

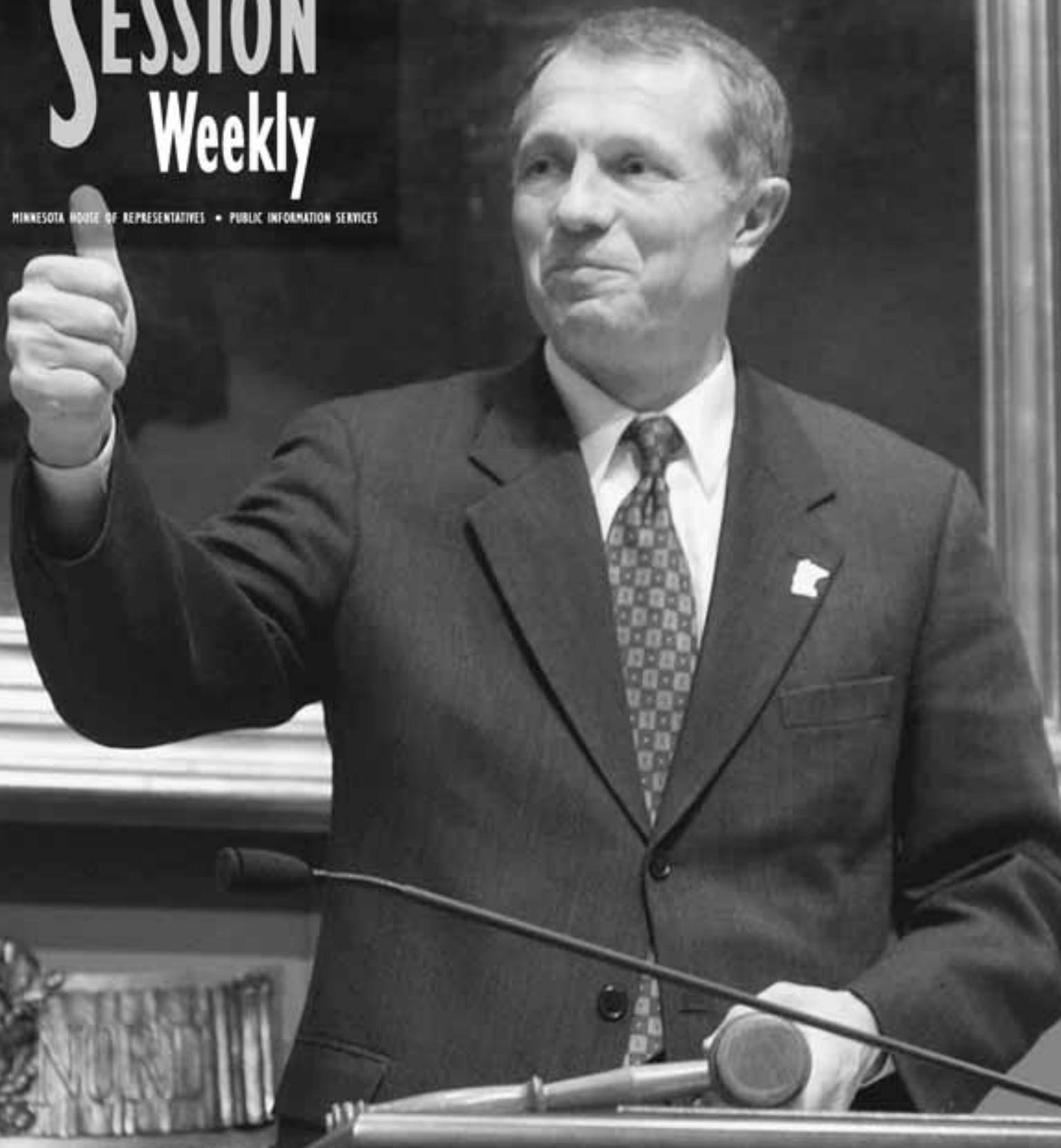
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# SESSION Weekly

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Inside: THE 2005 LEGISLATURE CONVENES, CAPITOL CENTENNIAL, AND MORE

This Week's Bill Introductions HF1-HF56

STEVE SVIG  
SPEAKER

# SESSION Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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## Welcome to the 84th session

The 84th Legislature has convened during the 100th year that public servants have been called to serve in the magnificent building that we call our State Capitol.

The writers and editors of the award-winning Session Weekly, now in its 22nd year, will continue the tradition of bringing our readers nonpartisan coverage of committee and floor action in the Minnesota House of Representatives. We hope you find this newsmagazine a useful resource and we welcome your comments and suggestions.

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**On the cover:** House Speaker Steve Sviggum gives the thumbs-up after being elected speaker during opening day ceremonies of the 2005 session, Jan. 4. This will be the fourth biennium that Sviggum has presided.

—Photo by: Tom Olmscheid

# All eyes are on us

Teamwork between speaker and chief clerk is key when overseeing the House

By Mike Cook

**"P**oint of order, Mr. Speaker," says one of the 133 voices in front of, or to the left or right of the speaker's chair. When asked why, the member cites one of a variety of reasons.

Thus begins a process seen hundreds of times during a legislative session where the speaker huddles with the chief clerk to decide on a ruling.

In addition to being the reading clerk and controlling the flow of paper through the chamber, the chief clerk is an unofficial last parliamentarian.

"I usually gave the speaker two or three choices," said Ed Burdick who last fall announced his retirement as chief clerk after serving in that position from 1967 through 2004. "I said 'You can rule this way and if you do, these are the consequences' ... But I always told them that they wanted to be aware of the consequences and if they ruled that way today you better rule that way the rest of the session."

Yet that all can change depending upon who is in the chair.

"We used to compare it to an umpire in a baseball game. They all have the same rules, but the strike zones aren't always the same. Speaker's rule different ways," said Chief Clerk Al Mathiowetz, who was elected to the position on this session's opening day.

When a ruling is sought, there is a hierarchy the speaker follows: the state constitution, House rules, joint rules, custom and usage, and Mason's Manual. Robert's Rules of Order is not used in the House.

"Quite often when there is a point of order raised, the speaker will visit with me and they ask for my opinion—I don't give it to them unless they ask—and I share it with them," said Burdick.

"As speaker, you have to have a great deal of trust with the chief clerk in his or her decision-making ability," said House Speaker Steve Sviggum (R-Kenyon), who has held the leadership position since 1999. "That was certainly true with Ed. He was the institution. When he'd look at you and say 'Steve, here are

your choices,' he had a lot of credibility. You knew if you followed his advice it was probably the right advice."

Part of that trust, said former House Speaker Bob Vanasek (DFL-New Prague), came from training that Burdick gave beforehand.

"You had a better understanding of the relationship between the rules, statute, and custom and usage and Mason's and how they would interact with each other and how they would sometimes contradict each other, and what you do in those types of situations," said Vanasek, who was speaker from 1987-91.

Still, a decision in the chamber can play a vital role in the shaping of potential legislation, even if then is not the speaker's greatest time to do so.

The best times, Sviggum said, occur before

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

**Ed Burdick has retired after 38 years as chief clerk of the Minnesota House.**

## First Reading continued from page 4

or after the floor debate, in setting the agenda, deciding which bills will come to the floor and in making committee assignments. "You can influence the legislation a lot ahead of time by sending it to one committee or another or by whom you appoint to the committee."

Sviggum said his influence can be felt afterward by whom he appoints to a conference committee, if one is needed to reach an agreement with the Senate.

Despite that power, Burdick says people often forget that the speaker does not always have the final say on an issue.

"If members don't like the speaker's ruling, they can appeal the decision and vote on it," he said. "The procedure allows for the body to make the final decision."

However, that may not come until a debate concludes, sometimes many hours later. Vanasek said that Burdick used to tell him: "The majority gets its way after the minority has its say."

But, how does a speaker know when to cut off debate?

Both Vanasek and Sviggum believe in ensuring that all sides are heard; however, they have both used nonverbal tactics to indicate it is time to vote a bill up or down, or to prevent a member from raising an issue that will result in two or three more members speaking.

"Sometimes it's just standing there and looking at the person who wants to talk in a way sort of like 'Is it really that important?' I did that and oftentimes a person would decide maybe it wasn't so important," said Vanasek, who also twirled the gavel to indicate he was ready to take a vote.

Sviggum said he has been known to stand at the podium and take a few extra seconds before recognizing someone as a way to say it's time to move on.

Yet, despite all the potential stress and headaches associated with being speaker, Sviggum and Vanasek, more often than not, have found delight.

"I enjoyed having a great appreciation for how the process works," Vanasek said. "I enjoyed seeing the diversity of opinions expressed and the diversity of those people making the decisions."

**A celebration of retiring Chief Clerk Ed Burdick's career is scheduled as part of a special House floor session at 2 p.m., Jan. 10.**



PHOTO BY TOM OLMSCHIED

**Al Mathiowetz, left, and Ed Burdick confer during a 2004 floor session. Mathiowetz is replacing Burdick as chief clerk for the 2005 session.**

## Taking over

Al Mathiowetz was promoted to first assistant chief clerk in 1985. Twenty years later he finally received another advancement.

One of the few unanimous votes on the first day of session, Mathiowetz was named chief clerk to replace Ed Burdick, who retired after 38 years in the position.

"Al learned from the best," said Rep. Dennis Ozment (R-Rosemount), who nominated Mathiowetz. "If you listen you'll even think his voice sounds like Ed Burdick. I know of no finer person to serve in the Minnesota House of Representatives as our chief clerk."

A 33-year House employee, Mathiowetz was hired as an administrative assistant in the chief clerk's office in 1971. He has also served as journal clerk and second assistant chief clerk. He jokingly said that he doesn't plan to be chief clerk as long as Burdick. "I promised I wouldn't work that long."

Seriously, Mathiowetz said it was a good feeling to have his confirmation vote be 134-0.

"It's truly an honor to have that kind of support. I guess you could say that hard work and dedication prevailed," he said while noting the joy of being involved in the legislative process. "There is never a dull moment because no two sessions or

two days are ever alike. It's exciting."

Mathiowetz admits he is fortunate to have worked with Burdick and has the opportunity to follow in the footsteps of someone of legendary status.

"He obviously had a lot of patience with me and a lot of encouragement over the years. There isn't a better teacher around. I can say that I probably had 33 years of the Ed Burdick University of Parliamentary Procedure."

The unofficial professor has no doubt that Mathiowetz will do an admirable job as his successor.

"I'm very happy for him," Burdick said. "I've watched him develop. He's very knowledgeable in the rules and procedure and he's like me in that he loves his work."

Even if that means sometimes being at the front desk around the clock.

"We all know him as being a person who sticks it out with us on the nights we're here late and he's always a friendly guy to have around," said Rep. Connie Bernardy (DFL-Fridley), who seconded the Mathiowetz nomination. "He's very competent and he perseveres with us and helps us make the right decisions on the floor."

**(M. Cook)**



## Saying goodbye to the people and the process

A man who has been a part of the House of Representatives longer than most members have been alive is no longer in a familiar place.

After 63 years of service, the last 38 as chief clerk, Edward A. Burdick, the man with the familiar deep and distinctive voice, has retired. "I've paid my dues and I'm going to move on. I'm comfortable with my decision," he said.

Burdick, 83, began his House career in 1941 as a page. He was named chief page two years later, became an assistant at the front desk in 1947 and was elected chief clerk in 1967. He missed just one session (1951), for active military duty.

"It's been an exciting experience. I wouldn't trade it for anything. I'm glad I had the opportunity," he said in mid-December while taking a break from cleaning his Capitol office that

was filled with pictures and other mementos, including a couple of homer hankies. Burdick is the lone living Minnesotan whose bust stands in the Capitol, just outside the House chamber.

A nationally recognized expert on parliamentary procedure, Burdick and Patrick Flahaven, the secretary of the Senate, were part of a national legislative commission that helped revise Mason's Manual, one of the guidelines used in determining a legislative course of action.

While often receiving credit for making the legislative process run smoothly within the chamber, Burdick quickly deflects the praise to others in his office.

"I would not trade our front desk staff for any other in the nation," he said. "We get a question and they are all involved. We're a good team out

there. It just looks like I know a lot."

Without question, it is the people that Burdick will miss the most.

"The part about this job I like the best is the people I've met from both caucuses and staff. There are some real good people associated with this business. Having been here so long, I've made friends all over the state and if I'm driving through a small town I can say 'I know somebody here.' I still hear from quite a few old-time members."

Burdick, who hopes to travel to the United Kingdom to see Parliament in action, admits that he may occasionally return to the House Chamber, but hopes he'll be able to sit unnoticed in the gallery.

After all the friends he has made during his career that may be impossible.

(M. Cook)



Former Chief Clerk Ed Burdick listens as House members debate during the 2004 session.

PHOTO BY TOM OLMSCHIED

# Playing party politics

A contentious day one marks start of legislative year

By BRETT MARTIN

**B**efore entering the House Chamber Jan. 4 for the traditionally ceremonial opening day of session, a common theme among members was one of compromise. That wish for goodwill lasted for little more than an hour, when party-line votes returned as members passed temporary rules.

House Speaker Steve Sviggum (R-Kenyon) said he was disappointed in the partisan bickering, but promised cooperation.

"We will overcome the rancor of the first day," Sviggum said. "We will continue to outreach."

Although there were first day differences, House Minority Leader Matt Entenza (DFL-St. Paul) is also hopeful for cooperation in 2005.

"We thought that the Republicans would heed the public's message to play fairly, and they got busy by creating majorities on committees and taking a disproportionate share of the staff," Entenza said. "That had to be dealt with."

To do that, Entenza unsuccessfully offered two amendments to the resolution for

adoption of temporary rules. The rules were ultimately adopted 68-65.

One of Entenza's amendments called for more balance in committee structures by allowing the majority caucus to have only one more member on each committee than the minority caucus. When Republicans opposed, it was not adopted in a 67-67 vote, with Rep. Mark Olson (R-Big Lake) crossing party lines. Olson also successfully offered an amendment that permanent rules be adopted by Feb. 15.

The current committee structure has a one- or two-seat difference on most committees, although the House Ways and Means Committee has a seven-seat difference.

Entenza's second amendment, which failed on a party-line vote, would have given each party a number of staff proportionate to the number of members. "We all deserve equal treatment," he said, claiming there is a difference of about 20 employees between parties, not counting leadership staff and committee administrators.

House Majority Leader Erik Paulsen

## Other opening day activities

- The Land of Lakes Choirboys sang "The Star Spangled Banner" and "God Bless America."
- Secretary of State Mary Kiffmeyer called the House to order and led the Pledge of Allegiance. All members were present.
- Chief Justice Kathleen A. Blatz administered the oath of office to the 134 House members, sparking handshakes and enthusiasm among members.

(R-Eden Prairie) countered that the Republicans have held more positions open in recent years, and current numbers indicate one more party researcher in his caucus, but an equal number of constituent services personnel.

Rep. Tom Rukavina (DFL-Virginia) also tried to amend the temporary rules by permitting members to take money from one spending bill and moving it to another.

"What this would do would be to basically allow all of us to have a voice in the budget of the state," he said. Under current rules the House Ways and Means Committee sets budget targets for individual finance committees.

The amendment failed 68-66.

The votes on the temporary rules came after members elected Sviggum speaker for the fourth consecutive biennium, on a 67-64 vote over Entenza.

Five members initially withheld their votes, but two voted on their party candidate when given a second chance.

Reps. Bruce Anderson (R-Buffalo Township), Al Juhnke (DFL-Willmar) and Mary Ellen Otremba (DFL-Long Prairie) passed on their final vote.

Juhnke said party leaders overlook the western and southern areas of Minnesota, which is why he abstained. Otremba cited her views on abortion for not endorsing Entenza.

Anderson reportedly refused to support Sviggum following a disagreement on supporting a Republican candidate last spring. He said Sviggum didn't do enough to support former Rep. Arlon Lindner, who lost a Republican endorsing contest to Rep. Joyce Peppin (R-Rogers). Sviggum previously supported Lindner, but gave his backing to Peppin when she received the endorsement.

Acknowledging that the House has a lot to accomplish, Sviggum vowed in his acceptance speech to include Democrats in decisions.



PHOTO BY TOM OLMSCHIED

Kimberly Scalze, right, granddaughter of Rep. Bev Scalze, peers over the back of her grandmother's chair as members debate an amendment to the temporary rules Jan. 4 in the House Chamber.

## More or less

### Republicans, DFL take different paths when establishing leadership structure

By **MATT WETZEL**

**T**he DFL Caucus has slimmed down its leadership ranks for the 2005 session, and House Minority Leader Matt Entenza (DFL-St. Paul) believes it will allow for greater accountability.

The caucus met in a one-day retreat in December to organize and plan strategy. Entenza was elected minority leader; and Margaret Anderson Kelliher (DFL-Mpls) and Rep. Anthony Sertich (DFL-Chisholm) were elected minority whips.



**Speaker of the House  
Steve Sviggum**

For the past two bienniums, when the party had fewer members than today, it had one whip who doubled as one of eight assistant minority leaders.

“We’ve gone up and down,” Entenza said. Caucus members agreed that three members on the leadership team seemed right for this session.

“Fewer people will mean a greater accountability and more responsibility,” Entenza said. “We know that we can rely on our lead Democrats to carry the ball in a lot of policy areas. They all have good backgrounds. Rep. Kelliher was our whip last year, and Rep. Sertich was a leader before.”

The term whip comes from Britain’s Parliament, where the job of the whip is to keep members of his or her party informed and counts the votes. It’s similar to an assistant minority leader here.

Entenza sees the role of the leadership as getting positive legislation passed. In the DFL’s case, that means creating better prospects for Minnesotans to succeed. “They need good opportunities in education, health care and transportation, so the people can have the

possibility of a great job and good health and a way to get to work,” he said.

“We think that work and health care are crucial because that’s one of the ongoing problems that business has right now, keeping good employees and keeping costs under control,” he said.

Across the aisle, the Republicans have nine members on the “executive board,” as House Majority Leader Erik Paulsen, (R-Eden Prairie), calls it. Each was appointed by House Speaker Steve Sviggum (R-Kenyon) or elected by the caucus in a meeting after the election. Other members include Majority Whip Marty Seifert (R-Marshall) and six assistant majority leaders: Rep. Laura Brod (R-New Prague), Rep. Bob Gunther (R-Fairmont), Rep. Jeff Johnson (R-Plymouth), Rep. Maxine Penas (R-Badger), Rep. Tim Wilkin (R-Eagan) and Rep. Kurt Zellers (R-Maple Grove). The party has had a whip each of the last two sessions, with seven and six assistant majority leaders, respectively.

“I think it’s good to bring ownership to more people,” said Sviggum.

“Obviously it’s tough to reach a decision with 50, 60, 70, 80 people. You have to have a small executive board. We think having a board of directors that is representative of the caucus is good and brings ownership back to the members of the caucus.”

Paulsen agreed, saying that the greater the caucus leadership, the more varied the opinions. “We have a wide spectrum of rural and metro. It employs the breadth of the caucus. It leads to more effective decision-making,” he said.



**Majority Leader  
Erik Paulsen**

The leadership meets weekly to talk about legislation and discuss strategy. Paulsen said that too often legislators get an idea and introduce a bill before they’ve thought it out. With a large caucus, the legislator can bring it to the caucus meeting and bounce the idea around among his colleagues.



**Minority Leader  
Matt Entenza**

Paulsen believes the main role of the leadership is communication with the caucus and the public on the caucus priorities, which this year includes funding for education, health care

and transportation.

Internally, he said members can get a heads-up on what’s going to happen on the floor and what the agenda should be. “They learn what’s important to members and what’s important to the district, and being attentive to individual members’ needs.”

#### State of the State update

Gov. Tim Pawlenty will go on the road this year to deliver his annual State of the State address.

Traditionally delivered at the State Capitol, plans call for the speech highlighting the governor’s legislative vision to be given at 11 a.m. Jan. 18 at the Mayo Clinic Superior Drive Support Center in Rochester.

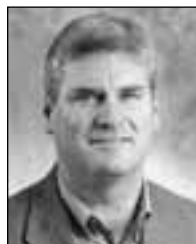
Medical tests and blood and tissue testing are performed at the center, which is set to expand this year with the help of tax breaks under the state’s Job Opportunity Building Zones program.

“By taking the State of the State out of the Capitol, I hope to encourage all Minnesotans to take a greater interest in the work that will be done in St. Paul over the coming months,” Pawlenty said.

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**Occupation:** Educator/teacher. **Education:** B.A., history, Carleton College, Northfield, Minn.; M.A., physical education, University of North Carolina. **Elected:** 2004. **Term:** 1st. **Committees:** Agriculture and Rural Development; Commerce and Financial Institutions; Rules and Legislative Administration; Tourism Division.



**Johnson, Ruth (DFL)** **23A**  
 389 State Office Building ..... (651) 296-8634  
 1-800-793-5149  
**E-mail:** rep.ruth.johnson@house.mn  
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 \*417 N. Seventh St. 56082..... (507) 934-2075  
**Occupation:** Retired. **Education:** B.A., religion, Gustavus Adolphus College, St. Peter, Minn.; M.S., education, Indiana University, Bloomington, Ind. **Elected:** 1996. **Term:** 3rd (non-consecutive). **Committees:** Agriculture and Rural Development, lead DFL; Education Finance; Governmental Operations and Veterans Affairs.



**Peppin, Joyce (R)** **32A**  
 411 State Office Building ..... (651) 296-7806  
**E-mail:** rep.joyce.peppin@house.mn  
**Home:** Rogers  
**Occupation:** Communications/public relations. **Education:** B.A., political science, B.A., speech communications, University of Minnesota-Duluth. **Elected:** 2004. **Term:** 1st. **Committees:** Commerce and Financial Institutions; Health Care Cost Containment Division; Health Policy and Finance; State Government Finance, vice chair; Technology, Bioscience and Medical Products Division.

\* Prefers interim mail at this address. Committee assignments as of Jan. 4, 2005.



**Peterson, Neil W. (R)** **41B**  
 \*527 State Office Building .....(651) 296-7803  
**E-mail:** rep.neil.peterson@house.mn  
**Home:** Bloomington  
 9640 Xylon Ave. S. 55438 .....(952) 941-1822  
**Business:** same .....(952) 941-5630  
**Occupation:** Broker and property management. **Educa-**  
**tion:** B.A., economics, Hastings College, Hastings, Neb..  
**Elected:** 2004. **Term:** 1st. **Committees:** Capital Investment;  
 Governmental Operations and Veterans Affairs; Local  
 Government.



**Sailer, Brita (DFL)** **02B**  
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**Home:** Park Rapids  
 \*13578 - 146th St. 56470 .....(218) 732-4562  
**Occupation:** Consultant. **Education:** B.A., art, Minnesota  
 State University Moorhead. **Elected:** 2004. **Term:** 1st. **Com-**  
**mittees:** Commerce and Financial Institutions; Education  
 Policy and Reform; Rules and Legislative Administration;  
 Tourism Division.



**Peterson, Sandra (DFL)** **45A**  
 213 State Office Building .....(651) 296-4176  
**E-mail:** rep.sandra.peterson@house.mn  
**Home:** New Hope  
 \*2733 Yukon Ave. N. 55427 .....(763) 545-4898  
**Occupation:** Teacher. **Education:** B.S., education,  
 Macalester College; Graduate License (LD), Graduate  
 License (EBD), University of Minnesota. **Elected:** 2004.  
**Term:** 1st. **Committees:** Education Policy and Reform;  
 Transportation.



**Scalze, Bev (DFL)** **54B**  
 241 State Office Building .....(651) 296-7153  
**E-mail:** rep.bev.scalze@house.mn  
**Home:** Little Canada  
**Occupation:** Business. **Education:** A.D., art, Century  
 College and College of Visual Arts. **Elected:** 2004. **Term:**  
 1st. **Committees:** Environment and Natural Resources;  
 Local Government.



**Poppe, Jeanne (DFL)** **27B**  
 231 State Office Building .....(651) 296-4193  
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**Business:** Albert Lea  
 Riverland Community College,  
 2200 Riverland Dr. 56007 .....(507) 379-3322  
**Occupation:** Educator/counselor. **Education:** B.A., sociol-  
 ogy, University of Wisconsin-River Falls; M.S., counsel-  
 ing, Winona State University. **Elected:** 2004. **Term:** 1st.  
**Committees:** Environment and Natural Resources; Local  
 Government; Rules and Legislative Administration.



**Simon, Steve (DFL)** **44A**  
 313 State Office Building .....(651) 296-9889  
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 \*3000 Raleigh Ave. S. #407 55416 .....(952) 920-1611  
**Business:** Minneapolis  
 800 LaSalle Ave., #2800 55402 .....(612) 349-8205  
**Occupation:** Attorney. **Education:** B.A., political science,  
 Tufts University, Medford, Mass.; J.D., University of Min-  
 nesota. **Elected:** 2004. **Term:** 1st. **Committees:** Civil Law  
 and Elections; Transportation.



**Ruud, Maria (DFL)** **42A**  
 311 State Office Building .....(651) 296-3964  
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 \*4719 Diane Drive 55343 .....(952) 935-3397  
**Business:** Brooklyn Center  
 6000 Earle Brown Drive 55430 .....(952) 993-4837  
**Occupation:** Nurse practitioner. **Education:** B.S.N., nurs-  
 ing, University of Minnesota; M.S.N., nursing, University  
 of California, San Francisco. **Elected:** 2004. **Term:** 1st.  
**Committees:** Education Policy and Reform; Regulated  
 Industries.



**Welti, Andy (DFL)** **30B**  
 387 State Office Building .....(651) 296-4378  
 1-888-858-4753  
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 \*R.R. 2 Box 17 55964 .....(507) 951-8857  
**Occupation:** Educator/teacher. **Education:** B.S., second-  
 ary social studies education, Minnesota State Univer-  
 sity, Mankato. **Elected:** 2004. **Term:** 1st. **Committees:**  
 Agriculture and Rural Development; Environment and  
 Natural Resources; Governmental Operations and Vet-  
 erans Affairs.

\* Prefers interim mail at this address. Committee assignments as of Jan. 4, 2005.

## Where to find information

### House Public Information Services

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

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

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

### Senate Information Office

231 State Capitol (651) 296-0504

The Senate Information Office is responsible for all information about the Senate, including the committee schedule, bill status, legislator

information, and the distribution of bill copies.

### Senate Media Services

B-44 State Capitol (651) 296-0264

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

**Editor's note: Committee coverage is expected to begin with the Jan. 14 issue of *Session Weekly*. For committee schedules and agendas, go to [www.house.mn/hinfo/hinfosched.asp](http://www.house.mn/hinfo/hinfosched.asp).**

## BONDING

### Pawlenty plan offered

Gov. Tim Pawlenty is calling on lawmakers to pass an \$816 million bonding bill early in the 2005 session.

"In order to build a stronger, more productive Minnesota we must prepare for the future now," Pawlenty said while unveiling the plan Jan. 3.

Of the total, \$744 million would come from general obligation bonds and \$72 million from trunk highway bonds, user financing and other sources. The total is \$62 million higher than Pawlenty's plan last year — \$34 million in new projects and \$28 million for higher construction costs.

"This is a good place to start," said Rep. Dan Dorman (R-Albert Lea), chair of the House Capital Investment Committee. "I don't see a lot of things I take issue with. Hopefully we'll get this passed earlier than later in session."

Pawlenty encouraged quick passage "to take advantage of the 2005 summer construction season." House Minority Leader Matt Entenza (DFL-St. Paul) called for the bill's passage by the end of February.

The proposal focuses on five key areas: education investment (\$233 million); jobs, housing and transportation (\$203.8 million); water, environment and natural resources (\$176.3 million); safer communities (\$132.9 million) and effective government and public service (\$69.8 million).

Among the projects are approximately \$100.3 million for both the University of Minnesota and Minnesota State Colleges and Universities system, \$84.8 million for a corrections facility expansion in Faribault, \$37.5 million for the Northstar commuter line from Minneapolis to Big Lake, \$28 million for local bridge replacement, \$15.8 million to construct a secure nursing facility for sex offenders and upgrading a current facility, \$10.6 million for Roseau to help with 2002 flood damage and \$690,000 to help Buffalo Lake after a 2003 tornado. A complete listing of projects in the governor's proposal can be found at [www.finance.state.mn.us](http://www.finance.state.mn.us).

Entenza called the plan a recycling of last year's effort, saying it is short in meeting higher education needs, and includes zero

dollars for flood relief in Austin and for a rail line between Minneapolis and St. Paul.

"Where the governor left projects off we'll be working hard on a proposal for all Minnesotans," added Rep. Margaret Anderson Kelliher (DFL-Mpls).

Pawlenty noted that about 60 percent of the proposal is directed to projects in Greater Minnesota and 40 percent in the Twin Cities metropolitan area.

The House passed a \$677.6 million bill last year, but it did not pass in the Senate. A \$948.7 million Senate plan failed to receive the necessary votes in that body. Pawlenty said he is not against a larger bonding bill in 2005, provided proponents show how to pay for it.

## BUDGET

### State faces another shortfall

Revenue forecasts show that the state should be able to meet its financial obligations for the rest of the fiscal year, which ends June 30, 2005.

Yet it appears the state is facing a \$700 million shortfall for the 2006-07 biennium. Factoring in inflation, that figure rises to \$1.4 billion.

State Finance Commissioner Peggy Ingison presented the news to the House Ways and Means Committee Dec. 3. "The general fund revenue forecast is up \$254 million from end of (2004) session estimates, but projected state expenditures are up by \$556 million from earlier projections," Ingison noted that

increases in human services are largely driving the increase.

The ledger for the rest of this fiscal year, however, is not quite so grim. According to a state Department of Finance report, the current biennium is expected to conclude with a \$495 million surplus. Under state law, those dollars cannot be put into the general fund, but must first be used to restore the state's reserve funds to 2001 levels. Remaining funds then go toward reversing school payment shifts, which were used to address the 2002-03 state budget shortfall. Translating that to dollars means \$350 million must be used to restore the state's cash flow account; \$27 million could bring the state's budget reserve to \$653 million, and \$118 million could be used to buy back a portion of the school aid shifts used to balance recent budgets.

The report indicates that revenues for 2006-07 are expected to increase 2.8 percent from the current biennium, but current law spending will increase by 7.6 percent.

If left unchecked, the greatest increase in spending the next biennium is expected to come in health and human services at 19.9 percent, according to the report. Criminal justice spending could increase by 9 percent and higher education 8 percent. Declining enrollment in early childhood and K-12 programs translates to a state spending growth of less than 1 percent in that category.

The report is a guideline for lawmakers to begin making their spending decisions. Ingison said these estimates do not include any tax or spending decisions beyond those in current law.



PHOTO BY TOM OLMSCHIED

**Finance Commissioner Peggy Ingison explains a portion of the November Forecast during a Dec. 1 news conference.**





Legislators use kazoos to hum "Happy Birthday."



Gov. Tim Pawlenty shares his thoughts on the centennial.

### You should know

The Capitol Centennial Commission and the Minnesota Historical Society have planned parties, parades, exhibits and seminars in St. Paul and across the state in honor of the Capitol Centennial. For more information: Minnesota Historical Society State Capitol Site, (651) 296-2881 or [www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc) or the Minnesota State Capitol Centennial Celebration, (651) 203-7246 or [www.ourhouse100.com](http://www.ourhouse100.com).

**Right: Legislators and special guests fill the Rotunda Jan. 4 for the Capitol Centennial Birthday Celebration.**



**Left: The First Minnesota Volunteer Infantry present the colors during the "Star Spangled Banner."**





Cass Gilbert, aka Alan Johnson, makes an appearance at the Capitol Centennial Birthday Celebration. Gilbert designed the building.

## A 'Fun and Grand Affair'

Lawmakers and honored guests celebrate Capitol Centennial

House Speaker Steve Sviggum, Majority Leader Erik Paulsen, Minority Leader Matt Entenza, and Senate leaders participated Jan. 4 in a delightful lark cooked up by the Capitol Centennial Commission and the Minnesota Historical Society to celebrate the State Capitol's 100th birthday.

The premise: a letter addressed to future residents of Minnesota allegedly written by Capitol architect Cass Gilbert on the opening day of the Legislature in 1905. In it, Gilbert revealed his hopes for a centennial celebration bigger than the Capitol grand opening and the existence of a chest hidden in the Capitol basement for the legislative leaders of 2005 to open.

Lawmakers and honored guests gathered in the Rotunda looked on as the House and Senate leaders opened the chest to reveal...kazoo!

These magical kazooes, Gilbert supposedly wrote, would help make the Capitol Centennial "a fun and grand affair" and "ignite the spirits of the past to celebrate with you."

The speaker and company must hum a mean magic kazoo because the spirits were ignited and Cass Gilbert himself, or

perhaps it was a historical society actor, made an appearance upon hearing strains of "Happy Birthday."

The birthday bash also featured the world premiere of the State Capitol Centennial Overture composed by Minnesotan Carol Barnett and performed by the Saint Paul Chamber Orchestra and Kantorei choral ensemble.

"What words, what text would best express what the building means to Minnesota?" Barnett said she asked herself in preparation for the composition. The answer, she said, was found in one of the German mottoes in the Capitol Rathskeller: Herzlich willkommen im gastlichen haus, "A hearty welcome to this hospitable house," and Meegwetch, a response in the Ojibwe language translated as "thank you for coming — let us work together."

"Meegwetch, thank you for coming, let's work together," Gov. Tim Pawlenty said in remarks reflecting on the centennial and the start of the legislative session, "...a great starting point for those of us in the building today."

(N. Wood)



Left: Members of the Saint Paul Chamber Orchestra, conducted by Nicholas McGegan, and the Kantorei choir perform "The People's Room," a specially commissioned work composed by Carol Barnett.

Photos by  
Andrew VonBank  
and Sarah Stacke

# Looking back to 1905

Farming was the dominant profession then, education now

By RUTH DUNN

**W**hen the gavel pounded on Jan. 3, 1905 to begin the 34<sup>th</sup> Legislative Session, House Speaker Frank Clague of Lamberton looked out at a very different group of people than House Speaker Steve Sviggum saw on Jan. 4, 2005, for the 84<sup>th</sup> session.

The most striking visual difference was that the 119 members of the House were all men in 1905. They wore dark suits and ties and many had elaborate mustaches. The first female legislator was not elected until 1922. Of the 134 current members, 97 are men and 37 are women.

Of course, back in 1905 there were no laptop computers or cell phones on members' desks. But there were often tall stacks of information since a member's only workspace was the desk he had in the chamber. Today, they all have an office.

Unlike this year's nearly even split between political parties, the House was lopsided 100 years ago with 108 Republicans and 11 Democrats. The Democratic-Farmer-Labor party did not exist then.

Most House members had been re-elected in November 1904 on the coattails of popular presidential candidate Theodore Roosevelt. This was the first House session to convene in the new State Capitol. There was a lot of public interest and excitement in the start of the session.

Thirty House members in 1905 were farmers followed by 25 businessmen and 23 attorneys. Eight legislators were involved with newspaper publishing, five were bankers, five were in real estate and four were physicians. Other occupations included livestock dealer, harness maker, county sheriffs, surveyors, and a humorous lecturer. At least four were veterans of the Civil War. Only one member was an educator.

In contrast, education is the dominant occupation in 2005 with 21 members in the

profession. Attorneys, business people, and full-time legislators are the next most common professions. There are just three members whose occupation is farming.

House File 1 of the 1905 session concerned taxation. Rail transportation was also controversial in 1905 – that's heavy rail, not light rail, which is likely to be discussed in 2005. A great portion of bills introduced in 1905 related to the regulation of railroads. Before adjournment on April 18, 1905, a total of 887 bills had been introduced in the House. About 200 reached the governor for his signature, including one forbidding corporations from contributing to candidates or committees for political purposes. The punishment was a fine and/or imprisonment. Another law stated only dentists and doctors were permitted to write prescriptions for cocaine.

By comparison, 1,554 bills were introduced last year, and 163 ended up on the governor's desk.

In his inaugural address, newly-elected Gov. John Johnson congratulated the Legislature that Minnesota's public school system easily ranked "with progressive states of the Union such as New York, Massachusetts and others." Johnson urged legislators to act on

## Family ties to 1905

Former Rep. Ole Opdahl traveled by horse and buggy to St. Paul to serve in the 1905 Legislature. One hundred years later, his great-grandson, Rep. Bud Nornes (R-Fergus Falls), had a much easier trip by car.

"Things have changed tremendously since then," said Nornes, who is probably the only current legislator descended from a member of the 1905 House of Representatives, the first to convene in the new Capitol building.

Nornes discovered that his relative had been a legislator during his 1996 campaign. After arriving in St. Paul, he researched his great-grandfather in the Legislative Reference Library. It was the first time he'd seen a photo of Opdahl, his mother's grandfather.

Opdahl emigrated from Norway in 1845 and settled in Freeborn County. He was a farmer who served on the town council, school board and county board before being elected to the House. In 1905, he was a 53-year-old widower. Opdahl died long before he could meet the great-grandson who would follow in his footsteps to St. Paul.

the taxation of inheritances, although previous efforts in that area had been declared unconstitutional.

## A Century of Change

	1905 House	2005 House
Total members	119	134
Republicans	108	68
Democrats or DFL	11	66
Men	119	97
Women	0	37
Attorneys	23	19
Business people	25	18
Farmers	30	3
Educators	1	21
Civil War veterans	4	0

# 2005 House Profile

## Membership

	2005	2003	2001	1999	1997
DFL	66	53	65	63	70
R	68	81	69	71	64
Men	97	102	99	99	95
Women	37	32	35	35	39

## Current Term

	2005	2003	2001	1999	1997
1	25	46	18	20	22
2	38	17	20	24	29
3	14	15	22	25	25
4	12	14	22	20	14
5	12	11	17	10	7
6	7	8	8	5	14
7	5	5	4	10	6
8	5	3	7	4	3
9	2	4	3	3	1
10	4	2	2	1	3
11	2	1	1	2	3
12	1	1	1	3	2
13	1	1	3	2	4
14	1	2	2	4	-
15 or more	5	3	4	1	1

## Age

	2005**	2003**	2001*	1999	1997
21-30	6	8	5	6	5
31-40	27	27	27	23	27
41-50	40	35	42	51	45
51-60	38	43	41	38	43
61-70	18	12	12	13	11
over 71	3	3	3	3	3
Average age	48.6	47.4	48.4	48.7	48.3

\* Ages not available for 4 members

\*\*Ages not available for 2 members

## Occupation

	2005	2003	2001	1999	1997
Educator	21	22	20	19	22
Attorney	19	16	15	17	17
Business	18	22	23	24	21
Legislator	10	10	15	14	18
Retired	8	5	4	4	3
Consultant	7	7	6	6	6
Government	5	7	2	2	3
Real Estate	5	7	3	3	2
Communications	4	4	3	4	4
Trades	4	4	3	3	2
Farming	3	5	8	9	11
Homemaker	3	3	4	5	5
Other	26	21	28	24	20

## Education

	2005	2003	2001	1999	1997
High School	3	3	3	4	5
Technical College	7	6	5	6	10
Some College	13	14	19	23	20
4-yr. Undergraduate Degree	40	47	44	39	40
Some Graduate work	20	15	13	13	16
Graduate Degree	51	48	50	49	43

"Speaking of the House" is a new column filled with information about House members. It will occasionally appear in Session Weekly.

Here's some of the news since May 16, 2004 when the House of Representatives adjourned, sine die:

## JUNE

**Rep. Tim Wilkin (R-Eagan)** called for the staggering terms of state senators. Under his plan, House member terms would remain unchanged at two years. But the four-year terms of even and odd numbered Senate districts would be staggered so that every two years, about half of the Senate would be up for re-election.

## JULY

**Rep. Alice Seagren (R-Bloomington)**, first elected to the House in 1992, resigned when Gov. Tim Pawlenty named her commissioner of the Minnesota Department of Education. She assumed her duties on Sept. 1.

**Rep. Chris Gerlach (R-Apple Valley)** became Sen. Gerlach after winning a special election to fill the seat vacated by Sen. David

Knutson who was appointed a district court judge. Gerlach was first elected to the House in 1998.

**Rep. Eric Lipman (R-Lake Elmo)** resigned after being named the state's Sex Offender Policy Coordinator by Pawlenty. Lipman was first elected to the House in 2000.

**Rep. Thomas Pugh (DFL-South St. Paul)**, who served eight terms in the House, and was minority leader from 1999-2002, resigned when he was named by Pawlenty to the Public Utilities Commission.

## NOVEMBER

**Election Day** saw 26 new members chosen to serve in the House of Representatives. The end result had the DFL gaining 13 seats to reduce the Republican seat advantage to two at 68-66.

The closest race occurred in **District 8B** where Rep. Judy Soderstrom (R-Mora) held a 94-vote lead over DFL challenger Tom Faust. A recount later closed the difference to 76 votes.

**Ed Burdick**, who has served as House chief clerk since 1967 announced his retirement. The 83-year-old started in the House as a page in 1941 and is the only living Minnesotan whose bust stands in the Capitol, outside the House chambers.

## DECEMBER

**Two Republican state representatives** who lost their seats in the November election were named to positions in the Pawlenty administration. Lynda Boudreau, a five-term legislator from Faribault, has become deputy commissioner in the Department of Human Services. Jim Rhodes of St. Louis Park, who served six terms, was named legislative director with the Department of Administration.

Former **Rep. John Weaver**, who served in the House of Representatives from 1978-1982, died on Dec. 17. Weaver, 76, of Anoka, had a long history of public service that included serving on the Metropolitan Transportation Advisory Board and on the Boy Scout Viking Council Board of Directors.

## JANUARY

**Rep. Maria Ruud (DFL-Minnetonka)** was one of many members accompanied to the House chamber by their family Jan. 4.

While Maria's husband Mark took pictures from the back of the chamber, Eric, 14, and Christian, 11, stayed at their mom's desk to soak up the excitement that comes at the conclusion of a job well done.

"After a long time it's finally happened," Eric said. "We were campaigning and campaigning and finally we're here."



PHOTO BY TOM OLSCHIED

**Former Gov. Elmer L. Andersen** lay in state in the Capitol Rotunda Nov. 18 while his wife, Eleanor, right, and daughter, Emily, pause to pay their respects prior to the public visitation. Other former governors who have laid in state include Orville Freeman in 2003 and Harold Stassen in 2001.

# 2005-06 Minnesota House of Representatives Members

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

\*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155  
mem as of Jan. 3, 2005

# 2005-06 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL) .....	120 Cap. ....	5537	54 Marty, John (DFL) .....	323 Cap. ....	5645
52 Bachmann, Michele (R) .....	141 SOB .....	4351	38 McGinn, Mike (R) .....	G-19 SOB .....	7-8073
6 Bakk, Thomas (DFL) .....	226 Cap. ....	8881	39 Metzen, James (DFL) .....	322 Cap. ....	4370
40 Belanger, Jr. William (R) .....	113 SOB .....	5975	41 Michel, Geoff (R) .....	133 SOB .....	6238
61 Berglin, Linda (DFL) .....	309 Cap. ....	4261	67 Moua, Mee (DFL) .....	235 Cap. ....	5285
51 Betzold, Don (DFL) .....	111 Cap. ....	2556	28 Murphy, Steve (DFL) .....	306 Cap. ....	4264
50 Chaudhary, Satveer (DFL) .....	317 Cap. ....	4334	25 Neuville, Thomas (R) .....	123 SOB .....	1279
64 Cohen, Richard (DFL) .....	121 Cap. ....	5931	17 Nienow, Sean (R) .....	105 SOB .....	5419
26 Day, Dick (R) .....	147 SOB .....	9457	33 Olson, Gen (R) .....	119 SOB .....	1282
60 Dibble, D. Scott (DFL) .....	111 Cap. ....	4191	34 Ortman, Julianne (R) .....	G-21 SOB .....	4837
18 Dille, Steve (R) .....	103 SOB .....	4131	19 Ourada, Mark (R) .....	145 SOB .....	5981
14 Fischbach, Michelle (R) .....	G-15 SOB .....	2084	65 Pappas, Sandra (DFL) .....	120 Cap. ....	1802
47 Foley, Leo (DFL) .....	G-24 Cap. ....	4154	36 Pariseau, Pat (R) .....	117 SOB .....	5252
21 Frederickson, Dennis (R) .....	139 SOB .....	8138	59 Pogemiller, Lawrence (DFL) .....	235 Cap. ....	7809
43 Gaither, David (R) .....	107 SOB .....	4314	63 Ranum, Jane (DFL) .....	120 Cap. ....	7-8061
37 Gerlach, Chris (R) .....	149 SOB .....	4120	53 Reiter, Mady (R) .....	132D SOB .....	1253
42 Hann, David (R) .....	G-27 SOB .....	1749	45 Rest, Ann (DFL) .....	205 Cap. ....	2889
58 Higgins, Linda (DFL) .....	328 Cap. ....	9246	35 Robling, Claire (R) .....	143 SOB .....	4123
23 Hottinger, John (DFL) .....	317 Cap. ....	6153	24 Rosen, Julie (R) .....	G-23 SOB .....	5713
13 Johnson, Dean (DFL) .....	208 Cap. ....	3826	4 Ruud, Carrie (R) .....	109 SOB .....	4913
49 Johnson, Debbie (R) .....	135 SOB .....	3219	11 Sams, Dallas (DFL) .....	328 Cap. ....	7-8063
48 Jungbauer, Michael (R) .....	115 SOB .....	3733	3 Saxhaug, Tom (DFL) .....	124 Cap. ....	4136
44 Kelley, Steve (DFL) .....	205 Cap. ....	7-8065	46 Scheid, Linda (DFL) .....	303 Cap. ....	8869
31 Kierlin, Bob (R) .....	127 SOB .....	5649	29 Senjem, David (R) .....	G-17 SOB .....	3903
30 Kiscaden, Sheila (IP) .....	325 Cap. ....	4848	2 Skoe, Rod (DFL) .....	124 Cap. ....	4196
15 Kleis, Dave (R) .....	G-25 SOB .....	6455	62 Skoglund, Wesley (DFL) .....	124 Cap. ....	4274
12 Koering, Paul (R) .....	131 SOB .....	4875	7 Solon, Yvonne Prettnier (DFL) .....	303 Cap. ....	4188
20 Kubly, Gary (DFL) .....	306 Cap. ....	5094	27 Sparks, Dan (DFL) .....	G-24 Cap. ....	9248
9 Langseth, Keith (DFL) .....	122 Cap. ....	3205	1 Stumpf, LeRoy (DFL) .....	G-24 Cap. ....	8660
10 Larson, Cal (R) .....	153 SOB .....	5655	5 Tomassoni, David (DFL) .....	321 Cap. ....	8017
56 LeClair, Brian (R) .....	129 SOB .....	4166	22 Vickerman, Jim (DFL) .....	226 Cap. ....	5650
32 Limmer, Warren (R) .....	121 SOB .....	2159	16 Wergin, Betsy (R) .....	125 SOB .....	8075
8 Lourey, Becky (DFL) .....	G-24 Cap. ....	0293	55 Wiger, Charles (DFL) .....	301 Cap. ....	6820
57 Marko, Sharon (DFL) .....	G-24 Cap. ....	7-8060			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Sandra Peterson-(DFL) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Frank Moe-(DFL) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	<b>32</b> A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony Serich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Mark Ourada-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	<b>47</b> A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
<b>6</b> A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	<b>20</b> A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	<b>34</b> A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	<b>48</b> A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	<b>62</b> A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettnier Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Kathy Tingelstad-(R) Sen. Jane B. Ranum-(DFL)
<b>8</b> A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	<b>22</b> A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	<b>36</b> A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	<b>50</b> A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	<b>64</b> A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
<b>9</b> A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	<b>23</b> A Rep. Ruth Johnson-(DFL) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	<b>37</b> A Rep. Lloyd Cybart-(R) B Rep. Dennis Ozment-(R) Sen. Chris Gerlach-(R)	<b>51</b> A Rep. Andrew Westerberg-(R) B Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	<b>65</b> A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
<b>10</b> A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	<b>24</b> A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	<b>38</b> A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	<b>52</b> A Rep. Ray Vandever-(R) B Rep. Matt Dean-(R) Sen. Michele Bachmann-(R)	<b>66</b> A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
<b>11</b> A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	<b>25</b> A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	<b>39</b> A Rep. Rick Hansen-(DFL) B Rep. John Atkins-(DFL) Sen. James P. Metzen-(DFL)	<b>53</b> A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	<b>67</b> A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
<b>12</b> A Rep. Paul Gazelka-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	<b>26</b> A Rep. Connie Ruth-(R) B Rep. Patti Fritz-(DFL) Sen. Dick Day-(R)	<b>40</b> A Rep. Duke Powell-(R) B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	<b>54</b> A Rep. Mindy Greiling-(DFL) B Rep. Bev Scalze-(DFL) Sen. John Marty-(DFL)	
<b>13</b> A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	<b>27</b> A Rep. Dan Dorman-(R) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	<b>41</b> A Rep. Ron Erhardt-(R) B Rep. Neil W. Peterson-(R) Sen. Geoff Michel-(R)	<b>55</b> A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
<b>14</b> A Rep. Daniel Severson-(R) B Rep. Larry Hosch-(DFL) Sen. Michelle L. Fischbach-(R)	<b>28</b> A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	<b>42</b> A Rep. Maria Ruud-(DFL) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	<b>56</b> A Rep. Mike Charron-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	



## Thursday, January 6

### HF1—Zellers (R)

#### Governmental Operations & Veterans Affairs

Sexual predator crime penalties imposed, indeterminate and mandatory life sentences provided, Sex Offender Review Board established, data access provided, and Open Meeting Law exemption specified.

### HF2—Bradley (R)

#### Health Policy & Finance

Consumer-driven health plans and health plan efficiency encouraged, health care cost containment implemented, government mandates reduced, health maintenance organization regulatory authority changed, and malpractice liability reformed.

### HF3—Dorman (R)

#### Capital Investment

Capital improvements funding provided for various state departments and higher education institutions including the University of Minnesota, previous bond authorizations modified, bonds issued, and money appropriated.

### HF4—Johnson, J. (R)

#### Public Safety Policy & Finance

Methamphetamine precursor drug sales regulated, reporting of suspicious activity authorized, education program for retailers required, criminal penalties increased, violent crime definition expanded, and money appropriated.

### HF5—Hamilton (R)

#### Education Finance

Basic education formula allowance increased.

### HF6—Holberg (R)

#### Civil Law & Elections

Marriage defined as the union of one man and one woman, and constitutional amendment proposed.

### HF7—Holberg (R)

#### Transportation Finance

Motor vehicle sales tax proceeds dedicated to transportation, dedication phased in over a five-year period, and constitutional amendment proposed.

### HF8—Rukavina (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Laurentian Energy Authority wood yard construction funding provided, bonds issued, and money appropriated.

### HF9—Wilkin (R)

#### Health Policy & Finance

Consumer-driven health plan federal tax conformity provided.

### HF10—Lenczewski (DFL)

#### Ways & Means

Revenue forecast required to include inflation as a forecast variable.

### HF11—Severson (R)

#### Transportation

Motor vehicle insurance coverage verification mailings required to be delivered by certified mail, and driver's license suspension prohibited on grounds of failure to respond to request without evidence of delivery.

### HF12—Rukavina (DFL)

#### Commerce & Financial Institutions

Minors prohibited from employment where liquor is served or consumed.

### HF13—Kahn (DFL)

#### Health Policy & Finance

Stem cell research state policy established, criminal penalties imposed, and money appropriated.

### HF14—Tingelstad (R)

#### Education Policy & Reform

Intimidation and bullying model policy provided.

### HF15—Rukavina (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

Mesabi Station on the Mesabi Trail construction funding provided, bonds issued, and money appropriated.

### HF16—Carlson (DFL)

#### Education Finance

Voluntary full-day kindergarten funding established.

### HF17—Greiling (DFL)

#### Public Safety Policy & Finance

Criminal responsibility of mentally ill or deficient provided, and insanity defense clarified.

### HF18—Jaros (DFL)

#### Transportation

Cell phone use in motor vehicles required to be hands-free except in case of emergency.

### HF19—Pelowski (DFL)

#### Higher Education Finance

Minnesota State College - Southeast Technical renovation funding provided, bonds issued, and money appropriated.

### HF20—Paulsen (R)

#### Taxes

Organ donation income tax deduction provided.

### HF21—Koenen (DFL)

#### Health Policy & Finance

Hospitals required to offer parents of newborns a video presentation on the dangers associated with shaking infants and young children.

### HF22—Koenen (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

Minnesota River Trail from Wegdahl to Granite Falls acquisition and development funding provided, bonds issued, and money appropriated.

### HF23—Mariani (DFL)

#### Education Policy & Reform

Education commissioner directed to seek a waiver from ineffective provisions of the federal No Child Left Behind Act, reports required, supplemental educational services funding provided, and money appropriated.

### HF24—Heidgerken (R)

#### Commerce & Financial Institutions

Insurance Guaranty Association coverage for political subdivisions improved when their insurance company becomes insolvent.

### HF25—Heidgerken (R)

#### Civil Law & Elections

Ski area operator and skier responsibilities, rights, and liabilities defined, and actions for injuries resulting from inherent risks prohibited.

### HF26—Wilkin (R)

#### Governmental Operations & Veterans Affairs

State Office Building renamed as the Ronald Reagan State Office Building.

### HF27—Erickson (R)

#### Education Finance

Education finance; maximum effort capital loan tax rate reduced.

### HF28—Slawik (DFL)

#### Commerce & Financial Institutions

Gift certificates and gift cards regulated.

### HF29—Erhardt (R)

#### Local Government

Local government employee compensation limit repealed.

### HF30—Marquart (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Detroit Lakes Regional Pavilion renovation funding provided, bonds issued, and money appropriated.

### HF31—Koenen (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Olivia; center for agricultural innovation funding provided, bonds issued, and money appropriated.

### HF32—Howes (R)

#### Transportation Finance

Trunk highway 64 bridge construction required near Akeley.

### HF33—Abrams (R)

#### Taxes

University of Minnesota football stadium funding provided, and money appropriated.

### HF34—Vandever (R)

#### Local Government

Washington County; Disabled Veterans Rest Camp on Big Marine Lake excluded from the Big Marine Park Reserve, and zoning districts provided.

**HF35—Juhnke (DFL)****Environment & Natural Resources**

Kandiyohi County; Green Lake fishery management plan required.

**HF36—Juhnke (DFL)****Taxes**

Willmar sales and use tax authorized, and fund uses specified.

**HF37—Juhnke (DFL)****Agriculture, Environment & Natural Resources Finance**

Glacial Lakes Trail and Lake Koronis Trail funding provided, bonds issued, and money appropriated.

**HF38—Anderson, I. (DFL)****Governmental Operations & Veterans Affairs**

Veto override legislative sessions provided, and constitutional amendment proposed.

**HF39—Anderson, I. (DFL)****State Government Finance**

World War II Veterans Memorial construction funding provided, bonds issued, and money appropriated.

**HF40—Smith (R)****Governmental Operations & Veterans Affairs**

Minnesota postretirement investment fund post-retirement adjustments limited.

**HF41—Pelowski (DFL)****Higher Education Finance**

Winona State University renovation funding provided, bonds issued, and money appropriated.

**HF42—Howes (R)****Public Safety Policy & Finance**

Silencers authorized to muffle discharges of firearms for natural resource wildlife control.

**HF43—Dempsey (R)****Education Finance**

Independent School District No. 256, Red Wing, community ice arena construction levy authorized.

**HF44—Abrams (R)****Commerce & Financial Institutions**

Life insurance premium tax rates reduced.

**HF45—Abrams (R)****Transportation Finance**

International economic development zone designation and tax incentives provided, report required, and money appropriated.

**HF46—Wilkin (R)****Governmental Operations & Veterans Affairs**

State litigation and settlement general fund deposit requirement sunset repealed.

**HF47—Abrams (R)****Taxes**

City aid base calculation corrected relating to state aids.

**HF48—Rukavina (DFL)****Commerce & Financial Institutions**

Minimum wage increased.

**HF49—Scalze (DFL)****Civil Law & Elections**

Voluntary clean campaign council, pledge, and advertising code established; campaign and independent expenditures definitions clarified; and disclaimer requirements provided for campaign material.

**HF50—Penas (R)****Jobs & Economic****Opportunity Policy and Finance**

Roseau municipal facilities flood damage renovation funding provided, bonds issued, and money appropriated.

**HF51—Howes (R)****Public Safety Policy & Finance**

Driver's licenses of certain sex offenders permanently revoked.

**HF52—Howes (R)****Agriculture, Environment & Natural Resources Finance**

Insurers prohibited from charging membership fees or dues.

**HF53—Erhardt (R)****Higher Education Finance**

University of Minnesota football stadium state support process and conditions provided.

**HF54—Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

State trails funding provided, bonds issued, and money appropriated.

**HF55—Rukavina (DFL)****Transportation**

Motor vehicle insurance samplings required to be sent by certified mail.

**HF56—Rukavina (DFL)****Commerce & Financial Institutions**

No-fault auto insurance benefit terminations and denials regulation provided.

## What's on the Web

### Web puts member info at your fingertips

With 26 new members and the reorganization that comes with the start of the biennium, turn to the House Web site for more information on the individuals who make up the Minnesota House of Representatives.

From the main House page ([www.house.mn](http://www.house.mn)), follow the "House Members" link under the Members & Staff heading. Individual information for all 134 members is presented in alphabetical order on the House Membership Information page at [www.house.mn/members/hmem.asp](http://www.house.mn/members/hmem.asp), as well as in drop down boxes by last name or district. For number crunchers, a statistical breakdown is available

detailing members by party, gender, occupation, age and seniority by term. Though the 2005 roster contains three Johnsons, two Nelsons, and an Olson, House Public Information Services has prepared a phonetic pronunciation guide to assist constituents with the more challenging last names.

Each member has an individual page with the basics, such as an official photograph (available to download as a high resolution image), party, district, year elected, term, occupation, educational background, committee assignments and House or caucus leadership positions, as well as convenient links to bills authored,

a district map, district demographics, press releases, a schedule of town hall meetings, and a video interview with House Public Information Services.

Contact information is readily accessible on the individual pages in the form of mailing addresses, including the preferred address to reach lawmakers when the House is not in session; phone numbers, including a toll-free option if applicable; an e-mail address; and the name and phone number of the representative's legislative assistant.



# Minnesota's representation in Washington, D.C.

## U.S. Representatives

### First District

#### Gil Gutknecht (R)

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Access to e-mail through Web site

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# What's your opinion?

State fair offers citizens opportunity to put in their two cents

By LEE ANN SCHUTZ

**W**hat's your favorite fair food? If your answer is cheese curds then you're in good company — at least according to the Minnesota House of Representatives State Fair poll. Results show nothing beats a cheese curd, but Pronto Pups and mini-donuts aren't too bad either.

A record 8,818 fairgoers cast their ballots on the poll that has become an annual tradition at the House booth. While the state fair food question may have garnered the most chuckles from polltakers, issues such as same-day voter registration, a statewide smoking ban, toll roads and gambling were heavy on their minds.

The poll is unofficial and did not in any way reflect an "agenda," but it appears that at least some of the questions could be a premonition of what lawmakers will consider during the current legislative session. For instance, the idea of instituting a statewide smoking ban in

bars and eateries seems to be a popular idea with almost 60 percent of voters indicating they'd favor such a ban.

During the fair's 12-day run, 34 House members greeted constituents, including Reps. Phyllis Kahn (DFL-Mpls) and Dennis Ozment (R-Rosemount).

Both Kahn, who is serving her 17th term, and Ozment, now in his 11th term, put attendance at the fair as an annual priority.

"I feel it is highly positive experience," Kahn said. "Government works best when people believe in it, and this is a chance to put a personal face on the Legislature."

Ozment couldn't agree more.

"It is a tremendous opportunity to listen to opinions from people across the state. Very often they have concerns and frustrations. I find it a great communication opportunity."

Even though 2004 was an election year for House members, and at times the booth was staffed with members of both caucuses,

no campaigning was allowed. Since the first House exhibit in the early 1970s, the aim has been to help fairgoers discover sources of non-partisan information that can help connect them to state government. This year, visitors were able to pick up educational materials, sign up for *Session Weekly* and tour the House Web site.

## Members at the fair

Peter Adolphson (R-Minnetonka)  
Joe Atkins (DFL-Inver Grove Heights)  
Michael Beard (R-Shakopee)  
Lynda Boudreau (R-Faribault)  
Laura Brod (R-New Prague)  
Lyndon Carlson (DFL-Crystal)  
Ray Cox (R-Northfield)  
Chris DeLaForest (R-Andover)  
Keith Ellison (DFL-Mpls)  
Sondra Erickson (R-Princeton)  
Mindy Greiling (DFL-Roseville)  
Bob Gunther (R-Fairmont)  
Bill Haas (R-Champlin)  
Elaine Harder (R-Jackson)  
Joe Hoppe (R-Chaska)  
Al Juhnke (DFL-Willmar)  
Phyllis Kahn (DFL-Mpls)  
Karen Klinzing (R-Woodbury)  
Paul Kohls (R-Victoria)  
John Lesch (DFL-St Paul)  
Denny McNamara (R-Hastings)  
Joe Mullery (DFL-Mpls)  
Scott Newman (R-Hutchinson)  
Mark Olson (R-Big Lake)  
Lynne Osterman (R-New Hope)  
Mary Ellen Otremba (DFL-Long Prairie)  
Rebecca Otto (DFL-Marine on St. Croix)  
Dennis Ozment (R-Rosemount)  
Jim Rhodes (R-St. Louis Park)  
Connie Ruth (R-Owatonna)  
Char Samuelson (R-New Brighton)  
Dan Severson (R-Sauk Rapids)  
Katie Sieben (DFL-Newport)  
Dean Simpson (R-New York Mills)  
Nora Slawik (DFL-Maplewood)  
Loren Solberg (DFL-Grand Rapids)  
Steve Strachan (R-Farmington)  
Howard Swenson (R-Nicollet)  
Neva Walker (DFL-Mpls)  
Lynn Wardlow (R-Eagan)  
Scott Wasiluk (DFL-Maplewood)



PHOTO BY TOM OLMSCHIED

A record number of 2004 state fair attendees took an opinion poll during their visit to the House of Representatives booth in the Education Building.

# Record numbers sound off

Over 8,800 fair-goers turned out to take the unofficial House of Representatives poll

**1. A number of Minnesota cities have approved bans on smoking in bars and eateries. Should such a ban be implemented statewide?**

Yes .....59.4% ..... (5,240)  
No .....33.8% ..... (2,982)  
Undecided/No Opinion .....6.2% ..... (548)  
Left blank/vote not tallied.....0.5% ..... (48)

**2. In general, do you support or oppose the expansion of legalized gambling in Minnesota?**

Support .....32.2% ..... (2,840)  
Oppose.....53.1% ..... (4,685)  
Undecided/No Opinion .....13.9% ..... (1,222)  
Left blank/vote not tallied.....0.8% ..... (71)

**3. Do you support or oppose laws that limit the use of off-highway vehicles (i.e. all-terrain vehicles, off-road trucks and motorcycles) on publicly owned lands?**

Support .....65.0% ..... (5,734)  
Oppose.....23.9% ..... (2,110)  
Undecided/No Opinion .....10.3% ..... (906)  
Left blank/vote not tallied.....0.8% ..... (68)

**4. Under current law, a driver must be stopped or detained for a moving violation before a citation can be issued for failure to wear a seat belt. Should the law be changed to make not wearing a seat belt a primary offense?**

Yes .....42.1% ..... (3,716)  
No .....50.6% ..... (4,462)  
Undecided/No Opinion .....6.6% ..... (579)  
Left blank/vote not tallied.....0.7% ..... (61)

**5. As part of a long-term plan to improve traffic flow on Interstate 394 west of Minneapolis, the high-occupancy vehicle lanes, now reserved for car pools and mass transit, are being converted to express lanes that permit single occupant drivers to pay a fee to use the lanes. Funds collected will be used to cover implementation costs and transportation and transit improvements in the corridor. In general, do you support toll lanes as a way to improve efficiency in high traffic areas?**

Yes .....48.1% ..... (4,238)  
No .....42.1% ..... (3,712)  
Undecided/No Opinion .....9.0% ..... (795)  
Left blank/vote not tallied.....0.8% ..... (73)

**6. Should satisfactory school attendance be required for a teenager to receive a driver's license?**

Yes .....77.0% ..... (6,788)  
No .....17.7% ..... (1,559)  
Undecided/No Opinion .....4.6% ..... (409)  
Left blank/vote not tallied.....0.7% ..... (62)

**7. State law requires school districts to provide free transportation to any pupil who lives more than two miles from school, provided the bus ride is to a school in the student's attendance area. A school district may charge fees for other types of bus service, including if a student lives closer than two miles to school. Should school districts be allowed to charge all students for bus service?**

Yes .....21.7% ..... (1,914)  
No .....70.0% ..... (6,166)  
Undecided/No Opinion .....7.5% ..... (665)  
Left blank/vote not tallied.....0.8% ..... (73)

**8. Should a college student convicted of a crime in connection with a riot lose eligibility for state financial aid?**

Yes .....57.6% ..... (5,077)  
No .....32.5% ..... (2,868)  
Undecided/No Opinion .....9.1% ..... (801)  
Left blank/vote not tallied.....0.8% ..... (72)

**9. Do you support or oppose the creation of dedicated funds so that a set percentage of tax dollars would go toward certain areas of the budget, such as education or the environment?**

Support .....60.1% ..... (5,300)  
Oppose.....24.5% ..... (2,163)  
Undecided/No Opinion .....14.5% ..... (1,279)  
Left blank/vote not tallied.....0.9% ..... (76)

**10. The Legislature now meets every year. Should the state constitution be changed so that it meets every other year, as was the case between 1879 and 1973?**

Yes .....27.6% ..... (2,437)  
No .....60.1% ..... (5,298)  
Undecided/No Opinion .....9.9% ..... (869)  
Left blank/vote not tallied.....2.4% ..... (214)

**11. Minnesota is one of six states to allow same-day voter registration. Do you support or oppose this practice?**

Support .....73.0% ..... (6,434)  
Oppose.....20.4% ..... (1,797)  
Undecided/No Opinion .....4.2% ..... (368)  
Left blank/vote not tallied.....2.5% ..... (219)

**12. A 2003 law allows for up to 10 job opportunity building zones in economically distressed rural areas of the state. Businesses in the zones are permitted to forgo sales, income and property taxes for up to 12 years and persons investing in the zone business are exempt from applicable income and capital gains taxes. Should this program be expanded?**

Yes .....34.7% ..... (3,056)  
No .....39.3% ..... (3,463)  
Undecided/No Opinion .....23.2% ..... (2,042)  
Left blank/vote not tallied.....2.9% ..... (257)

**13. Should the state make talking on a cellular phone while driving illegal?**

Yes .....53.7% ..... (4,736)  
No .....36.9% ..... (3,252)  
Undecided/No Opinion .....6.6% ..... (585)  
Left blank/vote not tallied.....2.8% ..... (245)

**14. Should the state provide a motor vehicle sales tax exemption for persons who purchase alternative-fuel vehicles? Examples of alternative fuels include: alcohol fuels that are at least 70 percent alcohol by volume, natural gas, hydrogen, fuels derived from biological products, and electricity, including solar power.**

Yes .....63.2% ..... (5,574)  
No .....26.2% ..... (2,308)  
Undecided/No Opinion .....8.0% ..... (709)  
Left blank/vote not tallied.....2.6% ..... (227)

**15. Of the following, which is your favorite state fair food?**

Cheese Curds .....21.8% ..... (1,918)  
Chocolate Chip Cookies .....16.7% ..... (1,473)  
Corn on the Cob .....15.5% ..... (1,367)  
Mini-Donuts .....16.9% ..... (1,493)  
Pronto Pup .....19.3% ..... (1,705)  
Left blank/vote not tallied.....9.8% ..... (862)

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

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Sources: House Public Information Services Office and Office of the Secretary of State

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A NONPARTISAN PUBLICATION

★ ★ ★

# SESSION Weekly

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MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

This Week's Bill Introductions HF57-HF262





# SESSION

Weekly

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#### Correction

**Rep. Connie Bernardy (DFL-Fridley) was elected minority whip as part of the DFL leadership for the coming session. Her name was inadvertently left out of last week's article on House leadership. We regret the error.**

On the cover: The 2005-06 members of the Minnesota House of Representatives.

—Photo illustration by: Andrew VonBank

# First in, first out?

House File 1 shows majority party's priorities

By RUTH DUNN

**W**hen you want to know the majority party's priorities for a legislative session, simply check out the first House files out of the chute at the start of each biennium.

The selection of bills to be first — especially House File 1 — is no accident because the leadership of the party in power determines which deserve to be among the first of the session.

Bills may be selected for many reasons. Perhaps it concerns a topic that has been in the news a lot. It might be a topic that has bipartisan support. Or it might simply be a subject that the party leadership feels strongly about.

A bill to toughen penalties for sexual predators was a natural to be House File 1 this year, according to House Majority Leader Erik Paulsen (R-Eden Prairie) because the Republican caucus believes, "The first function of government is to provide safety."

The initiative, which includes mandatory life sentences in some instances, is sponsored by Rep. Kurt Zellers (R-Maple Grove).

"It's a huge honor to have your bill selected as House File 1," said Zellers, who says he presented a passionate argument to House leadership to let him be the chief author and to have the bill designated as an early House file. "I thought it would be among the first five for sure, but House File 1... wow."

Paulsen says the first House files are significant issues of importance and show his party's priorities. Other early House files this year include health plan efficiency encouragement and health care cost containment (HF2), capital improvements for state departments and higher education institutions (HF3), methamphetamine regulation and increased penalties (HF4) and a basic education formula increase (HF5).

If the DFL were in the majority, the first House file would be a bonding bill to match Senate File 1, according to House Minority Leader Matt Entenza (DFL-St. Paul). "Our



PHOTO BY TOM OLMSCHIED

**Rep. Sheldon Johnson drops a proposal into the bill introduction basket on the clerk's desk in the House Chamber Jan. 12.**

***Amy Blom, whose former husband, Donald, is serving time for the murder of Katie Poirier, wants to testify on behalf of House File 1.***

first order of business would be to get Minnesota back to work with 10,000 new jobs."

Entenza says the House File 1 designation brings attention to an issue and is important that way. He disagrees with the idea that House File 1 sets the tone for the biennium. "Tone depends more on how well members work together," he said.

Sometimes it even happens that the House, Senate and governor agree on what the top bill should be.

For example, in 1995 there was universal agreement on welfare reform. Twelve years

## Chief sponsor is passionate about HF1

The murder in 2003 of 22-year-old Dru Sjodin of Pequot Lakes was very personal to Rep. Kurt Zellers (R-Maple Grove) because they had so much in common.

Like Sjodin Zellers attended the University of North Dakota in Grand Forks. Although they were enrolled at different times, his fraternity and her sorority had a "brother-sister" relationship and worked together on many service projects.

At one time, Zellers had a part-time job at the Columbia Mall, the same mall where Sjodin worked. He knows many people who knew Sjodin. He has friends and family who still live in the area, which he said has been robbed of its innocence by the terrible crime. Zellers also has an even more personal reason for sponsoring the bill: his baby daughter, Reagan Hope.

That's why he felt strongly about being chief author of a bill calling for stronger penalties for sex offenders. He also wanted it to be among the first bills of session.


Zellers said he presented a passionate argument to House leadership in December. "I did the homework. I told them I wouldn't let them down." He must have been persuasive because not only is he the chief sponsor, but his bill was selected as HF1. "It's a huge honor," said Zellers, a second-term legislator.

With the designation, the bill becomes a top priority for House leadership.

HF1 contains the same language as a version overwhelmingly passed in the House last session, but did not go further. "We took out concerns people had with it, included amendments, and are now reintroducing it," says Zellers. He expects the bill will have a lot of bipartisan support this year, just as it did last time. That was evidenced when members from both sides of the aisle quickly signed up to be the 34 co-sponsors, the maximum number allowed.

Zellers said that Amy Blom, whose former husband, Donald, is serving time for the murder of Katie Poirier, wants to testify on behalf of the bill. Sjodin's family may also be involved.

(R. DUNN)

earlier both bodies placed a top priority on an Equal Rights Amendment to the state constitution. The first bill of the First Territorial Legislature in 1849 called for regulating grocery licenses. 

# Restoring the past with tender care



Visitors to the State Capitol third floor this month will need to step lively around the scaffolding and drop cloths near the top of the cantilevered marble staircase.

Decorative plaster and paint specialists are hard at work restoring a sample area on the walls and ceiling.

Water damage, previous restoration attempts and an unfortunate coat of varnish in the 1960s have dulled the arabesque patterns of interlacing leaves, geometric shapes and symbols of Minnesota such as corn and wheat.

A storyboard posted near the scaffolding details the steps involved in the restoration process.

When completed, the work will juxtapose the current paint and plaster conditions versus how the Capitol could look if restored to its 1905 color scheme.

The Minnesota Historical Society is seeking state and private funds for a number of Capitol restoration efforts, including paint, plaster, mechanical upgrades and Civil War flag refurbishment.

The goal behind the sample area is to inform the public and lawmakers "how far from the original it really has drifted over the years," said painter Bryon Roesset. "If it can't be a grand public space, then what can it be?"

Restoration work is being recorded by a Web cam and will be available for viewing on the Minnesota Historical Society State Capitol Site Web page ([www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc)).

(N. WOOD)



**Bryon Roesset, left, traces a stencil Jan. 11 that will be used to restore the artwork of corn stalks, above, on the third floor of the Capitol.**

**Photos by Tom Olmscheid**



**Rick Dahm of Luczak Brothers, Inc., applies a layer of gypsum plaster to the ceiling on the third floor of the Capitol Jan.11.**

(Information courtesy of Minnesota Historical Society State Capitol Historic Site)

## A selected review of Jan. 6-13 committee hearings.

## ★ BONDING

**Debt management**

Because no bonding bill was approved last session, members of the House Capital Investment Committee may have to quickly make decisions in 2005 if they want to get projects started this year.

In preparation, they received a crash course in debt management Jan. 11.

The state's debt management policy has three goals: maintain a AAA bond rating, minimize state borrowing costs and provide a reasonable funding capacity with a prudent debt limit.

Two of the state's three scores from credit rating services show Minnesota receiving a top bond rating, while the other is one step below. That rating can be changed at any time, not just when bonds are sold. However, Peter Sausen, assistant commissioner with the Department of Finance, said the state is probably not in danger of any change through the end of this session.

A state's bond rating is determined by its economic condition, financial management, debt load and the tax ratio. Sausen said that the first two make up 90 percent to 95 percent of the state's rating.

The state's policy guidelines for debt management include a 3 percent limit on the general fund debt service ratio.

Currently, the state has \$3.46 billion in bonds that must be paid over the next 20 years.

According to the finance department's Web site: "General Obligation bonds carry the full faith and credit of the state. This means that the state has pledged to levy a statewide property tax to pay the debt service costs. Instead of levying the statewide property tax, the Legislature appropriates from the general fund and other funds an amount of money sufficient to pay the debt service on the bonds."

Under the state constitution, a project must meet four tests to receive bonding dollars: it must be publicly owned, it must be a capital expenditure, it must be for a public purpose, and the purpose must be clearly set forth in law.

"You can't just say that you're bonding \$100 million to the president of the University of Minnesota for buildings," said Sausen. "It must be specific building projects."

More information can be found at [www.finance.state.mn.us/bonds/index.html](http://www.finance.state.mn.us/bonds/index.html).

## ★ BUDGET

**Speedy stopgap spending**

In an effort to avoid public defender layoffs, keep the Gang Strike Task Force operating and otherwise fill some budget holes before the dollars run out June 30, the House Ways and Means Committee began reviewing a nearly \$31.4 million deficiency spending measure Jan. 11. No vote was taken.

Sponsored by Rep. Jim Knobloch (R-St. Cloud), some of the larger shortfalls addressed in HF57 include:

- \$13.4 million for regional treatment centers for civilly committed sex offenders,
- \$7.7 million to offset the loss of public defender co-pay revenue after the Minnesota Supreme Court ruled that a 2003 law obligating defendants to pay \$50 for a public defender was unconstitutional,
- \$4.7 million for the Agriculture Department and Health Department relocation to a joint facility, and
- \$4.4 million to help offset corrections costs driven in part by more methamphetamine offenders resulting in an unanticipated prison population growth and rising health costs to combat tooth decay and Hepatitis C within that population.

Much of the discussion revolved around one of the revenue sources recommended by the governor to offset the cost of the bill: a \$25.1 million schedule shift in state payments to school districts.

"We're going to steal \$25 million from the schools," said Rep. Tom Rukavina (DFL-Virginia).

"It's simply a timing issue in terms of payment," said Finance Commissioner Peggy Ingison. "We're not talking about cutting school districts — simply delaying the payment that they are entitled to."

The school payment schedule is tied to the projected end balance for fiscal years 2004-05 in the November forecast. In the event of a general fund reserve at the end of a biennium, state law lists the budget priorities as bolstering the cash flow and budget reserve accounts, and then raising the percentage of school district aid payments made as current payments (on or before June 30 of a fiscal year) from 80 percent to as high as 90 percent of the schedule.

If the Legislature had acted in 2004 on the issues within the deficiency bill, Ingison explained, the November forecast would not have contained a reserve and the school district aid payment schedule would not have been modified anyway.

Though not technically companion bills, a pair of Senate bills (SF128 and SF129), both sponsored by Sen. Jane Ranum (DFL-Mpls), await action in the Senate Finance Committee. Each deals with criminal justice system deficiencies.



PHOTO BY TOM OLMSCHEID

Mary Ellison, *right*, deputy public safety commissioner, tells the House Ways and Means Committee Jan. 11 how the state's gang strike force would be affected if it were under funded in the proposed deficiency funding bill. Finance Commissioner Peggy Ingison, *left*, listens to the testimony.

## ★ EDUCATION

### Changing times, changing needs

Demographics are changing the schools and the state. That's why the House Education Policy and Reform Committee heard from two experts on the subject at its first meeting, Jan. 11.

Committee Chair Rep. Mark Buesgens (R-Jordan) said it is important to understand current demographics before a discussion of policy and reform begins.

The number of students of color in Minnesota school districts rose dramatically from 1989 to 2003, according to Dr. Bruce Vandal, associate executive director of Minnesota Minority Education Partnership, Inc.

The number of black students in the state has increased from approximately 24,000 to more than 62,000. Statewide, the total number of Hispanic students has nearly quadrupled from 9,000 to more than 35,000 and the number of Asian/Pacific Islander students has nearly doubled from 22,000 to more than 44,000. Enrollment of Native American students has increased from nearly 13,000 to more than 17,000.

It's not just in the Twin Cities metropolitan area, either. Cities like Willmar, Austin and Worthington have seen double-digit percent increases in their enrollments of students of color, according to Vandal.

Tom Gillaspay, state demographer, described three major demographic trends in Minnesota:

- The Twin Cities suburban ring and outer suburbs are growing rapidly while the population in many rural areas is growing slowly or declining;
- The middle-aged population is increasing rapidly while the school-age group is declining — a nationwide trend; and
- Minnesota is growing more diverse, especially among children, yet it is still one of the least diverse of the industrial states. Minneapolis and St. Paul have large percentages of non-English speaking students but smaller districts also have substantial proportions, including Worthington with 38.5 percent, Brooklyn Center with 32.8 percent and Madelia with 27.7 percent.

#### Minnesota from July 2003 to July 2004

69,300 babies were born  
37,900 people died  
13,900 people moved here from other countries  
5,101,000 is now the state's total population.

\* Statistics from Tom Gillaspay, state demographer.

## ★ HIGHER EDUCATION

### Regent finalists named

Seventeen finalists have been selected for interviews as part of the process to fill the four vacancies on the University of Minnesota Board of Regents.

Selected Jan. 7 by the Regent Candidate Advisory Council were:

- Second District: Dallas Bohnsack (incumbent), Bruce Endler and Leonard Pederson;
- Third District: Arlene Breckenridge, Scott Johnson, David Larson, Lawrence Laukka, Linda Mona and Kate Rubin;
- Eighth District: Anthony Baraga (incumbent) and Edward Borowiec; and
- At-Large: John Goldfine, Steven Hunter, Ramona Jones, Margaret Leppik, Roger McCannon and Michael Vekich.

Interviews will be held Jan. 24-26, with the final candidate recommendations going to a joint meeting of the House and Senate education committees.

State statute requires that at least two candidates, but no more than four, for each seat be forwarded to the joint meeting, which usually meets in late-February. All candidates recommended by the council will be allowed to testify before the joint education committees,

which will then nominate a slate of candidates to the Legislature for approval.

The 12-member Board of Regents is the university's governing body. One regent is elected from each of Minnesota's congressional districts and four are from the state at large. One of the at-large regents must be a university student at the time of election; however, that seat is not open this year. Regents serve six-year terms without pay. Terms are staggered, with one-third of the board elected every two years.

The council received 58 applications compared to 63 in 2003, 143 in 2001 and 78 in 1999.

## ★ TAXES

### Tsunami tax break

Taxpayers who make contributions in January 2005 to tsunami relief in Asia would be permitted to deduct those contributions on their 2004 state income tax returns, under a bill approved Jan. 13 by the House Taxes Committee.

Sponsored by Rep. Ron Abrams

### PROUD PORTRAIT



PHOTO BY ANDREW VONBANK

House Minority Leader Matt Entenza presents a portrait of former Chief Clerk Ed Burdick during a Jan. 10 tribute for Burdick's 60-plus years of House service. Tom Olmscheid, the chief House photographer, took the portrait.

(R-Minnetonka), HF166 was approved unanimously and referred to the House Ways and Means Committee.

President Bush signed into law a federal bill Jan. 7.

A Dec. 26 earthquake in the Indian Ocean touched off a tsunami that heavily damaged coastal areas from Indonesia to Africa. Since then, money to help has poured in from all over the world. "The death toll is greater than the nuclear weapon that was detonated over Hiroshima," Abrams said. "There are literally millions of people without homes. They were washed away."

Ordinarily, people who make donations beginning Jan. 1, 2005, would not be permitted to deduct those donations until they complete their 2005 tax form next year. The bill applies only to donations for tsunami relief.

"Not only for the tax fairness and simplicity argument is it the right thing to do, it's the right thing to do period," Abrams said. "Our hearts have to go out to these people. Our response has to be to do what we can to help these people."

A native of Somalia, which has also been damaged, thanked the committee for its action and the people of Minnesota for their donations. "I want to express my appreciation to all of you for extending your hands to all corners of the globe," said Omar Jamal, executive director of the Somali Justice Advocacy Center in St. Paul. "Our office is receiving calls from the citizens all over the state."

The bill is expected to be financially negligible. According to estimates from the Department of Revenue, the bill would shift approximately \$35,000 from fiscal year 2005

to 2006. That could vary, depending on how many people make donations and how much they donate.

"We believe this bill will hopefully pass through both bodies and on to the governor in short order," said Rep. Phil Krinkie (R-Shoreview), the committee chair.

A companion bill (SF218), sponsored by Sen. Ann Rest (DFL-New Hope), awaits action on the Senate floor.

## TRANSPORTATION



### Funding package proposed

A 10-year, \$7.15 billion construction program that includes the state's highways, light rail and public transportation was shared with the House Transportation Committee Jan. 11.

Better known as Gov. Tim Pawlenty's 2005 Transportation Investment package, it proposes that a constitutional amendment be placed on the ballot in 2006, asking if 100 percent of the motor vehicle sales tax (MVST) should be dedicated to transportation. That money now goes to the state's general fund, and only 54 percent is used for highways and transit, said Bob McFarlin, assistant to the commissioner of the Minnesota Department of Transportation. It is estimated that a change would equal an extra \$2.65 billion over 10 years. If voters approve the amendment, the change would be phased in over five years to lessen the impact to the general fund, McFarlin said.

Under the plan, 60 percent of the new

**You should know**  
***The average commuter is stuck in traffic for 42 hours a year compared to three hours in 1982.***  
— Peter Bell  
Metropolitan Council chairman

money would go to the trunk highway system, county state aid roads and municipal state aid roads; 38 percent would go to the public transit system in the Twin Cities metropolitan area and 2 percent would go to public transit in Greater Minnesota.

"The MVST dedication is a new source of income to address growing needs of Minnesota highways," McFarlin said. "It recognizes the needs and provides the income to meet them."

If voters do not approve the amendment, the governor would try to accomplish the work through yearly appropriations.

Pawlenty is also proposing a 10-year, \$4.5 billion bonding package for improvement and expansion of the state's trunk highway system. A portion of the gas tax revenue, vehicle registration fees and federal funds for trunk highways would repay the bonds.

Peter Bell, chairman of the Metropolitan Council, said traffic congestion will continue to grow in the Twin Cities metropolitan area. The average commuter is stuck in traffic for 42 hours a year compared to three hours in 1982.

"Traffic congestion is the region's No. 1 livability issue," he said.

## A FRESH LOOK



**It's all in the details. Just ask Johnson and Johnson. That's Jim and Bob, who are the short and the tall when it comes to Capitol painting, varnishing and refinishing. Before session began, the two plant management employees could be found touching up nicks on the walls and the desks in the House Chamber, a project they take on every three years, as well as refinishing the wood on each member's chair. Jim has been doing this work for more than 25 years and Bob joined him about six years ago. "It's an honor to be here at the Capitol and having a hand at keeping everything, especially the antiques, looking good," Jim said. For Bob, it is the instant gratification of taking something that is in sorry-shape and "making it look good."**

PHOTO BY TOM OLSCHIED



# Legislative jigsaw puzzle

Committee schedule, structure membership -  
a complicated process

By MATT WETZEL

Putting together the committee schedule, structure and membership roster can be like working a jigsaw puzzle.

There are 134 members to place, while at the same time ensuring party representation that equates to the balance between DFLers and Republicans in the House, and still establishes a structure that would prioritize the majority party's top issues: job growth, health care reform and education.

"It ends up with one change creating a domino effect," said House Speaker Steve Svigum (R-Kenyon). "It takes some time to work things through." Member assignments were not first announced until just before session began, with some minor tweaking since.

When deciding committee structure, Svigum took the advice of Rep. Fran Bradley (R-Rochester), a key leader in the House on health issues, and merged the former House Commerce, Jobs and Economic Development Policy and Finance Committee with the House Health and Human Services Policy Committee to form the House Jobs and Economic Opportunity Policy and Finance Committee.

Responsibility for commerce has been assigned to the House Commerce and Financial Institutions Committee, and the House Health Policy and Finance Committee will assume health issues.

The scope of the jobs and economic opportunity committee includes economic de-

velopment and employment issues, affordable housing, social services, child support and protection, child care services and the Minnesota Family Investment Program (MFIP).

Bradley, who served on the former health committee, said that it became apparent to him after 10 years in the Legislature that this is the way to go.

He believed the area of health was important enough to have one committee solely devoted to it, and he felt the issues of economic development, which includes jobs, goes well with welfare, where the clients often can't find a job.

"I felt, instead of pushing people (onto welfare) we should be pulling people (into) a job," he said.

"Why is it that the first thing we ask is what type of assistance can we get for you? Why can't we think about what we can do to get you a job," he said. "Why can't we better use our employers? If anybody can help someone with low skills enter the job market, they can."

"I'm excited about the committee," said Rep. Bob Gunther (R-Fairmont) after he gavelled the first meeting to order Jan. 5. "The responsibility we have in state government is to make sure everybody in the state of Minnesota has the job they want to have. That includes people on MFIP."

Gunther said the goal is to take people who are MFIP clients and make them clients for job training programs. Most people on MFIP, the state's welfare reform program for low-in-

come families with children, must currently participate in a four-month diversionary work program.

Gunther is thinking of a program that would provide a job for longer than four months, one that would provide training, and provide a more efficient way of matching people with jobs. "We'll try to allocate their abilities, aptitudes and skills," he said.

House Minority Leader Matt Entenza (DFL-St. Paul) believes training is important, but knows that resources are limited.

"Ideally, we should have a system so people have good opportunities in education and jobs training, so they can realize their dreams," he said. "The key is, will there be a system with enough resources to make the opportunity a reality?"

Rep. Karen Clark (DFL-Mpls) is the lead DFLer on the committee. "Maybe the emphasis from the other half of the committee (economic development) can positively impact the people on MFIP," she said.

Like Clark, Tonja Orr, assistant commissioner for housing policy at the Minnesota Housing Finance Agency, believes the new committee is a positive step. "I think there's a lot of value in recognizing that we want to have healthy families. It brings together a lot of the issues and allows the committee to take a look at things holistically."

Entenza believes that can be accomplished because of good leadership in Gunther and Clark. "Each has a good understanding of the needs of the state at a time when economic security is eroding for many Minnesotans," he said.

"The concern," he said, "is will there be adequate resources to meet the very important needs of economic development and basic services for some of our very vulnerable citizens?"



PHOTO BY ANDREW VONBANK

Members introduced themselves at the first meeting of the House Health Policy and Finance Committee Jan. 11, before receiving a Department of Health overview. The committee is a merger of two former committees.



## The committee process

It would be impossible for every member of the Legislature to become an expert on all the areas covered by the hundreds of bills introduced each session.

So to better deal with that volume, the House is divided into 22 topical committees (and five divisions), such as Agriculture and Rural Development, Civil Law and Elections and Regulated Industries. Those committees hear proposals and may recommend further action.

There is no requirement that committee names and scopes eternally remain the same. Years ago, there were committees on temperance and liquor control, state and county fairs and dairy products and livestock.

After members express interest in a particular committee by submitting a request

to their caucus, the House speaker appoints the chairs, vice chairs and members of each committee. Legislators usually serve on three or four committees.

After a bill is introduced on the House floor, it is assigned to a committee, where it may be given a hearing. If consideration is granted, the bill's chief sponsor appears before the committee to give an overview and answer questions. Others who have an interest in the bill may also testify. Those wishing to speak are encouraged to contact the committee administrator before the hearing to identify their desire.

Members probe, analyze and dissect the bill, sometimes offering amendments, before recommending that the bill pass and be sent to the floor, refer it to another committee or vote that the bill not pass.

There are also deadlines by which bills must be out of committees. For example, two years ago bills had to be out of the policy committee in its house of origin by April 4, and in the other body one week later.

House committees generally meet at least once a week in the State Office Building during the first few months of session, more often if necessary. All meetings are open to the public with seating and committee agendas available on a first-come, first-served basis.

For more information, contact the House Public Information Services Office, 651-296-2146, or go to [www.house.leg.state.mn.us/hinfo/abthcom.htm](http://www.house.leg.state.mn.us/hinfo/abthcom.htm).

(M. WETZEL)

## What's on the Web

### Committee information available online

The House Web site features several options for keeping track of the more than two dozen standing committees and divisions.

Start at the main House page ([www.house.mn](http://www.house.mn)) and look for the category labeled "House Committees."

Links to the following information are available:

- 2005-06 Committee Chairs – a listing of committee chairs including name, party designation, hometown and official headshot photograph ([www.house.mn/hinfo/leginfo/ls84comchairs.pdf](http://www.house.mn/hinfo/leginfo/ls84comchairs.pdf)),
- Committee Information – a listing of committees in alphabetical order providing the name, office and phone number of the chair, as well as links to the committee members and schedule ([www.house.mn/comm/commemlist.asp](http://www.house.mn/comm/commemlist.asp)),
- Committee Roster – a four-page PDF document listing committee names, membership, meeting times, rooms and staff ([www.house.mn/hinfo/leginfo/comroster.pdf](http://www.house.mn/hinfo/leginfo/comroster.pdf)),

- Standing Committee Schedule – a grid displaying the meeting times and hearing rooms of standing committees ([www.house.mn/hinfo/leginfo/comgrid.pdf](http://www.house.mn/hinfo/leginfo/comgrid.pdf)), and
- Hearing Room Audio – committee meetings and floor sessions are recorded and archived ([www.house.mn/audio/default.asp](http://www.house.mn/audio/default.asp)).

Each House committee has an individual Web page that offers options to view the committee membership, look up the committee schedule, and subscribe to the committee's electronic mailing list.

Subscribe to the combined House committee schedule electronic mailing list at [www.house.mn/list/join.asp?listname=houseschedule](http://www.house.mn/list/join.asp?listname=houseschedule).



