract provisions and notice requirements specified, and criminal and civil penalties imposed.

**HF2750—Davids (R)**  
**Agriculture Policy**  
Biodiesel content mandate provisions modified, and money appropriated.

**HF2751—Slawik (DFL)**  
**Health & Human Services Policy**  
Woman's Right to Know Act information required to be medically and factually accurate.

**HF2752—Lesch (DFL)**  
**Judiciary Policy & Finance**  
Model post-conviction DNA analysis act established providing procedures for persons convicted of crimes to establish innocence by petitioning the court for DNA analysis.

**HF2753—Tingelstad (R)**  
**Civil Law**  
Adoption records access modified, services provided, and data classification provided.

**HF2754—Greiling (DFL)**  
**Judiciary Policy & Finance**  
Discharge plans provided for offenders with serious and persistent mental illness that are released from county jails or county regional jails, and money appropriated.

**HF2755—Harder (R)**  
**Agriculture & Rural Development Finance**  
Grain buyers' bonds amount modified.

**HF2756—Pelowski (DFL)**  
**Agriculture Policy**  
Dairy and other nutritional products markets enhanced, and sale of certain beverages in public schools regulated.

**HF2757—Greiling (DFL)**  
**Education Finance**  
All-day kindergarten funding provided.

**HF2758—Clark (DFL)**  
**Health & Human Services Finance**  
Pharmaceutical care demonstration project implemented upon federal approval, and money appropriated.

**HF2759—Borrell (R)**  
**Civil Law**  
Labor relations documents that could reveal employee choice in a representation election classified as protected nonpublic data.

**HF2760—Knoblach (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Gambling; legislative findings provided, attorney general legal actions directed, tribal-state compacts governing video games of chance bases eliminated, and governor directed to seek renegotiation of required new tribal-state compacts.

**HF2761—Wagenius (DFL)**  
**Regulated Industries**  
Wind energy competitive bid exemption provided.

**HF2762—Wilkin (R)**  
**Health & Human Services Finance**  
Minnesota Comprehensive Health Association minimum premium rate increased, reduced rate authorized for participation in a disease management program, Medicare-extended supplement plans phased out, and eligibility provisions clarified.

**HF2763—Powell (R)**  
**Civil Law**  
Motor fuel theft service charge and civil penalty increased, and civil liability clarified as not barring criminal liability.

**HF2764—Davids (R)**  
**Regulated Industries**  
Cable communications law technical and clarifying revisions provided.

**HF2765—Olson, M. (R)**  
**Education Policy**  
Character development education provided and encouraged in schools.

**HF2766—Greiling (DFL)**  
**Judiciary Policy & Finance**  
Model penal code provisions adopted relating to criminal responsibility of persons with a mental disease or defect.

**HF2767—Ozment (R)**  
**Environment & Natural Resources Finance**  
Water and soil resource management program pilot project funding provided, and money appropriated.

**HF2768—Anderson, B. (R)**  
**Civil Law**  
Civil action limitation period modified for personal injury based on sexual abuse against a minor.

**HF2769—Koenen (DFL)**  
**Environment & Natural Resources Finance**  
Minnesota River Trail from Wegdahl to Granite Falls acquisition and development funding provided, bonds issued, and money appropriated.

**HF2770—Koenen (DFL)**  
**Environment & Natural Resources Finance**  
Montevideo flood hazard mitigation grant provided, bonds issued, and money appropriated.

**HF2771—Clark (DFL)**  
**Agriculture Policy**  
Bovine spongiform encephalopathy testing required of all bovine stock slaughtered under the state meat inspection program.

**HF2772—Knoblach (R)**  
**Taxes**  
Income tax education credit and education subtraction provisions modified.

**HF2773—Knoblach (R)**  
**Governmental Operations & Veterans Affairs Policy**  
Minneapolis Teachers Retirement Fund Association investment authority transferred to the Minneapolis school district, and other investment regulation provisions modified.

**HF2774—Dill (DFL)**  
**Environment & Natural Resources Policy**  
Lead fishing tackle awareness and education provided, and grants provided to assist in reducing the use of lead tackle.

**HF2775—Dill (DFL)**  
**Environment & Natural Resources Policy**  
Sales tax portion dedicated to natural resources purposes; heritage enhancement fund, parks and trails fund, and clean water fund established; heritage enhancement council created; and constitutional amendment proposed.

**HF2776—Kuisle (R)**  
**Taxes**  
Nonprofit corporations authorized to manage local special service districts.

**HF2777—Brod (R)**  
**Commerce, Jobs & Economic Development Policy**  
Fire insurance notice requirements prescribed, and township mutual combination policies regulation modified.

**HF2778—Bradley (R)**  
**Health & Human Services Policy**  
Health care benefits, practice guidelines, and provider actions regulated.

**HF2779—Borrell (R)**  
**Civil Law**  
Data privacy provisions modified.

**HF2780—Borrell (R)****Taxes**

Property tax refund property taxes payable definition modified.

**HF2781—Anderson, B. (R)****Education Finance**

Building lease levy use expanded.