## Frequently called numbers

(Area code 651)

### Information, House

175 State Office Building ..... 296-2146  
Toll free ..... 1-800-657-3550

**TTY, House** ..... 296-9896  
Toll free ..... 1-800-657-3550

### Chief Clerk of the House

211 Capitol ..... 296-2314

### Index, House

211 Capitol ..... 296-6646

### Sergeant-at-Arms, House

45 State Office Building ..... 296-4860

**Committee Hotline, House** ..... 296-9283

### Information, Senate

231 Capitol ..... 296-0504

Toll free ..... 1-888-234-1112

### TTY, Senate

..... 296-0250

Toll free ..... 1-888-234-1112

### Secretary of the Senate

231 Capitol ..... 296-2344

Voice mail/order bills ..... 296-2343

### Index, Senate

110 Capitol ..... 296-5560

### Sergeant-at-Arms, Senate

Senate Chamber ..... 296-7514/296-1119

**Committee Hotline, Senate** ..... 296-8088

### Legislative Reference Library

645 State Office Building ..... 296-3398

### Governor's Office

130 Capitol ..... 296-3391

Toll free ..... 1-800-657-3717

### Attorney General's Office

102 Capitol ..... 296-6196

Toll free ..... 1-800-657-3787

### Secretary of State's Office

180 State Office Building ..... 296-2803

Public Information: 1-877-551-6767

### Capitol Security

B-5 Capitol ..... 296-6741

**Emergency** ..... 296-2100

# Committee Information

## 2005-06 Minnesota House of Representatives

Assignments as of 1/12/05

### Agriculture and Rural Development

477 State Office Building .....296-9278  
**Meets:** Tuesdays and Wednesdays, 2:30 p.m. in the Basement Hearing Room\*

**Members:** 14

**Chair:** Davids-R

**Vice Chair:** Blaine-R

**Lead-DFL:** Johnson, R.-DFL

Finstad-R	Moe-DFL
Hamilton-R	Otremba-DFL
Heidgerken-R	Penas-R
Juhnke-DFL	Urdahl-R
Koenen-DFL	Welti-DFL
Magnus-R	Ozment-R**

#### Staff

##### Committee Administrator

Craig Clark .....296-1540

##### Committee Legislative Assistant

Denise Berger .....296-8857

### Agriculture, Environment & Natural Resources Finance

479 State Office Building .....296-4306  
**Meets:** Tuesdays, Wednesdays, and Thursdays, 8:15 a.m. in Room 5\*

**Members:** 12

**Chair:** Ozment-R

**Vice Chair:** Dill-DFL

**Agriculture Lead-DFL:** Juhnke-DFL

**Environment Lead-DFL:** Wagenius-DFL

Cornish-R	Penas-R
Hackbarth-R	Peterson, A.-DFL
Hoppe-R	Urdahl-R
Johnson, S.-DFL	Knoblach-R**
Magnus-R	

#### Staff

##### Committee Administrator

Marilyn Brick .....296-8893

##### Committee Legislative Assistant

Rebecca Lowden .....296-4230

### Capital Investment

517 State Office Building .....296-8216

**Meets:** Tuesdays and Wednesdays, 2:30 p.m. in Room 200\*

**Members:** 22

**Chair:** Dorman-R

**Vice Chair:** McNamara-R

**Lead-DFL:** Hausman-DFL

Brod-R	Latz-DFL
Dean-R	Mahoney-DFL
Demmer-R	Murphy-DFL
Eastlund-R	Opatz-DFL
Garofalo-R	Pelowski-DFL
Howes-R	Peterson, N.-R
Jaros-DFL	Smith-R
Kahn-DFL	Solberg-DFL
Kelliher-DFL	Tingelstad-R
Knoblach-R	

#### Staff

##### Committee Administrator

LaRissa Peltola .....296-8875

##### Committee Legislative Assistant

Rory Koch .....296-5394

### Civil Law and Elections

401 State Office Building .....296-5511

**Meets:** Mondays and Wednesdays, 12:30 p.m. in the Basement Hearing Room\*

**Members:** 12

**Chair:** Johnson, J.-R

**Vice Chair:** DeLaForest-R

**Lead-DFL:** Slawik-DFL

Brod-R	Lesch-DFL
Dean-R	Nelson, P.-R
Ellison-DFL	Simon-DFL
Emmer-R	Westrom-R
Hilty-DFL	

#### Staff

##### Committee Administrator

Dennis Virden .....296-6860

##### Committee Legislative Assistant

Joyce Rogers .....296-9710

### Commerce and Financial Institutions

551 State Office Building .....296-3533

**Meets:** Tuesdays, Wednesdays, and Thursdays, 12:30 p.m. in Room 200\*

**Members:** 26

**Chair:** Wilkin-R

**Vice Chair:** Gazelka-R

**Lead-DFL:** Mullery-DFL

Atkins-DFL	Moe-DFL
Clark-DFL	Peppin-R
Davids-R	Powell-R
Fritz-DFL	Rukavina-DFL
Goodwin-DFL	Sailer-DFL
Gunther-R	Sertich-DFL
Hamilton-R	Severson-R
Howes-R	Simpson-R
Jaros-DFL	Soderstrom-R
Kohls-R	Vandever-R
Liebling-DFL	Zellers-R
Loeffler-DFL	

#### Staff

##### Committee Administrator

Andy Gildea .....296-5065

##### Committee Legislative Assistant

Robert Freeman .....296-5994

### Technology, Bioscience and Medical Products Division

421 State Office Building .....296-4282

**Meets:** Call of the Chair\*

**Members:** 11

**Chair:** Kohls-R

**Lead-DFL:** Goodwin-DFL

Davids-R	Mullery-DFL
Fritz-DFL	Peppin-R
Hamilton-R	Severson-R
Liebling-DFL	Zellers-R
Loeffler-DFL	Wilkin-R**

#### Staff

##### Committee Administrator

Andy Gildea .....296-5065

##### Committee Legislative Assistant

Robert Freeman .....296-5994

This list is subject to change.

This document can be made available in alternative formats to individuals with disabilities by calling (651) 296-2146 voice, (651) 296-9896 TTY, or (800) 657-3550 toll free voice and TTY.

## Tourism Division

451 State Office Building .....296-2451

**Meets:** Call of the Chair\*

**Members:** 8

**Chair:** Howes-R

**Lead-DFL:** Jaros-DFL

Davids-R	Sailer-DFL
Gazelka-R	Simpson-R
Moe-DFL	Wilkin-R**
Powell-R	

## Staff

### Committee Administrator

Andy Gildea .....296-5065

### Committee Legislative Assistant

Robert Freeman .....296-5994

## Education Finance

485 State Office Building .....296-4315

**Meets:** Tuesdays, Wednesdays, and Thursdays, 12:30 p.m. in Room 5\*

**Members:** 14

**Chair:** Sykora-R

**Vice Chair:** Demmer-R

**Lead-DFL:** Greiling-DFL

Bernardy-DFL	Heidgerken-R
Buesgens-R	Johnson, R.-DFL
Davnie-DFL	Klinzing-R
Dorn-DFL	Meslow-R
Eken-DFL	Newman-R
Erickson-R	Knoblach-R**

## Staff

### Committee Administrator

Bret Walsh .....296-9468

### Committee Legislative Assistant

Bethany Johnson .....296-7167

## Education Policy and Reform

445 State Office Building .....296-5185

**Meets:** Tuesdays and Thursdays, 8:15 a.m. in Room 200\*

**Members:** 29

**Chair:** Buesgens-R

**Vice Chair:** Erickson-R

**Lead-DFL:** Dorn-DFL

Abeler-R	Dittrich-DFL
Carlson-DFL	Eastlund-R
Charron-R	Eken-DFL
Cybart-R	Greiling-DFL
Davnie-DFL	Heidgerken-R
Dean-R	Klinzing-R
Demmer-R	Lanning-R

Latz-DFL

Mariani-DFL

Marquart-DFL

Nornes-R

Olson-R

Pelowski-DFL

Peterson, S.-DFL

Ruud-DFL

Sailer-DFL

Severson-R

Sykora-R

Wardlow-R

## Staff

### Committee Administrator

Erin Buie .....296-5376

### Committee Legislative Assistant

Carmen Mayo .....296-7191

## Environment and Natural Resources

409 State Office Building .....296-2439

**Meets:** Tuesdays and Thursdays, 12:30 p.m. in the Basement Hearing Room\*

**Members:** 20

**Chair:** Hackbarth-R

**Vice Chair:** Cox-R

**Lead-DFL:** Mariani-DFL

Blaine-R	Ozment-R
Cornish-R	Penas-R
Dill-DFL	Poppe-DFL
Hansen-DFL	Scalze-DFL
Hoppe-R	Tingelstad-R
Hortman-DFL	Wagenius-DFL
Kelliher-DFL	Welti-DFL
McNamara-R	Westrom-R
Nornes-R	

## Staff

### Committee Administrator

Jacob Hamlin .....297-5723

### Committee Legislative Assistant

Joan Harmon .....296-3641

## Ethics

473 State Office Building .....296-6746

**Meets:** Call of the Chair\*

**Members:** 4

**Chair:** Erickson-R

**Vice Chair:** Carlson-DFL

Atkins-DFL	Newman-R (A)
Emmer-R	

## Staff

### Committee Administrator

Becky Girvan .....296-5528

### Committee Legislative Assistant

Mary Telega .....296-5992

## Governmental Operations and Veterans Affairs

403 State Office Building .....296-5369

**Meets:** Tuesdays, Wednesdays, and Thursdays, 10:15 a.m. in Room 5\*

**Members:** 22

**Chair:** Tingelstad-R

**Vice Chair:** Severson-R

**Lead-DFL:** Kahn-DFL

Beard-R	Loeffler-DFL
Cybart-R	McNamara-R
Demmer-R	Nelson, M.-DFL
Dempsey-R	Olson-R
Hoppe-R	Peterson, A.-DFL
Hosch-DFL	Peterson, N.-R
Johnson, R.-DFL	Seifert-R
Johnson, S.-DFL	Wardlow-R
Liebling-DFL	Welti-DFL
Lillie-DFL	

## Staff

### Committee Administrator

Scott Neske .....296-4283

### Committee Legislative Assistant

Alicia Davis .....296-1544

## Health Policy and Finance

563 State Office Building .....296-9249

**Meets:** Tuesdays, Wednesdays, and Thursdays, 10:15 a.m. in Room 10\*

**Members:** 16

**Chair:** Bradley-R

**Vice Chair:** Finstad-R

**Finance Lead-DFL:** Huntley-DFL

**Policy Lead-DFL:** Otremba-DFL

Abeler-R	Samuelson-R
Dean-R	Thao-DFL
Eken-DFL	Thissen-DFL
Emmer-R	Walker-DFL
Goodwin-DFL	Wilkin-R
Peppin-R	Knoblach-R**
Powell-R	

## Staff

### Committee Administrator

Suzanne Geroux .....296-7185

### Committee Legislative Assistant

Cheryl Burke .....296-4375

## Health Care Cost Containment Division

509 State Office Building .....296-1729

**Meets:** Call of the Chair\*

**Members:** 11

**Chair:** Abeler-R

**Lead-DFL:** Thissen-DFL

Bradley-R	Otremba-DFL
Brod-R	Peppin-R
Goodwin-DFL	Powell-R
Grieling-DFL	Westerberg-R
Huntley-DFL	

### Staff

#### Committee Administrator

Suzanne Geroux .....296-7185

#### Committee Legislative Assistant

Cheryl Burke .....296-4375

## Higher Education Finance

471 State Office Building .....296-4946

**Meets:** Mondays and Wednesdays,  
12:30 p.m. in Room 300S\*

**Members:** 13

**Chair:** Nornes-R

**Vice Chair:** Opatz-DFL

**Lead-DFL:** Pelowski-DFL

Abeler-R	Eastlund-R
Abrams-R	Latz-DFL
Carlson-DFL	Mariani-DFL
Cox-R	Urdahl-R
Dempsey-R	Knoblach-R**

### Staff

#### Committee Administrator

Mike Miller .....296-7168

#### Committee Legislative Assistant

Mary Telega .....296-5992

## Jobs and Economic

### Opportunity Policy and Finance

559 State Office Building .....296-3240

**Meets:** Tuesdays, Wednesdays, and Thursdays,  
8:15 a.m. in Room 10\*

**Members:** 11

**Chair:** Gunther-R

**Vice Chair:** Garofalo-R

**Finance Lead-DFL** Clark-DFL

**Policy Lead-DFL** Mahoney-DFL

Bradley-R	Slawik-DFL
Gazelka-R	Westerberg-R
Ruth-R	Knoblach-R**
Sertich-DFL	

### Staff

#### Committee Administrator

Brian Steinhoff .....296-5069

#### Committee Legislative Assistant

Kitty Musty .....296-3316

## Local Government

501 State Office Building .....296-4237

**Meets:** Mondays and Wednesdays,  
12:30 p.m. in Room 10\*

**Members:** 19

**Chair:** Olson-R

**Vice Chair:** Lanning-R

**Lead-DFL:** Hilstrom-DFL

Anderson, B.-R	Marquart-DFL
Charron-R	Paymar-DFL
Cornish-R	Peterson, N.-R
Garofalo-R	Poppe-DFL
Holberg-R	Samuelson-R
Hornstein-DFL	Scalze-DFL
Hosch-DFL	Thao-DFL
Lenczewski-DFL	Wardlow-R

### Staff

#### Committee Administrator

Mary Cummins .....296-3244

#### Committee Legislative Assistant

Dave Easterday .....296-9463

## Public Safety Policy and Finance

543 State Office Building .....296-9188

**Meets:** Tuesdays, Wednesdays, and Thursdays,  
10:15 a.m. in the Basement Hearing Room\*

**Members:** 12

**Chair:** Smith-R

**Vice Chair:** Eastlund-R

**Finance Lead-DFL** Murphy-DFL

**Policy Lead-DFL** Paymar-DFL

Cornish-R	Meslow-R
Ellison-DFL	Newman-R
Hausman-DFL	Soderstrom-R
Hilstrom-DFL	Knoblach-R**
Johnson, J.-R	

### Staff

#### Committee Administrator

Open

#### Committee Legislative Assistant

David Anderson .....296-4119

## Regulated Industries

533 State Office Building .....296-4929

**Meets:** Tuesdays and Wednesdays,  
2:30 p.m. in Room 5\*

**Members:** 24

**Chair:** Westrom-R

**Vice Chair:** Beard-R

**Lead-DFL:** Anderson, I.-DFL

Atkins-DFL	Lanning-R
Charron-R	Lesch-DFL
Emmer-R	Peterson, A.-DFL
Erickson-R	Powell-R
Gunther-R	Ruud-DFL
Hackbarth-R	Simpson-R
Hansen-DFL	Thissen-DFL
Hilty-DFL	Walker-DFL
Hoppe-R	Westerberg-R
Huntley-DFL	Zellers-R
Johnson, S.-DFL	

### Staff

#### Committee Administrator

Brian Fahey .....296-9302

#### Committee Legislative Assistant

Kathleen Anderson .....296-8871

## Gaming Division

549 State Office Building .....296-4226

**Meets:** Call of the Chair\*

**Members:** 9

**Chair:** Westerberg-R

**Lead-DFL:** Atkins-DFL

Erickson-R	Huntley-DFL
Hackbarth-R	Lesch-DFL
Hilty-DFL	Zellers-R
Hoppe-R	

### Staff

#### Committee Administrator

Brian Fahey .....296-9302

#### Committee Legislative Assistant

Kathleen Anderson .....296-8871

## Rules and

### Legislative Administration

459 State Office Building .....296-7449

**Meets:** Call of the Chair\*

**Members:** 23

**Chair:** Paulsen-R

**Vice Chair:** Samuelson-R

**Lead-DFL:** Carlson-DFL

Abrams-R	Magnus-R
Anderson, B.-R	Moe-DFL
Bernardy-DFL	Ozment-R
Hoppe-R	Poppe-DFL
Hosch-DFL	Sailer-DFL
Johnson, J.-R	Seifert-R
Juhnke-DFL	Sertich-DFL
Kelliher-DFL	Smith-R
Kohls-R	Sviggum-R
Loeffler-DFL	Tingelstad-R

#### Staff

##### Committee Administrator

Laurie Esau .....296-4112

##### Committee Legislative Assistant

Lesley Hinz .....296-9183

### State Government Finance

381 State Office Building .....296-5374

**Meets:** Tuesdays and Wednesdays, 8:15 a.m. in the Basement Hearing Room\*

**Members:** 11

**Chair:** Seifert-R

**Vice Chair:** Peppin-R

**Lead-DFL:** Hilty-DFL

Blaine-R	Krinkie-R
DeLaForest-R	Mullery-DFL
Finstad-R	Solberg-DFL
Kahn-DFL	Knoblach-R**

#### Staff

##### Committee Administrator

Jared Jordal .....296-5318

##### Committee Legislative Assistant

Dan Miller .....296-5336

### Taxes

365 State Office Building .....296-2907

**Meets:** Tuesdays, Wednesdays, and Thursdays, 10:15 a.m. in Room 200\*

**Members:** 29

**Chair:** Krinkie-R

**Vice Chair:** Simpson-R

**Lead-DFL:** Lenczewski-DFL

Abrams-R	Knoblach-R
Anderson, I.-DFL	Koenen-DFL
Atkins-DFL	Kohls-R
Bernardy-DFL	Lanning-R
Brod-R	Lesch-DFL
Dauids-R	Marquart-DFL
Davnie-DFL	Mullery-DFL
DeLaForest-R	Nelson, P.-R
Dill-DFL	Rukavina-DFL
Dorman-R	Sieben-DFL
Erhardt-R	Vandeveer-R
Howes-R	Westerberg-R
Jaros-DFL	Zellers-R

#### Staff

##### Committee Administrator

Craig Stone .....296-5367

##### Committee Legislative Assistant

Jeremy Estenson .....296-4295

### Property and Local Tax Division

583 State Office Building .....296-4124

**Meets:** Call of the Chair\*

**Members:** 10

**Chair:** Vandeveer-R

**Lead-DFL:** Rukavina-DFL

Brod-R	Marquart-DFL
Krinkie-R	Nelson, P.-R
Lanning-R	Sieben-DFL
Lesch-DFL	Simpson-R

#### Staff

##### Committee Administrator

Craig Stone .....296-5367

##### Committee Legislative Assistant

Jeremy Estenson .....296-4295

### Transportation

591 State Office Building .....296-4363

**Meets:** Tuesdays and Wednesdays, 2:30 p.m. in Room 10\*

**Members:** 22

**Chair:** Erhardt-R

**Vice Chair:** Nelson, P.-R

**Lead-DFL:** Larson-DFL

Anderson, B.-R	Lillie-DFL
Cox-R	Newman-R
Cybart-R	Olson-R
Dittrich-DFL	Peterson, S.-DFL
Fritz-DFL	Ruth-R
Gazelka-R	Severson-R
Holberg-R	Sieben-DFL
Hornstein-DFL	Simon-DFL
Hortman-DFL	Soderstrom-R
Lieder-DFL	

#### Staff

##### Committee Administrator

Margaret Amundson .....296-7427

##### Committee Legislative Assistant

Cassi Holmstrom .....296-5489

### Transportation Finance

443 State Office Building .....296-6926

**Meets:** Tuesdays and Thursdays, 12:30 p.m. in Room 10\*

**Members:** 11

**Chair:** Holberg-R

**Vice Chair:** Ruth-R

**Lead-DFL:** Lieder-DFL

Abrams-R	Larson-DFL
Anderson, B.-R	Magnus-R
Erhardt-R	Nelson, M.-DFL
Hornstein-DFL	Knoblach-R**

#### Staff

##### Committee Administrator

Becky Girvan .....296-5528

##### Committee Legislative Assistant

Joyce Vogt .....297-8407

### Ways and Means

453 State Office Building .....296-6316

**Meets:** Mondays, 12:30 p.m. in Room 200\*

**Members:** 38

**Chair:** Knoblach-R

**Vice Chair:** Dempsey-R

**Lead-DFL:** Solberg-DFL

Abeler-R	Klinzing-R
Abrams-R	Krinkie-R
Anderson, I.-DFL	Larson-DFL
Beard-R	Mariani-DFL
Bradley-R	McNamara-R
Buesgens-R	Nornes-R
Carlson-DFL	Otremba-DFL
Clark-DFL	Ozment-R
Dorman-R	Paymar-DFL
Dorn-DFL	Rukavina-DFL
Erhardt-R	Ruth-R
Greiling-DFL	Seifert-R
Gunther-R	Smith-R
Hamilton-R	Sykora-R
Hilty-DFL	Vandeveer-R
Holberg-R	Wagenius-DFL
Huntley-DFL	Walker-DFL
Kelliher-DFL	

#### Staff

##### Committee Administrator

Kevin Matzek .....296-4110

##### Committee Legislative Assistant

Shirley Koderick .....296-4999

# Minnesota House of Representatives

## 2005-06 Standing Committee Schedule

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:15 to 10 a.m.		Agriculture, Environment and Natural Resources Finance 5 Education Policy and Reform 200 Jobs and Economic Opportunity Policy and Finance 10 State Government Finance B	Agriculture, Environment and Natural Resources Finance 5 Jobs and Economic Opportunity Policy and Finance 10 State Government Finance B	Agriculture, Environment and Natural Resources Finance 5 Education Policy and Reform 200 Jobs and Economic Opportunity Policy and Finance 10	
10:15 a.m. to noon		Governmental Operations and Veterans Affairs 5 Health Policy and Finance 10 Public Safety Policy and Finance B Taxes 200	Governmental Operations and Veterans Affairs 5 Health Policy and Finance 10 Public Safety Policy and Finance B Taxes 200	Governmental Operations and Veterans Affairs 5 Health Policy and Finance 10 Public Safety Policy and Finance B Taxes 200	No regular meetings are scheduled on Fridays.
12:30 to 2:15 p.m.	Civil Law and Elections B Higher Education Finance 300S Local Government 10 Ways and Means 200	Commerce and Financial Institutions 200 Education Finance 5 Environment and Natural Resources B Transportation Finance 10	Civil Law and Elections B Commerce and Financial Institutions 200 Education Finance 5 Higher Education Finance 300S Local Government 10	Commerce and Financial Institutions 200 Education Finance 5 Environment and Natural Resources B Transportation Finance 10	
2:30 to 4:15 p.m.	HOUSE IN SESSION (3 p.m.)	Agriculture and Rural Development B Capital Investment 200 Regulated Industries 5 Transportation 10	Agriculture and Rural Development B Capital Investment 200 Regulated Industries 5 Transportation 10	HOUSE IN SESSION (3 p.m.)	

Rules & Legislative Administration and Ethics meet at the call of the chair.

B - Basement Hearing Room  
All rooms in State Office Building

1/7/05

# A 'piercing' debate

## Programs give students a legislative experience

By PATTY JANOVEC

**"T**he session will now come to order," gaveled House Speaker John Hengen, a high school student standing at the podium in the House chamber in torn khakis, newly wrinkled shirt, and black tie.

No, it wasn't a new Abercrombie and Fitch commercial being created in the chamber Jan. 7, it was the YMCA's Youth in Government program infiltrating the capitol grounds. More than 1,400 students from throughout the state debated and participated in mock floor sessions, held committee meetings and passed bills on the House and Senate floors.

Secretary of State Mary Kiffmeyer opened the session by urging students to "reflect on the foundation of our government and how our founding fathers struggled to craft our U.S. Constitution, and how that document, in turn, became the foundation for state government."

Topics students debated this year included civil unions, the prohibiting of body piercing services to those under age 16 without parental consent, requiring the state to pay for 20 percent of medical expenses for people

on fixed incomes, and legalizing the right for a woman to impersonate Santa Claus.

Several student bills from previous years have led to actual legislation, which then became law.

Orville Lindquist, the state program director, recalls a young man whose efforts led to making state park trails accessible to physically disabled people. "The boy's mother had several handicaps and...it was hard for his family to visit state parks because they weren't handicapped accessible."

The student helped formulate a 1995 bill sponsored by Rep. Ann Rest (DFL-New Hope) that required the Department of Natural Resources to develop a plan to construct or modify trails in state parks to allow accessibility for people with physical disabilities. The measure eventually passed as part of an environment omnibus bill.

Started in 1946 with ideas of promoting responsible citizenship, the Youth In Government mission continues through today's generation.

"Young people are disengaged and we need



**Thomas Richards and Nick Rau from Burnsville High School confer in the House chamber during Youth in Government Day at the State Capitol Jan. 7.**

to get them into opportunities like Youth in Government so they can understand about their role as leaders and citizens," said Lindquist.

"There's also the soft learning of interpersonal relationship building, exchange of opinions, learning to respect other people," he added. Students are responsible for getting themselves up, getting food and water, and making it to places on time.

Nick Burkhart, a high school junior from Mankato, said he took part because there was really no other program like it in Minnesota that allows any student to be involved. "You get to meet people from all over the state, you get to hear all these great ideas, deal with all these bills, and I just realized that after my first year that it really is a valuable experience."

However, there is another program that promotes youth participation in government — the House High School Page Program.

"It's a great chance for a farm kid from southern Minnesota to meet another kid from Arrowhead who may be rooming with someone from inner city Minneapolis," said Chief Sergeant-At-Arms Shawn Peterson. His office oversees the program.

Students gain a "deeper understanding of the legislative process and state government, the kind of knowledge only hands-on experience can provide," said Jake Jewell, second assistant sergeant-at-arms and director of educational programs in the House.

Peterson, who once served as a page, said Minnesota is one of a few states with a high school page program that focuses on education. "It's been very helpful for me having been a page, to be in my position now."

Similar to Youth in Government, the page program promotes responsibility by developing leadership through mock committee sessions, debate, and teaching students how to make a positive difference in their schools and communities.



PHOTOS BY SARAH STACKE

**Tiffany Smith, a senior at Fridley High School, tries to get the attention of the House speaker during Youth in Government Day at the State Capitol Jan. 7.**

## From page to professional

### It is not uncommon for participants in the Youth in Government program to continue their public service as adults

• Jess Mingo, a fiscal service specialist in the House Administrative Services Department, said his involvement in the YMCA program was valuable because “the exposure to the atmosphere, the issues, and government as a whole” creates opportunities.

• Michael Speiker, Web manager in the House Chief Clerk’s Office, was active in Youth in Government and was also a page. “When I first walked into the chamber, I thought that’s where I want to work, that’s where I want to be.”

• Patrick D. Murphy, first assistant chief clerk, was turned down for the page program when he first applied. “It’s odd where you end up in life,” he said. Murphy was eventually hired as a page and has worked in the chief clerk’s office for 27 years.


For more Information:  
**Youth In Government**  
 4 West Rustic Lodge  
 Minneapolis, MN 55409  
 (612) 823-1381

1-800-372-0002  
[www.mnyig.org](http://www.mnyig.org)

### Minnesota House of Representatives High School Page Program


G45A, State Office Building  
 100 Martin Luther King Jr. Blvd.  
 St. Paul, MN 55155  
 (651) 296-7452  
[www.house.leg.state.mn.us/edprog/over2p.htm](http://www.house.leg.state.mn.us/edprog/over2p.htm)

## SPEAKING OF THE HOUSE

 In the midst of a re-election campaign, a beef carcass fell on **Rep. Peter Nelson (R-Lindstrom)** while he working at his Lindstrom butcher shop Sept. 21. The blow forced his right hand, which held a butcher knife, into his left arm, severely slicing an artery. He was rushed by helicopter to Region’s Hospital in St. Paul where he spent three days in the trauma center and received seven pints of blood.

Speaking Jan. 4 on the House floor, Nelson gave thanks for the hundreds of cards, flowers and prayers from his colleagues on both sides of the aisle and from staff. “Your support for me as an individual crossed party lines,” he said. “Your support shows we really do matter to each other as individuals. I hope that same degree of respect will continue as we proceed to do the people’s business.”


Nelson’s wife, Debra, said her husband has already used up several of his nine lives, including the defeat of a stage-four cancer in his neck.

 The first meeting of the House Capital Investment Committee Jan. 11 started about six minutes late.

When members took turns introducing themselves, first-term **Rep. Neil W. Peterson**

**(R-Bloomington)** said, “Obviously I’m a new kid because I showed up 15 minutes early.” Laughter then filled the room.


Despite best efforts by all, House meetings and floor sessions oftentimes start past their scheduled time.

 A moment of silence was held in the House chamber Jan. 12 for former four-term **Rep. John Burger (R-Long Lake)** who passed away earlier that day at age 88.

“He was residing with family in California at the time of his death,” said Rep. Steve Smith (R-Mound), who replaced Burger in the House.

“I feel eight years is an adequate time for people to make whatever impact they can in the House,” Burger said upon his retirement in 1990 after four terms. “But I’m not yet satisfied with what I’ve been able to do... I have a number of ideas I want to continue to press and I thought finding another platform to speak from [as governor] would be the way to go.”

Burger ultimately ran for state treasurer, but was defeated by Michael McGrath.

 As members of the House Governmental Operations and Veterans Affairs Committee introduced themselves Jan. 11, **Rep. Phyllis Kahn (DFL-Mpls)** told of her personal interest in the committee.

Not only did her father serve as a doctor in World War II, but, she said, “I worked on the design of the M-16 rifle as a student intern in the summer at the Frankfurt Arsenal in Philadelphia, and every time one of those misfired in Vietnam I cringed and worried if it was some sort of miscalculation that I had done.” Kahn has degrees in both physics and biophysics.

**Rep. Jerry Dempsey (R-Red Wing)** also mentioned that he was in the infantry, and recalled a first week conversation with a first sergeant about how he often had just five minutes to eat because of long “chow lines.”

“I’m standing in line and standing in line and I said, ‘Haven’t you got a better system than that?’” The first sergeant responded, “Private, you don’t like to stand in the line?” Dempsey said he did not, to which the sergeant responded, “Well stand in a circle.”

“I got the information real quick as to not question what I was told to do,” he said with a laugh.

## State of the State update

Gov. Tim Pawlenty will go on the road this year to deliver his annual State of the State address.

Traditionally delivered at the State Capitol, plans call for the speech highlighting the governor’s legislative vision to be given

at 11 a.m. Jan. 18 at the Mayo Clinic Superior Drive Support Center in Rochester.

Medical tests and blood and tissue testing are performed at the center, which is set to expand this year with the help of tax breaks under the state’s Job Opportunity

Building Zones program.

“By taking the State of the State out of the Capitol, I hope to encourage all Minnesotans to take a greater interest in the work that will be done in St. Paul over the coming months,” Pawlenty said.



## Monday, January 10

### HF57—Knoblach (R)

#### Ways & Means

Deficiency funding provided for specified state agencies and money appropriated.

### HF58—Samuelson (R)

#### Education Finance

Early childhood family education program funding restored and money appropriated.

### HF59—Hilty (DFL)

#### Transportation

Carlton County; Biaiswah Bridge over the St. Louis River and Roussain Cemetery in Jay Cooke State Park dedicated.

### HF60—Greiling (DFL)

#### Education Policy & Reform

Education commissioner eliminated as an eligible charter school sponsor.

### HF61—Thissen (DFL)

#### Health Policy & Finance

Caregiver sick leave benefits support provided, home care income tax credit established, and money appropriated.

### HF62—Carlson (DFL)

#### Higher Education Finance

University of Minnesota capital improvements funding provided, bonds issued and money appropriated.

### HF63—Carlson (DFL)

#### Higher Education Finance

Minnesota State Colleges and Universities capital improvements funding provided, bonds issued and money appropriated.

### HF64—Cornish (R)

#### Taxes

Local government aid formula for cities modified.

### HF65—Cornish (R)

#### Transportation

Farm truck definition expanded to include trucks used to transport animal carcasses to places of rendering.

### HF66—Otremba (DFL)

#### Health Policy & Finance

Medical assistance estate recovery provisions modified, alternative care costs recoveries eliminated, liens against life estates and joint tenant interests removed and money appropriated.

### HF67—Opatz (DFL)

#### Higher Education Finance

Tuition reciprocity annual report and renegotiation of certain reciprocity agreements required.

### HF68—Urdahl (R)

#### Education Policy & Reform

Coaching contract non-renewal timely notice and opportunity to respond required.

### HF69—Urdahl (R)

#### Transportation Finance

World War II veterans exempted from veteran license plate fees.

### HF70—Johnson, R. (DFL)

#### Jobs & Economic

#### Opportunity Policy and Finance

Gaylord multicultural and lifelong learning center construction funding provided, bonds issued and money appropriated.

### HF71—Seifert (R)

#### Transportation

Household goods movers exempted from varying charges prohibition while transporting goods at no cost for a nonprofit organization.

### HF72—Dorn (DFL)

#### Higher Education Finance

Minnesota State University, Mankato science lab design funding provided, bonds issued and money appropriated.

### HF73—Westerberg (R)

#### Transportation Finance

Trunk highway 65 improvements funding provided, bonds issued, and money appropriated.

### HF74—Nornes (R)

#### Higher Education Finance

Minnesota State Community and Technical College Fergus Falls campus addition funding provided, bonds issued and money appropriated.

### HF75—Nornes (R)

#### Health Policy & Finance

Veterans homes board funding provided for state's share of specified projects, bonds issued and money appropriated.

### HF76—Pelowski (DFL)

#### Higher Education Finance

Winona State University renovation funding provided, bonds issued and money appropriated.

### HF77—Hausman (DFL)

#### Capital Investment

State agency and higher education capital improvements funding provided, bonds issued, and money appropriated.

### HF78—Davids (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Rushford Institute for Nanotechnology, Inc., funding provided, bonds issued and money appropriated.

### HF79—Davids (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Forestville historic site funding provided and money appropriated.

### HF80—Davids (R)

#### Agriculture, Environment &

#### Natural Resources Finance

Forestville segment of the Bluffland Trail system development funding provided, bonds issued and money appropriated.

### HF81—Peterson, A. (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

Prairie Farm Preservation Education and Exhibit Center funding provided, bonds issued and money appropriated.

### HF82—Nornes (R)

#### Taxes

City population size increased for cities permitted to hold land for economic development purposes for 15 years.

### HF83—Simon (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

St. Louis Park; pedestrian and trail crossing funding provided, bonds issued and money appropriated.

### HF84—Murphy (DFL)

#### Taxes

Hermantown sales tax authorization expanded.

### HF85—Cox (R)

#### Agriculture, Environment &

#### Natural Resources Finance

Mill Towns State Trail segment funding provided, bonds issued, and money appropriated.

### HF86—Peterson, S. (DFL)

#### Transportation Finance

I-494 and Highway 169 median safety barriers construction funding provided and money appropriated.

### HF87—Kahn (DFL)

#### Health Policy & Finance

Hospitals and outpatient surgical centers required to report acquired infections, and advisory committee established.

### HF88—Thissen (DFL)

#### Regulated Industries

Lottery service businesses regulated.

### HF89—Opatz (DFL)

#### Public Safety Policy & Finance

Methamphetamine precursor substances sales regulated.

### HF90—Johnson, S. (DFL)

#### Public Safety Policy & Finance

Methamphetamine precursor drug sales regulated and criminal penalties imposed.

### HF91—Bernardy (DFL)

#### Public Safety Policy & Finance

Predatory offender registration requirements enhanced, community notification law disclosure of information clarified and conforming changes provided.

**HF92—Latz (DFL)****Education Policy & Reform**

Perpich Center for Arts Education charter school sponsorship and electronic board meetings authorized.

**HF93—Lanning (R)****Jobs & Economic****Opportunity Policy & Finance**

Moorhead; Heritage Hjemkomst Center asset preservation funding provided, bonds issued and money appropriated.

**HF94—Rukavina (DFL)****Governmental Operations & Veterans Affairs**

Eveleth police and fire trust fund benefits ad hoc postretirement adjustment provided.

**HF95—Solberg (DFL)****Civil Law & Elections**

Town election judge appointment provisions modified.

**HF96—Huntley (DFL)****Education Finance**

Independent School District No. 709, Duluth, renovation funding provided for Grant Magnet School, bonds issued and money appropriated.

**HF97—Huntley (DFL)****Higher Education Finance**

University of Minnesota-Duluth capital improvements funding provided, bonds issued and money appropriated.

**HF98—Murphy (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Duluth sanitary sewer overflow facilities funding provided, bonds issued and money appropriated.

**HF99—Jaros (DFL)****Agriculture, Environment &****Natural Resources Finance**

Duluth; Lake Superior Zoo improvements funding provided, bonds issued and money appropriated.

**HF100—Jaros (DFL)****Transportation Finance**

Duluth aerial lift bridge restoration funding provided, bonds issued, and money appropriated.

**HF101—Jaros (DFL)****Taxes**

Duluth sales tax administration requirement by Department of Revenue delayed.

**HF102—Huntley (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Duluth Entertainment Convention Center arena design and construction funding provided, bonds issued and money appropriated

**HF103—Huntley (DFL)****Taxes**

St. Louis Bay waterfront dock facilities relocation sales tax exemption provided.

**HF104—Rukavina (DFL)****Commerce & Financial Institutions**

Snowmobile insurance premium reduction required for snowmobiles installed with hazard lighting systems.

**HF105—Dorman (R)****Transportation**

Persian Gulf War veterans motorcycle license plates authorized.

**HF106—Latz (DFL)****Agriculture, Environment &****Natural Resources Finance**

St. Louis Park flood hazard mitigation grant provided, bonds issued and money appropriated.

**HF107—Fritz (DFL)****Public Safety Policy & Finance**

Faribault Minnesota Correctional Facility Phase 1 expansion and prison industries building funding provided, bonds issued and money appropriated.

**HF108—Severson (R)****Education Finance**

School bus purchase levy by certain school districts authorized.

**HF109—Howes (R)****Jobs & Economic****Opportunity Policy & Finance**

Mille Lacs wastewater treatment facility wastewater collection system connection funding provided, bonds issued and money appropriated.

**HF110—Charron (R)****Jobs & Economic****Opportunity Policy & Finance**

Bayport sewer system project funding provided, bonds issued and money appropriated.

**HF111—Greiling (DFL)****Higher Education Finance**

Office of Educational Accountability funding provided through the University of Minnesota and money appropriated.

**HF112—Kelliher (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Bidding exception for federally subsidized transit facilities provided.

**HF113—Poppe (DFL)****Agriculture, Environment &****Natural Resources Finance**

Shooting Star Trail segment funding provided, bonds issued and money appropriated.

**HF114—Poppe (DFL)****Higher Education Finance**

Riverland Community College capital improvements funding provided, bonds issued and money appropriated.

**HF115—Fritz (DFL)****Education Finance**

Minnesota state academies capital improvements projects funding provided, bonds issued and money appropriated.

**HF116—Seifert (R)****Governmental Operations & Veterans Affairs**

Legislative approval required for certain business rules to take effect.

**HF117—Rukavina (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Virginia central steam heating system capital repair bonds issued and money appropriated.

**HF118—Urdahl (R)****Agriculture & Rural Development**

Food manufacturers and sellers protected from legal actions taken against them to recover damages for alleged injury or weight gain resulting from consumption of food.

**HF119—Gazelka (R)****Agriculture, Environment &****Natural Resources Finance**

Paul Bunyan Trail extension funding provided, bonds issued and money appropriated.

**HF120—Erickson (R)****Transportation Finance**

Mille Lacs County; recreational bridge over Highway 169 matching grant provided and money appropriated.

**HF121—Smith (R)****Public Safety Policy & Finance**

Bullet resistant vests for peace officers monetary reimbursement provided.

**HF122—Smith (R)****Public Safety Policy & Finance**

Correctional officer discipline procedures created.

**HF123—Magnus (R)****Jobs & Economic****Opportunity Policy & Finance**

Lewis and Clark Rural Water System connections funding provided, bonds issued and money appropriated.

**HF124—Magnus (R)****Transportation**

Pipestone County; Legislative Route No. 268 turn-back authorized.

**HF125—Seifert (R)****Taxes**

Joint government facilities construction materials sales tax exemption provided.

**HF126—Lieder (DFL)****Agriculture, Environment &****Natural Resources Finance**

Crookston emergency riverbank protection funding provided, bonds issued and money appropriated.

**HF127—Abeler (R)****Health Policy & Finance**

Cancer drug repository program established.

**HF128—Erickson (R)****Civil Law & Elections**

Funeral provider attorney fee recovery in actions to recover costs of services authorized.

**HF129—Moe (DFL)****Agriculture, Environment & Natural Resources Finance**

Paul Bunyan State Trail development funding provided, bonds issued and money appropriated.

**HF130—Seifert (R)****Education Policy & Reform**

Parent discretion in classroom placement of children of multiple birth authorized.

**HF131—Sailer (DFL)****Health Policy & Finance**

Medical assistance estate recovery modified, alternative care cost recoveries eliminated, life estate and joint tenant interest liens removed and money appropriated.

**HF132—Thissen (DFL)****Health Policy & Finance**

Children's health security account and program created; eligibility criteria, services, and administrative procedures specified; tobacco tax increased and money appropriated.

**HF133—Demmer (R)****Taxes**

Economic development district revenue usage regulations modified to allow certain cities to act as small cities.

**HF134—Demmer (R)****Higher Education Finance**

Rochester Community and Technical College funding provided, bonds issued and money appropriated.

**HF135—Knoblach (R)****Health Policy & Finance**

Consumer-driven health plans encouraged and federal tax conforming changes provided.

**HF136—Slawik (DFL)****Taxes**

Education expense credit and deduction application to pre-kindergarten expenses and museum memberships authorized.

**HF137—Slawik (DFL)****Education Finance**

Lease levy authority cuts restored.

**HF138—Slawik (DFL)****Transportation**

Safe School Zone Law enacted.

**HF139—Slawik (DFL)****Transportation Finance**

Ramsey County; interchange project for I-94 at Century Avenue and McKnight Road funding provided, bonds issued and money appropriated.

**HF140—Slawik (DFL)****Education Policy & Reform**

Early childhood education program advisory school readiness board established.

**HF141—Slawik (DFL)****Education Finance**

Technology and transportation school district levies authorized.

**HF142—Slawik (DFL)****Taxes**

Dependent care income tax credit modified.

**HF143—Hosch (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Richmond; sanitary sewer facility upgrade and expansion funding provided, bonds issued and money appropriated.

**HF144—Hosch (DFL)****Agriculture, Environment & Natural Resources Finance**

Lake Koronis Recreational Trail bonds issued and money appropriated.

**HF145—Solberg (DFL)****Ways & Means**

State budget reports and recommendations required to conform to generally accepted governmental accounting principles and disclosure of impact of inflation on state expenditures required.

**HF146—Paymar (DFL)****Education Finance**

Early childhood education program funding restored and money appropriated.

**HF147—Paymar (DFL)****Governmental Operations & Veterans Affairs**

Membership of the Minnesota Senate and House of Representatives reduced.

**HF148—Greiling (DFL)****Education Finance**

Education finance funding for special education, LEP, early education, after-school, and adult basic education programs restored; basic formula allowance increased; levy authority restored and money appropriated.

**HF149—Slawik (DFL)****Education Finance**

Special education program growth factors restored and money appropriated.

**HF150—Peterson, S. (DFL)****Education Finance**

Principled pay practices and site-based achievement contracts provided and money appropriated.

**HF151—Slawik (DFL)****Education Finance**

General education basic formula allowance increased.

**HF152—Slawik (DFL)****Education Finance**

Early childhood education program funding restored and money appropriated.

**HF153—Huntley (DFL)****Health Policy & Finance**

Health care premium rate restrictions, cost containment provisions, loan forgiveness programs, medical assistance, general assistance medical care, and MinnesotaCare programs modified; bonds issued and money appropriated.

**Wednesday, January 12****HF154—Rukavina (DFL)****Health Policy & Finance**

WIC supplemental food home delivery federal approval required.

**HF155—Hausman (DFL)****Regulated Industries**

Off-sale intoxicating liquor license issuance by city for establishment within one-half mile of University of Minnesota College of Agriculture permitted.

**HF156—Anderson, I. (DFL)****Agriculture, Environment & Natural Resources Finance**

Mine pit water level control bonds issued and money appropriated.

**HF157—Anderson, I. (DFL)****Agriculture, Environment & Natural Resources Finance**

Itasca County; Canisteo Mine flooding alleviation bonds issued and money appropriated.

**HF158—Kahn (DFL)****Health Policy & Finance**

Cervical cancer elimination task force established.

**HF159—Kahn (DFL)****Local Government**

Pension deficit bonding referendum and draft legislation for 2006 session required.

**HF160—Kahn (DFL)****Environment & Natural Resources**

Outdoor light pollution restricted.

**HF161—Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

Bonanza Education Center excursion boat and landing bonds issued and money appropriated.

**HF162—Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

Lincoln County; Lake Benton improvement bonds issued and money appropriated.

**HF163—Bradley (R)****Jobs & Economic****Opportunity Policy & Finance**

Rochester Bioscience Core Area bonds issued and money appropriated.

**HF164—Demmer (R)****Agriculture, Environment & Natural Resources Finance**

Olmsted County; municipal solid waste combustor expansion grant bonds issued and money appropriated.

**HF165—Opatz (DFL)****Higher Education Finance**

Applied doctoral degrees at state universities authorized.

**HF166—Abrams (R)****Taxes**

Charitable contribution income tax deductions relating to tsunami relief donations accelerated.

**HF167—Opatz (DFL)****Higher Education Finance**

St. Cloud State University capital improvements bonds issued and money appropriated.

**HF168—Opatz (DFL)****Higher Education Finance**

St. Cloud State University capital improvement design bonds issued and money appropriated.

**HF169—Rukavina (DFL)****Taxes**

Homestead property tax exemption for permanently and totally disabled veterans or their spouses provided.

**HF170—Opatz (DFL)****Higher Education Finance**

St. Cloud State University capital improvement design bonds issued and money appropriated.

**HF171—Anderson, B. (R)****Transportation**

Special license plates for veterans of global war on terrorism authorized.

**HF172—Opatz (DFL)****Agriculture, Environment & Natural Resources Finance**

St. Cloud Area Regional Parks and Trails Coordinating Board grant bonds issued and money appropriated.

**HF173—Opatz (DFL)****Transportation Finance**

Northstar commuter rail system bonds issued and money appropriated.

**HF174—Opatz (DFL)****Higher Education Finance**

St. Cloud Technical College capital improvement bonds issued and money appropriated.

**HF175—Garofalo (R)****Transportation Finance**

Dakota County; highway overpass bonds issued and money appropriated.

**HF176—Dempsey (R)****Taxes**

Wabasha redevelopment district extension authorized.

**HF177—Moe (DFL)****Higher Education Finance**

Bemidji State University and Northwest Technical College bonds issued and money appropriated.

**HF178—Moe (DFL)****Governmental Operations & Veterans Affairs**

Teacher benefit provided.

**HF179—Huntley (DFL)****Regulated Industries**

Compulsive gambling prevention and education money appropriated.

**HF180—Paymar (DFL)****Taxes**

Limited market value law permanence provided.

**HF181—Solberg (DFL)****Transportation Finance**

Aitkin County; Great River Road money appropriated.

**HF182—Solberg (DFL)****Taxes**

Aitkin County and Independent School District No. 1 joint hearings authorized.

**HF183—Fritz (DFL)****Higher Education Finance**

South Central Technical College capital improvements bonds issued and money appropriated.

**HF184—Erickson (R)****Education Finance**

Onamia; cooperative joint community learning center and health and wellness center geothermal system bonds issued and money appropriated.

**HF185—Blaine (R)****Transportation Finance**

Morrison County; Highway 10 Soo Line Corridor park-and-ride lot bonds issued and money appropriated.

**HF186—Blaine (R)****Jobs & Economic Opportunity Policy and Finance**

Little Falls; Pine Grove Park Zoo bonds issued and money appropriated.

**HF187—Blaine (R)****Transportation**

Purple heart memorial highway designated.

**HF188—Blaine (R)****Transportation Finance**

Crow Wing County; townline bridge bonds issued and money appropriated.

**HF189—Blaine (R)****Public Safety Policy & Finance**

Privacy interference offense penalty increased and penalty for pattern of conduct involving interference with privacy established.

**HF190—Anderson, I. (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Steel Industries water and sewer infrastructure components bonds issued and money appropriated.

**HF191—Hausman (DFL)****Transportation Finance**

Central Corridor transit way bonds issued and money appropriated.

**HF192—Hausman (DFL)****Jobs & Economic Opportunity Policy & Finance**

St. Paul; Como Park Zoo renovation bonds issued and money appropriated.

**HF193—Solberg (DFL)****Higher Education Finance**

University of Minnesota; North Central Research and Outreach Center capital improvement bonds issued.

**HF194—Anderson, I. (DFL)****State Government Finance**

World War II veterans memorial bonds issued and money appropriated.

**HF195—Greiling (DFL)****Education Finance**

Open enrollment student referendum aid adjustment modified and statewide property tax altered.

**HF196—Solberg (DFL)****Agriculture, Environment & Natural Resources Finance**

Mississippi Headwaters Board money appropriated.

**HF197—Simpson (R)****Higher Education Finance**

Central Lakes College; Staples campuses bonds issued and money appropriated.

**HF198—Erhardt (R)****Education Finance**

Referendum allowance limit eliminated.

**HF199—Penas (R)****Agriculture, Environment & Natural Resources Finance**

Flood hazard mitigation project bonds issued and money appropriated.

**HF200—Howes (R)****Taxes**

Military pension income taxation subtraction allowed.

**HF201—Kahn (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minneapolis; University Research Park bonds issued and money appropriated.

**HF202—Urdahl (R)****Agriculture, Environment & Natural Resources Finance**

University of Minnesota; joint plant pathology center bonds issued and money appropriated.

**HF203—Sailer (DFL)****Agriculture, Environment & Natural Resources Finance**

Big Bog State Recreation Area development bonds issued and money appropriated.

**HF204—Garofalo (R)****Transportation**

Traffic signal override device possession restricted and penalty provided.

**HF205—Howes (R)****Education Policy & Reform**

Commencement of school year prior to Labor Day prohibited.

## Thursday, January 13

### **HF206—Poppe (DFL)** **Agriculture, Environment & Natural Resources Finance**

Southern Minnesota; severe storms and flooding cleanup and relief funding provided for federally defined area DR-1569, bonds issued and money appropriated.

**HF207—Hamilton (R)**  
**Governmental Operations & Veterans Affairs**  
Sexual predator criminal penalties provided, indeterminate and mandatory life sentencing imposed, Sex Offender Review Board established, data access provided and Open Meeting Law exemption specified.

**HF208—Gunther (R)**  
**Public Safety Policy & Finance**  
Blue Earth fire and police station funding provided, bonds issued and money provided.

**HF209—Blaine (R)**  
**Local Government**  
Township levy and spending authority clarified.

**HF210—Blaine (R)**  
**Local Government**  
Fire departments reimbursed for expenses incurred in extinguishing motor vehicle fires, cities and towns authorized to collect unpaid bills for emergency services from nonresidents and money appropriated.

**HF211—Lieder (DFL)**  
**Taxes**  
Lawful gambling tax rate reduced and single occasion bingo session time restriction eliminated.

**HF212—Dorman (R)**  
**Transportation Finance**  
Two-wheeled vehicle license endorsement fees re-allocated to the motorcycle safety fund and funding cap removed.

**HF213—Erickson (R)**  
**Education Finance**  
Library accessibility and improvement grants provided, bonds issued and money appropriated.

**HF214—Lanning (R)**  
**Health Policy & Finance**  
Medical assistance recoveries life estate and joint tenancy interests continuation provisions effective date modified and refunds of recovered money required.

**HF215—Cornish (R)**  
**Environment & Natural Resources**  
Natural Resources Department volunteer instructor background checks provided and safety training provisions modified.

**HF216—Davids (R)**  
**Agriculture & Rural Development**  
Ethanol minimum content required in gasoline, renewable liquid fuel goal established and promotion activities required.

**HF217—Kohls (R)**  
**Civil Law & Elections**  
Seat belt and child passenger restraint system evidence admissibility prohibition repealed relating to civil actions.

**HF218—Cornish (R)**  
**Regulated Industries**  
Renewable energy production incentive eligibility extended.

**HF219—Thissen (DFL)**  
**Health Policy & Finance**  
Medical assistance spend down standard increased for persons who are aged, blind or disabled.

**HF220—Thissen (DFL)**  
**Commerce & Financial Institutions**  
Time-price doctrine abolished and business lending truth-in-lending compliance required.

**HF221—Davids (R)**  
**Civil Law & Elections**  
Recreational purpose land definition expanded to include land used for rock climbing and exploring caves relating to civil actions.

**HF222—Johnson, S. (DFL)**  
**Agriculture & Rural Development**  
Forest pest monitoring, detection and control grants program established for municipalities administered by the Department of Agriculture.

**HF223—Davids (R)**  
**Agriculture & Rural Development**  
Ethanol minimum content in gasoline increased.

**HF224—Otremba (DFL)**  
**Agriculture & Rural Development**  
Ethanol minimum content in gasoline increased.

**HF225—Holberg (R)**  
**Civil Law & Elections**  
Minnesota Government Data Practices Act technical, conforming and clarifying changes provided.

**HF226—Smith (R)**  
**Health Policy & Finance**  
Abortion notification data reporting required relating to abortions performed on a minor or specified other women.

**HF227—Blaine (R)**  
**Health Policy & Finance**  
Family planning grant funds use limited to exclude abortion services.

**HF228—Paymar (DFL)**  
**Local Government**  
Municipal prohibition on termination by amortization limited to exclude nonconforming billboards.

**HF229—Newman (R)**  
**Taxes**  
Income tax check-off provided to fund grants for members of the National Guard and reserves that have incurred financial need as a result of active service since 9/11, administration by the adjutant general authorized and money appropriated.

**HF230—Johnson, S. (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Mississippi River; metropolitan area bluffs lands acquisition funding provided, bonds issued and money appropriated.

**HF231—Dill (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Quick-response fire suppression aircraft funding provided to the Department of Natural Resources, bonds issued and money appropriated.

**HF232—Bernardy (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Basic education formula allowance increased; special education, limited English proficiency programs, early education, after-school programs, and adult basic education funding restored; levy authority reinstated and money appropriated.

**HF233—Thissen (DFL)**  
**Regulated Industries**  
Lottery games authorized to support local parks.

**HF234—Anderson, B. (R)**  
**Education Finance**  
Wright Technical Center building lease levy use expanded.

**HF235—Otremba (DFL)**  
**Health Policy & Finance**  
Unborn child pain prevention act adopted and criminal penalties imposed.

**HF236—Davids (R)**  
**Regulated Industries**  
Caledonia on-sale liquor license authorized for events at the Four Seasons Center.

**HF237—Juhnke (DFL)**  
**Civil Law & Elections**  
State general election on questions permitted in odd-numbered years.

**HF238—Rukavina (DFL)**  
**Commerce & Financial Institutions**  
American flags sold required to be made in America.

**HF239—Kelliher (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Minneapolis; planetarium and space discovery center development funding provided, bonds issued and money appropriated.

**HF240—Rukavina (DFL)**  
**Governmental Operations & Veterans Affairs**  
Volunteer firefighter relief association consolidation provisions specified for Aurora, Biwabik, Hoyt Lakes and Palo associations.

**HF241—Vandever (R)**  
**Governmental Operations & Veterans Affairs**  
Public employers and contractors prohibited from forbidding employees from wearing an American flag patch or pin.

**HF242—Anderson, I. (DFL)****State Government Finance**

House of Representatives office building design funding provided, bonds issued and money appropriated.

**HF243—Simon (DFL)****Public Safety Policy & Finance**

Electronic use of false pretense to obtain identity of another person prohibited and criminal penalties imposed.

**HF244—Murphy (DFL)****Higher Education Finance**

Lake Superior College academic and services addition funding provided, bonds issued and money appropriated.

**HF245—Peppin (R)****Health Policy & Finance**

Abortion standard in the state required to match the United States Constitution.

**HF246—Tingelstad (R)****Transportation Finance**

Northstar commuter rail funding provided, bonds issued and money appropriated.

**HF247—Johnson, J. (R)****Education Finance**

School district referendum allowance limit repealed.

**HF248—Juhnke (DFL)****Education Finance**

Common School District No. 815, Prinsburg, referendum authority converted; school levy recertification authorized and private school student exemption percentage modified.

**HF249—Westrom (R)****Taxes**

Special agricultural homestead property tax classification extended to include grandchildren.

**HF250—Lanning (R)****Public Safety Policy & Finance**

Corrections Department required to convene end-of-confinement review committee to assess the risk level of offenders from other states, assessment of offenders released from federal facilities clarified and community notification provided.

**HF251—Lieder (DFL)****Education Finance**

Health and safety revenue uses expanded to cover the costs of replacing certain school buses.

**HF252—Lieder (DFL)****Agriculture, Environment & Natural Resources Finance**

Red Lake River Joint Powers Board grants provided, bonds issued and money appropriated.

**HF253—Hansen (DFL)****Agriculture, Environment & Natural Resources Finance**

South St. Paul landfill reclamation and parkland conversion funding provided, bonds issued and money appropriated.

**HF254—Heidgerken (R)****Transportation**

Legislative Route No. 143 description amended.

**HF255—Lanning (R)****Transportation**

Trunk highway 10 bridge between Moorhead and Fargo designated as Veterans Memorial Bridge.

**HF256—Smith (R)****Public Safety Policy & Finance**

Law enforcement agencies required to return personal property seized if criminal charges are not filed within 90 days.

**HF257—Bernardy (DFL)****Transportation Finance**

Northstar rail corridor funding provided, bonds issued and money appropriated.

**HF258—Lanning (R)****Agriculture, Environment & Natural Resources Finance**

Oakport Township; flood hazard mitigation funding provided, bonds issued and money appropriated.

**HF259—Poppe (DFL)****Civil Law & Elections**

Presidential electors required to vote by public ballot and speak aloud the name of the candidates for whom they are voting.

**HF260—Koenen (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Buffalo Lake; construction grant provided, bonds issued and money appropriated.

**HF261—Koenen (DFL)****Transportation**

Transportation commissioner prohibited from requiring concrete suppliers to provide computerized certificates of compliance for highway construction contracts.

**HF262—Koenen (DFL)****Transportation**

Trailers with lifetime registration required to display license plate and sticker.

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# Frequently asked questions

Legislative information is just a few keystrokes away

## Who are my representative and senator?

The easiest way is to look this up online at <http://www.leg.mn/leg/Districtfinder.asp>. One simply has to enter their address and zip code to access a list of state and federal representatives and senators along with their contact information. Please note that your browser must allow pop-ups for this to work.

The Office of the Minnesota Secretary of State also has a place on its Web site that allows users to determine their representation and where they can cast a ballot. At <http://pollfinder.sos.state.mn.us> users enter their zip code or county of residency followed by their address. The site will then produce polling place information and the district numbers for both state and federal representation.

For those without Internet access, staff at the House Public Information Services Office and Senate Information Office can determine who represents you. They can be reached at (651) 296-2146 or 1-800-657-3550 (House) and (651) 296-0504 or 1-800-234-1112 (Senate). For TTY users the numbers are (651) 296-9896 or 1-800-657-3550 (House) and (651) 296-0250 or 1-888-234-1116 (Senate).

## How do I contact my representative and senator?

All members of both the House of Representatives and the Senate can be reached by telephone, e-mail or regular mail. A House/Senate member roster containing addresses and phone numbers is available through the House Public Information Services Office at <http://www.house.mn/hinfo/publications.htm>.

Member e-mail addresses are either `rep.firstname.lastname@house.mn` or `sen.firstname.lastname@senate.mn`. For example: `rep.steve.svigum@house.mn` or `sen.jim.metzen@senate.mn`. There is not one address that will get a message to all legislators.

## How can I find out how my member voted on an issue?

There are three primary places: the House or Senate Journal or on the Web.

The daily journals, compiled by the House Chief Clerk's Office and the Secretary of the Senate, are the official records of legislative proceedings, including floor votes.

Journals are printed after each day's session

and made available to members, staff and the public. Following a legislative session the journals are compiled into permanent publications. Journals may also be accessed online at <http://www.house.mn/cc/journals/journal.htm> or <http://www.senate.mn/journals>.

On the Web, one can simply click on Legislation and Bill Status at <http://www.leg.state.mn.us/leg/legis.asp> and enter the file you are searching to begin the process. For House action, click status on the next screen, and click on Recorded Roll Call Floor Votes to get voting details. For Senate totals, enter the bill number and click status on the next page. At the bottom of the status page will be the passage total. Next to that will be a link to the journal page where the vote is recorded. Bill totals are available beginning with the 1993-94 biennium.

## Is it possible to follow a bill online?

Yes. The best place to find out how is at <http://www.leg.mn/leg/trackbil.asp>.

## Where can I obtain a copy of a bill?

Copies may be downloaded by going to <http://www.leg.mn/leg/legis.asp>, entering the bill number and then clicking on text of bill.

Copies are also available at the Chief Clerk's Office in room 211 of the State Capitol and at the Senate Information Office in room 231 of the State Capitol. Call (651) 296-2314, (651) 296-0504 or 1-888-234-1112 for more information.

## Where can I get the status of a bill?

House Index Department staff can quickly determine where a bill is at in the legislative process. You can contact them at (651) 296-6646 or in room 211 of the State Capitol. They are part of the House Chief Clerk's Office.

Legislative followers can also use the MyBills program to receive personalized bill tracking for current legislation. The program allows a user to track House or Senate bills by bill number, subject, or author. MyBills can be accessed at <http://www.house.mn/leg/bill-sublogin.asp>.

## If I want to come to the State Capitol, where should I park?

Public metered parking is available west of the State Office Building across Rice Street, in Lot F next to the Transportation Building, in Lot Q at Cedar Street and Sherburne Avenue about a block northeast of the Capitol, and in Lot K or the Centennial Building ramp, both near the intersection of Cedar and 12th streets in the southeast area of the Capitol complex.

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

JANUARY 21, 2005  
VOLUME 22, NUMBER 3



Inside: GOVERNOR'S STATE OF THE STATE, EDUCATION FINANCE 101, PARKING CONCERNS, AND MORE

This Week's Bill Introductions HF263-HF373

# Session Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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On the cover: Gov. Tim Pawlenty presents his State of the State address at the Mayo Clinic Superior Drive Support Center in Rochester on Jan. 18.

—Photo by: Andrew VonBank

# Room for improvement

Pawlenty proposes higher education partnership

By BRETT MARTIN

**"T**he state of the state is good, but not good enough." So said Gov. Tim Pawlenty, who used his Jan. 18 State of the State address to outline his priorities, which range from health care to public education to the environment— all without raising taxes.

Pawlenty took his message to the Mayo Clinic Superior Drive Support Center in Rochester to highlight the vast number of jobs that economic boosters like the Mayo Clinic produce.

However, as the area grows, higher education must meet the needs of the marketplace, Pawlenty said. "Rochester needs a strong higher education leadership structure with the responsibility and authority for decision-making and commitment to focus, coordination and planning for the future."

Pawlenty said the first step in the process would be to create a legal and governing entity to be responsible for University Center

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***"I say — Let's go Minnesota. Let's get moving. We've got work to do. And it starts with setting priorities."***

- Gov. Tim Pawlenty

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Rochester, a higher education partnership between Rochester Community and Technical College, the University of Minnesota and Winona State University.

"My budget announcement next week will include more than \$3 million to get this new university leadership structure started, staffed and paid for," Pawlenty said. He called on other colleges and universities to "try new things as part of an effort to better serve their students and our great state."

To that end, the governor's "Get Ready, Get Credit" program would allow students to earn college credits in their high schools with the state footing the bill.

"Our students will learn more, spend less

time in college, and save mom and dad and themselves a lot of money," Pawlenty said.

As college costs continue to rise, Pawlenty said he asked the director of the Higher Education Services Office to create a plan toward funding public higher education students rather than institutions. The plan is scheduled for presentation next year with implementation for 2008-09.

"Under this approach, colleges will need to be more accountable to their customers, more responsive to the marketplace and more accountable for results to succeed," Pawlenty said.

He also wants to ensure future success by working together. For Minnesota to be globally competitive, new investments are needed, he said, citing the "historical partnership" between the University of Minnesota and the Mayo Clinic to advance the world's medical research marketplace and benefit Minnesota.

As part of that partnership, Pawlenty wants to create a new genomics lab in Rochester, which he included in his bonding bill last year. It did not pass in the Senate. He called on the House and Senate to act on the bonding bill this year.

"I want to be perfectly clear on this point: I won't sign a bonding bill this year without this project in it," Pawlenty said.

As part of the partnership, Pawlenty said \$20 million has been committed for research, with the state pledging \$15 million of that figure and a private company agreeing to contribute the remainder.

Emphasizing the importance of job growth without increasing taxes, Pawlenty recalled the words of Gov. Arne Carlson, who gave his State of the State address in Rochester in 1994, saying, "If we care about jobs, we must take a long-term pledge not to raise taxes — not now and not for years to come. Government can and must live within its means."

Pawlenty pointed out that Democratic governors in some other states are tackling their budget woes while pledging not to raise taxes.

"Since Gov. Carlson gave his State of the State speech here in 1994, state spending has nearly doubled," Pawlenty said. "I say again, we don't have a tax problem, we have a spending problem."

Keeping a lid on taxes forces the government to be more accountable, set priorities and spend smarter, he said, adding that it will prepare Minnesota to become a global leader.



PHOTO BY TOM OLMSCHEID

Rep. Bernie Lieder watches Gov. Tim Pawlenty's State of the State address in the DFL Caucus media office Jan. 18. Pawlenty presented his address to legislators at the Mayo Clinic Superior Drive Support Center in Rochester.

**First Reading continued on page 4**

## First Reading continued from page 4

"We need to embrace change. We need to be bold. And, most importantly, we need to get moving," Pawlenty said. "I say — Let's go Minnesota. Let's get moving. We've got work to do. And it starts with setting priorities."

It also involves citizens keeping local government spending in check.

As part of his "Turbocharged — Truth in Taxation" proposal, taxpayers would be able to have a referendum if enough people think a levy increase exceeds a reasonable level.

Under the plan, each Minnesota taxpayer would receive three postcards with their Truth in Taxation form — one from the county, city and school district. Taxpayers could vote "no" on the postcards if they think a levy increase is too high. If enough people are dissatisfied, a levy referendum would be triggered.

"We need to allow the people the chance to directly speak on the major issues of the day

in Minnesota," Pawlenty said.


Reforming and improving the healthcare system are also keys to being an effective global competitor, Pawlenty said, calling healthcare premium increases one of the greatest challenges the state now faces.

"The other big challenge is that our government welfare healthcare system is out of control and growing at a rate that will consume almost all of the state's budget within 15 years," he said. "If we don't get this under control, it will bankrupt the state and strangle our ability to fund our other priorities, such as schools and roads." He also proposed the expansion of health savings accounts.

Asking the Legislature to pass his initiative to double the amount of ethanol used in gasoline sold in Minnesota, Pawlenty said, "Minnesota can lead the way globally by being the 'renewable fuel capitol of America.'"

"Let's make Minnesota the Saudi Arabia of renewable fuels."

Other Pawlenty priorities include:

- Exploring a better deal for Minnesotans on the issue of gaming;
- Improving public safety by imposing new penalties and longer prison sentences for methamphetamine and sex offenders offenses;
- Funding to improve the environment and natural resources by creating a Conservative Heritage Foundation, and passing a constitutional amendment to dedicate funding to the environment and natural resources;
- Performance-based teacher pay;
- Continuing to help needy seniors obtain lower cost prescription drugs from Canada;
- Showing the nation how the healthcare market can be transformed through the Smart Buy purchasing alliance; and
- Additional financial incentives for Minnesota National Guard service. 



**House Minority Leader Matt Entenza reacts to the governor's speech.**

### Questioning the vision

Rep. Tony Sertich (DFL-Chisholm) said if he lived in Rochester, he would have loved Gov. Tim Pawlenty's State of the State address.

"He seemed to be talking to Rochester," said Sertich, a minority whip. "If you're from Rochester, it was great. I'd like to make sure the other campuses are run properly before we start another." The governor proposed to create a new state university in Rochester.

Otherwise, Sertich and other House DFL leaders didn't think much of the speech. "I felt the speech lacked a vision," he said.

One of Pawlenty's proposals was a change to Truth-in-Taxation forms, which are sent annually to property owners from the appropriate taxing district. The forms would include a Taxpayer Satisfaction Survey, allowing taxpayers to mail in a "no" vote if they think tax hikes are unreasonable. If enough dissatisfaction is registered, a levy referendum on the increase would be triggered.

"I don't believe in leadership by postcard," Sertich said. "Citizens are elected to take those positions. We're going in a really wacky direction."

Rep. Connie Bernardy (DFL-Fridley) was particularly disappointed that Pawlenty didn't mention transportation, particularly the Northstar commuter rail, or education. "We need leadership from the state to stabilize our funding and make our schools successful. Minnesota really needs to increase its competitive edge," she said.

Rep. Margaret Anderson Kelliher (DFL-Mpls) said the speech gave short shrift to two key points. "His attention to health care issues and also environmental issues were pretty light and weak," she said.

She applauded Pawlenty for taking his speech out of St. Paul, but she stopped short of applauding the content. "The speech was good but it wasn't good enough to get Minnesota to the next level to compete in the global marketplace."

**(M. WETZEL)**



**House Speaker Steve Sviggum comments on the governor's speech.**

### Meeting state priorities

Gov. Tim Pawlenty's State of the State address was right on target, according to Rep. Laura Brod (R-New Prague), an assistant House majority leader. "He hit upon the priorities that I heard when I was out door-knocking: education, health care and jobs. He talked about things that matter to a lot of people."

The governor is clearly ready for legislative action, she said. "I hope we as legislators can move things forward."

"I liked the theme and I liked the location," said House Speaker Steve Sviggum (R-Kenyon). "With 'Let's Go Minnesota' he's saying we've done okay but there's a lot more to do." Rochester was a good pick for the speech site because it's a job success story and a community with thriving technology.

If the last session had worked out the way he had wanted it to and the bonding bill had passed, Sviggum would have preferred to be in Rochester for a ribbon-cutting ceremony for the proposed genome laboratory.

While the roadmap offered by Pawlenty is a start, Sviggum said that the governor's upcoming budget message and the release of the February economic forecast are other important pieces. "Then the Legislature sets our priorities and our roadmaps, and they will align with the governor's priorities."

Rep. Rod Hamilton (R-Mountain Lake) said while campaigning he heard from people concerned about education, health care and jobs. "It was refreshing to hear the governor address all three topics."

Hamilton often hears from people in his district that they want individuals from St. Paul to go to Greater Minnesota and see what's going on. "That's just what the governor did by taking his speech to Rochester." Hamilton also was encouraged the speech touched upon topics important to Greater Minnesota, including economic opportunity with renewable fuels, job opportunity building zones and the methamphetamine epidemic.

**(R. DUNN)**

## Committee deadlines set

House and Senate leadership have agreed on a number of dates for the legislative session, including committee deadlines.

- **Tuesday, April 5** — Bill must be out of policy committees in the house of origin.
- **Tuesday, April 12** — All House and Senate files must be out of all policy committees in the other body.
- **Friday, April 22** — Omnibus finance bills must be out of House and Senate finance committees.

Additionally, a joint session to name members to the University of Minnesota Board of Regents is scheduled for Feb. 16; an Easter/spring recess is scheduled from 2 p.m. March 23 until noon March 29; and there will be no floor sessions or committee activity April 25, the day after Passover.

## ★ AGRICULTURE

### Applied dairy economics

Each dairy cow in Minnesota generates a direct \$5,000 in economic activity, according to Professor Brian Buhr of the University of Minnesota Department of Applied Economics.

Buhr was part of a dairy industry overview presented to the House Agriculture and Rural Development Committee Jan. 19.

The direct economic impacts of animal agriculture in the state total more than \$5.2 billion, he said. "Animals are engines of growth in rural Minnesota."

The committee also heard from dairy producers ways to keep that engine running.

"Getting over the stereotype of what a dairy farm should be" and not discouraging one type of production over another are key ways for the state to help foster a healthy dairy industry, said Bob LeFebvre, executive director of the Minnesota Milk Producers Association.

Testimony from Kathy Skiba, whose North Branch dairy operation milks 100 cows, and Connie Meyer of Rolling Stone, who has 500 cows, echoed a common theme: the importance of legislative passage of a tax credit for investments in dairy facilities and local

government adoption of consistent livestock siting regulations.

"The business climate in Minnesota is excellent," Buhr said to summarize a recent survey of top animal product processors. "We have a concentration of agribusinesses, farms, we've got the knowledge, we've got the capital, the University of Minnesota, state government is supportive of agriculture, it's an important part of the state, but we are in danger of losing that advantage if we don't pay attention to it."

## ★ BUDGET

### Deficiency dollars first

The first bill to pass the House in 2005 is a \$30.4 million deficiency spending measure to help keep afloat the Criminal Gang Strike Force, public defenders, and a handful of other state programs who are slated for a budget squeeze by June 30 or sooner.

Sponsored by Rep. Jim Knoblach (R-St. Cloud), HF57 passed Jan. 20 by a 131-2 vote. It now moves to the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor of a companion bill (SF350).

Some of the larger appropriations would include:

- \$13.4 million for regional treatment centers for civilly committed sex offenders,
- \$7.7 million to offset the loss of public defender co-pay revenue after the Minnesota Supreme Court ruled that a 2003 law obligating defendants to pay \$50 for a public defender was unconstitutional,
- \$4.4 million to help offset corrections costs driven in part by more methamphetamine offenders resulting in an unanticipated prison population growth and rising health costs to combat tooth decay and Hepatitis C within that population, and
- \$3.7 million for the Agriculture Department and Health Department relocation to a joint facility.

Originally, the Pawlenty administration recommended a schedule shift in state payments to school districts to offset the cost of the bill.

Majority and minority caucus members, senators, and the governor's staff instead determined that transferring \$24.1 million from the budget reserve in the state General Fund made the most sense, Knoblach said. "I

would feel a little uncomfortable about that, members, if I didn't feel in my heart that we are going to have more than that money as additional surplus in the February forecast."

In the event of a bad forecast, he said, the administration has indicated it will come forward with a plan to fill the budget reserve.

"I expect that we would follow on and come up with our own plan — if we don't like that plan — for how to fill the reserve ourselves," Knoblach said.

"I hope that this can now be the first chapter of many chapters of Democrats and Republicans working together," said Minority Leader Matt Entenza (DFL-St. Paul). "This bill sets the right first tone."

## ★ CRIME

### Bed space

Minnesota has a problem in its state prisons system that is going to get worse.

"There's no more room at the Corrections Inn," Deputy Corrections Commission Dennis Benson told members of the House Public Safety Policy and Finance Committee Jan. 13. The committee took no action.

Using information from a December 2004 report, Benson said beds at every state facility are filled and the state is leasing nearly 100 beds from county jails and workhouses. In addition, the state has rented 150 beds at Prairie Correctional Facility, a private facility in Appleton, Minn.

The total prison population was 8,333 as of July 1, 2004, with 90 percent men and 10 percent women. The total population is projected to grow by about 700 per year. By 2010, 11,049 prisoners are expected.

If the current annual trend continues, the Prairie Correctional Facility will be full within two years and a new prison will be needed every two years thereafter, said Benson. A proposed bonding bill includes money to double the corrections facility at Faribault, which would help ease the situation for a while.

Benson attributes the increase in prisoners to several factors. There has been a steady increase in new commitments. Also, prisoners are receiving longer sentences. There has also been a dramatic increase in revocation

of supervised releases sending people back to prison, according to Benson.

The methamphetamine epidemic has had a significant effect on prison populations since 2001, said Benson. Methamphetamine offenders in prison have increased from 139 in 2001 to 1,012 in July 2004.

Over 260 felony Driving While Intoxicated offenders have been admitted to prison since the new law took effect Aug. 1, 2002, that made a person's fourth conviction within 10 years a felony. "Current projections estimate that the number of felony DWI offenders will reach over 400 by January 2007," said Benson.

Changes in statute made by the Legislature have also resulted in more sex offenders going to prison and staying for longer sentences.

## ★ EDUCATION

### Seagren confirmed

The Senate easily confirmed former Rep. Alice Seagren Jan. 20 as the state's education commissioner. The vote was 62-0.

Seagren was appointed by Gov. Tim Pawlenty last July to replace Cheri Pierson Yecke, whom the Senate failed to confirm on the final night of the 2004 session. Seagren's term expires Jan. 1, 2007.

The Bloomington Republican served in the House of Representatives from 1993-2004. During each term she served on at least one education committee, including chairing education finance committees in each of her last six years. Before her legislative service, Seagren spent more than a decade as a school volunteer and served on the Bloomington School Board.

"I've come to recognize her as a passionate advocate for kids," said Sen. Steve Kelley (DFL-Hopkins), chair of the Senate Education Committee. "She's a hard-working, intelligent analyst of practices we should adopt to improve our schools."

Unlike Yecke, who was sometimes criticized for being political and divisive, Seagren has been known as a person who can work with people on both sides of the aisle.

"I know she'll make a real effort to reach compromise," Kelley said. "She'll work in the best interest for all our children and all our public schools."

By law, the Senate must confirm all state commissioners.

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## ★ ELECTIONS

### Election Day buffer zones

While not ready to lay out a legislative agenda, Secretary of State Mary Kiffmeyer told members of the House Civil Law and Elections Committee Jan. 19 that, as the states moves to the January 2006 mandatory compliance of the Help America Vote Act, several changes to Election Day procedures may be proposed.

The act was passed by Congress in 2002 and requires state and local governments to reform election processes and systems to ensure the equal treatment of and accessibility for all voters.

To bring the state into compliance, new equipment may be required for some polling places and the size of some polling places may need to be addressed, Kiffmeyer said. But extending the 100-foot Election Day buffer zone around polling places will be one of her legislative priorities.

During the 2004 elections, Kiffmeyer said her office received complaints from voters who felt intimidated having to walk past activists as they entered a polling place. "A buffer of 100 feet for the protection of our voters is obviously too small, too close ... there ought to be a zone where there is no intrusion on the voter," she said.

Kiffmeyer said that when it comes to enforcing the buffer zone, the law does not distinguish between overtly partisan groups in support of a candidate and those expressing their support for an issue. "Those authorized to conduct the elections or supervise are allowed within that buffer zone," she said.

Kiffmeyer was at the meeting to give members an overview of the Elections Division of the Office of the Secretary of State. She said that for her office, elections are more than paper ballots, "they are a system" and after Election Day comes "the ongoing maintenance of democracy."

Annually, there are about 80 days when elections are held in the state, she said. There were 22 in December 2004, January 2005 saw two, 10 are planned for February and two for March.

## ★ ENVIRONMENT

### Working together

Discussion regarding a possible merger of the Pollution Control Agency (PCA) and Office of Environmental Assistance (OEA) emerged Jan. 13 in the House Agriculture, Environment and Natural Resources Finance Committee.

PCA Commissioner Sheryl Corrigan and OEA Director Art Dunn presented the committee with an overview of their respective agencies and missions. They spoke of ways in which collaboration already takes place and future opportunities for "blending strengths to achieve results."

Together, the departments currently employ about 800 people across the state. Along with compatible mission statements to help Minnesotans protect the environment, they share the same headquarters in St. Paul, and the OEA director is actually appointed by the PCA director.

Dunn's presentation closed with the concept of combining the regulatory responsibilities of the PCA and the financial and technical assistance efforts of the OEA into a new entity known as the Department of Environmental Protection.

Committee Chair Rep. Dennis Ozment (R-Rosemount) asked if a formal proposal would be coming forward. Though the formalities are still under discussion by the executive branch, Corrigan said, she and Dunn intend to move forward with their combined efforts on a conceptual basis.

## ★ HIGHER EDUCATION

### Monetary request

Listing six strategic priorities, officials of the Minnesota State Colleges and Universities (MnSCU) system are seeking a \$66.5 million base increase for the 2006-07 biennium, the smallest request in system history.

Speaking Jan. 19 before the House Higher Education Finance Committee, system officials noted that its overall budget request includes a base budget adjustment of \$130.8 million for enrollment growth, as provided by law, and a reallocation of approximately \$60 million in existing resources.

If fully funded, the plan assumes tuition will rise 4 percent each of the next two years. That amounts to about \$143 per year for community or technical college students, and \$186 per student at state universities. Tuition is currently \$3,437 per year at state colleges and \$4,474 per year at state universities.

By comparison, students have faced double-digit percent tuition increases in each of the last four years, and a nearly 60 percent increase since 2000.

Laura King, MnSCU chief financial officer, said the increase would help meet critical needs (\$16 million), enhance salaries to compete in the academic marketplace (\$13.9 million), improve outreach to underserved students (\$12 million), cover the costs



of some repair and replacement projects (\$11 million), increase e-learning (\$8.1 million) and create a fund for new educational programs that will meet emerging state needs (\$5.5 million).

Included in the amount targeted to meet critical needs is \$10 million to address the state's nursing shortage, including an expansion of capacity to train 440 new registered nurses in the next two years, and \$3 million each for teacher education and to help farmers and small business owners succeed. The latter would be achieved through tuition subsidies and an expansion of online courses for these programs.

Chancellor James McCormick expressed concern about the direction of state higher education funding, especially since spending per student has declined by \$1,146 since 1999, while enrollment has been increased approximately 28 percent since 1998.

"Making it harder for students to attend college is not the way we should be going," he said.

## ★ LOCAL GOVERNMENT

### Biomass conversion

The cities of Hibbing and Virginia own and operate coal-fired boilers that produce steam and electricity, but they are facing the shutdown of the inefficient facilities.

On the other hand, according to a study by the University of Minnesota's Natural Resources Institute, 500,000 tons of biomass is left on the ground every year within a 75-mile radius of these plants. That residue from existing logging operations could be used to power those boilers, while also increasing revenue for loggers and private landholders, and retaining jobs at the boilers.

So the two cities have teamed up to form the Laurentian Energy Authority, which is asking the state for \$2.5 million to help.

Sponsored by Rep. Tom Rukavina (DFL-Virginia), HF8 would grant the money to the authority to build a yard for processing wood waste for the two facilities. It has no Senate companion.

The bill was heard by the House Jobs and Economic Opportunity Policy and Finance Committee Jan. 19 and held over for possible inclusion in the committee's bonding resolution.

"Hibbing and Virginia began investigating biomass with the local logging community," said Jim Kochevar, general manager of Hibbing Public Utilities. "They recognized a need for the market. They were leaving product all over the forest floor."

Combined, the aging boilers provide

## PRaising the Past



PHOTO BY TOM OLMSCHIED

**Kennedy Barber sang Mariah Carey's "Hero" during the Jan. 13 presentation of a House resolution commemorating the Rev. Dr. Martin Luther King, Jr.**

70 jobs, which would be retained if biomass could work. The investment, which could be as high as \$50 million and would include money from local, state, federal and private sources, would pay for conversion of the plants.

"It's my understanding that you can heat a home with biomass for half the cost of natural gas," said Committee Chair Rep. Bob Gunther (R-Fairmont).

### Pavilion renovation

The Detroit Lakes Pavilion, on the north shore of Little Detroit Lake, is a big part of the region's history, but after 90 years, it's showing its age.

So, the city is asking for \$283,000 to renovate the city-owned facility, which was built in 1915 and hosted one of the first concerts of rock icon and Fargo native Bobby Vee. Lawrence Welk, Roy Orbison, Conway Twitty and Jerry Lee Lewis also entertained there.

A monetary request (HF30), sponsored

by Rep. Paul Marquart (DFL-Dilworth), was recommended by the House Jobs and Economic Opportunity Policy and Finance Committee Jan. 19 for possible inclusion in the committee's bonding bill.

"It really has been a big part of the history of the Detroit Lakes area," Mayor Larry Bublitz said. "It's used for family reunions, class reunions, it's busy every holiday and all summer."

The pavilion has been the site of other events such as interpretive dances performed by American Indians from the White Earth Indian Reservation, orchestras, wedding receptions, arts and crafts fairs, water carnival events in the summer and the community Polar Fest in the winter.

The \$567,000 project calls for a complete renovation of both the pavilion and bandshell. In addition to state dollars, local public and private sources and in-

kind services would cover the remaining funds.

If the state approves the money, construction could start this spring and be done in the fall of 2006.

A companion bill (SF94), sponsored by Sen. Keith Langseth (DFL-Glyndon) awaits committee action.

### Ship support

The Heritage Hjemkomst Interpretive Center, a Moorhead facility that offers historical lectures and exhibits about the Red River Valley and features an actual Viking ship replica, needs to have its building revamped and upgraded. It is asking the state for some help.

HF93, sponsored by Rep. Morrie Lanning (R-Moorhead), would provide \$1 million to the city to replace the building's roof and foundation, install a security system in the church located on the site and replace the

ship's support system. The \$1 million would be matched by the city.

The measure was considered by the House Jobs and Economic Opportunity Policy and Finance Committee Jan. 19, and may be included in the committee's bonding resolution.

"This project has been a partnership between the city of Moorhead and the state of Minnesota and a lot of generous people from all parts of the state," Lanning said.

The center provides the interpretive programming for the ship and the region's history, said Dean Sather, the center's executive director.

When the center was built in 1986, the state covered half the construction costs. The state also paid for a 1998 expansion. The city covers all the operating costs.

The ship was built by a retired Moorhead teacher in 1982. The church is a hand-carved replica of a church in Norway. A total of 40,000 people visit it annually.

The center is also home to the Clay County Historical Society, and is an important part of the region's economic development efforts, according to information supplied by Sather.

A companion bill (SF119), sponsored by Sen. Keith Langseth (DFL-Glyndon) awaits committee action.

### Corridor connection

St. Paul's East Side might have been in danger of becoming a forgotten area after the closing of Whirlpool and the Stroh brewery, but the construction of Phalen Boulevard, part of the Phalen Corridor project, has been a crucial part of preventing that.

"Absentee landlords moved in, drugs moved in, crime moved in, the East Side has had some really, really tough times," said Curt Milburn, project director of the Phalen Corridor, which is a community reinvestment effort with assistance from the public, government and the business community.

The area has now rebounded, he said, with the creation of new housing projects, 15 new businesses and almost 1,000 new jobs.

"In the past four months we've won five awards — some are national, some are local, some are statewide," he said.

The work is only about two-thirds done; however, and the project needs \$4 million from the state to finish, Milburn told the House Jobs and Economic Opportunity Policy and Finance Committee Jan. 19. The committee will consider the request for possible inclusion in its bonding request to the House Capital Investment Committee.

HF293, sponsored by Rep. Tim Mahoney (DFL-St. Paul), would provide the money

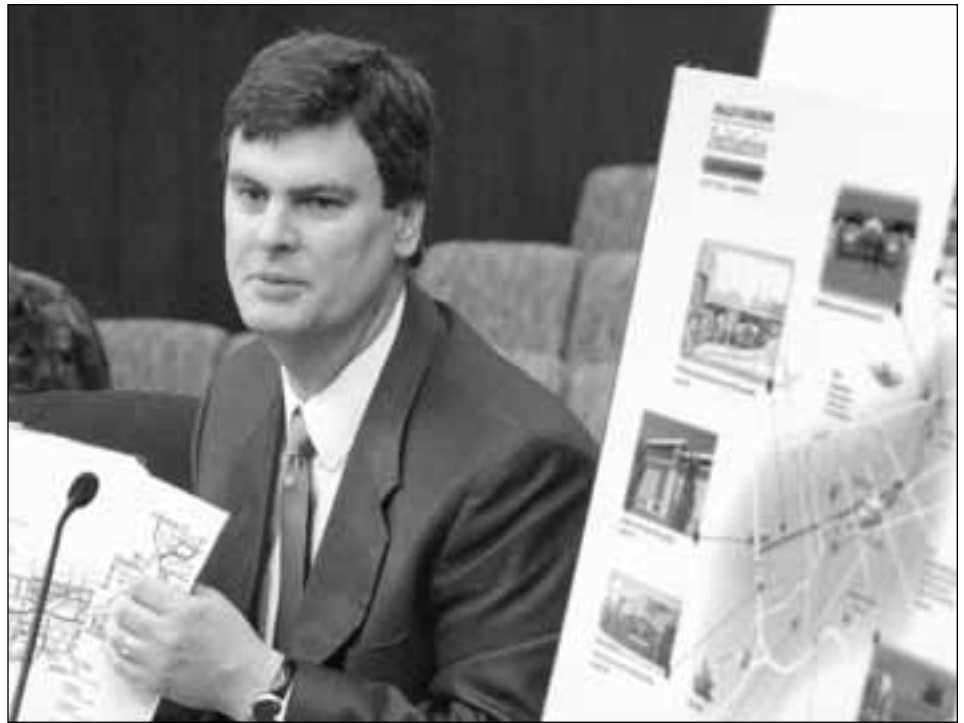


PHOTO BY ANDREW VONBANK

**Curt Milburn, project director of the Phalen Corridor, testifies Jan. 19 before the House Jobs and Economic Opportunity Policy and Finance Committee in support of a bill that would allocate funds to finish the corridor project.**

to help finish the project. Milburn said the federal government recently came up with its final \$5 million to complete the project. He said the city has agreed to contribute \$1 million if the state contributes \$4 million. Finishing the road would link Interstate 35E to Johnson Parkway, and provide access to 700 units of housing, parks and 100 acres of fields. The governor proposed \$1.5 million in his bonding proposal. Supporters hope to start construction this year.

### Flood relief

A proposal for \$13.2 million to help the city of Roseau finish its recovery from the disastrous flooding of June 2002 will be considered for inclusion in a bonding resolution from the House Jobs and Economic Opportunity Policy and Finance Committee.

"We had close to \$100 million in damage to a city of 2,800 people," Mayor Jeff Pelowski told the committee Jan. 19. "We've had an extraordinarily long run since 2002 rebuilding our community. It seems like a long time ago, yet it seems like just the other day."

Committee members were shown a video tape, which showed much of the city under more than a foot of water in some places, accompanied by rapid currents.

Rep. Maxine Penas (R-Badger), the bill's sponsor, previously said that 80 percent of the city's homes were damaged or

destroyed along with 100 businesses, affecting 1,800 families.

Of the \$13.2 million requested in HF50, \$4.4 million would be used to repair infrastructure on the city's east side, and those dollars would match \$8 million in money from the Federal Emergency Management Administration, the Economic Development Administration and the Minnesota Department of Transportation.

Much of the west side has been repaired, but people on the east side continue to suffer the effects of the flood, Pelowski said.

The remainder of the package would replace the city hall and council chambers, auditorium, library, museum and police department. City offices are now housed in a library-museum building, and that building's foundation is beginning to falter.

Penas said the governor's bonding proposal is for \$10.6 million, but Pelowski said that

### Committee additions

Several House members were recently added to House standing committees.

Rep. Tim Wilkin (R-Eagan) has been named to the House Jobs and Economic Opportunity Policy and Finance Committee; Rep. Ron Abrams (R-Minnetonka) and Rep. Ann Lenczewski (DFL-Bloomington) are now members of the Property and Local Tax Division of the House Taxes Committee; and Rep. Michael Beard (R-Shakopee) was named ex-officio member to the House Transportation Committee.

wouldn't be enough, and would cast the city council in the role of "playing God."

"We would have to arbitrarily start certain projects and not start others," he said.

A companion bill (SF199), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls) awaits committee action.

## TAXES



### Spurring tsunami giving

Minnesotans could have a tax incentive to help victims of the Dec. 26 tsunami that devastated a number of nations along the Indian Ocean rim, under a bill passed Jan. 20 by the House 132-0.

HF166/SF218\*, sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Ann Rest (DFL-New Hope) now moves to the governor's desk for action.

"The tale of devastation goes on and on," Abrams said. "The tale of relief is also very heartening."

The bill would conform Minnesota law regarding charitable giving deductions to a federal law signed by President Bush Jan. 7. It would allow those who donate to tsunami relief efforts during January 2005 to deduct those cash contributions on 2004 state individual and corporate income tax returns. Without the bill, contributors would have to wait until the 2005 forms are filed.

The bill would offer incentives for those who itemize deductions and those who do not. Minnesota taxpayers who do not itemize on federal forms would be eligible to deduct from state taxable income 50 percent of total charitable contributions in excess of \$500.

"I don't think very many of the people who are contributing out of their hearts really care about the deduction, but it does show that government is on their side," Abrams said.

## TECHNOLOGY



### Cutting the cost of business

Nanotechnology is research and technology development at the atomic, molecular and macromolecular levels, creating and using systems that have unusual characteristics because of their small size.

With nanotechnology, fuels can be more efficient, medications can be more effective with fewer side effects, materials can be stronger, clothing can be made to repel staining and materials can be made lighter and stronger.

Folks in Rushford believe an institute for nanotechnology could lead to many moder-

ate- to high-paying jobs in their community, so they're asking the state for a grant of \$600,000 to help with the \$6 million project.

A bill was heard Jan. 19 by the House Jobs and Economic Opportunity Policy and Finance Committee, and will be considered for possible inclusion in the committee's bonding proposal. Rep. Greg Davids (R-Preston) is the sponsor of HF78.

The institute would act as a business incubator, helping new businesses in nanotechnology, providing lab testing and services to schools. The new businesses would, through the institute, be able to identify money sources and potential partners for planning and growth. As the new businesses grow, they could provide jobs, said Kevin Klungtvedt, president of the Rushford Institute for Nanotechnology, a nonprofit corporation that would operate the institute.

The institute would be housed in an existing facility in Rushford, with equal parts coming from state, federal and private sources, Klungtvedt said.

"We support this project," said Jim Johnson, president of Minnesota State College—South-east Technical. "We are looking at technical jobs we can bring to rural America. I'm looking forward to developing a program that will grow out of the institute," he said. Among the jobs that could be created are scanning electron microscopes, drafting and mechanical design. He hopes that participants will take nanotechnology courses at the college and then work at the institute.

A Senate companion (SF139), sponsored by Sen. Bob Kierlin (R-Winona), awaits committee action.

## VETERANS



### Veterans homes projects

A \$7.2 million appropriation to the Minnesota Veterans Homes Board for capital projects was presented to the House Health Policy and Finance Committee Jan. 19.

Sponsored by Bud Nornes (R-Fergus Falls), H75 would authorize the issuance of state bonds for five capital projects at veterans homes. The projects are:

- \$2.5 million for a special care unit addition at Fergus Falls,
- \$1.8 million for renovating the Minneapolis dining and kitchen facilities,
- \$1.5 million to upgrade clinical space at Silver Bay,
- \$1.1 million for remodeling the Minneapolis adult day care service building, and
- \$268,100 for an Alzheimer's addition at Luverne.

Stephan Musser, executive director of the Minnesota Veterans Homes Board, said there are an estimated 462,000 veterans in Minnesota, and there are currently 861 beds in the veterans homes. Musser said one of the board's goals is to bring the facilities up to today's long-term care standards. There are as many as 300 veterans waiting to get into a veterans home.

The average age of veterans in the beds is 78 and increasing, Musser said. The number of veterans over 85 years old is expected to peak in 2010, then decline gradually through 2025.

Committee Chair Rep. Fran Bradley (R-Rochester) thanked veterans for their service and sacrifice, saying, "Freedom is not free."

The state has five veterans homes, located in Minneapolis, Hastings, Silver Bay, Luverne and Fergus Falls.

The committee referred the bill to the House Capital Investment Committee.

A Senate companion (SF66), sponsored by Sen. Cal Larson (R-Fergus Falls), awaits committee action.

## Minnesota State Agencies

(Area code 651)

Administration .....	296-8261
Agriculture .....	297-2200
Toll-Free .....	1-800-967-2474
Commerce .....	296-4026
Corrections .....	642-0200
Education .....	582-8200
Employment and	
Economic Development .....	296-3711
Toll-Free .....	1-888-GET-JOBS
Employee Relations .....	297-1184
Job Information Hotline .....	296-2616
Explore Minnesota Tourism .....	296-5029
Toll-Free .....	1-800-657-3700
Finance .....	296-5900
Health .....	215-5800
Housing Finance .....	296-7608
Toll-Free .....	1-800-657-3769
Human Rights .....	296-5663
Toll-Free .....	1-800-657-3704
Human Services .....	297-3933
Labor and Industry .....	284-5000
Toll-Free .....	1-800-342-5354
Military Affairs .....	268-8925
Natural Resources .....	296-6157
Toll-Free .....	1-888-646-6367
Pollution Control Agency .....	296-6300
Toll-Free .....	1-800-657-3864
Public Safety .....	282-6565
Driver and Vehicle Services .....	296-6911
Fire Marshal .....	215-0500
Alcohol and Gambling	
Enforcement Division .....	296-6979
State Patrol .....	282-6871
Div. of Homeland Security and	
Emergency Management .....	296-0466
Revenue	
Income Tax Helpline .....	296-3781
Transportation .....	296-3000
Toll-Free .....	1-800-657-3774
Veterans Affairs .....	296-2562



## How to get here

### Location

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

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

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

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

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

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

### Parking

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

All-day parking permits may be purchased for \$4 from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

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

The main disability entrance to the Capitol is on the northwest side of the building,

just off Lot N; there also are drop-off entrances on the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (612) 373-3333 for schedule and route information.

## What to do

### Tours

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

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 4 p.m. (last tour leaves at 3 p.m.); Saturdays between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

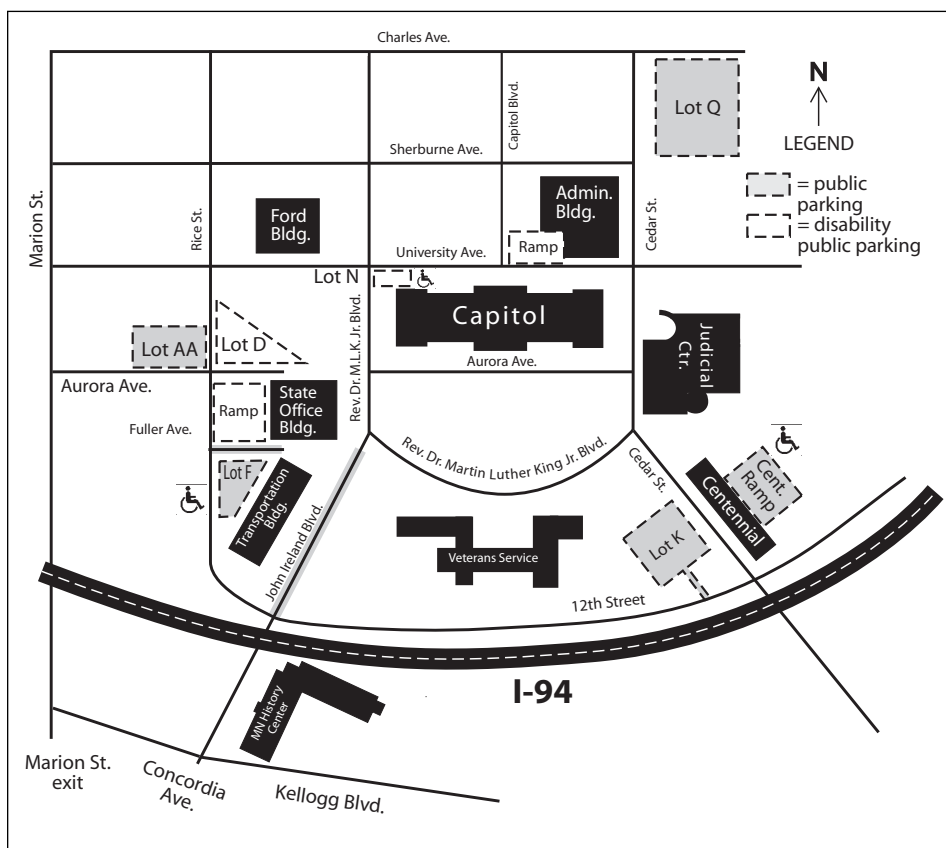
Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

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

The society offers a number of specialized tours for educational groups ranging from preschool students to high school seniors. Admission for 45-minute educational group tours is \$2 per person. Tour participants may request customized tours that emphasize topics such as architecture, women's history, or the Civil War. During the legislative session, the society offers "Voice of the People: Your Role in Minnesota Government," a three-hour session for students in grades 9-12. Admission for the lengthier, focused educational group tours is \$4 per person.

Also, special tour events are scheduled throughout the year. Themes include "Art and Artists of the State Capitol" and "Shadows and Spirits of the State Capitol." Some of these events require admission fees; others are free. A special events guide is available upon request.

For more information about the tours and fee structure, or to make a reservation, call the Capitol Historic Site Program, (651) 296-2881.



## Legislative sessions

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

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

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

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

## Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088. Agendas for the week are available online at [www.house.mn](http://www.house.mn) or [www.senate.mn](http://www.senate.mn).

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

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

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

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the com-

mittee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Services Office.

## Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in session. A large, year-round cafeteria is available in the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul.

## Group visits

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

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

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

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

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

## About security

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

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

## E-mail schedules

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

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

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

## Where to find information

### House Public Information Services

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

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

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

### House Television Services

216C State Capitol (651) 297-1338

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

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

### Chief Clerk's Office

211 State Capitol (651) 296-2314

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

### House Index Department

211 State Capitol (651) 296-6646

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

### Senate Information Office

231 State Capitol  
(651) 296-0504 or 1-888-234-1112

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

### Senate Media Services

B-44 State Capitol (651) 296-0264

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



# Education Finance 101

## Formula for funding schools is complex, but changes could be coming

By RUTH DUNN

With a 1970-era AM transistor radio in one hand and a 2005 iPod® in the other, Ric Dressen recently made a point before a House committee about education funding. Just like the radio, the system worked fine for its time, he said, but now it's time to upgrade to a new way that is better suited to the present, like the iPod®.

"The system isn't broken yet, but cracks are showing. We need changes," said Dressen, superintendent of the Alexandria School District, who was chairman of an education finance report task force appointed by Gov. Tim Pawlenty. The 19-member task force came up with several recommendations they hope will achieve a fair, understandable, accountable 21<sup>st</sup> century education finance system for Minnesota.

The current education finance process is so complex that about "three people in the state understand it," jokes Dressen.

### Big-ticket item

K-12 education is the big-ticket item in the state's budget, at \$5.9 billion a year. For every dollar the state spends, 40 cents goes to education. (The next biggest chunk of the budget is for health care at 28 percent of the budget.)

The federal government gives the responsibility for funding education to states. Minnesota uses revenue from the sales tax and income tax to pay school districts about 73 percent of what it costs to educate a child. School districts contribute local money, mainly from property taxes, to fund about 20 percent of the cost. The federal government contributes about 5 percent of the total cost mainly for special education and for the school meal program. Other funding pays 2 percent.

Most of the state money goes to school districts on a per pupil basis. Since 2002-03, each district has received a base amount of \$4,601 for each pupil unit. Districts receive less money for kindergarten students (who count as .5 pupil units) and the most for high school students (1.3 units).

### Enrollment is important

Because most state aid to schools is paid on a per pupil basis, enrollment is important. If students switch school districts, they take their state aid with them.

School enrollment peaked in Minnesota in 1972 and enrollment began to decline in the mid-1980s. A baby boomlet brought enrollment back up in 1998, but it's leveling off again. Nearly 80 percent of school districts have declining enrollment. The only regions of the state realizing an increase in students are east-central Minnesota (8 percent) and the Twin Cities metropolitan area (1 percent).

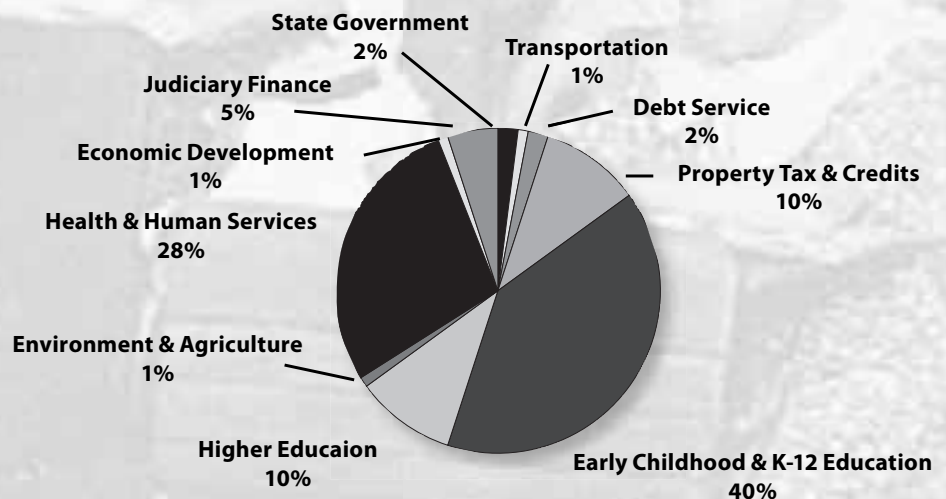
More than half of all students in the state live in the seven-county metropolitan area. About 70 percent of all students in the state attend the 10 largest school districts.

### Districts are unique

There are 343 school districts in the state and each is unique. Some are densely populated; others are not. Some have lots of commercial and industrial businesses that generate lots of tax money; others do not. Some districts have many students from poor families while others have higher-income students. Other districts — both urban and rural — have students new to this country that need to learn English.

Since all school districts are not equal, the state makes funding fairer by paying additional money for some factors. For example, in 2003-04 if a school had a high percentage of students in poverty (as revealed by the number of families who qualify for free or reduced price lunch), then compensatory aid is paid. Schools within the same school district may receive very different amounts of aid. For ex-

General Fund Forecast Expenditures  
Fiscal Year 2006 Base



ample in 2003-04, Bethune Elementary School in Minneapolis had 91 percent of its students on free or reduced school meals so it received \$867,000 in compensatory money. Located in a more affluent part of Minneapolis, Barton Elementary School had 20 percent of its students qualify for free or reduced school lunch so it received \$61,000 in compensatory aid.

### Referendum money

It may boggle some minds that voters are willing to increase their taxes to support their local schools, but they do. The number of school districts asking for operating and/or bond referendums reached an all-time high in the mid-1990s.

Successful operating referendums provide

additional money for ongoing expenses of school districts, like teaching positions and programs. Operating referendums are expected to raise \$520 million for schools in 2006.

Money raised through bond referendums pays for renovation of buildings and new construction. This is also a way school districts have gained money for technology. School districts are spending about \$600 million per year to repay these bonds.

### Special education

In 2003, 114,017 Minnesota students (about 11 percent of the total) received special education services for their disabilities that include such things as specific learning disability,

emotion behavior disorder, speech language impairment or a mild/moderate handicap.

A few decades ago, the federal government indicated it would fund 40 percent of special education costs, but that has never happened. Currently, it funds about 17 percent of costs. Meanwhile, special education costs have dramatically increased as more students have been identified as needing services.

### Changes in education finance


Education will be front and center this legislative session, predicts Rep. Mark Buesgens (R-Jordan), chair of the House Education Policy and Reform Committee, because, "Minnesota values education; it's a shared value."

Reform is also likely. The word *reform* was added to the name of the House Education Policy Committee this year to reflect that emphasis.

"Education is always one of the most important topics in the legislative session," according to Rep. Barb Sykora (R-Excelsior), chair of the House Education Finance Committee. She says there is a lot of pent up desire for more money for schools this year because the per pupil amount the state pays to districts has not been increased for a couple of years. The governor and both the House and the Senate have suggested increases to the per pupil aid.

"In this age of information, the state or country that has the best educated work force is the one that will succeed," said Rep. John Dorn (DFL-Mankato), a retired English teacher who is a member of both House education committees. "The last election showed that people don't want their schools compromised or jeopardized in any way shape or form. Legislators who did not hear that should step aside."

The School Finance Task Force believes that education finance should be connected to learning versus the way current funding seems to be based on available revenue, said Dressen.

In a concluding letter to Pawlenty in July 2004, the task force urged a public commitment to education. "Once Minnesota's prosperity was tied to materials and crops that came from the ground. Now, and increasingly, the state's well being appears linked to resources that come from the mind. Thus, we conclude that a sustained public commitment to enhancing the state's human capital — education — is the key to Minnesota's successful future." 

#### Sparsest District

District 363  
South Koochiching  
1,546 population  
1,532 sq. miles  
311 pupils

#### Geographically Largest District

District 2142  
St. Louis County  
18,435 population  
4,201 sq. miles  
2,406 pupils

#### Densest District

District 625  
St. Paul  
287,151 population  
56 sq. miles  
42,538 pupils

#### Geographically Smallest District

District 282  
St. Anthony-New Brighton  
9,687 population  
2.59 sq. miles  
1,526 pupils



# Capturing history one frame at a time

Nearly three decades of political photos now on display



PHOTO BY TOM OLMSCHIED

**Rep. Wayne Simoneau puts a bag over his head to show his lack of enthusiasm for the environmental trust fund during a hearing of the House Rules and Legislative Administration Committee on March 29, 1988. He did vote yes.**

Since 1977, Tom Olmscheid has captured the events and people in the Capitol Complex in photographs.

Many of these images hang in his State Office Building office, where few can enjoy what Olmscheid sees through his photogenic eye. For the next month, however, many of his works will be on display in the Legislative Reference Library.

Picking close to 40 photos to exhibit was more personal than historical. Olmscheid, the chief photographer with the House Public Information Services Office, chose pictures that he thought “were significant over the years,” yet he was careful to maintain a nonpartisan balance. He wished he could have displayed

“more like 200 photos,” but he covered the cost of framing the photos.

The selection includes a photo of the military color guard bringing the flag-draped casket of former Vice President Hubert H. Humphrey up the Minnesota Capitol steps to lie in state. It was one of the first events he photographed.

Another shows former Rep. Henry Kalis as he slept outside the door of former Secretary of State Joan Growe. Kalis, with pillow and makeshift bed, was the first person to file for public office each election year until his retirement in 2002.

Other Olmscheid photos have appeared in various publications throughout the years.

His photograph, “May Township Hall,” was selected as one of the “Best Pictures of the Year” in *Time* magazine.

Olmscheid started as a House page in 1976, and became the House’s first nonpartisan photographer in the then informational and education services departments in 1977.

(P. JANOVEC)

**Olmscheid’s exhibit, “Twenty Five Year Journal of Photography” will be on display through Feb. 25 in the Legislative Reference Library which is located on the sixth floor of the State Office Building in room 645. Hours are 8 a.m. to 6 p.m. Monday - Thursday, and 8 a.m. to 5 p.m. Friday.**

# Side-by-side civility

One minority, majority party member sit together on House floor

By RUTH DUNN

A unique seating arrangement has resulted from the 68-66 split between political parties in the House. One lone Republican now sits on the DFL side of the House chamber.

Rep. Mark Olson (R-Big Lake) joked about his situation during the opening session on Jan. 4 when he referred to "my colleagues on this side of the aisle."

Olson is seated next to Rep. Frank Hornstein (DFL-Mpls). Each jokes that he is the only member of his party seated next to a member of the opposite party.

Not only are they political opposites with Olson as the conservative and Hornstein as the liberal, but Olson is from a rural area while Hornstein represents an urban district. It's an interesting juxtaposition at a time where there's lots of talk about being bipartisan and getting

along with members of the opposite party. Some may see the aisle as a great divide, but both Olson and Hornstein seem comfortable with the arrangement. To them, it's no big deal.

As the chamber seating arrangement was being set up, Olson volunteered to sit on the DFL side. Rep. Mary Liz Holberg (R-Lakeville), who handled the House seating, thinks Olson was a good choice because he's an experienced legislator who does not need to be seated next to others in his party as a more freshman member would. "It will work fine," she said.

Olson has a bipartisan background. His grandfather was a founding member of the DFL party in Sherburne County many years ago. Olson agrees with George Washington, who listed partisan politics as the worst enemy of the country in his farewell address. "We should save partisan politics for the campaign,

not for the House," said Olson.

Hornstein said the way for people of different parties to get along is to identify what they have in common and work from there. He's amused that when he and Holberg had a press conference last fall to highlight issues about Interstate 35, media representatives were most interested in the fact that a DFLer and a Republican were able to work together. "That's what they thought was news," he said.

Olson says being on the DFL side is an interesting perspective. "I expect we'll gain some insights from each other." In the House Local Government Committee, which he chairs, Olson set up a unique arrangement with Republicans seated alternately with DFLers instead of on opposite sides of the table. Hornstein, who serves on the committee, applauds Olson's innovative idea.

Hornstein says legislators don't spend enough time getting to know each other, especially when they're in different parties. He and Olson will get to know each other better just because they are desk neighbors. "We can be the model, how to disagree but be civil, respectful and honor the institution," he said.



PHOTO BY TOM OLMSCHIED

They are political opposites, but Rep. Frank Hornstein, left, and Rep. Mark Olson are bridging the partisan gap.

# A new challenge

Cybart goes from the military to the State Capitol

By Mike Cook

Excited, nervous and confident is how Rep. Lloyd Cybart (R-Apple Valley) described his feelings just before session began.



Rep. Lloyd Cybart

“It’s kind of like the military where you get a new assignment and you just pull through the main gate and you haven’t been to that base before. You’re excited about the new situation, but there’s nervousness at the same time wondering if you’re going to do the right thing and excel. I’ve done well in the past and I’ve done a lot of homework for this.” The Air Force veteran has had to purchase two new file cabinets for his office to hold all the literature he has received.

But it’s not like Cybart is starting from square one. After working behind the scenes on Chris Gerlach’s campaigns, Cybart jumped

at the opportunity when Gerlach, who had represented District 37A for three terms, was elected to the Senate in a July special election.

“I spent 20 years in the active military and all those decisions the politicians made affected me quite a bit,” Cybart said. “I always had an interest in it and thought about doing it later in life, but the opportunity presented itself so I thought now is the time.”

Cybart said that he and his wife, Heike, met with party leaders to discuss the opportunity that would keep him rooted in one place. “After she followed me around the military for all those years I kind of owe her.”

Cybart said that education and transportation are among his top priorities. His constituency includes parts of two suburban school districts, including the fourth largest in the state.

“I’ve met with many teachers, superintendents and principals and we cannot continue to hold funding flat,” he said, saying that he hopes for more than an inflationary increase.

## DISTRICT 37A

2002 population: 36,915  
Largest city: Burnsville  
County: Dakota  
Location: southern Twin Cities metropolitan area  
Top concerns: Education and transportation

***“I spent 20 years in the active military and all those decisions the politicians made affected me quite a bit.”***

— Rep. Lloyd Cybart

The Cedar Avenue rapid bus transit is among the top transportation priorities for the man who has run in three marathons. “Gerlach started some good things on that and I’m going to finish it up this year,” Cybart said.

Other priorities include accessible and affordable health care and prescriptions, keeping habitual sex offenders permanently away from children, no new taxes and the promotion of government spending accountability.

# Health care advocate

Fritz brings lifelong compassion to St. Paul

By Matt Wetzel

Rep. Patti Fritz (DFL-Faribault) learned about politics from her father, Mike Casby, sitting with him and his friends, as they would debate issues at the kitchen table in Northfield.



Rep. Patti Fritz

news,” she said.

Fritz developed a decidedly populist bent to her politics, looking to help the cause of workers and those with low and moderate incomes. She cut her teeth working with the late Paul Wellstone on those issues, who at the time was a professor at Carleton College in Northfield.

She eventually became a licensed practical nurse and went to work at St. Lucas Care Center, a nursing home in Faribault. There she helped organize the Service Employees International Union Local 113, and became an activist for the nursing home industry. “My passion is people and helping them have opportunities,” she said.

Fritz, a mother of five and grandmother of 17, initially ran for the House in 2002 against Rep. Lynda Boudreau. The local firefighters union had encouraged her to run. She lost in that election, but tried again in 2004, and won by 347 votes.

She sees jobs and health care as the key issues in her district. “I’ve worked with people who don’t have health care. They don’t qualify (because they don’t meet income guidelines) and they don’t want to go to the welfare department to ask for assistance because they’re afraid they’ll lose their dignity. I know people

## DISTRICT 26B

Population: 36,496  
Largest City: Faribault  
Counties: Rice, Steele  
Location: south-central Minnesota  
Top Concern: Jobs and health care

***“My passion is people and helping them have opportunities.”***

— Rep. Patti Fritz

that are working for \$5.50 an hour. I know people who have those jobs without health care benefits,” she said.

She is determined to be an advocate for those people and others who can’t afford paid lobbyists. “Minimum wage gives you a minimum life. We see no opportunities, no affordable (college) education, no college scholarships.”

If she could have submitted the first bill of the session it would have been a proposal to expand the medium security state prison in Faribault, which is one of the region’s largest employers.

# Parking headaches

When it comes to big issues at the Capitol — parking tops the list

By RUTH DUNN

Tell people you're going to the Capitol and chances are they'll respond, "Where are you going to park?"

Parking can be challenging, especially when the House and Senate are in session and there are more than 10,000 legislators, state employees, visitors, lobbyists and reporters looking for parking spaces.

Some insider information is useful in finding places to park. Frequent visitors to the Capitol know where to park. Problems arise for infrequent visitors. "It's like season ticket holders to a sporting or arts event. They always know where to park," said Bernie Steele, facilities support supervisor.

Parking is the biggest headache, bar none, of his job, said Shawn Peterson, chief sergeant-at-arms for the House. "Parking in the Capitol area is just plain difficult."

Like many capitols around the country, this Capitol is built where there is no room for expansion. Also, the Capitol Complex area

***The Capitol Complex area was developed at a time when there was no thought that someday nearly everyone would drive a car to work.***

was developed at a time when there was no thought that someday nearly everyone would drive a car to work.

Adding to the problem is the increase in people who work in the Capitol area and those who visit. "We can't keep up with the growth," said Peterson. He predicts the parking situation will worsen with the construction of two new office buildings in the Capitol complex — the agriculture building and the human services building. "Neither has adequate parking as part of their design." Redevelopment in the area has also taken away parking areas. For example, the new League of Minnesota Cities building at the corner of Rice Street and University Avenue was constructed on a former parking lot.

Still, it would not be good to pave paradise

and put up a parking lot. "We want green spaces and gardens in the Capitol area," said Peterson. "We don't want to turn the grassy areas into parking lots."

When driving to the Capitol, the best strategy is to arrive early so there is time to look for a space, he said. "Don't expect to find one right away."

Go first to Lot AA, located across Rice

Parking continued on page 23

## Prime parking problem Who should park in front of the State Capitol?

Rep. Phyllis Kahn (DFL-Mpls) eyes those hooded parking meters in front of the Capitol and sees potential public parking. For 25 years, she and others have tried to take the 70 spaces away from senators and turn them into public parking.

"Many ran for office on the issue of accountability saying they welcome people to the Capitol," she said in a recent House debate. "But have you ever tried to direct people where to park?"

The most visible, accessible parking spaces are in front of the Capitol. "They're meant to be open to the public, that's why they are metered," she said. Senators have other options for parking including the ramp behind the Centennial Office Building just to the east, and the lot behind the Capitol. "People should be able to drive up to the Capitol, park in front and go in and see their legislator," Kahn said.

Rep. Marty Seifert (R-Marshall) said he's voted in favor of the proposal every year it's been on the floor since he was elected.

"It's been a House-Senate dispute for years about who gets those parking spaces." Seifert suggested the proposal be submitted to the House State Government Finance Committee, which he chairs and to which Kahn is a member.

Kahn said that approach has been tried many times and hasn't worked. "It's time for a new approach," she said to explain why she pushed for an amendment during the first week the House was in session. "An affirmative vote would cause the Senate to distinctly take notice."

The amendment failed during the Jan. 6 floor session in the House.

( R. DUNN )



PHOTO BY SARAH STACKE

When the Legislature is in session, the meters in front of the State Capitol are reserved for senators. Some believe the spaces should be available to the public year-round.

## Burdick in bronze



The bronze bust of a dignified wavy-haired man that greets visitors to the House Chamber was placed in 1990 as a tribute to Edward A. Burdick, chief clerk of the House from 1967-2004. It was

commissioned to honor his parliamentary expertise, stately manner and decades of public service.

The artist was Minnesota sculptor Paul Granlund (1925-2003), who produced some 650 national and international commissions in his lifetime, including the bronze bust of the late Sen. Nicholas D. Coleman that was placed on the Capitol first floor in 1983.

Burdick is the only living Minnesotan whose likeness stands as Capitol sculpture.

"It's no secret that there was some criticism for installing a bronze bust of someone who has not yet died or at least someone who has not retired," Burdick said at the unveiling ceremony, according to a transcript provided by the Minnesota Historical Society. "Maybe we have a problem because I am not prepared to



PHOTO BY TOM OLMSCHEID

**The bronze bust of former Chief Clerk of the House Ed Burdick stands outside the House chamber.**

announce either of those events today."

The transcript reflects Burdick's sense of humor, and desire to share the honor with legislative staff and the others working behind the scenes. It also displays his grasp

of institutional history and his love of the Capitol building.

"The first time I saw this magnificent building I fell in love with it, and with the honorable people working here, and I'm still in awe of this building and its occupants," Burdick said.

"There is a reason that bust of Ed is out there today," said former Speaker of the House Robert Vanasek at Burdick's retirement tribute Jan. 10. "We proposed during my time here that it would only be fitting to have that bust for Ed while he was still alive to appreciate it and so that he would know of all of our appreciation for those years of service. And in spite of the opposition of the Capitol Area Architectural Planning Board who was vociferously opposed to it, we finally pointed out that that was House space and if it's House space we will do with it how we saw fit. So, we held a fundraiser and it was through the contributions of members, both present and past, that bust got erected. And the fact that he is the only living Minnesotan to have had such an honor I think is a distinction that he truly deserves."

(N. Wood)

## What's on the Web Talkin' 'bout My Bills (My Bills)

The legislative Web site provides personalized bill tracking for House and Senate legislation within the current biennium. MyBills, as the service is called, requires an easy one-time registration of a username and password ([www.house.leg.state.mn.us/leg/billslogin.asp](http://www.house.leg.state.mn.us/leg/billslogin.asp)).

The system keeps track of House and Senate bills by bill number, subject or author. Users enjoy the benefit of viewing bill status with items of significant current action highlighted. The status is updated daily, and users can modify

their lists at anytime. Lists are retained throughout the legislative biennium.



## Frequently called numbers (Area code 651)

Information Services, House Public  
175 State Office Building .....296-2146  
Chief Clerk of the House  
211 Capitol.....296-2314  
Index, House  
211 Capitol.....296-6646

TTY, House .....296-9896  
Toll free .....1-800-657-3550  
Information, Senate  
231 Capitol.....296-0504  
TTY, Senate .....296-0250  
Toll free .....1-888-234-1112

Secretary of the Senate  
231 Capitol.....296-2344  
Voice mail/order bills .....296-2343  
Index, Senate  
110 Capitol.....296-5560

## Thursday, January 20

### HF263—Abrams (R)

#### Higher Education Finance

University of Minnesota football stadium state support process provided and money appropriated.

### HF264—Slawik (DFL)

#### Education Finance

Early childhood learning and child protection facilities funding provided, bonds issued and money appropriated.

### HF265—Hoppe (R)

#### Agriculture, Environment & Natural Resources Finance

Natural resources and environment project capital improvements funding provided for specified projects, bonds issued and money appropriated.

### HF266—Sailer (DFL)

#### Education Finance

Independent School District No. 38, Red Lake, capital improvements funding provided, bonds issued and money appropriated.

### HF267—Knoblach (R)

#### Higher Education Finance

St. Cloud State University capital improvements funding provided, bonds issued and money appropriated.

### HF268—Knoblach (R)

#### Higher Education Finance

St. Cloud Technical College capital improvements funding provided, bonds issued and money appropriated.

### HF269—Knoblach (R)

#### Higher Education Finance

St. Cloud State University capital improvements funding provided, bonds issued and money appropriated.

### HF270—Knoblach (R)

#### Higher Education Finance

St. Cloud State University capital improvements funding provided, bonds issued and money appropriated.

### HF271—Brod (R)

#### Civil Law & Elections

Presidential electors obligated to vote for pledged candidate by public and spoken ballot.

### HF272—Zellers (R)

#### Transportation Finance

Marked Trunk highway 610 segment completion as a four-lane freeway funding provided, bonds issued and money appropriated.

### HF273—Welti (DFL)

#### Agriculture, Environment & Natural Resources Finance

Olmsted County; non-motorized riding and hiking trail funding provided and money appropriated.

### HF274—Dorman (R)

#### Agriculture, Environment & Natural Resources Finance

Blazing Star Trail segment funding provided, bonds issued and money appropriated.

### HF275—Juhnke (DFL)

#### Agriculture, Environment & Natural Resources Finance

Let's Go Fishing grant provided to promote opportunities for fishing and money appropriated.

### HF276—Magnus (R)

#### Transportation Finance

Town road sign replacement program developed, and money appropriated.

### HF277—Eken (DFL)

#### Transportation

Becker County; highway turnback of jurisdiction provided.

### HF278—Nornes (R)

#### Agriculture, Environment & Natural Resources Finance

Prairie Wetlands Environmental Learning Center expansion funding provided, bonds issued and money appropriated.

### HF279—Magnus (R)

#### Agriculture, Environment & Natural Resources Finance

Minnesota River Basin Projects, Inc., grant provided for floodplain management and money appropriated.

### HF280—Davids (R)

#### Agriculture, Environment & Natural Resources Finance

Rural Finance Authority loan funding provided, bonds issued and money appropriated.

### HF281—Pelowski (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Winona; Great River Shakespeare Festival facilities pre-design funding provided, bonds issued, matching funds required and money appropriated.

### HF282—Mariani (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

St. Paul; river's edge improvements and redevelopment of a public park on Raspberry Island funding provided, bonds issued and money appropriated.

### HF283—Zellers (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Minneapolis; Minnesota Shubert Center funding provided, bonds issued and money appropriated.

### HF284—Thao (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

St. Paul; land acquisition and contamination remediation grant provided relating to the Pierce Butler Corridor, bonds issued and money appropriated.

### HF285—Marquart (DFL)

#### Agriculture, Environment & Natural Resources Finance

Breckenridge and Oakport Township flood hazard mitigation funding provided, bonds issued and money appropriated.

### HF286—Hoppe (R)

#### Regulated Industries

Brewpubs and small brewers license fees and production levels conformity provided, temporary small brewers license authorized, off-sale of growlers authorized, sampling provisions modified and other municipal licenses modified.

### HF287—Smith (R)

#### Ways & Means

State spending prohibited from increasing at a greater rate than the Consumer Price Index by proposed constitutional amendment.

### HF288—Smith (R)

#### Civil Law & Elections

Education quality and teacher and principal protection act adopted regulating the liability of employees of educational entities.

### HF289—Smith (R)

#### Civil Law & Elections

Compensation for forced labor actions limitation waived for persons forced to perform labor between 1929 and 1945 by the governments, allies, business entities or sympathizers of Germany or Japan.

### HF290—Smith (R)

#### Civil Law & Elections

Grandparent visitation rights provided on behalf of the child, grandparent rights expanded and mediation required.

### HF291—Sykora (R)

#### Education Finance

Community education facility levy authorized.

### HF292—Brod (R)

#### Civil Law & Elections

Primary election provision requiring 10 percent of the last general election votes in order to nominate candidates repealed.

### HF293—Mahoney (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

St. Paul; land acquisition and contamination remediation grant provided relating to the Phalen Corridor, bonds issued and money appropriated.

### HF294—Latz (DFL)

#### Education Finance

Perpich Center for Arts Education capital improvements grant provided, bonds issued and money appropriated.

### HF295—Davnie (DFL)

#### Civil Law & Elections

Special School District No. 1 elected school board membership specified.

**HF296—Abeler (R)****Jobs & Economic****Opportunity Policy & Finance**

Oliver Kelly Farm land acquisition funding provided, bonds issued and money appropriated.

**HF297—Johnson, S. (DFL)****Health Policy & Finance**

Senior nutrition funding restored, targeted senior nutrition grants provided and money appropriated.

**HF298—Peterson, N. (R)****Transportation**

Household goods movers exempted from fixed compensation requirement when doing certain charitable work.

**HF299—Johnson, S. (DFL)****Health Policy & Finance**

Living-at-home/block nurse programs expanded, annual funding increased and money appropriated.

**HF300—Davids (R)****Agriculture, Environment &****Natural Resources Finance**

Water management project funding provided, bonds issued and money appropriated.

**HF301—Mahoney (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Fort Snelling improvement funding provided, bonds issued and money appropriated.

**HF302—Lesch (DFL)****Taxes**

Ramsey County; library levies on tax statements and Truth in Taxation notices separately stated.

**HF303—Rukavina (DFL)****Environment & Natural Resources**

County environmental trust fund deposits alternative investments authorized.

**HF304—Sieben (DFL)****Environment & Natural Resources**

Game and fish license fee credit card payment authorized.

**HF305—Murphy (DFL)****Taxes**

Proctor; local sales taxes authorized.

**HF306—Murphy (DFL)****Taxes**

Proctor; city lodging tax authorized.

**HF307—Cornish (R)****Agriculture & Rural Development**

Cervidae regulation by Board of Animal Health provided.

**HF308—Westrom (R)****Taxes**

Lakes Area Economic Development Authority tax levy authorized.

**HF309—Zellers (R)****Taxes**

Long-term care insurance income taxation credit adjusted.

**HF310—Bernardy (DFL)****Transportation**

Ramsey County property interests transfer authorized.

**HF311—Seifert (R)****Agriculture, Environment &****Natural Resources Finance**

Lake Redwood Reservoir Reclamation and Enhancement project funding provided, bonds issued and money appropriated.

**HF312—Hosch (DFL)****Education Finance**

School health and safety program expansion to include school safety costs associated with student support services authorized.

**HF313—Hornstein (DFL)****Transportation Finance**

Street utility fee imposition by cities authorized.

**HF314—Lesch (DFL)****Public Safety Policy & Finance**

Retired court commissioner appointment to perform judicial duties in district court authorized.

**HF315—Slawik (DFL)****Transportation**

Traffic report contract between commissioner of transportation and KBEM radio required.

**HF316—Slawik (DFL)****Commerce & Financial Institutions**

Membership travel contracts regulated.

**HF317—Blaine (R)****Governmental Operations & Veterans Affairs**

Minnesota veterans of the Global War on Terrorism bonus payment provided, bonds authorized and constitutional amendment proposed.

**HF318—Blaine (R)****Agriculture & Rural Development**

Board of Animal Health official laboratory provided.

**HF319—Powell (R)****Transportation**

Child restraint system required for motor vehicle passengers less than 9 years old.

**HF320—Anderson, B. (R)****Transportation Finance**

Transportation certificates of assignment for funding of transportation provided.

**HF321—Kelliher (DFL)****Jobs & Economic****Opportunity Policy & Finance**

J.D. Rivers urban agricultural awareness center funding provided, bonds issued and money appropriated.

**HF322—Nelson, P. (R)****Transportation Finance**

Rush Line Corridor Busway funding provided, bonds issued and money appropriated.

**HF323—Paulsen (R)****Governmental Operations & Veterans Affairs**

Legislative sessions restricted to odd-numbered years.

**HF324—Solberg (DFL)****Agriculture & Rural Development**

Commodity check-off fee eliminated for specified producers of wild rice.

**HF325—Solberg (DFL)****Commerce & Financial Institutions**

Protective agent license experience requirement exemption provided for traffic escorts.

**HF326—Lieder (DFL)****Education Finance**

Independent School District No. 595, East Grand Forks, exercise of remaining levy authority for disability access projects authorized.

**HF327—Heidgerken (R)****Agriculture, Environment &****Natural Resources Finance**

State park improvement bonds issued and money appropriated.

**HF328—Heidgerken (R)****Agriculture, Environment &****Natural Resources Finance**

Stearns County; regional trail bonds issued and money appropriated.

**HF329—Lillie (DFL)****Agriculture, Environment &****Natural Resources Finance**

Yard waste compost site spore level study funding provided and money appropriated.

**HF330—Lillie (DFL)****Transportation Finance**

Ramsey and Washington counties; lake links trail development and roadway rehabilitation engineering design funding provided and money appropriated.

**HF331—Lillie (DFL)****Agriculture, Environment &****Natural Resources Finance**

Yard waste compost site odor level study funding provided and money appropriated.

**HF332—Lillie (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Maplewood; Bruentrup farm restoration funding provided, bonds issued and money appropriated.

**HF333—Brod (R)****Governmental Operations & Veterans Affairs**

State senator staggered terms of office provided through proposed constitutional amendment.

**HF334—Lillie (DFL)****Transportation Finance**

Ramsey County; McKnight Road and Highway 36 interchange project funding provided bonds issued, and money appropriated.

**HF335—Cybart (R)****Higher Education Finance**

Dakota County Technical College capital improvement funding provided, bonds issued and money appropriated.

**HF336—DeLaForest (R)****Governmental Operations & Veterans Affairs**

English designated as official state language.

**HF337—Nelson, P. (R)****Health Policy & Finance**

Chisago County; nursing facilities designation as metro for purposes of determining reimbursement rates provided.

**HF338—Howes (R)****Jobs & Economic****Opportunity Policy & Finance**

Public Facilities Authority wastewater infrastructure funding and other program bonds issued and money appropriated.

**HF339—Howes (R)****Agriculture, Environment & Natural Resources Finance**

Reforestation funding provided, bonds issued and money appropriated.

**HF340—Howes (R)****Jobs & Economic****Opportunity Policy & Finance**

Walker Area Community Center grant provided, bonds issued and money appropriated.

**HF341—Howes (R)****Civil Law & Elections**

Sexually dangerous and psychopathic persons civil commitment determination procedure modified, attorney general and county pursuit of certain commitments required and individual commitment to government facilities required.

**HF342—Clark (DFL)****Taxes**

Minneapolis; redevelopment tax increment financing district duration limitation removed.

**HF343—Clark (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Minneapolis; former Sears site improvement funding provided, bonds issued and money appropriated.

**HF344—Howes (R)****State Government Finance**

Capitol grounds workers memorial construction funding provided, bonds issued and money appropriated.

**HF345—Solberg (DFL)****Education Policy & Reform**

Education employee recognition programs provided.

**HF346—Dempsey (R)****Transportation Finance**

Port development assistance funding provided, bonds issued and money appropriated.

**HF347—Lanning (R)****Higher Education Finance**

Minnesota State University Moorhead and Minnesota State Community and Technical College-Moorhead, capital improvements funding provided; bonds issued and money appropriated.

**HF348—DeLaForest (R)****Transportation Finance**

Motor vehicle sales tax revenues reallocated.

**HF349—Kelliher (DFL)****Health Policy & Finance**

Grave markers funding provided for unmarked graves of deceased residents of state hospitals or regional treatment centers.

**HF350—Slawik (DFL)****Governmental Operations & Veterans Affairs**

Senators provided staggered four-year terms and constitutional amendment proposed.

**HF351—Slawik (DFL)****Transportation**

Vehicles required to be driven in the right-hand lane and exceptions provided.

**HF352—Dorman (R)****Capital Investment**

State agencies and departments capital improvements funding provided including higher education funding, previous bond authorizations adjusted, bonds issued and money appropriated.

**HF353—Paymar (DFL)****Agriculture, Environment & Natural Resources Finance**

St. Paul; Highland Park pavilion renovation funding provided, bonds issued and money appropriated.

**HF354—Cox (R)****Agriculture, Environment & Natural Resources Finance**

Conservation reserve enhancement program funding provided, bonds issued, and money appropriated.

**HF355—Finstad (R)****Education Finance**

Independent School District No. 88, New Ulm, authorized to use health and safety revenue for mechanical air handling system apertures.

**HF356—Eastlund (R)****Higher Education Finance**

Anoka-Ramsey Community College in Cambridge capital improvements funding provided, bonds issued and money appropriated.

**HF357—Ruth (R)****Local Government**

Local government filing and recording laws technical changes provided.

**HF358—Ruth (R)****Local Government**

County document recording fees and standards provided.

**HF359—Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Central Range Economic Development Initiative project pre-design funding provided, bonds issued and money appropriated.

**HF360—Paymar (DFL)****Agriculture, Environment & Natural Resources Finance**

St. Paul; park and trail improvements in the area above Meeker Island historic site funding provided, bonds issued and money appropriated.

**HF361—Juhnke (DFL)****Health Policy & Finance**

Willmar Regional Treatment Center master plan and reuse study recommendations funded including methamphetamine treatment facilities, bonds issued and money appropriated.

**HF362—DeLaForest (R)****Transportation**

Single appeal process provided under municipal consent law for interstate and non-interstate trunk highways.

**HF363—Davnie (DFL)****Education Policy & Reform**

Middle school students provided access to higher grade level courses.

**HF364—Lesch (DFL)****Public Safety Policy & Finance**

Methamphetamine precursor drugs regulated; retail education program required; restitution, property restrictions and criminal penalties imposed; methamphetamine laboratory cleanup fund established and money appropriated.

**HF365—Hortman (DFL)****Transportation Finance**

Trunk Highway 610 completion funding provided, bonds issued and money appropriated.

**HF366—Howes (R)****Agriculture, Environment & Natural Resources Finance**

Horseback riding trails user fee established and money appropriated.

**HF367—Kohls (R)****Civil Law & Elections**

Defeasible estates provided, residential purchase agreement cancellations modified and foreclosure advice notice amended.

**HF368—Thissen (DFL)****Civil Law & Elections**

Probate venue, trustee powers and omitted beneficiary provisions modified and clarified.

**HF369—Thissen (DFL)****Civil Law & Elections**

Minnesota Common Interest Ownership Act modified.

**HF370—Solberg (DFL)****Local Government**

Shooting range generally accepted operating practices defined relating to local ordinances, closing and relocation, noise standards, public access and nuisance liability.

**HF371—Howes (R)****Environment & Natural Resources**

Big game hunting prohibition on use of .30 caliber M1 carbine cartridge repealed.

**HF372—Westerberg (R)****Governmental Operations & Veterans Affairs**

Blaine, Spring Lake Park and Mounds View emergency employees authorized to become members of the Public Employees Retirement Association.

**HF373—Anderson, I. (DFL)****Regulated Industries**

Commerce Department required to present a plan to expand local calling areas to include secondary school attendance areas.



# 2005 - 2006 House Committee Chairs

## Agriculture and Rural Development



Gregory M. Davids  
R-Preston

## Agriculture, Environment and Natural Resources Finance



Dennis Ozment  
R-Rosemount

## Capital Investment



Dan Dorman  
R-Albert Lea

## Civil Law and Elections



Jeff Johnson  
R-Plymouth

## Commerce and Financial Institutions



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Street from the State Office Building because it's the largest public lot. Lot F, on the Rice Street side of the transportation building, has some meters. If you're lucky, you might find on-street metered parking, but you better have lots of quarters and plug it for longer than you expect. There's one floor of public parking in the ramp behind the Centennial Office Building near Cedar and 12th streets in the southeast corner of the Capitol Complex. Peterson suggests car-pooling as an option.

If Peterson could redesign the area for better parking, he'd have a six- or seven-story ramp with 800 parking slots built on Lot AA, which

now has 70-80 spots.

Visitors aren't the only ones who pay for parking; everyone does. Legislators and employees contract for spaces and the fee is taken out of their paychecks.

Officers from Capitol Security enforce parking regulations to protect the spots of those who pay. "When people pay for a spot, they should get it," said Lt. Mary Schrader. Officers regularly patrol parking areas so anyone who is parked incorrectly is likely to be ticketed or even towed. She sees lots of violators in the 30-minute zones close to buildings. "They're designed for quick drop off and pick up but some people try to stay there longer."

A two-page handout on visiting the Capitol is available online at [www.house.leg.state.mn.us/hinfo/Come2Cap.pdf](http://www.house.leg.state.mn.us/hinfo/Come2Cap.pdf).

If you know ahead of time that you'll be coming to the Capitol, you can order a day pass for \$4 through the Department of Administration and have it mailed to you. For more information, call 651-296-6800.

Forget about the whole parking problem by taking the city bus, which brings riders right to the Capitol area. For more information call Metro Transit at (612) 373-3333 or [www.metrotransit.org](http://www.metrotransit.org) for more information.



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

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Total inmates in state prison system, as of July 1, 2004.....	8,333
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**Sources: Minnesota Sentencing Guidelines Commission, Minnesota Department of Corrections,  
U.S. Justice Department's Bureau of Justice Statistics and The Sentencing Project.**

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★ ★ ★

# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

JANUARY 28, 2005  
VOLUME 22, NUMBER 4



INSIDE: STATE FACES A BUDGET CHALLENGE, FUND TAPPING, CAPITOL GUARDIANS, SAVING SOLUTIONS, AND MORE

This Week's Bill Introductions HF374-HF564

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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**On the cover:** Members of the Agriculture, Environment and Natural Resources Finance Committee gather in the lobby of the Minnesota Science Museum Jan. 25 prior to a briefing and tour of the St. Paul facility.

—Photo by: Andrew VonBank

# Supervising sex offenders

Report details areas of concern, suggestions for improvement

By RUTH DUNN

**M**ore than 7,000 adults living in Minnesota communities are registered with the state as “predatory offenders” because of their crimes, mainly sex offenses, according to James Nobles, legislative auditor. “They create one of the state’s most difficult public safety challenges,” said Nobles while presenting his office’s latest evaluation report to the House Public Safety Policy and Finance Committee, Jan. 26.

According to the report, “Community Su-

pervision of Sex Offenders,” compiled by the Office of the Legislative Auditor, state and local governments have taken steps to lessen the risk, but more needs to be done, especially in the areas of assessment, supervision, caseloads, treatment, transition housing, victim protection, repeat offenders and agent training.

Building more prisons or increasing jail time won’t solve the problem of sex offenders. “You could do all that and still have thousands of sex offenders living in Minnesota communities,” said Nobles. “That is the hard reality: convicted sex offenders are living in Minnesota communities. They pose a risk — some of them pose a serious risk.”

Many of the issues have to do with the transition these offenders make from prison to the community, he said. Convicted sex offenders serve two-thirds of their sentences in prison then are released into the community, under supervision, for the remaining one-third of their sentences. A total of 4,500 adult sex offenders were under the supervision of state or county corrections as of June 2004, either on supervised release from prison or on probation. (Those who have completed their sentences or probation continue to be registered but are no longer supervised.)

Improvements have been made in recent years in some areas, according to the report. The Legislature has set stricter criminal sentences for convicted sex offenders, initiated a statewide registry of information about known sex offenders and established public notification procedures when sex offenders are released

## Areas of concern

**Assessments:** Courts are to receive assessments of offenders before sentences are issued, but often this doesn’t happen so judges are giving sentences without full knowledge of the offender. According to Joel Alter, project manager of the report, assessments help courts determine treatment needs, but also inform judges and corrections staff about offenders sexual and criminal histories.

**Supervision:** When sex offenders are first released from prison, they are under intensive supervised release for about the first year. Offenders receive a median of 70 home visits a year, 35 other face-to-face contacts and 44 drug or alcohol tests. When intensive supervised release ends, contacts dramatically drop, said Alter. In addition, sex offender supervision practices vary widely, reflecting a lack of statewide policies.

**Caseloads:** Sex offender agents should each be supervising no more than 35 to 40 sex offender who have completed the first year of intense supervision. Caseloads often exceed that limit, according to the report.

**Treatment:** State spending for treatment is at its lowest point in years, according to the report. Many inmates do not complete treatment before their release from prison and this jeopardizes public safety and shifts the cost burden to community agencies, according to the report.

**Transition housing:** There is a shortage of halfway houses, especially in Greater Minnesota. In 2004, state funding for halfway houses was one-third what it was in 2002, according to the report.

**Victim protection:** Additional protection is needed for potential sex offense victims. The report says it is critically important that child protection agencies be notified before sex offenders are released. Also, places with vulnerable adults, like nursing homes, need to be notified when a sex offender will be living there, even on a temporary basis.

**Repeat offenders:** Many repeat sex offenders have not been referred to the Minnesota State Security Hospital in St. Peter for assessments, contrary to state law.

**Training:** Special training is required for all agents who supervise sex offenders. Most, but not, all sex offender agents have completed the training. However some took the course several years ago.



PHOTO BY ANDREW VONBANK

Joel Alter, legislative auditor, presents a program evaluation report on “Community Supervision of Sex Offenders” during the Jan. 26 meeting of the Public Safety Policy and Finance Committee.

First Reading continued on page 4



from prison.

Corrections directors surveyed for the report would like to see more unannounced home visits, surveillance checks on offenders, reviews of offender computer use, and polygraph lie detector tests. All these tools help break through the “veil of secrecy” around sex offenses, according to the report.

The Community Supervision of Sex Offenders report is available at [www.auditor.leg.state.mn.us](http://www.auditor.leg.state.mn.us) or by calling 651-296-4708.

## You Should Know

Information about Minnesota adult sex offenders sentenced in 2003

- 98 % of sex offenders were men.
- Median age was 30.
- 88% of the victims were female and 12% were male.
- 32% of offenders were family members of the victims; 50% were acquaintances, 8% were in positions of authority, and 7% were strangers to victims.
- 84% of sex offenses involved children under age 18.
- Counties with the most registered adult sex offenders per 1,000 population (from highest to lowest): Kanabec, Cass, Pine, Ramsey, Hennepin, Anoka.



Capitol Security, angels and eagles aren't the only ones guarding the Capitol. Just inside the front entrance is an Italian marble bench graced with griffins.

A griffin is a mythical composite creature with the head, wings and claws of an eagle and the body of a lion. It has been portrayed as a protector of kings and a master of both earth and sky in many versions of Greek and Roman mythology.

The bench and its companion seat were a gift to the state from John De Laittre, who served on the Board of State Capitol Commissioners that directed the building's construction.

According to Neil Thompson's book "Minnesota's State Capitol: The Art and Politics of a Public Building," De Laittre had "one of the more romantic backgrounds" of the men who served on the board. He left Maine in 1852 in search of California gold but instead landed in Minnesota. In 1865, he settled in Minneapolis and was a bank president by the time he was appointed to the Capitol project.

In a 1936 account of growing up surrounded by the Capitol construction, Edith Seabury Nye, daughter of De Laittre's fellow board member Channing Seabury, recalls De Laittre as "a man of the world, who brought back

## Capitol guardians



PHOTO BY TOM OLMSCHIED

from his travels the two beautiful Italian marble benches he gave to the building, which are just inside, and on either side of the main entrance."

It's a bit more accurate to say that De Laittre brought the idea for the benches back from his travels.

The stone seats, older than the Capitol and European in origin, were already antiques by the time Capitol architect Cass Gilbert selected them in 1904 through a New York art dealer. A note from Gilbert to the dealer, dated April 8, 1904, confirms the purchase. "Send copy to Mr. John De Laittre. I will select the two best seats and have them shipped as soon as I can get around to it, probably next week — send him the bill."

(N. Wood)

(Information courtesy of Minnesota Historical Society State Capitol Historic Site)

**For information about upcoming Capitol Centennial Celebration events:**  
**Minnesota Historical Society State Capitol Site, (651) 296-2881**  
[www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc)  
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**A griffin stands guard inside the front entrance of the Capitol. The mythological sentry is carved in an ornate Italian marble bench that has greeted visitors since the doors first opened in 1905.**

★ **BONDING****More beds, more space**

Converting a Silver Bay, Minn. school building from 1953 into a veteran's hospital has been a challenge, Stephen Musser, executive director of the Minnesota Veterans Homes Board told the House Governmental Operations and Veterans Affairs Committee Jan. 24.

The board is requesting \$1.3 million in bonding monies from the Legislature for renovation of additional clinic space and resident support and administration offices. Also, the lower level of the building would be renovated for vehicles, storage, a loading dock, and more.

Other bonding requests from the board total \$16.3 million and include:

- \$11 million for asset preservation for 50 buildings and five veterans home locations for maintenance,
- \$2.6 million for the Minneapolis Veterans Home for remodeling to provide adult day care services and renovation of a 30 year old kitchen area,
- \$282,450 for the Luverne Veterans Home for a building addition to house Alzheimer's/Dementia day programs with a walking area for residents, and
- \$2.3 million for the Fergus Falls Veterans Home to add 21 Alzheimer's/Dementia beds.

The governor's recommendations include \$6 million for asset preservation and \$306,000 for the Luverne facility.

Funding for veterans' homes also comes from state grants, totaling \$12.3 million.

The committee took no action on the bonding proposals.

The average veterans home resident is a 78 year old male, who is a WWII vet with either Alzheimer's disease, dementia or chronic organic brain syndrome.

The waiting list for a skilled care bed in the Minneapolis facility is 424 and includes a 2 to 4 month wait for limited assistance; higher assistance is a 10 to 12 month wait.

★ **DEVELOPMENT****Cities versus townships**

An ongoing battle between cities and townships over annexation continued in the House Local Government Committee Jan. 24.

Township representatives testified before the committee, saying Minnesota laws are currently stacked against them in favor of cities'

**VETERANS ISSUES**

PHOTO BY TOM OLMSCHIED

**Larry Shellito, Adjutant General, Department of Military Affairs, testifies before the State Government Finance Committee Jan. 26. The committee heard from several veterans groups about military and veterans issues.**

developments. City representatives said townships agreed to changes in annexation laws in 1999, and now want laws in favor of them.

Around 83 percent of contested annexation cases between cities and townships are won by cities, said Christine Scottillo, executive secretary for Municipal Boundary Adjustments in the Department of Administration.

"Municipal boundary adjustment is designed to facilitate city growth, to unify all the statutory laws and get them into one uniform system so that we have boundary changes judged against the same legislative criteria, regardless of what part of the state they are in," she explained.

Rep. Mary Liz Holberg (R-Lakeville) questioned how many of the annexation cases involved a provision in statutes allowing a city to annex property of 60 acres or less. Scottillo responded, "The vast majority use the 60 acre or less provision...which are not contestable."

Annexation helps facilitate city growth, testified Kari Thurlow, representative for the Coalition of Greater Minnesota Cities. She said the coalition will be coming forward with suggested changes in legislation that include allowing cities more options to annex property.

What's wrong with the contested case proceedings is, "if you look at the percentage of acres filed from July 1, 1998 to Jan. 31, 2004, the townships agreed to about 28 percent of the acres filed, the cities unilaterally, or in conjunction with the property owner but without the townships agreement, filed 72 percent of the acres," said Michael Couri, a representative with the Minnesota Association of Townships.

The township association suggests examin-



PHOTO BY TOM OLMSCHIED

**Michael Couri, center, of the Local Government Alliance testifies before the Local Government Committee about litigation. Robert Rippe, left, Local Government Alliance, and Kent Sulem, right, Minnesota Association of Townships, listen to the testimony.**



ing what services are needed and how they can be best provided. Another legislative proposal included focusing on the need to balance the rights of property owners versus the annexation rights of others.

The committee took no action, but chair Rep. Mark Olson (R-Big Lake) said the committee will be looking into the issue in future meetings.

## ★ EDUCATION

### Testing changes

A state test used for many years as a requirement for high school graduation would be eliminated and other tests expanded under recommendations the Department of Education (DOE) presented to the House Education Policy and Reform Committee Jan. 25.

The eighth grade Basic Skills Test (BST) would be discontinued beginning in 2006, said Tim Vansickle, director of assessment and testing for the DOE. The BST sets minimum standards and is not the most effective test to use when the main goal is to prepare students for post-secondary education, he said.

The Minnesota Comprehensive Assessments (MCA) tests would take the place of the BST, and would be expanded to reading and math tests for students in grades three through eight. In addition, sixth and ninth graders would take a writing test, 10th graders would have a reading test, and 11th graders would have a math test. Tests would continue to be given in the spring each year. Testing recommendations would need approval from the Legislature to become reality.

Since the MCA tests would be given more often, parents and teachers will have a better picture of a student's progress, said Vansickle.

As another way to prepare students for post-secondary education, districts would have the option of giving eighth and 10th grade students a pre-ACT test, with the cost of testing paid by the state rather than the district. The ACT is the most widely used college entrance exam. "This test could be a wake up call to students and parents about what courses might need to be taken to prepare for college," said Vansickle.

By 2009, all state testing would be on computer. This would provide more timely results. A major complaint of MCA testing is that scores come back many months after testing, said Vansickle.

In 2005, testing will take 33 total hours for students in grades three through 11, but will increase to 46 and a half hours if testing is expanded in 2006.

## ★ ENERGY

### Wind energy producers seek extension

A bill to extend eligibility for wind incentive payments could decide whether some Minnesotans go forward with their plans to build wind turbines.

Rep. Tony Cornish (R-Good Thunder) is sponsoring HF218 that would extend until Dec. 31, 2005, the 18-month time frame in which a wind facility must begin operating or lose its eligibility for state incentive payments. He presented his bill to the House Regulated Industries Committee Jan. 25.

Cornish sponsored the legislation after the federal Production Tax Credit (PTC) was unavailable for part of the 18-month timeframe that wind producers were given to be operational. Some people relied on the tax credit for funding. Without it, they were unable to secure the loans they needed.

The Renewable Energy Production Incentive (REPI) was created to support the development of wind energy. Owners of wind energy conversion systems could receive 1.5 cents for each kilowatt-hour (kWh) produced over a 10-year period. However, the incentive payments are available for only 200 megawatts (MW) of total capacity statewide. There are already enough subscribers for the 200 MW and others waiting.

Wind energy producers applied to the Department of Commerce to qualify for the incentive. Once they were approved, they had 18 months to be operational. HF218 would grant them an extension.

Dean Harder from southwestern Minnesota said 12 families in his community have invested tens of thousands of dollars in a dozen wind turbines. The families had everything ready, including power purchase agreements to sell the electricity, when the PTC delay stopped the project, Harder said.

"We've done everything we've been asked to do in a timely fashion," he said. "The only reason this stalled is because of tax credits."

Opponents say the 18-month deadline should not be extended because it's unfair to those on the waiting list.

"We relied on the state law, and we should not be penalized for it," said David Norgaard. "It would be a lot fairer to find common ground than to make big winners out of people in the box and big losers out of people outside the box."

The committee took no action on the measure. There is no Senate companion bill at this time.

## ★ HEALTH

### Smoking restrictions proposed

More than two dozen people testified before the House Health Policy and Finance Committee on Jan. 26 about a proposal that would require people to refrain from smoking in certain areas.

Rep. Doug Meslow (R-White Bear Lake)



PHOTO BY ANDREW VONBANK

**Bloomington resident Pat Reichert testifies in front of the Health Policy and Finance Committee Jan. 26 in support of a bill that would require persons to refrain from smoking in certain areas. Reichert is a former smoker.**

sponsored HF405 to create the Freedom to Breathe Act of 2005. The bill would eliminate smoking in public places, places of employment, including bars and restaurants, public transportation and public meetings.

Meslow said the bill would protect employees and the public from the hazards of secondhand smoke.

"Secondhand smoke is poisonous. Secondhand smoke is dangerous. Secondhand smoke kills people," Meslow said.

"With one policy initiative, you can do more to improve lives than I can as a doctor," said Dr. Ed Ehlinger, medical director for Boyton Health Services. "The government's role is to protect citizens. Now is the time to do something about the biggest killer of all: tobacco." Pat Reichert said she needs to carry portable oxygen at all times, and breathing secondhand smoke affects her health.

"I have to damage my health to go through smoking sections," she said. "It's not fair." Some opponents to the bill said the government should not dictate how bar and restaurant owners run their businesses.

"Nobody forces people to go to restaurants and bars," said D. Thomas Day, vice president of government affairs for Hospitality Minnesota. "Letting the consumer vote with their pocketbooks is more effective than any government mandate."

Day said the bill would deter patrons from frequenting bars and restaurants, which would force some establishments to close and people would lose their jobs.

"It's not fair to tie the hands of restaurants and alienate a portion of their clientele," he said.

On Jan. 27, the committee amended the bill to exempt some bars and restaurants and private clubs. The committee referred the bill to the House Commerce and Financial Institutions Committee without recommendation.

A companion bill, SF404, sponsored by Sen. D. Scott Dibble (DFL-Mpls), has been referred to the Senate Health and Family Security Committee.

## ★ HOUSING

### Help for homeless

A \$20 million proposal to provide housing and social services for the homeless was laid out before the House Jobs and Economic Opportunity Policy and Finance Committee on Jan. 20.

Gov. Tim Pawlenty's bonding bill includes funding for 4,000 new housing units over the next seven years, Tim Marx, commissioner of the Minnesota Housing Finance Agency explained to the committee.

Marx estimates there are 4,000 households (3,300 individuals) in the state that have been homeless for the past 12 months, or had four or more episodes of homelessness in the past three years.

A Housing Finance Agency report shows a total of 52 percent of homeless as seriously or persistently mentally ill, 33 percent report a chemical dependency problem, 24 percent suffer from both, 48 percent suffer from a chronic health condition, 24 percent are victims of domestic abuse, 26 percent have a criminal history that affects their housing status and 16 percent are military veterans, some suffering from post traumatic stress syndrome.

The housing agency would facilitate the construction of the housing and connect clients with social service organizations such as the Catholic Charities, the Salvation Army or the Wilder Foundation.

The first phase of the governor's plan calls for funding between 260-530 housing units, with half of the money going to the Twin Cities metropolitan area and half to Greater Minnesota.

The housing would be a mix of new and rehabilitated units and duplexes, Marx said. "The individuals and families they will support are among our most vulnerable," he said.

## ★ LOCAL GOVERNMENT

### Development on Lake Street

After more than 10 years, the city of Minneapolis is ready to proceed with the development of the old Sears building on Lake Street in South Minneapolis, and it's asking for some help to make that development happen.

HF343, sponsored by Rep. Karen Clark (DFL-Mpls) asks for a \$5 million grant from the Department of Employment and Economic Development to prepare the infrastructure for the \$180 million Midtown Exchange, which would include residential housing, a Sheraton hotel, the headquarters for Allina Hospitals and Clinics, a Hennepin County service center and a public market.

The bill, which Clark termed, "Fabulous," was heard in the House Jobs and Economic Opportunity Policy and Finance Committee Jan. 27, and held over for possible inclusion in the committee's bonding resolution.

The actual groundbreaking was last September, and Allina's headquarters will open next December or January, with the hotel scheduled to open this fall.

The city of Minneapolis is providing some help to Ryan, the lead developer, including tax increment financing, a grant and loan for the parking ramp and a loan for the rental housing. The ratio of private to public investment is

3.04 to 1, according to the project's Web site.

The new Allina headquarters, called the Allina Commons, will cover 250,000 square feet. There will be a six-story, 150-room hotel and more than 350 apartments, townhomes and condominiums. The site will include 1,600 parking spaces. A total of 120,000 square feet of office space has yet to be filled.

The public market, termed the Midtown Global Market, will cover 80,000 square feet on the first floor, and is being developed by the Neighborhood Development Center, a nonprofit organization in St. Paul that helps emerging entrepreneurs develop businesses.

The market will be similar to the farmers' markets popular in both St. Paul and Minneapolis, but will operate year-round, and feature fresh and prepared foods from around the world. There will also be an African American Development Center and Latino American Development Center to work with budding local entrepreneurs.

The project could bring more than 1,000 jobs to the Phillips neighborhood, one of the most economically disadvantaged areas in the state. The entire complex is expected to be completed in 2006.

The bill has no Senate companion yet.

### They need water

It's a chronic problem in southwestern Minnesota, turning down economic development projects because of the lack of water.

Rep. Doug Magnus (R-Slayton) told members of the House Jobs and Economic Opportunity Policy and Finance committee Jan. 26 that the wells in the area are too shallow, and the aquifers are contaminated. "There just isn't enough water," he said.

Magnus is sponsoring a bill (HF123) that would help pay to run a 389-mile pipeline, called the Lewis and Clark Water System, from an aquifer next to the Missouri River near Vermilion, S.D., to a 5,000 plus square-mile area in southwestern Minnesota, northwestern Iowa and southeastern South Dakota.

The bill asks for \$2 million from the state to help pay for the first phase of the project. Total cost could be as much as \$400 million. Completion could take 12 years. The bill was held over for possible inclusion in the committee's bonding resolution.

The money would go to a public facilities authority in the region, which would provide grants to cities, public utilities and rural water systems Minnesota to help them connect to the pipeline. The project also includes 11 cities in South Dakota and six cities in Iowa.

Magnus said the project "will bring needed daily water into a deficit area. As we look at

our future in ag-processing, we're frankly stymied," he said. "We've looked at all the alternatives. This is the cheapest most economical water we could find."

The state legislatures of Iowa, South Dakota and Minnesota have passed legislation authorizing their governments to pay a combined 10 percent of the project, but none have yet approved the actual money. Another 10 percent would come from local project members. The federal government would pay for the rest.

A companion bill (SF163), co-authored by Sen. Keith Langseth (DFL-Glyndon), Sen. Jim Vickerman (DFL-Tracy) and Sen. Dallas Sams (DFL-Staples) has been referred to the Senate Finance Committee.

### Shelter for bears, bobcats and wolves

People in Little Falls are proud of their Pine Grove Park Zoo and its residents, which include black bears, bobcats and wolves.

Built in 1913, the municipal zoo is visited by about 100,000 families each year. The city wants to make the zoo more comfortable for the bears, their caretakers, and the people who come to see them, so it's asking for a little more than \$800,000 to do the work.

HF186, sponsored by Rep. Greg Blaine (R-Little Falls), was heard Jan. 26 by the House Jobs and Economic Opportunity Policy and Finance Committee. The committee held the bill over for possible inclusion in its bonding resolution.

"Many people don't realize we have another zoo in Minnesota," Blaine said. "The Pine Grove Zoo sits in one of the last stretches of virgin white pines in Minnesota. It's very safe, very accessible and open free to the public."

The city is asking for \$812,300 to build a black bear exhibit, and also provide handicapped-accessible ramps and viewing areas. The city is also asking for a multi-purpose building to house some animals during winter. Funds would also be used for lighted hard surface trails, allowing better access for the elderly, parents with strollers and those in wheelchairs.

Little Falls City Administrator Richard Carlson said the city, in partnership with local organizations, is preparing a 50 percent match for the project. So far, \$40,000 has come from the Little Falls Lindbergh Lions Club and \$100,000 from the Friends of Pine Grove Zoo. The zoo receives \$100,000 annually from the city for operation expenses, and it pays for capital improvements, Carlson said. Other civic groups have also pledged money.

A companion bill (SF39), sponsored by Sen. Paul Koering (R-Fort Ripley), has been referred to the Senate Finance Committee.

### Keep the lake great

Sewer overflow continues to be a problem in Duluth, and the sewage sometimes drains into Lake Superior, so the city of Duluth and the Western Lake Superior Sanitary District (WLSSD) is under orders from the Minnesota Pollution Control Agency and the Environmental Protection Agency to fix the problem.

"During a rainfall or snow event, the water collects in drains, and flows quickly into Lake Superior," said Mark Winson, chief administrative officer for the city of Duluth. That happens because the area's sanitary sewer systems don't have the capacity to handle the added volume of water, he said.

Two overflow basins would solve the problem, but that would cost around \$10 million. Rep. Mary Murphy (DFL-Hermantown) is sponsoring HF98, which would provide \$4.9 million to the city to help with that project. The rest of the funding would come from the city of Duluth. The bill was heard Jan. 26 in the House Jobs and Economic Opportunity

Policy and Finance Committee, and was held over for possible inclusion in the committee's final bonding resolution.

"The bottom line is preserving, cleaning up and maintaining the great lake, Lake Superior," Murphy said. "We can't do it if we're putting raw sewage in it. Nobody wants to come to Lake Superior if they're told, 'you can't go to the beach.'"

The EPA could suspend development, said Kurt Soderberg, executive director of the WLSSD.

"It's not just jobs in Duluth," Murphy said. "It's jobs in Carlton. It's jobs in Esko. It's the whole region."

A companion bill (SF27), sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), Sen. Tom Saxhaug (DFL-Grand Rapids), Sen. Keith Langseth (DFL-Glyndon) and Sen. Thomas Bakk (DFL-Cook) has been referred to the Senate Finance Committee.

### Clean that water

The 40-year-old wastewater treatment facility in Richmond is "a disaster waiting to happen," according to a memo from a Minnesota Pollution Control Agency (MPCA) official.

"The plant is literally held together with duct tape and bailing wire and has outlived its useful life," continued the memo from Steve Duerre, who toured the plant when he was in the area. The city desperately needs a new plant."

So the city is asking for a \$6.05 million grant from the MPCA to improve and expand its wastewater treatment facility. HF143 is sponsored by Rep. Larry Hosch (D-St. Joseph), and was heard Jan. 26 by the House Jobs and Economic Opportunity Policy and Finance Committee, then held over for possible inclusion in the committee's bonding resolution.

Brian Mehr, public works director for the city of Richmond, said. "It's in a state of disrepair. We're discharging into the Sauk River, which goes into the Chain of Lakes, affecting water quality in St. Cloud and Waite Park," he said.

He said there has been little desire on the part of the community to maintain the plant or fix it. "We are a conservative community," he said.

He said the cost to fix the problem would average \$6,650 per person if the city had to come up with the money itself. "That's really significant. It's not a matter of if the project is going to go, it's a matter of when," he said.

Chairman Bob Gunther (R-Fairmont) said, "I don't think we want to see in the headlines, 'You can't drink the water in St. Cloud.'"

A companion (SF185), sponsored by Sen. Michelle Fischbach (R-Paynesville), has been referred to the Senate Finance Committee.

### BRILLIANT PRESENTATION



PHOTO BY TOM OLMSCHIED

**Rep. Margaret Kelliher-Anderson models a pair of glasses that would be used to observe an eclipse of the sun. A presentation for the funding of the Minnesota Planetarium and Space Discovery Center that would be located in Minneapolis was given to the Jobs and Economic Opportunity Policy and Finance Committee Jan. 27.**

## Big returns promised Minnesota Partnership funding could reap big dividends

By BRETT MARTIN

A \$70 million investment from the state could reap annual dividends of \$320 million within five years, according to the Minnesota Partnership for Biotechnology and Medical Genomics.

Speaking on Jan. 20 to the Division on Technology, Bioscience and Medical Products, a subcommittee of the House Commerce and Financial Institutions Committee, Dr. Eric Wieben, director of the Mayo Genetics Center, and Dr. Mark S. Paller, assistant vice president at the University of Minnesota, asked for state money. They said an investment of \$70 million over the next five years will help the Minnesota Partnership with programmatic needs, such as faculty and staff salaries, scientific infrastructure equipment and developmental funds to assure that technologies are effectively developed — and the return will be a \$320 million per year boon to the state's economy. "It's really a no lose proposition," Paller said.

The University of Minnesota and Mayo Clinic have already invested nearly a half-billion dollars in biotechnology and medical genomics, according to the Partnership. Biotechnology capitalizes on the attributes of cells, such as their manufacturing capabilities, and biological molecules, such as DNA and proteins, according to the Partnership.

Medical genomics pinpoints the normal and abnormal functions of individual genes and uses the information to diagnose and treat diseases. In essence, it's medicine tailored to each individual.

Paller said the Partnership between the University of Minnesota and Mayo Clinic will create quality jobs, stimulate Minnesota's economy, increase National Institute of Health (NIH) funding to the state and further elevate Minnesota's status in health care. For every \$1 million in funding the Partnership receives, it creates 38 new jobs, he said.

"If we can figure out a way to make the state a bioscience destination, the state wins," said Rep. Paul Kohls (R-Victoria), chair of the House Technology, Bioscience and Medical Products Division.

Gov. Tim Pawlenty has already pledged his support. In his State of the State address at the Mayo Clinic on Jan. 18, Pawlenty said \$20 million has been committed for the Partnership for this year, with \$15 million of that figure coming from the state and the remaining \$5 million from a private company.

Kohls said this private sector support could encourage other private monies.

"I think that other companies will get engaged on the funding side," Kohls said.

In addition to the \$70 million over five years, the Partnership is also seeking \$24.3 million in state bond financing to add three floors to the Stable Building at Mayo.

Wieben said they are already running out of space for new equipment and unless the bonding request is granted, it will impact the Partnership's ability to function.

Pawlenty said this year's bonding bill must include money for a new genomics lab in Rochester or he won't sign it.

Paller said a financial commitment by the state would allow Minnesota to compete as a world leader.

Four projects currently funded by the

Partnership are heart disease, prostate cancer, Alzheimer's disease and obesity. One of the goals is to diagnose diseases early, which can hopefully prevent the diseases and save money on treatment, Paller said.

The Partnership is also working to improve patient diagnosis and treatments, which will also lower healthcare costs, Wieben said. By understanding genomics, doctors can predict in advance who will respond favorably and unfavorably to treatments.

For more information on the Partnership, visit [www.mayouminnesotapartnership.org](http://www.mayouminnesotapartnership.org).



**Medical genomics pinpoints the normal and abnormal functions of individual genes and uses the information to diagnose and treat diseases. In essence, it's medicine tailored to each individual.**

### Senate leader's wife dies

Avonelle Johnson, 60, wife of Senate Majority Leader Dean Johnson, died Jan. 24 after a five-year bout with breast cancer. She is survived by her husband of 21 years; a son, Air Force Major Jeffrey Barnes of Montgomery, Ala.; his wife and two grandchildren.

To accommodate House and staff members wishing to attend the visitation in Willmar, the Jan. 27 House floor session was moved from 3 p.m. to noon. Avonelle Johnson's funeral is scheduled for 3 p.m. Friday at Calvary Lutheran Church in Willmar, where the Johnsons have been longtime

members and Sen. Johnson is a pastor. Burial will take place Saturday in the First Highland Lutheran Church cemetery in rural Lanesboro, Sen. Johnson's hometown.

Avonelle Johnson retired after 34 years of teaching in Ann Arbor, Mich., and the Willmar and New London-Spicer Minnesota school districts.

Rep. Al Juhnke, (DFL-Willmar) told Session Weekly that Avonelle Johnson was an advocate for a strong public education system. "She will best be known for her love of people. Her main focus was always

aimed at the kids she came to know in her classroom and in the community."

A memorial fund is being established in her name to help graduating seniors from New London-Spicer High School interested in pursuing a teaching degree. Memorials can be made out to the Avonelle Kay Johnson Scholarship Fund and sent to 1500 Country Club Drive NE - Willmar, MN 56201.

This is the second loss for Sen. Johnson in less than a month. His father, Erlyn Johnson, 92, died on New Year's Eve.

# Service, savings solutions

New initiative puts technology in the driver's seat

By **PATTY JANOVEC**

**W**ant to bid on former Gov. Jesse Ventura's china or furniture, anyone? Just like eBay, the state of Minnesota is auctioning off state goods online.

The Department of Administration has raked in \$276,000 on goods from the governor's residence alone, Commissioner Dana Badgerow told House Governmental Operations and Veterans Affairs Committee Jan. 12. The 68 auctions of state goods and services have resulted in \$1.9 million in savings so far in fiscal year 2005. A potential savings of \$4.6 million is projected with a total of 90 auctions scheduled, said Badgerow.

Technology is saving the state millions of dollars and Gov. Tim Pawlenty has announced "The Pawlenty-Molnau Plan: Minnesota's Drive to Excellence" which will integrate technology to offer better services to citizens.

"This is a shift in philosophy from agency centric to citizen centric," said Dennis Erno, deputy commissioner for the Department of Revenue, at the meeting. The Department has saved nearly 20,000-square feet of office space, just from tax returns being filed electronically versus paper form. For example, since 1998, the

number of business tax returns filed by paper has decreased from 92 percent to 1 percent. The total space saved so far is enough to accommodate another agency, emphasized Erno.

"Drive to Excellence" seeks to provide faster, more reliable and cost-effective services to citizens and businesses in the future, Badgerow said.

According to the governor's Web site, the measurable outcomes expected by the end of 2006 in initiatives include:

- creating more "one stop shop" opportunities for easy access to government services;
- reducing the cost of delivering government administrative services by 20 percent, while increasing the productivity of staff by 15 percent; and
- increasing the electronic delivery of government administrative services by 90 percent of citizen-to-government transactions, 70 percent of business-to-government transactions and 50 percent of government-to-government transactions.

Badgerow testified before the House State Government Finance Committee Jan. 19, and said a core team of 48 full-time employees from 18 state agencies has been working on


a "Transformational Roadmap" for the past four months as the initial step of the drive.

Three phases of the "roadmap" include:

- taking a broad look at 72 agencies, commissions and boards, inventorying services and informational technology assets;
- improving services, including deciding which opportunities meet the initiative goals; and
- establishing a steering committee to make decisions on how implementation should take place and to develop recommendations on meeting the project goals.

The report, prepared by a consulting team at a cost of \$2.5 million, is due to be released soon.

"Do you feel we've got \$2.5 million out of this contracting?" asked Rep. Marty Seifert (R-Marshall), chair of the House State Government Finance Committee. "It seems to be an enormous contract."

"It's a perfect and logical question...that the public is going to ask," responded Badgerow. "We have 25,000 vendors currently in state government...We are not leveraging the power of the state purchasing dollar." 

**For more information on the Department of Administration auctions, visit:**<http://www.mmd.admin.state.mn.us/mn03001.htm>

**There you can view the live auction schedule, results from recent auctions, and state surplus updates.**

## Legislative library's mission to provide essential resources

Tweaking, adjusting and gaining some space has allowed the Legislative Reference Library to offer customers one-stop researching.

"Those people who come to the Capitol for legislative history materials now can enjoy longer hours and a more convenient place to do research with photocopyers on hand," said Library Director Robbie LaFleur.

Prior to the renovation, most materials were stored in the library on the sixth floor of the State Office Building, but some were in a ground floor location. By gaining access to a small room upstairs, the library consolidated and enabled access to a single location for legislative history materials.

Another change is that audiotapes are available for listening during normal library hours, instead

of the restricted four days a week in the past.

Audiotapes of House and Senate committee hearings, floor debates, and joint committees from the last decade are available, along with past committee minutes. An additional eight years of audio can be accessed at the Minnesota History Center.

According to its Web site, the nonpartisan library works to provide "essential information resources that support the legislative process and the understanding of state government."

The Legislative Reference Library collection includes:

- more than 40,000 books and reports including many state documents and those mandated by the Legislature;

- reference materials that include state statistics and comparisons;
- news clippings files from the 1970s to today;
- nearly 700 magazine and newsletter subscriptions; and
- Minnesota session laws since the late 1800s.

For more information contact the library at 651-296-3398 or visit the library's Web site at: <http://www.leg.state.mn.us/lrl/lrl.asp>

**(P. JANOVEC)**

**Legislative Reference Library**  
645 State Office Building

Reference: (651) 296-8338 Circulation: (651) 296-3398

Hours: 8 a.m. to 4:30 p.m. Monday-Friday

Legislative Session Hours: 8 a.m. to 6 p.m.

Monday - Thursday

8 a.m. - 4:30 p.m. Friday or later as needed.

## Facing a challenge

Gov. Pawlenty requests \$1.6 billion budget increase

By **BRETT MARTIN**

**G**ov. Tim Pawlenty's budget proposal — the largest in state history at \$29.6 billion — aims to balance the budget and control state spending. Unveiling the long anticipated numbers on Jan. 25, Pawlenty said his proposal would close the state's budget gap and make key investments.

"Today we are rising to the challenge facing Minnesota," Pawlenty said as he announced his budget for the 2006-07 biennium. "The budget I am submitting responds to our fiscal challenge and builds on the positive changes we've made in the last two years. It funds priorities important to Minnesotans and keeps government affordable and accountable. We've made tough choices, but this budget will put us on track to a better and more stable financial future."

The proposed budget, a 5.8 percent (\$1.6 billion) increase over the current budget, reflects Minnesota values, he said.

Included in the budget:

- \$656 million increase in General Fund spending for health and human services;
  - \$369 million to increase classroom funding and teacher improvement, and accountability reforms in K-12 education;
  - \$232 million to increase the quality and competitiveness of higher education institutions;
  - \$90 million for public safety programs to provide funding for prisons, courts and programs dealing with new criminal and security threats; and
  - \$11 million in military personnel benefits.
- Pawlenty has vowed not to raise taxes. One of his initiatives to pay for the budget increases is to collect money from a new state cooperative agreement for casino gambling. To this end, a \$200 million one-time casino license fee is included in the budget's revenue stream.

"We've seen explosive growth in Minnesota's tribal casino industry over the past 15 years," he said. "That growth has not benefited 85 percent of tribal members nor the state as a whole. Numerous other states have reex-



PHOTO BY TOM OLMSCHIED

**Gov. Tim Pawlenty presents his budget proposal for the 2006-07 budget cycle during a news conference at the Department of Revenue Jan. 25.**

amined their gaming agreements to ensure greater fairness, and it's time for Minnesota to do the same."

The new casino arrangement is expected to generate more than \$100 million in state revenues beginning in 2008.

Other new General Fund revenues, in addition to casino money, include:

- \$168 million by increasing revenue compliance for payment of sales taxes on car and small truck leases and cigarette tax collections;
- \$104 million by maintaining alcohol and car rental taxes;
- \$40 million in one-time resources by transferring \$10 million from excess balances in special fund revenue funds and gaining \$30 million by reducing the holding period on securities in unclaimed

property;

- Redirecting \$287 million from existing medical assistance surcharges and current law transfers into the healthcare access funds; and

- Redirecting \$25 million from existing solid waste sales taxes into the environmental fund.

The House Republican caucus responded positively to the budget proposal. "He has the right priorities for Minnesotans," said Speaker of the House Steve Sviggum (R-Kenyon). "He has done a marvelous job of setting the right priorities."

Sviggum said the state needs to achieve a better deal with regard to casinos.

"The status quo is unfair. It's a monopoly that goes on forever and they pay no tax," he said. "You can't support the status quo."

House Majority Leader Erik Paulsen (R-Eden Prairie) called the budget proposal a "good blueprint," saying Pawlenty has protected jobs by not raising taxes and has provided the funding needed for education.

"We feel really, really good about this," Paulsen said.

Rep. Fran Bradley (R-Rochester), chair of the House Health Policy and Finance Committee, said the governor's budget is tough, yet doable.


"We can work within those boundaries," Bradley said.

Democrats did not share that sentiment. House Minority Leader Matt Entenza (DFL-St. Paul) called the budget proposal an attack on working people. He joined House and Senate Democrats in denouncing it as "disappointing and incomplete."

"I hear a lot of feet running away from this budget, and they are those of House Republicans," Entenza said. He promised to take the plan on the road for a series of town hall meetings beginning next week.

Entenza said the governor is "gambling with our children's future" with his proposal to raise \$200 million through gambling revenue. Assistant Senate Majority Leader Ann Rest (DFL-New Hope) agreed. "We are concerned about the hole he is trying to fill with gambling revenue," she said.

Entenza accused Pawlenty of violating his no-tax pledge in the past budget cycle by raising fees and causing local property taxes to increase. He said the proposed budget would do more of the same.

Pawlenty's budget needs to be approved by the Legislature. 

# Which checkbook should we use?

When it comes to spending, the state has several funds to tap — 60% of the budget comes from the General Fund, 40% comes from the category tagged 'other.'

By NICOLE WOOD

**T**he scope of the House Ways and Means Committee can quite literally be found in its title: What methods (ways) and resources (means) does the state have to pay for something? And the next obvious question committee members must ask, just like any family, is, "Hmmm, which checkbook should we use?"

House Chief Fiscal Analyst Bill Marx presented the committee with an overview of the state checkbooks, or funds, Jan. 24.

## General Fund versus other

A fund is the most basic unit of the state's accounting system. Approximately 60 percent of state spending is paid from the General Fund. The majority of the money comes from individual income, retail sales, business and other taxes.

"Because the governor and Legislature have the greatest discretion over how General Fund revenues are spent, the General Fund budget is usually the primary focus of state budget deliberations," according to the Department

of Finance budget primer "State Budget at a Glance: a 3 Minute Guide to the Minnesota State Budget."

But 40 percent of state spending — a large chunk of change by anyone's calculations — comes from the category often referred to as "other funds." By definition, other funds are dedicated funds established by the Legislature as separate entities for a variety of reasons; including constitutional provisions, federal mandates, and general accounting practices. The Game and Fish Fund, Trunk

Highway Fund and Health Care Access Fund are examples of dedicated funds.

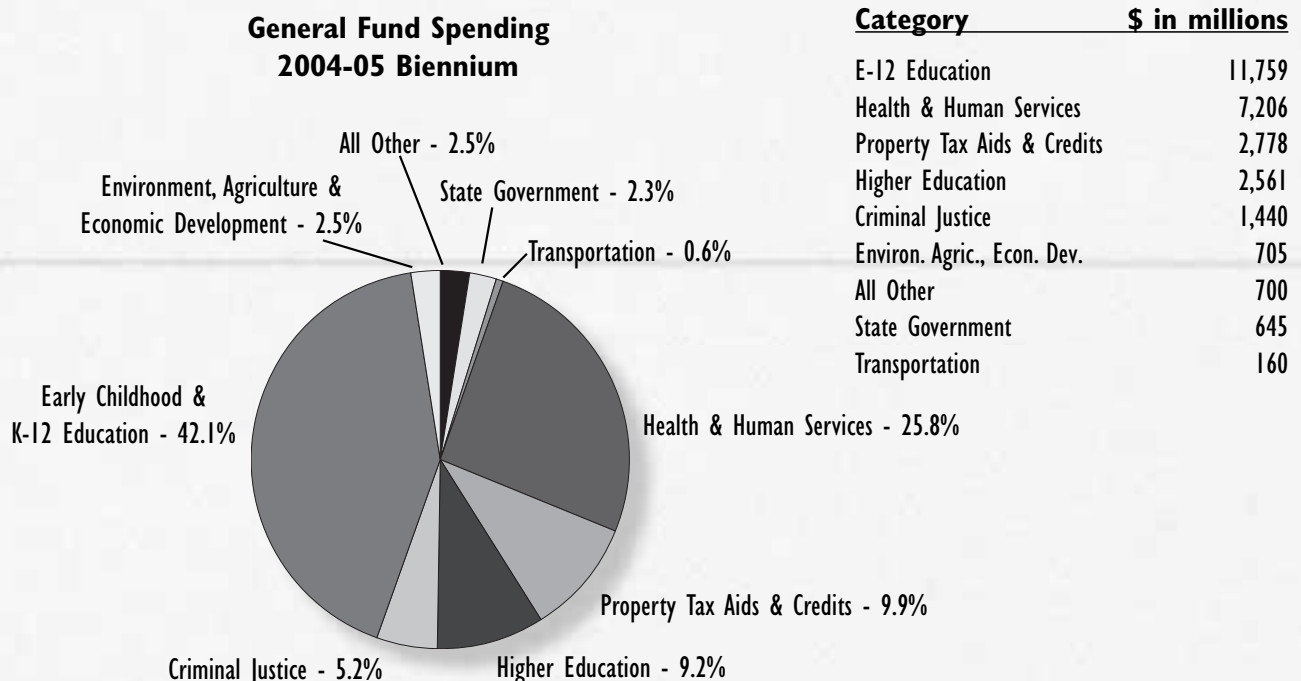
The revenue in dedicated funds comes from several sources, including motor vehicle sales taxes, hunting license fees, or constitutionally-dedicated lottery proceeds. According to Marx, most expenditures from funds other than the General Fund are limited to certain purposes that are usually related to the source of the fund's revenues.

## The state's separate checkbooks

There are more than 130 funds in the state treasury and each one can be thought of as a separate checkbook.

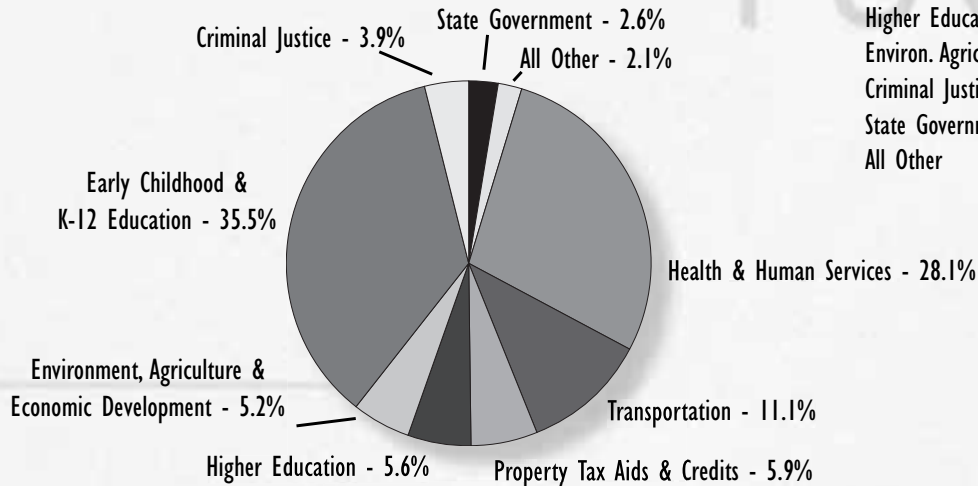
If 130 seems a bit unwieldy, the Department of Finance "State Government Funds – What is a Fund?" ([www.budget.state.mn.us/budget/summary/fund\\_inventory/state\\_funds\\_101.pdf](http://www.budget.state.mn.us/budget/summary/fund_inventory/state_funds_101.pdf)) categorizes the funds into eight tidy types and purposes:

1) *General Fund* - to account for all financial resources except those required to be accounted for in another fund,





**Distribution of State Spending -  
All Operating Funds  
2004-05 Biennium**



Category	\$ in millions
E-12 Education	16,563
Health & Human Services	13,087
Transportation	5,197
Property Tax Aids & Credits	2,760
Higher Education	2,622
Environ. Agric., Econ. Dev.	2,417
Criminal Justice	1,819
State Government	1,191
All Other	963

2) *Special Revenue Funds* - to account for the proceeds of specific revenue sources (other than major capital projects) that are legally restricted to expenditures for specified purposes,

3) *Capital Projects Funds* - to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds or special revenue funds),

4) *Debt Service Fund* - to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest,

5) *Permanent Fund* - to account for resources that are restricted to the extent that only earnings, not principal, may be used to support that program,

6) *Enterprise Funds* - to account for activities for which a fee is charged to external users for goods or services. Enterprise funds activities are financed and operated in a manner similar to private business enterprises where the intent of the governing body is to recover costs primarily through user fees,

7) *Internal Service Funds* - to account for the financing of goods or services provided by one agency to other agencies on a cost reimbursement or other basis, and

8) *Trust and Agency Funds* - to account for assets held by the state in a trustee capacity or as an agent for individuals, private organizations, other governmental units, and/or other funds. These include pension, investment trust and agency funds.

#### Percentages and pie charts

Marx reminds members to exercise caution when quoting percentages of state spending by topic (i.e. education, transportation, environment). He says the percentages may change depending upon whether the figures are annual or biennial.

In a similar vein, state spending pie charts change, too, depending upon whether the figures are based on the General Fund or other dedicated funds. What appears to be a paltry sum under General Fund spending might be offset by dedicated fund expenditures.

Transportation financing is a perfect example. Under the distribution of state General Fund spending for the 2004-05 biennium, transportation receives a sliver, some 0.6 percent. But the majority of transportation funding comes from dedicated funds. Pull out the all-operating funds pie chart for the same biennium and transportation receives 11.1 percent.

#### Future of dedicated funds

Lawmakers have different opinions regarding the flexibility, accountability and efficiency of separate dedicated funds. State accounting practices and fund management are constantly under review and the number of dedicated funds likely will decrease under a recent law.

The 2004 Legislature authorized the Finance Department to eliminate small, inactive funds and accounts it deems unnecessary. The department also is required to annually review one-quarter of the accounts in the Special Revenue Fund and provide a rationale as to why those accounts are not in the General Fund.