**HF2782—Holberg (R)****Transportation Policy**

Drivers' license instruction permits duration extended to two years.

**HF2783—Davids (R)****Commerce, Jobs & Economic Development Policy**

Automobile insurers prohibited from owning repair facilities.

**HF2784—Walz (R)****Environment & Natural Resources Policy**

Crow Wing County tax-forfeited land sale authorized.

**HF2785—Wilkin (R)****Health & Human Services Policy**

Health insurance deemed compliance provided on the basis of accreditation, information made available electronically, and consolidation of health maintenance regulation process established.

**HF2786—Demmer (R)****Education Finance**

Teacher contract negotiation during the school year prohibited, and January 15 deadline for settling contracts repealed.

**HF2787—Lindgren (R)****Environment & Natural Resources Policy**

Ice houses used for fishing dates and times houses may remain on the ice modified.

**HF2788—Hornstein (DFL)****Local Government & Metropolitan Affairs**

Metropolitan Council election provided.

**HF2789—Hornstein (DFL)****Taxes**

Fuel-efficient motor vehicles exempted from the motor vehicle sales tax.

**HF2790—Olson, M. (R)****Environment & Natural Resources Finance**

Septic system tank fees modified.

**HF2791—Knoblach (R)****Taxes**

Duluth sales tax rate modified.

**HF2792—Rhodes (R)****Education Finance**

Special education delivery and funding task force established.

**HF2793—Hausman (DFL)****Environment & Natural Resources Policy**

Local government funding provided to enforce off-highway vehicle and snowmobile laws and to repair damage caused by off-highway vehicles and snowmobiles, and money appropriated.

**HF2794—Hausman (DFL)****Environment & Natural Resources Policy**

Motorized trail grants-in-aid provisions modified, and state-funded motorized recreational trails recommendations implemented.

**HF2795—Carlson (DFL)**  
**Higher Education Finance**

State higher education grant program reserve funding provided.

**HF2796—Juhnke (DFL)****Agriculture & Rural Development Finance**

Agricultural shared savings loan program interest rates and priority modified.

**HF2797—Beard (R)****Transportation Policy**

Highway real estate conveyances required within three months when no longer needed for highway purposes.

**HF2798—Holberg (R)****Civil Law**

Marriage defined as a union between one man and one woman, and constitutional amendment proposed.

**HF2799—Gunther (R)****Jobs & Economic Development Finance**

Dislocated worker program provisions modified.

**HF2800—Holberg (R)****Governmental Operations & Veterans Affairs Policy**

Information management system compliance with data practices law provided, and classification and access to CriMNet and other criminal justice agency information systems data provided.

**HF2801—Nelson, M. (DFL)****Commerce, Jobs & Economic Development Policy**

Homeowner's insurance non-renewals and underwriting regulated, and discriminatory practices in automobile and homeowner's insurance prohibited.

**HF2802—Clark (DFL)****Local Government & Metropolitan Affairs**

Housing authority ability to lease townhome and condominium properties to eligible tenants preserved.

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# MINNESOTA I N D E X

## Minnesota State Capitol

Year the current State Capitol opened .....	1905
Years it took to construct .....	9
Millions appropriated for construction .....	\$4.5
Money left when construction was completed .....	\$7,000
Number of entries in contest for design of current capitol .....	41
Capitols, other than Minnesota, designed by Cass Gilbert .....	2
Minnesota State Capitols built before the current facility .....	2
First Minnesota Legislature to occupy the current Capitol .....	34th
Length of the building, in feet .....	434
Width, in feet .....	229
Exterior diameter, in feet, of the Capitol dome .....	89
Interior, in feet .....	60
Capitol height, in feet, from ground to the top of the dome .....	223
Year the Quadriga (golden sculpture of four horses) was placed on the Capitol ....	1906
Years it was restored .....	1994-95
Budget allowed for Quadriga construction .....	\$35,000
Diameter of the Rotunda, in feet .....	60
Feet from Rotunda floor to top of inner vaulting .....	142
Number of bronze statues of Civil War officers on the second floor above the Rotunda .....	4
Weight, in tons, of each of the eight columns in the open spaces between piers on the second floor .....	9.5
Column height, in feet .....	20
Diameter, in feet .....	3
Approximate weight of the chandelier hanging above the Capitol Rotunda, in pounds .....	2,000
Length, in feet of chain, attaching it to the dome .....	28
Pieces of Austrian beaded glass on the chandelier .....	38,844
Cost of chandelier .....	\$28,500
Year the first monument, Gov. John A. Johnson, was placed in front of the Capitol steps .....	1912
Year monument to Gov. Knute Nelson was placed across the steps from the Johnson monument .....	1928
Estimated number of people who visit the Capitol annually .....	131,000

Sources: *Minnesota State Capitol, Self-Guided tour*, Minnesota Historical Society; *The Minnesota Capitol, An Official Guide and History*, Minnesota Department of Administration; *North Star Statehouse: An Armchair Guide to the Minnesota State Capitol*, by Thomas O'Sullivan.

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