**The pie charts represent state operating expenditures by category for the 2004-05 biennium. The chart on the facing page is based on the General Fund. The chart on this page is a distribution of state spending based on all funds. A complete fund inventory is available online at [www.budget.state.mn.us/budget/summary/fund\\_inventory/index](http://www.budget.state.mn.us/budget/summary/fund_inventory/index).**

**Source: Minnesota Department of Finance**



# Success the second time

Dean is lone Republican to unseat a DFL incumbent

By RUTH DUNN

Rep. Matt Dean (R-Dellwood) describes himself as a citizen legislator. He'd like to see more accountants, pipe fitters, physicians, plumbers, etc., in the House. "Each profession brings a set of skills that could benefit the Legislature."



Rep. Matt Dean

As an architect, Dean begins a project with the end result in mind. He works to bring people together to complete the task. "Those are skills easily transferable to being a legislator," he adds.

Dean first ran in a 2003 special election to fill the seat vacated by Mark Holsten who was appointed deputy commissioner of the Minnesota Department of Natural Resources. He lost by an 11 percent margin to Rebecca Otto,

a DFLer. However, Dean took the historically Republican seat away from her by a 3.3 percent margin in November. He was the only Republican to win a seat from the DFL in 2004.

Dean says his constituents are looking for productivity from this session. "The public wants us to move forward and get the job done," he said.

Jobs and the economy are big issues in his district. "You might not expect that in my district, which is fairly affluent, but many family budgets are based on two good incomes in a family," explains Dean. "There's a lot of apprehension about the economy; they want to know things are getting better."

Dean has been assigned to four committees: Capital Investment, Civil Law and Elections, Education Policy and Reform, and Health Policy and Finance.

Dean earned a bachelor of architecture at the University of Minnesota and has his own

DISTRICT 52B
2002 Population: 36,813
Largest city: Stillwater
County: Washington
Location: eastern Twin Cities metropolitan area
Top concerns: Economy, health care, education

***A leadership-training program helped Dean develop a fascination with the relationship between business and government.***

architecture firm in St. Paul.

A leadership-training program helped Dean develop a fascination with the relationship between business and government. He worked on several campaigns before stepping up to the plate himself.

Dean met his wife, Laura, when both were in kindergarten. She is an obstetrician who has delivered more than 1,000 babies. The couple has three children: Marta, 8, Jack, 6, and Jane, 2.

# Education advocate

Building good relationships produces legislative results

By PATTY JANOVEC

Rep. Denise Dittrich (DFL-Champlin) knows she can't accomplish anything by herself, and that cultivating good relationships produces positive results. She believes this philosophy helped her defeat five-term representative Bill Haas last November.



Rep. Denise Dittrich

Her background of community involvement includes seven years on the Anoka-Hennepin School Board, and 15 years as a fifth- and sixth-grade teacher.

If she would have been given the opportunity to introduce the first bill of the session, Dittrich said it would have been related to busing issues in her district. Students within a two-mile radius of schools are not now provided busing unless they pay to ride. "I would

like to fix that, or give the school district some flexibility that they can provide more busing," she said.

Her goal during the next two years is "equitable, adequate, long-term, stable, school funding." Dittrich emphasized that schools spend a lot of time and money on responding to the Legislature, resources that could better be spent elsewhere.

One accomplishment while she served on the school board was the development of a five-year financial plan.

"The amount of flexibility that supplied our board and our staff...you can really focus then on change, improvements, climate, student safety...and concentrate on that instead of always responding to the funding levels and the Legislature."

Intimate with the topic of education with three boys in public schools, Dittrich said her first "wake up call" was when her oldest, Neal, went to kindergarten and was surprised by large class sizes.

DISTRICT 47A
2002 Population: 36,895
Largest city: Coon Rapids
Counties: Anoka, Hennepin
Top Concern: Quality education

***Dittrich's goal during the next two years is "equitable, adequate, long-term, stable, school funding."***

Even with excellent teachers, she said, there was a lack of communication and problems with how the money was flowing.

Dittrich became involved in a parent legislative team that started her on the path of being an advocate for education-related issues. The group studied education finance and took seminars on how to work with legislators.

The group was successful in seeing a one-time funding bill for the school district pass through the Legislature. That was the first time in 10 years the district didn't have to cut services to children, she said.

"Change can happen, but it's not always easy, and it takes a long time," she said. "And it takes perseverance and team work."

# Strong family ties

The Gazelka family goes to St. Paul

By RUTH DUNN

When Rep. Paul Gazelka (R-Brainerd) came to St. Paul to begin his House term, his family came with him — not just for the day, but for the entire session. The family has settled into a rental house and the children are enrolled in new schools.



Rep. Paul Gazelka

It's an unusual step but one that works for this family that puts a premium on togetherness. "We talked about how to stay together as a family with me in the Legislature," he said, "This idea got the thumbs up." Gazelka's family includes wife Maralee, and their children: Jessica, 18, Genna, 16, Emily, 13, Joshua, 11 and Lydia, 3.

Gazelka was urged to run for the House seat by former Rep. Dale Walz who decided

not to seek re-election. Gazelka defeated Don Samuelson, a DFLer who served in the House and Senate for 32 years, by 3.6 percent. Gazelka believes the district that once leaned DFL has changed in recent years so that his political beliefs more accurately reflect the area, especially when it comes to supporting social issues like defense of marriage and pro-life.

An insurance agent and manager for 22 years, Gazelka hopes the common sense he's gained from his business experience will be something he can contribute to the legislative process. He's been appointed vice chair of the House Commerce and Financial Institutions Committee and serves on the committee's Tourism Division. His other committees are Jobs and Economic Opportunity Policy and Finance, and Transportation.

Besides being a businessman, family man and legislator, Gazelka wrote a book, *Marketplace Ministers*, which arose from his interest in expressing Christian faith in the market-

2002 Population: 36,813  
Largest city: Brainerd  
County: Crow Wing  
Top concerns: Economy, education and affordable health insurance

***Gazelka authored a book, "Marketplace Ministers," which arose from his interest in expressing Christian faith in the marketplace.***

place. He and his wife previously served as state directors of Marriage Ministry International, a non-denominational Christian organization.

Several members of the family were involved in a Brainerd theater projection of "The Sound of Music" last fall but Gazelka preferred being in the audience. "Politics has plenty of its own drama. I will play my part there."

Gazelka wants to be considered a statesman rather than a politician and believes he must maintain integrity and strive for excellence to achieve that goal.

# Going the distance

Peppin hopes to be the 'new messenger' of change

By PATTY JANOVEC

Rep. Joyce Peppin (R-Rogers) has run four Twin Cities marathons and used the same determination skills to win her legislative seat.



Rep. Joyce Peppin

Gaining the Republican endorsement over former Rep. Arlon Lindner, Peppin said competition "keeps legislators fresh. ... I, and many other people, felt like we needed a new Republican messenger ... to change hearts and minds." Lindner was caught up in controversy over statements made on the House floor last legislative session.

"The voters spoke and were ready for change," she added.

Peppin's background includes degrees in political science and speech communications from

the University of Minnesota-Duluth. "I was very interested in politics and worked for five different campaigns, and then I worked at the House in the Republican media department," she said. Following the political work, she became vice president of public relations for US Bank.

From her political experience, she became cognizant of the incredible amount of work that legislative staff does. "They make the legislator," Peppin said.

Her district remains very conservative, a characteristic she learned on the campaign trail.

The same things that were hard were also easy, including the amount of time it took to door knock. "Most days it was physically challenging, but it was also invigorating meeting people and learning about the district," she said.

Her key issues include: completing and expanding transportation in the district, fair funding for schools, and lifting the moratorium on new hospital construction to enable a

2002 Population: 36,561  
Largest city: Maple Grove  
Counties: Hennepin, Wright  
Top concern: Hospital shortage in district

***"The northwest suburbs are among the fastest growing in the metro area, and the need for a new hospital is a key quality of life issue."***

— Rep. Joyce Peppin

facility to be built in Maple Grove. "The northwest suburbs are among the fastest growing in the metro area, and the need for a new hospital is a key quality of life issue," she said.

"People are trusting me to do this job, I have a lot of work to do," Peppin said. "Making sure, overall, that I'm reviewing budgets and making sure that taxpayers are getting the best return for their dollar."

She added, "When I was a child I learned how to ride the unicycle and juggle because I wanted to run away and join the circus, so I've changed my career goals considerably."

# 2005-06 Member Committee Assignments

## (as of Jan. 24, 2005)

<b>Abeler, Jim (R)</b> 48B Education Policy and Reform; Health Care Cost Containment Division, chair; Health Policy and Finance; Higher Education Finance; Ways and Means.	<b>Cornish, Tony (R)</b> 24B Agriculture, Environment and Natural Resources Finance; Environment and Natural Resources; Local Government; Public Safety Policy and Finance.	<b>Ellison, Keith (DFL)</b> 58B Civil Law and Elections; Public Safety Policy and Finance.
<b>Abrams, Ron (R)</b> 43B Higher Education Finance; Property and Local Tax Division; Rules and Legislative Administration; Taxes; Transportation Finance; Ways and Means.	<b>Cox, Ray (R)</b> 25B Environment and Natural Resources, vice chair; Higher Education Finance; Transportation.	<b>Emmer, Tom (R)</b> 19B Civil Law and Elections; Ethics; Health Policy and Finance; Regulated Industries.
<b>Anderson, Bruce (R)</b> 19A Local Government; Rules and Legislative Administration; Transportation; Transportation Finance.	<b>Cybart, Lloyd (R)</b> 37A Education Policy and Reform; Governmental Operations and Veterans Affairs; Transportation.	<b>Entenza, Matt (DFL)</b> 64A Not assigned to standing committees.
<b>Anderson, Irv (DFL)</b> 3A Regulated Industries, lead-DFL; Taxes; Ways and Means.	<b>Davids, Gregory M. (R)</b> 31B Agriculture and Rural Development, chair; Commerce and Financial Institutions; Taxes; Technology, Bioscience and Medical Products Division; Tourism Division.	<b>Erhardt, Ron (R)</b> 41A Taxes; Transportation, chair; Transportation Finance; Ways and Means.
<b>Atkins, Joe (DFL)</b> 39B Commerce and Financial Institutions; Ethics; Gaming Division, lead-DFL; Regulated Industries; Taxes.	<b>Davnie, Jim (DFL)</b> 62A Education Finance; Education Policy and Reform; Taxes.	<b>Erickson, Sondra (R)</b> 16A Education Finance; Education Policy and Reform, vice chair; Ethics, chair; Gaming Division; Regulated Industries.
<b>Beard, Michael (R)</b> 35A Governmental Operations and Veterans Affairs; Regulated Industries, vice chair; Transportation, ex-officio; Ways and Means.	<b>Dean, Matt (R)</b> 52B Capital Investment; Civil Law and Elections; Education Policy and Reform; Health Policy and Finance.	<b>Finstad, Brad (R)</b> 21B Agriculture and Rural Development; Health Policy and Finance, vice chair; State Government Finance.
<b>Bernardy, Connie (DFL)</b> 51B Education Finance; Rules and Legislative Administration; Taxes.	<b>DeLaForest, Chris (R)</b> 49A Civil Law and Elections, vice chair; State Government Finance; Taxes.	<b>Fritz, Patti (DFL)</b> 26B Commerce and Financial Institutions; Technology, Bioscience and Medical Products Division; Transportation.
<b>Blaine, Greg (R)</b> 12B Agriculture and Rural Development, vice chair; Environment and Natural Resources; State Government Finance.	<b>Demmer, Randy (R)</b> 29A Capital Investment; Education Finance, vice chair; Education Policy and Reform; Governmental Operations and Veterans Affairs.	<b>Garofalo, Pat (R)</b> 36B Capital Investment; Jobs and Economic Opportunity Policy and Finance, vice chair; Local Government.
<b>Bradley, Fran (R)</b> 29B Health Care Cost Containment Division; Health Policy and Finance, chair; Jobs and Economic Opportunity Policy and Finance; Ways and Means.	<b>Dempsey, Jerry (R)</b> 28A Governmental Operations and Veterans Affairs; Higher Education Finance; Ways and Means, vice chair.	<b>Gazelka, Paul (R)</b> 12A Commerce and Financial Institutions, vice chair; Jobs and Economic Opportunity Policy and Finance; Tourism Division; Transportation.
<b>Brod, Laura (R)</b> 25A Capital Investment; Civil Law and Elections; Health Care Cost Containment Division; Property and Local Tax Division; Taxes.	<b>Dill, David (DFL)</b> 6A Agriculture, Environment and Natural Resources Finance, vice chair; Environment and Natural Resources; Taxes.	<b>Goodwin, Barbara (DFL)</b> 50A Commerce and Financial Institutions; Health Care Cost Containment Division; Health Policy and Finance; Technology, Bioscience and Medical Products Division, lead-DFL.
<b>Buesgens, Mark (R)</b> 35B Education Finance; Education Policy and Reform, chair; Ways and Means.	<b>Dittrich, Denise (DFL)</b> 47A Education Policy and Reform; Transportation.	<b>Greiling, Mindy (DFL)</b> 54A Education Finance, lead-DFL; Education Policy and Reform; Health Care Cost Containment Division; Ways and Means.
<b>Carlson, Lyndon (DFL)</b> 45B Education Policy and Reform; Ethics, vice chair; Higher Education Finance; Rules and Legislative Administration, lead-DFL; Ways and Means.	<b>Dorman, Dan (R)</b> 27A Capital Investment, chair; Taxes; Ways and Means.	<b>Gunther, Bob (R)</b> 24A Commerce and Financial Institutions; Jobs and Economic Opportunity Policy and Finance, chair; Regulated Industries; Ways and Means.
<b>Charron, Mike (R)</b> 56A Education Policy and Reform; Local Government; Regulated Industries.	<b>Dorn, John (DFL)</b> 23B Education Finance; Education Policy and Reform, lead-DFL; Ways and Means.	<b>Hackbarth, Tom (R)</b> 48A Agriculture, Environment and Natural Resources Finance; Environment and Natural Resources, chair; Gaming Division; Regulated Industries.
<b>Clark, Karen (DFL)</b> 61A Commerce and Financial Institutions; Jobs and Economic Opportunity Policy and Finance, Finance lead-DFL; Ways and Means.	<b>Eastlund, Rob (R)</b> 17A Capital Investment; Education Policy and Reform; Higher Education Finance; Public Safety Policy and Finance, vice chair.	<b>Hamilton, Rod (R)</b> 22B Agriculture and Rural Development; Commerce and Financial Institutions; Technology, Bioscience and Medical Products Division; Ways and Means.
	<b>Eken, Kent (DFL)</b> 02A Education Finance; Education Policy and Reform; Health Policy and Finance.	<b>Hansen, Rick (DFL)</b> 39A Environment and Natural Resources; Regulated Industries.

<b>Hausman, Alice (DFL)</b> <b>66B</b> Capital Investment, lead-DFL; Transportation Finance.	<b>Kahn, Phyllis (DFL)</b> <b>59B</b> Capital Investment; Governmental Operations and Veterans Affairs, lead-DFL; State Government Finance.	<b>Magnus, Doug (R)</b> <b>22A</b> Agriculture and Rural Development; Agriculture, Environment and Natural Resources Finance; Rules and Legislative Administration; Transportation Finance.
<b>Heidgerken, Bud (R)</b> <b>13A</b> Agriculture and Rural Development; Education Finance; Education Policy and Reform.	<b>Kelliher, Margaret Anderson (DFL)</b> <b>60A</b> Capital Investment; Environment and Natural Resources; Rules and Legislative Administration; Ways and Means.	<b>Mahoney, Tim (DFL)</b> <b>67A</b> Capital Investment; Governmental Operations and Veterans Affairs; Jobs and Economic Opportunity Policy and Finance, Policy lead-DFL.
<b>Hilstrom, Debra (DFL)</b> <b>46B</b> Local Government, lead-DFL; Public Safety Policy and Finance.	<b>Klinzing, Karen (R)</b> <b>56B</b> Education Finance; Education Policy and Reform; Ways and Means.	<b>Mariani, Carlos (DFL)</b> <b>65B</b> Education Policy and Reform; Environment and Natural Resources, lead-DFL; Higher Education Finance; Ways and Means.
<b>Hilty, Bill (DFL)</b> <b>8A</b> Civil Law and Elections; Gaming Division; Regulated Industries; State Government Finance, lead-DFL; Ways and Means.	<b>Knoblach, Jim (R)</b> <b>15A</b> Agriculture, Environment and Natural Resources Finance, ex-officio; Capital Investment; Education Finance, ex-officio; Health Policy and Finance, ex-officio; Higher Education Finance, ex-officio; Jobs and Economic Opportunity Policy and Finance, ex-officio; Public Safety Policy and Finance, ex-officio; State Government Finance, ex-officio; Taxes; Transportation Finance, ex-officio; Ways and Means, chair.	<b>Marquart, Paul (DFL)</b> <b>09B</b> Education Policy and Reform; Local Government; Property and Local Tax Division; Taxes.
<b>Holberg, Mary Liz (R)</b> <b>36A</b> Local Government; Transportation; Transportation Finance, chair; Ways and Means.	<b>Koenen, Lyle (DFL)</b> <b>20B</b> Agriculture and Rural Development; Taxes.	<b>McNamara, Denny (R)</b> <b>57B</b> Capital Investment, vice chair; Environment and Natural Resources; Governmental Operations and Veterans Affairs; Ways and Means.
<b>Hoppe, Joe (R)</b> <b>34B</b> Agriculture, Environment and Natural Resources Finance; Environment and Natural Resources; Gaming Division; Governmental Operations and Veterans Affairs; Regulated Industries; Rules and Legislative Administration.	<b>Kohls, Paul (R)</b> <b>34A</b> Commerce and Financial Institutions; Rules and Legislative Administration; Taxes; Technology, Bioscience and Medical Products Division, chair.	<b>Meslow, Doug (R)</b> <b>53B</b> Education Finance; Public Safety Policy and Finance.
<b>Hornstein, Frank (DFL)</b> <b>60B</b> Local Government; Transportation; Transportation Finance.	<b>Krinkie, Philip (R)</b> <b>53A</b> Property and Local Tax Division; State Government Finance; Taxes, chair; Ways and Means.	<b>Moe, Frank (DFL)</b> <b>4A</b> Agriculture and Rural Development; Commerce and Financial Institutions; Rules and Legislative Administration; Tourism Division.
<b>Hortman, Melissa (DFL)</b> <b>47B</b> Environment and Natural Resources; Transportation.	<b>Lanning, Morrie (R)</b> <b>9A</b> Education Policy and Reform; Local Government, vice chair; Property and Local Tax Division; Regulated Industries; Taxes.	<b>Mullery, Joe (DFL)</b> <b>58A</b> Commerce and Financial Institutions, lead-DFL; State Government Finance; Taxes; Technology, Bioscience and Medical Products Division.
<b>Hosch, Larry (DFL)</b> <b>14B</b> Governmental Operations and Veterans Affairs; Local Government; Rules and Legislative Administration.	<b>Larson, Dan (DFL)</b> <b>63B</b> Transportation, lead-DFL; Transportation Finance; Ways and Means.	<b>Murphy, Mary (DFL)</b> <b>6B</b> Capital Investment; Public Safety Policy and Finance, Finance lead-DFL.
<b>Howes, Larry (R)</b> <b>4B</b> Capital Investment; Commerce and Financial Institutions; Taxes; Tourism Division, chair.	<b>Latz, Ron (DFL)</b> <b>44B</b> Capital Investment; Education Policy and Reform; Higher Education Finance.	<b>Nelson, Michael (DFL)</b> <b>46A</b> Jobs and Economic Opportunity Policy and Finance; Public Safety Policy and Finance.
<b>Huntley, Thomas (DFL)</b> <b>7A</b> Gaming Division; Health Care Cost Containment Division; Health Policy and Finance, Finance lead-DFL; Regulated Industries; Ways and Means.	<b>Lenczewski, Ann (DFL)</b> <b>40B</b> Local Government; Property and Local Tax Division; Taxes, lead-DFL.	<b>Nelson, Peter (R)</b> <b>17B</b> Civil Law and Elections; Property and Local Tax Division; Taxes; Transportation, vice chair.
<b>Jaros, Mike (DFL)</b> <b>7B</b> Capital Investment; Commerce and Financial Institutions; Taxes; Tourism Division, lead-DFL.	<b>Lesch, John (DFL)</b> <b>66A</b> Civil Law and Elections; Gaming Division; Property and Local Tax Division; Regulated Industries; Taxes.	<b>Newman, Scott (R)</b> <b>18A</b> Education Finance; Ethics(Alt.); Public Safety Policy and Finance; Transportation.
<b>Johnson, Jeff (R)</b> <b>43A</b> Civil Law and Elections, chair; Public Safety Policy and Finance; Rules and Legislative Administration.	<b>Liebling, Tina (DFL)</b> <b>30A</b> Commerce and Financial Institutions; Governmental Operations and Veterans Affairs; Technology, Bioscience and Medical Products Division.	<b>Nornes, Bud (R)</b> <b>10A</b> Education Policy and Reform; Environment and Natural Resources; Higher Education Finance, chair; Ways and Means.
<b>Johnson, Ruth (DFL)</b> <b>23A</b> Agriculture and Rural Development, lead-DFL; Education Finance; Governmental Operations and Veterans Affairs.	<b>Lieder, Bernard (DFL)</b> <b>1B</b> Transportation; Transportation Finance, lead-DFL.	<b>Olson, Mark (R)</b> <b>16B</b> Education Policy and Reform; Governmental Operations and Veterans Affairs; Local Government, chair; Transportation.
<b>Johnson, Sheldon (DFL)</b> <b>67B</b> Agriculture, Environment and Natural Resources Finance; Governmental Operations and Veterans Affairs; Regulated Industries.	<b>Lillie, Leon (DFL)</b> <b>55A</b> Governmental Operations and Veterans Affairs; Transportation.	<b>Opatz, Joe (DFL)</b> <b>15B</b> Capital Investment; Higher Education Finance, vice chair.
<b>Juhnke, Al (DFL)</b> <b>13B</b> Agriculture and Rural Development; Agriculture, Environment and Natural Resources Finance, Agriculture lead-DFL; Rules and Legislative Administration.	<b>Loeffler, Diane (DFL)</b> <b>59A</b> Commerce and Financial Institutions; Governmental Operations and Veterans Affairs; Rules and Legislative Administration; Technology, Bioscience and Medical Products Division.	<b>Otremba, Mary Ellen (DFL)</b> <b>11B</b> Agriculture and Rural Development; Health Care Cost Containment Division; Health Policy and Finance, Policy lead-DFL; Ways and Means.

<b>Ozment, Dennis (R)</b> 37B Agriculture and Rural Development, ex-officio; Agriculture, Environment and Natural Resources Finance, chair; Environment and Natural Resources; Rules and Legislative Administration; Ways and Means.	<b>Sailer, Brita (DFL)</b> 2B Commerce and Financial Institutions; Education Policy and Reform; Rules and Legislative Administration; Tourism Division.	<b>Thao, Cy (DFL)</b> 65A Health Policy and Finance; Local Government.
<b>Paulsen, Erik (R)</b> 42B Rules and Legislative Administration, chair.	<b>Samuelson, Char (R)</b> 50B Health Policy and Finance; Local Government; Rules and Legislative Administration, vice chair.	<b>Thissen, Paul (DFL)</b> 63A Health Care Cost Containment Division, lead-DFL; Health Policy and Finance; Regulated Industries.
<b>Paymar, Michael (DFL)</b> 64B Local Government; Public Safety Policy and Finance, Policy lead-DFL; Ways and Means.	<b>Scalze, Bev (DFL)</b> 54B Environment and Natural Resources; Local Government.	<b>Tingelstad, Kathy (R)</b> 49B Capital Investment; Environment and Natural Resources; Governmental Operations and Veterans Affairs, chair; Rules and Legislative Administration.
<b>Pelowski, Jr., Gene (DFL)</b> 31A Capital Investment; Education Policy and Reform; Higher Education Finance, lead-DFL.	<b>Seifert, Marty (R)</b> 21A Governmental Operations and Veterans Affairs; Rules and Legislative Administration; State Government Finance, chair; Ways and Means.	<b>Urdahl, Dean (R)</b> 18B Agriculture and Rural Development; Agriculture, Environment and Natural Resources Finance; Higher Education Finance.
<b>Penas, Maxine (R)</b> 1A Agriculture and Rural Development; Agriculture, Environment and Natural Resources Finance; Environment and Natural Resources.	<b>Sertich, Anthony "Tony" (DFL)</b> 5B Commerce and Financial Institutions; Jobs and Economic Opportunity Policy and Finance; Rules and Legislative Administration.	<b>Vandever, Ray (R)</b> 52A Commerce and Financial Institutions; Property and Local Tax Division, chair; Taxes; Ways and Means.
<b>Peppin, Joyce (R)</b> 32A Commerce and Financial Institutions; Health Care Cost Containment Division; Health Policy and Finance; State Government Finance, vice chair; Technology, Bioscience and Medical Products Division.	<b>Severson, Dan (R)</b> 14A Commerce and Financial Institutions; Education Policy and Reform; Governmental Operations and Veterans Affairs, vice chair; Technology, Bioscience and Medical Products Division; Transportation.	<b>Wagenius, Jean (DFL)</b> 62B Agriculture, Environment and Natural Resources Finance, Environment, lead-DFL; Environment and Natural Resources; Ways and Means.
<b>Peterson, Aaron (DFL)</b> 20A Agriculture, Environment and Natural Resources Finance; Governmental Operations and Veterans Affairs; Regulated Industries.	<b>Sieben, Katie (DFL)</b> 57A Property and Local Tax Division; Taxes; Transportation.	<b>Walker, Neva (DFL)</b> 61B Health Policy and Finance; Regulated Industries; Ways and Means.
<b>Peterson, Neil W. (R)</b> 41B Capital Investment; Governmental Operations and Veterans Affairs; Local Government.	<b>Simon, Steve (DFL)</b> 44A Civil Law and Elections; Transportation.	<b>Wardlow, Lynn (R)</b> 38B Education Policy and Reform; Governmental Operations and Veterans Affairs; Local Government.
<b>Peterson, Sandra (DFL)</b> 45A Education Policy and Reform; Transportation.	<b>Simpson, Dean (R)</b> 10B Commerce and Financial Institutions; Property and Local Tax Division; Regulated Industries; Taxes, vice chair; Tourism Division.	<b>Welti, Andy (DFL)</b> 30B Agriculture and Rural Development; Environment and Natural Resources; Governmental Operations and Veterans Affairs.
<b>Poppe, Jeanne (DFL)</b> 27B Environment and Natural Resources; Local Government; Rules and Legislative Administration.	<b>Slawik, Nora (DFL)</b> 55B Civil Law and Elections, lead-DFL; Jobs and Economic Opportunity Policy and Finance.	<b>Westerberg, Andrew "Andy" (R)</b> 51A Gaming Division, chair; Health Care Cost Containment Division; Jobs and Economic Opportunity Policy and Finance; Regulated Industries; Taxes.
<b>Powell, Duke (R)</b> 40A Commerce and Financial Institutions; Health Care Cost Containment Division; Health Policy and Finance; Regulated Industries; Tourism Division.	<b>Smith, Steve (R)</b> 33A Capital Investment; Public Safety Policy and Finance, chair; Rules and Legislative Administration; Ways and Means.	<b>Westrom, Torrey (R)</b> 11A Civil Law and Elections; Environment and Natural Resources; Regulated Industries, chair.
<b>Rukavina, Tom (DFL)</b> 5A Commerce and Financial Institutions; Property and Local Tax Division, lead-DFL; Taxes; Ways and Means.	<b>Soderstrom, Judy (R)</b> 8B Commerce and Financial Institutions; Public Safety Policy and Finance; Transportation.	<b>Wilkin, Tim (R)</b> 38A Commerce and Financial Institutions, chair; Health Policy and Finance; Jobs and Economic Opportunity Policy and Finance; Technology, Bioscience and Medical Products Division, ex-officio; Tourism Division, ex-officio.
<b>Ruth, Connie (R)</b> 26A Jobs and Economic Opportunity Policy and Finance; Transportation; Transportation Finance, vice chair; Ways and Means.	<b>Solberg, Loren (DFL)</b> 3B Capital Investment; State Government Finance; Ways and Means, lead-DFL.	<b>Zellers, Kurt (R)</b> 32B Commerce and Financial Institutions; Gaming Division; Regulated Industries; Taxes; Technology, Bioscience and Medical Products Division.
<b>Ruud, Maria (DFL)</b> 42A Education Policy and Reform; Regulated Industries.	<b>Sviggum, Steve (R)</b> 28B Rules and Legislative Administration.	
	<b>Sykora, Barb (R)</b> 33B Education Finance, chair; Education Policy and Reform; Ways and Means.	

### Frequently called numbers (Area code 651)

Public Information Services, House  
175 State Office Building .....296-2146  
Chief Clerk of the House  
211 Capitol.....296-2314  
Index, House  
211 Capitol.....296-6646

TTY, House .....296-9896  
Toll free.....1-800-657-3550  
Information, Senate  
231 Capitol.....296-0504  
TTY, Senate .....296-0250  
Toll free.....1-888-234-1112

Secretary of the Senate  
231 Capitol.....296-2344  
Voice mail/order bills .....296-2343  
Index, Senate  
110 Capitol.....296-5560

## Monday, January 24

### HF374—Nornes (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Child care license fees modified.

### HF375—Cox (R)

#### Health Policy & Finance

Intermediate care facilities for persons with mental retardation division of cost modified.

### HF376—Erickson (R)

#### Health Policy & Finance

Assistive Technology of Minnesota grant provided for purchase of equipment and devices for people with disabilities, and to develop the Access to Telework program; and money appropriated.

### HF377—Blaine (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Mille Lacs wastewater treatment facility wastewater collection system connection funding provided, bonds issued, and money appropriated.

### HF378—Nelson, P. (R)

#### Civil Law & Elections

Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.

### HF379—Lenczewski (DFL)

#### Governmental Operations & Veterans Affairs

Sex offender mandatory life sentencing and indeterminate sentencing provided for specified offenses, Minnesota Sex Offender Review Board established, data access granted, and Open Meeting Law exception provided.

### HF380—Hilstrom (DFL)

#### Education Policy & Reform

Single-member school board election districts established with equal populations for certain districts.

### HF381—Hilstrom (DFL)

#### Public Safety Policy & Finance

False reporting of police misconduct prohibited, and penalties imposed.

### HF382—Hilstrom (DFL)

#### Public Safety Policy & Finance

Non-vehicular flight from a peace officer prohibited, and misdemeanor penalty imposed.

### HF383—Hilstrom (DFL)

#### Public Safety Policy & Finance

Lifetime supervision provided for certain repeat sex offenders released from prison, and other sex offender supervision increased.

### HF384—Hilstrom (DFL)

#### Public Safety Policy & Finance

Sex offender tracking device monitoring bracelets funding provided, and money appropriated.

### HF385—Hilstrom (DFL)

#### Public Safety Policy & Finance

Level III sex offenders required to submit to polygraph tests while on conditional release.

### HF386—Hilstrom (DFL)

#### Public Safety Policy & Finance

Level III predatory offenders required to be photographed twice per year.

### HF387—Hilstrom (DFL)

#### Commerce & Financial Institutions

Insurance agents required to disclose compensation and quotes from insurance companies when acting as risk managers.

### HF388—Hortman (DFL)

#### Commerce & Financial Institutions

Insurance companies restricted from limiting quotes to one agent.

### HF389—Vandever (R)

#### Taxes

Education income tax credit modified.

### HF390—Tingelstad (R)

#### Agriculture, Environment &

#### Natural Resources Finance

Environmental and natural resource projects approved by the Legislative Commission on Minnesota Resources funding provided, and money appropriated.

### HF391—Samuelson (R)

#### Transportation Finance

New Brighton; rail service improvement program funding provided to construct a wye in the city of New Brighton.

### HF392—Samuelson (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

New Brighton sanitary sewer interceptor relocation grant provided, bonds issued, and money appropriated.

### HF393—Latz (DFL)

#### Commerce & Financial Institutions

Gift certificate and gift card expiration dates and service fees prohibited.

### HF394—Dean (R)

#### Agriculture, Environment &

#### Natural Resources Finance

Stillwater levee flood control project grant expiration extended.

### HF395—Seifert (R)

#### Transportation Finance

Rail service improvement funding provided, previous rail improvement loan forgiven, bonds issued, and money appropriated.

### HF396—Davnie (DFL)

#### Education Policy & Reform

Outcome standards required for supplemental education service providers.

### HF397—Mahoney (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

St. Paul Downtown Airport/Holman Field permanent flood control perimeter dike construction funding provided, bonds issued, and money appropriated.

### HF398—Solberg (DFL)

#### Governmental Operations & Veterans Affairs

Iron Range Resources and Rehabilitation Board early separation incentive program authorized.

### HF399—Peterson, A. (DFL)

#### Health Policy & Finance

Yellow Medicine County Hospital District board membership specified.

### HF400—Mahoney (DFL)

#### Commerce & Financial Institutions

School food service workers unemployment insurance eligibility exception made permanent.

### HF401—Rukavina (DFL)

#### Regulated Industries

Raffles with prizes under a specified limit per calendar year not required to register.

### HF402—Dempsey (R)

#### Taxes

Maximum long-term care income tax credit increased.

### HF403—Juhnke (DFL)

#### Transportation Finance

St. Cloud Regional Airport land acquisition, and Willmar municipal airport runway extension funding provided, and money appropriated.

### HF404—Nornes (R)

#### Transportation Finance

Otter Tail county transit service funding provided to Productive Alternatives, Inc., and money appropriated.

### HF405—Meslow (R)

#### Health Policy & Finance

Freedom to Breathe Act of 2005 established requiring persons to refrain from smoking in certain areas including places of employment, public transportation, bars, and restaurants.

### HF406—Gunther (R)

#### Taxes

Nonprofit tickets or admissions sales tax exemption extended to state and private colleges beyond the University of Minnesota.

### HF407—Sieben (DFL)

#### Regulated Industries

Wireless directory assistance service databases regulated to protect consumer privacy.

### HF408—Slawik (DFL)

#### Education Policy & Reform

Model school policy provided prohibiting intimidation or bullying in schools.

### HF409—Rukavina (DFL)

#### Commerce & Financial Institutions

Minimum wage rate adjusted to account for annual inflation, and constitutional amendment proposed.

**HF410—Klinzing (R)****Education Finance**

Joint Powers District No. 6067, East Metro Integration District, grant provided to repay Independent School District No. 625, St. Paul, for the site of Crosswinds Arts and Science Middle School; bonds issued; and money appropriated.

**HF411—Liebling (DFL)****Higher Education Finance**

University Center Rochester health sciences center funding provided, bonds issued, and money appropriated.

**HF412—Latz (DFL)****Health Policy & Finance**

Freedom to Breathe Act of 2005 established requiring persons to refrain from smoking in certain areas including places of employment, public transportation, bars, and restaurants.

**HF413—Fritz (DFL)****Taxes**

Electric generation facility personal property exempted from property tax.

**HF414—Paulsen (R)****Agriculture, Environment & Natural Resources Finance**

Wildlife management area land acquisition funding provided, bonds issued, and money appropriated.

**HF415—Howes (R)****Agriculture, Environment & Natural Resources Finance**

State forest land acquisition funding provided, bonds issued, and money appropriated.

**HF416—Larson (DFL)****Local Government**

Metropolitan Council and Metropolitan Airports Commission residency requirements modified.

**HF417—Hackbarth (R)****Environment & Natural Resources**

Hunting and fishing license and permit lottery preference authorized for military service members and veterans.

**HF418—Goodwin (DFL)****Governmental Operations & Veterans Affairs**

State service contracts and solicitations for state service contracts required to contain information on where work will be performed, state contractors required to disclose information from people they contact, and report required.

**HF419—Cox (R)****Environment & Natural Resources**

Great horned owls protection status modified.

**HF420—Goodwin (DFL)****Taxes**

Homestead property damaged by mold property tax reduction provided.

**HF421—Goodwin (DFL)****Environment & Natural Resources**

Deer exhibition special permit provisions modified.

**HF422—Ozment (R)****Agriculture, Environment & Natural Resources Finance**

State and local trail development funding provided, bonds issued, and money appropriated.

**HF423—Dill (DFL)****Health Policy & Finance**

Hot tubs on houseboats exempted from regulation as public pools.

**HF424—Lesch (DFL)****Civil Law & Elections**

Government actions to obtain remedies for building and other code violations regulated.

**HF425—Mullery (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Minneapolis Lowry Avenue corridor Phase I capital improvements funding provided, bonds issued, and money appropriated.

**HF426—Penas (R)****Agriculture & Rural Development**

Farmer-lender mediation program expiration date extended and codified.

**HF427—Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Greater Minnesota business development public infrastructure grant program and redevelopment account bonds issued and money appropriated.

**HF428—Lanning (R)****Jobs & Economic****Opportunity Policy & Finance**

Wastewater treatment project municipality grants provided, bonds issued, and money appropriated.

**HF429—Atkins (DFL)****Taxes**

Taxable income definition modified.

**HF430—Westrom (R)****Education Policy & Reform**

State and school district preference for textbooks and instructional materials in alternative formats for students with disabilities established.

**HF431—Westrom (R)****Higher Education Finance**

Instructional material accessibility regulated for students with a disability requiring a reading accommodation.

**HF432—Smith (R)****Governmental Operations & Veterans Affairs**

Chaplains employed by the state added to classified civil service.

**HF433—Brod (R)****Governmental Operations & Veterans Affairs**

Senate action on confirmation of appointments after adjournment prohibited.

**HF434—Demmer (R)****Jobs & Economic****Opportunity Policy & Finance**

Mayo Clinic and University of Minnesota biotechnology and medical genomics research partnership funding provided, and money appropriated.

**HF435—McNamara (R)****Higher Education Finance**

Inver Hills Community College remodeling funding provided, bonds issued, and money appropriated.

**HF436—McNamara (R)****Environment & Natural Resources**

Natural Resources Department commissioner approval before vacating certain roads adjacent to public waters required and right of intervention created.

**HF437—McNamara (R)****Transportation Finance**

Red Rock corridor transitway funding provided, bonds issued, and money appropriated.

**HF438—Nelson, M. (DFL)****Commerce & Financial Institutions**

Apprentice registration fees regulated.

**HF439—Nelson, M. (DFL)****Commerce & Financial Institutions**

Employer misrepresentation of nature of employment relationships pertaining to worker's compensation prohibited.

**HF440—Nelson, M. (DFL)****Commerce & Financial Institutions**

Employer misrepresentation of the status of employees prohibited and recovery of costs and attorney fees for unlawful trade practices provided.

**HF441—Fritz (DFL)****Governmental Operations & Veterans Affairs**

Minnesota Correctional Facility - Faribault delivery van drivers and laundry coordinators inclusion in Minnesota State Retirement System correctional state employees plan provided.

**HF442—Gunther (R)****Jobs & Economic****Opportunity Policy & Finance**

St. Paul Ordway Center for the Performing Arts renovation funding provided, bonds issued, and money appropriated.

**HF443—Paymar (DFL)****Public Safety Policy & Finance**

Employer retaliation protection for crime victims expanded.

**HF444—Heidgerken (R)****Agriculture, Environment & Natural Resources Finance**

Pope County regional trail bonds issued and money appropriated.

**HF445—Simpson (R)****Jobs & Economic****Opportunity Policy & Finance**

Perham Veterans Museum funding provided, and money appropriated.

**HF446—Moe (DFL)****Governmental Operations & Veterans Affairs**

Bug-O-Na-Ge-Shig school employee coverage by Minnesota State Retirement System general plan authorized.

**HF447—Moe (DFL)****Higher Education Finance**

Bemidji State University hockey arena bonds issued and money appropriated.



**HF448—Kelliher (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Lake of the Isles flooding mitigation bonds issued and money appropriated.

**HF449—Murphy (DFL)**  
**Capital Investment**  
Western Lake Superior Sanitary District project reserve from the public facilities pool increased.

**HF450—Charron (R)**  
**Environment & Natural Resources**  
Private sale of certain surplus state land bordering public water authorized.

**HF451—Carlson (DFL)**  
**Education Policy & Reform**  
State Board of Education established.

**HF452—Brod (R)**  
**Public Safety Policy & Finance**  
Minnesota Correctional Facility - Faribault Phase 1 expansion bonds issued and money appropriated.

**HF453—Bradley (R)**  
**Higher Education Finance**  
Rochester four-year university planning committee established and money appropriated.

**HF454—Finstad (R)**  
**State Government Finance**  
Regional organization local planning assistance provided and money appropriated.

## Thursday, January 27

**HF455—Cybart (R)**  
**Governmental Operations & Veterans Affairs**  
National Guard tuition reimbursement grants time period extended for members who have served in active military service.

**HF456—Tingelstad (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Biomass—fueled community energy systems funding provided, bonds issued, and money appropriated.

**HF457—Goodwin (DFL)**  
**Environment & Natural Resources**  
Deer transport and exhibition authorized.

**HF458—Howes (R)**  
**Health Policy & Finance**  
Ah Gwah Ching nursing home addition funding provided, bonds issued, and money appropriated.

**HF459—Howes (R)**  
**State Government Finance**  
Public broadcasting grant funding percentage required to be used for promotion of tourism.

**HF460—Hackbarth (R)**  
**Environment & Natural Resources**  
Off-highway vehicle provisions and forest classification review modified, and rulemaking exemptions provided.

**HF461—Knoblach (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Non-metro parks acquisition and improvements funding provided, bonds issued, and money appropriated.

**HF462—Lenczewski (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Bloomington grant provided to maintain the old Cedar Avenue bridge for hikers and bikers, bonds issued, and money appropriated.

**HF463—Lenczewski (DFL)**  
**Regulated Industries**  
Casino; state-operated or state-licensed gambling facility prohibited in a city unless the voters of the city have approved the facility in a referendum.

**HF464—Westrom (R)**  
**Health Policy & Finance**  
Hearing instrument dispenser licensure provided, and reimbursement provisions and continuing education requirements modified.

**HF465—DeLaForest (R)**  
**Public Safety Policy & Finance**  
Interfering with ambulance service personnel who are providing emergency care established as a crime.

**HF466—Otremba (DFL)**  
**Agriculture & Rural Development**  
Grain storage and general merchandise storage warehouse licensing rulemaking authorized.

**HF467—Anderson, B. (R)**  
**Public Safety Policy & Finance**  
Criminal vehicular homicide and injury for failure to yield right-of-way penalties imposed.

**HF468—Hansen (DFL)**  
**Transportation**  
Motorized bicycle definition modified to include bicycles propelled by an electric or liquid fuel motor.

**HF469—Charron (R)**  
**Public Safety Policy & Finance**  
Stillwater correctional facility high security unit funding provided, bonds issued, and money appropriated.

**HF470—Hilty (DFL)**  
**Civil Law and Elections**  
Human rights act tolling provision established for the 12-month determination requirement, Department of Human Rights authorized to seek sanctions, and 180-day hearing provision repealed.

**HF471—Atkins (DFL)**  
**Commerce & Financial Institutions**  
Customer sales or service call center requirements imposed, and criminal penalty imposed.

**HF472—Olson (R)**  
**Transportation**  
Veterans special license plates number of vehicles limit repealed.

**HF473—Olson (R)**  
**Civil Law & Elections**  
Creditor remedies exemptions modified to include wedding rings.

**HF474—Simpson (R)**  
**Taxes**  
Municipal utilities authorized to collect unpaid debts from state tax refunds.

**HF475—Dorman (R)**  
**Taxes**  
Albert Lea sales tax authorized for Shell Rock river watershed plan lake improvement projects.

**HF476—Hilty (DFL)**  
**Civil Law & Elections**  
Human rights agency technical changes provided.

**HF477—Vandever (R)**  
**Taxes**  
Centennial Lakes Police Facility construction supplies sales tax exemption provided.

**HF478—Erickson (R)**  
**Local Government**  
Alternative filing of surveys provided when there is no county surveyor.

**HF479—Rukavina (DFL)**  
**Health Policy & Finance**  
Long-term care program funding restored, and money appropriated.

**HF480—Kahn (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Minneapolis Grand Rounds National Scenic Byway trail completion funding provided, bonds issued, and money appropriated.

**HF481—Mariani (DFL)**  
**Health Policy & Finance**  
Minnesota Universal Health Board established, universal health program and health care trust fund created, statewide and regional health care budgets provided, public health goals requirement repealed, and money appropriated.

**HF482—Hilty (DFL)**  
**Transportation**  
Insurance coverage verification requests mail forwarding required, and suspension of license prohibited if request is returned undeliverable.

**HF483—Knoblach (R)**  
**Public Safety Policy & Finance**  
Trespass law expanded relating to time of return to private or school property.

**HF484—Demmer (R)**  
**Public Safety Policy & Finance**  
Rochester Regional Public Safety Training Center live burn training simulator funding provided, bonds issued, and money appropriated.

**HF485—Lieder (DFL)**  
**Regulated Industries**  
Noon hour bingo changed to single occasion bingo and time of day restrictions removed.

**HF486—Abrams (R)**  
**Taxes**  
Publicly traded partnerships exempted from withholding requirements.

**HF487—Opatz (DFL)**

**Governmental Operations & Veterans Affairs**  
Mentally retarded, mental retardation, physically handicapped, and other similar terms changed throughout statute.

**HF488—Urdahl (R)**

**Agriculture, Environment & Natural Resources Finance**

Natural and scenic area grants, outdoor recreation grants, and Greater Minnesota regional park grants provided; bonds issued; and money appropriated.

**HF489—Westerberg (R)**

**Commerce & Financial Institutions**

Vehicle owners required to present proof of insurance when vehicle is registered, insurance companies required to notify state of cancellation of insurance, and vehicle owners required to show insurance or surrender title after cancellation.

**HF490—Cox (R)**

**Health Policy & Finance**

Intermediate care facilities for persons with mental retardation division of costs modified, and plan required.

**HF491—Clark (DFL)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Hennepin County affordable and supportive housing funding provided, bonds issued, and money appropriated.

**HF492—Rukavina (DFL)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Aurora wastewater treatment plant funding provided, bonds issued, and money appropriated.

**HF493—Bernardy (DFL)**

**Environment & Natural Resources**

Collector watercraft exempted from licensing requirements.

**HF494—Erickson (R)**

**Education Finance**

Independent School District No. 51, Foley, fund transfer authorized.

**HF495—Lenczewski (DFL)**

**Transportation Finance**

Cities authorized to impose street utility fee.

**HF496—Marquart (DFL)**

**Local Government**

Lake improvement districts provisions modified.

**HF497—Dempsey (R)**

**Agriculture, Environment & Natural Resources Finance**

Cannon Falls flood mitigation measures funding provided, bonds issued, and money appropriated.

**HF498—Knoblach (R)**

**Public Safety Policy & Finance**

Public safety radio communication system products and services sales and use tax exemption expanded and made permanent, subsystem definition and bonds use expanded, dollar limits increased, and money appropriated.

**HF499—Ellison (DFL)**

**Governmental Operations & Veterans Affairs**

Interest-free loan program created for certain members of the National Guard or other military service units called to active service and deployed outside of the United States.

**HF500—Ellison (DFL)**

**Governmental Operations & Veterans Affairs**

National Guard and other military reserve members called to active service outside of the United States made eligible for participation in the health insurance portions of the state employee group insurance program, and money appropriated.

**HF501—Lillie (DFL)**

**Transportation**

Traffic signal override device unauthorized possession prohibited and penalties provided.

**HF502—Lillie (DFL)**

**Taxes**

Political subdivision sales and use tax exemption provided.

**HF503—Lillie (DFL)**

**Transportation**

Vehicles required to be driven in the right-hand lane, and exceptions provided.

**HF504—Carlson (DFL)**

**Higher Education Finance**

Postsecondary student financial aid modified and money appropriated.

**HF505—Dill (DFL)**

**Agriculture, Environment & Natural Resources Finance**

North Shore State Trail funding provided, bonds issued, and money appropriated.

**HF506—Hackbarth (R)**

**Agriculture, Environment & Natural Resources Finance**

State trail for off-highway vehicles and motorcycles funding provided, bonds issued, and money appropriated.

**HF507—Westerberg (R)**

**Civil Law & Elections**

Fair campaign practices regulations clarified to allow distribution of refreshments at a public parade.

**HF508—Otremba (DFL)**

**Governmental Operations & Veterans Affairs**

Tuition reimbursement grant time period extended for members of the Minnesota National Guard.

**HF509—Dempsey (R)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Manufacturing job retention program created and money appropriated.

**HF510—Mahoney (DFL)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Bioscience development bonds issued and money appropriated.

**HF511—Mahoney (DFL)**

**Civil Law & Elections**

Campaign funds theft or conversion reporting required.

**HF512—Dempsey (R)**

**Education Finance**

Out-of-school suspension alternative created, funding mechanism authorized and money appropriated.

**HF513—Mahoney (DFL)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Minority population representation organization grants provided, and money appropriated.

**HF514—Westerberg (R)**

**Regulated Industries**

Lottery board established.

**HF515—Holberg (R)**

**Governmental Operations & Veterans Affairs**

Legislature size specified and legislative districts coordinated.

**HF516—Dorman (R)**

**Agriculture, Environment & Natural Resources Finance**

Blazing Star Trail segment funding provided, bonds issued, and money appropriated.

**HF517—Davids (R)**

**Commerce & Financial Institutions**

School district employee statewide health insurance pool created and money appropriated.

**HF518—Howes (R)**

**Education Finance**

Health and safety revenue expanded to cover school bus replacement costs.

**HF519—Hackbarth (R)**

**Regulated Industries**

Texas hold'em tournaments legalized as social skill games under certain conditions.

**HF520—Anderson, B. (R)**

**Taxes**

Clearwater city sales and use tax imposition authorized.

**HF521—Powell (R)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Burnsville water treatment facility bonds issued and money appropriated.

**HF522—Nornes (R)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Child care reimbursement rates modified.

**HF523—Bradley (R)**

**State Government Finance**

Rochester National Volleyball Center Phase II expansion bonds issued and money appropriated.

**HF524—Davids (R)**

**Jobs & Economic**

**Opportunity Policy & Finance**

Lanesboro theater and arts center development funding provided, and money appropriated.

**HF525—Davids (R)**

**Taxes**

Emergency medical services special taxing district sunset extended.

**HF526—Davids (R)****Taxes**

Income tax checkoff provided to fund benefits for survivors of law enforcement officers and firefighters, injured public safety officers, and to maintain peace officer and firefighter memorials.

**HF527—Severson (R)****Commerce & Financial Institutions**

Farm labor housing regulation as manufactured home park exemption provided.

**HF528—Johnson, R. (DFL)****Higher Education Finance**

South Central Technical College bonds issued and money appropriated.

**HF529—Soderstrom (R)****Education Finance**

Independent School District No. 566, Askov, capital loan remaining balance forgiven, and school facility sale authorized.

**HF530—Wardlow (R)****Jobs & Economic****Opportunity Policy & Finance**

Child support services provisions modified.

**HF531—Moe (DFL)****Taxes**

Bemidji city sales and use tax imposition authorized.

**HF532—Lillie (DFL)****Public Safety Policy & Finance**

First-degree criminal sexual conduct offender life without release sentences required.

**HF533—Lillie (DFL)****Public Safety Policy & Finance**

Juvenile high-risk predatory offender community notification provided.

**HF534—Juhnke (DFL)****Health Policy & Finance**

Intermediate care facility payment system exception created for persons with mental retardation and related conditions.

**HF535—Goodwin (DFL)****State Government Finance**

Nonprofit organization compensation disclosures required.

**HF536—Marquart (DFL)****Commerce & Financial Institutions**

Prevailing wage requirements modified.

**HF537—Nelson, M. (DFL)****Transportation Finance**

Toll facility project development agreement wage rates and hours of labor regulated.

**HF538—Ozment (R)****Agriculture, Environment &****Natural Resources Finance**

Minnesota Zoological Garden capital improvements funding provided, bonds issued, and money appropriated.

**HF539—Dorman (R)****Agriculture, Environment &****Natural Resources Finance**

Shellrock River watershed improvements funding provided, bonds issued, and money appropriated.

**HF540—Juhnke (DFL)****Agriculture & Rural Development**

Willmar rail container load-out facility study required.

**HF541—Cybart (R)****Transportation Finance**

Cedar Avenue bus rapid transit bonds issued and money appropriated.

**HF542—Westerberg (R)****Civil Law & Elections**

Campaign finance reporting requirements clarified.

**HF543—Johnson, J. (R)****Transportation Finance**

I-494 and Highway 169 median safety barriers bonds issued and money appropriated.

**HF544—Marquart (DFL)****Local Government**

Age minimum for appointees to advisory boards modified.

**HF545—Marquart (DFL)****Civil Law & Elections**

Age minimum to hold elected office reduced from 21 to 18 and constitutional amendment proposed.

**HF546—Lieder (DFL)****Transportation Finance**

Bridge repair, replacement, and rehabilitation bonds issued and money appropriated.

**HF547—Charron (R)****Education Policy & Reform**

Washington County library board made advisory to the county board.

**HF548—McNamara (R)****Jobs & Economic****Opportunity Policy & Finance**

Hastings River Flats Interpretive Facility funding provided, bonds issued, and money appropriated.

**HF549—Johnson, J. (R)****Taxes**

Property tax refund early payment authorized for returns filed electronically.

**HF550—Demmer (R)****Education Finance**

Safe school levy funds reserved for certain schools, and school districts authorized to use safe school levy funds for school counselors.

**HF551—Anderson, I. (DFL)****Agriculture, Environment &****Natural Resources Finance**

County payments for natural resources land modified.

**HF552—Dill (DFL)****Agriculture, Environment &****Natural Resources Finance**

Grand Portage State Park visitor center and maintenance shop funding provided, bonds issued, and money appropriated.

**HF553—Westerberg (R)****Jobs & Economic****Opportunity Policy & Finance**

Community rehabilitation program funding provided, and money appropriated.

**HF554—Newman (R)****Education Finance**

Independent School District No. 2887, McLeod West, fund transfer authorized.

**HF555—Mariani (DFL)****Higher Education Finance**

St. Paul College capital improvements funding provided, bonds issued, and money appropriated.

**HF556—Paymar (DFL)****Health Policy & Finance**

Denturist licensure established.

**HF557—Wardlow (R)****Agriculture, Environment &****Natural Resources Finance**

Dakota County; Lebanon Hills Regional Park flood mitigation funding provided, bonds issued, and money appropriated.

**HF558—Hornstein (DFL)****Local Government**

Metropolitan Council elections provided.

**HF559—Erickson (R)****Regulated Industries**

Eastside Township in Mille Lacs County off-sale liquor license authorized.

**HF560—Hamilton (R)****Agriculture & Rural Development**

State policy on minimizing energy use and requiring renewable fuels clarified.

**HF561—Atkins (DFL)****Civil Law & Elections**

Sex offenders prohibited from becoming custodians of unrelated children.

**HF562—Abeler (R)****Taxes**

Alcoholic beverage sales tax repeal eliminated and county chemical dependency costs funded.

**HF563—Knoblach (R)****Health Policy & Finance**

Service cooperatives permitted to provide group health coverage to private employers.

**HF564—Holberg (R)****Health Policy & Finance**

Clean Indoor Air Act modified to preempt local regulation of smoking in public places, establishments allowing smoking required to register, criminal penalties imposed, and money appropriated.

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

# MINNESOTA

## I N D E X

### Minnesota Agriculture

Percent of state that is farmland .....	55
Average farm size, in acres (2003) .....	346
Number of farms in 2003 .....	80,000
In 1993 .....	86,000
State corn production in 2004, in billions of bushels .....	1.12
Percent increase from previous record high in 2002 .....	7
Millions of bushels of spring wheat produced in 2004 .....	88.6
Percent decrease from 2003 .....	15
Millions of bushels of soybeans produced in 2004 .....	236.2
Percent decrease from 2003 .....	1
Approximate percent of world's soybeans produced in Minnesota .....	5
State rank in milk production .....	6
Dairy farms in January 2004 .....	5,969
Milk cows on farms in December 2004 .....	460,000
Milk production in December 2004, in millions of pounds .....	679
Percent decrease from December 2003 .....	2
Billions of pounds of milk production in state last year .....	8.1
Billions in 2003 .....	8.26
Dollar amount generated in direct economic activity by each dairy cow in state .....	\$5,000
Millions of gallons of ice cream produced in Minnesota in 2003 .....	41.72
In 1999 .....	49.97
Millions of hogs produced annually in Minnesota .....	9.4
State rank .....	3
State rank for red meat production .....	6
Beef cows on state farms in 2004 .....	395,000
Millions of turkeys raised in Minnesota in 2004 .....	46.5
State rank .....	1
Economic impact of state's livestock industry, in billions .....	\$28
Approximate number of jobs supported by state livestock industry .....	193,000
Percent of jobs in rural Minnesota that are agricultural employment .....	26
Percent in metropolitan areas .....	13
Using a multiplier effect, billions in state economic activity generated by agricultural production and processing .....	\$52.85

**Sources:** *Minnesota Agriculture: The Foundation of Minnesota's Economy 2004-05*, Minnesota Department of Agriculture; *2004 Minnesota Agricultural Statistics* and press releases, Minnesota Agricultural Statistics Service; University of Minnesota College of Agriculture, Food and Environmental Sciences; and National Agricultural Statistics Service.

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

FEBRUARY 4, 2005

VOLUME 22, NUMBER 5

INSIDE: METH IS TAKING ITS TOLL, BILLS THAT SIZZLE, CAPITOL ON ICE, MORE

This Week's Bill Introductions HF565-HF784

# Session Weekly

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**On the cover:** A 40-foot ice block replica of the State Capitol was erected in Rice Park in downtown St. Paul as a tribute to the Capitol's 100-year birthday celebration. The St. Paul Winter Carnival sponsored the tribute.

—Photo by: Tom Olmscheid

# Taking its toll

Rising meth use results in higher costs for everyone

By **RUTH DUNN**

**L**enae Clark started smoking marijuana when she was 18, and, within a few years, was growing 100 marijuana plants at her home. She and her husband, Jim, switched to methamphetamine about three years ago and soon began to manufacture the drug in a cornfield near their home in Mantorville.

They isolated themselves and their children — the children couldn't have friends over or even go to birthday parties. "If they said something wrong, we could get busted," said Lenae.

The children had been good students but their grades dropped to Ds and Fs. One summer the children could not even play outside because the parents were sure that they were being watched by drug task force members. The children were worried and scared while the parents were absorbed in their addiction.

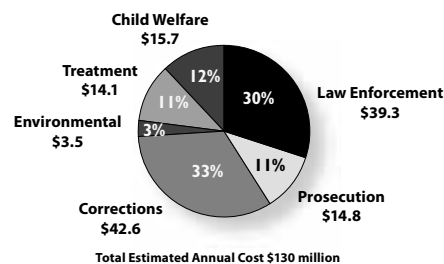
"Our roles were reversed, they were the

adults and we were the children," said Lenae, once a healthy 135 pounds on a 5-foot-9-inch frame, who dropped to 95 pounds.

The Clarks described their painful plunge into drug addiction to members of the House Public Safety Policy and Finance Committee Jan. 27. Their story added a human dimension to other information the committee heard on the impact of methamphetamine and alcohol on the justice system.

An estimated 5,000 methamphetamine-related incidents come to the attention of police in Minnesota each year. The annual estimated costs related to methamphetamine in 2004 topped \$130 million, according to Mary Ellison, deputy commissioner of the Minnesota Department of Public Safety. That figure includes costs for law enforcement, corrections, prosecution, child welfare, treatment and environmental cleanup. It does not include additional costs related to abuse of the

**Estimated Annual Public Costs Related to Methamphetamine in 2004 (in millions)**



Source: Statistical Analysis Center, Minnesota Department of Public Safety

drug including health care, domestic abuse, identify theft, burglary and assaults. "The meth problem is having a huge impact on all our support systems," said Ellison. Last summer she traveled around the state talking with law enforcement officials, court employees and county commissioners. "Every place we visited everyone was really, really concerned about meth."

The average total public cost of a typical arrest for Driving While Intoxicated (DWI) amounts to \$6,000 to \$9,000, while methamphetamine cases can cost upward of \$150,000 — "a very daunting figure," said Ellison.

Initially the cost is shared 50-50 by state and local governments, with the federal

**First Reading continued on page 4**



PHOTO BY ANDREW VONBANK

**Lenae and Jim Clark of Mantorville give emotional testimony Jan. 27 before the House Public Safety Policy and Finance Committee about their battle with methamphetamine addiction and their success with the drug court.**

## Treatment center proposed

Rep. Al Juhnke (DFL-Willmar) is sponsoring HF361 that would appropriate \$7.9 million for redevelopment of the Willmar Regional Treatment Center to provide treatment for methamphetamine users, and also specialized treatment for aging veterans.

Juhnke said there is nowhere to send first-time methamphetamine users who break the law, except jail.

"We need facilities for treatment," he said. "Judges are looking for a home for these folks."

Juhnke said the campus, which has primarily been used as a treatment facility, now has six empty buildings, costing the state \$1 million annually to maintain.

The House Health Policy and Finance Committee included the bill in its bonding recommendations that it sent to the House Capital Investment Committee.

A companion bill (SF403), sponsored by Sen. Dean Johnson (DFL-Willmar), was included in the Senate bonding bill (SF1).



## First Reading continued from page 3

government paying about 3 percent. Then the cost shifts with the state paying 64 percent.

Methamphetamine cases are more costly than drunken driving ones for several reasons, explained Ellison. Methamphetamine offenders tend to serve longer sentences in state correctional institutions, while DWI offenders are given shorter sentences, mostly served in county jails which are less costly.

In addition, the scope of methamphetamine investigations is more complex. Other costs stem from the cleanup of hazardous materials involved in methamphetamine cases because special equipment and trained technicians are required. Social services involving children, like foster care placement and medical care, also boost the cost.

Rep. Debra Hilstrom (DFL-Brooklyn Center) suggested that the educational cost should be added to the total because of the effect drug use is having on special education costs.

"The Twin Cities have not yet felt the full impact of the meth epidemic that is sweeping the state," said Ellison. Crack cocaine is

***"For the first time in my life I am a registered voter and a tax-paying citizen."***

— Jim Clark, former meth user

still the worst drug problem in Hennepin and Ramsey counties, but methamphetamine use is increasing, especially in fringe counties like Anoka, Washington and Dakota.

One of the most alarming trends that Ramsey County Court Judge Joanne Smith has seen is the use of methamphetamine by teenagers who "are gravitating to it for weight loss and for staying up late to study for exams." They quickly become addicted which leads to other risky behavior, she said.

Smith said that 90 percent of cases on her court's calendar on any given day relate directly to alcohol or drug abuse or have chemical dependency as an underlying issue. She now sees the grandchildren of people she served as public defender 21 years ago. "Chemical dependency is a family disease that is passed along from generation to generation." But, she has also seen

that effective treatment can result in happier endings with families being reunited.

The Clarks are an example of that.

Both went through drug court, a nationwide program that was started in Florida to integrate treatment with the court system. "Drug court was the answer to our prayers, without it we would not have 18 months of sobriety," said Lenae. "We would be dead, in prison or committed to an asylum."

Both have full-time jobs and have completed their GED. Lenae just got a new job at the Mayo Clinic and would like to train as a licensed practical nurse. Their daughters can always have friends over and they never go hungry. "Our lives are great since we stopped using," said Lenae. "For the first time in my life I am a registered voter and a tax-paying citizen," said Jim.

Because of a growing alarm about the impact of drugs and alcohol, the state Supreme Court-approved task force on chemical dependency and its impact on the justice system will begin meeting in March, according to Smith.



## Capitol on ice



The 2005 St. Paul Winter Carnival is commemorating the Capitol Centennial with a State Capitol ice sculpture.

The replica was fashioned by a team of sculptors led by St. Paul College Culinary Arts Instructor Larry Fischer.

Fischer, who has been carving competitively since 1973, is this year's Winter Carnival master carver. His team learned their unique skill through culinary arts programs.

"We are products of the state's

technical college system," he said. "The quality of what we do is obvious."

The ice harvest from Lake Phalen began

Jan. 22 and the last block was in place by the morning of Jan. 26, Fischer said. The sculptors worked from detailed photographs of the Capitol façade to achieve the proper scale.

Barring a meltdown, the sculpture will be on display in the southeast corner of Rice Park through Feb. 6, the conclusion of the carnival. However, the temperature in St. Paul could reach 50 degrees before then.

"The fact that the work is short-lived gives it a little more of a mystique," Fischer said.

Lawmakers might be interested to know the ice replica has no House chamber.



PHOTO BY TOM OLMSCHIED

**A 40-foot ice block replica of the State Capitol was erected in Rice Park in downtown St. Paul as a tribute to the Capitol's 100-year birthday celebration. The St. Paul Winter Carnival sponsored the tribute.**

### State Capitol

Height, in feet, from ground to top of dome.....223  
Length of building, in feet .....434  
Approximate weight, in tons, of each of the eight columns in the open spaces between piers on the second floor.....9.5  
Exterior building materials ....White Georgia marble, St. Cloud granite  
Quadriga .....Steel and copper horses and figures in gold-leaf  
Workers killed in course of construction.....6

**For more information about upcoming Capitol Centennial Celebration events: Minnesota Historical Society State Capitol Site, (651) 296-2881 or [www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc) Minnesota State Capitol Centennial Celebration, (651) 203-7246 or [www.ourhouse100.com](http://www.ourhouse100.com)**

### Capitol Ice Sculpture

Height, in feet.....15  
Length, in feet.....40  
Weight, in tons.....30  
Base building materials .....212 ice blocks from Lake Phalen  
Structural building materials .....100 specialty ice blocks from Sculpture Ice of Shakopee  
Quadriga .....toy horses spray-painted gold  
Workers killed in course of construction...0

## ★ AGRICULTURE

### Increasing ethanol content

Since 1997, motor vehicle gasoline sold in Minnesota has been required to contain 10 percent agriculturally derived ethanol by volume. The mandate is commonly referred to as "E10."

The House Agriculture and Rural Development Committee began reviewing Feb. 1 a bill (HF223), sponsored by Committee Chair Rep. Gregory M. Davids (R-Preston), that would raise the required ethanol/gasoline blend to 20/80 by the year 2010 or sooner, if at least 50 percent of the new automobiles for sale in the state are under warranty at that level.

Not everyone agrees on the possible effects the mandate may have on consumers, agribusiness and the environment.

"The dealers in Minnesota are certainly not anti-ethanol," said Alyssa Schlander, government affairs director with the Minnesota Auto Dealers Association. "When the farmers are happy, the dealers are happy."

But manufacturers have indicated to the auto dealers that they do not intend to honor warranties on vehicles that run on E20, she said. "Minnesota is only about 1.5 percent of the total U.S. vehicle market and so they are not likely to be making a special vehicle for Minnesotans that have to put E20 in their gas tanks."

Decreased gas mileage could cost Minnesota consumers an extra \$130 million annually, according to Flint Hills Resources Director of Public Affairs Diane Koebele.

"The opponents of E20 are using many of the same arguments that they used to argue against E10," said Bill Lee, general manager of the Chippewa Valley Ethanol Plant in Benson. The debate over mileage and value to the consumer is "completely missing the mark," he said. "Why are we worried about the cost impact of 20 percent of our fuel coming from in-state resources by 2012? Why are we not more concerned about what is the 80 percent of petroleum going to cost us in another seven years?"

No action was taken.

A Senate companion bill (SF4), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Environment and Natural Resources Committee.

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

## ★ BUSINESS



For information about the city of Aurora's request to the state to help with funding for a new wastewater treatment plant, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ CRIME

### Sex offender review board

A proposal to create a sex offender review board is included in a bill that would, if signed into law, toughen the state's sentencing guidelines for sex offenders.

That portion of HF1, sponsored by Rep. Kurt Zellers (R-Maple Grove), was reviewed Feb. 2 by the House Governmental Operations and Veterans Affairs Committee.

Under the plan, board members would serve four-year terms and review inmates' cases before making decisions regarding sentencing and whether an inmate should be released.

Rep. Diane Loeffler (DFL-Mpls) unsuccessfully offered an amendment to stagger the terms.

The board would consist of: the commissioner of corrections and commissioner of human services or appointed persons by the commissioners, a retired judge appointed by the governor, a treatment professional specifically not employed by corrections or human services and appointed by the governor, and a public person appointed by the governor.

Loeffler pointed to potential data privacy issues with the board reviewing offender information.

Committee Chair Rep. Kathy Tingelstad (R-Andover) said the privacy issues could be examined in the House Civil Law and Elections Committee, where the approved bill moves next.

Types of information the board would have access to include: a risk assessment report, a community investigation report, an inmate's criminal offense history, behavior while incarcerated, participation or completion of treatment, need for additional treatment and danger the inmate poses to the public if released.

Several members raised concern over the board's responsibility of releasing sex offenders because of the involvement of a board in the Dru Sjodin abduction case. Rep. Marty Seifert (R-Marshall) said there should be "some secondary accountability" to prevent another potential tragedy.

"I agree ... I was looking at locking up the offender," Zellers said, adding that the board is "another layer" to prevent something really egregious from occurring like in the Sjodin case.

A Senate companion (SF609), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Crime Prevention and Public Safety Committee.

### Prison expansion

Three state correctional facilities would be expanded under bonding bills recommended to the House Capital Investment Committee by the House Public Safety Policy and Finance Committee Feb. 3. All were included in the bonding bill last year that passed the House, but not the Senate.

"The proposals are absolutely critical to ensure public safety and the safety of staff," said Joan Fabian, corrections commissioner. Inmates are crammed into every possible space, she said, "We desperately need more room."

HF452 sponsored by Rep. Laura Brod

### PATRIOTIC SINGERS



PHOTO BY TOM OLMSCHIED

Amanda Kinney, front, and the rest of her fourth grade classmates from Snail Lake Elementary School in Shoreview wave their flags as they sing "You're a Grand Old Flag" during a Feb. 2 patriotic performance in the Capitol Rotunda.

(R-New Prague), calls for \$84.8 million to add 1,060 beds and nearly double the size of the correctional facility at Faribault. Staff would be increased by 50 percent also. The facility would be filled immediately when it's completed.

A similar bill (HF107), sponsored by Rep. Patti Fritz (DFL-Faribault), will not move on, but Rep. Mary Murphy (DFL-Hermantown) and Rep. Steve Smith (R-Mound) said they would talk to the sponsors about having Fritz join the list of sponsors for HF452.

A companion measure (SF512), sponsored by Sen. Thomas Neuville (R-Northfield), was included in the Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon). However, the amount is only \$71.37 million.

A new 150-bed high security segregation unit is proposed for the state correctional facility in Stillwater under HF469, sponsored by Rep. Mike Charron (R-Woodbury), at a cost of nearly \$20.85 million. The two-story unit would serve as a prison within a prison for those who have committed serious offenses while in prison.

The bill has no companion, nor was it included in the Senate bonding bill.

The committee also put its stamp of approval on a request from the Department of Corrections for a new dormitory with 24 beds at the Challenge Incarceration Program, a six-month boot camp near Willow River that features education, chemical dependency treatment and rigorous physical exercise for non-dangerous male offenders. Women attend a similar program called Thistledeew Camp in northern Minnesota.

The committee also approved an amendment submitted by Rep. Keith Ellison (DFL-Mpls) that gives the department flexibility to add an additional 75 beds if funds are available. Ellison said there are now 186 on the waiting list.

Also being recommended is the department's request for \$11 million for repairs at several other correctional institutions.

Two other proposals will move forward without recommendation. HF484, sponsored by Rep. Randy Demmer (R-Hayfield), would provide \$627,000 for a five-story live burn training simulator adjacent to the existing National Guard facility in Rochester.

Similar to a facility near Camp Ripley in central Minnesota, the proposed facility would be used by police and fire departments in southeastern Minnesota and by the National Guard. "This would decentralize training," explained Demmer. "Departments can't afford to send teams across the state for training and pay for room and board."

Sponsored by Rep. Bob Gunther (R-Fairmont), HF208 calls for \$642,000 for

the city of Blue Earth to acquire land and to design, construct, furnish and equip a new fire and police station to replace the current facility constructed in the 1950s.

Rep. Debra Hilstrom (DFL-Brooklyn Center) said that most cities raise money locally through property taxes for projects like this. "Why does this rise to the level of state funding rather than local?"

Gunther said the request is being made because the area is economically depressed and has a shrinking population. "The need is greater than the funding they can raise locally." In addition, he said, the departments provide assistance to a 122-square mile area so it has regional impact.

## ★ DEVELOPMENT

### Iron Range lakes

The open pits left by mining companies after iron ore has been extracted could be a commercial bonanza to northern Minnesota, according to the Central Iron Range Initiative.

A proposal calls for lakes to be designed and built on the sites, then stocked with freshwater fish. The hope is individuals looking for lakeshore property would snap up the land, currently owned by the state and federal government.

HF359, sponsored by Rep. Tony Sertich (DFL-Chisholm), would provide \$1.7 million to support the project. That would include implementation of a sewer district and land and lake design. There is already a natural aquifer there.

The bill was heard Feb. 1 by the House Jobs and Economic Opportunity Policy and Finance Committee, and held over for possible inclusion in the committee's bonding resolution.

"We have an exciting opportunity to make some new land for Minnesota," said John Fedo, economic development director for the initiative, a grassroots organization that works to plan future economic development in the area.

"Once you get the development down, I envision the private side taking over," Sertich said, adding that lakeshore property is generally valuable.

And once there are lots, private builders often assume development costs, said Rep. Paul Gazelka (R-Brainerd).

The bill has no Senate companion, yet the dollars are included in the approved Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon).

## "The Green Book"



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## ★ EDUCATION

### School funding

The House Education Finance Committee recommended \$9.42 million in bonding requests to the House Capital Investment Committee Feb. 2.

"We know everything won't be funded," said Rep. Barb Sykora (R-Excelsior), the committee chair. "We kept the list short so our priorities would get through."

Projects being recommended are:

- \$3 million to fund library capital improvement grants to improve handicapped accessibility, or for renovation or new construction;



PHOTO BY ANDREW VONBANK

**Former Sen. Ember Reichgott Junge, left, former Deputy Commissioner Joe Graba, center, and former Assistant Education Commissioner Dan Loritz, right, give a presentation to the Jan. 27 meeting of the House Education Policy and Reform Committee entitled, "Changing Times, Changing Needs Part II: A Systematic View of Public Education in Minnesota."**

- \$4.26 million for repair of old buildings at the state academies for the deaf and blind in Faribault;
  - \$1.08 million to repair aging buildings and to raze a building at the Perpich Center for Arts Education, a state-owned arts high school located in Golden Valley; and
  - \$1.08 million to complete the purchase of 37 acres in Woodbury needed for the Crosswinds Arts and Science Middle School. The money would repay a loan from the St. Paul School District that was used to settle a land purchase dispute that began in the late-1990s. The money was in last year's bonding bill passed by the House, but not the Senate.
- The committee did not recommend these projects:
- \$3.33 million for additional asset preservation at the state academies,
  - \$2.86 million for additional improvements at the Perpich Center for Arts Education,
  - \$1.07 million for the Grant Magnet School in Duluth, and
  - \$600,000 for a geothermal heating system in the Onamia School District.

A \$24 million request from the Red Lake School District for new school buildings is in limbo. The committee voted to send the proposal forward without a specific recommendation.

Rep. Randy Demmer (R-Hayfield) said the committee needs more information about the district before approving the request. "There's an awful lot of money going out to the district, I'd like to see what we're getting for our money, what the results are," he said.

Rep. Mark Buesgens (R-Jordan) said money should first be sought locally, as it is with other school districts, before a request is made for state funding. He suggested the school district approach a nearby casino, the largest employer in the area.

Because the district is located entirely within a reservation, federal law prohibits it from raising funds locally through property taxes.

## ELECTIONS



### Staggered terms

Two House members are proposing the terms that senators serve be staggered, and this change, they say, would lead to more accountability.

Under current law, House members are elected every two years and senators are elected to four-year terms in years ending with 2 and 6, such as 2002 and 2006, and two-year terms in years ending in 0, such as 2000.

Rep. Laura Brod (R-New Prague), sponsor of HF333, and Rep. Nora Slawik (DFL-Maplewood), sponsor of HF350, testified together before the House Governmental Operations and Veterans Affairs Committee Jan. 27. Each bill proposes a constitutional amendment asking for staggered terms for senators. If approved, the question would go to voters in 2006, and if passed, implemented in 2012, following redistricting based on the 2010 census.

Minnesota is one of 11 states that does not have staggered terms.

Slawik said the bills attempt "to help prevent

legislative gridlock ... the senators would feel more compelled to take action and also to be more responsive potentially to constituents."

"I think this is one way that we can improve the process of getting things done here in the state of Minnesota." It will also increase accountability to voters and more deliberation among legislators, Brod said.

Rather than increase the rapidity of law-making through deliberation, Rep. Tim Mahoney (DFL-St. Paul) said that "government is designed to move rather slowly, because what we do has immense consequences for people...it's designed to move at a snail's pace."

The difference between the bills is in the wording of a question that would be asked of voters. Slawik said her version is at a "level where everyone can understand," while Brod said her version is "a little bit more technical versus a little more colloquial on the other side."

The committee approved the bills without recommendation because several legislators said deciphering the wording on the ballot should be left to the House Civil Law and Elections Committee.

A pair of companion bills (SF5 and SF425), sponsored by Sen. Charles Wiger (DFL-North St. Paul) and Sen. Geoff Michel (R-Edina), respectively, await action by the Senate Elections Committee.

## GAME & FISH



### Translating game and fish laws

Many hunters and anglers within the state's Hmong, Vietnamese, Lao and Cambodian immigrant communities have a steep learning curve when it comes to Minnesota game and fish laws, according to Josee Cung, program manager for the Department of Natural Resources Southeast Asian Outreach Program.

"When we came, we came with a strong cultural connection to hunting and fishing," Cung told the House Environment and Natural Resources Committee Feb. 1. But there is no Department of Natural Resources equivalent in their native countries, she explained.

The goal of the program, she said, is to reach out to Minnesota's Southeast Asian community groups through game and fish law workshops, firearm safety classes and other environmental education efforts.

Blia Xa Lee, a volunteer firearm safety training instructor with the program, shared his concerns about hunter harassment with the committee. Lee said he has encountered hostile hunters on both public and private lands.

"We need you to provide more, hire more Asian conservation officers because they know both languages, they know both cultures," he said. "Another thing is ... to provide more education. Not just for Asians but I think pretty much for the public, for every hunter in Minnesota, so everybody can understand each other."

"Hopefully we can get more officers," said Committee Chair Rep. Tom Hackbarth (R-Cedar).

## ★ GOVERNMENT

### Coordinating districts

Legislative districts could be realigned by 2013, and the size of the Legislature could decrease, under a bill approved by the House Governmental Operations and Veterans Affairs Committee Feb. 2.

Currently, some legislators have more than one congressional boundary running through their district. HF515, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would prevent congressional districts from crossing Senate districts.

Holberg said the change would create less confusion for constituents. Rep. Denny McNamara (R-Hastings) said constituents have questioned him on who their congressional representative is because several boundaries run through his district.

The bill would also reduce the number of senators from 67 to no fewer than 60 and no more than 64, and House members from 134 to no fewer than 120 and no more than 128. Under the bill, the number of senators must be evenly divisible by the number of Minnesota representatives in Congress.

Voters would be asked in 2006 if they want to change the Legislature's size, and if so, the Legislature would determine its size by 2008; therefore, redistricting following the 2010 census would be done based on the new numbers.

Holberg noted that Minnesota's Senate is the largest in the nation, and the change would produce a \$1.9 million savings per year in salaries, staffing and office space.

Several committee members representing Greater Minnesota districts expressed opposition to the bill.

Rep. Aaron Peterson (DFL-Madison) said constituents' confusion is their own responsibility and changing boundaries makes rural members' districts larger and more difficult to campaign. "A piece of Minneapolis or a piece of Lakeville that gets carved out into somebody else's territory ... you're talking meters and feet in some cases, but we're talking square miles and townships," he added.



PHOTO BY TOM OLMSCHIED

**Walter Klaus, who served in the Minnesota House of Representatives from 1957-73, listens to a question from a member of the House Governmental Operations and Veterans Affairs Committee Feb. 2 about a bill that would reduce the size of the Legislature and alter the way Senate boundaries are drawn.**

Rep. Ruth Johnson (DFL-St. Peter) said the change would create an "increase in population and whole lot of more miles on the car" making "face-to-face" contact even more challenging.

"Having some type of order and continuity between congressional districts and the organization of House and Senate districts ... I find that far more rational," Holberg said.

The bill now moves to the House Civil Law and Elections Committee. A companion bill (SF291), sponsored by Sen. Pat Parisseau (R-Farmington), awaits action on the Senate floor.

## ★ HEALTH

### Choices and savings offered

Minnesotans could see more choices and potentially more savings in their health plans under a pair of bills encouraging consumer-driven health plans.

HF9, sponsored by Rep. Tim Wilkin (R-Eagan), and HF135, sponsored by Rep. Jim Knoblach (R-St. Cloud), seek to conform Minnesota's income tax treatment of health savings accounts (HSAs) to federal income tax laws.

Under federal law, account contributions are tax-free as are account earnings and withdrawals to pay medical expenses. The nearly identical bills would give the accounts the same tax advantages under state law that they have under federal law. Each is also retroactive to tax year 2004.

"We need to adopt state conformity to what the federal has done," Knoblach told the House Health Policy and Finance Committee on Feb. 2.

"This is a really promising way to hold down costs while still providing quality care."

Both bills were referred to the House Commerce and Financial Institutions Committee.

An HSA, when paired with a high deductible health plan, forms a consumer-driven health plan. Wilkin said the accounts encourage people to buy health plans that best suit their needs. Individuals own the accounts, so they can be carried from job to job until retirement.

"It's a powerful tool to help contain health costs," Wilkin said. He added that nearly one-third of current accountholders were formerly uninsured.

Wilkin said if Minnesota does not adopt federal conformity, it would increase the cost of doing business in Minnesota relative to the 31 states that have. Nine states don't need conformity because they don't tax income.

Wayne Nelson, president of Communicating for Agriculture & The Self Employed, Inc., said the accounts would help farmers and small business owners keep their insurance and help the unemployed afford insurance.

"By increasing the deductible, there are definitely premium savings," Nelson said.

The Senate companion bill to Knoblach's bill (SF194), sponsored by Sen. Mady Reiter (R-Shoreview), has been referred to the Senate Health and Family Security Committee. The companion to Wilkin's bill (SF99), sponsored by Sen. Brian LeClair (R-Woodbury), was approved by one committee and awaits action in the Senate Tax Committee.



For information on a proposed methamphetamine treatment facility, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## HIGHER EDUCATION



### Governor recommendations

In his biennial budget request, Gov. Tim Pawlenty is recommending increases to the University of Minnesota and Minnesota State Colleges and Universities (MnSCU) system, but not what officials hoped for.

Susan Heegaard, director of the Higher Education Services Office (HESO), told the House Higher Education Finance Committee Jan. 31 that the dollars amount to an 8.4 percent increase versus fiscal years 2004-05, while the entire state budget is increasing 5.8 percent. The committee took no action.

The total amount allocated to higher education is \$2.77 billion, with the largest amounts allocated to the university (\$1.22 billion) and MnSCU (\$1.20 billion).

The university allocation is \$113 million greater than the previous biennium, or 10.3 percent. Included in the amount is a \$36 million bioscience investment in areas that the state and university have demonstrated leadership, such as medical devices and food production. Funds will be used, in part, to recruit faculty and support research. Heegaard said that the dollars are designed to leverage outside funding in these areas.

Other university areas include \$35 million for research support and \$15 million for compensation increases to retain top professors and researchers at the university.

MnSCU is budgeted for an 8.5 percent increase of \$107.5 million. Included is \$50 million to fully implement a funding model that the board uses to allocate state resources to institutions, \$20 million to create centers of excellence in six fields and \$10 million to increase capacity for training nurses.

Two years ago the university and MnSCU each received about a 15 percent funding reduction. Students subsequently were hit with double digit tuition increases.

"We hope that any funding shortfall will not be put on students in the form of a tuition increase," Heegaard said.

Also in the governor's plan is \$3.2 million to establish an independent postsecondary institution in Rochester.

The University Center — a partnership between the university, Winona State University and Rochester Community and Technical College — has existed since 1994, with more than 150 areas of study. "The community said that what's there is not enough," Heegaard said. "This is an exciting opportunity to create a unique institution with high quality programs focused on the academic disciplines that support and complement the economic

vitality of this community and the state," Pawlenty wrote in his budget message.



For information on the budget squeeze at private colleges and universities, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## HUMAN SERVICES



### Bonding priorities forwarded

The addition of 150 new beds for the Minnesota Sex Offender Program at the St. Peter Regional Treatment Center leads the list of bonding priorities for the House Health Policy and Finance Committee.

The \$3.3 million project is part of the overall \$57.3 million the committee is recommending be allocated to 14 projects.

Other priorities in the \$27 million request for the Department of Human Services include \$12.6 million for a 50-bed skilled forensic nursing facility for aged or ill sex offenders receiving state care; \$6.2 million for system-wide campus redevelopment, reuse and demolition costs at the state's regional treatment centers; \$4 million to finance asset preservation projects at regional treatment centers; and \$1 million for system-wide roof repair at campuses. The governor recommended all human services requests.

The remaining \$30 million would go to the Veterans Homes Board. Its projects include \$7.9 million for the reuse of the Willmar Regional Treatment Center for methamphetamine treatment and specialized treatment for aging veterans; \$7.2 million for five capital projects; and \$6 million for asset preservation of veteran's homes. Only the asset preservation was in the governor's bonding proposal.

"Our first priority is public safety," said Rep. Fran Bradley (R-Rochester), chair of the committee. "The protection of the public is our top concern."

Bradley said asset preservation and taking care of current facilities are also important, and is reflected in the committee's priorities.

Some of the committee's priorities were included in the Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon), that was approved Jan. 24.

The committee sent its list of priorities to the House Capital Investment Committee.

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



For information on a proposed forensic facility in Walker, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## LOCAL GOVERNMENT



### Stop the flooding

Nearly a foot of rain fell on and around Austin in 24 hours on Sept. 15, 2004. This resulted in the Cedar River rising 21 feet, and flooding streets, shopping areas and the surrounding rural areas.

But that's not the first time that happened in Austin. "We've had a number of floods in the last 25 years," said City Engineer Jon Erichson, referring to storms in 1978, 1993 and 2000.

So, local units of government in the affected areas are asking the state for \$2 million to replace and renovate storm sewers and other infrastructure damaged in the most recent floods. The money would also help the city buy property damaged in the flooding. The property would be cleared and houses possibly moved elsewhere, Erichson said.

HF603, sponsored by Rep. Dan Dorman (R-Albert Lea), would provide that money. Heard Feb. 2 by the House Jobs and Economic Opportunity Policy and Finance Committee, it was held over for possible inclusion in the committee's bonding resolution.

Committee Chair Rep. Bob Gunther (R-Fairmont) called the flood "devastating," and Rep. Tim Mahoney (DFL-St. Paul) said, "That's what this committee does is deal with natural disasters. I will place it high on my list of priorities."

A companion bill (SF557), sponsored by Sen. Dan Sparks (DFL-Austin), was included in the Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon).

### Arena funding

Mayor Herb Bergson says the Duluth Entertainment and Convention Center is a centerpiece for downtown Duluth, a gathering place that has hosted the Eagles and Cher in the past year, and is the longtime home for college and high school hockey.

"It is desperately in need of replacement," Bergson said. "A new arena will benefit the city, state and region for years to come."

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF102 would allocate \$1.5 million to help design and prepare construction documents for construction of a new arena.

The bill was heard Jan. 31 by the House



Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in its bonding resolution.

A new arena "would expand the convention capabilities of the Duluth Entertainment and Convention Center and provide an updated facility for the University of Minnesota-Duluth men's and women's hockey programs," said Huntley, who noted that the university is willing to sign a long-term commitment to play there.

The hockey arena is the oldest in the Western Collegiate Hockey Association, and the ice sheet is the smallest. Its seating capacity of 5,333 ranks eighth in the 10-team league.

"It's an old facility that has served us well," said Dan Russell, executive director of the center. He said the former Met Center in Bloomington and former St. Paul Civic Center were built after the DECC was constructed in 1964.

A companion measure (SF29), sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), is included in the approved Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon).

### Urban renewal continues

Hennepin County is looking to help the Hawthorne, McKinley and Folwell neighborhoods in northeast Minneapolis by rehabilitating the Lowry Avenue Corridor.

A way to do that is to demolish dilapidated properties, expand the roads and put in bus shelters along the corridor, which runs from Girard Avenue North to Interstate 94. Then, supporters say, the area may be ripe for new development.

Hennepin County is undertaking Phase I of the \$13.8 million project, and is asking for \$5 million from the state to help.

A bill (HF425) to allocate the funds, sponsored by Rep. Joe Mullery (DFL-Mpls) was heard Jan. 31 in the House Jobs and Economic Opportunity Policy and Finance Committee, and was held over for possible inclusion in the committee's bonding resolution.

That area is now a high crime area, suffering from all the symptoms of urban decay, including poverty, unemployment, drug use and assaults. The primary victims of those neighborhoods are children, said Anna Dvorak, chair of the McKinley Community organization, a neighborhood group.

"Kids in the neighborhood don't have the choice of moving to another neighborhood," she said. "We've seen what redevelopment has done in the south area of Minneapolis, it has caused the crime to come to us."

Tara Johnson, a mother of four children and administrative director of the organization, agrees. "I don't feel completely safe in the neighborhood. We pretty much stay indoors,"



PHOTO BY TOM OLMSCHIED

**Anna Dvorak, left, chair, and Tara Johnson, administrative director of the McKinley Community, testify Jan. 31 before the House Jobs and Economic Opportunity Policy and Finance Committee for the issuance of state bonds for the Lowry Avenue Corridor in Minneapolis.**

she said.

Hennepin County Commissioner Mark Stenglein said the corridor has always been well traveled. "The reality of the Lowry Hill area is that it has declined. Lowry Avenue has great potential," he said.

Sen. Linda Higgins (DFL-Mpls) sponsored a companion bill (SF517) in the Senate. In that body, \$1.5 million of the request was included in the approved Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon).



For information on other requests that may be included in the House bonding bill, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## MILITARY



### Family assistance

A young mother whose husband was deployed to Iraq couldn't afford to pay her home insurance deductible after a storm damaged her house.

She called Rep. Scott Newman (R-Hutchinson) for help.

After receiving other calls from soldiers' families in a variety of financial hardship

situations, he is sponsoring HF229, which would create an additional check-off box on Minnesota tax forms to assist National Guard and Reserve members and their families affected by federal active duty service since Sept. 11, 2001.

Beginning in taxable year 2005, taxpayers would be able to pledge any amount, and soldiers could receive up to \$2,000 "for a financial need as a result of that service." The Department of Military Affairs would manage the fund by distributing the money to individual soldiers or qualifying nonprofit organizations that could also distribute the monies.

"When you couple the separation with the financial hardship, it really is having a direct effect on the families in Minnesota," Newman told the House Governmental Operations and Veterans Affairs Committee Jan. 27.

Newman said that passing a law for every financial hardship would be impossible, so he decided to "create a fund that would address a wide variety of situations."

Rep. Tim Mahoney (DFL-St. Paul) said that although he supports what the bill is trying to do, the language is not strong enough in protecting the money for its intended use. "The track record is out there that that wording doesn't mean anything" because the governor has shifted other like monies to fill the budget deficit, he said.

Newman responded he would revisit the issue of funding to ensure the donations are used for their intended purposes.

The bill now goes to the House State Government Finance Committee. It has no Senate companion.

## SAFETY



### Motor vehicle fires

The cost of putting out vehicle fires on highways is growing for cities, according to Vadnais Heights Fire Chief Ed Leier. It is an expenditure that cities like his can't afford.

Many drivers involved in incidents carry no car insurance or are not from this state, making it hard to collect any kind of money to recover the costs, he said.

Rep. Greg Blaine (R-Little Falls) is sponsoring HF210 that would allow for the reimbursement of \$300 per fire call to cities through a motor vehicle fire revolving account in the state's General Fund.

He told the House Local Government Committee Feb. 2 that the costs "add up over time."

The bill would also allow the transportation commissioner to receive any monies collected for costs of extinguishing a fire in



a trunk highway right-of-way. That money would in turn go into the revolving fund to be reimbursed to local fire departments.

Rep. Michael Paymar (DFL-St. Paul) asked how widespread the problem is and the costs associated to fires.

Leier said in the past decade Vadnais Heights has responded to 540 calls on 7.5 miles of interstate in the city, including 53 vehicle fires. On average, it costs \$350 per hour to respond to fires, he said. The city would request the Legislature also look into crash and rescue reimbursements as well, he added.

The bill was approved and now moves to the House Transportation Finance Committee.

A Senate companion (SF344), sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action in the State and Local Government Operations Committee.

## TAXES



### Tsunami tax break

**Signed  
by  
the  
governor  
\*\*\***

Taxpayers who made contributions in January 2005 to tsunami relief in Asia will be permitted to deduct those contributions on their 2004 state income tax returns, under a new law signed Jan. 27 by Gov. Tim Pawlenty.

The signing came 20 days after President Bush signed a similar federal law.

A Dec. 26 earthquake in the Indian Ocean touched off a tsunami that heavily damaged coastal areas from Indonesia to Africa and killed more than 150,000 people with thousands more still missing and presumed dead.



PHOTO BY TOM OLMSCHIED

**Surrounded by legislators, Gov. Tim Pawlenty signs the tsunami tax relief bill in his reception room Jan. 27.**

Since then, relief money has poured in from all over the world.

Ordinarily, people who make donations beginning Jan. 1, 2005, would not be permitted to deduct those donations until they complete their 2005 tax form next year. The law applies only to donations for tsunami relief.

The effect of the law is expected to be financially negligible. According to estimates from the Department of Revenue, the law will shift approximately \$35,000 from fiscal year 2005 to 2006. That will vary, depending on how many people make donations and how much they donate.

Rep. Ron Abrams (R-Minnetonka) and Sen. Ann Rest (DFL-New Hope) sponsored the law, which is effective Jan. 28, 2005.

HF166/SF218\*/CH1

## TECHNOLOGY



### Boost for bioscience

Bioscience could mean thousands of jobs in Minnesota, paying between \$40,000 and \$60,000, so Rep. Tim Mahoney (DFL-St. Paul) believes government investment is appropriate.

He is sponsoring HF510, which would invest \$32 million in the industry statewide. The bill was heard Feb. 1 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's bonding resolution.

Bioscience uses the properties of cells, such as their manufacturing capabilities and biological molecules, to solve problems. It can be used in many areas, including agriculture,

science and the medical industry.

Mahoney's bill would provide the transportation and infrastructure to support development of the bioscience industry in Minnesota.

Minneapolis, St. Paul, Rochester and rural Minnesota would each receive \$8 million, according to the bill. "This is the first step we will have to take for a number of years to build this industry," Mahoney said. "This is a wide-ranging industry that can provide many high-paying jobs."

"This could be a defining moment for providing jobs, and providing jobs is what this committee should be about," said Committee Chair Rep. Bob Gunther (R-Fairmont).

There is no companion bill in the Senate, but in the approved Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon), is \$5 million for St. Paul to support the infrastructure and development of biosciences business in that city.

### Room for genomics

The University of Minnesota and the Mayo Clinic are looking to form a partnership that could be a key to Minnesota's economic future.

HF689, sponsored by Rep. Bob Gunther (R-Fairmont), would support that partnership. It was heard Feb. 2 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's bonding resolution.

The bill would provide \$24.3 million to the university to purchase three floors of the Stable Building at the Mayo Clinic in Rochester. The new space would be used to accommodate the collaborative research efforts into genomics between the two entities. The floors would be owned by the university and operated by the Mayo Clinic.

"This is a very inexpensive way of getting the space that's needed," Gunther said.

Genomics pinpoints the normal and abnormal functions of individual genes and uses the information to diagnose and treat disease. Supporters believe that together, the university and the Mayo Clinic could come up with better ideas than they could on their own, so what better reason to provide additional space.

A total of \$21.7 million is included for the project in the Senate bonding bill (SF1), sponsored by Sen. Keith Langseth (DFL-Glyndon).

The money was part of last session's bonding proposal, which was approved by the House, but not the Senate. At that time the amount was \$20 million, but has increased due to inflation.

# Finding a companion

From bill to law, House and Senate need to find common ground

By BRETT MARTIN

**W**hen Rep. Ann Lenczewski (DFL-Bloomington) opposed a casino proposed for her city, she didn't have to look far to find an ally in the Senate.

"When it comes to Bloomington, we throw politics aside," said Sen. William Belanger (R-Bloomington).

Despite belonging to opposite parties and serving in opposite chambers, Lenczewski and Belanger share common ground. They both represent Bloomington, they both served on the Bloomington City Council, and Lenczewski went to school with Belanger's son.

"Between us, we have a multi-generational understanding of the city," Lenczewski said. "We definitely don't agree on everything, but it doesn't affect us working together. We both feel our job is to represent our community."

Belanger agrees, "You have to work together. You look for the things that you agree on."

For the second year in a row, they're working together on legislation to keep a casino out of Bloomington.

This cooperation is crucial since a bill needs to be approved in both the House and the Senate, in identical form, before being signed

into law by the governor. This means the sponsor of each House bill must find someone to sponsor a companion bill in the Senate, and vice versa.

"It's a cumbersome process, but it's to benefit the public," Belanger said.

Patrick Murphy, first assistant chief clerk for the House, said the companion bill method requires collaboration between the House and Senate, which speeds along the bill process.

"Members of both bodies work all the time together. That's the whole idea. That's what gets the same idea moving," he said. "There is a lot of cooperation because they all need companion bills [to become law]."

Rep. Mike Jaros (DFL-Duluth) said finding a companion bill sponsor who shares a similar ideology and is passionate about the issue is often key to the bill's success.

"It's important that you have an author who really believes in it and is enthusiastic so they will push it," Jaros said. "You want someone who will fight for it."

Working across party lines, as Lenczewski and Belanger do, can be a factor in generating majority support.

"If you can speak from both parties and both

houses, it comes across as a united voice and helps your position," Lenczewski said. "I think the best legislators don't strictly work on one side of the aisle."

Although companion bills are identical when first introduced, the wording often changes in committees or on the floor as items are added or deleted.

In the House, the speaker assigns each bill and numbered resolution to a standing committee. It is

then assigned a House file number by the chief clerk. This identifies the bill as it travels through committees and onto the floor. House bills go through the necessary policy committees and if they have financial implications, they go to a finance committee.

The process in the Senate is somewhat different. Bills and resolutions are given a number by the Secretary of the Senate's Office and assigned to a committee by the Senate president.

House bills are identified with an "HF" and Senate bills with an "SF." Each bill receives three readings on the respective floor before members debate its merits and a final vote is taken.

Once the House and Senate versions of the bill are passed, if the wording is the same, the bill goes to the governor. If the wording is different, a conference committee, composed of three to five members from both the House and Senate, is assigned to work out language differences.

"The wording has to be identical in both bodies to become law," Murphy said. "That's why compromise is difficult."

As an example, Murphy cites the drunken driving law passed last year in which the legal limit for blood alcohol content was lowered from 0.10 to 0.08. In the original House version, the law would have taken effect Aug. 1, 2007. The Senate version called for an Aug. 1, 2004, effective date. The conference committee compromised, and the bill becomes law Aug. 1, 2005.

Bills can originate in either body, except for bills for raising revenue, which must be first introduced in the House. That requirement is called for in the state constitution, which is based on a federal law going back nearly 200 years when U.S. senators were appointed by the state Legislature rather than elected by the people. In 1913, the 17th amendment to the U.S. Constitution changed the election of senators.

Not all bills, however, end up with a companion bill. A legislator may introduce a bill knowing it will never have a companion and never become law that session.

"Sometimes someone introduces a bill just to get the idea out there," Murphy said.


Technically, bills are alive over the course of a biennium, so a bill introduced in 2005 that doesn't pass could still be discussed until final adjournment in 2006. 



PHOTO BY TOM OLMSCHIED

St. Paul Police Officer David Titus explains a portion of a bill that would allow officers to wear an American flag on their uniforms. Behind him at the Jan. 13 press conference are the Senate and House sponsors, Sen. Mady Reiter and Rep. Ray Vandever.

# All on the World Wide Web

## A how-to guide for following bills online

Throughout the course of a legislative session, thousands of bills are introduced and discussed. That doesn't mean you should be discouraged while trying to keep up with all that is happening at the Capitol, whether you're closely following a number of bills or casually following a few.

And you don't have to physically be at the Capitol to track legislation. Through the Legislature's Web site ([www.leg.mn](http://www.leg.mn)), following a bill from your computer is easy.

### Where to begin - the basics

The best place to begin is the Legislature's main page. Click the words "Bill Search, Status and MyBills," which will take you to a page where you can select either the House or Senate bill link. There, you can enter a House or Senate file number, which is used to identify a bill in the House or Senate, the name of the chief author in either body, a statutory citation if you know it, a keyword description or selected search topic.

The MyBills service provides personalized bill tracking for current legislation. Or, bills can be tracked on the Web site as far back as the 1993-94 biennium by using the drop-down menu next to the "Previous years' bills" heading.

Once you enter search criteria, the "bill status summary" page gives a short version of what the bill is about, and provides links to the status, full text or the House Research Department summary of a bill. The status area shows the process of a bill from its introduction, through the committee and floor process, to gubernatorial action.

### Finding the tools to search

You don't have to know a bill's number or even the chief author to find information on legislation you are interested in.

There are several features on the Legislature's Web site to help you determine what a bill's number is and who has sponsored a specific piece of legislation in both the House and the Senate.

On the main bill tracking search page, there is a section at the top for House bills and Senate bills. Choose either link and you will be directed to an Internet form with a number of options.

If you are unsure about the best way to

proceed, scroll down to "How to follow a bill". The page features an explanation of how to find a bill and its status.

Near the top of the page are four links to four different searches.

- House Topic Search: this search allows

- House Action Search: this link offers dozens of possible status actions for bills in the House. This may also be handy if you are trying to determine whether a committee has reported on a certain bill or if you think a bill was acted upon on a certain day, but you're not sure of any other information.

The Legislature's Web site also lists the bills that both the House and Senate introduce each day.

### Gubernatorial action

When a bill is sent to the governor for approval, it is recorded on the legislative log, which can be found at [http://www.governor.state.mn.us/LegCoord/LegCoord\\_list.asp](http://www.governor.state.mn.us/LegCoord/LegCoord_list.asp). The log contains a brief description of each bill, its House and Senate file numbers and the date of gubernatorial action.

There are several guidelines regarding when the governor must act on a bill. Generally, he or she has three days to sign or veto a bill during the course of the legislative session.

A history of vetoed bills since 1939 is available through the Legislative Reference Library at <http://www.leg.mn/leg/vetoed/vetoed.asp>.

### Information by phone

For those who do not have access to a computer, bill information is just a phone call away. Contact the House Index Department at (651) 296-6646 or the Senate Information Office at (651) 296-2887 or 1-888-234-1112.

Also, if you're looking for information on the Internet site, and you're not sure where to find it, you can contact the House Public Information Services Office at (651) 296-2146 or 1-800-657-3550.



The Legislature's Web site includes an easy-to-use bill tracking function.

you to find bills according to the major topic area that it falls into. In some cases, a bill deals with several topics, and the topic you are interested in will be a part of another larger bill.

- House Author Search: this option allows you to see all the bills a particular author has sponsored. It is handy when you know a certain representative has sponsored a bill, but you're not sure what its number or status is.

- House Committee Search: sometimes all you might know about a bill is that a particular House committee is hearing the bill. This search option allows you to see all the bills that a particular committee has possession of.

# Performing on a new stage

## Charron merges love of arts and politics in the House

By PATTY JANOVEC

When thinking about the nuances of being a freshman House member, Rep. Mike Charron (R-Woodbury) said he feels the same sense of child-like wonder as on Christmas Eve.



Rep. Mike Charron

"This is my first new job in 22 years," he joked.

A professor and chair of the theatre department at Concordia University in St. Paul, Charron said many educators are public service oriented. He is no different and has been actively involved in his home community. "Almost on a whim someone said, 'You should really run for city council,'" he said. And he did, and won.

With his years of teaching and council service, Charron said he has gained valuable experience understanding the issues he is facing as a legislator. "It brought me some

insights into things, passion for things, that fuel the fire for me here."

People have asked Charron how he balances his arts interest and political affiliation.

"A lot of the biggest arts supporters I know are Republican, but they support the arts with their own money," he explained. "The more things are subsidized by government, the more the government is going to have a say. ... I don't want the government having a lot of say in art."

A major issue he wants to address is who should control local development – the state, Metropolitan Council or local governments – an especially important issue in his rapidly growing district. He said growth needs to be done simply, while "balancing the needs for conserving natural resources, open space, and respecting the rights of landowners to both develop or not develop."

He's a co-sponsor of one of the session's early bills, HF2, relating to health savings accounts that would allow people to establish

### DISTRICT 56A

2002 Population: 36,812  
Largest city: Woodbury  
County: Washington  
Top concern: Controlling development

***"The more things are subsidized by government, the more the government is going to have a say. ... I don't want the government having a lot of say in art."***

— Rep. Mike Charron

an interest-earning medical account to pay for their expenses. Small businesses that cannot afford to offer health care insurance to their employees would be able to do so under the proposal, he said.

Charron, who has biked across Iowa five times and considers himself a Lance Armstrong wannabe, is determined to maintain his integrity. "In all of my discussions and dealings with my colleagues and constituents I want to be known as a man of my word."

# From behind the scenes

## Garofalo looks to move out of legislative gridlock

By MIKE COOK

Rep. Pat Garofalo (R-Farmington) has come from behind the political scenes to a seat in the House chamber.



Rep. Pat Garofalo

"I'm super-excited to get started," he said before session began. "I think we're going to surprise some people this year with how much work we are going to get done."

Garofalo replaces Steve Strachan who left the House after being named Lakeville's police chief last spring.

"Two years ago I was his campaign manager," he said. "Steve has just been a fantastic mentor. One of the things he said to me was that there is a lot of pressure to be partisan and not work with others across the aisle, but by working with them you'll be much more effective and get more things done."

Garofalo represents a district that is an almost even mix of rural and suburban. "It's a great district to represent because of that. During the campaign I had the chance to go out and visit some farms in action, and a couple of times I brought my wife and kids with and that was a great experience. To have one of the few districts that is split down the middle gives me a very balanced view of how both sides see an issue."

That is especially true in education and transportation – two areas of concern for district residents, he said.

"In the rural areas, it's not as focused on traffic congestion as it is road safety where you have large traffic volumes on single-lane roads.

"As for education, in the metro it's more of a focus on education funding and education accountability; where in the rural areas, such as the Randolph School District, the issue is more local control. They are very concerned about federal and state politicians coming in

### DISTRICT 36B

2002 population: 36,713  
Largest city: Lakeville  
Counties: Dakota, Goodhue  
Top concerns: Education funding, traffic congestion

***"Traffic is such a huge problem in the south metro, and the busway is a transportation solution that can last for generations. It's a significant investment but it will reap rewards long term."***

— Rep. Pat Garofalo

and telling them what to do when they know their community best."

If he could have offered the first bill of 2005, Garofalo said it would have been funding for the Cedar Avenue busway to help alleviate congestion on a freeway that many of his constituents take on a daily basis.

"Traffic is such a huge problem in the south metro, and the busway is a transportation solution that can last for generations," he said. "It's a significant investment but it will reap rewards long term."

# Bound and determined

Hortman says issue, not the party is important

By PATTY JANOVEC

Rep. Melissa Hortman (DFL-Brooklyn Park) insists on helping break the partisan gridlock that some say has plagued the Legislature over the past several sessions.



Rep. Melissa Hortman

Building relationships and not treating people as though they are in “two different camps can do it,” she said. “I will see people as people and not as Republicans and Democrats.” She said she would never vote down a bill simply because of the sponsor’s party.

Major issues in her district include transportation and education.

In the past few years the state hasn’t been funding road maintenance and construction enough, and is also declining in its commitment to public schools, she explained. “We want better schools and better roads.”

To help on the transportation issue, Hortman is a co-sponsor on Northstar commuter rail legislation. She said that the 35 sponsors come from both parties, an intentional united political voice.

A lawyer by profession, Hortman described her background as very similar to that of a legislator. “Our job is to take a wide variety of complicated information and simplify it and get to the heart of the issue, and propose a resolution.”

After unsuccessful House campaigns in 1998 and 2002, she was hesitant about trying a third time. “You’re really an absent parent and an absent spouse for about nine months.”

Hortman’s father encouraged her by saying, “You know there are going to be about 10 times in your life where it seems like opportunity knocks on your door, and you don’t want to look back and say that was one of the times that opportunity knocked and you didn’t answer the door.”

## DISTRICT 47B

2002 Population: 36,543  
Largest city: Brooklyn Park  
Counties: Anoka, Hennepin  
Top concern: School funding

***“Our job is to take a wide variety of complicated information and simplify it and get to the heart of the issue, and propose a resolution.”***

— Rep. Melissa Hortman

If that wasn’t enough to convince her, a quote in the newspaper from Wayne Gretzky helped. Gretzky said, “You miss 100 percent of the shots you don’t take.” When Sen. Don Betzold (DFL-Fridley) agreed to be her campaign manager, that sealed the deal.

Hortman said she would rather spend time with her kids than do anything else. She said her kids know she is more like a “large child,” not a “real” grownup. For example, she can hold her own with the second grade Brownie troop she leads. “I’m right there with them talking about glitter makeup and smelly gel pens,” she added with a laugh.

# Framing the issues

Scalze brings years of art and government experience to House

By BRETT MARTIN

The framed wildlife pictures in the office of Rep. Bev Scalze (DFL-Little Canada) brilliantly capture the Minnesota outdoors, but what’s really impressive is that Scalze painted them herself. One is of a brook trout that she created for the Department of Natural Resources’ 1991 trout and salmon habitat stamp.



Rep. Bev Scalze

“The brook trout is indicative of Minnesota,” Scalze said. “They only live in very cold, clean water.”

In addition to 25 years as a wildlife artist, Scalze brings to the House six terms on the Little Canada City Council, and experience as a small business owner — she and her

husband, Bob, own and operate a heating and air conditioning company. Her background is well-suited for the Environment and Natural Resources and Local Government committees on which she sits.

“I have firsthand knowledge of how state decisions impact local governments,” she said, noting that because of budget problems, the state often withheld local monies, forcing the city to build reserves by raising taxes. Her frustration with state government led her to seek a House seat.

“We need more local representatives in the House,” she said.

An advocate for public education, Scalze also wants to ensure that schools are adequately funded.

“My district has very good school systems, yet they’re struggling due to a lack of funds,” she said.

## DISTRICT 54B

2002 Population: 36,759  
Largest city: Roseville  
County: Ramsey  
Top concern: Education funding

***“You do a lot of things for your kids, but you’d go to the wall for your grandkids. I want to leave them with something they can be proud of.”***

— Rep. Bev Scalze

Health care is another issue she’d like to see addressed.

“The cost of health care impacts everything else,” she said. “We’re going to have to, at one point, negotiate these drug prices.”

Scalze said her legislative decisions are guided by how laws will impact her four granddaughters.

“You do a lot of things for your kids, but you’d go to the wall for your grandkids,” she said. “I want to leave them with something they can be proud of.”

# Social club

Freshmen legislators get together to share concerns

By MATT WETZEL

First-year legislators are trying to make changes in how the Legislature works, and they hope it leads to a more successful legislative session.

Two of them have organized a freshmen social group, which they hope to have meet periodically throughout the session.

Also, more than 60 state legislators attended a conference last month, learning the methods of effective negotiation and working together.

These were two examples of a new collegiality in the House during the first weeks of the 2005 session, and members hope it will lead to some productive work.

"If there's gridlock this session, and we don't get things done, everyone's going to get thrown out," said Rep. Pat Garofalo (R-Farmington). "I haven't seen a member who wants to lose (their bid for re-election). The purpose is not to get us to agree, rather to disagree in a constructive and civil manner."

Garofalo and Rep. Steve Simon (DFL-St.

Louis Park), both in their first term, kicked off their new social group with dinner Jan. 19 at a St. Paul restaurant.

"We just got to know each other and share some concerns," Garofalo said. "People trust others with whom they have working relationships. If we can get to know each other and understand each other it will make for a more effective working relationship."


He hopes the first-year legislators can build on their commonality of being new on the job. "We can share our frustrations. ... A lot of what we're experiencing, we're experiencing for the first time. We're beginning to understand the awesome responsibility of being the voice for 37,000 people," he said.

Twenty of 26 first-year legislators made an appearance at the gathering. House Speaker Steve Sviggum (R-Kenyon) and House Minority Leader Matt Entenza (DFL-St. Paul) also showed up, and Simon said he and Garofalo were grateful.

"I think we all understand that there are

going to be disagreements. But you can disagree without being disagreeable," Simon said.

Simon said the gathering reminded him of the December new member orientation. "It was a good way to continue the process of getting to know each other. We all got together at orientation, and regardless of where we're from, a lot of us liked each other," Simon said.

They're looking at inviting all House members to the next new member gathering. 

## Workshop helps members get off on right foot

The idea of working together, disagreeing constructively and getting the work done is what moved Rochester Sen. Sheila Kiscaden, the lone Independence Party legislator at the Capitol, to think about organizing a conference to encourage lawmakers in that direction.

"We did this in 1996 and it was successful. We've had a lot of turnover, and we've had two years where we had a great deal of difficulty accomplishing anything," Kiscaden said. "Our behavior the last two years indicated to me it was time to do this again."

The workshop on Jan. 6-7 was sponsored by the Hubert H. Humphrey Institute of Public Affairs and the National Conference of State Legislatures, and included small group sessions in which legislators talked about why they ran for office. "That was a way for many of them to find common ground," said Cindy Orbovich, associate director of the Institute's policy forum.

Other topics included barriers encountered in the Legislature, conflict management tools and negotiating skills. Legislative leaders from Utah and Kansas talked about how they had tackled tough issues.

Rep. Kathy Tingelstad (R-Andover) worked with Kiscaden to organize the conference. She believes the most important part of the seminar was the opportunity for people to get to know one another. "It's a good start," she said.

Rep. Mark Olson (R-Big Lake), chair of the House Local Government Committee, is trying to implement some of what he learned about collegiality. For instance, each week, when the list of bills for discussion is set before the committee, members rank them. The bill with the highest ranking is heard first.

"Last year, we couldn't get hearings on some bills, and I didn't think it was right that one member could make that decision. Regardless of what the bill is, there needs to be a process that is more representative as to what bills get a hearing," he said.

Traditionally, bills are heard at the discretion of the chair. His goal is to "empower" committee members.



PHOTO BY SARAH STACKE

In hopes of getting to know each other better, Reps. Pat Garofalo, left, and Steve Simon have organized a social group for freshmen members.

# Hotlist bills really sizzle

Number of reasons can make a bill one to watch

By RUTH DUNN

**T**he most talked about bills of each legislative session earn a spot on the Hotlist compiled by employees in the Index department of the House Chief Clerk's Office. The list is an unofficial selection of bills that have buzz – they're in the news, they may be controversial, people are talking about them. They're hot!

The first Hotlist of the 2005 session was available Jan. 21 and department personnel had been getting calls about when it would appear. The new list usually shows up the third week of each session since it takes a while for the first hot bills to rise to the top. "Committees start slowly with lots of overviews and testimonies and not a lot of bill movement at the start of the session," says Heather Ball, assistant index clerk, who is responsible for creating the Hotlist.

The Hotlist began in 1994 as an internal reference guide for House Index employees. Bills that generated a lot of phone calls and questions were put on a list because employees needed a quick way to get information about them. David Surdez, now index office supervisor, saw the list back then and knew it would be of interest to others. "We've got to publish it," he thought. "This is something people will want to see." He expanded the list to include more information about each bill, including its Senate companion bill and its current status. "We hope the Hotlist is fun and informative," he said.

The Hotlist was once called the Hit List. "We thought that was cute but when the Columbine school shootings took place, it wasn't cute anymore," said Ball. That's when the name was changed to Hotlist.

Now the list itself is hot. "It's a little idea

## You should know

***To see what's hot go to [www.house.mn](http://www.house.mn) and click on Hotlist 2005 - "well-known bills." Copies are also available from House Index in room 211 of the State Capitol.***

that has become big," says Ball. "It's taken off, mushroomed."

There are several ways bills get on the Hotlist, said Ball. For example, if House Index gets lots of phone calls and questions about a bill. "Another way is if we think a bill will become a big thing and will be in the news," said Ball. Northstar commuter rail is an example. Some topics seem to make the Hotlist every year, like abortion, grandparent visitation rights, cosmetology requirements and acupuncture licensing.

Bills are also added to the list if they're topics that would be good research subjects for students, like smoking bans, seat belt usage and minimum wage. When teachers give an assignment to write about something at the Legislature, students can go to the Hotlist and easily find a topic of interest to them, according to Ball.

Ball puts a lot of thought into which bills make the Hotlist. She consults with others in her office. She strives to be nonpartisan and objective in the suggestions. "I take myself out of it." Sometimes she may not personally understand why a bill is hot, but it is. She updates the Hotlist every Friday afternoon during the session.

Bills may also be dropped from the Hotlist if they lose momentum. "Bills on the Hotlist


## The first dozen bills plucked for Hotlist 2005

- HF352: Bonding, capital improvements;
- HF14: Intimidation and bullying model policy;
- HF18: Cell phone use in motor vehicle restrictions;
- HF47: City aid base calculation correction;
- HF57: Deficiency funding for state agencies;
- HF290: Grandparent visitation rights;
- HF6: Marriage defined as union of one man and one woman;
- HF48: Minimum wage increase;
- HF369: Minnesota Common Interest Ownership Act modifications;
- HF246 Northstar commuter rail funding;
- HF13: Stem cell research state policy, and
- HF166: Tsunami relief donations income tax deductions.

must be moving forward," said Ball. In 2004, more than 140 bills were on the list at the end of the session.

Ball has never been approached about having a bill taken off the Hotlist, although she has received calls from people who want certain bills to be added. If people feel that strongly about a bill, it usually goes on the list.

Rep. Mike Jaros (DFL-Duluth) is pleased his bill requiring cell phone use in cars to be hands-free is on the Hotlist. "The listing might draw attention to the bill and that's a good thing." When more people are aware of a proposed bill, its chances of being heard in committee might improve, he explained.

Rep. Kathy Tingelstad (R-Andover) understands why two of her bills (Northstar commuter rail and a bullying policy) were selected for the Hotlist. "They're easily understood, controversial and seem to generate strong opinions." 

## Frequently called numbers (Area code 651)

Information Services, House Public  
175 State Office Building .....296-2146  
Chief Clerk of the House  
211 Capitol.....296-2314  
Index, House  
211 Capitol.....296-6646

TTY, House .....296-9896  
Toll free.....1-800-657-3550  
Information, Senate  
231 Capitol.....296-0504  
TTY, Senate .....296-0250  
Toll free.....1-888-234-1112

Secretary of the Senate  
231 Capitol.....296-2344  
Voice mail/order bills .....296-2343  
Index, Senate  
110 Capitol.....296-5560



## Monday, January 31

### HF565—Gazelka (R)

**Governmental Operations & Veterans Affairs**  
Global War on Terrorism; veterans bonus paid for through bonding proceeds and constitutional amendment proposed.

### HF566—Cox (R)

#### Higher Education Finance

In-state tuition rate regulations provided for students attending state universities and college, including the University of Minnesota.

### HF567—Demmer (R)

**Governmental Operations & Veterans Affairs**  
Military service credit purchase sunset repealed.

### HF568—Marquart (DFL)

#### Local Government

Cities under a specified population allowed an additional 30 days to approve or deny certain regulatory actions.

### HF569—Marquart (DFL)

#### Civil Law & Elections

Persons who are 17 years of age but will be 18 years old at the time of the general election authorized to vote in the primary election.

### HF570—Marquart (DFL)

#### Transportation

Vehicle combinations up to 105,000 pounds authorized on certain highways with permit and permit fee prescribed.

### HF571—Marquart (DFL)

#### Taxes

Military pension income tax deduction authorized.

### HF572—Johnson, J. (R)

#### Civil Law & Elections

Methamphetamine precursor drug sales regulated, civil immunity provided for reporting of suspicious transactions, criminal penalties and property restrictions imposed, methamphetamine lab cleanup fund established and money appropriated.

### HF573—Johnson, J. (R)

#### Education Policy & Reform

Internet filtering and blocking software required on school and library computers with access to students.

### HF574—Soderstrom (R)

#### Higher Education Finance

Pine Technical College; land and building funding provided, bonds issued and money appropriated.

### HF575—Charron (R)

#### Health Policy & Finance

Physical therapist reciprocal licensure provided upon proof of previous practice.

### HF576—Meslow (R)

#### Civil Law & Elections

Paternity presumption provisions modified.

### HF577—Holberg (R)

#### Transportation

Freeway and expressway shoulder use by transit buses provisions modified, and metro mobility buses authorized to use shoulders.

### HF578—Dempsey (R)

#### Taxes

Electric generation facility personal property tax exemption provided.

### HF579—Penas (R)

#### Education Finance

School bus replacement financing system established and money appropriated.

### HF580—Dittrich (DFL)

#### Higher Education Finance

Anoka-Ramsey Community College capital improvements provided for the Cambridge campus and the main campus, bonds issued and money appropriated.

### HF581—Nelson, P. (R)

#### Agriculture, Environment & Natural Resources Finance

Rush Creek Dam removal and restoration funding provided and money appropriated.

### HF582—Vandever (R)

#### Transportation Finance

I-35 and County State Aid Highway 23 interchange funding provided, bonds issued and money appropriated.

### HF583—Westrom (R)

#### Education Finance

Independent School District No. 771, Chokio-Alberta, fund transfer authorized.

### HF584—Urdahl (R)

#### Agriculture, Environment & Natural Resources Finance

Manure digester loans interest-free status extended.

### HF585—Thao (DFL)

#### Commerce & Financial Institutions

Gift certificates and gift cards expiration dates and service fees prohibited.

### HF586—Abeler (R)

#### Health Policy & Finance

Long-term care partnership program authorized, medical assistance eligibility requirements modified, approved long-term care policies defined, medical assistance estate recovery limited.

### HF587—Buesgens (R)

#### Civil Law & Elections

Quarterly Election Day Act of 2005 established, providing for election days for state and local elections other than special elections to fill a vacancy.

### HF588—Wilkin (R)

#### Commerce & Financial Institutions

Small employer group health coverage flexible benefits plans authorized.

### HF589—Rukavina (DFL)

#### Regulated Industries

Virginia and Hibbing municipal utilities joint biomass energy venture authorized.

### HF590—Samuelson (R)

#### Environment & Natural Resources

Lifejackets required for children aboard watercraft.

### HF591—Samuelson (R)

#### Health Policy & Finance

Senior citizens program funding provided and money appropriated.

### HF592—Samuelson (R)

#### Transportation

Counties and cities authorized to impose administrative penalties on certain speed limit law violators.

### HF593—Seifert (R)

#### State Government Finance

Nonprofit organizations receiving state funding subjected to specified conditions.

### HF594—Bernardy (DFL)

#### Education Policy & Reform

Gifted and talented student program guidelines established, and permanent gifted and talented program funding made a component of general education revenue.

### HF595—Gunther (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Employment and economic development funds provided for transfer to the redevelopment account, bonds issued and money appropriated.

### HF596—Wilkin (R)

#### Transportation

Driver's license suspension based on insurance sampling provisions modified.

### HF597—Ruth (R)

#### Transportation Finance

Local road improvement program funding provided, program loan authority abolished, rural road safety program established, bonds issued and money appropriated.

### HF598—Peppin (R)

#### Commerce & Financial Institutions

Standard industrial classification list rulemaking provisions modified.

### HF599—Dill (DFL)

#### Agriculture, Environment & Natural Resources Finance

Lake Superior and Lake County safe harbors funding provided, bonds issued and money appropriated.

### HF600—Beard (R)

#### Taxes

Electric generation facility personal property tax exemption provided.

**HF601—Dill (DFL)****State Government Finance**

Silver Bay Veterans Home renovation and addition funding provided, bonds issued and money appropriated.

**HF602—Carlson (DFL)****Higher Education Finance**

University of Minnesota and Minnesota State Colleges and Universities funding provided, bonds issued and money appropriated.

**HF603—Dorman (R)****Jobs & Economic****Opportunity Policy & Finance**

Austin flood disaster repair and renovation funding provided, bonds issued and money appropriated.

**HF604—Peterson, S. (DFL)****Health Policy & Finance**

Zero-depth public swimming pool use without a lifeguard authorized if access is limited to persons 18 years of age or older.

**HF605—Hoppe (R)****Regulated Industries**

Brewers manufacturing beer on the premises where the brewer also holds an on-sale liquor license authorized to use wort produced outside of Minnesota under certain circumstances.

**HF606—Solberg (DFL)****Public Safety Policy & Finance**

Part-time peace officers appointment and employment restrictions repealed.

**HF607—Ellison (DFL)****Civil Law & Elections**

Citizenship rights and eligibility to vote restored for certain convicted felons who are not incarcerated.

**HF608—Dill (DFL)****Agriculture, Environment & Natural Resources Finance**

Two Harbors wastewater treatment plant equalization basin and chlorine-contact tank funding provided, bonds issued and money appropriated.

**HF609—Dill (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Ely maintenance facility funding provided, bonds issued and money appropriated.

**HF610—Dill (DFL)****Environment & Natural Resources**

Snowmobile trails and enforcement disposition modified.

**HF611—Dill (DFL)****Transportation Finance**

Lake County Forest Highway 11 repair funding provided, bonds issued and money appropriated.

**HF612—Dill (DFL)****Transportation Finance**

Tower; East Two Rivers project funding provided, bonds issued and money appropriated.

**HF613—Kelliher (DFL)****Agriculture, Environment & Natural Resources Finance**

Hennepin County; Cedar Lake Trail completion funding provided, bonds issued and money appropriated.

**HF614—Lieder (DFL)****Transportation**

Slow-moving vehicle sign display at night provisions modified.

**HF615—Klinzing (R)****Education Policy & Reform**

Nonprescription pain relief possession by secondary students permitted.

**HF616—Klinzing (R)****Education Finance**

Regular instruction funding by at least 65 percent of school district operating revenue required.

**HF617—Greiling (DFL)****Education Finance**

Contract alternative education program students over the age of 21 allowed to continue to receive instruction until graduation.

**HF618—Cornish (R)****Public Safety Policy & Finance**

Providing false information to police prohibited.

**HF619—Bradley (R)****Health Policy & Finance**

Parental contributions for the cost of services for children with mental retardation modified.

**HF620—Hackbarth (R)****Jobs & Economic****Opportunity Policy & Finance**

Oliver Kelley Farm money appropriated.

**HF621—Ruth (R)****Transportation Finance**

Bridge replacement, rehabilitation, and repair grants provided, bonds issued and money appropriated.

**HF622—DeLaForest (R)****Civil Law & Elections**

Equal treatment of voters provided.

**HF623—Bernardy (DFL)****Education Finance**

Community education program facility utility cost levy authorized.

**HF624—Ellison (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Minneapolis empowerment zone subproject bonds issued and money appropriated.

**HF625—Sykora (R)****Jobs & Economic****Opportunity Policy & Finance**

Big Island Veterans Camp bonds issued and money appropriated.

**HF626—Moe (DFL)****Transportation**

Cass County Highway 6; Bradley Waage Memorial Bridge designated.

**HF627—Kelliher (DFL)****Health Policy and Finance**

Do not resuscitate/do not intubate orders for patients and liability protection for certain health professionals provided.

**HF628—Kelliher (DFL)****Higher Education Finance**

Minneapolis Community and Technical College health sciences center bonds issued and money appropriated.

**HF629—Kelliher (DFL)****Higher Education Finance**

University of Minnesota health professional programs funding provided and money appropriated.

**HF630—Wilkin (R)****Taxes**

Special assessment and property tax deferment provisions on certain qualified property modified.

**HF631—Pelowski (DFL)****Taxes**

Winona sales and use tax imposition and bond issue authorized.

**HF632—Urdahl (R)****Taxes**

Employer income tax credit for creation and retention of certain rural county jobs authorized.

**HF633—Dempsey (R)****Jobs & Economic****Opportunity Policy & Finance**

Mississippi River Parkway Commission money appropriated.

**HF634—Hackbarth (R)****Environment & Natural Resources**

Off-highway vehicle safety and conservation grant program created.

**HF635—Hackbarth (R)****Environment & Natural Resources**

Un-refunded gasoline tax study required.

**HF636—Jaros (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Duluth; Peterson Arena reconstruction bonds issued and money appropriated.

**HF637—Abeler (R)****Health Policy & Finance**

Licensed professional counselor provisions modified.

**HF638—Hortman (DFL)****Transportation Finance**

Northstar commuter rail corridor bonds issued and money appropriated.

**HF639—Davids (R)****Jobs & Economic****Opportunity Policy & Finance**

Rushford Institute for Nanotechnology, Inc., money appropriated.

**HF640—Nornes (R)****Taxes**

Cruelty to animals prevention city appropriation limit increased and property tax levy exemption provided.

**HF641—Hortman (DFL)****Education Finance**

Basic formula allowance increased.

**HF642—Hortman (DFL)****Education Finance**

Early childhood education program funding restored.

**HF643—Hortman (DFL)****Education Finance**

Elementary school pupil transportation state requirement modified and levy authorized.

**HF644—Johnson, S. (DFL)****Public Safety Policy & Finance**

Probation officer information access about persons who have a permit to carry weapons authorized.

**HF645—Urdahl (R)****Jobs & Economic****Opportunity Policy & Finance**

Historic preservation grant bonds issued and money appropriated.

**HF646—Sieben (DFL)****Health Policy & Finance**

Family planning services access increased, pregnancy education expanded, wholesome after-school youth activities increased, comprehensive family life and sexuality education plan required and money appropriated.

**HF647—Peterson, A. (DFL)****Local Government**

Exception to ban on public officers having interest in a volunteer ambulance service contract provided.

**HF648—Nornes (R)****Local Government**

Cost liability for inappropriate removal of children assigned to counties.

**HF649—Marquart (DFL)****Education Finance**

School district funding increased for those with declining enrollment.

**Thursday, February 3****HF650—Buesgens (R)****Education Finance**

Online learning funded at same rate for certain students.

**HF651—Powell (R)****Health Policy & Finance**

Ambulance service licensee non-government liability limits provided.

**HF652—Bradley (R)****Health Policy & Finance**

Provider tax paid by federally qualified health centers and rural health clinics modified and money appropriated.

**HF653—DeLaForest (R)****Civil Law & Elections**

Actions against health care providers regulated.

**HF654—Clark (DFL)****Commerce & Financial Institutions**

Occupational safety and health coverage for students within the Minnesota State Colleges and Universities system provided.

**HF655—Clark (DFL)****Jobs & Economic****Opportunity Policy & Finance**

WIC coupons authorized for purchase of organic foods.

**HF656—Samuelson (R)****Local Government**

Anoka County laws repealed and recodified.

**HF657—Krinkie (R)****Taxes**

State and local government financing and operations bill making technical, policy, clarifying and administrative changes to certain taxes and tax-related provisions.

**HF658—Seifert (R)****State Government Finance**

Public purchase of used goods consideration required.

**HF659—Tingelstad (R)****Civil Law & Elections**

Adoption records access and services provided.

**HF660—Krinkie (R)****Taxes**

Income, franchise, withholding, sales and use, gross revenue, insurance, property, and solid waste management taxes modified; cigarette and liquor taxes provided; city aid payments modified and money appropriated.

**HF661—Walker (DFL)****Health Policy & Finance**

Dental mercury removal before cremation and installation of amalgam separators required.

**HF662—Abrams (R)****Jobs & Economic****Opportunity Policy & Finance**

Hennepin County; Colin Powell Youth Center construction provided, bonds issued and money appropriated.

**HF663—Koenen (DFL)****Health Policy & Finance**

Nursing facility moratorium exception project deadline extended.

**HF664—Peppin (R)****Health Policy & Finance**

Critical access hospital provisions modified.

**HF665—Meslow (R)****Public Safety Policy & Finance**

Sunday service of legal process authorized.

**HF666—Dittrich (DFL)****Transportation Finance**

Northstar rail corridor funding provided, bonds issued and money appropriated.

**HF667—Gazelka (R)****Commerce & Financial Institutions**

Minnesota FAIR plan property and liability coverage regulated.

**HF668—Solberg (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Grand Rapids; museum funding provided and money appropriated.

**HF669—Mariani (DFL)****Higher Education Finance**

United family medicine residency program grant provided and money appropriated.

**HF670—Abeler (R)****Higher Education Finance**

Minnesota State Colleges and Universities tuition freeze funding provided and money appropriated.

**HF671—Samuelson (R)****Health Policy & Finance**

Ramsey County nursing facility rate increase determination provided.

**HF672—Holberg (R)****Civil Law & Elections**

Department of Commerce comprehensive law enforcement data regulated.

**HF673—Atkins (DFL)****Agriculture, Environment &****Natural Resources Finance**

Inver Grove Heights flood hazard mitigation bonds issued and money appropriated.

**HF674—Knoblach (R)****Governmental Operations & Veterans Affairs**

State Board of Investment data classified.

**HF675—Samuelson (R)****Health Policy & Finance**

Hospice care bill of rights modified, hospice provider survey completion required and death report requirements for recipients of hospice care modified.

**HF676—Hamilton (R)****Jobs & Economic****Opportunity Policy & Finance**

Worthington; soil remediation grants provided, bonds issued and money appropriated.

**HF677—Hamilton (R)****Taxes**

Worthington; local sales and use tax authorized.

**HF678—Hamilton (R)****Education Policy & Reform**

Independent School District No. 518, Worthington, facility lease for residential program authorized.

**HF679—Hamilton (R)****Jobs & Economic****Opportunity Policy & Finance**

Worthington; storm damage infrastructure replacement and repair bonds issued and money appropriated.

**HF680—DeLaForest (R)****Civil Law & Elections**

Utility metering and billing provisions relating to landlord and tenant regulations clarified.

**HF681—Westrom (R)****Health Policy & Finance**

Hospital accrediting organization for presumptive licensure purposes authorized.

**HF682—Severson (R)**

**Governmental Operations & Veterans Affairs**  
Special "Support Our Troops" vehicle license plates provided, National Guard incentive program funding, World War II veteran's memorial, veteran home maintenance and income tax benefits provided, and money appropriated.

**HF683—Hackbarth (R)****Environment & Natural Resources**

Scientific and natural area acquisition and use provisions modified.

**HF684—Hackbarth (R)****Environment & Natural Resources**

Recreational vehicle temporary permit provisions modified, refunds allowed, and critical habitat license plates availability extended.

**HF685—Severson (R)****Governmental Operations & Veterans Affairs**

State employment veteran's preference restriction eliminated.

**HF686—Severson (R)****Civil Law & Elections**

Residency clarified for voting purposes.

**HF687—Bernardy (DFL)****Regulated Industries**

Alcohol sales to underage persons minimum administrative penalties imposed.

**HF688—Latz (DFL)****Transportation Finance**

Golden Valley; railroad bridge crossing reconstruction funding provided, bonds issued and money appropriated.

**HF689—Gunther (R)****Higher Education Finance**

University of Minnesota and Mayo Clinic collaborative research facility funding provided, bonds issued and money appropriated.

**HF690—Penas (R)****Higher Education Finance**

University of Minnesota turfgrass research funding provided and money appropriated.

**HF691—Newman (R)****Governmental Operations & Veterans Affairs**

Public bodies contract performance bond requirement removed.

**HF692—Newman (R)****Education Finance**

Independent School District No. 2859, Glencoe-Silver Lake, levy authorized.

**HF693—Jaros (DFL)****Taxes**

St. Mary's Duluth Clinic Health System construction materials sales tax exemption provided.

**HF694—Kahn (DFL)****Governmental Operations & Veterans Affairs**

State Office Building renamed the Coya Knutson State Office Building.

**HF695—Meslow (R)****Public Safety Policy & Finance**

Audiovisual recording device use prohibited in motion picture theaters.

**HF696—Solberg (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Grand Rapids Forest History Center funding provided and money appropriated.

**HF697—Buesgens (R)****Education Policy & Reform**

General education access grants authorized for students.

**HF698—Seifert (R)****Jobs & Economic****Opportunity Policy & Finance**

Historical sites reopened and money appropriated.

**HF699—Magnus (R)****Education Finance**

Independent School District No. 584, Ruthton, fund transfer authorized.

**HF700—Hilty (DFL)****Taxes**

Cloquet sales tax authorized and fund use specified.

**HF701—Blaine (R)****Local Government**

Regional development commission's power to get and use real or personal property expanded.

**HF702—Gazelka (R)****Local Government**

Crow Wing County; sewer district and commission authorized.

**HF703—Hilty (DFL)****Civil Law & Elections**

Campaign finance and public disclosure provisions modified, electronic filing provided, contribution provisions equalized, assessments limited and obsolete rules repealed.

**HF704—Koenen (DFL)****Governmental Operations & Veterans Affairs**

RenVilla Nursing Home Public Employees Retirement Association privatization special law approval filing date extended.

**HF705—Lenczewski (DFL)****Taxes**

Corporate franchise and income tax sales weighting of the apportionment formula increased.

**HF706—Lenczewski (DFL)****Civil Law & Elections**

Candidate statements of economic interest required to contain disclosures concerning immediate family members and certain contracts and other specified arrangements.

**HF707—Sailer (DFL)****Taxes**

Park Rapids sales and use tax authorized and fund use specified.

**HF708—Slawik (DFL)****Transportation**

Speed-detection devices effectiveness on drivers in school zones pilot project established.

**HF709—Hausman (DFL)****Transportation Finance**

Central Corridor transitway funding provided between St. Paul and Minneapolis, bonds issued and money appropriated.

**HF710—Sykora (R)****Education Finance**

Basic community education program funding restored and money appropriated.

**HF711—Abrams (R)****Taxes**

Alternative minimum taxable income modified.

**HF712—Clark (DFL)****Education Policy and Reform**

Self-defense and conflict resolution training authorized for sixth through eighth grade students and model curriculum required.

**HF713—Slawik (DFL)****Agriculture, Environment &****Natural Resources Finance**

Ramsey County; Lower Afton Road Trail funding provided, bonds issued and money appropriated.

**HF714—Ellison (DFL)****Civil Law & Elections**

News media access to polling places increased.

**HF715—Ellison (DFL)****Civil Law & Elections**

Eviction records expungement required after one year.

**HF716—Ellison (DFL)****Public Safety Policy & Finance**

Civil rights deprivation and pattern of official misconduct crimes established, racial profiling by law enforcement prohibited, racial profiling data collection and policies required and law enforcement training provided.

**HF717—Juhnke (DFL)****Education Finance**

Independent School District No. 345, New London-Spicer, fund transfer authorized.

**HF718—Juhnke (DFL)****Education Finance**

Independent School District No. 345, New London-Spicer, capital levy authority established.

**HF719—Urdahl (R)****Taxes**

Dairy operation investments income and corporate franchise tax credit provided.

**HF720—Olson (R)****Transportation Finance**

Trunk Highway 10 construction funding provided, bonds issued and money appropriated.

**HF721—Meslow (R)****Education Policy & Reform**

Student support services advisory committee established and school districts required to adopt support services plan.

**HF722—Peterson, A. (DFL)****Commerce & Financial Institutions**

Ethanol content increased in gasoline and manufacturers' warranties required to extend to vehicles using certain fuels.

**HF723—Lillie (DFL)****Governmental Operations & Veterans Affairs**

National Guard and other reserves reimbursed for certain life insurance premiums and money appropriated.

**HF724—Urdahl (R)****Education Policy & Reform**

Health and physical education course requirements provided.

**HF725—Tingelstad (R)****Agriculture, Environment & Natural Resources Finance**

Metropolitan regional park acquisition and betterment funding provided, bonds issued and money appropriated.

**HF726—Bernardy (DFL)****Taxes**

Mounds View tax increment financing district requirements modified.

**HF727—Abrams (R)****Health Policy & Finance**

Hennepin County Medical Center acute psychiatric service renovation and expansion funding provided, bonds issued and money appropriated.

**HF728—Vandever (R)****Governmental Operations & Veterans Affairs**

Salaries decreased for legislators and constitutional officers.

**HF729—Vandever (R)****Local Government**

Legislative Commission on Metropolitan Government additional oversight responsibilities provided.

**HF730—Hansen (DFL)****Governmental Operations & Veterans Affairs**

State agencies required to post fiscal information on their websites.

**HF731—Cox (R)****Environment & Natural Resources**

Individual sewage treatment system inspection requirements modified to avoid conflicts of interest.

**HF732—Meslow (R)****Local Government**

Electric or utility special assessments exceeding standards authorized on petition of all affected owners.

**HF733—Klinzing (R)****Commerce & Financial Institutions**

Homeowners' protection act adopted requiring continuing education for municipal building officials, requiring reporting, requiring pre-license education of building contractors and providing information access to homebuyers.

**HF734—Meslow (R)****Public Safety Policy & Finance**

Collateral sanctions defined, and table of collateral sanctions cross-references required.

**HF735—Moe (DFL)****Higher Education Finance**

Bemidji State University hockey arena funding provided, bonds issued and money appropriated.

**HF736—Howes (R)****Environment & Natural Resources**

Local recreation grants authorized for public schools.

**HF737—Fritz (DFL)****Transportation Finance**

Faribault; Trunk Highway 60 improvements funding provided, bonds issued and money appropriated.

**HF738—Hamilton (R)****Taxes**

Property tax classification as both homestead and non-homestead provided for purposes of class rates and the homestead market value credit.

**HF739—Rukavina (DFL)****Regulated Industries**

Cold weather protection established for consumers of delivered fuels.

**HF740—Moe (DFL)****Higher Education Finance**

Bemidji State University property acquisition funding provided, bonds issued and money appropriated.

**HF741—Meslow (R)****Public Safety Policy & Finance**

Child abuse resulting in death crime expanded.

**HF742—Simpson (R)****Commerce & Financial Institutions**

Employment agency licensing requirement exemptions provided and certain fee payments prohibited.

**HF743—Clark (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Minneapolis; cultural and community center funding provided, bonds issued and money appropriated.

**HF744—Samuelson (R)****Health Policy & Finance**

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

**HF745—Cox (R)****Health Policy & Finance**

Rice County; nursing facilities designated as metro for purposes of determining reimbursement rates.

**HF746—Demmer (R)****Education Finance**

High school league administrative regions allowed to contract with private auditors.

**HF747—Lesch (DFL)****Public Safety Policy & Finance**

City attorneys included in the eviction process relating to forfeiture of contraband or controlled substance on rental property.

**HF748—Sailer (DFL)****Public Safety Policy & Finance**

Amateur radio operations protected and use of operations encouraged in public safety and emergency situations.

**HF749—Dill (DFL)****Agriculture, Environment & Natural Resources Finance**

Septic system tank installation fees limited.

**HF750—Dill (DFL)****Taxes**

Beaver Bay sales and use tax authorized and proceeds use specified.

**HF751—Vandever (R)****Commerce & Financial Institutions**

Electronic real estate recording task force established and money appropriated.

**HF752—Severson (R)****Transportation Finance**

St. Cloud Regional Airport land acquisition funding provided, bonds issued and money appropriated.

**HF753—Nelson, P. (R)****Transportation Finance**

Trunk Highway 95 bridge construction funding provided, bonds issued and money appropriated.

**HF754—Rukavina (DFL)****Taxes**

City formula aid modified.

**HF755—Wilkin (R)****Higher Education Finance**

Higher education student fee charging method modified.

**HF756—Hortman (DFL)****Governmental Operations & Veterans Affairs**

National Guard member tuition reimbursement grant time period extended.

**HF757—Abeler (R)****Health Policy & Finance**

Language interpreter services health care coverage required.

**HF758—Mahoney (DFL)****Commerce & Financial Institutions**

Manufactured home park sale notices required.

**HF759—Mahoney (DFL)****Commerce & Financial Institutions**

Crane operator certification and regulation required and civil penalties authorized.

**HF760—Abrams (R)****Taxes**

Single sales apportionment adopted relating to corporate franchise taxation.

**HF761—Smith (R)****Civil Law & Elections**

Child residence removal procedures modified.

**HF762—Kelliher (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Truant children parental notice inclusion of possible availability of mental health screening provided.

**HF763—Goodwin (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Collaborative services for at-risk children program funding required.

**HF764—Meslow (R)****Public Safety Policy & Finance**

Ramsey County criminal surcharge modified.

**HF765—Meslow (R)****Public Safety Policy & Finance**

Motor vehicle license plate, title, and registration regulation exemptions provided for law enforcement agency vehicles involved in impaired driving offenses and chemical test result certification procedures modified.

**HF766—Meslow (R)****Public Safety Policy & Finance**

Retired court commissioner district court appointment authorized.

**HF767—Vandevor (R)****Regulated Industries**

Pull-tab purchase by employees of licensed organization lessors permitted.

**HF768—Gunther (R)****Jobs & Economic****Opportunity Policy & Finance**

Redevelopment account fund transfer authorized, bonds issued and money appropriated.

**HF769—Gunther (R)****Higher Education Finance**

Fairmont educational campus funding provided, bonds issued and money appropriated.

**HF770—Abeler (R)****Taxes**

Educator expense income tax deductions federal conformity required.

**HF771—Abeler (R)****Health Policy & Finance**

Evidence-based health care guidelines provided.

**HF772—Davnie (DFL)****Education Finance**

Staff development funding for school districts with schools not making adequate yearly progress authorized and money appropriated.

**HF773—Peppin (R)****Education Finance**

Independent School District No. 883, Rockford, fund transfer authorized.

**HF774—Dempsey (R)****Education Finance**

General education basic formula allowance increased.

**HF775—Bradley (R)****Health Policy & Finance**

Long-term care provider inflation adjustments provided.

**HF776—McNamara (R)****Commerce & Financial Institutions**

Medicare supplement coverage purchase rights broadened.

**HF777—Johnson, S. (DFL)****Education Finance**

Limited English proficiency program funding restored.

**HF778—Ellison (DFL)****Civil Law & Elections**

Voting eligibility notice provision to certain offenders required.

**HF779—Mahoney (DFL)****Civil Law & Elections**

Joint physical custody presumption provided.

**HF780—Ruud (DFL)****Taxes**

Educator expense income tax deduction federal conformity required.

**HF781—Bernardy (DFL)****Education Finance**

Compensatory revenue mechanism established to allow funding to follow a student to a nonresident school district and money appropriated.

**HF782—Atkins (DFL)****Health Policy & Finance**

Prescription drug discount program obtaining drugs through Canadian pharmacies required, Web site for ordering drugs established and discounted prescription drug access provided.

**HF783—Tingelstad (R)****Civil Law & Elections**

Adoption record access provided and data classification modified.

**HF784—Walker (DFL)****Health Policy & Finance**

Universal health care system establishment, focus on preventive care and early prevention and implementation of plan by 2010 required.

## SPEAKING OF THE HOUSE



Exactly one month after 12-year-old Dillon permanently joined her family, **Rep. Debra Hilstrom (DFL-Brooklyn Center)** invited legislators to a reception in the House Retiring Room Feb. 3.

Dillon is the son of Hilstrom's close high school friend who died several years ago. Since last session, the Hilstrom family worked to gain full custody of Dillon. "So many people here helped us and so many gave us moral support through this long process," she said. "I wanted to introduce my legislative 'family' to my family."

Hilstrom and her husband, Joel, have two other children, Stephanie, 15, and Jeremy, 11. The first day that Dillon was a member of the Hilstrom family, he accompanied Hilstrom to the opening day of the session, sitting next to her on the House floor. But the highlight of

the day for Dillon was meeting former Vice President Walter Mondale, who spoke to the DFL caucus before the floor session.



Each House Governmental Operations and Veterans Affairs Committee member arrived to find a 3Musketeer candy bar awaiting them on Feb. 3.

**Rep. Lloyd Cybart (R-Apple Valley)**, a freshman legislator, presented a bill regarding Minnesota National Guard tuition reimbursement (HF455). In keeping with tradition, freshmen legislators are required to present members with treats upon the presentation of their first bill.

"Most people know I did 20 years in the military," and when you move around, the unit is your family, he said. Everything you

go through, "you go through together."

The candy bar signifies the camaraderie of the three musketeers. "It's all for one, and one for all," he said in support of all those who are part of the National Guard.



**Rep. Kathy Tingelstad (R-Andover)** reminded members of attending organized discussion groups she has created for a variety of topics the Governmental Operations and Veterans Affairs Committee will eventually address.

Jokingly she added, "Yesterday I asked the three groups to each huddle in the corner, and one of the members pointed out that he thought I said 'hug' in the corner ... we'll leave it up to your group, but huddle is a little better."

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

## MINNESOTA INDEX

### Methamphetamine use

Estimated annual public costs related to methamphetamine in 2004, in millions .....	\$130
Percent that is corrections or law enforcement.....	63
Percent that is treatment.....	11
Percent of public cost responsibility for methamphetamine intervention in	
2004 borne by the state.....	50
Percent by local government .....	47
Percent by federal government .....	3
Percent of long-term public cost responsibility for methamphetamine	
intervention borne by the state.....	64
Percent by local government .....	34
Percent by federal government .....	2
Minnesota counties, as of January 2005, that had a methamphetamine	
lab ordinance.....	36
Counties in September 2003.....	6
Counties in January 2005 with no plans for an ordinance .....	3
Counties in September 2003.....	19
Approximate number of clandestine drug labs where meth was made and	
other meth-related events were discovered in the state in 2003.....	500
Percent increase in lab seizures between 1995 and 2002 .....	600
Percent of labs discovered in the state in 2003 that were located in rural or	
semi-rural areas .....	75
Percent more likely that 12- to 14-year-olds living in smaller towns nationwide	
will use methamphetamine than those living in larger cities.....	104
According to a March 2004 report, at the time of seizure, labs in Minnesota	
where children are living, as percent .....	50
Percent nationwide.....	30
Percent of children removed from meth sites in state that test positive for	
meth drugs .....	50
Percent nationwide.....	35
Percent increase in drug task force meth arrests from 1999 to 2003 .....	179
Percent increase in drug task force meth lab seizures from 2000 to 2003.....	185
Increase in methamphetamine prison population, as percent, between	
2001 and 2004 .....	525
Drug cases sentenced in 2003 that involved methamphetamine, as percent.....	45
Percent increase over 2002.....	32
Percent increase between 2001 and 2002.....	49

**Sources:** Minnesota Department of Health, Statistical Analysis Center at Minnesota Department of Public Safety, Association of Minnesota Counties, U.S. Drug Enforcement Administration, Office of National Drug Control Policy, U.S. Department of Health and Human Services.

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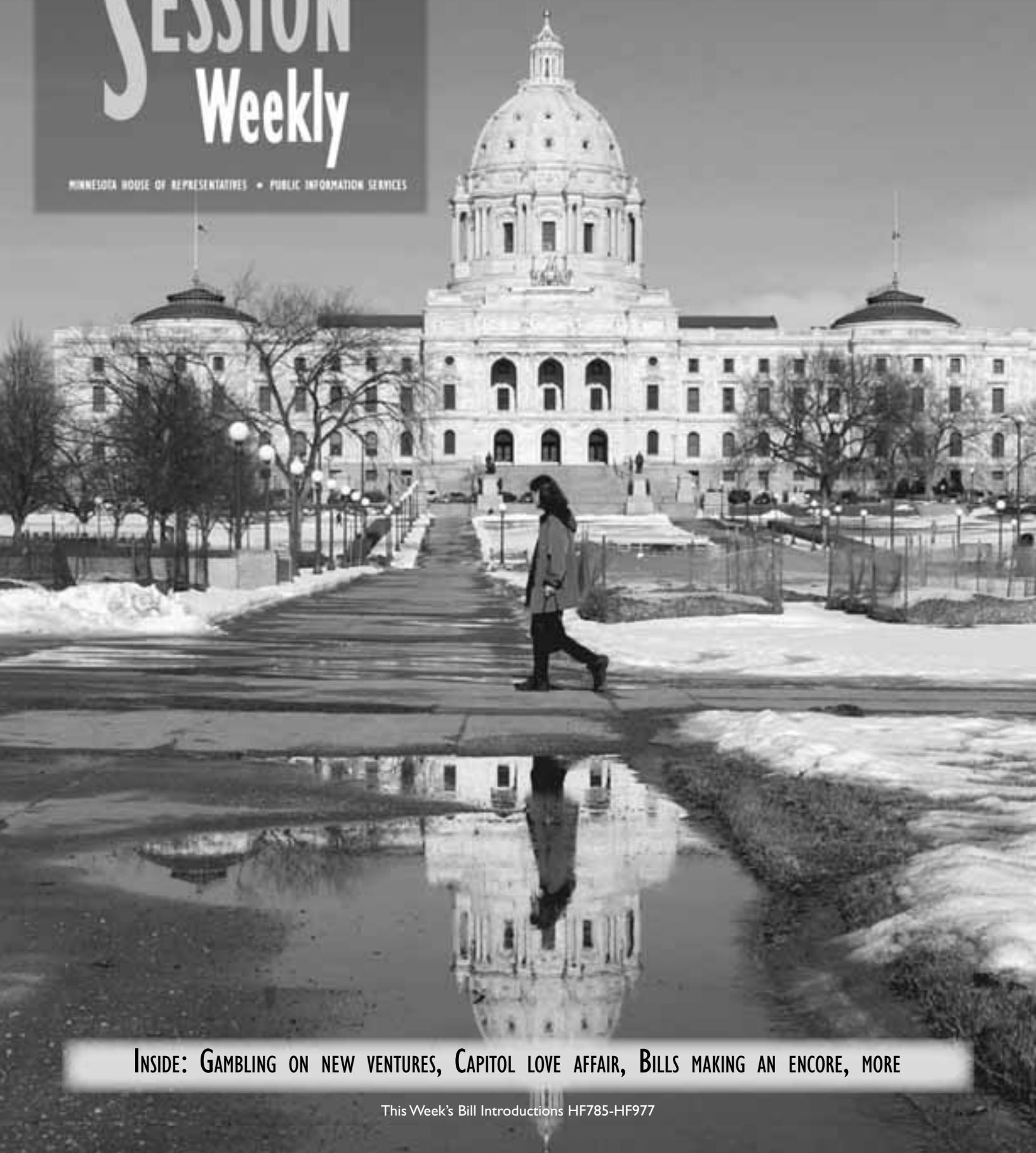
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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

FEBRUARY 11, 2005

VOLUME 22, NUMBER 6



INSIDE: GAMBLING ON NEW VENTURES, CAPITOL LOVE AFFAIR, BILLS MAKING AN ENCORE, MORE

This Week's Bill Introductions HF785-HF977

# Session Weekly

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**On the cover:** The Capitol is reflected in a puddle on the mall Feb. 4, a day that the temperature topped 50 degrees.

—Photo by: Tom Olmscheid

# Repeat performance

It can sometimes take many tries for an idea to become law

By Ruth Dunn

Just like The Little Engine That Could, some legislators persist in trying to get certain bills passed. It may be an uphill climb, but year after year they submit the same proposal in hopes that one day it will become law.

Bills can stall for many reasons. They might not be heard in committee – that's up to the chairperson. Even if a bill gets to the House floor, it might not be approved. Or if it is, it might be stopped by the Senate.

So why stick loyally to a bill proposal?

"Perseverance — it's the Iron Range work ethic," said Rep. Tom Rukavina (DFL-Virginia). "You never give up; you just keep working on something."

This is the third biennium that he has worked to pass a bill (HF238) requiring that all U.S. flags and accessories be manufactured in this country. He has also tried to amend the proposal onto numerous other bills during floor activity. "After Sept. 11, everyone was waving flags," he said. "The sad thing is that most were made overseas."

Rukavina is also passionate about raising the state's minimum wage. It hasn't been increased since 1997 although he has submitted a bill (HF48) every biennium since then. "This year it has become a popular issue. The time is right," he predicts. "If it can get to the floor, it will pass this year."

## Windows of opportunity

Rep. Erik Paulsen (R-Eden Prairie) is thinking the time may also be right for his perennial bill (HF820) on initiative and referendum that he's introduced every biennium since he was first elected in 1994. "I've always been a true believer in it," he explains.

Since he first championed the bill, Paulsen has reshaped the proposal based on success in the other 24 states that have it.

The biggest obstacle he's faced is educating legislators about his proposal. Every two years, there is a new group of legislators so every two years there must be a new education process. "People fear that the proposal would be wide

open like it is in California but that's not the case," he said.

The bill never even got a hearing for several years. Then in 1998 it passed the House with bipartisan support before hitting a roadblock in the Senate.

Paulsen sees reason for hope this year mainly because Gov. Tim Pawlenty mentioned initiative and referendum in his State of the State address. "That's a significant milestone," said Paulsen. "This could be a window of opportunity to engage the public on this issue." He met with the governor recently to talk about it and Paulsen is optimistic the proposal will be on the ballot in November 2006 as a constitutional amendment. "Then, the voters can decide."

"Anytime you try to reform government with this or other proposals like a unicameral legislature, it's not something that happens easily," he said.

This is the fourth time in five years that Rep. Mike Jaros (DFL-Duluth) has introduced a bill limiting cell phone use in cars. His current bill (HF18) requires cell phone use to be hands-free. "It's a bill that eventually will be

passed," predicts Jaros. "It's just a matter of time. First, other states will do it, then we'll do it here."

He believes public awareness is already increasing. He points to the 2004 Minnesota State Fair poll conducted by the House Public Information Services office that shows 53.7 percent of people agree that talking on a cellular phone while driving should be illegal.

"Using cell phones in vehicles is definitely dangerous. The public just needs to become more aware," he said. "We didn't used to have DWI laws until it kept getting worse and people finally saw the problem."

## Stick with it

Rep. Tom Hackbarth (R-Cedar) is giving up on the death penalty bill, which he carried for several years after picking up the torch when Rep. Hilda Bettermann left the House.

"It's not going anywhere. There is no appetite for it so it's time for me to move on to other bills." Last year was the best attempt with support from the governor and lots of publicity with the Dru Sjodin murder case, he said. This year, he's not even introducing the bill.

One bill he's definitely not giving up on is one he's helped promote since 1999 to protect shooting ranges from encroaching development. "We've downsized the bill and

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

**After several years of trying, Rep. Tom Hackbarth was able to get a bill passed last session that created a mourning dove hunting season for the first time since 1947.**

## First Reading continued from page 3

removed some contentious issues in hopes it will pass this year.” An avid outdoorsman, Hackbarth claims he’s not retiring until it does and jokes that could be an incentive for some to pass it. He said his latest bill would be introduced next week.

“If you feel passionate about an issue, stick with it,” advises Hackbarth. “We finally got the mourning dove season passed last year.” That’s a bill he pushed for several years and other legislators had carried since 1947. “There is great satisfaction in finally getting a bill passed.”

After surgery for ovarian cancer, Rep. Karen Clark (DFL-Mpls) first sponsored a bill four years ago requiring screening for women at high risk for the disease. The proposal didn’t even get a hearing for the first three years but then the tide turned. Clark credits bipartisan support, especially from Rep. Gregory M. Davids (R-Preston), along with growing

grassroots support from the public with making the difference. The bill became law last year.

“Some bills are ahead of their time,” said Clark. “People eventually come to understand the issue and gain the courage to support it.”

### Listen and learn

“Very often bills don’t pass on the first try. I’ve seen many good ideas not listened to the first time,” said Rep. Dennis Ozment (R-Rosemount), an 11-term member who has chaired a number of committees, including the current House Agriculture, Environment and Natural Resources Finance Committee.


“A bill might not be successful on the first, second or even third time, but if it’s important to you then be persistent, keep pushing.” Once a bill has passed the House it’s often “alive for other avenues” even if it doesn’t pass the Senate, said Ozment. “I’ve seen successful outcomes

with amendments.” He knows of one legislator whose bill didn’t fly as solo legislation but got attached to five other successful bills.

Even if a bill is a long shot, proposing it will earn it exposure and will also prompt advice. “Listen to concerns; incorporate changes. When there is opposition, address it,” said Ozment.

Legislation may stall because others lack an understanding of what the bill is trying to accomplish. “Get out there and educate,” he said.

He advises legislators and constituents who are passionate about their issues to be patient. “Don’t lose your temper or get frustrated because then the focus shifts from your issue to you,” he said.

A bad attitude can stop legislation, but a positive one can propel it. Ozment said, “I’ve seen some bills that were extremely controversial in the beginning become some of the best laws in the state.” 

## Capitol Love Affair

### Collectors share State Capitol souvenirs in honor of centennial



The pride Minnesotans felt upon the completion of the Capitol in 1905 resulted in hundreds of souvenirs and collectible items bearing its image.

“It represented to them that Minnesota had finally come of age as a state,” said Sheila Smith, a member of the newly formed Minnesota State Capitol Collectors. “See what we have now — we’re important.”

In honor of the Capitol Centennial, the collectors will share their treasures with the public throughout the year. Look for the display cases on the first floor of the Capitol in the north wing, May 1-24 and June 26-July 10.

According to the collectors, “over 550 varied postcards and hundreds of other souvenirs in paper, metal ceramics, textile and plastic were made, sold and saved — all with the Capitol image.”

Smith’s collection began with a gift from her antique collecting husband: a 100-year-old hand mirror that bears an impression of the Capitol.

Part of her inspiration to build on the collection came from spending six years as a Senate staff member, she said. “Having an opportunity to work in the building, I appreciated its beauty every day.”

Smith has also served on the Capitol Area Architectural and Planning Board and now is connected with the Capitol Centennial



PHOTO BY TOM OLMSCHIED

**The Minnesota State Capitol Collectors are scheduled to share their treasures at two shows later this year.**

Commission and Friends of the Minnesota State Capitol.

Some lighthearted, some lovely, the upcoming exhibits promise to be delightful. Along with the more respectable porcelain plates and vases, the May exhibit will feature “A Different Era — of Bad Habits” focusing on smoking, drinking and vanity. “It’s hard to believe how many ashtrays have the Capitol on them,” Smith joked. Beer steins, tweezers and pill boxes will also be on display.

Smith speaks about the Capitol collection with a combination of admiration and amusement. “It’s all about having fun with the 100th birthday celebration.”

**(N. WOOD)**

**Celebrate the Centennial by attending the unveiling of portraits of Capitol Architect Cass Gilbert and his wife, Julia Finch Gilbert, at noon Tuesday, Feb. 22. The event will take place just outside the Supreme Court Chamber on the second floor of the Capitol.**

**For more information about upcoming Capitol Centennial Celebration events: Minnesota Historical Society State Capitol Site, (651) 296-2881 or [www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc) Minnesota State Capitol Centennial Celebration, (651) 203-7246 or [www.ourhouse100.com](http://www.ourhouse100.com)**

## ★ AGRICULTURE

**One step closer to E20**

Motor vehicle gasoline sold in Minnesota is required to contain 10 percent agriculturally derived ethanol by volume. The mandate, in place since 1997, is commonly referred to as "E10."

The House Agriculture and Rural Development Committee approved a bill (HF223/SF4\*) Feb. 8 that could double the mandate. As amended, it now moves to the House Environment and Natural Resources Committee.

Sponsored by Committee Chair Rep. Gregory M. Davids (R-Preston), the bill would raise the required ethanol/gasoline blend to 20/80 by the year 2012 unless two things happen by Dec. 31, 2010: the state is already using a 20 percent ethanol blend in the gasoline supply, or federal approval has not been granted for the E20 blend.

The Senate passed the unamended measure, sponsored by Sen. Dallas Sams (DFL-Staples), Feb. 7 by a 54-12 vote.

The Minnesota Petroleum Marketers Association had expressed concerns about liability issues that could arise from a new blend. Its position is now neutral, said Executive Director Bob Krogman, after the following amendment was added: "No motor fuel ...

shall be deemed to be a defective product, nor any manufacturer of motor fueled engines be liable for warranties or repairs thereto, if the motor fuel has not been prohibited from use by the federal government."

Other provisions in the bill would create a state petroleum replacement goal for at least 20 percent of the liquid fuel sold in the state to be derived from renewable sources by Dec. 31, 2015.

The Agriculture Department, in consultation with the Commerce Department and Pollution Control Agency, is directed to "identify and implement activities necessary for the widespread use of renewable liquid fuels in the state." Those activities could include developing retailer incentives to install renewable fuel dispensing equipment and working to maintain an affordable retail price for liquid fuels.

**Extending farmer assistance program**

The year 1986 was a turbulent one for Minnesota farmers. Commodity prices were low, interest rates were high and a record number of farmers were facing foreclosures.

Those were the circumstances under which the Legislature created the Farmer-Lender Mediation Program. Lawmakers set a sunset date of July 1, 1988, and the program has been

extended 12 times since then.

The program is set to expire July 1, 2005.

HF426, sponsored by Rep. Maxine Penas (R-Badger), would again extend the program, this time through June 30, 2009.

The House Agriculture and Rural Development Committee approved the measure Feb. 9. It now moves to the House floor.

The program is operated through the University of Minnesota Extension Service with significant support from the U.S. Department of Agriculture.

It offers farmers and creditors the chance to resolve debt issues through mediation rather than litigation. Under certain circumstances it is mandatory for a creditor to offer the mediation option. Farmers are not obligated to accept.

Mary Nell Preisler, mediation program director, said the number of cases in 2004 was 1,270 at an average cost per case of \$274.

"This seems like an extremely cost-efficient way to support family farms in Minnesota," said Rep. Frank Moe (DFL-Bemidji).

John Apitz, an attorney representing Farm Credit Services, opposed the bill on the grounds that interfering in lender-borrower relations could violate the Minnesota Constitution.

Art. 1 Sec. 11 of the Constitution reads: "No bill of attainder, ex post facto law, or any law impairing the obligation of contracts shall be passed, and no conviction shall work corruption of blood or forfeiture of estate."

The program was created during an agricultural economic crisis, Apitz said, in part to prevent civil unrest and protect the state's economic interest. "But today is not that era," he said. "The conditions in the state have changed dramatically."

A companion bill (SF550), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action on the Senate floor.



PHOTO BY TOM OLMSCHIED

Ward Formo, right, project manager with the Minnesota Corn Growers Association, tells the House Agriculture and Rural Development Committee Feb. 8 that there will be plenty of corn for the livestock growers even with the increase of ethanol in gasoline. Brad Nelson, left, president of the Minnesota Ethanol Producers Association, also appeared before the committee.



**For information on a proposal for funding a feasibility study on constructing a rail container facility in Willmar, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>**

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## BUSINESS

### Recovering attorney's fees

Funeral homes would have a greater chance of recouping attorney's fees in conciliation court if HF128, sponsored by Rep. Sondra Erickson (R-Princeton), becomes law.

Wes Siemers, a funeral director from Milaca, told the House Civil Law and Elections Committee Feb. 7 that many rural funeral directors do business on a handshake, but sometimes those handshake contracts leave them empty-handed. They end up hiring an attorney and going to court in an attempt to recover their costs.

"You know the deceased and their family, and operate on trust that you will get paid," Siemers testified.

He said that even if there is a written contract, and those owing the money are brought to conciliation court, funeral homes seem to have little success in having judges award attorney's fees.

"A lot of times the judge will hear sympathetic excuses ... we haven't had a lot of luck collecting these fees," Siemers said.

Under Erickson's bill, if a funeral provider is allowed to recover fees through court action, the provider may be able to recoup reasonable attorney's fees as well. That provision is not currently spelled out in state statute.

Erickson proposed similar legislation last year, which was passed by the House, but not considered by the Senate.

She asked that language in her bill be amended to correspond with that being considered in SF287, sponsored by Sen. Betsy Wergin (R-Princeton). That bill awaits action on the Senate floor. Erickson's bill now awaits action on the House floor.

### Liquor license restriction

Jeffrey Huff quit his job five months ago to start a wine shop near the St. Paul campus of the University of Minnesota. He discovered, however, that he couldn't obtain the liquor license.

Current law does not allow off-sale liquor licenses within one-half mile of the campus, which meant Huff couldn't get a license and open his doors for business.

But the House Regulated Industries Committee approved a bill Feb. 9 that would change that. It now awaits action on the House floor.

Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul), HF155/SF206\* would authorize St. Paul to issue the license in proximity to the college. The St. Paul City Council has already approved the license.

"We're asking for a random act of kindness," Hausman said.

The Senate passed the bill 59-0 Jan. 27.

"We'd like to get this passed so this man can get on with his business," said Rep. Torrey Westrom (R-Elbow Lake), the committee chair.

"I'll be able to open my business and get on with my life and make money," Huff said. "This will bring a good thing to St. Anthony Park."

## CONSUMERS

### Another round

An omnibus liquor bill made its way through committee and was referred to the House floor by the House Regulated Industries Committee Feb. 9.

A nearly identical bill cleared both the House and Senate last year, only to be rejected by the governor.

Rep. Joe Hoppe (R-Chaska), the sponsor of HF286, said the provision the governor objected to last year, concerning the sale of alcohol in the city of Walker, has been removed from the bill.

"This bill is completely non-controversial," Hoppe said. "We want to make life easier with less regulation for people."

He said the bill would provide conformity in license fees and production levels for brewpubs and small brewers, authorize temporary licenses to small brewers, and modify other municipal licenses.

In addition to allowing the issuance of liquor licenses in St. Paul for special events at the State Capitol and Duluth for Wade Municipal Stadium, the bill would also permit Elko Speedway to sell liquor seven days a week, permit Manning's Café in Minneapolis to be issued an intoxicating liquor license and transfer from St. Paul to Ramsey County the authority to issue licenses to state fair vendors to sell Minnesota-produced wine.

A Senate companion (SF171), sponsored by Sen. Sandra Pappas (DFL-St. Paul), awaits action by the full Senate.

## EDUCATION

### Problem buses

A school bus overturned in Florida in 2003 and brought to light a defect in buses made by Carpenter Manufacturing Company. Upon impact, defective welds failed resulting in the collapse of the bus roof to seat level — a potentially dangerous situation.

The National Highway Traffic Safety Administration investigated the accident and ordered safety recalls.

According to the Minnesota Department of Education, 40 school districts in Minnesota currently have about 115 defective Carpenter buses in their fleets.

The Minnesota Department of Public Safety ordered that all defective school buses be taken out of service until recommended repairs were completed. A certified welder was required to repair the welds. But even after repairs, the recommendation was that the buses should be used only on a limited basis and should not be driven over 45 mph.

Usually when a vehicle defect is discovered, the manufacturer is liable. But in this case Carpenter went out of business in 1995.

Two bills heard by the House Education Finance Committee Feb. 9 would provide money to school districts to partially pay the costs of replacing each defective bus, many of which are old and have dropped in value. "The bills are similar but with a twist," according to Rep. Barb Sykora (R-Excelsior), the committee chair.

Both bills would provide about \$30,000 to replace each defective bus and would also reimburse districts that have already replaced buses. The bills differ only in the strategies for getting money to the school districts.

Under HF579, sponsored by Rep. Maxine Penas (R-Badger), the state would provide \$3.6 million for a loan program to districts. In turn, the districts could levy locally, over four years, to pay back the money. Penas said her proposal would accelerate getting money to the school districts because they are eager to replace the buses. "You can't go 45 mph forever," she said.

Under HF251, sponsored by Rep. Bernard Lieder (DFL-Crookston), school districts would be able to use the health and safety levy, often used for items like asbestos removal, to replace buses. Lieder said the advantage of his proposal is that it uses an existing process.

Both bills will be considered for inclusion in the committee's omnibus finance bill. A similar bill was approved last year and included in the tax bill that was never approved.

A companion to Penas' bill (SF624), sponsored by Senate President James Metzen (DFL-South St. Paul), awaits action by the Senate Finance Committee, as does a companion to Lieder's bill (SF338), sponsored by Sen. LeRoy Stumpf (DFL-Plummer).

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

## Early childhood funding

With four children under the age of 5, Carolina and Greg Olson of North St. Paul turned to their school district's Early Childhood Family Education (ECFE) program for information and support in their new role as parents.

"ECFE was like a second family to us, a support system," said Greg Olson.

Guatemala native Carolina was a stay-at-home mom who was new to this country and didn't speak much English. Through her involvement, Carolina said, "I am a more confident parent, I am more positive with my kids and I have a better understanding of their behavior."

Many families like the Olsons are involved in ECFE programs around the state. In 2003, the Legislature changed the state funding formula for ECFE from \$120 to \$96 times a school district's population of children under age 5.

Sue Stoner, family education coordinator for the Mounds View School District, said that funding reductions resulted in cuts in staff and programming. ECFE is important, she said, because babies don't come with instruction manuals.

The House Education Finance Committee considered two bills Feb. 9 that would restore the funding. Each will be considered for possible inclusion in the committee's omnibus finance bill.



PHOTO BY TOM OLMSCHIED

**Leah Auckenthaler of Minneapolis holds her 8-month-old son, Jonathan, who participates in the Southwest Minneapolis ECFE program, during a hearing of the House Education Finance Committee Feb. 9. The committee heard two bills to restore funding for Early Childhood and Family Education programs.**

HF58, sponsored by Rep. Char Samuelson (R-New Brighton), and HF152, sponsored by Rep. Nora Slawik (DFL-Maplewood), would both restore funding beginning in fiscal year 2006 by changing the formula back to \$120.

"With these two bills before us we have a chance to restore funding and undo a terrible wrong," said Rep. Mindy Greiling (DFL-Roseville). "I hope we will continue the bipartisan-ship that we have with these two authors."

Greiling said some people listed among sponsors of the bills actually voted in favor of the cuts last year. "People spoke out, people changed minds and came forward with restoring legislation."

ECFE is commonly offered through the community education programs of school districts. Parents involved in the program also pay fees for classes and activities based on their family income.

## A district without students

Prinsburg School District 815 is one of only two public school districts in the state that does not have students.

Prinsburg, located southwest of Willmar, and Franconia (near Taylors Falls) are the state's only remaining common school districts. There used to be many common school districts that offered a limited educational program, usually just an elementary school. Most of the common school districts converted to being independent school districts when they added junior highs, middle schools or high schools.

Most school age Prinsburg children attend a private religious school, Central Minnesota Christian School, operated by the Dutch Reform Church. About 30 students within the boundaries of the Prinsburg School District attend nearby MACCRAY Public Schools through open enrollment.

The Prinsburg School District receives no state aid because aid is based on student enrollment. Residents approved a levy referendum in November but it needs legislative action to become reality.

The school district wants to raise money for two reasons, Rep. Al Juhnke (DFL-Willmar), the sponsor of HF248, told the House Education Finance Committee Feb. 8.

Prinsburg owes about \$280,000 to the MACCRAY School District for tuition for Prinsburg students who attended MACCRAY through an informal arrangement that was in place before the districts entered a more formal open enrollment process.

Also, the Prinsburg School District will use the money to provide special education services to students at the private school. Residents prefer those services be offered

in Prinsburg rather than busing students to MACCRAY.

Legislators asked why District 815 wants to continue to exist rather than merge with another district.

Juhnke said there has been ongoing discussions about consolidation but nothing has come of it. In addition, he added, "In rural areas, schools are a source of pride. The 500 or 600 residents of Prinsburg want to preserve the school district. That may sound sappy, but that's the way it is."

Committee members approved HF248 and referred it to the House Taxes Committee. A companion bill (SF485), sponsored by Senate Majority Leader Dean Johnson (DFL-Willmar), awaits action in the Senate Finance Committee.

A similar bill was recommended last year and was included in the final tax bill of both bodies, which never received final approval.

## ELECTIONS



**For information on a tabled proposal to help prosecutors follow up on reports of theft of campaign funds, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.**

## ENERGY



### Biomass-fueled systems

The farming and logging industries are looking to use their by-products, cornhusks, wood residue and waste woods to create a new energy source.

A bill (HF456), sponsored by Rep. Kathy Tingelstad (R-Andover), would provide \$1 million to pay for a feasibility study that could lead to the creation of four to five biomass-fueled heating and cooling systems, which could be used to heat municipal, state college or university buildings.

The bill was heard Feb. 3 in the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's bonding resolution.

The dependence on foreign oil puts Minnesotans in a vulnerable position, said former House Speaker Dee Long, now tax and incentive program director for Minnesotans for an Energy Efficient Economy. "Our reliance on energy sources, imported from other states or countries, has put communities in a vulnerable position in terms of national energy market price fluctuations and makes us dependent on non-renewable fossil fuels," she said.



Long said the St. Paul District Energy's wood waste-fueled plant heats and cools much of downtown St. Paul, including the State Capitol. She called it, "the poster child for a successful joint application of biomass and community energy systems."

The bill states that the fuel source for the projects must be sustainable biomass. Both existing and new energy systems would be eligible to apply. Projects converting to cogeneration and projects seeking matching funds would be given top priority.

A companion bill (SF311), sponsored by Sen. Richard Cohen (DFL-St. Paul), has been referred to the Senate Jobs, Energy and Community Development Committee.

## ★ ENVIRONMENT

### Investing in ag and the environment

The House Agriculture, Environment and Natural Resources Finance Committee finalized a bonding proposal Feb. 3 that would direct nearly \$170 million in capital investment toward the state's agricultural and environmental efforts.

Activities that would be funded include flood control, critical habitat acquisition and closed landfill improvements. Capital investment dollars would support affordable loan programs for farmers and grants to help cities, counties, solid waste management districts and sanitary districts implement integrated solid waste management systems.

The request matches the bottom line of the governor's recommendations with a few shifts in priorities. It now moves to the House Capital Investment Committee.

The Department of Natural Resources would receive the largest portion, \$71.95 million. Budget items would include \$21 million for flood hazard mitigation grant projects, \$12 million for wildlife area acquisition and \$8.4 million for state and local trail acquisition. The department's capital investment outlays also would include water access and fishing pier projects, stream protection and a grant to the Lake Superior Zoo in Duluth.

The Minnesota Zoological Gardens would receive \$28.51 million. Of that, \$20.64 million would be used for new exhibits, \$6 million for asset preservation and about \$1.87 million beginning in fiscal year 2006 as the state assumes debt service on the zoo's marine education center.

Other appropriations would include:

- Board of Water and Soil Resources, \$27.36 million;
- Department of Agriculture, \$18.82 million;
- Pollution Control Agency, \$14 million;

- Metropolitan Council (Regional Parks and Como Zoo), \$5 million; and
- Office of Environmental Assistance, \$4 million.

Two notable differences between the committee recommendation and SF1, sponsored by Sen. Keith Langseth (DFL-Glyndon), that was passed by the Senate Jan. 24, are the Department of Natural Resources and Minnesota Zoo appropriations. The Senate would fund them at \$117.8 million and \$12 million, respectively.

## ★ GAME & FISH

### Shhhh! ... Wildlife control at work

Federal, state, tribal and local peace officers would have the option of using silencers to muffle firearms discharged for wildlife control purposes, under a bill (HF42) approved by the House Environment and Natural Resources Committee Feb. 3.

Silencers are already legal for peace officers to use in tactical emergency response operations against criminal activity.

Sponsored by Rep. Larry Howes (R-Walker), the bill now moves to the House Public Safety Policy and Finance Committee.

As a precursor to discussion of the silencer bill, the Department of Natural Resources presented an overview of trouble on Minnesota's lakes caused by double-breasted cormorants, a swimming bird that dives into water after fish. The state's aquaculture industry is concerned about the cormorant population negatively impacting fish resources. Natural resources officials have identified a problem on Leech Lake with cormorants encroaching on the nesting areas of the threatened common terns.

The silencer bill is not directed solely toward cormorant control. It would give natural resources management agencies a more effective control method for many wildlife populations, proponents said.

A companion bill (SF149), sponsored by Sen. Carrie Ruud (R-Breezy Point), awaits action in the Senate Environment and Natural Resources Committee.

### Taking the trailer

Boaters who have too much to drink behind the wheel could see their trailers towed away along with their boats, under a bill (HF215) approved by the House Environment and Natural Resources Committee Feb. 3.

It now moves to the House Public Safety Policy and Finance Committee.

Sponsored by Rep. Tony Cornish

(R-Good Thunder), the bill would add trailers to the approved list of vehicles subject to seizure and forfeiture by the Department of Natural Resources because of a Driving While Intoxicated (DWI) arrest.

Boats come in so many different sizes that it's a challenge to always have the appropriate trailer on hand, enforcement officials said.

Rep. Torrey Westrom (R-Elbow Lake) objected to adding one more item of value to the forfeiture list that the offender could potentially sell.

"No one hates forfeiture more than I do, I'll tell you that right now, but I think this is a common sense issue," said Committee Chair Rep. Tom Hackbarth (R-Cedar).

Other provisions in the bill would authorize the department to run criminal background checks on volunteer instructors who work with children and change a requirement that firearms safety courses be conducted in every school district.

A companion bill (SF569), sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action in the Senate Environment and Natural Resources Committee.

## ★ GOVERNMENT

### Legislative redistricting

It was the House Civil Law and Elections Committee's turn on Feb. 9 to review a proposal to realign legislative districts and reduce House and Senate membership — something that at least one rural legislator said may not best serve his constituents.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), HF515 calls for legislative districts to be realigned by 2013 and for the size of the Legislature to decrease. It would also prevent congressional districts from crossing Senate districts.

The bill would reduce the number of senators from 67 to between 60 and 64, and House members from 134 to between 120 to 128. The number of senators must be evenly divisible by the number of Minnesota representatives in Congress.

Supporters said it can be confusing for constituents, especially when several congressional districts can be in one House district. Because of fewer legislators, Rep. Peter Nelson (R-Lindstrom) is concerned that realignment may "move people further away from their government."

He spoke of when his father was a legislator and how his Senate district went from Anoka to 30 miles south of Duluth. Nelson pointed to how difficult it is to be "pulled by the needs and wants" of such varied constituencies. "It is

kind of nice to pick up your phone and know your legislator and when you talk about an issue, they know what you are talking about.”

The bill, while not unanimous in its approval, now moves to the House floor.

A companion bill (SF291), sponsored by Sen. Pat Pariseau (R-Farmington), is awaiting action on the Senate floor.



**For information on how municipalities, constituents and businesses are affected financially as they try to comply with state agency rules, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.**

## ★ HEALTH

### **Savings account advancement**

Identical bills calling for consumer-driven health plans have been referred to their second committee in two weeks.

The bills would give health savings accounts (HSAs) the same tax advantages under state tax law that they have under federal tax law where contributions, earnings and withdrawals are tax-free.

“HSAs encourage individuals to buy health plans that better suit their needs so that insurance kicks in only when it is truly needed,” Rep. Tim Wilkin (R-Eagan) said in a written document provided to the House Commerce and Financial Institutions Committee Feb. 8. “Individuals will make cost-conscious decisions if they are spending their own money rather than that of a third party.”

Wilkin is sponsoring HF9 and Rep. Jim Knoblach (R-St. Cloud) is sponsoring HF135. Both bills were referred to the House Taxes Committee.

A health savings account, when paired with a high deductible health plan, forms a consumer-driven health plan.

Since the accounts belong to individuals, they can be carried from job to job until retirement. They can be used during retirement to pay for retiree health care, Medicare expenses and prescription drugs.

Advocates say these plans offer more choices and more savings.

“What employers are really looking for in the marketplace are options,” said Carolyn Jones, director of health care and transportation policy for the Minnesota Chamber of Commerce.

If Minnesota does not adopt federal conformity, it would increase the cost of doing business in Minnesota relative to states that have, Wilkin said. Only nine states, including Minnesota, that tax income have not

## CRIME VICTIMS SUPPORT



PHOTO BY TOM OLMSCHIED

**Jill Fazio of Someplace Safe in Fergus Falls awaits the start of the Minnesota General Crime Victims Coalition's rally in the Capitol Rotunda Feb 9. Someplace Safe provides support for the walk-in advocacy services available to area women who are victims of domestic abuse. The program also offers services to victims of general crime and sexual assault.**

conformed to the federal standards.

The bills would make the income tax treatment of health savings accounts retroactive to Jan. 1, 2004.

The Senate companion bill for Wilkin's bill (SF99), sponsored by Sen. Brian LeClair (R-Woodbury), was approved by one committee and awaits action in the Senate Tax Committee. The companion bill to Knoblach's bill (SF194), sponsored by Sen. Mady Reiter (R-Shoreview), has been referred to the Senate Health and Family Security Committee.



**For information on a bill seeking technical adjustments to the Hospice Bill of Rights making it easier to understand, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.**

## ★ HIGHER EDUCATION

### **Charting a course**

Minnesota needs a new strategic vision for higher education.

So says a November 2004 Citizen's League Report on higher education in Minnesota, the findings which were shared Feb. 9 with the House Higher Education Finance Committee.

“Maintaining our quality of life and our economic success will require setting new and higher expectations for higher education achievement and recognizing that this education will need to be provided in new and innovative settings,” according to the report.

The 33-member task force took six months to research and compile its findings. The report can be accessed at: <http://www.citizensleague.net>.



PHOTO BY TOM OLMSCHIED

**Students from Minnesota colleges and universities wear their message for a tuition freeze during a rally on the State Capitol steps Feb. 9. Students, from left, Tim Donahue from Winona State University, Elizabeth Nyberg from Minneapolis Community and Technical College, Caitlin Payton from St. Paul College, Dawn Meyers from Northwest Technical College-Bemidji and Michelle Nyman and Tom Bergstrom of Minnesota State University, Mankato.**



PHOTO BY ANDREW VONBANK

**Dr. David Agerter, chair of the Mayo Clinic Department of Family Medicine, presents an overview of the Mayo Medical School and two family residency programs during the Feb. 7 meeting of the House Higher Education Finance Committee.**

Among its recommendations are:

- expectations should be raised so a minimum level of academic achievement for Minnesotans is at least two years of post-high school education;
- Minnesota should expand its investment in improving the coordination and expansion of college readiness and access programs;
- the Higher Education Services Office Board should be replaced with a Higher Education Performance Council, whose mission would be to monitor and maximize the results Minnesotans are receiving for their annual investment in higher education; and
- annual report cards should be created to detail the strengths and weaknesses of higher education providers.

"There really is no report card on what the outcomes are on places receiving state money," said Vance Opperman, who co-chaired the task force with Rondi Erickson.

The report also found some troubling trends even before students begin college:

- fewer high school students are taking higher level math and science classes,
- more than 30 percent of state high school graduates need remedial college classes, and
- the percentage of Minnesotans ages 18-24 enrolled in higher education but not yet graduated dropped from 43 percent to 36 percent between 1992 and 2002.

"We can't sustain our quality of life under the current situation and we can't compete as well globally," Erickson said. "We must have a highly educated workforce in Minnesota for

the state to move forward."

The report does not address closing any campuses. It was task force members' beliefs that answering that topic is dependent on a new strategic vision for higher education.

### Physician training

Mayo Foundation representatives came to the House Higher Education Finance Committee Feb. 7 seeking support for the governor's budget proposal calling for nearly \$2.8 million to fund three programs that focus on keeping doctors in the state and, in particular, rural areas.

The foundation is receiving state dollars for the same amount during the current biennium. "Current funding allows for the continuation of high quality education at Mayo which benefits all Minnesotans," said Dr. David Agerter, chair of the Mayo Clinic Department of Family Medicine.

The foundation receives state dollars for Minnesota students participating in three programs: the Mayo Medical School and family residency programs in Rochester and St. Cloud.

At both family residency programs, physicians are trained to meet the needs of rural Minnesota, which Agerter defined as areas of 10,000 persons or fewer.

The 24 students in the Rochester program practice at a clinic in Kasson, 14 miles away. "We are the only physicians in that particular county," Agerter said. "Last year we had 68,000 outpatient visits, many of them for under-insured or uninsured patients. We also

take care of five nursing homes and provide support for five rural ambulance services."

Since the Rochester program began 23 years ago, every spot has been filled, as is the case at the St. Cloud program that began in 1996.

He said that 54 percent of Rochester graduates practice in the state, 23 percent in rural areas.

Sixty-eight percent of those graduating from the St. Cloud program remain in the state, with 60 percent practicing in rural areas. "Very few of our graduates that have gone into a smaller community have chosen to leave," Agerter said.

The Mayo Medical School is the most competitive school for admissions in the country, Agerter said, with 3,000 annual applicants for 40 admissions.

"What's interesting, is that a large clinic like Mayo is on the cutting edge of new technology, yet 55 percent of those students opt to go into primary care: family medicine, general internal medicine and general pediatrics," Agerter said. Seventy percent of the school's graduates enter practice in Minnesota.

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

## ★ HUMAN SERVICES

### Parental fees modification

Financial relief could be on the way for parents of children with disabilities.

A bill (HF619) being sponsored by Rep. Fran Bradley (R-Rochester) would modify the sliding scale for parental fees for the cost of services for children with disabilities. The modification would impact parents in certain income ranges.

"I hope we as a committee will do all we can to help these people," Bradley told the House Health Policy and Finance Committee Feb. 9. He chairs the committee.



PHOTO BY ANDREW VONBANK

Jessica Wilson of Sartell holds her 15-month-old son, Lars, as she testifies Feb. 9 before the House Health Policy and Finance Committee in support of a bill that would modify parental contributions for the cost of services for children with disabilities.

Steve Larson, executive director for The Arc of Minnesota, called the fee increases approved by the 2003 Legislature "dramatic" and said they are adversely affecting families.

"Parents of children with disabilities who are on medical assistance received substantial increases in their fees; some increases ranged from 200 percent to 700 percent," Larson said. "The fee increases have jeopardized the ability of many families to stay on the medical assistance program or provide for the needs of other family members."

Jessica Wilson said the increases caused her family to cancel its supplemental insurance. The parental premium fees in 2003 were \$157 a month. This year, they would have been more than \$500 a month, she said.

Their 15-month-old son, Lars, was born with Spina Bifida, and he's already had six surgeries, Wilson said. Last year, they spent \$7,500 in out-of-pocket medical expenses and logged 13,000 miles driving to hospitals. Audience members wept as she testified with Lars sitting on her lap.

"If the program fees continue to increase or the program is not available, I don't know how we'll be able to afford the rising medical costs," Wilson said. "We need the parental fee programs to be accessible and affordable for all who need and depend on them."

The committee held the bill over for possible inclusion in its omnibus bill. Its Senate companion (SF726), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Health and Family Security Committee.

## ★ INSURANCE

### One more health alternative

More health care providers in Minnesota would create competition and drive down the cost of health coverage under a bill that would permit service cooperatives to provide group health coverage to private employers.

HF563, sponsored by Rep. Jim Knoblach (R-St. Cloud), would allow the cooperatives to create and manage one or more group health coverage pools for private employers. The pools could be fully insured or self-insured.

"In this era of skyrocketing health care costs, this bill provides one additional alternative," Knoblach told the House Health Policy and Finance Committee Feb. 9. "We have very few health care providers in this state."

The bill, which would be effective immediately, would require pools to permit the sale of its products by licensed insurance agents. Service cooperatives would be prohibited from covering both public and private employers in the same pool.

Paul Brinkman, executive director for the Northeast Service Cooperative, said the cooperatives are competitive and membership is voluntary.

"People only join when they see a value in membership," Brinkman said.

The committee approved the bill and referred it to the House Commerce and Financial Institutions Committee. It has no Senate companion.

## HUMAN SERVICES BUDGET OVERVIEW



PHOTO BY ANDREW VONBANK

Department of Human Services Budget Director Jane Hardwick and Commissioner Kevin Goodno present the governor's 2006-07 agency budget proposal during the Feb. 8 meeting of the House Health Policy and Finance Committee.

## LAW



### Initiative and referendum

A bill giving voters the opportunity to decide on a process that would let them enact laws and repeal old ones without legislative approval was approved by the House Governmental Operations and Veterans Affairs Committee Feb. 9.

Minnesotans would appreciate the “opportunity for people to weigh in,” said House Majority Leader Erik Paulsen (R-Eden Prairie) of the process known as initiative and referendum.

He sponsors HF820 that advocates changing the state constitution to allow for the process. The proposed constitutional amendment would be before state voters in the 2006 general election.

Under the bill, proposals from voters to initiate or repeal a law would require 5 percent of registered voters who cast ballots in the previous gubernatorial election. Constitutional changes would require 8 percent of the registered voters in the previous gubernatorial election in each of the three-quarters of the congressional districts, and the state as a whole.

Paulsen said the process has been shown to increase voter turnout when a state has the option for initiative and referendum, and brings more accountability to government.

Rep. Phyllis Kahn (DFL-Mpls) said the legislation only requires the Office of the Secretary of State to publish an online voter's guide that would include: ballot text, ballot question and the sponsor's mailing address for proposals. Unless broadband Internet service becomes available statewide, the requirement is “geographical unfairness,” she said.

The bill next moves to the House Civil Law and Elections Committee.

A Senate companion, SF90, sponsored by Sen. Dave Kleis (R-St. Cloud) awaits action in the Senate Elections Committee.

### To have and to hold

If you file bankruptcy, you may be able to keep your wedding ring off the hands of your creditors, under a bill (HF473) sponsored by Rep. Mark Olson (R-Big Lake).

Olson is asking to protect, in bankruptcy proceedings, wedding rings in the possession of the debtor, with a cumulative value of no more than \$1,225.

He told the House Civil Law and Elections Committee Feb. 9 the bill's intent is to “create a modest exemption” so that rings aren't taken as part of a settlement.

The bill would extend the current

protection offered to debtors, which now includes clothes and household furniture, which in totality cannot exceed \$4,500 in value.

Under current law a ring of any value can be taken in bankruptcy court, said Olson. He told of an attorney who described the emotional situation that people face when they are forced to hand over their rings.

Rep. Torrey Westrom (R-Elbow Lake) presented a scenario in which a person might become divorced, remarried, keeps both rings and later files bankruptcy. He wanted to know if both rings are exempt, because they are wedding rings.

Olson said that it could be argued that if the cumulative value of the rings is no more than \$1,225 both rings could be retained. “What the court would decide I don't know,” he said.

Olson said the bill would cover lower income people, and has been told by attorneys that this figure would apply to most bankruptcies.

The bill was approved by the committee and sent to the House floor.

A companion bill (SF288), sponsored by Sen. Betsy Wergin (R-Princeton), awaits action by the full Senate.



**As part of the state's 1998 settlement with tobacco companies, \$200 million went to a private nonprofit to distribute. Several lawmakers believe the funds should have been appropriated by the Legislature instead. For information on a bill that addresses the issue, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.**

## LOCAL GOVERNMENT



### No time extension

A bill that would have extended the ability for cities and townships with populations of less than 10,000 to review certain applications over a 90-day period, instead of the current 60 days, failed in the House Local Government Committee Feb. 9.

Sponsored by Rep. Paul Marquart (DFL-Dilworth), HF568 would have given small cities and towns additional time they currently lack because of small staff and infrequent meetings, he said.

In 1995, the Legislature enacted the so-called “60-day rule” that requires governmental entities to approve or deny a written request for certain regulatory actions within 60 days or the request is approved, according to a nonpartisan

House Research publication.

According to the bill, a request means “a written application related to zoning, septic systems, or the expansion of the metropolitan urban service area, for a permit, license, or other governmental approval of an action.”

Townships can currently apply for a 60-day extension with a written notice of why the extension is needed. Fewer extensions would occur with a 90-day period by “giving them more accommodations under their meeting schedules,” said Kent Sulem, an attorney with the Minnesota Association of Townships.

Current law provides accountability for both governmental entities and those submitting applications, said Rep. Larry Hosch (DFL-St. Joseph). Many of the issues can be addressed in the 60-day time frame, he added.

A Senate companion, SF323, sponsored by Sen. Thomas Neuville (R-Northfield), awaits action in the Senate State and Local Government Operations Committee.

## METRO AFFAIRS



### Elected members

Metropolitan Council members may soon find themselves campaigning for their seats on the regional planning entity.

“It has significant taxing authority, and so, therefore, a government entity with this much responsibility and this large, I believe needs and deserves to be elected in order to have the legitimacy to carry out its very important mission,” said Rep. Frank Hornstein (DFL-Mpls).

A former council member, Hornstein is sponsoring HF558 that would require the 16-member board to be elected to four-year terms, with a chair elected from among members to a one-year term, beginning with the primary in 2006. Members are currently appointed by the governor and confirmed by the Senate.

Under the bill, there must be a new election of all members at the first election following redistricting every 10 years. Members from odd-numbered districts would serve an initial term of two years.

The bill also requires a feasibility study on transferring functions or services from counties to the council. The report would be due to the Legislature by Dec. 31, 2006.

Created by the Legislature in 1967, the council is responsible for regional planning in the Twin Cities metropolitan area. It oversees the regional bus system, wastewater collection and treatment facilities, and Metro Mobility, a transit operation that serves senior citizens

and people with disabilities. With a budget of more than \$600 million, it's the third largest level of government in the state, behind the state itself and Hennepin County.

Rep. Neil W. Peterson (R-Bloomington), also a former Met Council member, voted against the measure. "Election doesn't necessarily mean quality," he said. When you look at the history of members, "these people have great pedigrees in public policy and public organization, and they know these communities. The electorate, many times, does not select the same quality of people that the appointment process does."

The bill was approved on a 12-5 roll-call vote by the House Local Government Committee and referred to the House Civil Law and Elections Committee.

A Senate companion, SF420, sponsored by Sen. Charles Wiger (DFL-North St. Paul), awaits action in the Senate State and Local Government Operations Committee.

## ★ RECREATION

### ★ Money for hockey

When leaking propane from a Zamboni led to an explosion during a broomball game at Duluth's Peterson Arena Dec. 19, the ensuing fire gutted the building. There were 30 people in the city-owned building at the time, and one person was hurt.

With only one other indoor youth hockey arena in Duluth, the incident forced Duluth Hockey Association officials to scramble for ice time, and begin fund-raising efforts for a new arena.

Hockey boosters believe they can raise half of the \$3.4 million needed for a new arena from local contributors and the insurance settlement.

HF636, sponsored by Rep. Mike Jaros (DFL-Duluth), would provide the additional \$1.7 million. The bill was heard Feb. 3 in the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's bonding resolution.

"I call it an emergency bill," Jaros said.

According to Clarke Coole, executive director of the Duluth Amateur Hockey Association, almost 30,000 people used the facility in 2004, and it regularly hosted statewide broomball and hockey events. A 1998 study indicated arena activity contributed approximately \$11 million to the local economy. That number has increased since then, Coole said.

"In our view, this bill will not only provide opportunities for the children of Minnesota, but will also contribute greatly to the economic development of West Duluth and the

city of Duluth as a whole," Coole said.

A companion measure (SF600), sponsored by Sen. Yvonne Prettnier Solon (DFL-Duluth), has been referred to the Senate Finance Committee.

## ★ TOURISM

### ★ Longer summers requested

If some resort owners get their way, students will have their summer vacations extended.

Testifying before the Tourism Division of the House Commerce and Financial Institutions Committee Feb. 9, resort owners said that prohibiting schools from starting before Labor Day would provide a much-needed longer vacation season. Several dozen supporters, all wearing orange life preservers, filled the room for the testimony. The division took no action.

Mary Jane Keller, who owns Brookside Resort in Park Rapids with her husband, Dave, said schools and school sporting events are starting earlier in the year, which impacts the resort industry.

"The window of time to vacation is getting smaller and smaller," she said. "Starting school after Labor Day would lengthen the season."

Keller also noted that resorts employ high school students, so a later school start date would allow students to earn more money.

Jennifer Bateman, owner of Two Inlets Resort in Park Rapids with her husband, Bob, said the number of resorts in Minnesota has shrunk from about 4,000 in the 1990s to 980 today. A longer season would allow resorts to make more money and stay in business.

"We're not asking you to save us,"

Bateman said. "We're asking you to help preserve Minnesota resorts."

Resorts contribute nearly \$11 million in taxes to Minnesota in addition to supporting local economies, said John Edman, director of Explore Minnesota.

"The Minnesota resort experience is what differentiates us from the rest of the country," Edman said. "Resorts offer people an experience they couldn't otherwise enjoy."

Jerry Hammer, general manager of the Minnesota State Fair, also supports delaying the start of schools until after Labor Day so they won't compete with the fair. He said the later opening wouldn't hinder children's education.

"Education is what the fair is all about," Hammer said. "A trip to the fair is like 100 field trips rolled into one as far as educational value."

A bill (HF205), sponsored by Rep. Larry Howes (R-Walker), would prohibit the school year from starting before Labor Day. It awaits action in the House Education Policy and Reform Committee. Its Senate companion (SF307), sponsored by Sen. Carrie Ruud (R-Breezy Point), awaits action in the Senate Education Committee.

## ★ TAXES

### ★ Long-term care credits

A bill to increase the maximum allowable credit for long-term care insurance premiums was approved by the House Commerce and Financial Institutions Committee Feb. 8.

The tax credit would help people plan for long-term care by offsetting expenses, said



PHOTO BY ANDREW VONBANK

**Observers in the hearing room don life vests to illustrate their cause during a presentation by the Congress of Minnesota Resorts on tourism in small-sized markets at the Feb. 9 meeting of the Tourism Division of the House Commerce and Financial Institutions Committee.**

Rep. Kurt Zellers (R-Maple Grove), sponsor of HF309.

"This bill encourages people to do the right thing for their families," Zellers said. "This helps prevent the unexpected."

Zellers said his family has had a farm in North Dakota for more than a century. When a relative needed long-term care, the insurance covered the costs. If not for the insurance, Zellers said they would have been forced to sell land or put a lien on the farm to cover the long-term care expenses.

Current law in Minnesota allows a credit against the state income tax for paying long-term care insurance premiums. That credit is equal to 25 percent of the premiums' costs if they are not used as an itemized deduction. The bill would increase the maximum allowable credit from \$100 to \$500 for an individual return and from \$200 to \$1,000 for a married couple filing jointly.

The committee referred the bill to the House Taxes Committee. The Senate companion (SF125), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Tax Committee.

## ★ TRANSPORTATION

### Signs for rural areas

There are 56,000 miles of rural roads in the state's unincorporated areas, and tens of thousands of road signs to help keep motorists safe.

Many of those signs were installed in the mid-1980s and need to be replaced, but there is no program for the maintenance, improvement and replacement of those signs, said David Fricke, executive director of the Minnesota Association of Townships.

The organization, which spends more than half of its time on transportation issues, is asking the Minnesota Department of Transportation to implement a pilot program that would provide for the ongoing maintenance of road signs in the state's unincorporated areas.

HF276, sponsored by Rep. Doug Magnus (R-Slayton), seeks \$6 million to help the department develop a program that would count all the town road signs, make sure they adhere to applicable federal, state and local standards, replace those that don't and establish an ongoing maintenance program. The allocation could be used as a match to federal dollars.

The bill was heard in the House Transportation Finance Committee Feb. 8 and held over for possible inclusion in the committee's omnibus bill.

"It's been an ongoing issue for a number of years," Fricke said.

No one was responsible for township road signs, Fricke said, until a federal program was implemented in the mid-1980s to replace deficient township road signs.

According to Fricke, there is no program for the regular maintenance and replacement of township road signs. And townships don't have the money.

He said that if the program is approved, the towns could update and keep a better record of their signs, and make needed replacements quicker. This will make Minnesota's rural roads safer, he said; adding that in 2002, there were 50 traffic fatalities on rural two-lane roads and 217 accidents where the victim sustained severe injuries.

A companion bill, SF377, sponsored by Sen. Jim Vickerman (DFL-Tracy), has been referred to the Senate Finance Committee.

### Utility fee bill to wait

A bill that would allow cities to impose utility fees on property owners was tabled Feb. 9 at a joint meeting of the House Transportation and Transportation Finance committees.

HF313, sponsored by Rep. Frank Hornstein (DFL-Mpls), would permit cities to impose street utility fees on properties based on the number of trips their land generates.

In order for the cities to impose the utility fee, an ordinance would have to be approved by two-thirds of the city council. The city must have a master plan for street reconstruction and maintenance. Property owners would be allowed to appeal their fee to district court.

Currently, when streets in cities need to be repaired, property owners in the area are assessed. Rep. Ann Lenczewski (DFL-Bloomington) said that isn't always fair, because the costs are borne by the property owners in the immediate area, when drivers from the entire city and elsewhere often use the streets.

"This is an attempt to get it off the property tax system and make it a user fee," she said.

Judy Johnson, Plymouth mayor and president of the League of Minnesota Cities agreed. "We know that there's an effort that will continue to take away local control. There are no more revenues. The roads don't know they aren't deteriorating faster than the rate of inflation. It's a much more equitable way to spread the cost," she said.

"We see this as an end run around property tax reform," said Jack Horner, speaking for the Minnesota Multi-Housing Organization, a trade association for the multi-family rental housing industry. "It makes apartment owners and commercial property owners pay more, but apartment owners and commercial property owners are already paying more."

Buzz Anderson, president of the Minnesota Retailers Association said, "It just adds another obstacle to any development a retailer does in a community," adding that retailers would likely pass the utility fees on to their customers.

A companion bill (SF366), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits action in the Senate Transportation Committee.

## ★ LATE ACTION

### Deficiency dollars in Senate court

A House-Senate conference committee reached agreement on a \$31.07 million deficiency spending measure (HF57\*/SF350) that would assist those state agencies and programs that are facing budget shortfalls by June 30 or sooner.

The House voted 130-2 on Feb. 10 to pass the plan. It now moves to the Senate.

House sponsor Rep. Jim Knoblach (R-St. Cloud) said there were three main differences between the two bodies:

- Senate conferees, led by Sen. Richard Cohen (DFL-St. Paul), acceded to the House plan that would offset the cost of the bill by a \$24.7 million transfer from the budget reserve in the state General Fund;
- Department of Corrections funding levels differed between the two bodies by \$500,000. The conference committee agreement would direct \$4.07 million to help the department deal with a growing prison population and rising prisoner health care costs; and
- The Department of Administration would receive nearly \$4.71 million for relocating the Agriculture and Health departments to a joint facility. The House had proposed \$3.7 million for the move.

Other appropriations would include \$13.39 million for regional treatment centers for civilly committed sex offenders and \$7.68 million for public defenders.

If you have Internet access, visit the House's Web page at:  
<http://www.house.mn>



# Gambling on new ventures

Commission recommends special natural resource project funding to Legislature

By PATTY JANOVEC

A wind turbine's three, 40-meter blades spin 360-feet in the air near Carleton College in Northfield, an experimental energy project funded by state lottery money.

For every dollar the public spends on a lottery ticket, about 6 cents goes to the Environment and Natural Resources Trust Fund. The fund solely supports the Legislative Commission on Minnesota Resources (LCMR), which then ventures into some gambling of its own with experimental natural resource projects.

"We try to be innovative, and sometimes when you try to be innovative you're not always gonna succeed, but documenting an unsuccessful approach is valuable in and of itself," explained John Velin, director of the LCMR, at the Jan. 19 meeting of the House Governmental Operations and Veterans

Affairs Committee. It's the basic research with no industrial incentive that is often times the hardest to get funded, he added.

Over \$400,000 was put into research, such as wind turbines at Carleton College and the University of Minnesota-Morris, in 2003. Another project involved a machine that compresses dairy manure to make dry fertilizer ...

***"It is probably one of the most innovative parts of state government in that you really look at things that are kind of on the leading edge."***

— Rep. Kathy Tingelstad,  
LCMR member

although that experiment didn't work, said Velin.

"If we aren't getting into at least a little bit of trouble, we probably aren't doing our job," Velin said. Asked if the ventures are met with much controversy, he responded, "Often we get questions that indicate surprise," rather than disapproval.

"What I really like about this commission is it is probably one of the most innovative parts

**LCMR continued on page 16**



PHOTO BY TOM OLMSCHIED

The LCMR has provided funding for wind turbines similar to these at Carleton College in Northfield.

## LCMR project requests

HF390, sponsored by Rep. Kathy Tingelstad (R-Andover), places the Legislative Commission on Minnesota Resources' recommendations in bill form.

The House Agriculture, Environment and Natural Resources Finance Committee laid over the \$39.29 million bill Feb. 8 for possible inclusion in its omnibus environment and natural resources finance bill.

Director John Velin emphasized citizen involvement in commission projects. Together with the Citizen Advisory Committee, a Web-based citizen survey garnered some 300 responses and allowed citizens to "come to a public forum in a virtual sense," he said.

A couple of "hallmark projects" in the bill, Velin said, include a consortium of nonprofits, state and federal agencies and American Indian tribes working together on habitat corridor restoration in both Greater Minnesota and the Twin Cities metropolitan area. The bill would earmark \$7.59 million for those efforts.

"The hope would be that they would combine in their view of prioritization in seeking which lands to purchase, which lands to restore, the ones that make the best sense, the ones that create the biggest symbiosis," he said.

Other projects would include:

- state park and recreational land acquisition (\$2 million),
- Minnesota county biological survey (\$1 million),
- clean energy resource teams and community wind energy rebate programs (\$700,000),
- recycling treated municipal wastewater for industrial water use (\$300,000),
- completing third party certification of Department of Natural Resources forest lands (\$250,000),
- biological control of European buckthorn and garlic mustard (\$200,000), and
- Minnesota children's pesticide exposure reduction initiative (\$200,000).

A companion bill (SF469), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Finance Committee.

(N. WOOD)

## High-tech destination

### Legislative support could help companies compete globally

By **BRETT MARTIN**

**M**innesota is a hotbed for high-technology companies, and these companies would like to see policies that strengthen the state's technology-based economy and help ensure global competitiveness.

In 10 years, 90 percent of the world's scientists will come from Asia, Michael Wright, president of Entegris, told the Technology, Bioscience and Medical Products Division of the House Commerce and Financial Institutions Committee Feb. 3. Asia is graduating significantly more scientists while many American scientists are retiring, he said.

Wright is concerned this country will lose its competitive edge.

"For most of us in business, it's a threat we've been competing with for a long time. It's a very real threat," Wright said. "It's not to say we can't compete, because we can, but the playing field is becoming more and more uneven."

There are almost 200,000 high-tech jobs in Minnesota, paying an average wage of \$58,300

(more than 50 percent higher than the average private sector wage), with an annual payroll of \$8.4 billion, said Kate Rubin, president of the Minnesota High Tech Association.

"I want the committee to understand the landscape of tech companies in Minnesota and the impact they have on the economy," she said.

Rubin emphasized the importance of educational funding for the sciences. Her association recommended allocating \$4.5 million for Internet access in rural Minnesota schools to make the use of technology widely available.

Donald E. Gerhardt, president and CEO of Medical Alley, touted the enormity of Minnesota's medical technology industry. He said there were 2,500 medical device patents filed between 1997 and 2001 in Minnesota.

"It's important to keep that alive because that's what fuels the economy," he said, noting that the state medical technology sector's employment rate grew 31.9 percent over the last 10 years, compared to 10.2 percent nationally.

There are approximately 520 medical manufacturers in Minnesota registered with

the U.S. Food and Drug Administration, employing as many as 50,000 people and generating \$40 billion to \$50 billion in sales per year, Gerhardt said.

"It's an important source of revenue back to the state," he said.


To help these companies stay competitive and encourage innovation, Gerhardt and Rubin would like to see a change in the state's research and development tax credit.

Currently, Minnesota companies receive a 5 percent tax credit for expenditures over the "base amount" up to \$2 million, then 2.5 percent after that. Each company's base amount is devised using a specific formula.

Rubin's association has called for a flat 5 percent tax credit. Gerhardt said he supports a flat 5 percent now, but would like to see the number gradually increase to 8 or 9 percent. He points out that Indiana and Massachusetts have 10 percent rates, and California has 15 percent.

"We're asking for competitiveness," Gerhardt said. "We feel that would be fair for all the players."

While no bills have yet been introduced, Rep. Joyce Peppin (R-Rogers) said she would introduce legislation this session to expand the credit.

"I am in support of the R & D tax credit," she said. "The high tech industry is important for Minnesota." 

### LCMR continued from page 15

of state government in that you really look at things that are kind of on the leading edge and the opportunity to try some new things," said Rep. Kathy Tingelstad (R-Andover).

Comprised of 10 members each from the House and Senate, including Tingelstad, and a citizen advisory committee of 11 members appointed by the governor, the commission provides recommendations to the Legislature.

The commission was created by the Legislature in 1963 to look at natural resources and "realized that enhancing and maintaining and improving our natural resources would probably not be done by just the regular budget operations," said Velin.

In 1988 voters approved a constitutional amendment allowing for the Minnesota State Lottery, and two years later approved



**Director John Velin presents the Legislative Commission on Minnesota Resources' biennial report during the Feb. 8 meeting of the House Agriculture, Environment and Natural Resources Finance Committee.**

PHOTO BY ANDREW VONBANK

an amendment requiring that 40 percent of proceeds go to the fund. That dedication now goes through December 2024.


Each biennium the commission reviews potential projects, and prepares a plan for funding priority areas.

"Anybody can apply for funding. The

only qualification is that there be a clear and dominant public benefit to the project," Velin explained.

Rep. Jerry Dempsey (R-Red Wing) questioned how wind turbines at Carleton College could have a broad public benefit.

"You reduce the amount of power generated by the traditional fossil fuel sources," Velin said. Any megawatt that you produce other than by fossil fuels reduces the load in the area thereby reducing pollution in the surrounding communities.

For the 2006-07 biennium, 221 projects costing more than \$240 million were initially submitted for possible funding. The LCMR is recommending 74 of those to the Legislature for funding, totaling \$39.29 million. 

**For a full listing of the Legislative Commission on Minnesota Resources 2005 recommended projects visit: <http://www.commissions.leg.state.mn.us/lcmr/>**

# Leading by example

Hamilton knows the process works with commitment

By BRETT MARTIN

For the Hamiltons, politics may be becoming a family affair.

"When I won my election, my son, Tyler, who was president of his elementary school student council, said, 'Dad, that's great! Maybe that will help my career,'" Rep. Rod Hamilton (R-Mountain Lake) said.



Rep. Rod Hamilton

The entire family, including his fifth-grade daughter, Haley, and wife, Lynee, hit the campaign trail, knocked on doors and handed out literature.

"Without their support, I could not, and would not, be here," Hamilton said.

Working on a hog farm south of Rochester, and seeing the issues that farmers face, drew him into politics.

"I sat down with two local farmers at a Happy Chef restaurant and we wrote a list on

a napkin of what we would like to change. We took that list to the Minnesota Pork Producers Association," Hamilton said. "The list then went to legislators and those changes ended up becoming law."

After seeing the process in motion, he wanted to be part of it.

"It's a process that does work if you're committed," he said. "It's extremely rewarding to know you can make a difference if you're committed to the process until the end and willing to work hard."

With an impressive resumé in agricultural issues — past president of the Minnesota Pork Producers Association, member of the Minnesota Farm Bureau, winner of the Young Farmers & Ranchers competition in 2001, former member of the governor's Livestock Task Force — he's a natural for the House Agriculture and Rural Development Committee. He also sits on the House Ways and Means Committee and House Commerce and Financial Institutions Committee,

## DISTRICT 22B

2002 Population: 36,610  
Largest city: Worthington  
Counties: Cottonwood, Jackson and Nobles  
Top Concern: Increased funding for education

***"It's extremely rewarding to know you can make a difference if you're committed to the process until the end and willing to work hard."***

— Rep. Rod Hamilton

including the Technology, Bioscience and Medical Products Division.

Hamilton, a former member of the Mountain Lake School Board, introduced HF5 to increase the basic education formula allowance.

"When I was going around visiting with constituents, the two main issues of concern were skyrocketing health care costs and education," he said. "I want to promote quality education and make sure our children get the good education they deserve."

# Education expert

Outsider comes inside to bring about change

By RUTH DUNN

Rep. Sandra Peterson (DFL-New Hope) is no newcomer to the limelight. During her tenure as president of the Minnesota Federation of Teachers, the state's second largest teachers' union, her face and name appeared in newspapers and on TV across the state. Four years ago, she was instrumental in the federation's merger with the Minnesota Education Association, to create Education Minnesota. She served as co-president of the new union for three years and then as vice president.



Rep. Sandra Peterson

Peterson is familiar with the legislative process from the outside. She's testified and lobbied on behalf of bills, and was appointed by several governors to numerous legislative task

forces and committees. But seeing the process from the inside is a different story. "I'm learning like everyone else," she said. Peterson serves on the House Education Policy and Reform and Transportation committees.

Peterson, a former teacher in the Robbinsdale School District, is not surprised that there are more educators than any other occupation represented in the House. "Every day in their classrooms, teachers see how the Legislature affects their lives." Teachers also possess skills for campaigning, like being able to communicate with voters, she said.

Legislative gridlock was the big factor in her election from a swing district, said Peterson. "Voters are upset with both political parties. People told me if they went to work and didn't get the job done, they would not be paid. People want us to get things done and to make decisions that will benefit the state in the long run. We have to focus on results, or we will

## DISTRICT 45A

2002 Population: 36,983  
Largest city: New Hope  
County: Hennepin  
Top Concerns: Education, transportation, economy

***"Voters are upset with both political parties. People told me if they went to work and didn't get the job done, they would not be paid."***

— Rep. Sandra Peterson

not see a second term."

A widow since 1990, Peterson has two grown sons and a 2-year-old granddaughter who might grow up to be a teacher someday, if Peterson has any influence.

She enjoys city life and is an avid movie buff. She has also been known to hunt game birds in Manitoba, Canada, and to return to the homestead near Benson that has been owned by her family since the 1800s. She loves to read non-fiction books, especially biographies, because she learns so much from them.

# Road trip

House committee tours to gain a better understanding

By NICOLE WOOD

The House Agriculture, Environment and Natural Resources Finance Committee went to Mars Jan. 25. In reality, there was no interplanetary travel. It was a trip to the Science Museum of Minnesota 3D digital theater in St. Paul. While Museum President Eric J. Jolly presented his case for state support, committee members were wowed by the "Mars 3-D" imagery captured by the Spirit and Opportunity rovers.

Sometimes that wow factor enhances

legislative support.

Tours afford lawmakers the opportunity to see, firsthand, unique projects and genuine working conditions. Better than a State Office Building hearing room and a PowerPoint presentation, a tour allows department officials to provide tangible evidence of efficiency and innovation. With

***"It's really tough to sit here and make budget recommendations when everyone is coming through your door with good ideas and a passion for what they do."***

— Rep. Doug Magnus

a captive audience, it's easier to dispel myths or misconceptions about agency activities.

"It's really tough to sit here and make budget recommendations when everyone is coming through your door with good ideas and a passion for what they do," said Rep. Doug Magnus (R-Slayton). A tour can reveal duplicate efforts or synergism among programs, he said.

Committee members learned a number of things at the Science Museum, some scientific and some financial.

The film they viewed is the first project to create a three-dimensional movie from the images and data sent back from the Red Planet. The museum, Jolly said, played a key role in getting the Mars information from NASA databases to the big screen.

Museum benefactors often earmark donations for projects rather than operating expenses,

Jolly explained. Some days the biggest challenge is finding the resources to keep the lights on, he said, and other days it's just making sure the big dinosaur in the lobby doesn't fall on anyone.

Magnus said he left the building with a better understanding of the work done at the St. Croix Watershed Research Station by the museum's environmental research component. After an overview of prairie plant

propagation efforts, he said, "an ag person like me is saying 'Gee, they're doing studies here on wildlife habitat that I think are really cutting edge.'"

The museum isn't the only account to

fall under the scope of the committee as it develops a budget recommendation for fiscal years 2006-07. Other off-site visits in January included trips to the Minnesota Zoo, Agriculture Department, Board of Animal Health, Department of Natural Resources, Office of Environmental Assistance and Pollution Control Agency.

All of this activity "took abstract spreadsheets and information sheets that are very dry and black and white and translated them into a much more meaningful way to picture the things you are being asked to fund," said Rep. Sheldon Johnson (DFL-St. Paul). He said the tours left him with "a deeper appreciation of some of the fine work that is being done by some of these agencies and state-funded organizations."

## Where to find information

### House Public Information Services

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

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

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



PHOTO BY ANDREW VONBANK

Members of the House Agriculture, Environment and Natural Resources Finance Committee look at a collection of deformed frogs during a Jan. 25 tour of the Science Museum of Minnesota.

## Monday, February 7

### HF785—Krinkie (R)

#### Taxes

Property tax rate increases prohibited for taxes payable in 2006 and certain subsequent years, increases in fees prohibited, reimbursement provided to local governments for tax and fee increases and money appropriated.

### HF786—McNamara (R)

#### Environment & Natural Resources

Sale of tax-forfeited lands bordering public waters proceeds disposition modified, riparian land enhancement account created and money appropriated.

### HF787—McNamara (R)

#### Environment & Natural Resources

Road easement across state lands application fee required, land management account established and money appropriated.

### HF788—McNamara (R)

#### Agriculture, Environment & Natural Resources Finance

Tree seedlings surcharge established and money appropriated.

### HF789—Cox (R)

#### Environment & Natural Resources

Administrative penalty orders and civil penalties provided for violations of state waters laws, implementation plan required and rulemaking exemption provided.

### HF790—Wardlow (R)

#### Health Policy & Finance

Veterans home admission eligibility expanded to include certain Minnesota residents who provided military assistance to the United States armed forces in Southeast Asia during the Vietnam War era.

### HF791—Zellers (R)

#### Regulated Industries

Video game of chance definition modified.

### HF792—Sertich (DFL)

#### Commerce & Financial Institutions

Securities, mortgage originators and servicers, athlete agents and contractor's recovery fund regulated.

### HF793—Thao (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Newly arrived refugees and asylees exempted from participating in the diversionary work program and allowed to enter directly into the Minnesota Family Investment Program.

### HF794—Howes (R)

#### Taxes

Homestead resorts property valuation and deferment provided.

### HF795—Urdahl (R)

#### Agriculture, Environment & Natural Resources Finance

Agricultural pesticides in groundwater and surface water monitoring provided and money appropriated.

### HF796—Heidgerken (R)

#### Agriculture, Environment & Natural Resources Finance

Alternative livestock production programs funding provided and money appropriated.

### HF797—Bradley (R)

#### Taxes

Rochester sales and use tax revenue uses specified.

### HF798—Westerberg (R)

#### Transportation Finance

Trunk Highway 65 improvements funding provided to facilitate bus rapid transit, bonds issued and money appropriated.

### HF799—Anderson, I. (DFL)

#### Jobs & Economic

#### Opportunity Policy & Finance

Koochiching County; Grand Mound interpretive center renovation funding provided, bonds issued and money appropriated.

### HF800—Nelson, M. (DFL)

#### Commerce & Financial Institutions

Peddlers and door-to-door solicitors regulated.

### HF801—Dempsey (R)

#### Governmental Operations & Veterans Affairs

A House resolution memorializing Congress to propose an amendment to the United States Constitution, for ratification by the states, specifying the Congress and the states shall have the power to prohibit desecration of the flag.

### HF802—Davnies (DFL)

#### Education Policy & Reform

Minneapolis excluded from the Teachers Tenure Act.

### HF803—Juhnke (DFL)

#### Regulated Industries

Raffle definition modified.

### HF804—Cornish (R)

#### Taxes

Biomass fuel stoves sales tax exemption provided.

### HF805—Dorn (DFL)

#### Regulated Industries

Mankato on-sale liquor license authorized for the Midwest Wireless Civic Center.

### HF806—Cornish (R)

#### Education Policy and Reform

School district and employee notification of students with a violent history immunity from liability provided.

### HF807—Davids (R)

#### Taxes

Chatfield wastewater treatment facility construction materials sales tax exemption provided.

### HF808—Smith (R)

#### Governmental Operations & Veterans Affairs

Private contracting for previously public services standards and procedures established and public accountability provided.

### HF809—Dorn (DFL)

#### Education Policy & Reform

Health, safety and environmental management cost modified for school districts.

### HF810—Dorn (DFL)

#### Education Finance

Class size ratios formula and class size reduction revenue allocation restored to former methods.

### HF811—Hortman (DFL)

#### Governmental Operations & Veterans Affairs

Military assistance trust fund created, fund uses specified and money appropriated.

### HF812—Brod (R)

#### Civil Law & Elections

Voter registration outreach and solicitation training provided, numbering of applications required and distribution provided.

### HF813—Sykora (R)

#### Environment & Natural Resources

School trust land construction aggregate evaluation provided and money appropriated.

### HF814—Cornish (R)

#### Environment & Natural Resources

Hubbard, Lake and Wabasha counties private sale of surplus land authorized.

### HF815—Kahn (DFL)

#### Local Government

City councils required to vote on charter commission recommendations for charter amendments by ordinance.

### HF816—Kahn (DFL)

#### Civil Law & Elections

Nonpartisan legislative offices provided and state elections campaign fund allocation modified.

### HF817—Erickson (R)

#### Education Policy & Reform

School districts authorized to hold operating referendum for a proposed facility at the same time as a referendum to fund the proposed facility.

### HF818—Kahn (DFL)

#### Civil Law & Elections

Local units of government authorized to permit permanent resident non-citizens to vote in local elections and constitutional amendment proposed.

### HF819—Thissen (DFL)

#### Commerce & Financial Institutions

State-funded reinsurance provided for small employer health coverage and money appropriated.

### HF820—Paulsen (R)

#### Governmental Operations & Veterans Affairs

Initiative and referendum provided by proposed constitutional amendment.

**HF821—Blaine (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Wildlife lands in lieu of tax payments requirements modified.

**HF822—Blaine (R)**  
**Education Policy & Reform**  
Independent School District No. 482, Little Falls, alley system for at-large election of school board members provided.

**HF823—Blaine (R)**  
**Environment & Natural Resources**  
State Timber Act and standard measurements for wood modified.

**HF824—Blaine (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Forest suspense account receipts disposition modified.

**HF825—Hilstrom (DFL)**  
**Taxes**  
Brooklyn Center tax increments expenditure deadline extended.

**HF826—Ozment (R)**  
**Environment & Natural Resources**  
Clean Water Legacy Act established providing authority, direction and funding to achieve and maintain water quality standards for surface waters in accordance with the federal Clean Water Act and money appropriated.

**HF827—Greiling (DFL)**  
**Education Policy & Reform**  
World language programs state coordinator provided, grants provided to model extended world languages programs and money appropriated.

**HF828—Greiling (DFL)**  
**Civil Law & Elections**  
Political parties receiving a public subsidy prohibited from making independent expenditures, specified funding available only to candidates who agree to spending limits, spending limits imposed on caucuses and refund amount increased.

**HF829—Peppin (R)**  
**Health Policy & Finance**  
Shaking infants and young children dangers education provided for parents, primary caregivers and child care providers.

**HF830—Mahoney (DFL)**  
**Environment & Natural Resources**  
Soil and water conservation district supervisor elections and appointments provided.

**HF831—Fritz (DFL)**  
**Civil Law & Elections**  
Absentee ballot voting made easier.

**HF832—Klinzing (R)**  
**Education Policy & Reform**  
School site governance program provided.

**HF833—Hoppe (R)**  
**Environment & Natural Resources**  
Off-highway vehicle operation restrictions modified, vehicle damage account availability extended, seizure and forfeiture of vehicles provided, specified

violations added to driving record and license plates required on ATVs.

**HF834—Dittrich (DFL)**  
**Education Policy & Reform**  
School district authority granted to offer certain rewards to persons who provide information that leads to the apprehension and arrest of a person or persons who have committed a crime against school property, students or personnel.

**HF835—Cornish (R)**  
**Taxes**  
Local government aid formula modified for specified cities.

**HF836—Peppin (R)**  
**Civil Law & Elections**  
Abortion issue standards for Minnesota Constitution and United States Constitution required to conform and constitutional amendment proposed.

**HF837—Smith (R)**  
**Health Policy & Finance**  
Abortion on minors or certain other women notification reporting required.

**HF838—Otremba (DFL)**  
**Health Policy & Finance**  
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**HF839—Abeler (R)**  
**Health Policy & Finance**  
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**HF840—Abeler (R)**  
**Health Policy & Finance**  
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**HF841—Vandever (R)**  
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**HF843—Demmer (R)**  
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**HF844—Knoblach (R)**  
**Capital Investment**  
St. Cloud; Paramount Theater city ownership provided and grant recipient modified.

**HF845—Lenczewski (DFL)**  
**Taxes**  
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**HF846—Hoppe (R)**  
**Education Policy & Reform**  
Levy or bond referendum notice placement on ballot specified.

**HF847—Hoppe (R)**  
**Environment & Natural Resources**  
Game and fish regulations modified, including fishing tags, scope usage, damage-causing animals,

license requirements, waterfowl restrictions, dog training, trapping provisions, raccoon hunting, and related issues and money appropriated.

**HF848—Smith (R)**  
**Public Safety Policy & Finance**  
Public defender representation limited to statutorily designated persons and public defender data access provided.

**HF849—Zellers (R)**  
**Transportation Finance**  
Osseo; Central Avenue and Jefferson Highway project bonds authorized.

**HF850—Powell (R)**  
**Transportation**  
Vehicle-monitoring device installation in certain vehicles authorized.

**HF851—Lenczewski (DFL)**  
**Taxes**  
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**HF852—Zellers (R)**  
**Transportation Finance**  
Osseo; Central Avenue and Jefferson Highway project bonds issued and money appropriated.

**HF853—Kelliher (DFL)**  
**Governmental Operations & Veterans Affairs**  
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**HF854—Abeler (R)**  
**Health Policy & Finance**  
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**HF855—Abeler (R)**  
**Health Policy & Finance**  
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**HF856—Dittrich (DFL)**  
**Transportation Finance**  
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**HF857—Simpson (R)**  
**Transportation Finance**  
Ottertail County; intersection traffic control improvements money appropriated.

**HF858—Wardlow (R)**  
**Governmental Operations & Veterans Affairs**  
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**HF859—Holberg (R)**  
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**HF860—Eken (DFL)**  
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**HF861—Eken (DFL)****Education Finance**

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**HF862—Eken (DFL)****Agriculture, Environment & Natural Resources Finance**

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**HF863—Eken (DFL)****Agriculture, Environment & Natural Resources Finance**

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**HF864—Abrams (R)****Education Finance**

Special school breakfast and lunch diets based on religious beliefs of students cost payment provided and money appropriated.

**HF865—Olson (R)****Civil Law & Elections**

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**HF866—Olson (R)****Taxes**

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**HF867—Olson (R)****Education Policy & Reform**

American Heritage Education in Minnesota Public Schools Act enacted.

**HF868—Peterson, A. (DFL)****Environment & Natural Resources**

Coyote (*Canis latrans*) destruction bounty provision by county board authorized.

**HF869—Hortman (DFL)****Governmental Operations & Veterans Affairs**

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**HF870—Thissen (DFL)****Health Policy & Finance**

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**HF871—Seifert (R)****Governmental Operations & Veterans Affairs**

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## Thursday, February 10

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**HF873—Emmer (R)****Taxes**

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**HF874—Brod (R)****Civil Law & Elections**

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**HF875—Abrams (R)****Taxes**

Cigarette cost mitigation fee established and health care provider tax repealed.

**HF876—Greiling (DFL)****Education Finance**

Special education excessive costs state payment required.

**HF877—Simpson (R)****Regulated Industries**

Uniform off-sale liquor sales hours provided statewide and 10 a.m. Sunday on-sale authorized for restaurants, clubs, bowling centers and hotels.

**HF878—Erickson (R)****Education Policy & Reform**

School districts authorized to determine the school year starting date.

**HF879—Samuelson (R)****Health Policy & Finance**

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**HF880—Hortman (DFL)****Civil Law & Elections**

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**HF881—Urdahl (R)****Transportation**

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**HF882—Thissen (DFL)****Taxes**

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**HF883—Vandever (R)****Transportation**

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**HF884—Vandever (R)****Transportation**

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**HF885—Vandever (R)****Taxes**

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**HF886—Vandever (R)****Transportation**

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**HF887—Vandever (R)****Taxes**

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**HF888—Vandever (R)****Transportation**

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**HF889—Vandever (R)****Transportation**

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**HF890—Vandever (R)****Taxes**

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**HF896—Buesgens (R)****Education Finance**

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**HF897—Abeler (R)****Health Policy & Finance**

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**HF898—Sertich (DFL)****Commerce & Financial Institutions**

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**HF902—Ozment (R)****Environment & Natural Resources**

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**HF905—Rukavina (DFL)****Local Government**

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**HF907—Nelson, P. (R)****Governmental Operations & Veterans Affairs**

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**HF908—Eastlund (R)****Public Safety Policy & Finance**

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**HF909—Klinzing (R)****Taxes**

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**HF910—Otremba (DFL)****Health Policy & Finance**

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**HF912—Beard (R)****Transportation**

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**HF913—Beard (R)****Governmental Operations & Veterans Affairs**

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**HF917—Liebling (DFL)****Higher Education Finance**

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**HF918—Paulsen (R)****Jobs & Economic****Opportunity Policy & Finance**

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**HF920—Cox (R)****Governmental Operations & Veterans Affairs**

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**HF936—Johnson, J. (R)****Civil Law & Elections**

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**HF939—Seifert (R)****Governmental Operations & Veterans Affairs**

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**HF941—Koenen (DFL)**  
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**HF951—Beard (R)**  
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**HF952—Finstad (R)**  
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**HF953—Finstad (R)**  
**Health Policy & Finance**  
Abortion alternative grants and public information provided, Positive Alternatives Act created and money appropriated.

**HF954—Finstad (R)**  
**Health Policy & Finance**  
Abortion alternative grants and public information provided, Positive Alternatives Act created and money appropriated.

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**HF967—Klinzing (R)**  
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**HF972—Howes (R)**  
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MINORITY LEADER: MATT ENTENZA

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**Sources: Gambling Oversight and Regulation, January 2005, Office of the Legislative Auditor; Annual Report 2004, Minnesota State Lottery; Canterbury Park; Minnesota Indian Gaming Association; Northstar Roundtable, Winter 2004, Northstar Problem Gambling Alliance; North American Association of State and Provincial Lotteries; Gambler's Relief.**

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# SESSION Weekly

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FEBRUARY 18, 2005  
VOLUME 22, NUMBER 7



**INSIDE: FLAG FLAP, LEGISLATORS AND REGENTS, LOVE IS IN THE AIR, MORE**

This Week's Bill Introductions HF978-HF1151

# Session Weekly

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On the cover: One week after temperatures exceeded 50 degrees at the Capitol complex, heavy wet snow covered the trees and grounds when lawmakers returned to work Feb. 14.

—Photo by: Tom Olmscheid

# Years of school choice

## One size is not best for all students to have success

By **RUTH DUNN**

**H**er son did well in elementary and middle school, but then he got to high school and lost his way. "The traditional high school path did not work for him," Joy Sorensen Navarre told the House Education Policy and Reform Committee Feb. 10 as part of a discussion about school choice.

She said her son has intellectual gifts, but also has disabilities that disrupt his learning, and he didn't do well in high school. "He began to believe he was a failure; that he was not smart enough to go to college and not even smart enough to complete high school," she said. He stopped caring about school and about his future.

"Then we found Avalon, a small public charter school in St. Paul," she said, "Avalon gave my son his future back. Our son goes to school every day, inspired to learn and is getting good grades. He's thinking about his future again." She and her son, who is now in 11th grade, recently toured an engineering program at a state college.

Navarre said that her son and others who were not doing well in traditional schools are thriving in public charter schools and other non-traditional school options.

Her son always had amazing teachers and caring adults at every school he attended, Navarre said, but the charter school was flexible enough to see him as an individual learner and allowed him to learn in the most effective way for him.

Navarre and others have found that one size does not fit all when it comes to finding the right school.

Beginning in 1985, several pieces of legislation opened the doors to educational opportunities and lots of children are walking through them.

During the 2003-04 school year, 216,000 students enrolled in one of the four major choice programs: post-secondary enrollment options, open enrollment, alternative programs or charter schools, according to Morgan Brown, director of school choice and innovation for the Minnesota Department of Education. That's about 26 percent of the

843,000 students enrolled in public schools kindergarten through grade 12 the same year.

### More options?

Some legislators are now thinking it's time for even more schooling options.

"As policy makers, we need to take a critical look at school choice and ask tough questions within the context of limited resources: Is it working? Do we need to do more?" said Rep. Mark Buesgens (R-Jordan), the committee chair.

But before questions could be answered, members were given an overview of programs already in operation.

### Off to college

The first opportunity for school choice to be approved by the Legislature was post-secondary enrollment options (PSEO), which allows juniors and seniors to take classes at eligible colleges and universities for free and earn college credits while still in high school. The cost is paid by the state with the aid that would have gone to the child's public high school. Brown said 7,169 students are participating in the program during the 2004-05 school year on a part- or full-time basis.

### Open enrollment

Through open enrollment, public school students can apply to attend a public school outside their resident district and their state aid goes with them. More than 40,000 students participated in open enrollment in the 2003-04 school year.

### Alternative schools

The number one reason students attend an alternative program is

for a more individualized education, according to Joe Nathan, director of the Center for School Change at the University of Minnesota. State-approved alternative programs are for students who are at risk as defined by state law, meaning they are at least a year behind academically and may face other challenges like chemical dependency.

The number of high school students attending alternative programs has remained steady in recent years, but there has been a tremendous growth in students in kindergarten through grade eight who qualify for targeted services offered before or after the regular school day or on Saturdays. More than 155,000 students participated in alternative programs or targeted services in 2003-04 compared to 4,050 students during the 1988-89 school year.

### Charter schools

Enrollment in public charter schools has grown rapidly, especially in the last few years, according to Brown. During the 1995-96 school year, 1,551 students attended 17 public charter schools. This year, 17,549 students attend 105 charter schools. Brown speculates the growth is the result of greater public awareness and acceptance of charter schools as an educational option.

Charter schools are usually smaller schools with a particular learning focus like classical education, project-based, arts or service

**First Reading continued on page 4**



PHOTO BY ANDREW VONBANK

**Danielle DeRemer, left, from Prairie Center Alternative School, Emily Bohmbach, center, from Highland Park Elementary, and Amalia Armendariz, right, from the El Colegio Charter School, testify about their successes with public school choice during the Feb. 10 meeting of the House Education Policy and Reform Committee.**



## First Reading continued from page 3

learning. About one-half of the state's charter schools are located in Minneapolis and St. Paul, one-third are in rural areas and the remainder are in the suburbs, which had few charter schools early on but are now seeing growth, said Brown.

### School at home

Most home schooling was done for religious reasons in the past, according to Nathan. Nowadays, families are home schooling their children for a greater variety of reasons including gifted and talented. There has been a steady growth of children being taught at home; it's increasing by about 1,000 students a year, according to Brown. He said 17,533 students were home schooled during the 2003-04 school year.

### Online learning

The newest school option is online learning. New technology and a law passed in 2003 have

opened the door for certified school districts and charter schools, totaling 16 so far, to offer this new form of learning to an estimated 500 students who participate on a part- or full-time basis, said Brown.

### Integration schools

Six interdistrict schools have been created by city-suburban collaborations in the metro area as part of voluntary integration. Attendance now numbers 2,800 students.

Intradistrict magnets, mostly within larger school districts, give families a choice within a school district to attend a particular academic program, such as arts or technology.


### Early concerns

School choice legislation has always been controversial, but there's also been cross-aisle legislative support for it and parents have embraced it. "There is a clear, strong level of support for programs," said Nathan, based on a 2002 study he did.

Early concerns about school choice programs have not proven true over time, he added.

For example, school districts were concerned they'd lose their top students through PSEO but actually it's mostly students earning Bs and Cs who have enrolled in the program. "The straight-A students were doing well where they were," he said.

One of the most amazing things about PSEO is the effect it had on public high schools, said Nathan. "PSEO legislation passed in the spring of 1985. By the next fall, all high schools were offering new advanced courses for students. "PSEO legislation stimulated improvements in the schools resulting in greater academic rigor."

People also worried that PSEO would spark a rift between public high schools and post-secondary institutions, said Nathan. "Just the opposite happened. Closer working relationships developed between high schools and higher education. Cooperation was the result, not competition." 

## Lost treasures

### Cass Gilbert designed original Capitol furniture



Capitol architect Cass Gilbert's design realm was not limited to structural elements. His attention to detail extended to furnishings. Original Capitol plans included 74 different styles of chairs, tables and desks, some standard to the era, others specially designed by Gilbert for certain ceremonial and public spaces in the Capitol.

The furniture contract was awarded to Herter Brothers, a New York firm.

"Unfortunately, much of the original standard furniture from the Capitol was, over the years, discarded, auctioned off by the state, or relocated to other government agencies throughout Minnesota," according to the Minnesota Historical Society publication, "Attention to Detail: 1905 Furniture of the Minnesota State Capitol."

The report estimates that approximately half of the original order, roughly 800 pieces of furniture, had been located in 15 different state buildings by 1989. Capitol Historic Site Manager Carolyn Kompelien now estimates the number has risen to close to 900 pieces. "It's just wonderful that we have retained as much as we have."

The furniture is appropriate in scale, proportion and to the style of the time, Kompelien said. "If you separate that furniture from the building, you've subtracted one

of the parts of the whole that is required to make it look historical."

One of the "premier pieces" among the 1905 furniture, in Kompelien's opinion, is the large mahogany armchair used by the House speaker in the House Chamber. Gilbert designed just two, one for the House and one for the Senate.

The leather upholstered chair features ornate carvings of a star emblem surrounded by oak leaves and a scroll that reads "L'Etoile

(du) Nord"—Star of the North. It rests on claw feet placed on castors.

The House came awfully close to selling the big chair in the 1960s. Members' chairs were being replaced so the originals were offered for sale to the office holders. Fortunately, the House decided not to sell when competing offers broke out among the man who was speaker at the time and former speakers.

The chair sat behind stanchions in the House Retiring Room for years until the chamber was restored to Gilbert's original motif in 1989-1990. It was reupholstered, its swivel mechanism was fixed and it has been the seat of power ever since.

In honor of the Capitol Centennial Celebration, the historic site staff is asking Minnesotans for help in locating the remaining Gilbert-designed pieces.

They have created a form on their Web site ([www.mnhs.org/places/sites/msc/form.pdf](http://www.mnhs.org/places/sites/msc/form.pdf)) to gather information from people who are fortunate enough to have one of the 1905 furniture pieces in their possession. The goal is to document the location of the lost pieces and let people know what they have, Kompelien said. There are no funds or plans to buy back the furniture, but any additional information would strengthen the inventory and the knowledge of the Capitol furnishings as Gilbert intended.

(N. Wood)



PHOTO BY TOM OLMSCHEID

The speaker's chair is one of the premier pieces of the Capitol's furniture collection.



★ **AGRICULTURE****Evaluating atrazine**

The herbicide atrazine, commonly used on corn crops, was the source of contention in the House Environment and Natural Resources Committee Feb. 15 as it reviewed an ethanol bill.

Committee Chair Rep. Tom Hackbarth (R-Cedar) ruled that an amendment offered by Rep. Jean Wagenius (DFL-Mpls) that would have added an atrazine restriction to the new ethanol proposal was not germane.

The House Agriculture and Rural Development Committee called in a federal expert Feb. 16 to present an evaluation of the herbicide and a general overview of the pesticide/herbicide registration process.

Anne Lindsay, deputy director of the Environmental Protection Agency Office of Pesticide Programs, said the agency is actively reviewing atrazine in its reregistration program. Part of this process requires that Syngenta, the maker of atrazine, produce a report on whether exposure to the herbicide has an effect on the sexual development of frogs.

The agency has adopted the view that available studies have yet to prove that atrazine has the potential to harm frogs or humans, Lindsay said.

"Unfortunately, certain mischaracterizations of our regulatory process, particularly with respect to atrazine, are circulating in a variety of public venues," she said. "These mischaracterizations call into question both the scientific soundness and the integrity of our work."

According to the Minnesota Department of Agriculture, 90 products registered in the state contain atrazine. The European Union has banned the chemical altogether, although its approach to regulation is quite different than that of the EPA, Lindsay said.

★ **BUDGET****Agency relief**

A new law signed by Gov. Tim Pawlenty Feb. 15 will avert public defender layoffs and keep the Minnesota Gang Strike Task Force on task.

Effective Feb. 16, 2005, the \$31.07 million deficiency measure will assist those state agencies and programs that were facing budget shortfalls by June 30, 2005, or sooner.

- The appropriations include:
- \$13.39 million for regional treatment centers for civilly committed sex offenders,
  - \$7.68 million to offset the loss of public defender co-pay revenue after the Minnesota Supreme Court ruled that a 2003 law obligating defendants to pay \$50 for a public defender was unconstitutional,
  - \$4.71 million to the Department of Administration for relocating the Agriculture and Health departments to a joint facility, and
  - \$4.07 million to help the Department of Corrections deal with a growing prison population and rising prisoner health care costs.

The cost of the new law will be offset in part by a \$24.7 million transfer from the budget reserve in the state General Fund.

Rep. Jim Knobloch (R-St. Cloud) and Sen. Richard Cohen (DFL-St. Paul) sponsored the legislation.

HF57\*/SF350/CH2

★ **BUSINESS****Billboards to stay up**

Certain locations of billboards are offensive to some St. Paul residents and they attempted to invoke the city's right to set a time limit in which those billboards would have to be removed. The House Local Government Committee heard a bill Feb. 14 addressing the issue, but rejected the idea.

HF228, sponsored by Rep. Michael Paymar (DFL-St. Paul), would have added nonconforming billboards to exemptions in law for a city or town to remove the property. Currently only adult bookstores, adult theaters and similar adult-only businesses are included in the zoning process known as amortization.

Nonconforming billboards would have been defined as ones that previously met land use zoning guidelines, but no longer meet those established by a municipality, according to the nonpartisan House Research Department.

Rep. Frank Hornstein (DFL-Mpls) added a successful amendment that would have limited the bill to the city of St. Paul.

Proponents said billboards in certain locations devalue property and make revitalization of areas difficult because they can't be removed due to lease restrictions. Additionally, the cost is too high for cities to purchase the billboards in order to remove them all together.

The bill would allow for "a slow incremental

process that would remove the most egregious boards," said Paymar.

By removing a billboard and not allowing for the possibility of building another in its place, a person is forcing a business to discontinue, testified Peter Coyle, a lobbyist for the Outdoor Advertising Association of Minnesota.

In 1999, the Legislature passed a law that restricted municipalities from using amortization to take business and residential property without just compensation. Billboards are businesses and personal property, said Coyle.

Sponsored by Sen. John Marty (DFL-Roseville), a companion, SF412, awaits action by the Senate State and Local Government Operations Committee.

★ **CONSUMERS****Super-size me**

Rep. Dean Urdahl (R-Grove City) wants to fight obesity through knowledge not litigation.

He is proposing a bill (HF118) that would protect food producers, processors and sellers from lawsuits filed against them on the basis that long-term consumption of a food product caused weight gain, obesity or health problems.

The House Agriculture and Rural Development Committee approved the measure Feb. 15. It now moves to the House Civil Law and Elections Committee.

Under the bill, food sellers would be granted immunity from civil liability based on a person's food consumption.

The so-called Personal Responsibility in Food Consumption Act would not prevent legal actions relating to deceptive labeling or tainted food, Urdahl said.

Minnesota has yet to see a lawsuit of this kind, though there is a well-publicized case against McDonald's pending in New York.

The concept of immunity has roots in English common law and was once limited to the king, explained Minnesota Trial Lawyers Association President Katherine Flom. Since the king could do no wrong, the king did not have to answer in court for any wrongdoings.

"This is a bill which would, in essence, elevate Burger King to being king," Flom said. "It allows them to be immune from wrongdoing."

Furthermore, the state's "loser pays" civil court structure already limits the number of frivolous lawsuits, she said in opposition to the bill.

It's overly optimistic to say court rules or sanctions would prevent them, countered

**Signed  
by  
the  
governor**  
★ ★ ★

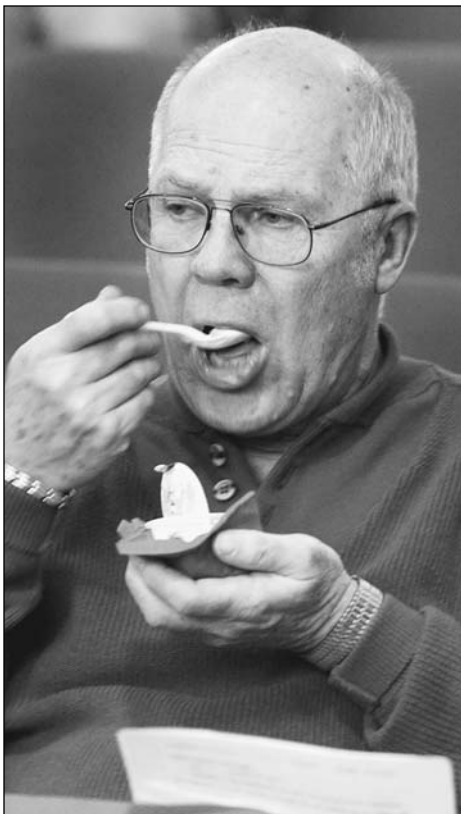


PHOTO BY TOM OLMSCHIED

**Like members of the House Agriculture and Rural Development Committee, Dave Solbrack of Litchfield snacked on ice cream during Feb. 15 testimony on a bill that would protect food manufacturers and sellers from legal actions taken against them to recover damages for alleged injury or weight gain resulting from food consumption.**

Joseph Price, a defense attorney with the Minneapolis law firm of Faegre & Benson. The costs to defend against civil liability claims can reach into the millions, he said.

"The Plaintiffs' Bar has gone on record saying food is 'the next tobacco,'" Price said.

A companion bill (SF631), sponsored by Sen. David Hann (R-Eden Prairie), awaits action in the Senate Judiciary Committee.

## ★ CRIME

### Tell no lies

Rep. Tony Cornish (R-Good Thunder), a former peace officer, once arrested a person who then made false accusations about what happened. However, Cornish had a device in his vehicle that recorded the whole encounter. "Lucky for me I was able to prove him wrong," said Cornish.

Cornish is now sponsor of a bill (HF618) that would make it a crime to knowingly make false reports about police misconduct.

The bill was amended Feb. 15 by the House

Public Safety Policy and Finance Committee to include the language of HF381, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center). The committee held it over for possible inclusion in its omnibus bill.

Rep. Keith Ellison (DFL-Mpls) expressed concern that citizens might be afraid to report police misconduct out of fear of facing charges. "This could chill disclosure," he said.

The bill would also make it a crime to knowingly provide false information to an on-duty peace officer about the conduct of another person.

The penalty would be a misdemeanor if the reported act were not criminal in nature, but a gross misdemeanor if the reported act is criminal. Offenders could also face restitution up to \$3,000 to pay some of the expenses resulting from the investigation of false allegations.

The bill received full support at the annual convention of the Minnesota Police and Peace Officers Association, according to Bill Gillespie, executive director of the association.

A companion bill (SF622), sponsored by Sen. Mike McGinn (R-Eagan), awaits action by the Senate Crime Prevention and Public Safety Committee.

### Trespass law

When someone is charged with trespassing, they can be banned from returning to the scene of the alleged crime for 30 days. That's not enough time, said Rep. Jim Knoblach (R-St. Cloud) whose bill (HF483) would extend the time up to one year.

"Believe it or not, people actually come back every 30 days after being told to leave a property — 30 days on the dot, month after month," Knoblach told the House Public Safety Policy and Finance Committee Feb. 15. "That's a hindrance to businesses. One year is a more suitable standard."

The other proposed change to current trespass law would be extending the time from six months to one year that school officials could ban a person from school property.

Robert Allen, commander of the Minneapolis Police Department's 1st precinct in downtown Minneapolis, said 30 days is not long enough because most court cases have not even moved through the court system in that time.

Rep. Keith Ellison (DFL-Mpls) said he worries how this bill might be used. "If applied properly, it would be no problem, but if it isn't, and we know people do not always behave properly, it could be a real problem."

Allen said it must be shown that there is a legitimate reason to bar a person from a business.

Matthew Larson, director of loss prevention

for Coborn's in St. Cloud, said the problem is with repeat shoplifting offenders who return numerous times. "It's extremely difficult to keep these people out," he said, "We're looking for a tool to give us a more cost-effective way to deal with these situations."

The bill was approved and sent to the House floor.

Its Senate companion (SF87), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action by the Senate Crime Prevention and Public Safety Committee.

## ★ ENERGY

### Extension recommended

Minnesotans seeking an eligibility extension for wind incentive payments claimed a partial victory Feb. 16 as HF218, sponsored by Rep. Tony Cornish (R-Good Thunder), was amended and approved by the House Regulated Industries Committee and referred to the House floor.

The bill would extend until Dec. 31, 2005, the 18-month time frame in which a wind facility must begin operating or lose its eligibility for state incentive payments, which is what advocates wanted. However, rather than receiving the 1.5 cents per kilowatt-hour as originally proposed in the Renewable Energy Production Incentive, the bill, as amended, would reduce the payments to 1 cent an hour for facilities receiving an extension or letter of approval after Jan. 1, 2005.

"We're trying to accommodate people who mean well and put good money up," said Rep. Michael Beard (R-Shakopee).

Dean Harder, along with 12 families in his community, invested tens of thousands of dollars in a dozen wind turbines. He is not sure they can go forward with the project at the reduced payment rate, but noted that the families want to recoup their investment and need the extension.

"The worst thing in the world you can do is not offer an extension of any kind," Harder said.

Cornish sponsored the legislation after the federal Production Tax Credit, which investors can use against passive income to reduce tax liability, was unavailable for 10 out of the 18 months of eligibility. Without the credit, some people were unable to secure the financial backing they needed.

A companion bill (SF817), sponsored by Sen. Julie Rosen (R-Fairmont), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ EMPLOYMENT



For information on a bill (HF742) that would exempt search firms from certain employment agency regulations go the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>

## ★ ENVIRONMENT

### Phosphorus issue resurfaces

A proposal was introduced in 2003 to reduce the amount of phosphorus in dishwasher detergents sold in Minnesota. It drew conflicting testimony, with questions of whether the change would result in improved water quality.

At the time, Pollution Control Agency officials said they did not yet have enough scientific data on phosphorus sources, nor had they studied the chemicals that could be used as alternatives in detergents.

Phosphorus is a naturally occurring nutrient many detergent makers add to their formulas to reduce spotting on dishes. If an overabundance of phosphorus finds its way into the water stream, it can cause algae bloom choking aquatic plants and depleting oxygen in lakes and rivers.

The 2003 Legislature ordered the agency to study the sources and amounts of phosphorus entering Minnesota water bodies and also to look at how best to assist local governments with removing phosphorus at the wastewater treatment stage. Lawmakers called for a 50 percent reduction in the amount of phosphorus from sources other than human waste entering municipal wastewater treatment systems.

The House Agriculture, Environment and Natural Resources Finance Committee reviewed the agency's assessment Feb. 16. No action was taken, but Rep. David Dill (DFL-Crane Lake) said the information would be helpful later this session when the committee looks at the overall issue of impaired waters.

According to the report, the combination of household and commercial automatic dishwasher detergent represents approximately 3 percent of the total phosphorus contributions to surface waters in the state, during an average year.

"Our perspective is we're not sure it's worth much energy in trying to manage that source as a restriction," said Mark Tomasek, PCA technical coordinator. "Again, the better way would be through effluent (wastewater that flows out of a treatment plant) limitations to

reduce what's going into surface waters."

A complete version of the assessment is available online ([www.pca.state.mn.us/hot/legislature/reports/phosphorus-report.html](http://www.pca.state.mn.us/hot/legislature/reports/phosphorus-report.html)).

## ★ GAME & FISH

### Coyote county bounty

Coyotes are getting a little too close for comfort in some Minnesota counties and they could wind up with a bounty on their heads or hides.

HF868, sponsored by Rep. Aaron Peterson (DFL-Madison), would allow counties to offer a bounty for the taking of coyotes by all legal methods. The amount of the bounty would be left up to each county, as would the bounty boundaries and the part of the animal a hunter must produce to claim the reward.

The House Environment and Natural Resources Committee approved the measure Feb. 10. It now moves to the House floor.

"I certainly do not want them exterminated," said Swift County Commissioner John Baker. "But we are having problems."

Statewide bounties were eliminated in 1965, said Ed Boggess, the fish and wildlife division policy section manager with the Department of Natural Resources. They were an ineffective experiment in wildlife management, he said.

Coyotes are not protected under state law, and it is legal to hunt or trap them. The bounty would provide a better incentive, proponents said.

### WINTERFUL VIEW



PHOTO BY ANDREW VONBANK

**The Capitol complex became a winter wonderland Feb. 14 with an ephemeral dusting of fluffy snow.**

A companion bill (SF761), sponsored by Sen. Gary Kubly (DFL-Granite Falls), awaits action in the Senate Environment and Natural Resources Committee.

### Head of the line

The hunters and anglers among Minnesota's military personnel might receive a thank you gift from the Department of Natural Resources.

HF417, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow the department to give first preference in hunting and fishing license lotteries to qualified members of the armed forces, including the National Guard or veterans.

Under the bill, a Minnesota resident who is currently serving or who has served at any time during the past 24 months would qualify.

They would still be required to purchase a hunting license but they would move to the front of the line in the special lotteries conducted by the department. The preference would not apply to the moose, elk or prairie chicken hunts, but antlerless deer, bears or wild turkeys could be in the crosshairs.

The House Environment and Natural Resources Committee approved the measure Feb. 10. It now moves to the House Governmental Operations and Veterans Affairs Committee.

"The logic behind this is that those young fellas and young ladies sitting over there in the sand doing the heavy lifting for the country right now can think of nothing they would rather do than be back in Minnesota out in the woods somewhere or out in some pasture where it's safe and quiet and peaceful and where they would have a chance to engage nature," said Jim Cleary, a legislative analyst with the nonpartisan House Research Department. "It's a country's way of saying thank you."

House Research does not advocate for or against any legislation, Cleary said. But he has a personal connection to the issue: his son — his hunting partner — is currently serving with the Minnesota National Guard in Iraq.

A companion bill (SF825), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Environment and Natural Resources Committee.

## ★ GOVERNMENT

### Nonprofit salaries

A plan to limit salaries of some charitable nonprofit personnel ran into a roadblock Feb. 11.

Sponsored by Marty Seifert (R-Marshall), HF593 was tabled by the House Governmental

Operations and Veterans Affairs Committee. The vote was 13-8, following a motion for a roll call by Rep. Michael Beard (R-Shakopee).

The bill would require charitable nonprofits that receive state appropriations or grants to spend at least 75 percent of its revenue for charitable purposes, and no official or employee could be paid more than the governor's salary, currently at \$120,303.

Hospitals and medical clinics would be excluded from the restrictions.

"We have taxpayers in my district and other districts of the state that struggle to get by to raise their families ... while, at the same time, having to pay sales and other taxes to government," said Seifert. Some charitable organizations are paying salaries eight to 10 times that of an average family income in his district, he added.

"We give these state grants because we've decided there is a positive state purpose," said Rep. Phyllis Kahn (DFL-Mpls). She said it is counterproductive to give grants and then interfere with those who make those grants effective.

"Nonprofit employees, on average, make 12 percent less than other employees in Minnesota's economy," said Jon Pratt, executive director of the Minnesota Council of Nonprofits. It's a mistake to assume that nonprofits aren't also participating in the labor economy and competing with organizations across the country for excellent employees, he added.

A successful amendment, originally offered by Rep. Mark Olson (R-Big Lake), but withdrawn and offered again by Kahn, adds health maintenance organizations to those with a salary cap.

While disappointed with the outcome, Seifert later said that he is not "gonna let it fall to the wayside." He plans to resurrect the bill by either introducing a different version or amending it to another.

A companion bill (SF832), sponsored by Sen. Betsy Wergin (R-Princeton), awaits action in the Senate State and Local Government Operations Committee.

## ★ HOUSING

### A home on the farm

Members of farm families who want to live on the farm, but not in the same house could benefit from a bill that would eliminate regulation on certain manufactured homes.

HF527, sponsored by Rep. Dan Severson (R-Sauk Rapids), would exempt some farm labor housing from regulation as "manufactured home parks."

Severson said children of farmers often-times bring manufactured homes onto the

family farm. This allows the children and their families to live and work together on the farm, but they don't have to share a single house.

Currently, these manufactured homes need to be licensed and inspected by the county. Severson's bill would allow up to two manufactured homes on the farm premises to be exempt from the county licensing and inspection process. The homes would need to be used exclusively to house people engaged in agriculture and would still need to meet the safety standards and Department of Health rules for mobile home parks.

"The counties are behind this," Severson said. "The purpose of this bill is to take the load off the county."

The House Commerce and Financial Institutions Committee amended the bill Feb. 15 to require a smoke detector outside each sleeping area in the homes. It then approved the bill and sent it to the House Agriculture and Rural Development Committee.

A companion bill (SF333), sponsored by Sen. Michelle Fischbach (R-Paynesville), cleared one committee and awaits action in the Senate Jobs, Energy and Community Development Committee.

### Facts on homelessness

Thirteen percent of homeless girls in the state and 4 percent of homeless boys under age 17 trade sex for shelter, food or clothing, according to Michelle Gerard, a research scientist with the Amherst H. Wilder Foundation.

That was just one of several sobering facts served up to the House Jobs and Economic Opportunity Policy and Finance Committee Feb. 16 by representatives of the Wilder Foundation, a St. Paul nonprofit health and human services organization.

Greg Owen, a consulting scientist with the foundation, said the number and variety of problems afflicting the homeless have grown greatly since 1991. "There is a wide range of distress in this population," he said. "It's almost like we've had this population of those that are homeless in a crucible. It's like we've been heating it up and concentrating the level of distress."

The foundation has done surveys on homelessness every three years since 1991, and their most recent findings were presented to the committee.

The information was gleaned from a statewide survey taken Oct. 23, 2003. On that night, more than 700 trained volunteers counted 7,015 people in shelters, and identified 796 people in unsheltered locations. Owen said an exact count is very difficult, because it varies from night to night. That's a drastic

increase from 2,857 people in shelters and 118 unsheltered people in 1991.

Of long-term homeless people, 85 percent have some type of serious disability, and that shows how the Community Mental Health Act and legislation passed in the 1960s and 1970s to help the mentally ill had failed, Owen said. The initiative assumed the people would have places to live that they could afford.

Besides mental illness or a chronic medical disorder, 42 percent of homeless people in the survey had recently been released from prison, 38 percent had been physically abused as a child, 34 percent had been in institutional placements (such as foster care or a juvenile facility) as a child, 31 percent were women who had been victims of domestic abuse and 27 percent had been sexually abused as a child.

## ★ HUMAN SERVICES

### Changing terminology

The term "handicapped" originates from the European war when many of the decorated veterans were returning home as amputees and were forced to beg in streets. They would take their caps off to beg with, so they were notoriously known as the "handicappers," explained Cara Ruff, president of the Minnesota Association of Centers for Independent Living.

"I don't think anyone in this room, or any of our families, or any of our friends, certainly not our children, deserve to be referred to as a retard or an idiot, or as handicapped," she told the House Governmental Operations and Veterans Affairs Committee Feb. 10. Yet all those terms are used in state statutes.

Ruff testified in favor of HF487, sponsored by Rep. Joe Opatz (DFL-St. Cloud), that would change terms in state law that refer to disabled people. The bill would change phrases like "mental retardation," "mentally retarded" and "handicapped persons" to terminology more desirable to those with disabilities, such as "disabled persons."

There are nearly 400 pages in state law that would need to be modified, to fall in line with a national campaign called "The People First," that advocates for changes in descriptions of disabled people, said Opatz. "We shouldn't refer to someone by some characteristic. We don't say to someone who has cancer, that's a cancerous person; it's a person who happens to have the disease of cancer," he added.

There was no opposition to the bill that next moves to the House Health Policy and Finance Committee. A Senate companion, SF525, sponsored by Sen. Sheila Kiscaden (IP-Rochester), awaits action in the Senate

### County relief; state burden

Counties with intermediate care facilities for people with varying degrees of mental disabilities could see some financial relief from two bills heard by the House Health Policy and Finance Committee Feb. 15.

HF490 and HF375, both sponsored by Rep. Ray Cox (R-Northfield), would change the division of costs between the state and counties for placements in what are known as ICFs/MR facilities. Both bills were held over for possible inclusion in the committee's omnibus bill.

Under current law, enacted by the 2003 Legislature, the state pays 80 percent of the funding and counties 20 percent for facilities with more than six beds.

"This change in funding has placed a burden on counties," Cox said.

HF490 would repeal the change in how costs are divided. Under the bill, the formula would revert back to the state paying 100 percent of the funding for facilities with more than seven beds. Michael Klatt, president and CEO of The Lutheran Home Association in Belle Plaine, said counties cannot afford their 20 percent share and therefore empty beds are not being filled.

"Counties do not have the resources," Klatt said.

The bill would also require the commissioner of human services to prepare recommendations and legislation for the House and Senate committees with jurisdiction over health and human services policy and finance by Jan. 15, 2006, regarding future services provided to people now served by the facilities. The commissioner would be required to consult with facility providers, advocates, counties and consumer families when developing the recommendations.

HF375 would change the percentage division of costs for placements in certain facilities to a 90-10 split. The bill would not be needed if HF490 becomes law.

A companion bill for HF490 is SF932, sponsored by Sen. Becky Lourey (DFL-Kerrick), and a companion bill for HF375 is SF756, sponsored by Sen. Thomas Neuville (R-Northfield). Both await action in the Senate Health and Family Security Committee.

### Raises for care providers

Long-term care providers and their employees could receive pay increases that many say are long overdue.

Sponsored by Rep. Fran Bradley (R-Rochester), HF775 would provide a

3 percent state subsidy increase in 2006 and again in 2007 to the total operating payment rates for nursing homes, intermediate care facilities for people with developmental disabilities and community-based long-term care providers.

At least two-thirds of the increases must be used to increase employee salaries, benefits and associated costs. The facilities would be required to report how the additional funding was used.

Bradley told the House Health Policy and Finance Committee Feb. 15 that the employees need and deserve raises.

"These are people who do wonderful work," Bradley said. "Thank God they have big hearts."

He noted that operating payment rates for the facilities have been flat in recent years, and the increases would help adjust for inflation.

Nearly a dozen people testified in support of the bill. Some said the raises are needed to increase staff morale and retention. Bruce Nelson, executive director for ARRM, said some employees earn \$9 to \$10 an hour and could earn more money working in fast food restaurants. Shirley Hokanson, a consultant for REM Minnesota, said the bill recognizes the hard work and responsibility of direct care workers.

"REM considers these dedicated workers to be the foundation of the service system and believes they deserve regular, systematic recognition and compensation for their work," Hokanson said.

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

A companion bill (SF891), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Health and Family Security Committee.

## INSURANCE



### Preventing employer "dumping"

Minnesota employers who try to lower their unemployment experience ratings by using mergers, acquisitions or restructuring schemes could find their practices prohibited by a bill seeking to stop "dumping."

Rep. Anthony Sertich (DFL-Chisholm) is sponsoring HF898, which would make changes in the Minnesota unemployment law for the purpose of curbing state unemployment tax act (SUTA) avoidance. The bill would conform Minnesota law to the federal SUTA Dumping Prevention Act of 2004.

Minnesota, like other states, distributes unemployment insurance costs among employers by taxing them with an unemployment experience rating based on the number of former employees who received unemployment

benefits. Some employers try to "dump" their poor ratings by changing or merging companies or shifting employees between companies.

Sertich said his bill would close loopholes that allow companies to avoid their unemployment insurance obligations.

Kathleen Hillegas, associate general counsel for Administaff, testified before the House Commerce and Financial Institutions Committee Feb. 16 in opposition to the bill. She said her company, a professional employer organization, employs 90,000 people throughout the United States and that a provision dealing with the reporting requirements of leased workers would impact their business process and adversely affect how they operate. The provision would require an employer to report leased workers on the employer's wage detail report.

Sertich said he would meet with professional employer organizations to talk about their concerns.

The committee changed the effective date from July 1, 2005, to Aug. 1, 2005, and referred it to the House Civil Law and Elections Committee.

A companion bill (SF944), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action in the Senate Jobs, Energy and Community Development Committee.

### Conforming Medicare coverage

All 50 states are trying to pass state legislation or amend regulations to conform to the federal Medicare Modernization Act of 2003, including Minnesota.

Rep. Paul Gazelka (R-Brainerd) is sponsoring HF925 to change Minnesota laws in response to federal changes in Medicare prescription drug coverage, also known as Medicare Part D, and to provide oversight over prescription drug plan sponsors.

The House Commerce and Financial Institutions Committee approved the bill Feb. 16 and referred it to the House Health Policy and Finance Committee.

The bill would bring Minnesota into federal compliance regarding the sale of policies with prescription drug coverage by Medigap carriers after Jan. 1, 2006. The coverage would be available only through private sector stand-alone prescription drug plans or as part of a Medicare Advantage plan.

Gazelka said the bill would ensure that no conflict exists between state and federal laws. It would also spell out the rights Minnesota seniors, with existing Medigap coverage, have as changes in the program are introduced.

"It's really critical that we do something," Gazelka said. "I don't know of anyone who's against this bill."

He pointed out that the departments of Commerce, Human Services, Health, and Employee Relations have all worked on the legislation, as has outside legal counsel. Without the legislation, conflicts in laws would add to the confusion of what options are legally available to seniors, Gazelka said.

"Without these changes, seniors are going to get hurt," said Lee Graczyk, legal director for the Minnesota Senior Federation. "We need to do this as expeditiously as possible."

A companion bill (SF880), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Health and Family Security Committee.

## ★ RECREATION

### Life jacket lifeline

A Minnesota grandfather is asking the Legislature to strengthen youth life jacket requirements to help other families avoid the same tragedy that befell his.

Allen Johnson's 5-year-old grandson, Grant, drowned when he fell from a boat on a Chisago County lake in 2003. Grant was not wearing a life jacket.

Current state law requires readily accessible flotation devices for everyone on board. It does not state that the life jackets must be worn.

Federal law requires that children under the age of 13 (who are not in the cabin or below deck) must wear a personal flotation device on waters under federal jurisdiction. This includes Lake Superior; Canadian border waters; the Mississippi and St. Croix rivers; and Cass, Leech and Winnibigoshish lakes.

HF590, sponsored by Rep. Char Samuelson (R-New Brighton), would apply the same requirement to all Minnesota waters, with an exception for commercial watercraft.

The House Environment and Natural Resources Committee approved the measure Feb. 10. It now moves to the House floor.

"Some bills for public safety are drafted because of an incident. Unfortunately this bill is one of those," Samuelson said.

Johnson spoke of the devastation his family has felt by Grant's death. The bill, he said, is a preventative measure.

"In a tragedy, like that when a child dies, I came to realize the hard way it's the mother who takes the brunt of it. That's the person who is hurt the most because that bond is broken forever," Johnson said.

Sen. Satveer Chaudhary (DFL-Fridley) is sponsoring similar legislation (SF260). It awaits action in the Senate Environment and Natural Resources Committee.

## ★ SAFETY

### No custody for certain offenders

The intent of a bill sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) is to keep a recent newspaper headline from ever appearing again.

HF561 would prevent convicted sex offenders, murderers and perpetrators of certain other serious crimes from being granted custody of unrelated children.

Atkins told the House Civil Law and Elections Committee Feb. 14 that the bill language is "very short and to the point, and gets to the heart of the matter." He said it addresses a recent incident where a man, who was a convicted sex offender, was granted custody of his ex-girlfriend's child. Three weeks later, he was charged with molesting the 9-year-old girl.

"It shouldn't happen. I hope you will join me in preventing this headline from ever happening again," he said.

Atkins said that when he began the process of having the bill drafted, he thought this might be an isolated incident. But, as the bill gained publicity, he has heard from others who say they have ended up in situations like this.

"I am afraid it is not as rare as we might think," he said.

The committee approved the measure and referred it to the full House.

Sen. John Marty (DFL-Roseville) is sponsoring a companion bill (SF563). That bill awaits action in the Senate Judiciary Committee.

## ★ TRANSPORTATION

### Don't change the lights

Some people in the middle of their morning commute might wish they had an automatic device to change traffic lights, and some have even been bold enough to buy and use such a device.

Under a bill approved Feb. 16 by the House Transportation Committee and referred to the House Public Safety Policy and Finance Committee, they'd have to stop.

HF204, sponsored by Rep. Pat Garofalo (R-Farmington), would make it a misdemeanor for people to drive a car that contains a device that can override traffic signals. Police and fire department vehicles, ambulances, signal maintenance vehicles and other vehicles authorized by the Department of Public Safety would be exempt.

Former state representative and current Lakeville Police Chief Steve Strachan said the

device uses an infrared signal to change red lights to green.

Strachan said current law prohibits possession of a flashing light, but this device doesn't really flash, so it's hard to prosecute. He knows of no accidents caused by the device, but legislation might prevent future accidents. "I think we should be ahead of the curve," he said.

The device has been around for years, but thanks to the Internet, more people have them.

A companion bill, SF533, sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits action by the Senate Transportation Committee.

### Child safety seats

State law directs that children riding in a vehicle should be restrained in special child seats until age 4, at which time many parents allow them to sit like the adults, restrained only by a seat belt.

Unfortunately, according to testimony Feb. 16 in the House Transportation Committee, the seat belt tends to move up above the child's abdomen, and the child tends to remove the shoulder belt. So in a traffic accident, the upper part of the child's body violently lurches forward, and folds over the seat belt, often causing severe internal injuries.

Rep. Duke Powell (R-Burnsville), a



PHOTO BY ANDREW VONBANK

Shannon Swanson and her 5-year-old daughter, Carly, show the House Transportation Committee the proper method to restrain a child in a vehicle. The Feb. 16 demonstration was part of testimony for a bill that would require drivers to restrain certain children with an appropriate child restraint system.

paramedic at Hennepin County Medical Center, has seen that happen too many times, so he has introduced HF319, which would require children under age 9 and weighing less than 80 pounds to be fastened in a child passenger restraint system. They would also be required to sit in the back seat, if possible.

Violators would be fined \$50, but that would be waived if the person buys a child restraint system.

The bill was approved and referred to the House Public Safety Policy and Finance Committee.

Shannon Swanson and her 5-year-old

daughter, Carly, demonstrated a booster seat, which simply raises the child's body off the regular seat, making the lap belt and shoulder harness fit better. That would work as the proper restraint system, and retails for \$10-\$15, said Julie Philbrook, a nurse at Hennepin County Medical Center.

When Powell has responded to traffic fatalities where children were involved, he usually discovers one thing. "In almost every instance, the death could have been prevented if the child was properly restrained," he said.

He said it is important for the government to protect children. "We don't allow children

to be physically abused. We don't allow them to be sexually abused. We make them go to school," he said.

Dr. Josh Petrikin, a pediatrician at the Mayo Clinic in Rochester, said approximately 30 percent of children between ages 4 and 8 ride in child restraint systems. "We can reduce injuries to our children by passing this legislation," he said.

A companion bill, SF298, sponsored by Sen. Mike McGinn (R-Eagan), awaits action by the full Senate.

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## Flag flap

Two stars and stripes bills get committee approval

By PATTY JANOVEC

**T**he fathers of Rep. Phyllis Kahn (DFL-Mpls) and Rep. Lynn Wardlow (R-Eagan) served in World War II, but that's about where the similarities end, especially when it comes to the issue of flag burning.

"I never knew my father because when I was 17 months old, he was killed in WWII," Wardlow told the House Governmental Operations and Veterans Affairs Committee Feb. 16. "I've stood in front of coffins. I've seen the coffins draped with the flag, and the very thought that anyone would dare burn it is absolutely appalling to me."

"In honor of my father I am going to very proudly vote no on this bill because what he fought for was the right for people to be able to express themselves and speak freely on any statement," said Kahn.

Sponsored by Rep. Jerry Dempsey (R-Red Wing), HF801 is a House resolution asking the U.S. Congress to propose an amendment to the Constitution allowing states to prohibit the desecration of the American flag.

"What we're asking for is for the states to be able to take action when there is desecration. It's a preventive measure," Dempsey explained.

In 1989, the U.S. Supreme Court ruled in favor of a Texas man who said having the right to burn an American flag is a form of free speech. Several states have passed resolutions urging Congress to propose an amendment that states be able to prohibit the action, Dempsey said.

Kahn and Rep. Tina Liebling (DFL-Rochester) were the only committee members to vote against the bill, which next moves to the House Rules and Legislative Administration Committee. A Senate companion (SF505), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Rules and Administration Committee.

"I was sent here not to be symbolic, but to get something done for the people of Minnesota, and we've got a lot of big issues on our plates ... health care, jobs and education ... only things we can deal with," said Liebling.



PHOTO BY TOM OLMSCHIED

**David Titus, president of the St. Paul Police Federation, testifies before the House Governmental Operations and Veterans Affairs Committee Feb 16 in support of a bill that would prohibit public employers from forbidding employees from wearing American flag patches or pins on their uniforms.**

By passing a resolution for something the Legislature has no control over is wasting valuable time, she added.

"To say that this is taking up the time of the people of this body I think is a little absurd, because this is what we are about," responded Rep. Dan Severson (R-Sauk Rapids).

Dempsey's was one of two flag-related bills heard by the committee.


HF241, sponsored by Rep. Ray Vandever (R-Forest Lake), would prohibit a public employer from preventing an employee from wearing a small flag patch or a pin. State aid would be suspended if an employer does not comply.

While less contentious issues were raised as

to what defines a public employer, Rep. Marty Seifert (R-Marshall) successfully offered an amendment that eliminated contractors and subcontractors that enter into contracts with the state from having to comply.

A number of years ago patches were removed from police uniforms in St. Paul "for reasons that aren't completely clear," said David Titus, president of the St. Paul Police Federation.

The flag is a very important symbol to police officers and it was demoralizing when it was removed, he said, adding the two things he saved from his career are his retired badge and the flag on his uniform.

The bill was approved and moves to the House Local Government Committee. A Senate companion (SF295), sponsored by Sen. Mady Reiter (R-Shoreview), awaits action in the Senate State and Local Government Operations Committee. 

### Flag Etiquette

Whether folding, displaying, hoisting, or lowering the American flag, there is a proper way.

According to "Flag Etiquette," published by the Office of the Minnesota Secretary of State:

- It is customary to display the flag from sunrise to sunset, although the flag may also be displayed around the clock if it is properly lit during darkness.
  - The flag should be hoisted briskly and lowered ceremoniously.
  - The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.
  - The flag should be displayed daily on or near the main administration building of every public institution, and it should be displayed during school days in or near every school.
- Proper display includes:
- The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or boat.
  - No other flag or pennant should be placed above or, if on the same level, to the right of the flag. Flags of other nations should not be flown below or behind the U.S. flag, but on separate poles.
  - When flown at half-staff, the flag should be first hoisted to the peak for an instant and then lowered to the half-staff position.

The publication is available online at <http://www.sos.state.mn.us/flag.pdf>.

An American or state flag that has been flown above the State Capitol can be purchased by contacting:

The Minnesota Bookstore  
660 Olive Street  
St. Paul, MN 55155  
651-297-3000  
1-800-657-3757

Web site: <http://www.comm.media.state.mn.us/bookstore/bookstore.asp>

## Project dollars

House committee approves \$816.8 million bonding request

By Mike Cook

There were a few pats on the back, but no amendments offered when the House Capital Investment Committee approved its bonding bill Feb. 16.

The proposal is for \$816.8 million, \$759,000 more than Gov. Tim Pawlenty's recommendation, but far less than the nearly \$1.04 billion in SF1, approved by the Senate Jan. 24.

The House Ways and Means Committee was scheduled to take up the measure late on Feb. 17. Rep. Dan Dorman (R-Albert Lea), the sponsor of HF3, expects the full House to take action next week.

"We have put forward a bill that has probably a little higher commitment than the

when they see the bill before us today, but we all know this is just phase one of a process and there is a good bit of negotiation still to go."

Bonding bills are typically done in even-numbered years. Last year, the House passed a \$677.6 million measure, but the Senate did not.

"The funding for these projects is way overdue," House Speaker Steve Sviggum (R-Kenyon) said in a prepared statement. "We have lost valuable time in launching a new genomics center, improving our roads and bridges, providing a stronger infrastructure for our higher education institutions, and creating jobs."

Among the greatest differences between the House and Senate bills and gubernatorial recommendations were dollars for the proposed Northstar commuter rail line from downtown Minneapolis to St. Cloud. The governor and the Senate each recommended \$37.5 million, while the House number is at \$10 million.

"I look at it in a couple of ways," Dorman said. "One, we can have more conversation about this before the end of the day, but if the House passes a bill with \$10 in it for Northstar

it'll be the first time ever, so I think this is a significant statement that we are committed to the project as we move forward."

Transportation Department funding in the House bill totals \$82.5 million, about \$14 million less than the governor and Senate. However, the House bill seeks \$50 million for local bridge replacement, the Senate \$40 million and the governor \$28 million. "While not glamorous, it is very important work for all our districts and the economic health of the state," Dorman said.

Educational funding also differs dramatically

between the three, mainly in that the House does not recommend the \$24.04 million for the Red Lake School District, unlike the Senate and governor.

All three entities agreed to fund nearly \$4.26 million for asset preservation at the state academies for the blind and deaf, and asset preservation and a building demolition at the Perpich Center for the Arts, together totaling \$1.08 million.

Included in environmental funding in all three proposals is \$27.36 million, according to the bill, "to acquire conservation easements from landowners on marginal lands to protect soil and water quality and to support fish and wildlife habitat."

Among the other recommendations are:

- \$244.1 million to higher education, of which \$154.76 million is directed to the Minnesota State Colleges and Universities system and \$89.37 million to the University of Minnesota;
- \$115.4 million to the Department of Employment and Economic Development, including \$20 million each for bioscience development and a research facility in Rochester that would be a partnership between the University of Minnesota and the Mayo Clinic;
- \$106.4 million to the Department of Corrections, including \$84.8 million for an expansion at the Faribault facility;
- \$72.9 million to the Department of Natural Resources, with \$21 million designated for flood hazard mitigation grants and \$12 million to acquire land for wildlife management area purposes;
- \$37.3 million for grants to political subdivisions, including \$13.2 million for Roseau infrastructure repair related to the 2002 flood and money for a Blue Earth fire and police station and Buffalo Lake maintenance garage damaged in a tornado;
- \$12.6 million to the Department of Human Services for a 50-bed forensic nursing facility that would house aged or ill sex offenders receiving state care. Under the House plan, the facility must be located at the Ah-Gwah-Ching state-owned nursing home site near Walker;
- \$5.49 to the Department of Agriculture, with \$4.9 million for a joint pathology research facility at the University of Minnesota; and
- \$1.87 million for State Capitol repairs, about \$500,000 less than the governor and Senate.



PHOTO BY TOM OLMSCHIED

**Among the higher education allocations in the House bonding bill is \$4.5 million for a technology center renovation at Century College in White Bear Lake.**

governor in the areas of higher education, particularly to (the Minnesota State Colleges and Universities system), a little bit higher than the governor and the Senate in our commitment to infrastructure, roads and bridges," said Dorman, chair of the House Capital Investment Committee.

"I think you've reached out to everybody," said Rep. Denny McNamara (R-Hastings).

Added Rep. Alice Hausman (DFL-St. Paul): "It's always a difficult balancing act, but I think it's a very fair effort given the constraints. Obviously there are a few members disappointed

## Charting a course

Legislature approves quartet to sit on U Board of Regents

By Mike Cook

**T**welve men and women play a key role in setting the state's future, yet they are names that most people would not recognize.

Clyde Allen, Jr., Anthony Baraga, Peter Bell, Frank Berman, Dallas Bohnsack, John Frobenius, Steve Hunter, David Larson, Richard McNamara, David Metzen, Lakeesha Ransom and Patricia Simmons will soon comprise the University of Minnesota Board of Regents.

Baraga and Bohnsack were reappointed to the university's governing body during a joint House-Senate convention Feb. 16. Also selected were Hunter and Larson. They are to be officially sworn in at the next Board of Regents meeting on March 10.

The board is the only governmental body in the state whose members are elected by the Legislature. According to state statute, one-third of the board is elected each odd-numbered year at a joint convention. Regents serve six-year terms without pay.

"I think this is the number one board in the state of Minnesota because you're taking care of the number one asset in the state," said Baraga, a retired radiologist and president of Medical Imaging North.

By law, one regent is selected from each of the state's eight congressional districts and four serve at-large. Bohnsack is from the

second district, Larson the third and Baraga the eighth. Hunter is an at-large regent.

Provisions to select the regents were established as part of the university charter in 1851, and incorporated into the constitution when Minnesota became a state in 1858.

Prior to the Legislature creating the Regent Advisory Council in 1988, candidates nominated themselves and no screening process existed. Now those wanting to serve submit an application to the council, whose duties include recruiting and identifying candidates. Of the 58 applicants this year, the council interviewed 17 people and nine names were forwarded to the Legislature. Two to four names must be forwarded for each seat.

At a Feb. 14 joint meeting of the House and Senate education committees, the nine were reduced to four. Baraga, Bohnsack and Larson were easily recommended to the Legislature, but it took two ballots for Hunter to defeat former Rep. Peggy Leppik.

By rule, a candidate needs to get the majority of votes cast, but because of a third candidate, Scott Johnson, neither Hunter or Leppik received the majority on the first ballot. With Johnson's name removed, Hunter, the secretary-treasurer of the Minnesota AFL-CIO, defeated Leppik 35-32 on a nearly party-line vote.

The joint committee choices do not bind the Legislature, but the latter has yet to elect someone who was not recommended.

If the Legislature fails to act, as it did in 2001 due to anticipated political maneuvering, the governor is required to make appointments to fill the vacancies. The Legislature can take action on those appointed by the governor two years prior – it has done that four times since 1929.

Although their



**David Larson looks down from the House gallery while he and three others are applauded after their election to the University of Minnesota Board of Regents.**

reasons for seeking a seat differ slightly, all candidates spoke to the joint committees about the importance of advocacy and their passion for the university.

"This university is the single-most important institution in this state for the future of the society. People underestimate its value," said Larson, an executive vice president at Cargill. "We'd be in big trouble ... without that university." He also joked after the meeting about helping get the football team a few more wins.

Putting on a helmet and pads is not a regent requirement, but the hard-hitting decisions the board makes can affect what happens in the state many years into the future.

"I want to add my voice to the efforts to try to work things out to preserve excellence at the university," Hunter said. "You've got the state depending on the university for job creation through its research. It's intimidating to look at, but like anything else you take it one step at a time and try to do your best."

Skeptics might ask why, in a time of declining state monetary assistance and continued tuition increases for students, one would want to serve, much less for a second term.

"It's epidemic. You get it in your blood. There's always something that brings you back," said Bohnsack, a self-employed farmer. He also considers himself an optimist and believes that University President Robert Bruininks and other top officials "are putting together a strategic plan that will lead the university to bigger and better things."

"It's kind of fun to be in the mix when there's something to do," added Baraga, the board's vice-chair. "When everything is going smoothly it's easy, anybody can do it then."



PHOTOS BY ANDREW VONBANK

**A joint House - Senate convention assembles Feb. 16 to elect four people to the University of Minnesota Board of Regents.**

# The story behind the name

Bills would rename road and bridges to honor people, groups

By MATT WETZEL

State highways and bridges are numbered by the Minnesota Department of Transportation. Some also have names, and the stories behind those names can be compelling.

Trunk Highway 55 in Minneapolis is named the Floyd B. Olson Memorial Highway, after the populist governor of the 1930s.

A group of connected highways in southern Minnesota is named the Laura Ingalls Wilder Historic Highway, after the writer whose book series inspired a TV show about a 19th century southern Minnesota family.

Trunk highways 52 and 56 in southern Minnesota are named the Amish Buggy Byway in recognition of the Amish who live north of nearby Canton.

Under legislation introduced recently in the House Transportation Committee: Trunk Highway 371 from Little Falls to Cass Lake, also known as the Paul Bunyan Expressway, would become the Purple Heart Memorial Highway (HF187); the new Trunk Highway 10 bridge that crosses the Red River between Fargo and Moorhead would become the Veterans Memorial Bridge (HF255), and the bridge on Trunk Highway 23 over the St. Louis River would be called Biouswah Bridge in honor of

Native American veterans (HF59). All the bills have been held over for possible inclusion in the committee's omnibus policy bill.

It takes legislation to name or rename a highway or bridge, said Betsy Parker, director of the Office of Government Affairs for the Transportation Department. Local governments in the area must agree to the change and private sources must be used to pay for any changes in signage. Usually, a local individual or group approaches a legislator with the idea.

That was the case with Trunk Highway 371.

Bill Woolie, a Vietnam veteran from Brainerd who received a Purple Heart after being wounded in the arm in 1969, approached Sen. Paul Koering (R-Fort Ripley) about honoring veterans who had been wounded in action. Koering introduced SF114, which has been referred to the Senate Agriculture, Veterans and Gaming Committee.

Woolie is the past national commander of the Military Order of the Purple Heart, an organization that promotes goodwill among veterans wounded in combat.

"I think it would be a great honor," he said.

"It's an effort to bring awareness from the state of Minnesota for the troops who have continually put their lives on the line," said Rep. Greg Blaine

(R-Little Falls), sponsor of the House bill. "It's the right thing to do at the right time."

Koering said there are 12,000 Purple Heart recipients in Minnesota, and it's important to honor them and also the soldiers fighting in Iraq and Afghanistan. "How more appropriate could that be, naming (Trunk Highway) 371 in honor of our veterans," he said.

It's the same kind of deep feeling that moved

Roads continued on page 16

## A road by any other name

- Trunk Highway 371 from Baxter to Barrows was renamed the C. Elmer Anderson Memorial Highway in 2000. Clyde Elmer Anderson (1912-1998) was a governor from Brainerd. He served from 1939-1943.
- Trunk Highway 13 from New Prague to Montgomery was renamed the Czech Heritage Highway in 1996. Many Czech immigrants settled in this area, and New Prague still has buildings with architecture patterned after buildings in Eastern Europe.
- Interstate 90 east of Trunk Highway 74 was renamed the State Trooper Theodore "Ted" Foss Memorial Highway in 2001. Foss was killed in 2000 by an errant semi while making a traffic stop near Lewiston. There is a large sign with his portrait at the Dresbach Rest Area.
- Various highways in the Willmar and Alexandria area are known as the Glacial Ridge Trail. It's a scenic byway to view evidence of glacial activity.



PHOTO BY SARAH STACKE

A statue of former Gov. Floyd B. Olson looks out over Trunk Highway 55 in Minneapolis, which is named the Floyd B. Olson Memorial Highway after the populist governor of the 1930s.

veterans groups in the Red River Valley to bring a proposal to cities in the area, and ultimately to Rep. Morrie Lanning (R-Moorhead), to designate the new Trunk Highway 10 bridge as Veterans Memorial Bridge. "This bridge is a wonderful thing," said Leo Joe Baker, a member of the American Legion post in Moorhead. A similar bill has to pass the North Dakota Legislature, which meets only in odd-numbered years.


A companion bill (SF374) sponsored by Sen. Keith Langseth (R-Glyndon), has been referred to the Senate Transportation Committee.

A third bill would honor a 17th century American Indian and modern day American Indian military veterans. Sponsored by Rep. Bill Hilty (DFL-Finlayson), HF59 would designate the bridge on Trunk Highway 23 that crosses the St. Louis River Biouswah Bridge in honor of Native American veterans.

Biouswah is considered heroic as both a warrior and peacemaker by American

Indians, according to Christine Carlson, a photographer and historian from the area.

Biouswah died around 1710, after another tribe attacked his village. The enemy warriors were going to kill Biouswah's son, but Biouswah offered himself as a sacrifice instead. The son took his father's name, and became a hero in his own right, according to Carlson.

A companion, SF181, sponsored by Sen. Becky Lourey (DFL-Kerrick), has been referred to the Senate Environment and Natural Resources Committee. 

## Minnesota House and Senate Membership

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## What's on the Web

### Session Weekly EXTRA Read all about it

The editors at *Session Weekly* have faced a conundrum in recent years: what to do when legislative activity heats up and produces interesting stories beyond the 24 printed pages to which the news-magazine is bound?

The Session Weekly EXTRA, that's what. The EXTRA ([www.house.leg.state.mn.us/hinfo/swx.asp](http://www.house.leg.state.mn.us/hinfo/swx.asp)) is a place on the House Web site where readers can find expanded content and additional highlights.

Tips on using the EXTRA:

- A colorful graphic image accompanied by text in

the middle of the EXTRA page directs readers to the most current offering each week.

- Previous selections are archived in reverse chronological order.
- Highlights in the EXTRA are arranged by topics that mirror the print version of *Session Weekly*, such as Crime or Environment.
- "Jump to" links are provided on the EXTRA

page, making it easier to move between the sections.

Comments and suggestions welcome

*Session Weekly* editors are always looking for feedback. What works, what doesn't? What would *Session Weekly* readers like to see more of in the magazine or on the Web? Please feel free to share your comments by sending an email message to [info@house.mn](mailto:info@house.mn).



# Wearing many hats

Liebling adds representative to her list of activities

By RUTH DUNN

Some people may have been surprised when Rep. Tina Liebling (DFL-Rochester) was elected to the House, but she wasn't.



Rep. Tina Liebling

In a three-way race in 2002, Liebling and an Independence Party candidate together gathered more votes than Republican Carla Nelson.

"I was optimistic I could win a two-way race," she said.

Rochester, once a Republican stronghold, tends to be a swing area now, says Liebling. "The area has changed with lots of political moderates moving in who are liberal on social issues."

Although her life was filled with a law practice, community involvement, three children

and a physician husband with a busy career of his own, when she was urged to run for office, she took the chance.

Gridlock at the Legislature — especially failure to pass a bonding bill — was a key factor in her victory in 2004, she believes. "Many unemployed people were counting on jobs from the bonding bill. When that didn't happen they were upset."

That bill included two key projects in the Rochester area — a laboratory for the genomics partnership between the Mayo Clinic and the University of Minnesota, and a nurses training facility at the community college.

Education is also a key issue in her district with many highly educated people who don't want public schools to be second rate, she explains. Health care, of course, is also an important issue for her constituents.

Liebling gave up her criminal defense practice

## DISTRICT 30A

2002 population: 36,591  
Largest city: Rochester  
County: Olmsted  
Top concerns: Economy, health care, education

***"Many unemployed people were counting on jobs from the bonding bill. When that didn't happen they were upset."***

— Rep. Tina Liebling

in 2002 when she first ran for office. She is now associated with another law practice. She spends a lot of time now in St. Paul and it's hard for her to be away from her two younger children Hannah, 16, and Samuel, 11. The oldest child, David, is a college freshman.

But still, she said, "It feels good to be here, like it's the right thing to do. I always want to learn new things and face challenges. I know that's going to happen here. It already has."

# Bridging the divide

Poppe seeks results in bonding and education

By BRETT MARTIN

Rep. Jeanne Poppe (DFL-Austin) didn't exactly follow in her father's footsteps. Sure, they both have a background in politics and civic involvement, but she is a DFLer and her father was a Republican.



Rep. Jeanne Poppe

"I am involved in politics because I had my dad as a role model," Poppe said. "Perhaps the one thing he taught me is to stand up for what I believe."

After losing a close House race two years ago to Jeff Anderson, Poppe reversed the results in the last election. She said her district, like the country, is divided over issues and she intends to heal the division.

"I want to bridge that divide," she said. "We need more communication and more listening."

Poppe sees herself as a good listener and problem solver, which she attributes to her background as an educator. She is a career counselor on leave from Riverland Community College in Albert Lea.

"To be a good counselor, you have to be a good listener," she said. "You have to help people see what they might be missing by helping them see all sides."

One of Poppe's priorities is making sure the bonding bill passes to provide relief to her district hit hard by a September 2004 flood where two people lost their lives. Some constituents need help relocating and preventing future flood damage. Poppe is also focused on making sure all children receive a quality education from pre-school through college.

"Kids have got to be given every advantage they can be given in education," she said. A mother of three, Poppe considers how each legislative decision will affect her family.

## DISTRICT 27B

2002 population: 36,857  
Largest city: Austin  
Counties: Fillmore and Mower  
Top concern: Substantial rural economic growth

***"Kids have got to be given every advantage they can be given in education."***

— Rep. Jeanne Poppe

"I think about how is it going to impact my mother who's living on Social Security and has medical needs. I also think about how it's going to impact my teenagers and future grandchildren," she said. "We have to think more long-term. We need more than a temporary fix; we need to solve problems."

Poppe serves on three House committees: Environment and Natural Resources, Local Government, and Rules and Legislative Administration.

## Monday, February 14

### HF978—Mullery (DFL)

#### Health Policy & Finance

Collaborative parent-infant services requirement for hospital licensure established.

### HF979—Abeler (R)

#### Health Policy & Finance

Medical assistance required to cover medication therapy management services.

### HF980—Wilkin (R)

#### Health Policy & Finance

Programs and services for persons with disabilities modified.

### HF981—Cox (R)

#### Commerce & Financial Institutions

Cigarette cost mitigation fee imposed.

### HF982—Tingelstad (R)

#### Local Government

Housing improvement area establishment sunset extended and reports required.

### HF983—Ruth (R)

#### Jobs & Economic Opportunity Policy & Finance

Vinland Center for rehabilitation services funding provided and money appropriated.

### HF984—Gunther (R)

#### Jobs & Economic Opportunity Policy & Finance

Youth job skills development statewide program administration grant provided and money appropriated.

### HF985—Anderson, I. (DFL)

#### Transportation Finance

Rest area operation funding provided and money appropriated.

### HF986—Nelson, M. (DFL)

#### Jobs & Economic Opportunity Policy & Finance

Urban initiative program definition of low income area modified.

### HF987—Sieben (DFL)

#### Commerce & Financial Institutions

Cribs in violation of certain regulations sale and commercial use prohibited.

### HF988—Lesch (DFL)

#### Public Safety Policy & Finance

Gang member crime against a child crime classification established.

### HF989—Vandever (R)

#### Regulated Industries

City approval of state-operated or state-licensed gambling facility required.

### HF990—Emmer (R)

#### Environment & Natural Resources

Wright County; Wild, Scenic and Recreational River District land deleted.

### HF991—Heidgerken (R)

#### Taxes

E85 motor vehicle fuel retail dispensation equipment installation tax credit provided.

### HF992—Vandever (R)

#### Taxes

Homestead property tax computation usage of household income provided.

### HF993—Vandever (R)

#### Taxes

Estate tax abolished.

### HF994—Lanning (R)

#### Local Government

Compensation limit for political subdivision employees modified.

### HF995—Erhardt (R)

#### Local Government

Local government employee compensation limit repealed.

### HF996—Ellison (DFL)

#### Transportation

Driver's license reinstatement provisions modified.

### HF997—Howes (R)

#### Commerce & Financial Institutions

Burns Township; detached banking facility authorized.

### HF998—Rukavina (DFL)

#### Public Safety Policy & Finance

Traffic and vehicle inspection citation quotas prohibited.

### HF999—Bradley (R)

#### Taxes

Rochester city sales and use tax revenue additional uses provided and bonding authorization increased.

### HF1000—Clark (DFL)

#### Jobs & Economic Opportunity Policy & Finance

Procurement Technical Assistance Center and minority business development program grant provided and money appropriated.

### HF1001—Simpson (R)

#### Taxes

Resort property tax payment date delayed.

### HF1002—Gazelka (R)

#### Commerce & Financial Institutions

Tourism marketing funding provided and money appropriated.

### HF1003—Wilkin (R)

#### Commerce & Financial Institutions

Service contracts and contract providers regulated and exceptions provided.

### HF1004—Thissen (DFL)

#### Regulated Industries

Closed-loop elemental recycling technology research grant provided and money appropriated.

### HF1005—Ruth (R)

#### Jobs & Economic Opportunity Policy & Finance

Women Venture grant provided and money appropriated.

### HF1006—Anderson, I. (DFL)

#### Transportation Finance

Motor fuel tax rates increased, highways 53 and 169 projects funding provided and money appropriated.

### HF1007—Hilty (DFL)

#### Civil Law & Elections

Post-election security and certification review application to federal constitutional and legislative offices provided.

### HF1008—Vandever (R)

#### Civil Law & Elections

Adoption communication or contact agreement provisions modified.

### HF1009—Kahn (DFL)

#### Regulated Industries

Casino operation by state lottery in Minneapolis-St. Paul International Airport main terminal authorized and money appropriated.

### HF1010—Abeler (R)

#### Education Policy & Reform

Competitive high school diving pool usage notice required.

### HF1011—Kahn (DFL)

#### Governmental Operations & Veterans Affairs

Bicycle commuting promotion actions by state agencies required.

### HF1012—Kahn (DFL)

#### Transportation

Motorized scooters regulated.

### HF1013—Kahn (DFL)

#### Commerce & Financial Institutions

Genetic information insurance company usage regulated and enforcement authority provided.

### HF1014—Clark (DFL)

#### Public Safety Policy & Finance

Impaired driving and chemical dependency counteraction initiative provided, alcoholic beverage tax increased, obsolete language eliminated, technical corrections provided and money appropriated.

### HF1015—Juhnke (DFL)

#### Commerce & Financial Institutions

Roofing contractors added to the building contractors recovery fund.

### HF1016—Ozment (R)

#### Education Policy & Reform

Pupil Fair Dismissal Act provisions authorized to a child whose parent refuses to consent to an initial evaluation.

### HF1017—Paymar (DFL)

#### Transportation

Advertising adjacent to highways regulated.



**HF1018—Demmer (R)****Education Policy & Reform**

School districts authorized to terminate the enrollment of a nonresident enrollment options student during the school year.

**HF1019—Hansen (DFL)****Environment & Natural Resources**

Grass bank buffer zone drainage requirement extended for ditches.

**HF1020—Atkins (DFL)****Public Safety Policy & Finance**

Steroid sale and possession penalties increased.

**HF1021—Wilkin (R)****Governmental Operations & Veterans Affairs**

Legislature required to pass bonding and budget bills before consideration of policy bills and even-year legislative sessions abolished.

**HF1022—Kelliher (DFL)****Health Policy & Finance**

Hospital emergency rooms required to provide emergency contraception, prophylactic antibiotics and information to sexual assault victims.

**HF1023—Johnson, R. (DFL)****Education Finance**

Supportive community partnerships grant provided and money appropriated.

**HF1024—Hoppe (R)****Environment & Natural Resources**

Artificial light use authorized while bow fishing for rough fish.

**HF1025—McNamara (R)****Environment & Natural Resources**

Nonresident fishing licenses made invalid for 14 days of the fishing season for nonresidents from states that prohibit Minnesotans from taking game fish or small game during part of their season and nonresident boat access fee provided.

**HF1026—Rukavina (DFL)****Regulated Industries**

Farm-grown closed-loop biomass definition expanded and conditions for Public Utilities Commission approval of a pending request for a biomass project modified.

**HF1027—Vandevveer (R)****Governmental Operations and Veterans Affairs**

A House resolution requesting the congressional delegation of the state give first priority to supporting and passing the defense appropriations bill first.

**HF1028—Vandevveer (R)****Civil Law & Elections**

A House resolution memorializing the United States senators from Minnesota to support the president's nominees to the United States Supreme Court.

**HF1029—Vandevveer (R)****Civil Law & Elections**

A House resolution memorializing Minnesota's congressional delegation to support the president's call for legal reform.

**HF1030—Vandevveer (R)****Taxes**

A House resolution requesting Congress to support a repeal of the federal excise tax on telecommunications.

**HF1031—Zellers (R)****Public Safety Policy & Finance**

Coercion definition modified relating to criminal sexual conduct law, stepparents authorized to assist a minor in seeking a restraining order, fees waived for sexual assault victims seeking restraining orders and harassment laws updated.

**HF1032—Dorman (R)****Agriculture, Environment & Natural Resources Finance**

Mower and Freeborn counties flood damage mitigation engineering study funding provided and money appropriated.

**HF1033—Peterson, A. (DFL)****Education Finance**

Independent School District No. 2853, Lac qui Parle Valley, severance levy authorized.

**HF1034—Garofalo (R)****Jobs & Economic Opportunity Policy & Finance**

Extended employment services funding provided, reimbursement rate increased and money appropriated.

**HF1035—Abrams (R)****Taxes**

Commercial-industrial property general tax converted to a tax based on land value.

**HF1036—Seifert (R)****Governmental Operations & Veterans Affairs**

Office of Administrative Hearings provided three copies of Minnesota Rules, hearings and cases regulated, rulemaking provided and costs assessed.

**HF1037—Marquart (DFL)****Taxes**

Detroit Lakes redevelopment districts established subject to certain rules.

**HF1038—Simpson (R)****Agriculture, Environment & Natural Resources Finance**

Beaver damage control grant program reinstated and money appropriated.

**HF1039—Ellison (DFL)****Public Safety Policy & Finance**

First time drug offenders mandatory diversion required for specified offenses.

**HF1040—Finstad (R)****Health Policy & Finance**

School and mental health provider collaboration task force established.

**HF1041—Lanning (R)****Taxes**

Border city enterprise zone provisions modified and funds allocated.

**HF1042—Rukavina (DFL)****Regulated Industries**

Video lottery terminals authorized, state lottery director duties and powers provided and revenue uses specified.

**HF1043—Emmer (R)****Commerce & Financial Institutions**

Corporation law recodified.

**HF1044—Garofalo (R)****Local Government**

Metropolitan Council required to carry out water supply planning activities, advisory committee established and housing bond credit enhancement program abolished.

**HF1045—Mullery (DFL)****Civil Law & Elections**

Absentee ballot treatment provided in case of vacancy in nomination because of death or catastrophic illness.

**HF1046—Mullery (DFL)****Jobs & Economic Opportunity Policy & Finance**

Learn to earn summer youth employment program funding provided and money appropriated.

**HF1047—Cox (R)****Higher Education Finance**

State adjunct to the federal educational Upward Bound or Talent Search Trio programs created and money appropriated.

**HF1048—Soderstrom (R)****Public Safety Policy & Finance**

Challenge incarceration program land acquisition funding provided, bonds issued and money appropriated.

**HF1049—Clark (DFL)****Transportation**

Minneapolis additional deputy registrar of motor vehicles authorized.

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## Wednesday, February 16

**HF1050—Davids (R)****Agriculture, Environment & Natural Resources Finance**

Second Harvest food banks grant provided for purchase of milk and money appropriated.

**HF1051—Kelliher (DFL)****Health Policy & Finance**

Reproductive Privacy Act established prohibiting the state from interfering with a woman's right to choose.

**HF1052—Sieben (DFL)****Regulated Industries**

Long distance service charges prohibited after a customer has requested a telecommunications carrier to cancel the service.

**HF1053—Severson (R)****Transportation**

Driver's license road test waiver authorized for licensed military personnel.

**HF1054—Knoblach (R)****Taxes**

Education tax credit authorized for certain school attendance and family cap on the education tax credit eliminated.

**HF1055—Lenczewski (DFL)****Governmental Operations & Veterans Affairs**

Lobbying activities prohibited for one year after leaving office for former legislators, constitutional officers, commissioners and deputies, agency heads and specified legislative employees.

**HF1056—Nornes (R)****Jobs & Economic Opportunity Policy & Finance**

Child-care assistance provider reimbursement rate categories modified.

**HF1057—Thao (DFL)****Jobs & Economic Opportunity Policy & Finance**

St. Paul; Summit University Teen Center funding provided, bonds issued and money appropriated.

**HF1058—Nornes (R)****Health Policy & Finance**

Otter Tail County nursing home moratorium exception extended.

**HF1059—Pelowski (DFL)****Health Policy & Finance**

Programs for the all-inclusive care for the elderly (PACE) covered under alternative integrated long-term care services.

**HF1060—Davnie (DFL)****Education Policy & Reform**

Individual education plan development and tuition billing resident district participation conditions provided.

**HF1061—Thissen (DFL)****Civil Law & Elections**

Personal jurisdiction over foreign corporations and nonresident individuals modified.

**HF1062—Thissen (DFL)****Jobs & Economic Opportunity Policy & Finance**

Airport areas development fund established.

**HF1063—Thissen (DFL)****Transportation**

Airport zoning provisions scope expanded to include control of uses incompatible with present and future airport use.

**HF1064—Thissen (DFL)****Local Government**

Minneapolis-St. Paul International Airport impact mitigation planning and fund provided, airport impact zones established, contingent metropolitan area property tax levy authorized and money appropriated.

**HF1065—Davnie (DFL)****Civil Law & Elections**

Fair and Clean Elections Act adopted, campaign contribution disclosure increased, contributions and expenditures limited, public subsidies increased for candidates who agree to limits and money appropriated.

**HF1066—Lenczewski (DFL)****Taxes**

Fiscal disparities proceeds expenditures required on projects that benefit the entire metropolitan area as a whole.

**HF1067—Kohls (R)****Commerce & Financial Institutions**

Wage detail reports filing requirements modified relating to unemployment insurance.

**HF1068—Howes (R)****Civil Law & Elections**

County review and approval of shoreland subdivisions required.

**HF1069—Fritz (DFL)****Jobs & Economic Opportunity Policy & Finance**

Ellendale sewer and water infrastructure improvements grant provided, bonds issued and money appropriated.

**HF1070—Holberg (R)****Environment & Natural Resources**

State park permit provisions modified.

**HF1071—Erickson (R)****Education Policy & Reform**

Sexually transmitted infections and diseases program for school districts required to include information on criminal sexual conduct.

**HF1072—Mullery (DFL)****Civil Law & Elections**

Grandparent visitation rights provided on behalf of the child, grandparent rights expanded, procedures specified and mediation required.

**HF1073—DeLaForest (R)****Transportation**

Speed limits provided on city streets in rural residential districts.

**HF1074—Cybart (R)****Civil Law & Elections**

Family day care, child-care center or foster care license data classified as public in certain circumstances.

**HF1075—Juhnke (DFL)****Agriculture & Rural Development**

Fertilizer Research Council established, comprehensive research and management program provided and refundable fee imposed on agricultural fertilizers.

**HF1076—Kohls (R)****Education Finance**

Independent School District No. 110, Waconia, lease levy authorized.

**HF1077—Kohls (R)****Governmental Operations & Veterans Affairs**

Peace officers and firefighters suffering disabling injuries health insurance payments continued even if the officer works at another position for the employer before separating from service.

**HF1078—Kohls (R)****Health Policy & Finance**

Carver County nursing home moratorium exception provided.

**HF1079—Greiling (DFL)****Education Policy & Reform**

Nonpublic schools subjected to the pupil fair dismissal law and other requirements if families of students attending claim a tax credit for education-related expenses.

**HF1080—Eastlund (R)****Taxes**

Electric generation facility personal property tax exemption provided.

**HF1081—Ozment (R)****Environment & Natural Resources**

Commercial fishing restrictions in infested waters modified, water recreation account provided, citizen oversight committee sunsets extended and approval of county timber receipts expenditures eliminated.

**HF1082—Simpson (R)****Health Policy & Finance**

Wadena County nursing home moratorium exception provided and money appropriated.

**HF1083—Buesgens (R)****Regulated Industries**

Elko Speedway on-sale liquor license authorized for all sales for all events on all days of the week.

**HF1084—Hansen (DFL)****Local Government**

Counties authorized to delegate duties to board of adjustment.

**HF1085—Nornes (R)****Higher Education Finance**

Minnesota State Colleges and Universities student board member selection recommendation deadline modified.

**HF1086—Powell (R)****Education Finance**

School districts authorized to replace state shortfalls in special education funding with local levy authority, and local discretionary levy authorized.

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**Thursday, February 17**


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**HF1087—Powell (R)****Transportation**

Seatbelt violation primary offense provided regardless of age in all seating positions and fine increased.

**HF1088—Slawik (DFL)****Civil Law & Elections**

Prejudgment garnishments prohibited in certain circumstances.

**HF1089—Ozment (R)****Agriculture, Environment & Natural Resources Finance**

Minnesota Conservation Corps funding provided and money appropriated.

**HF1090—Buesgens (R)****Education Policy & Reform**

Non-curricular athletic and fine arts activities for youth transferred from school districts to local governments.

**HF1091—Howes (R)****Higher Education Finance**

State college and university self-governance option provided, administration specified, state aid for higher education provided and money appropriated.

**HF1092—Hackbarth (R)****Regulated Industries**

Sports-themed tipboard games provided.

**HF1093—Hausman (DFL)****Local Government**

St. Paul authorized to participate in the creation of, and contracting with a nonprofit organization to operate the RiverCentre complex.

**HF1094—Smith (R)****Public Safety Policy & Finance**

Victim of crime definition clarified.

**HF1095—Nelson, P. (R)****Transportation**

Special veterans license plates authorized for display on certain 1-ton trucks.

**HF1096—Nelson, P. (R)****Civil Law & Elections**

Additional campaign committee finance report required.

**HF1097—Blaine (R)****Education Policy & Reform**

Teacher mentoring program school district assistance provided and money appropriated.

**HF1098—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Human services, medical assistance leins and individual income tax and corporate franchise tax provisions modified.

**HF1099—Newman (R)****Public Safety Policy & Finance**

Gambling fraud crime provision clarified.

**HF1100—Newman (R)****Governmental Operations & Veterans Affairs**

Hutchinson Area Health Care employees added to the Public Employees Retirement Association privatization coverage.

**HF1101—Newman (R)****Taxes**

Local government aid city aid base increased for certain cities.

**HF1102—Hosch (DFL)****Governmental Operations & Veterans Affairs**

Per diem increase for legislators prohibited during special sessions called within 60 days of adjournment because the Legislature failed to pass necessary legislation during the regular session.

**HF1103—Hosch (DFL)****Commerce & Financial Institutions**

Steroid testing authorized for professional athletes.

**HF1104—Seifert (R)****Agriculture & Rural Development**

State Fair recreational camping area regulations exception provided.

**HF1105—Seifert (R)****State Government Finance**

State government general legislative and administrative expenses funding provided and money appropriated.

**HF1106—Greiling (DFL)****Civil Law & Elections**

Limited liability provided for certain conduct of persons released from confinement related to use or nonuse of prescribed medicines.

**HF1107—Newman (R)****Public Safety Policy & Finance**

Predatory offender registration law requirements provided and community notification law information disclosure clarified.

**HF1108—Greiling (DFL)****Civil Law & Elections**

Early intervention services expanded relating to civil commitment of chemically dependent pregnant women.

**HF1109—Smith (R)****Public Safety Policy & Finance**

Firefighting training and education board revived and reenacted.

**HF1110—Hosch (DFL)****Civil Law & Elections**

State primary election eliminated in areas where no nominee must be selected for any office in that municipality or county.

**HF1111—Sykora (R)****Education Finance**

Collaborative urban educator recruitment and training program grants authorized and money appropriated.

**HF1112—Abeler (R)****Health Policy & Finance**

Alcohol and drug counselor voluntary licensure provisions reinstated.

**HF1113—Goodwin (DFL)****Civil Law & Elections**

Housing warranties remedies provisions modified.

**HF1114—Goodwin (DFL)****Civil Law & Elections**

Home improvement construction defects relief provided.

**HF1115—Hortman (DFL)****Environment & Natural Resources**

Unsterilized ballast water use prohibited and discharge permit required.

**HF1116—Bernardy (DFL)****Governmental Operations & Veterans Affairs**

University of Minnesota former steam plant employees included in the state health insurance group.

**HF1117—Greiling (DFL)****Health Policy & Finance**

Medical Assistance asset limit modified for persons who are aged, blind or disabled.

**HF1118—Dempsey (R)****Transportation Finance**

Duluth Port Authority grant provided and money appropriated.

**HF1119—Zellers (R)****Education Finance**

Brooklyn Center; Northwest Hennepin Family Center construction funding provided, bonds issued and money appropriated.

**HF1120—Powell (R)****Governmental Operations & Veterans Affairs**

State employee voluntary unpaid leave and early retirement options and incentives provided.

**HF1121—Ruud (DFL)****Education Finance**

Operating referendum ballot language simplified relating to education finance.

**HF1122—Moe (DFL)****Environment & Natural Resources**

Minnesota Fishing Protection Act established providing authority, direction, and funding to achieve and maintain water quality standards to protect the quantity, edibility and health of Minnesota fish.

**HF1123—Fritz (DFL)****Public Safety Policy & Finance**

Methamphetamine precursor drug sales regulated, new civil and criminal penalties imposed, cleanup fund established and money appropriated.

**HF1124—Emmer (R)****Public Safety Policy & Finance**

Juvenile data release in conjunction with a background check defined as not constituting a release of a juvenile adjudication history.

**HF1125—Wilkin (R)****Commerce & Financial Institutions**

No-Fault Automobile Insurance Act repealed, premium reduction provided and liability coverage required.

**HF1126—Hamilton (R)****Jobs & Economic Opportunity Policy & Finance**

Employment support services for persons with mental illness funding provided and money appropriated.

**HF1127—Brod (R)****Taxes**

Biotechnology and health sciences industry zone tax credit amount increased.

**HF1128—Samuelson (R)****Transportation Finance**

Interstate-35W reconstruction concepts funding provided, bonds issued and money appropriated.

**HF1129—Emmer (R)****Civil Law & Elections**

State agency employment applicant data classification modified.

**HF1130—Emmer (R)****Civil Law & Elections**

Government data access maximum fee for copies provided.

**HF1131—Emmer (R)****Public Safety Policy & Finance**

Asexualization of certain sex offenders authorized.

**HF1132—Dill (DFL)****Education Finance**

Independent School District No. 381, Lake Superior, fund transfer authorized.

**HF1133—Cornish (R)****Agriculture, Environment & Natural Resources Finance**

Minerals management account created, disposition of certain mineral payments modified and money appropriated.

**HF1134—Severson (R)****Transportation**

Motor vehicle registration plates regulation and fees provided.

**HF1135—Hamilton (R)****State Government Finance**

Veterans service office grant program carryforward of unexpended appropriation provided.

**HF1136—Dorman (R)****Transportation Finance**

Rural road safety account established, local road improvement funding provided, bonds issued and money appropriated.

**HF1137—Thissen (DFL)****Commerce & Financial Institutions**

Health coverage; more affordable conversion health coverage provided as a bridge to Medicare for persons 60 to 65 years of age.

**HF1138—Thissen (DFL)****Taxes**

Technology tax credit provided for small businesses.

**HF1139—Thissen (DFL)****Taxes**

First tier of commercial-industrial property exempted from the state general tax.

**HF1140—Thissen (DFL)****Taxes**

Property tax loss compensation provided when real property is acquired by a governmental entity and becomes tax-exempt.

**HF1141—Ellison (DFL)****Transportation Finance**

Minneapolis; Broadway Avenue bridge improvements funding provided, bonds issued and money appropriated.

**HF1142—Hilstrom (DFL)****Public Safety Policy & Finance**

Inmates required to be housed in publicly owned and operated jails and prisons, private prison contracting prohibited and renewal of the Prairie Correctional Facility contract prohibited.

**HF1143—Emmer (R)****Civil Law & Elections**

Investigative and licensing data classified.

**HF1144—Demmer (R)****Education Policy & Reform**

Consecutive teaching experience provided for a teacher whose probationary employment is interrupted by military service.

**HF1145—Slawik (DFL)****Civil Law & Elections**

Absentee ballot early voting authorized at specified locations without qualification.

**HF1146—Nelson, P. (R)****Taxes**

Local government aid base increased for specified cities.

**HF1147—Peppin (R)****State Government Finance**

State soldiers' assistance fund unexpended appropriation carryforward authorized.

**HF1148—Greiling (DFL)****Public Safety Policy & Finance**

Discharge plans provided for offenders with serious and persistent mental illnesses that are released from county jails or county regional jails and money appropriated.

**HF1149—Cornish (R)****Public Safety Policy & Finance**

Criminal justice agencies authorized as only agencies permitted to submit and obtain data from the distinctive physical mark identification program.

**HF1150—Emmer (R)****Public Safety Policy & Finance**

Bureau of Criminal Apprehension authorized to add certain identifying information on an individual who is the subject of a background check to the criminal history under certain circumstances.

**HF1151—Huntley (DFL)****Health Policy & Finance**

St. Louis County nursing facility rate increase determination provided.

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## 2005-06 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL) .....	120 Cap. ....	5537	54 Marty, John (DFL) .....	323 Cap. ....	5645
52 Bachmann, Michele (R) .....	141 SOB .....	4351	38 McGinn, Mike (R) .....	G-19 SOB .....	7-8073
6 Bakk, Thomas (DFL) .....	226 Cap. ....	8881	39 Metzen, James (DFL) .....	322 Cap. ....	4370
40 Belanger, William (R) .....	113 SOB .....	5975	41 Michel, Geoff (R) .....	133 SOB .....	6238
61 Berglin, Linda (DFL) .....	309 Cap. ....	4261	67 Moua, Mee (DFL) .....	235 Cap. ....	5285
51 Betzold, Don (DFL) .....	111 Cap. ....	2556	28 Murphy, Steve (DFL) .....	306 Cap. ....	4264
50 Chaudhary, Satveer (DFL) .....	317 Cap. ....	4334	25 Neuville, Thomas (R) .....	123 SOB .....	1279
64 Cohen, Richard (DFL) .....	121 Cap. ....	5931	17 Nienow, Sean (R) .....	105 SOB .....	5419
26 Day, Dick (R) .....	147 SOB .....	9457	33 Olson, Gen (R) .....	119 SOB .....	1282
60 Dibble, D. Scott (DFL) .....	111 Cap. ....	4191	34 Ortman, Julianne (R) .....	G-21 SOB .....	4837
18 Dille, Steve (R) .....	103 SOB .....	4131	19 Ourada, Mark (R) .....	145 SOB .....	5981
14 Fischbach, Michelle (R) .....	G-15 SOB .....	2084	65 Pappas, Sandra (DFL) .....	120 Cap. ....	1802
47 Foley, Leo (DFL) .....	G-24 Cap. ....	4154	36 Pariseau, Pat (R) .....	117 SOB .....	5252
21 Frederickson, Dennis (R) .....	139 SOB .....	8138	59 Pogemiller, Lawrence (DFL) .....	235 Cap. ....	7809
43 Gaither, David (R) .....	107 SOB .....	4314	63 Ranum, Jane (DFL) .....	120 Cap. ....	7-8061
37 Gerlach, Chris (R) .....	149 SOB .....	4120	53 Reiter, Mady (R) .....	132D SOB .....	1253
42 Hann, David (R) .....	G-27 SOB .....	1749	45 Rest, Ann (DFL) .....	205 Cap. ....	2889
58 Higgins, Linda (DFL) .....	328 Cap. ....	9246	35 Robling, Claire (R) .....	143 SOB .....	4123
23 Hottinger, John (DFL) .....	317 Cap. ....	6153	24 Rosen, Julie (R) .....	G-23 SOB .....	5713
13 Johnson, Dean (DFL) .....	208 Cap. ....	3826	4 Ruud, Carrie (R) .....	109 SOB .....	4913
49 Johnson, Debbie (R) .....	135 SOB .....	3219	11 Sams, Dallas (DFL) .....	328 Cap. ....	7-8063
48 Jungbauer, Michael (R) .....	115 SOB .....	3733	3 Saxhaug, Tom (DFL) .....	124 Cap. ....	4136
44 Kelley, Steve (DFL) .....	205 Cap. ....	7-8065	46 Scheid, Linda (DFL) .....	303 Cap. ....	8869
31 Kierlin, Bob (R) .....	127 SOB .....	5649	29 Senjem, David (R) .....	G-17 SOB .....	3903
30 Kiscaden, Sheila (IP) .....	325 Cap. ....	4848	2 Skoe, Rod (DFL) .....	124 Cap. ....	4196
15 Kleis, Dave (R) .....	G-25 SOB .....	6455	62 Skoglund, Wesley (DFL) .....	124 Cap. ....	4274
12 Koering, Paul (R) .....	131 SOB .....	4875	7 Solon, Yvonne Prettner (DFL) .....	303 Cap. ....	4188
20 Kubly, Gary (DFL) .....	306 Cap. ....	5094	27 Sparks, Dan (DFL) .....	G-24 Cap. ....	9248
9 Langseth, Keith (DFL) .....	122 Cap. ....	3205	1 Stumpf, LeRoy (DFL) .....	G-24 Cap. ....	8660
10 Larson, Cal (R) .....	153 SOB .....	5655	5 Tomassoni, David (DFL) .....	321 Cap. ....	8017
56 LeClair, Brian (R) .....	129 SOB .....	4166	22 Vickerman, Jim (DFL) .....	226 Cap. ....	5650
32 Limmer, Warren (R) .....	121 SOB .....	2159	16 Wergin, Betsy (R) .....	125 SOB .....	8075
8 Lourey, Becky (DFL) .....	G-24 Cap. ....	0293	55 Wiger, Charles (DFL) .....	301 Cap. ....	6820
57 Marko, Sharon (DFL) .....	G-24 Cap. ....	7-8060			

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## SPEAKING OF THE HOUSE

 **Peter Meslow**, the 19-year-old son of **Rep. Doug Meslow (R-White Bear Lake)** and his wife, **Jenny**, was remembered in prayer on the House floor Feb. 10, two days after he passed away following a two-year battle with cancer.

Memorials can be sent to the White Bear Lake Area Educational Foundation, c/o Madelyn Benson, P.O. Box 10786, White Bear Lake, MN 55110.


 **University of Minnesota President Robert Bruininks** spoke Feb. 14 before the House Higher Education Finance Committee about the university's response to the governor's budget request.

"I've never had the opportunity or privilege to address a committee of the House or Senate on Valentine's Day so I'm hoping this will be a good omen," he said.

"Love is in the air," said **Rep. Jim Abeler (R-Anoka)**.


"I hope for the University of Minnesota," Bruininks said with a laugh.

After Committee Chair **Rep. Bud Nornes (R-Fergus Falls)** pointed out the lack of red apparel worn by committee members, Bruininks responded, "I hope this committee is not thinking red. I hope this committee is thinking green."

 **Rep. Laura Brod (R-New Prague)** is fascinated with main streets of Minnesota cities. Historic photos of eight of the 12 cities in her district hang on the walls of her office in the State Office Building. Cities

like New Prague, Waterville and Arlington are pictured from 1895 to 1910 with muddy streets lined with brick buildings. "I like to stay connected to history as we move forward and build on our history," she said.

Brod, a small business owner who served on the city council, understands the importance of main streets and the impact that one to two person shops have on them. "Main streets are strong in my district. We don't want to see them go away." She also wrote a paper for her master's degree on the topic Main Street Minnesota.

 When he appeared before the House Capital Investment Committee Feb. 8, **Rep. Bud Nornes (R-Fergus Falls)** was wearing a shirt and sweater.


"Before I begin I'm going to request that you don't hold it against me that I didn't wear a tie today," he said before sharing the House Higher Education Finance Committee's bonding recommendations.

"We'll note that down, but two demerits," said **Rep. Dan Dorman (R-Albert Lea)**, the committee chair.

Later in the presentation, **Mike Miller**, the higher education committee administrator, needed to testify. He was wearing an open-collared shirt.


Asked Dorman, with a laugh: "What kind of committee are you running over there Nornes?"

When the higher education committee met the following day, both Nornes and Miller donned coats and ties.

 House Transportation Finance Committee Chair **Rep. Mary Liz Holberg (R-Lakeville)** was just finishing her presentation to the House Capital Investment Committee Feb. 8 when she mentioned that her daughter played in a Duluth hockey tournament a couple of weekends prior.

"Rep. Holberg and I had a child on the same day," **Rep. Dan Dorman (R-Albert Lea)** said. Quickly realizing what that could have meant, a red-faced Dorman said, "Not the same one. I thought that would get folks attention."

Dorman's son is a swimmer. "Rep. Holberg's daughter deals with it when it's frozen and if it's not frozen Christopher is swimming in it, but they both share the same date of birth," Dorman said.

 When testifying in support of his bill, HF9, before the House Health Policy and Finance Committee Feb. 2, **Rep. Tim Wilkin (R-Eagan)** urged members to refer the bill to the House Commerce and Financial Institutions Committee.

"I talked to the chair of the Commerce Committee, and he would like to see it come to his committee," Wilkin said, adding that the chair was "sympathetic" to the bill.

The members laughed, knowing full well that Wilkin is the chair of the said committee.

The committee did refer Wilkin's bill to his committee, where it was approved and referred to the House Taxes Committee.

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

# MINNESOTA INDEX

## College costs

Number of public and private higher education institutions in Minnesota .....	178
Those that are for-profit .....	80
Total public institution enrollment in fall 2004 .....	235,796
Percent increase from 2000 .....	10.9
Percent attending a Minnesota State Colleges and Universities (MnSCU) school .....	72.3
Private school institution enrollment in fall 2004 .....	84,468
Percent increase from 2000 .....	12.5
Percent attending a private college or university .....	72.5
Approximate percent of low-income and students of color in public schools who receive a Bachelor of Arts degree from a Minnesota college within 10 years of their freshman year in high school .....	5
State appropriation for higher education in fiscal year 2004, in billions .....	\$1.3
Millions to MnSCU .....	\$560
Millions to the University of Minnesota .....	\$547
Millions for financial aid (and supportive administrative functions) .....	\$180
State appropriation reduction for higher education from 2002-03 biennium to 2004-05 biennium, in millions .....	\$196
Higher education, as percent of state's 2004-05 budget .....	9.1
In 1987 .....	15.5
State tax-funded appropriations per \$1,000 of personal income that went to higher education in fiscal year 2004 .....	\$7.56
State rank .....	21
Amount in 1978 .....	\$15.08
Average tuition and fees for state students at one of the seven state universities for 2004-05 .....	\$4,921
At one of 30 state colleges .....	\$3,804
Average for a state undergraduate at the University of Minnesota .....	\$7,881
Millions in grants that Minnesota undergraduates received in fiscal year 2003 .....	\$687
Millions in student and parent higher education loans .....	\$844
Number of students receiving state grants in fiscal year 2003 .....	72,396
Percent of those students coming from families earning less than \$40,000 .....	70
Students receiving child-care grants .....	935

**Sources: University of Minnesota; Minnesota State Colleges and Universities system; Minnesota Higher Education Services Office, including Fall 2004 Preliminary Headcount Enrollment Report; Trouble on the Horizon: Growing Demands and Competition, Limited Resources, & Changing Demographics in Higher Education, November 2004, Citizens League.**

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# SESSION Weekly

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FEBRUARY 25, 2005

VOLUME 22, NUMBER 8



**INSIDE: BONDING BILL, METH'S GROWING EPIDEMIC, CASINO LOCALES, MORE**

This Week's Bill Introductions HF1152-HF1352



# Session Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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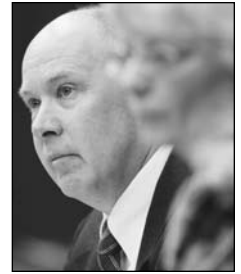
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**On the cover: A staff member from the Minnesota Historical Society's Conservation Department hangs a portrait of Capitol architect Cass Gilbert outside the Supreme Court Chamber on the second floor of the Capitol prior to unveiling ceremonies Feb. 22 to honor Gilbert.**

—Photo by: Tom Olmscheid

# Not going away

Many reasons for homelessness, solutions not easy

By **MATT WETZEL**

If you're homeless in Minnesota and lucky enough to have found emergency shelter for the night, you are awakened around 8 a.m. after sleeping on a bunk bed or a mat less than an inch thick. Your resting place was inches away from the next person.

After gathering your belongings, you leave the shelter to maybe buy breakfast, if you can afford it, or go to one of the centers in the area that provides a free breakfast for people.

According to a 2003 homeless survey conducted by the Amherst H. Wilder Foundation, a nonprofit health and human services organization in St. Paul, there were 7,015 homeless people in homeless shelters, battered women's shelters and transitional housing in Minnesota on Oct. 23, 2003. Another 796 were on the street.

Of those, 1,228 were considered long-term homeless, meaning they had been homeless for at least a year, or homeless four times in the past three years, and 85 percent have some type of serious disability.

The foundation recently made a presentation to the House Jobs and Economic Opportunity

Policy and Finance Committee.

Committee Chair Rep. Bob Gunther (R-Fairmont) invited the foundation because he wanted to make members aware of the problem. "We have to do something about it. We can't duck it."

Research about homelessness in Greater Minnesota is limited, but Ellen Shelton, a research scientist with the foundation, said generally, people having trouble with finding shelter move from rural to urban areas. On the night of the survey, 21 percent of homeless people were in rural areas, 6 percent were in suburban areas and 73 percent were in urban areas.

More than 80 percent of the children of homeless adults interviewed in the survey were able to attend school regularly. If you're an unemployed mother, you might be able to stay at the shelter during the day. If you work, it's usually in food service, housekeeping, construction or at a factory. Of the 30 percent of employed homeless people, more than half make less than \$8 an hour. Just 13 percent of all homeless people work at least 35 hours a week.

Beyond that, it's hard to describe a typical day for a homeless person, said Michael Dahl, execu-

## You Should Know

Data from the 2003 homeless survey was presented to the House Jobs and Economic Opportunity Policy and Finance Committee Feb. 16. The Amherst H. Wilder Foundation has done surveys on homelessness every three years since 1991.

For the Oct. 23, 2003, survey, more than 700 trained volunteers conducted 30-minute interviews with more than 3,000 homeless people throughout Minnesota at homeless shelters, battered women's shelters and transitional housing programs. The subjects were paid \$5 for the interview. The response rate was 90 percent.

tive director of the Minnesota Coalition for the Homeless, a Minneapolis advocacy group.

Their lives are unstable, he said, often through no fault of their own.

Approximately 20 percent are turned away from emergency shelters at night because of no space, Shelton said. Of those, approximately 20 percent find a bed at another shelter, and one-third have to sleep outside.

There might not be an early end to the instability, even if a homeless person has a job. Assuming the optimistic scenario of working 35 hours per week, making \$8 an hour, they might clear \$220 per week. The market rate in the Twin Cities metropolitan area for an efficiency apartment is \$554 a month.

"What you have left is not very much," said Greg Owen, a consulting scientist with the foundation.

Many homeless people are deep in debt, and some were evicted from their apartment. Even now, when landlords are experiencing high vacancy rates, they are very cautious with people that might be bad credit risks.

Owen said things have gotten worse since the federal government got out of the business of building affordable housing in the early 1980s. Now, the federal government provides money for private developers and local governments. However, private developers aren't as likely to take risks on tenants.

The lack of shelter is often just the final result of a series of problems, including mental illness and a criminal background, that make it hard for homeless people to make progress.

According to the 2003 survey, 47 percent of homeless adults had a serious mental illness, up from 25 percent in 1991; 43 percent were physically or sexually abused as a child; 42 percent were once in prison and 34 percent were



PHOTO BY TOM OLMSCHIED

**Most homeless people do not fit the view depicted here of a single man on the streets. There is a growing number of homeless women with children. Recently released statistics show that one of the causes of homelessness is the high cost of housing.**

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

**Greg Owen, left, and Ellen Shelton, scientists for the Amherst H. Wilder Foundation, listen to a question from a member of the House Jobs and Economic Opportunity Policy and Finance Committee during a Feb. 16 hearing on homelessness.**

#### First Reading continued from page 3


either alcoholic or chemically dependent.

Many of these problems have gotten worse since 1991, the first year the foundation did a homeless survey. Owen said a common denominator is the lack of access to affordable health care.

Owen said that the increasing inability to treat the mentally ill shows the failure of the Community Mental Health Act legislation passed in the 1960s and 1970s. The initiative assumed the people would have places to live that they could afford.

Since most homeless people don't have health insurance, when they get sick or hurt they generally try to live with it until they can't take anymore. Then they receive treatment at an emergency room, a cost almost always borne by the public. "It's just another cost-shifting frustration," Owen said.

Rep. Karen Clark (DFL-Mpls) agrees. "They will be ending up in our hospitals, in our neighborhoods, in our prisons, which is much more expensive. We have the resources. We're going to pay for it one way or another."

On the jobs front, the McKnight Foundation has supported 17 programs around the state to work with employers and public agencies to help low-income workers get the skills they need to get better jobs, according to Owen and Shelton. 

## The Gilberts return

Portraits unveiled, Capitol architect and wife honored



In honor of the Capitol Centennial, portraits of Capitol architect Cass Gilbert and his wife, Julia Finch Gilbert, will be on display outside the Supreme Court Chamber through the end of the year.

The 1926 and 1927 oil on canvas paintings were unveiled in a special ceremony Feb. 22.

The portraits are on loan from the Smithsonian Institution Museum of American Art. A gift to the Smithsonian by the Gilbert family in 1962, they remained in storage until the Minnesota Historical Society and the Cass Gilbert Society arranged for this exhibition.

Both Gilberts are portrayed in their 60s, at a high point of social and professional success.

Julia is depicted in the same gown she wore when she and Cass were presented to the British royal family in 1925. Her ensemble includes a beaded silver dress, a silver damask veil and a stole edged in ermine decorated with a rich aubergine-colored floral pattern.

The plaque next to Julia's portrait reads: "'Straightforward,' 'unaffected,' and 'strong willed' were among the words used by Cass

Gilbert's friends to describe the young Julia Finch when the two met in New York."

Their courtship lasted from 1880 until they wed in 1887.

Cass' attire is a classic dark suit and tie with a white shirt. At the time of the portrait, he was involved in construction of the West Virginia State Capitol, the U.S. Supreme Court Building in Washington, D.C., and a number of projects in New York City.

Guests of honor at the unveiling ceremony were two great-grandchildren of Cass and Julia Gilbert, Helen Post Curry and Charles Post.

Curry was visibly moved by the gesture that she described as bringing the portraits out of the basement and up into the light.

"Thank you all for bringing Cass and Julia Gilbert back to their beloved St. Paul," she said.

Curry shared early memories of tea with her great-grandmother Julia, whom she referred to as "Nana."

In addition to learning to properly drink tea from Nana Gilbert, Curry said she learned two important phrases from her father's family: "'Do it right or don't bother' so that afterward you could say, 'No effort was spared.'"

(N. Wood)



PHOTO BY TOM OLMSCHIED

**House Speaker Steve Sviggum, right, takes a closer look at the portrait of Capitol architect Cass Gilbert as Gilbert's great-granddaughter, Helen Post Curry, left, speaks during ceremonies to honor Gilbert as part of the building's 100th birthday.**

## ★ BUSINESS



For information on HF674 that would restrict some information currently considered public about companies that the state is considering for investment, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.

## ★ CRIME

**Another boot camp**

An 80-acre camp in Pine County is being sold by the Amherst H. Wilder Foundation and Rep. Judy Soderstrom (R-Mora) thinks the state should buy it and open another boot camp for non-dangerous offenders.

Her bill, HF1048, would authorize \$200,000 from bonds to buy the St. Croix Camp, located near Sandstone, and create another Challenge Incarceration Program (CIP), similar to an existing program near Willow River. The land has an assessed value of \$1.6 million, Soderstrom told the House Public Safety Policy and Finance Committee Feb. 22.

"It's a beautiful facility, well-kept, overlooking a river," said Soderstrom. The camp includes a cafeteria, dorms and classrooms, along with administration and recreation buildings.

Thirty years ago, the state sold the land to the foundation with the stipulation that if the land was ever to be sold, the state could have first dibs on it. The foundation announced recently the camp for troubled youth will close in April.

The camp closing is a big deal in her district, said Soderstrom. "It's a real concern, front page news." An estimated 90 jobs are at stake.

"CIP has been successful," said Soderstrom. "It's my hope that the Department of Corrections uses this for another separate site for CIP."

The program features education, chemical dependency treatment and rigorous physical exercise for offenders who qualify for placement. An estimated 160 men are on the waiting list for the program.

The proposal, which has no Senate companion, is included in the House bonding proposal (HF3), but is not in the Senate bonding bill (SF1).

**If you have Internet access, visit the House's Web page at: <http://www.house.mn>**

**YOUTH IN ACTION**

PHOTO BY TOM OLMSCHIED

**Young people wearing yellow shirts that read, "Coming together is the beginning, keeping together is progress, working together is success," ring the railing on the second floor of the Rotunda for the Youth in Action Rally. Mothers Against Drunk Driving sponsored the Feb. 22 rally in support of policies that reduce underage drinking.**

**Sex offender commitment**

The state Office of the Attorney General would play a greater role in determining the future of convicted sex offenders upon completion of their prison terms, under a bill sponsored by Rep. Larry Howes (R-Walker).

HF341, approved Feb. 21 by the House Civil Law and Elections Committee and referred to the House Public Safety Policy and Finance Committee, calls for the attorney general's office to handle civil commitment proceedings of serious sex offenders who have completed their prison terms, and to also take a greater role in considering their release.

"I don't want any more loopholes. If the state is responsible for convicting sex offenders, I want the state involved in making (the release) decision," Howes said.

Kris Eiden, chief deputy in the attorney general's office, said they currently handle about 40 percent of the civil commitments in the state. Four attorneys, four legal assistants plus support staff handle these cases. "This bill would require us to handle 100 percent of the commitments, so it would mean doubling our staff."

The proposal asks that, at least a year before a sex offender is scheduled for release, the commissioner of corrections present the attorney general all information necessary to make a decision on whether the offender should be civilly committed. If the office determines that a commitment is not called for, the county in which the case was prosecuted could still decide to make a commitment.

A companion bill (SF342), sponsored by Sen. Carrie L. Ruud (R-Breezy Point), awaits action by the Senate Crime Prevention and Public Safety Committee.

**Stiffer steroid penalties**

Former Major League Baseball player Jose Canseco couldn't make it to the committee meeting, so Rep. Joe Atkins (DFL-Inver Grove Heights) spoke in favor of HF1020, which would toughen penalties for selling steroids, especially to minors.

Atkins, sponsor of the measure, really did invite Canseco to appear before the House Public Safety Policy and Finance Committee Feb. 22. "His scheduler was trying to make it work but an opportunity arose for him to be on NBC's Today show this morning," Atkins said. "He asked if the hearing could be delayed but we said no."

Canseco recently wrote a best-selling book called "Juiced," which details his steroid use during a 16-year career in baseball.

Atkins intended for Canseco to present the pro-steroid argument while he would argue against it. "I was surprised when his staff said he supports my bill because it keeps kids off steroids," Atkins said later.

Steroids are a "giant chemical experiment gone awry" and they are a considerable health risk for boys and girls, said Atkins, a Little League coach.

Atkins drafted his sons John, 11, and Tom, 10, — both young athletes — to testify. John Atkins said he's heard other young athletes say, "Steroids are cool. They make your muscles bigger so you can hit more home runs."

Atkins' bill would add anabolic steroids to the list of controlled substances on statutory schedule III, incorporating recent federal changes into Minnesota law. This change automatically increases penalties for selling steroids to a 15-year felony with a fine of up to \$100,000. The same penalties apply to a person who is convicted of possessing steroids with the intent to sell.

A person who sells steroids to minors or employs a minor to sell the drugs would, under the bill, have committed a third-degree controlled substance offense and be subject to a 20-year felony and a fine up to \$250,000.

Under the bill, the penalty for simply possessing or using steroids would remain the same. It would still be legal to properly use steroids in raising animals like cattle.

The committee will consider the bill for possible inclusion in its omnibus bill. There is no Senate companion.

## ★ EDUCATION

### Community ed levy

The community education levy would be restored to \$5.95 per capita beginning in fiscal year 2006 under a bill (HF710) sponsored by Rep. Barb Sykora (R-Excelsior). The 2003 Legislature lowered the levy to \$5.23 per capita.

"This doesn't amount to a great deal of money, although there is a fiscal cost of 72 cents per person — not a very big amount," Sykora told members of the House Education Finance Committee Feb. 22.

Steve Kerr, community education director for the Anoka-Hennepin School District, said 70 percent to 80 percent of the funds from the community education levy go toward programs for youth, mostly after school.

As a result of the decreased levy in 2003, programs were cut, fees were raised and participation dropped, according to Doug Spray, community education director for the Montevideo School District. "I strongly encourage you to consider raising the community ed levy

back to \$5.95," he said.

The committee held the bill for possible inclusion in its omnibus bill. There is no Senate companion bill.

A similar restoration of the community education levy is included in HF148, sponsored by Rep. Mindy Greiling (DFL-Roseville). The committee only had time to discuss the community education portion of her bill Feb. 22.

A companion bill (SF245), sponsored by Sen. John Marty (DFL-Roseville), awaits action in the Senate Finance Committee.

### Money for choice winners

Almost half of the 1,735 students in the St. Anthony-New Brighton School District don't live in the school district. They attend the suburban school district through open enrollment, as allowed by state law.

Districts that attract students through open enrollment receive basic state aid for the students that come to their school district, but they don't receive any referendum money for those students.

## CHEEKY ADVOCATE



PHOTO BY TOM OLMSCHIED

Two-year-old Claire Temali, *right*, who attends the St. Paul-Como Park Crossroads ECFE, sticks out her tongue as she and her mother, Laura Temali, enjoy the Teddy Bear Band as part of the Feb. 24 Voices for Children Advocacy Day rally in the Rotunda. Participants later met with legislators to express the importance of early care and childhood programs.



"We receive less revenue for our open enrollment students than for our resident students," Michael Volna, chair of the St. Anthony-New Brighton School Board, told the House Education Finance Committee Feb. 17.

This can amount to a substantial loss of revenue for districts with high percentages of open enrollment, according to Rep. Mindy Greiling (DFL-Roseville), sponsor of HF195.

"St. Anthony/New Brighton is a wonderful small district that has been very successful with school choice," said Greiling. "But the money that comes with levy referendum does not follow students from their resident district."

The bill would partially compensate school districts for their open enrollment students. According to a formula, a school district with more than 50 percent of its students through open enrollment would receive \$500 for each open-enrolled student. The amount would decrease proportionately as the percentage of open-enrolled students declines. For example, a district with 10 percent open-enrolled students would receive \$100 for each of those students. Lots of school districts around the state would benefit, she said.

Under Greiling's bill, the aid amount would be provided by increasing the state general levy by \$2 million a year.

Rep. Mark Buesgens (R-Jordan) suggested a different source of funding — take from districts that lose students and pay to those that gain. "You're asking for an adjustment on students entering a district," he said. "From the state perspective, there should also be an adjustment to districts losing students. There's the answer to your funding right there."

If all the money truly followed students, he said, then districts losing students to open enrollment should look at how they serve students and make necessary adjustments so they don't lose students. "There's something to be said for competition; American was built on that," said Buesgens.

The committee held the bill over for possible inclusion in its omnibus bill.

A Senate companion bill, SF384, sponsored by Sen. John Marty (DFL-Roseville), awaits action in the Senate Finance Committee.

### **Money for counselors**

School districts would have a new way to pay for counselors, under a bill sponsored by Rep. Randy Demmer (R-Hayfield).

School districts have eliminated or reduced counselor positions because of budget reductions in recent years, Demmer told the House Education Finance Committee Feb. 22.

HF550 would expand eligible expenses so school districts could use the Safe Schools

levy, already in place, to pay salaries and benefits of school counselors. The levy, which does not need voter approval, already pays for such things as police liaison officers, drug abuse prevention programs like DARE, gang resistance education, school security and other crime prevention and school safety measures.

Demmer's bill would also restore the levy, which was cut to \$27 in 2003, back to \$30 per pupil. The increased allowance would be effective for taxes payable in 2006 with school districts receiving the revenue in 2007.

Rep. Mindy Greiling (DFL-Roseville) unsuccessfully offered an amendment that would further expand the list of eligible expenses to include nurses, social workers, psychologists and drug-abuse counselors. By providing money only for counselors, Greiling said, they would be ignoring the fact that all school support staff help address problems that students might have.

"I strongly support the goal of student safety and giving the tools to local school boards to decide what they need in their communities without us mandating that they have to use this fund for one [position] and not another," she said.

Demmer said he'd prefer to keep the funding just for counselors because there's not enough money to even do much of that.

The bill was held over for possible inclusion in the committee's omnibus bill.

A companion bill, SF522, sponsored by Sen. Michelle L. Fischbach (R-Paynesville), awaits action in the Senate Finance Committee.

### **Suspend suspensions**

When students break certain school rules, they may be placed on out-of-school suspension.

Rep. Jerry Dempsey (R-Red Wing) thinks that's the wrong response and has proposed a bill (HF512) that he describes as a workable solution to the problem. This would be totally voluntary for school districts, not a mandate, he told the House Education Finance Committee Feb. 17.

"In too many cases, suspending a student from school does nothing to fix or address the problems that led to the suspension," said Dempsey, a former teacher and school administrator. "Students see the suspension as just an unsupervised day off from school." Dempsey said his bill goes along with the philosophy at his former school where "everybody is somebody and you don't throw somebodies out on the street."

The bill creates a process for school districts to use alternatives to out-of-school suspension and provides funding equal to \$54 per hour

(not per pupil) for each hour of a district's alternative suspension program.

The bill would allow a school administrator to impose one of three alternative suspensions: a parent or guardian would be encouraged to spend the school day with the child; the student could be required to attend school on Saturday in a program supervised by the principal; or the juvenile court could become involved.

"I feel like I'm back on the school board again," commented Rep. Randy Demmer (R-Hayfield). "I think we're dabbling in what school boards should be doing."

The committee held the bill over for possible inclusion in its omnibus bill.

A companion bill (SF536), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Finance Committee.

### **Technology and transportation**

School districts would be able to levy up to \$30 per pupil unit for technology and another \$30 per pupil unit for transportation under HF141, sponsored by Rep. Nora Slawik (DFL-Maplewood).

"With cuts and things that have happened with tight budgets in the past several years, this would be a significant way to affect funding and actually help pupils in the classroom by funding transportation and technology through a levy," Slawik told the House Education Finance Committee Feb. 22.

Greg Hein, director of business for the North St. Paul/Maplewood/Oakdale School District, said transportation used to be a separate fund for school districts but, several years ago, was rolled into the General Fund where it now competes with all the other items including teaching positions, support staff and supplies.

Under the bill, his school district would receive an additional \$390,000 for transportation, which he said, "is close to what we need on an annual basis to fund our bus replacement cycle."

"Technology funding has always been a struggle," said Robert Biddick, technology director for the district. The goal is to have up-to-date workstations for student and staff use so they can gain skills critical for today's world. But with current funding, technology can only be updated every 9.5 years or so, he said. "This money would help us to accomplish the things we need to do in technology."

The levies would not require voter approval and would provide additional revenue for school districts beginning in 2007.

The bill was held over for possible inclusion in the committee's omnibus bill.

A companion bill (SF52), sponsored by Sen. Charles W. "Chuck" Wiger (DFL-North St. Paul), awaits action in the Senate Finance Committee.

## ELECTIONS



### Five days for elections

Elections would be limited to five specific days each year under HF587, sponsored by Rep. Mark Buesgens (R-Jordan).

"In the state of Minnesota, particularly when it comes to referendum elections and ballot questions, there is a tremendous amount of flexibility at the local level to move both dates and times of elections," Buesgens told the House Education Policy and Reform Committee Feb. 22.

It can be confusing to voters when they move from city to city and the voting rules change, said Buesgens. "This bill provides uniformity, statewide, to whenever we call people to the ballot box."

Buesgens hopes uniformity will minimize voter disenfranchisement and increase voter turnout. "I hope we can get people into the mindset and good habit of always voting by setting some uniformity to the whole process; thus, hopefully, encouraging turnout which only helps representative democracy."

People tend to think of elections as taking place only in November, but that's not the reality, said Tony Kielucki, deputy secretary of state. There could be 80 to 90 different election days in any given year, he said. This past December, for example, 22 elections took place, although some were on the same day.

Under the bill, all elections would be allowed only on these five dates:

- The first Tuesday after the second Monday in September, the primary election date;
- The first Tuesday after the first Monday in November, the general election date;
- The fourth Tuesday in January;
- The second Tuesday in March, a common day for township elections, and
- The third Tuesday in May.

The bill would also make times and polling places more consistent.

"Our general concern is this bill does restrict the school districts' right to set elections based on the needs of local communities," said Thomas Deans, lobbyist with the Minnesota School Boards Association.

The committee approved the bill and referred it to the House Local Government Committee. A Senate companion, SF827, sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Elections Committee.

### Candy, cookies and coffee

If elected officials or candidates handed you candy during a parade last summer, they were breaking the law. But a bill (HF507), sponsored by Rep. Andrew "Andy" Westerberg (R-Blaine), would make that action legal.

"This arises from my own personal experience in parades," Westerberg told the House Civil Law and Elections Committee Feb. 23. He said that he would like to hand out candy at parades, but it is currently against state statute. "I do know that there are people who do that anyway. I don't think it is good to put ourselves above the law."

Westerberg's proposal would also address an issue faced by legislators hosting town hall meetings and other gatherings where coffee and cookies are provided.

According to current law, it is OK to provide one or the other. The language would make the practice of serving both at the same time acceptable.

The bill was laid over for possible inclusion in the committee's omnibus elections bill.

Sen. Michael J. Jungbauer (R-East Bethel) is the sponsor of a companion bill, SF960. It awaits action in the Senate Elections Committee.



For information on HF936 that would make it easier for journalists to access polling places go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.

## EMPLOYMENT



### Wage modification doesn't prevail

Union employers wanting to see employee overtime pay modified were dealt a blow when the House Commerce and Financial Institutions Committee failed to adopt HF536.

Rep. Paul Marquart (DFL-Dilworth), sponsor of the bill, said the proposed exception to overtime requirements would allow employees who work on out-of-town state projects to spend more time with their families. There is no Senate companion bill.

"This really is an employee- and family-friendly bill," Marquart said during the Feb. 22 meeting.

Under the Minnesota prevailing wage law, employers must pay employees 1.5 times the prevailing hourly wage rate for hours worked in excess of eight hours a day and 40 hours a week. Federal law requires overtime pay after 40 hours a week, but has no daily limit.

The bill would allow employers to reschedule up to four hours of work that's scheduled for one day of the week for another day within the

same week at the same pay rate rather than the overtime rate. Rescheduling the hours would only be permissible when unfavorable weather conditions prevent the work from being done.

An exception would apply to employees working on highway projects outside the seven-county Twin Cities metropolitan area.

Marquart said the bill would give contractors scheduling flexibility without having to pay the overtime rate. For example, if employees didn't work four hours on Wednesday because of a rain delay, they could make up the four hours on Thursday at the straight pay rate.

That flexibility would allow employees to spend their weekends with their families rather than working to make up for time lost as a result of bad weather, Marquart said.

Mark Sellin, president of Sellin Brothers Inc. in Hawley, said the bill would allow contractors to schedule five days of work in four days without having to pay as much overtime.

Rep. Tom Rukavina (DFL-Virginia) spoke in opposition to the bill. He said people in the labor movement fought too hard for overtime pay to give it up.

### Crime victim protection

After her 12-year-old daughter, Cally Jo, was murdered in their Waseca home in 1999, Connie Larson was able to take time off without pay from her job as a social worker to assist with the investigation and to grieve.

But later when a suspect was charged with the crime and the court process began, Larson's employer was reluctant to give her time off and Larson felt her job was threatened.

Through her connections with the state Attorney General's office and the Bureau of Criminal Investigation, Larson was able to get the time off she needed. "If I didn't have connections as a crime victim, this would not have had a favorable outcome for me," Larson told the House Public Safety Policy and Finance Committee Feb. 17.

"In current law, the only time that employees are protected from employer retaliation is if they are subpoenaed to testify in court," said Rep. Michael Paymar (DFL-St. Paul), who is sponsoring HF443.

The bill would extend the same protection to victims and to next of kin of victims of heinous crimes, such as murder, and also for victims of domestic abuse so they could attend court proceedings.

The penalty would be a misdemeanor charge and also open the door for civil remedies to recover back pay. The committee held the bill over for possible inclusion in its omnibus bill.

"Sometimes trials for heinous crimes can become quite lengthy," said Rep. Scott



Newman (R-Hutchinson). “For an employee to take time off even without pay could become a real burden on an employer to have an employee gone for an extended period of time. Is there any protection at all for employers under those circumstances?”

“We tried to balance, as best we could, with language requiring employees to give reasonable advance notice and provide verification for being absent,” responded Paymar. “I don’t disagree this could be problematic in certain circumstances. I would add this is really a small consideration to victims of crime, as well as family members who have had children or other family members killed.”

Paymar had wanted to take an even broader approach.

For example, he said Illinois has an economic security and safety act to protect victims and families. It allows for unpaid leave of up to one year. “In Minnesota now, there is no way victims or their families can protect themselves from employer retaliation,” he said.

There is no companion bill in the Senate.

## ★ ENVIRONMENT

### Clean water legacy

The best science indicates that Minnesota could have 10,000 polluted water bodies by the end of the decade, according to Pollution Control Agency Commissioner Sheryl Corrigan.

There are already 2,000 bodies of water on the impaired waters listing, and only 14 percent of the lakes and 8 percent of the streams have been assessed so far.

A bill (HF826), sponsored by Rep. Dennis Ozment (R-Rosemount), aims to thwart the moniker Land of 10,000 *Impaired* Lakes.

The purpose is to “protect, restore, and preserve the quality of Minnesota’s surface waters by providing authority, direction, and resources to achieve and maintain water quality standards for surface waters” as required by the federal Clean Water Act.

The so-called Clean Water Legacy Act would establish both a policy framework and a funding mechanism to deal with the growing problem of impaired waters.

The House Environment and Natural Resources Committee began reviewing the proposal Feb. 22. No action was taken, but future meetings are planned on the topic.

Federal law requires states to identify surface waters that don’t meet certain water quality standards, compile a document known as a “TMDL report” that determines the pollution sources and the amount of cleanup needed to

restore the waters and then make “reasonable progress” toward restoration.

The 2003 Legislature ordered the Pollution Control Agency to meet with water quality stakeholders — conservation organizations; local, state, federal, and tribal officials; farmers; business owners; builders; environmental organizations and others — and report back with a policy framework and financing ideas.

Out of this broad, diverse coalition came recommendations that are incorporated in the bill.

The “elegant policy framework” set forth in the bill would streamline the efforts of all levels of government involved in water quality management, said Clean Water Action Midwest Regional Director Marie Zellar, “There’s a real problem of, ‘Who do you go to for what?’ ... It’s confounding for citizens. It divides our resources, divides our attentions.”

What’s unique about the approach under the bill is that it comes down to the community level, she said. “What these community leaders need is they need the resources.”

A companion bill (SF762), sponsored by Sen. Dennis R. Frederickson (R-New Ulm), awaits action in the Senate Environment and Natural Resources Committee.

### Spirit of conservation

The spirit of the Civilian Conservation Corps, a Depression-era public works program initiated by President Franklin D. Roosevelt, is still alive in Minnesota. It’s

operating these days as a private, non-profit organization with limited state support.

The Minnesota Conservation Corps is a public service organization that provides young men and women between the ages of 15 and 24 with practical outdoor work experience protecting and enhancing the state’s natural resources.

In his fourth week as the executive director of the program, former Sen. Len Price presented his case for continued state support at current levels to the House Agriculture, Environment and Natural Resources Finance Committee Feb. 17. The request will be considered for possible inclusion in the committee’s omnibus environment finance bill.

Committee Chair Rep. Dennis Ozment (R-Rosemount) is sponsoring a bill (HF1089) that would direct \$3.5 million to the corps in fiscal years 2006-07.

A companion bill (SF771), sponsored by Sen. Dallas C. Sams (DFL-Staples), awaits action in the Senate Finance Committee.

Gov. Tim Pawlenty has recommended \$980,000 in state support from the Natural Resources Fund — a 42 percent decrease from the current biennium. The governor would eliminate any General Fund support.

“I learned a long time ago that if you don’t ask you don’t even get considered,” Price said. “I’m here to ask you to try to do better than the governor’s recommendation of just the dedicated fund dollars.”

Program officials shared a PowerPoint presentation featuring a number of lively corps

### OWLY DISPOSITION



PHOTO BY ANDREW VONBANK

As part of the Minnesota Zoo’s Feb. 22 budget presentation, Kevin Wier, supervisor of the Zoomobile program at the Minnesota Zoo, shows off Annie, a great horned owl, to the House Agriculture, Environment and Natural Resources Finance Committee.

members working and camping at different sites around the state.

"Housing? It's not the Ritz. They're in bunks, they're in bug nets, they love it," said Rolf Hagberg, corps development director.

## ★ GOVERNMENT

### Electronic meetings

If state boards and councils can do business using interactive television, why not the House?

While this is not the intent of HF944, sponsored by Rep. Tom Emmer (R-Delano), Rep. Nora Slawik (DFL-Maplewood) raised the question during discussion of the measure that would allow certain government entities to meet electronically. Heard Feb. 23 by the House Civil Law and Elections Committee, the bill was approved and referred to the House Commerce and Financial Institutions Committee.

Emmer explained that some state boards and councils currently meet electronically under certain conditions that are acceptable according to the state's Open Meeting law.

The bill would extend the option to several others under the jurisdiction of the Department of Employment and Economic Development: the Agricultural and Economic Development Board, the Small Business Development Center Advisory Board, Minnesota Job Skills Partnership Board, the Governor's Workforce Development Council, the Urban Initiative Board and the Explore Minnesota Tourism Council. The boards could only meet by telephone or other electronic means if interactive television is not available and if other specified requirements are met.

"This idea is to make these boards more accessible to people in outstate Minnesota," said Emmer. One of the issues that people face when serving on the boards is the travel distance, plus overnight accommodations, he said.

"Occasionally a legislator can't make session. Would you be in favor of lawmakers voting by interactive TV?" asked Slawik. "If there was some kind of emergency, we might want to think about something like that. It's interesting to think about being anywhere and being able to vote."

Mark Anfinson, attorney for the Minnesota Newspaper Association, was concerned about amendment language referring to "other electronic means."

"We do think there is the opportunity to authorize an e-mail meeting," he said, but added that some of the requirements set out in the language would make that difficult.

A companion bill, SF853, sponsored by Sen. David H. Senjem (R-Rochester), awaits action in the Senate State and Local Government Operations Committee.



For information on a bill (HF1036) dealing with some "housekeeping issues" regarding administrative hearings, go to the Session Weekly EXTRA page at: <http://www.house.mn/hinfo/swx.asp>.

## ★ HEALTH

### Health options

Current and former legislators have a unique health care insurance benefit; they can opt in or out of the state health plan at any time.

The House Governmental Operations and Veterans Affairs Committee on Feb. 22 heard HF913, sponsored by Rep. Michael Beard (R-Shakopee), which would restrict the benefit available to legislators, along with providing retired state employees more options for health care.

The bill was voluntarily laid over by Beard for changes with the expectation it will be brought up at a later date. There is no Senate companion.

"At any point going forward in the future ... I could chip a tooth, pick up the phone and call (the Department of Employee Relations) and pay my monthly premium for my dental bill, go get my teeth fixed and then the next month not pay the premium," explained Beard.

With that option for legislators, "premiums skyrocket ... and those costs are spread across a smaller group," testified Elizabeth Houlding, director of the insurance division with the Department of Employee Relations. Currently the monthly premium cost is \$368 per individual for retired legislators.

Under the bill, legislators would have a time limit in which to purchase the insurance. Once past the effective date, the purchasing option would no longer be available.

"This is one of the few things that is left when we leave this place because the pension isn't worth a hill of beans ... it's almost insulting to every legislator. It tells us that we have no value and we shouldn't be paid," said Rep. Tim Mahoney (DFL-St. Paul). He said he would be voting against any form of the legislation.

Under the bill, the Department of Employee Relations would also be required to offer an alternative to the current more costly health plan to state retirees. Many are finding the yearly increase in premiums is a cost they can't afford, and requested that the state offer a choice of plans.

"What we currently have is an expensive plan and it is becoming too expensive for many to continue in it," said Houlding.

### Smokers could offset state costs

Cigarette prices could increase to offset some state costs under two bills presented to the House Health Policy and Finance Committee Feb. 22.

HF1168, sponsored by Rep. Tim Wilkin (R-Eagan), and HF1169, sponsored by Rep. Fran Bradley (R-Rochester), would use cigarette excise tax money to offset Minnesota Comprehensive Health Association deficits and revenue losses that will result from conforming to federal health savings accounts. In each case \$210.31 million would be appropriated to the commerce commissioner to pay for the estimated association deficit in the next biennium.

Each bill would make structural changes in the association and eliminate its assessment on health insurance, and conform the Minnesota income tax to federal tax treatment of health savings accounts.

Wilkin's bill would increase the cigarette tax by 54 cents to \$1.02 a pack. Bradley's bill would raise the tax to \$1.47 a pack and use some of that money to eliminate the premium tax on health insurance.

"I don't think there will be another initiative this session, no matter what we do, that will bring more immediate money to the table to reduce health care costs," Bradley said.



PHOTO BY ANDREW VONBANK

**Phil Stalboerger, left, legislative affairs director for Blue Cross Blue Shield of Minnesota, and Dr. Marc Manley, executive director of the Center for Tobacco Reduction and Health Improvement at Blue Cross Blue Shield, testify before the House Health Policy and Finance Committee Feb. 22 in support of a bill that would increase the cigarette tax.**

He said current health care taxes have an “incredible unfairness” to small businesses because they pay taxes that large self-insured employers are exempt from because they are self-insured and regulated by federal law.

The savings in insurance premiums would be passed along to consumers, benefiting small businesses and their employees, Bradley said.

“This is going to help some people hang onto their health insurance,” said Mike Hickey, state director for the National Federation of Independent Business.

Julie Brunner, executive director for the Minnesota Council of Health Plans, echoed the message of other testifiers by saying that raising the cost of cigarettes would dissuade people from starting to smoke and help current smokers quit.

“We think that will be worth the effort,” Brunner said.

Rep. Barbara Goodwin (DFL-Columbia Heights) opposed both bills, saying they would not necessarily lower premiums or help the uninsured. She also said insurance companies may not pass the savings along to customers, but instead use the money to increase their profits.

Both bills passed and were referred to the House Commerce and Financial Institutions Committee. Neither has a Senate companion bill.

## HUMAN SERVICES

### Nursing home moratoriums sought

Nursing home projects in two counties could receive moratorium exceptions that would allow for the building or relocation of facilities.

The House Health Policy and Finance Committee heard bills Feb. 23 that would grant the exceptions to nursing homes in Wadena and Otter Tail counties. The committee held over both bills for possible inclusion in its omnibus bill.

A construction moratorium was imposed by the state several years ago to help control health care costs.

HF1082, sponsored by Rep. Dean Simpson (R-New York Mills), would allow for the licensing and certification of 23 beds in a locked dementia unit at a 100-bed facility in Wadena County. The beds would be relocated from a nursing home to an attached hospital. A similar bill was proposed last session.

“We have a need to provide more service,” Simpson said. “This is an important part of our health care system.”

Rep. Bud Nornes (R-Fergus Falls) is sponsoring HF1058 that would extend a moratorium exception for an additional 24 months

## AZTEC DANCE



PHOTO BY ANDREW VONBANK

**Charlie Quiros, St. Paul, and other members of Danza Mexico Cuahtemoc perform a percussive Aztec dance to open Youth Intervention Programs Day at the Capitol Feb. 17.**

for a nursing facility in Otter Tail County. The health commissioner initially approved the exception on Dec. 20, 2002.

The bill would affect the Broen Memorial Home in Fergus Falls and the Perham Memorial Hospital and Home in Perham. The extension would not significantly increase the costs of the projects, but would change the timing of the expenses.

Senate companion bills (SF1043 and SF1118), sponsored by Sen. Dallas C. Sams (DFL-Staples) and Sen. Cal Larson (R-Fergus Falls), respectively, await action in the Senate Finance Committee.

### Metro rates mean more money

Some nursing home facilities outside the Twin Cities metropolitan area could see the playing field leveled when it comes to reimbursement rates.

Two bills heard by the House Health Policy and Finance Committee on Feb. 23 would allow certain facilities in Chisago and Rice counties to receive the higher reimbursement rates given to nursing homes in the metro area.

Rep. Ray Cox (R-Northfield) is sponsoring HF745 that would consider nursing home facilities in Rice County, located within two miles of Scott or Dakota counties, to be considered metro. The bill would affect two facilities located in Northfield.

Having the metro rate rather than the non-metro rate would increase state reimbursements

by approximately \$5 per resident per day, said Pat Vincent, CEO of Three Links Care Center in Northfield. The money would help the facilities offer competitive wages and maintain its labor force, she said.

“We are unable to compete in our area,” Vincent said.

Rep. Peter Nelson (R-Lindstrom) is sponsoring HF337 that would provide the metro rate to all facilities in Chisago County. Nelson said Chisago is one of the fastest growing counties in the country and it’s no longer a rural area.

Under both bills, the metro designation would apply only if it results in a higher level of reimbursement. The bills would not give authority to create rate increases.

Both bills were held over for possible inclusion in the committee’s omnibus bill.

The Senate companion for Cox’s bill (SF954), sponsored by Sen. Thomas M. Neuville (R-Northfield), has been referred to the Senate Health and Family Security Committee. The companion for Nelson’s bill (SF506), sponsored by Sen. Sean R. Nienow (R-Cambridge), has been referred to the Senate Finance Committee.

## INSURANCE

### Flexible plans for small employers

Small employers could have more health plan options under a bill that would exclude or modify benefits otherwise mandated by state law.

Rep. Tim Wilkin (R-Eagan) is sponsoring HF588 that would permit flexible benefit plans for small employer group health coverage. The small employer designation is for companies with two to 50 employees.

Wilkin told the House Commerce and Financial Institutions Committee Feb. 23 that Minnesota leads the nation in the number of health insurance mandates, with more than 60.

He said the mandates increase the cost of basic health coverage by 30 percent to 50 percent. The bill would not exclude federal mandates.

The bill would allow small employers the flexibility to tailor their plans, Wilkin said, adding that it will also help the uninsured afford health care insurance.

"This will go a long way toward helping companies choose the coverage they have," he said. "This is one tool in the toolbox for employers."

Several other states have, or are considering, these health plans for small employers, he said.

The bill was approved and referred to the House Health Policy and Finance Committee. It has no Senate companion.

## ★ LOCAL GOVERNMENT

### Fee increases

Fees may be rising for real estate recordings and registrations by counties under a bill approved by the House Local Government Committee Feb. 21.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF358 would change the current fee of \$1 per page, with a minimum of \$15, to a flat fee of \$40 for indexing and recording deeds. Also, the maximum fee for abstract titles would increase from \$5 to \$10, abstract certificates from \$50 to \$100, and the minimum fee for filing an amended floor plan for a multi-unit building from \$30 to \$50.

The changes "create consistency" for customers, said Kay Wrucke, Martin County recorder. The last fee increase was in 1991 and they have not kept up with the services counties provide, she added.

The bill now goes to the House Jobs and Economic Opportunity Policy and Finance Committee.

A Senate companion (SF267), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Finance Committee.

Also sponsored by Ruth and Murphy, HF357/SF262\* was approved by the committee and now goes to the House floor.

The bill makes technical changes to language as it relates to county recorders.

The Senate version of the bill was passed Feb. 14.



For information on a bill (HF295) that would increase the number of seats on the Minneapolis School Board, go to the Session Weekly EXTRA at: <http://www.house.mn/hinfo/swx.asp>.

## ★ MILITARY

### Veterans' license plates

Soldiers having served in Iraq may have the choice of a new license plate with the decal of the Global War on Terrorism Expeditionary Medal, and choice of: Iraq War Vet, Afghan War Vet, or GWOT (Global War On Terror) Veteran.

HF171, sponsored by Rep. Bruce Anderson (R-Buffalo Township), establishes the new plate. It was approved by the House Governmental Operations and Veterans Affairs Committee Feb. 23 and referred to the House Transportation Committee.



PHOTO BY TOM OLMSCHIED

**Minnesota National Guard Spc. Adam Temperly testifies Feb. 23 before the House Governmental Operations and Veterans Affairs Committee for a bill that would authorize Global War on Terrorism veteran's license plates. Rep. Bruce Anderson holds an example of the plate.**

The plate is one way for soldiers to be "recognized for their duty," said Anderson.

Motorized vehicles and motorcycles would be able to have the plates. Currently, only Vietnam Veteran license plates are available for motorcycles.

"There is a sense of pride when you have something like that," just like when a soldier puts on their uniform, testified Capt. Daniel Hingst of the Army Reserve.

Those who qualify for the plate include National Guard and Reserve members who earned the qualifying military medal for airport security duty under presidential orders, and those who have earned veteran status, including soldiers that have served on active duty consecutively for 181 days.

A companion bill, SF605, sponsored by Sen. Michael J. Jungbauer (R-East Bethel), awaits action in the Senate Transportation Committee.

## ★ RECREATION

### Complement not compete

It's been more than 30 years since the Legislature recognized that the pressure of urbanization was threatening recreational open spaces in the Twin Cities metropolitan area.

Under the 1974 Metropolitan Parks Act, the Metropolitan Council was charged with organizing cities, counties and special park districts to acquire and manage parks and trails that, along with state parks and trails, would meet the outdoor recreational needs in the metro area.

Under Gov. Tim Pawlenty's budget recommendation for fiscal years 2006-07, the Metropolitan Regional Parks System, through the Metropolitan Council, would receive \$14.9 million in state support. The House Agriculture, Environment and Natural Resources Finance Committee reviewed the proposal Feb. 22.

The level of funding in the governor's recommendation would cover 9.8 percent of the parks' operating costs, said Arne Stefferud, Metropolitan Council parks planning analyst. The other 90.2 percent would be picked up at the local level through property taxes and park user fees.

"We are not trying to compete with the state parks system but we are trying to complement it in the metropolitan area," Stefferud said.

Today, the metro parks system consists of 52,000 acres, including 46 regional parks and park reserves and 22 regional trails, and serves an estimated 30.5 million annual visitors, Stefferud said. The breakdown of visitors by origin is 58.9 percent local (meaning people who live within a park agency's taxation jurisdiction), 34.5 percent non-local, 3.4 percent

from outside the state and 3.2 percent from outside of the metro area.

The parks are owned, operated and maintained by Anoka, Carver, Dakota, Ramsey, Scott and Washington counties; the Three Rivers Park District; the cities of Bloomington and St. Paul; and the Minneapolis Park and Recreation Board.

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

### Happy campers

Camping on the fairgrounds is part of the Minnesota State Fair experience for some people, right up there with Pronto Pups and mini-donuts.

A brouhaha erupted in 2004 after the fair announced an end to public onsite camping because the Department of Health had determined, among other reasons, there was not enough space between campsites. The fair and the department reached a compromise and a reduced number of sites were available, but only for the 2004 fair.

A bill (HF1104), sponsored by Rep. Marty Seifert (R-Marshall), would permit public camping on the fairgrounds with the same number and size of campsites that were allowed in 2004.

The House Agriculture and Rural Development Committee approved the measure Feb. 23.

It now moves to the House Health Policy and Finance Committee.

The fair supports the bill, said Minnesota State Fair Assistant Manager Steve Pooch. He has been there about 35 years, he said, and there have been no incidents in campgrounds or overnight parking areas.

"The department is not opposed to camping at the state fair, nor do we want to get rid of camping at the state fair, but at the same time there are rules in place that we have to enforce and we need to be as consistent as possible," said former Rep. Doug Stang, who now is a Department of Health assistant commissioner.

Under the bill, as amended, the fair must operate a camping area on the fairgrounds. Camping would be allowed under the following conditions:

- RVs and tents must be separated from each other and from other structures by at least 7 feet;
- a minimum area of 300 square feet per site must be provided; and
- each site must face a driveway with unobstructed access to a public roadway.

"My argument was as long as you can get fire and emergency vehicles in and the people are happy, 7 feet or 6 feet is fine," Seifert said. "If we went to these really stringent regulations

that are in rules right now we would have just started crowding out more and more sites. We already gave up over 100 sites last year and I just don't want to give any more up."

A companion bill (SF1031), sponsored by Sen. Paul E. Koering (R-Fort Ripley), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

## SAFETY

### Extinguishing costs

If the car of a motorist passing through one of Minnesota's townships or small cities catches fire, the local fire department dutifully responds. But the department may have a hard time recouping its costs for providing the service.

A bill (HF210), sponsored by Rep. Greg Blaine (R-Little Falls), would change that requiring the state to reimburse local fire departments up to \$300 per call under certain circumstances.

The Twin Cities suburb of Vadnais Heights is hit hard with this problem. Its fire department is responsible for 7.5 miles of interstates 694 and 35E. Fire Chief Ed Leier told the House Transportation Finance Committee on Feb. 17 the city spends \$37,000 a year on extinguishing car fires.

Under the bill, towns that have not been reimbursed, either by the individual or the motorist's insurance company, can put a charge on the person's property tax bill.

If the fire department has no option for reimbursement, the bill would require the state to reimburse local fire departments, with the money coming from a revolving account in the General Fund. Payments from people who had car fires extinguished would be placed in the account.

Rep. Ron Erhardt (R-Edina) took issue with the proposed payments, pointing out that at Hennepin County Medical Center in Minneapolis, people from all over the state are treated. Some are unable to pay, so the county does not get reimbursed.

The measure was tabled and Committee Chair Rep. Mary Liz Holberg (R-Lakeville) said staff members would work with Blaine to clarify the language in the bill.

A companion bill, SF344, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate State and Local Government Operations Committee.



For information on a bill (HF465) that would make it a misdemeanor to interfere with paramedics who are working at the scene of an emergency, go to the Session Weekly EXTRA at: <http://www.house.mn/hinfo/swx.asp>.

## TAXES

### A fairer tax system

An overhaul of the state tax system that would impose higher individual income taxes on high earners and lower taxes on businesses might make the tax system fairer and could raise more money.

A presentation on doing that was made to the House Taxes Committee Feb. 23 by Growth and Justice, a St. Paul organization that tries to foster the achievement of economic growth and justice.

Joel Kramer, the organization's executive director, said there is pressure to invest more money in public projects, and state and local governments habitually agonize over how to raise money.

He presented three possible new models for taxation: restructuring and rebalancing, which would not bring in any more money, and reinvesting, which would bring in \$1 billion more.

Under restructuring, 25 percent of taxpayers would pay more and 75 percent would pay less, providing \$375 million to the state. The corporate income and sales taxes would be eliminated on most purchases, and a 2.5 percent business flat tax would be placed on business activity. That would result in a \$375 million loss.

The consumer sales tax would be expanded to include services, household goods and clothing. Kramer said it's unlikely the organization would ever recommend a tax on food because it's a regressive tax.

Under rebalancing, a new top bracket would be at a 9 percent rate. Itemized deductions would be limited to \$100,000, and income from municipal bonds would be taxed. This would be expected to bring in \$375 million.

The corporate income tax rate would be lowered, as would the sales tax rate on business declines, a loss of about \$375 million. Also, the sales tax would be expanded to include most services, except health care, but the rate lowered from 6.5 percent to 5.3 percent.

Under reinvesting, a more aggressive form of the adjusted gross income would be used, so that 25 percent of people would pay more and 75 percent would pay less. Local governments would be allowed a tax option, or surtax. If three-fourths of local governments used the surtax, it is expected that \$772 million would be raised, Kramer said. Businesses would have a lower tax rate, but consumers would have to pay a tax on most services. The rate would be 5.75 percent. Those shifts would offset.

### Moving?

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PHOTO BY TOM OLMSCHIED

The House capital investment bill includes \$3.8 million for two projects at St. Cloud State University, including \$2.9 million to finish converting Centennial Hall from a library to classrooms and office space.

# Perseverance pays off

## House bonding bill includes money for Northstar commuter rail

By Mike Cook

**N**ine months after last session ended without the passage of a capital investment bill, the House passed another measure Feb. 22.

The bill calls for slightly more than \$811.8 million in spending, in areas from agriculture to zoos. After nearly three hours of debate, the measure passed 121-12. The Senate-approved bill (SF1) calls for almost \$1.04 billion in spending. The governor's proposal is \$811.05 million. A conference committee is expected to work out the differences.

"We've brought balance to this bill: metro, rural, suburban, urban, DFL, Republican," said Rep. Dan Dorman (R-Albert Lea), sponsor of HF3. "I think it's a very prudent bill and comes in parallel with the governor. It's very affordable at this time."

But House Minority Leader Matt Entenza (DFL-St. Paul) said it is not large enough. He said Senate Democrats and Republicans, and House Democrats believe the bill should be in the \$975 million range, which would then

fully fund the Northstar commuter rail line and contain money for planning the Central Corridor transitway between the downtowns of Minneapolis and St. Paul.

The governor and Senate recommend \$37.5 million for the Northstar project; the House \$10 million. The Senate bill calls for \$5.25 million for the corridor, the House \$1 million and the governor proposes zero.

"As stewards of the state credit card, we need to be very prudent," said House Majority Leader Erik Paulsen (R-Eden Prairie). "It's not possible to include every member's project without overspending the limit on the credit card."

Rep. Phil Krinkie (R-Shoreview) expressed concern about the state jeopardizing its AAA bond rating and that the bill calls for \$180 million more in net general obligation spending than last year's bill. "The fastest growing portion of the state budget is debt service. If you vote for this bill you increase the amount of debt service \$55 million. You move it from 22 percent of the state's increase in spending to 31 percent. It will pale in terms of

the percentage increase of the state budget to health care, education, corrections, etc..."

"Rep. Dorman I think you're going to go out of here with a big group hug," Rep. Tom Rukavina (DFL-Virginia) said, even though he was disappointed with some of what didn't make it into the bill. "It can come back a lot better than it's leaving here."

Entenza said more than \$55 million in projects for northwest Minnesota that were in last year's bill are not in the 2005 version.

### Transportation

"I think this is one of the highlights of our bill," said Dorman, noting that \$50 million is appropriated for local bridge replacement, \$12.5 million for local road improvement grants and \$10 million for the Northstar commuter rail.

Also included is \$10 million for a Cedar Avenue bus rapid transit plan, \$1 million for design of the central corridor and \$500,000 each for the Red Rock Corridor in the southeastern part of the Twin Cities



metropolitan area and the Rush Line Corridor from Hinckley to St. Paul.

Entenza said the central corridor money would not be enough to get needed federal matching money to help with the planning.

“Between those appropriations and the Department of Transportation, I think the bill is very heavy in infrastructure — in transportation projects that I think will help get our state moving forward.” Dorman said.

Much of the floor debate centered on the Northstar commuter rail line that would run from downtown Minneapolis to Big Lake.

“Thank you for funding the Northstar corridor,” said Rep. Barbara Goodwin (DFL-Columbia Heights). “This is the first bonding bill I’ll be able to vote for.”

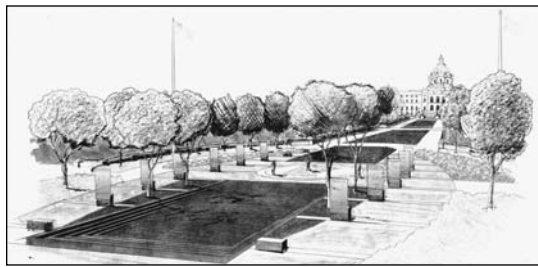
Rep. Mark Olson (R-Big Lake) went 0-for-3 on his transportation-related amendments.

One would have required that federal funds earmarked for the Northstar commuter rail, that he estimates exceed \$250 million, be instead put toward express bus systems and that a study be conducted to see if commuter rail or express buses is more effective in relieving corridor congestion.

Rep. Melissa Hortman (DFL-Brooklyn Park) said the purpose of the commuter rail is not just congestion relief. She said federal estimates indicate that 900,000 hours will be saved annually because of the project. “That’s time we can spend with our children at home and at work and not in our cars,” she said.

A second amendment would have required, in part, a referendum be passed by the majority of all voters in all cities voting on the question. The referendum would ask if the city should be permitted to spend local funds on the project.

Also rejected was a plan to require as part of the preliminary engineering for the central corridor project an evaluation of the feasibility of personal rapid transit in the corridor.



**\$670,000 is included in the House bonding bill to complete the World War II veteran’s memorial in the Capitol Complex.**

Illustration courtesy of the Minnesota Department of Veterans Affairs

An amendment by Rep. Ray Vandever (R-Forest Lake) would have eliminated funding for Northstar and, instead, put \$6 million toward local roads projects and \$4 million toward local bridges.

Rep. Margaret Anderson Kelliher (DFL-Mpls) successfully divided the amendment so that the House would have to vote on funding the Northstar project alone. “This amendment is an attempt to gut Northstar out of the bill,” she said. The body overwhelmingly voted to keep \$10 million toward the rail line, after which Vandever withdrew his amendment and one other.

## Education

The bill allocates \$154.76 million to the Minnesota State Colleges and Universities system and \$89.37 million to the University of Minnesota; \$4.2 million for the state academies for the deaf and blind; \$2 million for library capital improvement grants; \$1.08 million for the Perpich Center for the Arts and \$1.05 million for the Crosswinds Arts and Science Middle School in Woodbury.

Entenza expressed concern that the funding for higher education is far lower than the cumulative requested amounts, which total \$450.7 million. “When we don’t take care of

the important needs of higher education, our future investment, our future capital, our future economic growth is put at peril. When this bill comes back we need to make sure that the critical needs for the University of Minnesota are met. We want to make sure our state college and university system has the investment that they need.”

An amendment offered, then withdrawn, by Rep. David Dill (DFL-Crane Lake) would have taken \$3.3 million designated for the acquisition of state park and recreation areas and scientific and natural areas, and instead acquire school trust lands within the two areas.

“They specifically have a purpose to raise money for school kids and to help pay for public education,” he said. “I’m told there are over 50,000 acres of school trust land that is inside state parks and (scientific and natural) areas today that someday need to be purchased, condemned and, in accordance with the constitution, pay the school trust for those lands.”

By law, the state holds the land and accumulated revenues from the land in trust for the benefit of public schools in Minnesota.

“Some of the land is very carefully lumbered so that we are always preserving our asset, but taking the trees that are mature and should be taken,” said Rep. Barb Sykora (R-Excelsior). “There are also some mineral lands where we have some mining going on.” She said it usually brings \$10 million to \$15 million to schools annually. “We aren’t making enough money off our land and we certainly could use it now.”

## Others

- \$113 million to the Department of Employment and Economic Development, including \$20 million for a biotech research facility in Rochester and \$15 million in redevelopment grants;
- \$106 million in corrections, including an expansion of the Faribault facility and money toward a segregation unit at the Stillwater prison;
- \$72.9 million for natural resources, including \$21 million in flood hazard mitigation grants and \$4.85 million for Greater Minnesota regional parks;
- \$15 million to the Minnesota Zoo for asset preservation and the new zoo master plan and new exhibit;
- \$12.6 million for a forensic nursing facility for sex offenders;
- \$10 million for permanent supportive housing loans; and
- \$670,000 to complete the World War II veteran’s memorial in the Capitol Complex.

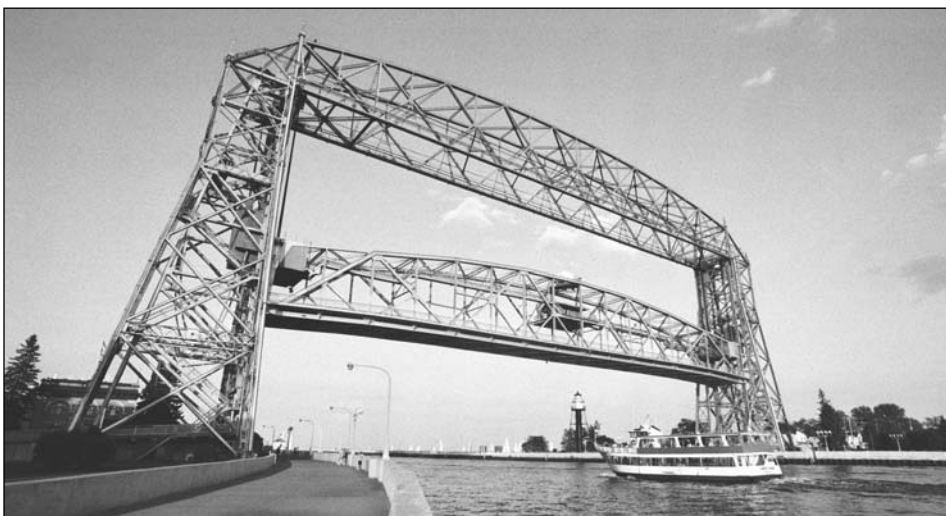


PHOTO BY TOM OLMSCHEID

**Not included in the House capital investment bill, nor the governor’s recommendation, is \$1 million for restoration of the aerial lift bridge in Duluth. The money is in the Senate proposal.**



## Minnesota's growing danger

Meth use has now spread throughout the state

By **BRETT MARTIN**

It's dangerous, addictive and widely available. It has short- and long-term health effects. It's one of the most devastating drugs to hit Minnesota, posing a particular threat to young women and children. The drug is methamphetamine, commonly called meth, and it's now present in all 87 counties in the state.

"This (drug) has an unusual, rapid addiction," Rebecca Kenow, manager for the Minnesota Department of Health, told the House Health Policy and Finance Committee Feb. 17. The committee took no action, and no specific bills on curbing meth use have been heard by the committee. However, seven methamphetamine-related bills await action by the House Public Safety Policy and Finance Committee.

Kenow said meth appeals to young women who use the drug to lose weight. Whereas most illegal drugs have a 2-1 ratio of men users versus women, there are almost an equal number of women using meth as men.

Because most of the ingredients used to make meth are readily available in local hardware stores, such as solvents, liquid drain openers and paint thinner, the drug is easy to make and inexpensive to buy. Recipes for "cooking" meth are easily accessible on the Internet.

The typical Minnesota "cook" is a meth user who makes meth every 24 to 74 hours, makes one ounce per batch and provides meth for one to five people, mostly family and friends, according to the department.

Children are present in 30 percent to 50 percent of the labs where meth is made, putting them at risk of abuse, neglect, poor nutrition and exposure to violence, sexual abuse and pornography, Kenow said.

"It's a toxic soup used to cook the meth," she said. "Kids are being exposed to this whenever the meth is cooked."

The Health Department estimates that 25 percent of meth users are under the age of 16.

Sara Peterson was one of those users.

"I was a hopeless case," she said. Peterson, now 24, lived through seven years of severe meth addiction. In 2002, she overdosed on a mixture of cocaine and meth and had a heart attack.

"I hate meth," she said in passionate testimony before the committee. "I hate what it does to people and families."

Peterson had been to six treatment centers and three psychiatric wards before finding help at Minnesota Teen Challenge, the program she credits for ending her addiction. She has been "clean" for three years and now attends Northwestern College in St. Paul.

"I'm no longer an addict. I'm set free from that," Peterson said, adding that she looks forward to her future.

Kenow said she is seeing second and third generation meth users.

The effects of using the drug include hair loss; tooth and bone loss; cardiovascular

and cerebrovascular damage; damage to the liver, kidneys and respiratory system; neurological damage and psychiatric problems. Chronic usage can cause permanent changes in the brain.

A central nervous system stimulant, chemically similar to amphetamines, meth can be smoked, snorted, injected or ingested. Like other stimulants, meth may increase libido, which is why men use the drug for sexual enhancement, Kenow said.

The use of meth has also been associated with violent behavior and an increase in crime. As Tom Rime, supervisor for Dodge-Fillmore-Olmsted Community Corrections, pointed out, it's much more expensive to incarcerate users in state prisons than to treat and manage them in the community through

**Publicly funded clients who were admitted to a chemical dependency treatment program in 2004.**

Primary substance:	Client count	Percent
Alcohol	5,552	46%
Marijuana	2,607	21%
Methamphetamine	1,887	16%
Crack	1,190	10%
Cocaine	332	3%
Other	375	3%
Heroin	231	2%

Source: Minnesota Department of Human Services

**The percentage of substance abuse, by gender, for public clients receiving treatment in 2003-04**


Primary substance	Male	Female	Total
Alcohol	48.8	41.3	46.4
Marijuana	21.6	16.1	19.8
Methamphetamine	12.1	18.6	14.2
Crack	10.0	12.9	10.9
Other	2.3	5.1	3.2
Cocaine	2.7	3.3	2.9
Heroin	2.6	2.7	2.7
Number of Admissions	29,369	14,055	43,424

Source: Minnesota Department of Human Services

local jails and correctional supervision.

Rime said it costs about \$22,000 to house an inmate for one year. A first offense sentence for manufacturing meth, with no criminal history, can be 86 months in prison at a cost of about \$110,000, not including medical or dental costs. Non-treated offenders re-offend at four times the rate of treated offenders nationally.

By comparison, the Crossroads/Odyssey Program, a collaborative effort between corrections, social services, local jails and community treatment providers, costs \$6,500 per participant for treatment, Rime said.

"This Legislature cannot afford not to fund methamphetamine-specific treatment programs because it can't afford to build enough prisons to manage the epidemic," he said. 

## Power to the people

Bills would let voters decide if casino comes to their cities

By **BRETT MARTIN**

**B**efore a casino can set up operations in a city, it may have to win over the city's residents.

Two bills heard by the Gaming Division of the House Regulated Industries Committee on Feb. 23 would prohibit the location of a state-operated or state-licensed gambling facility in a city unless the city's voters approve the facility in a referendum.

Reps. Ann Lenczewski (DFL-Bloomington) and Ray Vandever (R-Forest Lake) are sponsoring HF463 and HF1208, respectively. Both bills would require voter approval in a general or special election called for that purpose, with the city picking up the expense for the election.

Vandever's bill would exempt racetracks from being considered a gambling facility unless it also conducts casino games. Lenczewski's bill doesn't have the exemption.

Lenczewski said it's important to let the voters decide if a casino can open in their communities because the host towns would be impacted by factors not addressed by the state, such as local costs, congestion and smoking bans.

"A host community would have a long list of issues the state would not consider," she said.

Vandever said the bills are in sync with the governor's pledge that he would not force a casino in any given area.

"In Minnesota, we like to have the people make decisions, and that's what this legislation does," he said.

Although Lenczewski concedes that casinos may be able to sway voters' opinions through marketing blitzes, she said the bills would slow down the process of building a new casino and give legislators time to work out a good deal with the gambling facility.

She points out that the tribal gaming compacts have not been beneficial to the state.

"Let's not rush too quickly to make another bad compact," Lenczewski said.

Currently, there are no legislators stepping forward with bills to bring a casino to their cities or towns, which Lenczewski finds ironic. She said legislators have fought for prisons, nuclear waste and sex offender housing in their districts, but not one representative is courting gambling facilities.

Both bills were held over for possible inclusion in an omnibus bill. A companion for Vandever's bill (SF1106), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Agriculture, Veterans and Gaming Committee. Lenczewski's bill does not have a Senate companion.

The governor's budget proposal called for a \$200 million one-time casino license fee. Under the governor's plan a new casino arrangement,

### Let the duckies race

For years, groups across the state have raised money by racing rubber ducks on Minnesota lakes. However, by doing so, they were violating the law.

But they may not remain that way for long. Rep. Al Juhnke (DFL-Willmar) is sponsoring HF803, that would redefine a raffle under charitable gaming laws to include games in which chances are represented by shares or other certificates of participation.

That modification would make the famed duck races legal. Under current law, raffles require tickets.

On Feb. 23, the Gaming Division of the House Regulated Industries Committee heard, and occasionally jeered, a bill that would legalize the rubber duck races. It was held over for possible inclusion in an omnibus bill.

A companion bill (SF759), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

(B. Martin)

which could include a partnership with interested tribes, is expected to generate more than \$100 million in state revenues beginning in 2008.

Although net revenues at Minnesota tribal casinos are unknown since casinos don't have to disclose them, they have been estimated to be between \$1 billion and \$2 billion a year, according to the Minnesota State Lottery. Illegal gambling in Minnesota is estimated to be in excess of \$2 billion annually.

A 2004 survey conducted by the Minnesota State Lottery and St. Cloud State University found that 83 percent of adult Minnesotans had gambled during the previous year, and an additional 11 percent had gambled at some point in their lives.

According to the survey, the average Minnesotan has bet on six different gambling activities in his or her lifetime and three within the past year. The state lottery was the most popular form of gambling with 60 percent of the state's adults having purchased a lottery ticket in the year prior to the survey.

Legal gambling in Minnesota includes charitable gambling, pari-mutuel horse racing, the state lottery, card rooms and tribal casinos. Utah and Hawaii are the only states that do not have some form of legal gambling.



PHOTO BY TOM OLMSCHIED

**A pair of bills would require voter approval before a state-operated or state-licensed gaming facility could open in a city.**

# A call to public service

Emmer takes time to know the people and the process

By BRETT MARTIN

When Rep. Tom Emmer (R-Delano) moved just west of the Twin Cities metropolitan area after graduating from law school in 1988, he had



Rep. Tom Emmer

no idea the move would lead him into politics. In fact, he purchased the Old Shady Beach Resort Hotel, the last privately owned resort in Hennepin County, to enjoy rural life.

"I wanted to go somewhere where I could hunt in the front yard and fish in the backyard," he said.

The country didn't stay country for long. Developers came to Independence to start building, and a new road was slated for construction in front of Emmer's home. This called for removing 300-year-old trees. Emmer contacted the mayor and saved the trees

the night before they were to be cut down.

"That's the way the process is supposed to work," he said. "Then the public service part took hold of me."

The call to public service prompted him to run for city council. He served eight years on the Independence City Council and then moved up the road to Delano, where he served another two years before being elected to the House.

His city council experience gave him firsthand knowledge of the needs and expectations of the people he now represents. Because the area is experiencing rapid growth, Emmer said constituents are looking for a better transportation system.

"The city is exploding, so the issues we're facing at home and the issues we're facing here are the same," he said. "The transportation infrastructure needs serious consideration. There are a lot of people moving into the area, and they need to be able to get around. They

2002 Population: 36,729

Largest city: St. Michael

Counties: Hennepin and Wright

Top concerns: Education, transportation

## DISTRICT 19B

***"The transportation infrastructure needs serious consideration. There are a lot of people moving into the area, and they need to be able to get around. They need access."***

— Rep. Tom Emmer

need access."

Emmer serves on the House Civil Law and Elections, Ethics, Health Policy and Finance and Regulated Industries committees.

"What I'd prefer to do, as a new legislator, is to get my feet on the ground and learn as much as I can about the people and the process," he said.

A trial attorney, Emmer compares serving as a new House member to serving on a jury. "You want to get all the information, get the facts, then make an informed decision," he said.

# A solid foundation

Hosch uses business, local government background

By MATT WETZEL

Rep. Larry Hosch (DFL-St. Joseph) ran for the House because he believes some members of the Legislature had grown shortsighted.



Rep. Larry Hosch

"I was frustrated with some of the things that were happening," he said. "There were many cuts that saved money in the short-term but didn't look to the long-term implications."

Hosch, who co-owns a home construction and remodeling business, is one of the youngest House members at age 27, but is not short on experience, having served as mayor of St. Joseph for four years. Despite working hard at his business and being involved in the community, some residents didn't take him seriously because of his youth.

"I wanted to make St. Joseph my home," he said. "I was tired of complaining."

He sees education funding, paying for health care and jobs as the key issues facing his district.

"We have schools in the state that have declining enrollment. Operating referendums just aren't working. We need the state to step in," he said. Voters in the Rocori School District rejected three different levies, and now a fourth-grade class there has 33 children. He believes schools should be better supported by the state so students have equal access and equal opportunity.

Like children learning to play together, Hosch said legislators must do the same. If he could have offered the first bill of the session, it would reflect that value. "A mandate that we all have to work together," he said. "There's so many things that I want to do."

Hosch has to balance two messages in his

2002 Population: 36,834

Largest city: St. Joseph

County: Stearns

Top concerns: School funding and health care

## DISTRICT 14B

***"We have schools in the state that have declining enrollment. Operating referendums just aren't working. We need the state to step in."***

— Rep. Larry Hosch

district, with the St. Cloud area "exploding," but the western half being predominantly rural.

Rural Minnesota and its needs are crucial, but sometimes rural folks have a hard time getting together and presenting a united front, he said. "I think really the most important area we have to deal with is jobs."

Hosch serves on the House Governmental Operations and Veterans Affairs, Local Government, and Rules and Legislative Administration committees.

## Monday, February 21

### HF1152—Ruth (R)

#### Transportation Finance

Transportation, Metropolitan Council and public safety activities funding provided; vehicle registration and transfer tax and fee provisions modified and money appropriated.

### HF1153—Hausman (DFL)

#### Transportation Finance

Crosswalk safety education account established and money appropriated.

### HF1154—Emmer (R)

#### Civil Law & Elections

Uniform Environmental Covenants Act adopted.

### HF1155—Davids (R)

#### Taxes

Chatfield tax increment financing district authorized to capture the state general tax.

### HF1156—Powell (R)

#### Public Safety Policy & Finance

State Patrol vehicle automatic external defibrillators funding provided and money appropriated.

### HF1157—Penas (R)

#### Health Policy & Finance

Medical Assistance swing bed services requirements modified.

### HF1158—Buesgens (R)

#### Local Government

Municipal liquor stores banned and cities required to divest themselves of existing stores by Jan. 1, 2006.

### HF1159—Emmer (R)

#### Civil Law & Elections

Uniform Mediation Act adopted providing for mediation of disputes.

### HF1160—Otremba (DFL)

#### Agriculture & Rural Development

Pesticides application information access expanded.

### HF1161—Huntley (DFL)

#### Health Policy & Finance

Credentialed health occupations penalty fees established.

### HF1162—Finstad (R)

#### Health Policy & Finance

Hospital and clinic grant programs modified and community health center program eliminated.

### HF1163—Ruud (DFL)

#### Regulated Industries

Eden Prairie on-sale liquor license authorized for a caterer for use in connection with city-owned premises.

### HF1164—Gazelka (R)

#### Transportation

Passing of a parked emergency vehicle provisions modified to include requirement to slow down and when possible to provide one full lane of separation.

### HF1165—Seifert (R)

#### Governmental Operations & Veterans Affairs

Terminated state employee data access preserved, ombudsman for state employee whistle-blower investigations established, retaliation against public employees who report waste or mismanagement prohibited and case hearing access provided.

### HF1166—Erickson (R)

#### Education Finance

Library and library programs funding provided and money appropriated.

### HF1167—Abeler (R)

#### Education Finance

Adult basic education formula modified, grants awarded and money appropriated.

### HF1168—Wilkin (R)

#### Health Policy & Finance

Minnesota Comprehensive Health Association structure modified, cigarette tax increased, health savings account federal conformity provided, health association assessment repealed and money appropriated.

### HF1169—Bradley (R)

#### Health Policy & Finance

Minnesota Comprehensive Health Association structure modified, cigarette tax increased, health savings account federal conformity provided, health assessment repealed, insurance premiums exemption provided and money appropriated.

### HF1170—Peterson, A. (DFL)

#### Transportation

Oversize load permit authorized for transportation of storage sheds.

### HF1171—Hornstein (DFL)

#### Taxes

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

### HF1172—Olson (R)

#### Local Government

Local government state mandate opt-out provided.

### HF1173—Olson (R)

#### Taxes

Public personal rapid transit systems exempted from certain taxes.

### HF1174—Olson (R)

#### Local Government

Personal rapid transit local bonding authorized.

### HF1175—Zellers (R)

#### Taxes

Global war on terrorism income tax return donation check-off provided.

### HF1176—Brod (R)

#### Education Policy & Reform

Special education teacher license variance modified.

### HF1177—Brod (R)

#### Education Policy & Reform

North Central Service Cooperative defined as a contractor for purposes of calculating special education revenue.

### HF1178—Thissen (DFL)

#### Health Policy & Finance

Prescription drug purchasing financial information and arrangements disclosure required.

### HF1179—Westerberg (R)

#### Regulated Industries

Racing commission card club duties clarified and director of card clubs established.

### HF1180—Davnie (DFL)

#### Education Policy & Reform

Teacher tenure modified in cities of the first class and teacher layoff plan negotiation authorized.

### HF1181—Cox (R)

#### Environment & Natural Resources

Soil and water conservation districts added to the definition of special taxing district.

### HF1182—Severson (R)

#### Taxes

Local government aid city aid base increased for specified cities.

### HF1183—Meslow (R)

#### Education Finance

Basic formula allowance increased and special education growth factors restored.

### HF1184—Vandever (R)

#### Transportation Finance

Interstate 35E interchange construction funding provided, bonds issued and money appropriated.

### HF1185—Cox (R)

#### Environment & Natural Resources

Federal Clean Water Act 401 certification waiver and review specifications provided.

### HF1186—Clark (DFL)

#### Jobs & Economic Opportunity Policy & Finance

Food and nutrition assistance funding provided and money appropriated.

### HF1187—Finstad (R)

#### Taxes

Minnesota State High School League events exempted from the sales tax.

### HF1188—Moe (DFL)

#### Transportation

Recreational vehicle combination carrying equestrian equipment and supplies permit exemption specified.

### HF1189—Erhardt (R)

#### Transportation

Recycling and garbage truck weight restriction exemptions provided.

### HF1190—Abeler (R)

#### Health Policy & Finance

Occupational therapists scope of practice clarified and continuing education activities approval granted.

**HF1191—Eastlund (R)****Civil Law & Elections**

Best interests of the child clarified relating to family law; joint legal and physical custody rebuttable presumption established and child support guidelines provided.

**HF1192—Davnle (DFL)****Education Policy & Reform**

Early learning guidelines and quality rating system provided and money appropriated.

**HF1193—Nelson, P. (R)****Civil Law & Elections**

Suggestion solicitation and postage defined as constituent services relating to campaign finance.

**HF1194—Fritz (DFL)****Environment & Natural Resources**

Rice County; tax-forfeited land sale authorized.

**HF1195—Lanning (R)****Jobs & Economic Opportunity Policy & Finance**

Child-care provider rates modified.

**HF1196—Lanning (R)****Jobs & Economic Opportunity Policy & Finance**

Child-care assistance provider reimbursement rate grant program established and money appropriated.

**HF1197—Westerberg (R)****Jobs & Economic Opportunity Policy & Finance**

Blandin Foundation “get broadband” program grant provided and money appropriated.

**HF1198—Slawik (DFL)****Jobs & Economic Opportunity Policy & Finance**

Emergency assistance and transitional housing funding provided and money appropriated.

**HF1199—Carlson (DFL)****Commerce & Financial Institutions**

Motor vehicle lemon law extended to include motor boats.

**HF1200—Cybart (R)****Public Safety Policy & Finance**

Name changes; courts authorized to conduct a search if a person applies for a name change.

**HF1201—Cybart (R)****Public Safety Policy & Finance**

Courts required to determine if a person has a criminal history when the person applies for a name change.

**HF1202—Dempsey (R)****Public Safety Policy & Finance**

Fourth-degree assault law expanded to include protection of secure treatment facility personnel.

**HF1203—Abeler (R)****Health Policy & Finance**

Ramsey nursing home bed moratorium exception provided by allowing the relicensure and recertification of beds placed on layaway.

**HF1204—Holberg (R)****Civil Law & Elections**

Department of Transportation data classified.

**HF1205—Urdahl (R)****Agriculture & Rural Development**

Rural economic development base funding level established including ethanol producer payments.

**HF1206—Rukavina (DFL)****Taxes**

Municipal utilities construction materials sales tax exemption provided.

**HF1207—Vandever (R)****Environment & Natural Resources**

Washington County; tax-forfeited land sale authorized.

**HF1208—Vandever (R)****Regulated Industries**

State-operated or state-licensed gambling facility prohibited in a town or city unless the voters of the town or city have approved the facility in a referendum.

**HF1209—Blaine (R)****Governmental Operations & Veterans Affairs**

Vinland Center; veterans services grant provided and money appropriated.

**HF1210—Ruud (DFL)****Education Policy & Reform**

Student information and reporting system established, contracting specified and money appropriated.

**HF1211—Urdahl (R)****Agriculture & Rural Development**

Agricultural land sale or lease limited if the land was acquired by eminent domain within the previous five years.

**HF1212—Davids (R)****Transportation**

Passing parked emergency vehicle traffic regulation modified to require leaving a vacant lane between the driver and emergency vehicle.

## Tuesday, February 22

**HF1213—Gunter (R)****Jobs & Economic Opportunity Policy & Finance**

Fairmont; tax increment financing district property tax abatement authorized.

**HF1214—Knoblach (R)****Jobs & Economic Opportunity Policy & Finance**

Blind and disabled persons accessible electronic information service established and money appropriated.

**HF1215—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Bridges rental housing assistance program funding provided and money appropriated.

**HF1216—Abeler (R)****Education Finance**

Charter schools provided state facilities aid for lease, purchase, renovation, or construction of school buildings, or for rent, lease or purchase of land.

**HF1217—Loeffler (DFL)****Agriculture, Environment &****Natural Resources Finance**

Local parks grant programs modified to include veterans memorial gardens and parks.

**HF1218—Powell (R)****Public Safety Policy & Finance**

Vehicle-monitoring device installation allowed in authorized emergency vehicles.

**HF1219—Wilkin (R)****Transportation**

Interstate 35E speed limit provided in part of St. Paul.

**HF1220—Brod (R)****Commerce & Financial Institutions**

Local and state welfare agencies authorized to use unemployment insurance data to assist in collection of overpayment debts in assistance programs.

**HF1221—Erickson (R)****Education Policy & Reform**

Pupil Fair Dismissal Act provision applied to students whose parents refuse to consent to an initial evaluation.

**HF1222—Powell (R)****Public Safety Policy & Finance**

Metropolitan Radio Board and the Metropolitan 911 Board merger authorized.

**HF1223—Howes (R)****Taxes**

Property tax clarification provided for certain noncommercial aircraft storage hangers abutting public airports located outside the seven-county metropolitan area.

**HF1224—Wagenius (DFL)****Agriculture & Rural Development**

Chloro-s-Triazine herbicide use restricted.

**HF1225—Sieben (DFL)****Education Finance**

International baccalaureate pilot program provided for elementary and middle school years and money appropriated.

**HF1226—Lanning (R)****Regulated Industries**

Attainment of age specified at 8 a.m. on the day of person's 21st birthday with respect to the use of alcohol.

**HF1227—Carlson (DFL)****Health Policy & Finance**

Health professional education loan forgiveness account participation criteria expanded and money appropriated.

**HF1228—Smith (R)****Public Safety Policy & Finance**

Legal services recording and registration fee surcharges increased and money appropriated.

**HF1229—Buesgens (R)****Education Policy & Reform**

Elections provided to determine whether to detach land from an existing school district for a new independent school district.

**HF1230—Holberg (R)****Commerce & Financial Institutions**

Wireless telephone directories regulated to protect consumer privacy.

**HF1231—Holberg (R)****Commerce & Financial Institutions**

Credit report consumer access federal conformity provided.

**HF1232—Beard (R)****Transportation**

Metropolitan Airports Commission prohibited from authorizing facility demolition or work on Northwest Airlines 20/20 vision until airline demonstrates compliance with financing agreement and reporting requirements.

**HF1233—Urdahl (R)****Transportation**

Driver's license applicant proof of identity requirements expanded.

**HF1234—Thissen (DFL)****Taxes**

Tax preparers regulated.

**HF1235—Thissen (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Family Investment Program and basic sliding fee child care programs consolidated and money appropriated.

**HF1236—Solberg (DFL)****Environment & Natural Resources**

Itasca County; tax-forfeited land sale authorized.

**HF1237—Solberg (DFL)****Environment & Natural Resources**

Itasca County; tax-forfeited land sale authorized.

**HF1238—Seifert (R)****Education Finance**

Independent School District No. 418, Russell, fund transfer authorized.

**HF1239—Severson (R)****Education Policy and Reform**

Tenth grade students allowed to participate in the post-secondary enrollment options program.

**HF1240—Severson (R)****Governmental Operations & Veterans Affairs**

May designated as "Hire a Veteran Month" in Minnesota.

**HF1241—Kahn (DFL)****Local Government**

Boundaries; study and report required on the feasibility of consolidating counties along natural physical or alternative political boundaries and money appropriated.

**HF1242—Westrom (R)****Education Finance**

Telecommunications/Internet access equity aid provided and money appropriated.

**HF1243—Brod (R)****Transportation**

Hybrid vehicles authorized on high-occupancy vehicle lanes.

**HF1244—Paulsen (R)****Public Safety Policy & Finance**

DNA sample required of all persons arrested for or convicted of committing a felony and money appropriated.

**HF1245—Davids (R)****Environment & Natural Resources**

Dike repair required on certain state lands.

**HF1246—Ellison (DFL)****Agriculture & Rural Development**

Chloro-s-Triazine herbicide sale or use prohibited after a specified date.

**HF1247—Larson (DFL)****Taxes**

Richfield redevelopment tax increment financing district authorized.

**HF1248—Ellison (DFL)****Agriculture & Rural Development**

Atrazine use restricted.

**HF1249—Hansen (DFL)****Health Policy & Finance**

Sick leave use to care for parents study required.

**HF1250—Smith (R)****Governmental Operations & Veterans Affairs**

Political subdivision elected officials exempted from a certain limit on covered salary for public pension purposes.

**HF1251—Smith (R)****Public Safety Policy & Finance**

Custodian of children background check provided and adoption requirements modified for children who are in the custody of a social services agency.

**HF1252—Smith (R)****Public Safety Policy & Finance**

Government appeals defined as not requiring payment of defendant's attorney fees and costs under certain circumstances.

**HF1253—Lesch (DFL)****Public Safety Policy & Finance**

Government appeals defined as not requiring payment of defendant's attorney fees and costs under certain circumstances.

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**Thursday, February 24**

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**HF1254—Abrams (R)****Taxes**

Charitable contribution income tax subtraction increased.

**HF1255—Smith (R)****Governmental Operations & Veterans Affairs**

Judge service credit purchase for authorized leave permitted.

**HF1256—Liebling (DFL)****Jobs & Economic Opportunity Policy & Finance**

Child-care facility accreditation provider rate differential established.

**HF1257—Marquart (DFL)****Taxes**

Truth in taxation process public hearings and proposed property tax notification dates advanced.

**HF1258—Marquart (DFL)****Local Government**

Mosquito abatement fee imposition by local governments authorized.

**HF1259—Moe (DFL)****Higher Education Finance**

Minnesota Online program funding provided and money appropriated.

**HF1260—Atkins (DFL)****Civil Law & Elections**

Injured employee civil remedy provided if employer violates safety laws.

**HF1261—Atkins (DFL)****Commerce & Financial Institutions**

Regulation of certain medical examinations provided.

**HF1262—Dittrich (DFL)****Public Safety Policy & Finance**

Predatory offender registration requirement expanded, other provisions of predatory offender registration law modified and community notification for out-of-state offenders provided.

**HF1263—Newman (R)****Civil Law & Elections**

Liability of certain nonprofit service providers for individuals with mental retardation and related conditions limited and children's home provider corporations established.

**HF1264—Anderson, I. (DFL)****Taxes**

Property taxpayers' trust fund established; revenues dedicated to paying property tax relief and constitutional amendment proposed.

**HF1265—Newman (R)****Health Policy & Finance**

Civil Commitment Act temporary confinement cost payment clarified.

**HF1266—Bradley (R)****Health Policy & Finance**

Discharge plans for offenders with mental illnesses modified, medical assistance eligibility clarified, prescription drug purchasing pool authorized, housing funds allocated to employment support and money appropriated.

**HF1267—Demmer (R)****Taxes**

Special service district law requirement delayed.

**HF1268—Walker (DFL)****Health Policy & Finance**

Death record access modified.

**HF1269—Sertich (DFL)****Jobs & Economic Opportunity Policy & Finance**

Housing Finance Agency family homeless prevention and assistance program funding provided and money appropriated.

**HF1270—Penas (R)****Transportation Finance**

Bridge design and preliminary engineering in smaller cities usage of state transportation funds authorized.

<b>HF1271—Seifert (R)</b> <b>Commerce &amp; Financial Institutions</b> Prevailing wage rate definition amended.	<b>HF1285—Carlson (DFL)</b> <b>Education Finance</b> Area learning center pupil funding restored and eligible pupil age increased.	<b>HF1298—Johnson, J. (R)</b> <b>Public Safety Policy &amp; Finance</b> Video game purchase or rental in certain instances by children under the age of 17 prohibited and penalties provided.
<b>HF1272—Ruth (R)</b> <b>Commerce &amp; Financial Institutions</b> Marriage and family therapy included in definition of professional services and marriage and family therapist practice of services in combination authorized.	<b>HF1286—Peterson, A. (DFL)</b> <b>Regulated Industries</b> Geothermal energy incentives established.	<b>HF1299—Clark (DFL)</b> <b>Commerce &amp; Financial Institutions</b> Usage of certain substances banned after a certain date.
<b>HF1273—Demmer (R)</b> <b>Education Policy &amp; Reform</b> Teacher contract negotiation during school year prohibited and Jan. 15 contract settlement penalty repealed.	<b>HF1287—Welti (DFL)</b> <b>Local Government</b> Wabasha County; jail and criminal justice center construction and sheriff office location outside county seat authorized.	<b>HF1300—Greiling (DFL)</b> <b>Education Finance</b> Sexuality and comprehensive family life education program funding provided and money appropriated.
<b>HF1274—Peterson, S. (DFL)</b> <b>Civil Law &amp; Elections</b> Campaign material unauthorized removal prohibited and penalty provided.	<b>HF1288—Ellison (DFL)</b> <b>Transportation</b> Driver's license suspension for nonpayment of support repealed.	<b>HF1301—Walker (DFL)</b> <b>Education Policy &amp; Reform</b> Sexuality and comprehensive family life education programs provided.
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SPEAKER OF THE HOUSE: STEVE SVIGGUM  
MAJORITY LEADER: ERIK PAULSEN  
MINORITY LEADER: MATT ENTENZA

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**Sources: Minnesota Coalition for the Homeless; National Coalition for the Homeless; *Homeless youth in Minnesota: 2003 Statewide survey of people without permanent shelter, February 2005*, Amherst H. Wilder Foundation.**

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# SESSION Weekly

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INSIDE: BUDGET GAP NARROWS, ANGELS ON HIGH, DNA DEBATE, MORE

This Week's Bill Introductions HF1353-HF1548

# Session Weekly

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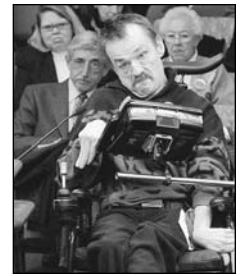
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On the cover: Approximately 6,000 people gathered at the State Capitol Feb. 28 for a public education rally. Many attendees arrived via school bus.

—Photo by: Andrew VonBank

# Better by one-third

Budget gap narrows, job growth is on the horizon

By NICOLE WOOD

**M**innesotans could see 44,000 new jobs in the state by the end of the year, maybe 103,000 between now and the end of 2007, according to the most recent state budget forecast. Finance officials are predicting strong employment growth, even though Minnesota has not lately been keeping up with the national average.

The forecast that was released Feb. 28 places the projected state budget shortfall for fiscal years 2006-07 at \$466 million, a \$234 million improvement over November's estimate when the budget gap was projected at \$700 million.

"There's actually a little bit of good news in this forecast for a change," said Finance Commissioner Peggy Ingison.

According to the Finance Department, modest increases in revenue from the major tax categories, particularly corporate income tax receipts, account for the change.

"The state's economy isn't floundering, but the growth hasn't been as robust as we have come to expect," said State Economist Tom Stinson.

If Minnesota's economy had been growing at the same rate as the U.S. economy, the

state would have added 20,000 jobs since May instead of 5,000, Stinson said.

The release prompted questions about how the news would effect Gov. Tim Pawlenty's budget recommendations, the outcome of capital expenditure negotiations between a House-Senate conference committee and the myriad gambling proposals floating around the Capitol.

"It's not necessarily that you could look at adding \$200 million to the governor's budget proposal," Ingison cautioned.

She also advised against increasing the size of borrowing in the bonding bill. "If we want to keep an eye on the long-term balance in '08 and '09, it might not be a good idea to add debt service."

## Forecast fallout

Reaction from House leaders was divided. House Speaker Steve Sviggum (R-Kenyon) said the forecast is a positive sign of good financial stewardship.

"While revenues are up, we cannot rest on the management that has been done," he said in a press release. "We are not out of the woods yet."

**Full speed ahead**

The February forecast could be considered the key that opens the door to legislative progress on a budget for fiscal years 2006-07. Lawmakers have less than 12 weeks remaining before May 23, the constitutional deadline for session.

Under House rules, the House Ways and Means Committee must send a budget resolution to the House floor within 20 days of the forecast release. The committee then has 14 days after the House adopts the resolution to come back with budget targets for the major finance or revenue bills.

House Republicans would be open to negotiations over increasing the size of the bonding bill, Sviggum said, but the forecast has no relevance on American Indian gaming negotiations. "The gaming issue revolves around fairness," he said. "The fairness doesn't go away."

House Minority Leader Matt Entenza (DFL-St. Paul) said, "the overall trend is still really, really bad for our taxpayers and there is no solution in sight."

"If your checkbook was in the red and getting worse, would you think that was good news?" The DFL intends to release a budget proposal of its own later this month, Entenza said, and "everything is on the table."

## The inflation factor

If inflationary spending factors were included in the forecast — a 2002 state law excludes them — the \$466 million deficit would grow to nearly \$1.2 billion.

The elusive inflation factor drove much of the discussion when finance officials presented the forecast to the House Ways and Means Committee March 1.

A PowerPoint slide detailing how the state's long-term outlook had improved from November showed an asterisk next to the spending projections for the 2008-09 biennium. The asterisk noted that the spending figures were not generally adjusted for inflation.

"When we have an asterisk next to a pretend number how bad are we exacerbating the problem?" asked Rep. Tom Rukavina (DFL-Virginia).

"Clearly you need to, in your own minds, take into account the fact that there is going to be inflation between now and 2008 and 2009," Stinson said. Although productivity growth



PHOTO BY TOM OLMSCHIED

State Economist Tom Stinson discusses the state revenue forecast during a Feb. 28 news conference. The forecast shows that the improving state economy has cut almost one-third off the budget deficit that was projected in November.

First Reading continued on page 4



## First Reading continued from page 3

will offset some of it, he said, “the statement I would have for you is don’t fool yourself that this is the true extent of the budget pressures that you have — the budget pressures are larger than this.”

Committee Chair Rep. Jim Knoblach (R-St. Cloud) noted that the governor’s initial budget recommendation appears to account for inflation.

The governor’s budget proposal is within \$100 million of being structurally balanced, including the effect of inflation in fiscal years 2008-09, Ingison said.

The department is re-pricing the cost of that proposal under the new assumptions contained in the forecast, she said. The governor is expected to release a supplemental budget in the next week or so.

## More on the jobs outlook

Forecasting future state spending and revenues is a complicated exercise in assumptions and probabilities. The rosy outlook on jobs in the forecast is based on a number of assumptions that are detailed in the report:

- Employer caution and just-in-time hiring will not continue to slow jobs growth,
- The current slowdown in mortgage refinancing and the softening in the housing market will not cause a significant decline in financial services employment, and
- Local government and higher education budgets will ease enough to permit modest increases in public employment beginning in the third quarter of 2005.

The forecast imparts caution about putting all the employment eggs in one basket. “Minnesota’s outlook shows employment growth highly concentrated in just a few sectors,” according to the report. Health care, professional and business services, manufacturing and construction, which currently comprise approximately 41 percent of total employment, account for 72 percent of the projected job increase through 2007. “Depending on simultaneous uninterrupted expansion in each of a handful of industries is somewhat risky.”

## You Should Know

The Department of Finance prepares formal state budget forecasts for the state’s General Fund in February and November of each year. The expenditure forecast reflects current law. The revenue forecast is based on national economic data provided by an outside contractor, Global Insight, Inc.

The most recent February forecast updates the state’s economic outlook for 2005, sets new figures for fiscal years 2006-07 and looks ahead to planning estimates for fiscal years 2008-09.



of its own.

By the 1970s, extreme temperature fluctuations and acid rain were wreaking havoc with the Capitol’s exterior aesthetics. The masonry was in need of a good cleaning. The keystone angel was in need of some key body parts.

The Capitol Area Architectural and Planning Board commissioned architect Brooks Cavin to oversee a major exterior restoration project between 1975-1979.

The real challenge to the angel lay in reproducing what was no longer there.

“We knew that there had been this up-raised arm and now it was gone. The wings were seriously deteriorated and the head was only about half of the original size,” recalled Cavin in an oral history interview provided by the Minnesota Historical Society State Capitol Historic Site.

Cavin ordered a meticulous restoration process, “in view of the prominence of this figure at the principal entrance to the Capitol and the degree of damage it has



Photo courtesy of the Minnesota Historical Society

**Artists in a St. Paul studio create a clay model from the original keystone angel that stood guard over the Capitol entrance from 1905 to the late 1970s, above. Today, a reproduction angel, sculpted in Italy, greets Capitol visitors as they pass under the middle archway, right.**

## Reproduction angel

Prominent figure is not original guardian of Capitol entryway

The first angel to guard the front entrance of the Capitol lost a battle to the elements. In its place, on the keystone at the top of the middle archway, is a successor with a dramatic, continent-hopping story

View the rarely seen 28th Virginia Infantry Battle Flag, captured by the First Minnesota Volunteer Infantry at Gettysburg, at the Capitol on March 7.

For more information, contact the Minnesota Historical Society State Capitol Site, (651) 296-2881 or [www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc)

suffered,” he wrote in a letter to the historical society. Italian Carrara marble was selected over the original Georgia marble.

The artists were required to make a latex mold of the existing angel figure, create a plaster cast from the mold, model the missing parts in clay to bring the figure back to its full dimension, make a mold and cast of the restored figure and send the cast to Italy, “where carving in this Carrara marble had been going on for centuries,” Cavin said. “And their proposal was less than the proposal from Georgia or Vermont and the Carrara marble is more durable than the Georgia marble.”

The first keystone angel rests comfortably with the Minnesota Historical Society.



PHOTO BY TOM OLMSCHIED

## ★ BUSINESS

**Liquor license granted****Signed  
by  
the  
governor  
★ ★ ★**

After waiting nearly five months, Jeffrey Huff can now open his wine shop in St. Paul.

Huff had quit his job to start his business, only to learn that he could not obtain a liquor license because the law did not allow off-sale liquor licenses within one-half mile of the University of Minnesota St. Paul Campus.

That changed when Gov. Tim Pawlenty signed a law Feb. 24 authorizing St. Paul to issue the license in proximity to the campus, which will enable Huff to open his business. The law became effective Feb. 25.

Rep. Alice Hausman (DFL-St. Paul) and Sen. Ellen R. Anderson (DFL-St. Paul) sponsored the legislation.

HF155/SF206\*/CH3

## ★ CONSUMERS

**Regulating wireless phone directories**

A bill that seeks to safeguard consumer privacy would have directories of wireless telephone numbers regulated by state law.

Although one industry official said no such directories now exist, HF1230, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would prohibit providers of wireless telecommunication services from including a customer's wireless phone number in a directory, and from selling a directory containing that number, without the customer's consent.

The bill would require the service provider to notify a customer within 30 days after becoming a customer, and once a year after that, concerning the person's number being used in a directory. The customer would not be required to have the number published and would not be charged a fee for declining the listing.

"I do view the opt-in requirement as an important component of the bill," Holberg told the House Commerce and Financial Institutions Committee March 1. The committee approved the bill and referred it to the House Civil Law and Elections Committee. There is no Senate companion bill.

Victor Dobras, director of government affairs for Sprint, opposed the bill, calling it unnecessary.

"No one is currently offering a wireless directory," he said.

If Sprint did decide to publish a directory,

Dobras said his company would not include wireless customers without their consent and would not charge them if they did not want to participate.

"We certainly have every intention of protecting consumer information," he said.

Should legislation for the directories be needed, it should be done at the federal level so phone companies wouldn't be faced with different state laws, Dobras said.

The bill also would permit someone calling a wireless directory assistance center to be connected to a customer if the recipient is first given notice who is calling and can accept or reject the call. The recipient's wireless information may not be disclosed to the caller.

## ★ CRIME

**Crackdown on meth**

Methamphetamine, commonly called meth, is a frightening drug that has become a problem all over Minnesota, according to Rep. Jeff Johnson (R-Plymouth) who said his bill, HF572, is a "drastic solution to a drastic problem."

The bill clamps down on the sale of pseudoephedrine and ephedrine, essential ingredients to the manufacture of meth, commonly found in over-the-counter cold medications sold in drug and grocery stores. Under the bill, the medications must be located behind the counter and only pharmacists or technicians could sell them. Buyers would have to show identification, sign a log and be limited to two packages per transaction.

The bill would also boost meth into the narcotic drug category, which would increase penalties for sale, possession and use of the drug.

Other provisions in the bill include: criminal restitution when emergency response is needed due to dangerous chemicals, required notification of county health officials of clandestine lab sites, creation of two new crimes related to illegal use of anhydrous ammonia and criminalization of meth-related activities that could impact children and vulnerable adults.

The House Public Safety Policy and Finance Committee discussed amendments to the bill March 2.

Rep. Judy Soderstrom (R-Mora) would like to see more meth users go into long-term treatment and fewer go to prison. She doesn't want to see meth users, many who are young, being sent into prisons with hardened criminals.

Rep. Michael Paymar (DFL-St. Paul) wants

to see the penalty increases eliminated from the bill. "Do you want to incarcerate individuals who cook small amounts (of meth)?"

Johnson spoke against the proposed amendments, saying the bill is a comprehensive effort and every piece is crucial. "If you take anything out, it becomes a less effective bill."

The committee did not act on the amendments at this time, but recommended the bill to pass and sent it to the House Health Policy and Finance Committee. The bill could be referred to other committees before returning to the House Public Safety Policy and Finance Committee later in March.

A companion bill (SF423), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ EDUCATION

**Shorter walks**

Five-year-old Kristiana Turnquist looked forward to riding the big, yellow school bus on her first day of kindergarten last fall.

But that didn't happen because Kristiana lives 1.9 miles from her school — one-tenth of a mile too close to qualify for free busing.

Under current state law, school districts are required to provide free transportation only to students who live at least two miles from school.

Kristina's mother, Melissa Turnquist, told the House Education Finance Committee Feb. 24 that the family was faced with three unacceptable options: allow their child to walk to school along busy highways and through congested intersections; drive their child to school — something that's hard to do with two other preschool children in tow; or pay \$175, a yearly fee their school district charges to provide busing to students who don't qualify for free busing. "That's more than we could afford as a one-income family," said Turnquist.

They are not alone in the transportation dilemma.

"While door-knocking last fall, this was the number two concern I heard after Northstar commuter rail," said Rep. Melissa Hortman (DFL-Brooklyn Park), sponsor of HF643, which would require free busing for elementary-age children who live one mile or more from their schools.

The bill would allow school districts to levy — raise additional money through a tax on district property owners — for the cost of transporting elementary students who live





PHOTO BY TOM OLMSCHIED

**Three-year-old Rachel Turnquist yawns as Chuck Holden, director of operations for Anoka-Hennepin Independent School District 11, testifies Feb. 24 before the House Education Finance Committee on a bill that would change the distance requirement for transportation of elementary school students. Rachel's mother, Melissa, also testified about the bill.**

between one and two miles from school, in addition to those who live two miles or more from school.

The bill would not change walking distance for secondary students. School bus transportation would continue to be provided for those who live two miles or more from their schools.

The committee held the bill over for possible inclusion in its omnibus bill.

A companion bill (SF1306), sponsored by Sen. Don Betzold (DFL-Fridley), awaits action in the Senate Finance Committee.

## ELECTIONS

### Taking campaign materials

A bill making it a misdemeanor to take an opposing candidate's election material was heard in the House Civil Law and Elections Committee March 2 and held over for possible inclusion in the omnibus elections bill.

HF892, sponsored by Rep. Chris DeLaForest (R-Andover), addresses the

increase in what he termed election-time "pranks" — taking campaign material and vandalism to signs.

"I don't view this as any sort of a prank," he said, and is asking that these types of activities be treated as a crime.

Under current law, the taking of campaign material is treated like any other theft; the offense level depends on the value of the materials taken. DeLaForest noted that campaign material, in of itself has little monetary value, but the value is more representative of our democratic process.

The bill makes it a misdemeanor for anyone other than a candidate to remove campaign material without permission. If a candidate or elected official commits the same act, it would be considered a gross misdemeanor.

DeLaForest said his bill would make a policy statement. "I want there to be a bipartisan public statement on behalf of the state of Minnesota that we don't view this type of an activity as a prank."

A bill (HF1274) with similar language, sponsored by Rep. Sandra Peterson (DFL-New Hope), has also been referred to this committee.

Neither bill has a Senate companion.



For information on HF607, which would immediately restore an offender's right to vote upon release from a correctional facility, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## EMPLOYMENT

### Put youths to work

Shawn Hackett was 14 years old in 1988 and had too much time on his hands in the summer.

However, he was able to work in a summer employment program for the Minneapolis Park and Recreation Board. He graduated from Minneapolis South High School in 1992, and now, at age 31, he works for the park board.

It wouldn't have been possible without the park's summer youth employment program, he told the House Jobs and Economic Opportunity Policy and Finance Committee March 1.

HF1046, sponsored by Rep. Joe Mullery (DFL-Mpls), would provide \$250,000 to the park board for the Learn to Earn Summer Youth Program. Participating teens would work in the city's park system, get paid, and receive remedial training in reading and writing if they need it. The bill was held over for possible inclusion in a committee omnibus bill.

"This program gives kids opportunities," Hackett said. "If I wouldn't have done this, I would have had the opportunity to be a drug dealer."

Rochelle Berry Graves, a member of the board, agreed. "We want to ensure that they have positive and happy experiences and a belief in themselves. I want to make sure we have something available to them. The busier kids are, the more they don't want to run the streets at night."

Rep. Karen Clark (DFL-Mpls) called the request "a fabulous investment."

There is no Senate companion.

## ENERGY

### Wind-energy tariff proposed

A tariff to facilitate the development of community-based wind projects would be established by the Minnesota Public Utilities Commission, under two bills heard by the House Regulated Industries Committee March 2.

HF1332, sponsored by Rep. Aaron Peterson (DFL-Madison), and HF1344, sponsored by Rep. Torrey Westrom (R-Elbow Lake), would require the tariff rate to be front-loaded to increase cash flow during a project's initial years in order to accelerate the recovery of capital costs. Front-loaded means the rate would be higher in the initial years of the power purchase agreement and lower in the later years.

Both bills were held over for possible inclusion in the committee's omnibus bill. Neither has a Senate companion.

Peterson's bill would require that a project eligible for the tariff be given preference over other projects if the utility system can accept the project using standard reliability criteria. Westrom's bill does not address the priority issue. However, his bill would require a resolution of support from the county board where the project is located to be eligible for tariffs. Peterson's bill does not have that requirement.

Both bills would require the net present value of the tariff rate over the 20-year term of the contract to be no lower than the utility's avoided cost, as determined by its most recent avoided cost filing or by the commission if no filing is available.

### New electric lines

Minnesota utilities' projections indicate that 4,000 megawatts to 6,000 megawatts of new electric generating capacity may be built in Minnesota over the next 10 to 15 years.

A bill sponsored by Rep. Bob Gunther (R-Fairmont) would provide incentives to encourage construction of transmission facilities to bring that energy to the market.

HF1347 would provide utilities opportunities for annual recovery of transmission-related costs outside of a general rate case. This would allow utilities to transfer transmission assets to entities under federal jurisdiction under certain conditions. The bill would also permit the Minnesota Public Utilities Commission to consider regional energy needs and benefits in the certificate of need process for transmission lines.

"This bill primarily focuses on reliability," Gunther told the House Regulated Industries Committee on March 2. "We want to make sure the lights are always on in Minnesota."

The bill was held over for possible inclusion in the committee's omnibus bill.

A provision in the bill would require the Legislative Electric Energy Task Force to convene a group of stakeholders representing utilities, consumer advocates and affected state agencies to investigate whether current state processes to certify and route transmission lines can be modified to increase efficiency and effectiveness.

Laura and John Reinhardt of Minneapolis provided written testimony opposing the bill.

"(The bill) does not serve the public interest and would, in fact, harm Minnesota citizens and landowners," the Reinhardts wrote.

A companion bill (SF1332), sponsored by Rep. Ellen R. Anderson (DFL-St. Paul), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ ENVIRONMENT

### Burning permits go high tech

Volunteer fire wardens, together with Department of Natural Resources forestry offices, issue more than 60,000 burning permits each year at a cost to the state of \$170,000, according to department figures. The system has remained relatively unchanged since the early 1900s when the state first adopted open burning laws.

HF901, sponsored by Rep. Tony Cornish (R-Good Thunder), would augment the way burning permits are issued by adding an option to issue permits via the Internet under the same electronic system used to issue hunting and fishing permits.

The House Environment and Natural Resources Committee approved the measure March 1. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

Though there is no charge for paper burning permits, the bill would allow the department to charge fees for the electronic alternative: \$5 for an annual noncommercial burning permit and up to \$50 for multiple permits to commercial enterprises.

The goal of electronic burning permits is to allow the department to more easily track permits or revoke them when wildfire risks are high. Consumers would benefit from the online access and convenience.

Rep. Greg Blaine (R-Little Falls) questioned the effect of electronic distribution on township fire wardens.

"Will a township fire warden know that a permit has been given electronically to someone who lives 3 miles away?" asked Blaine.

"My parents may not have — or other township fire wardens may not have — the computer technology to be able to access that information electronically," he said. Blaine said his parents have been volunteer township fire wardens for 30 years and one of their concerns over the proposal is ensuring foolproof communication between the fire wardens and the department.

A companion bill (SF1019), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids),

awaits action in the Senate Environment and Natural Resources Committee.

### Hog slats and power loading

The House Agriculture, Environment and Natural Resources Finance Committee received a lesson in the proper way to launch and load a boat March 2.

As part of a routine program overview and budget request, Department of Natural Resources Trails and Waterways Division Director Laurie Martinson informed the committee of a new challenge the department is facing on Minnesota lakes: power loading.

Power loading is powering a boat out of the water onto a trailer rather than using a winch. The current created by the engine's propeller causes wash out and ridges at the end of the ramp that in turn cause damage to boat trailers.

In its budget request for fiscal years 2006-07 the department seeks a funding level increase for maintenance and rehabilitation at water access sites.

One solution to power loading is placing "hog slats" — precast concrete slats — on the launch site, Martinson said.

The department has further identified some critical trends in trails and waterways use, Martinson said:

- All-terrain vehicle registrations have grown dramatically in the last 20 years, from 12,235 in 1984 to 222,594 in 2004.
- Boat registration numbers have increased in the same time period, though not as dramatically. In 1984, there were 629,291 watercraft registrations; today the number has climbed to 854,110.
- The size and horsepower of boats have increased substantially in recent years. The average boat length in the Brainerd Lakes Area is now 18 feet with a 114 horsepower motor on the back.

The department's budget request will be considered for inclusion in the committee's omnibus environment and natural resources finance bill.

## ★ GAMBLING

### Play while you wait

Hitting the jackpot at the Minnesota-St. Paul International Airport could mean more than just finding a low-cost airfare.

HF1009, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow the Minnesota State Lottery to operate and regulate a casino in the airport terminal.

The state would receive the net proceeds, which are estimated at \$27 million per year after expenses.

### SUPPORT REPORT

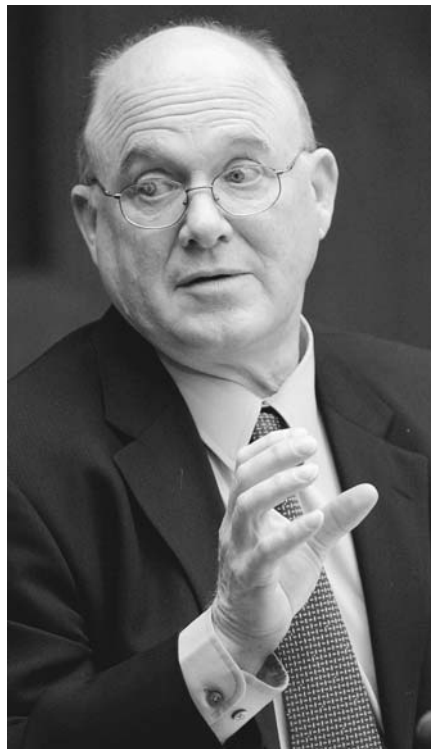


PHOTO BY ANDREW VONBANK

**Wayland Campbell, director of the child support enforcement division of the Minnesota Department of Human Services, gives a presentation on child support collections to the House Public Safety Policy and Finance Committee March 1.**

"It's totally free money," Kahn told the Gaming Division of the House Regulated Industries Committee March 1.

Under the bill, the lottery would receive an appropriation from the General Fund for capital, acquisition and initial operating costs, but would need to repay the money, plus interest, within three months of the casino opening.

Kahn said the casino would attract people with larger incomes since they are the typical airline passengers. The casino would also draw out-of-town travelers.

"A lot of people passing through the airport are not Minnesota residents," she said. Casino admittance would be limited to ticketed passengers 18 years of age or older.

Since Sept. 11, 2001, travelers spend more time in airports because they need to arrive earlier for security checks and screening, Kahn said. The casino would allow them to gamble as they waited to board their flights.

More than 33 million travelers pass through the airport each year.

The committee held over the bill for possible inclusion in its omnibus bill. There is no Senate companion.

### **Know when to hold'em**

It might be too early to go all in on a wager, but poker players across the state might have reason to begin collecting their chips.

On March 1, the Gaming Division of the House Regulated Industries Committee held over for possible inclusion in its omnibus bill a proposal that would add Texas hold'em to the list of games permitted in tournaments or contests under Minnesota law.

HF519, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow Texas hold'em to be considered a game of social skill, and therefore legal. Current law allows social skill games, such as cribbage, skat, sheephead, bridge, euchre, pinochle, gin, 500, smear or whist. There cannot be any direct financial benefit to the promoter and the prizes can't exceed \$200.

In Texas hold'em, each player is dealt two cards and then uses five community cards that are flipped over on the table to make the best poker hand.

David Bischoff, owner of Granite Bowl in St. Cloud, said his attorneys had told him that Texas hold'em is already legal in Minnesota, so he started holding tournaments in his bowling alley. He did not charge an entry fee or play for money. On June 19, 2004, more than 20 police officers raided his establishment.

"They came in with their guns drawn," Bischoff said.

The county attorney chose not to file gambling charges. Bischoff said he's paid more than

\$30,000 in attorney fees and lost revenue since he hasn't held the tournaments after the raid.

"We should clarify the law," Hackbarth said, adding that his bill would achieve that goal.

A companion bill (SF317), sponsored by Sen. Dave Kleis (R-St. Cloud), has passed one committee and awaits action in the Senate State and Local Government Operations Committee.

## **GOVERNMENT**



### **Nonprofit salaries posted**

Some employees or officers of nonprofit organizations could see their wages on a state Web site, under a bill approved by the House Governmental Operations and Veterans Affairs Committee Feb. 24.

Under HF961, sponsored by Rep. Marty Seifert (R-Marshall), salaries of the top three executives of nonprofit organizations receiving state money would be posted on the Office of the Attorney General's Web site, if an officer or employee's compensation exceeds the governor's \$120,303 salary.

The bill initially required publication of salaries in all written solicitations. Rep. Phyllis Kahn (DFL-Mpls) offered the change.

The change makes a "simple disclosure to the attorney general's office for people who are curious about this," and is a more modest approach than the original bill, said Seifert.

"Taxpayers have a right to know this. ... My job is to be a watchdog for the taxpayers." If you are taking money from the government then there needs to be some accountability, he added.

Kahn offered another successful amendment that says health maintenance organizations that provide services to the state or state employees must publish, in written marketing materials directed to potential enrollees, the compensation of the three highest paid directors, officers or employees of the organization.

For the first time in his legislative career, Rep. Ron Abrams (R-Minnetonka) testified before a committee against a bill, saying the measure makes "Minnesota a not hospitable place for nonprofits."

"What nonprofits do and the insults that we give to nonprofits by even discussing this is offensive," said Rep. Tim Mahoney (DFL-St. Paul).

Publishing the salaries "tells the donor nothing about whether a charity is well run or not," said Elaine Keefe, a lobbyist for the Greater Twin Cities United Way.

The bill next goes to the House State Government Finance Committee.

A companion bill, SF948, sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action in the Senate State and Local Government Operations Committee.

## **HEALTH**



### **Critical changes proposed**

Critical access hospitals could see some modifications under a bill that would revise the eligibility requirements of the Rural Hospital Grant Program.

Rep. Joyce Peppin (R-Rogers) is sponsoring HF664, which would also change the hospital construction moratorium and swing bed license requirements to conform to federal law.

The bill would increase the population limit for an eligible hospital's community from less than 10,000 to less than 15,000 for purposes of rural hospital grant programs. The increase would retain eligibility for current and prospective critical access hospitals.

A critical access hospital is a small, rural, acute care facility that provides outpatient, emergency care and limited inpatient services and receives enhanced Medicare reimbursement of 101 percent of reasonable costs.

The bill would exempt these facilities from the hospital construction moratorium.

Minnesota law has a 10-bed limit on hospital swing beds. According to the Minnesota Department of Health, several critical access hospitals reduced their number of beds between 1998 and 2003 to comply with the 15-bed limit provided in a 1997 federal law. In 2003, federal law raised the limit to 25 beds. Because of Minnesota's hospital construction moratorium, hospitals are prohibited from adjusting to the federal change.

"If the more restrictive state limit on swing bed use is not revised, recovering patients could be unnecessarily transferred from the hospital even though critical access hospitals could provide the needed care," according to a policy position sheet provided by the department.

The House Health Policy and Finance Committee approved the bill March 2 and referred it to the House floor.

A companion bill (SF1266), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Health and Family Security Committee.

### **Swing bed services**

The requirements for payment of swing bed services could change under a bill heard by the House Health Policy and Finance Committee March 2.

Sponsored by Rep. Maxine Penas

(R-Badger), HF1157 would exempt hospitals from being classified under federal law as sole community providers in order to receive Medical Assistance swing bed service payments. The exemption would apply to facilities that had a provider agreement prior to Jan. 1, 2004, for these services.

A swing bed is a hospital bed that also qualifies for reimbursement under Medicare or Medical Assistance when used as a nursing home bed. Federal law requires sole community providers to be reimbursed under a Medicare prospective payment system. Critical access hospitals are exempt from that payment system and are reimbursed on a cost basis. These hospitals no longer qualify for swing bed services under current state law since they cannot be classified as sole community providers.

"This issue relates to the use of Medicaid swing beds in very rural settings," said Don Odegaard, CEO of Bigfork Valley Hospital, in written testimony to the committee. "As a facility of this designation, it is imperative for us to maintain the ability to utilize these swing beds in the occasion of patient care within the community."

Without the use of swing beds, some elderly and infirmed people would have to travel great distances for care and recuperation, Odegaard said.

The bill was held over for possible inclusion in the committee's omnibus bill.

A companion bill (SF1101), sponsored by Sen. Thomas M. Bakk (DFL-Cook), awaits action in the Senate Health and Family Security Committee.



HF1162 would add electronic health records systems to the list of eligible projects under two rural hospital grant programs. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ HIGHER EDUCATION

### Equal access for all

Attaining a college education is sometimes made even harder for students with a disability.

Rep. Torrey Westrom (R-Elbow Lake), who is blind, said it sometimes would be weeks into a class before he had the textbook in a format he could use. He wants to ensure that doesn't happen to others.

His bill, HF431, would require instructional material used by higher education students

who require a reading accommodation to be produced in an alternative format in a timely fashion.

Heard Feb. 28 by the House Higher Education Finance Committee, the bill was laid over for possible inclusion in an omnibus bill. It has no Senate companion.

"This is largely modeled after some Kentucky legislation," said Westrom.

Under the bill, those producing the instructional material would be required to provide, at no charge, an electronic version of the material within 15 working days of a request. Minnesota State Services for the Blind, which converts printed material to a usable format, would work with the schools to ensure that materials be available within the first week of class, whenever possible.

"It's a good excuse not to do your homework, but it doesn't fly for long," said Judy Sanders, secretary of the National Federation of the Blind of Minnesota.

However, Ed McCoyd, director of digital policy for the Association of American Publishers, expressed concerns in a letter to the committee. For example, he wrote, "It often costs a publisher several thousands of dollars to do one format conversion to meet one individual e-text request."

Furthermore, the bill would require the State Services for the Blind to establish a



PHOTO BY ANDREW VONBANK

**Judy Sanders, secretary of the National Federation of the Blind of Minnesota, testifies before the House Higher Education Finance Committee Feb. 28 in support of a bill that would regulate the accessibility of instructional material for students with a disability requiring a reading accommodation.**

state repository for the alternatively produced material. Such publications would be made available to post-secondary students and institutions at no cost.

"States that have established these in the past did a very forward-thinking thing," Sanders said, while noting a national repository would be even better.

Post-secondary institutions that receive state funding as a direct appropriation or through participation in state-funded financial aid programs must comply, under the bill, or risk the withholding of state appropriations or a reduction or revocation of their participation in state-funded financial aid programs.

### Tuition fairness

Some students from outside state borders are paying more than \$2,000 less in tuition than a Minnesotan in the same classroom.

Rep. Joe Opatz (DFL-St. Cloud) thinks that is wrong, and hopes to change that with HF67.

Heard March 2 by the House Higher Education Finance Committee, it was laid over for possible inclusion in the committee's omnibus bill.

Reciprocity allows students to attend a public college or university outside their home state without having to pay the standard nonresident tuition rate. Instead, students pay approximately the same tuition they would pay at a comparable home state institution. State taxpayers pay the remaining instructional costs after subtracting tuition paid by reciprocity students. If reciprocity students from one state impose a larger burden on the other state's taxpayers, the first state makes a reimbursement payment. For example, Wisconsin paid Minnesota \$6.1 million for the 2003-04 year.

Minnesota has full agreements with North Dakota, South Dakota and Wisconsin, and limited agreements with Iowa and Manitoba.

While Minnesota has made payments to North Dakota, South Dakota is violating its state law by not paying Minnesota money that it should. No payment has been made between the states since 1988. The Higher Education Services Office, under the bill, is directed to examine the feasibility of reinstating the payments.

A September 2003 legislative auditor's report indicates South Dakota would have owed Minnesota \$350,000 for 2001-02, but office officials warn reinstating the interstate payment calculations could cost Minnesota money.

Additionally, the bill calls for a renegotiation of the Wisconsin agreement as soon as possible, with the goal of reducing the disparity between states.

According to the nonpartisan House Research Department, a Minnesota undergraduate student attending the University of Minnesota's Morris campus pays \$2,452 more than a Wisconsin student for the current academic year. At the Duluth campus the difference is \$1,575, it is \$1,413 at Crookston and \$1,068 at the Twin Cities campus.

Under the bill, officials must also regularly submit a program evaluation to the Legislature.

A bill (SF246), sponsored by Sen. Yvonne Pretzner Solon (DFL-Duluth), would require Wisconsin students, beginning in the 2008-09 academic year, to pay a tuition rate at least equal to the state tuition rate. It will be considered for inclusion in a Senate higher education omnibus bill. A companion bill (HF1371), sponsored by Rep. Thomas Huntley (DFL-Duluth), awaits committee action.

### Trustee membership

Minnesota State Colleges and Universities Board of Trustees policy responsibilities include system planning, admissions requirements and setting tuition and fees.

State law calls for three members of the 15-member board to be students: one each from a community college, state university and technical college. Board members are appointed by the governor and approved by the Senate.

Currently, the Minnesota State University Student Association and the Minnesota State College Student Association each recruit, screen and recommend two to four qualified candidates to the governor by Jan. 2 of the year a student member's two-year term expires on June 30.

Sponsored by Rep. Bud Nornes (R-Fergus Falls), HF1085 would change the recommendation date to April 15.

J.J. Jouppe, associate director of university and government relations for the university student association, said the bill is a minor change requested by the organization.

"This would align us with the Trustee Candidate Advisory Council," he said, adding that the current time frame makes it difficult for some students to decide if they can make a two-year commitment to the board.

The council, part of the Legislative Coordinating Commission, recruits qualified candidates for the other 12 seats and recommends two to four candidates for each open seat to the governor by April 15. Those people serve six-year terms.

A companion bill (SF990), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), awaits action in the Senate Education Committee.

## HUMAN SERVICES



### Disability programs modified

Programs and services for people with disabilities could see sweeping changes, under a bill sponsored by Rep. Tim Wilkin (R-Eagan).

Presented to the House Health Policy and Finance Committee Feb. 24, HF980 would establish a Disability Services Coordination Commission to help people with disabilities live in more independent settings.

The bill would increase the spend-down standard from 75 percent to 100 percent of the federal poverty guidelines for people who are aged, blind or disabled. It would also increase the asset limit to \$10,000 for single households and \$18,000 for households of two or more. Community-based, long-term care providers and intermediate care facilities for people with disabilities could also see a rate increase under the measure.

Other provisions call for the commissioner of human services to develop a wellness exam incentive program for Medical Assistance enrollees with disabilities. It also gives enrollees the ability to choose between a county or private agency case management service coordinator vendor; the \$500 annual benefit limit for Medical Assistance and General Assistance Medical Care dental services would be eliminated; the personal needs allowance would be increased and a MinnesotaCare dental coverage would be reduced.

Ron Conaway, who was living in a nursing home four years ago and told he'd never leave, said the bill supports programs that allow disabled people to live more independently.

"When I was in the nursing home, I felt like I had been discarded by society," Conaway said. "Everyone should have the right to feel dignity."

He no longer resides in a nursing home.

The bill was amended to require the human services commissioner to conduct a study of access to dental services for people with disabilities.

The bill was referred to the House Governmental Operations and Veteran Affairs Committee.

A companion bill (SF984), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Health and Family Security Committee.

## IMMIGRATION



### Becoming self-sufficient

St. Paul's East Side is an ethnic melting pot, and the residents there try to help each other out, said Rep. Tim Mahoney (DFL-St. Paul).

He's sponsoring a bill that would provide \$1.5 million to the Hmong, American Indian and Hispanic development organizations in the area so they can work with each other and Metropolitan State University to help their clients build their skills and find jobs.

Presented March 2 to the House Jobs and Economic Opportunity Policy and Finance Committee, HF513 was held over for possible inclusion in the committee's omnibus spending bill.

Chicanos Latinos Unidos En Servicio



PHOTO BY ANDREW VONBANK

**Joel Ulland, left, public policy director for the Minnesota chapter of the Multiple Sclerosis Society, and Bob Gregory, right, testify Feb. 24 before the House Health Policy and Finance Committee in support of a bill that would make several changes to programs and services for people with disabilities.**

(CLUES), the American Indian Family Center and the Hmong American Partnership would each receive \$500,000 under the bill. The money would be used to build collaborative programs among the three organizations and the university.

The hope is that participants would receive degrees, meet with mentors and pursue internships, said Maureen Acosta, director of communications and fund development with CLUES.

LaVon Lee, executive director of the American Indian Family Center, agreed. "Many of the individuals have no significant job experience," she said. "Our community members are eager to work and want to work. We believe we can be successful in helping our people find jobs."

William Yang, executive director of the Hmong American Partnership, said he hopes the program can break the cycle of public assistance. "We believe the project will have an impact that extends well beyond the area. When more and more people are gainfully employed, more people will succeed."

Mahoney said the East Side has the largest Hmong and Hispanic populations in the area, and it's crucial that they learn skills now. "Unless our citizens can acquire those skills, it's not us that are the losers, it's the employers of tomorrow," he said.

A companion bill (SF460), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Finance Committee.

## INSURANCE



The Minnesota FAIR Plan could get another option for handling insurance claims, under HF667. For more information, go to the Session Weekly Extra page at <http://www.house.mn/hinfo/swx.asp>.

## LOCAL GOVERNMENT



### Changing salary limits

Salary compensation limits for government employees could be removed under a bill approved by the House Local Government Committee March 2.

Rep. Ron Erhardt (R-Edina) sponsors HF995 that would repeal the salary cap for employees of charter cities, counties and towns. He said placing caps on employees' salaries makes it hard to keep quality workers, who "don't come and go with the winds of fortune."

Currently employees are limited to 95 percent of the governor's salary which is \$120,303.

"Local government can be trusted and set salaries for their people," said Rep. Morrie Lanning (R-Moorhead), sponsor of a similar bill, HF994. He voluntarily laid his bill over with the expectation Erhardt's bill would advance.

HF995 was approved and moves next to the House Governmental Operations and Veterans Affairs Committee.

"Cities are not all equal," testified Anoka Mayor Bjorn Skogquist. By removing the salary cap, smaller cities are unable to compete for quality workers because they can't offer as much compensation, he said.

The "type of talent we need is exactly the kind we're losing," said Keith Carlson, executive director of the Metropolitan Inter-County Association. The limit creates real problems in being able to compete nationally for experienced city managers.

Cities already offer hefty severance and benefits packages to certain government employees, said John Kysylczyn, former mayor of Roseville. People should take government positions to serve the public, rather than a desire to receive a large paycheck, he added.

Companion bills (SF953 and SF857), sponsored respectively by Sen. Steve Kelley (DFL-Hopkins) and Sen. Linda Scheid (DFL-Brooklyn Park), await action in the Senate State and Local Government Operations Committee.

## METRO AFFAIRS



### Fiscal disparities study

The city of Bloomington is one of the largest contributors in the Twin Cities metropolitan area to the fiscal disparities pool, and while Rep. Ann Lenczewski (DFL-Bloomington) knows that's likely to continue, she'd like to know how and why.

She has introduced HF851, which requires the Department of Revenue to conduct a study of the fiscal disparities program, and report back to the Legislature by Feb. 1, 2006, to see if the program is working as intended.

The bill was heard March 2 in the Property and Local Tax Division of the House Taxes Committee and held over for possible inclusion in a division report to the full committee.

Fiscal disparities are payments made to cities based on their market value and population. Each city annually contributes 40 percent of its commercial and industrial growth to the fiscal disparities pool. Each city then receives a share of the pool through a formula based on its share of the area's population and its tax base.

Generally, cities like Bloomington, with more growth and a higher tax base contribute more to the pool than they get. Cities like South St. Paul, which is completely developed, get more than they give. The program was implemented in 1975 with a goal of having all areas of the Twin Cities share in development.

"There is no other state in the country that does this," Lenczewski said. "Minnesota is a strong believer in equalization. It doesn't recognize the pressures that come with growth," she said.

Communities receiving that fiscal disparities check don't receive their share of the complications, she said, yet residents of those communities will go to a nearby community to shop or see a movie.

The bill, which has no Senate companion, would examine whether the distribution formula is reasonable, whether it helps support orderly growth in the Twin Cities metropolitan area, whether the money prevents local governments from pursuing their own development and what improvements could be made.

## MILITARY



### Pitch the tent

The Minnesota National Guard Youth Camp at Camp Ripley needs state funding to help maintain the campgrounds and continue the program, Ed Howard, state coordinator for the camp, told the House State Government Finance Committee March 2.

Sponsored by Rep. Bruce Anderson (R-Buffalo Township), HF930 would appropriate \$50,000 in both fiscal years 2006 and 2007. The funding is contingent on being matched by other sources.

Howard said the camp currently is funded primarily through donations.

"Our overriding charter is that kids have fun," Howard told the committee. The camp serves children ages 10 to 15 and supports activities such as soccer, biking, rifle safety, flag history and etiquette. The program also attempts to help children cope with the stress of separation caused by military duty of a parent, sibling or guardian.

The measure was laid over for possible inclusion in the committee's omnibus bill.

A companion bill (SF861), sponsored by Senate President James P. Metzen (DFL-South St. Paul), awaits action in the Senate Finance Committee.

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

## ★ RECREATION

### Hall of Fame consideration

Major League Baseball great Roger Maris belongs in the National Baseball Hall of Fame, so says the Minnesota House of Representatives.

Rep. Anthony "Tony" Sertich (DFL-Chisholm) went to bat for his fellow Iron Ranger, sponsoring a resolution, HR5, asking for that consideration.

However, the Hall of Fame Veterans Committee passed Maris over March 2, as well as former Minnesota Twins Jim Kaat and Tony Oliva.

Born in Hibbing, but living a good share of his life in the Fargo-Moorhead area, Maris, as a member of the New York Yankees, became the homerun king with 61 in 1961. "This was before the days of steroids," Sertich told the House Rules and Legislative Administration Committee Feb. 24. His record stood until 1998.

According to the Official Roger Maris Web site, highlights of his career include twice being named the American League's Most Valuable Player and playing in seven World Series — twice with the St. Louis Cardinals and five times with the Yankees. He retired in 1968 and died Dec. 14, 1985, of lymphoma cancer at the age of 51.

The House adopted the resolution on Feb. 28, referring to the Hall of Fame as "a well-deserved tribute to his outstanding major league career and his inspiration to youth through his exemplary conduct, both on and off the baseball diamond."

The North Dakota House of Representatives passed a similar resolution in early January.

## ★ TRANSPORTATION

### Funding ideas

The Association of Minnesota Counties has proposed a funding package that includes an immediate 5 cent increase in the gas tax and subsequent increases based on the rate of inflation.

HF1353, sponsored by Rep. Michael Beard (R-Shakopee), contains the recommendation. Heard March 1 by the House Transportation Finance Committee, it was held over for possible inclusion in the committee's omnibus bill.

The bill would raise the gas tax from 20 cents to 25 cents a gallon, and make proportionate hikes on diesel fuel taxes. Beginning April 1, 2007, future increases would be based on inflation.

The bill would also allow counties to impose a wheelage tax of up to \$20 per vehicle. That money would be placed in a county fund for road

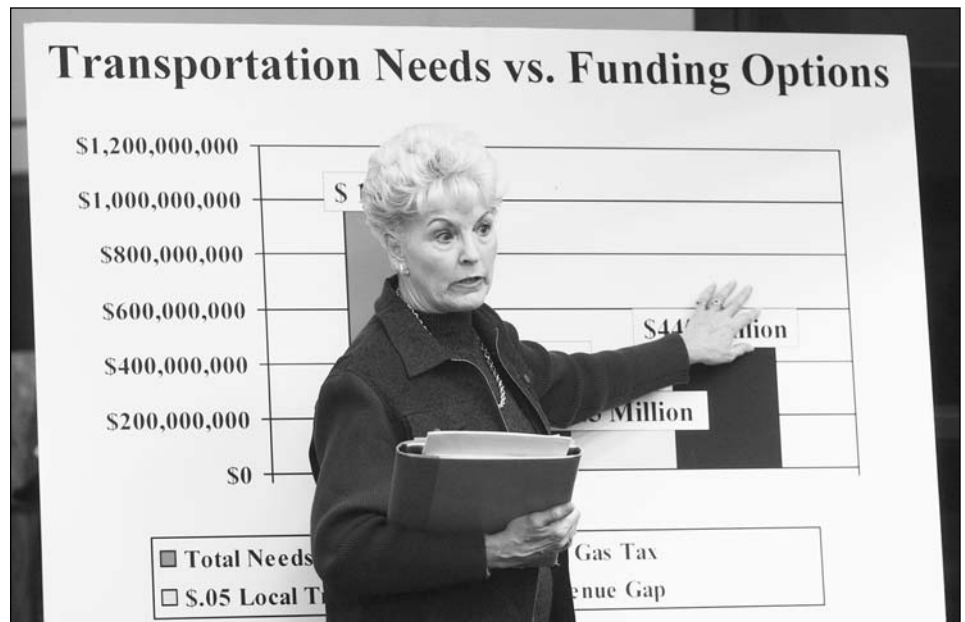


PHOTO BY TOM OLMSCHIED

**Carol Lovro, a transportation policy analyst with the Association of Minnesota Counties, explains the graph she brought to the House Transportation Finance Committee March 1, as part of her testimony in support of a bill that would increase the gas tax and would allow cities and counties to authorize fees and taxes to meet their transportation needs.**

and bridge construction and maintenance.

Maximum taxes on passenger autos would also be increased after the first year of operation from \$189 to \$214 in the second year, and from \$99 to \$124 in subsequent years.

Counties could also levy a sales tax for transportation purposes, to a maximum 0.5 percent, up to \$20. Cities and counties would have the authority to impose "transportation impact fees" on building permits, with the money designated to improve the intersections and address safety hazards that might be created by the building.

Ordinances approving the fee would have to include a trip generation rate.

Expansions of existing buildings and replacements of razed structures would be exempt, as would accessory buildings and new buildings that don't generate more trips.

For trunk highways, the bill authorizes \$200 million in bonding, split between the Twin Cities metropolitan area and Greater Minnesota, and \$50 million each for local bridges and regional routes.

Carol Lovro, a transportation policy analyst with the association, said counties are presenting the proposal as a way to improve roads, not raise taxes.

A companion bill (SF1301) sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Transportation Committee.

### Bring on the ethanol

The House Transportation Committee referred to the House Transportation Finance

committee March 1 a bill (HF223) that would require all gasoline sold in Minnesota to contain a 20 percent mix of ethanol by 2015.

The bill has already been through several House committees, said Rep. Gregory M. Davids (R-Preston), the bill's sponsor.

"The bill has taken the tour of the Legislature," he said. "I'll talk about ethanol every day of the week."

As of now, gasoline sold in the state must contain at least 10 percent ethanol, which is derived from corn. Supporters hope that it will eventually reduce the reliance on foreign oil.

"This is one of the great Minnesota success stories," Davids said. "Ethanol has proven to be very beneficial to the environment. It creates jobs and a lot of economic activity. So don't do it for yourself, don't do it for the state of Minnesota, do it for America."

The bill originally had a 2012 deadline, but a successful amendment by committee chair Rep. Ron Erhardt (R-Edina) extended that by three years.

Speaking on behalf of the Alliance of Automobile Manufacturers, Sandy Neren said the requirement would be expensive. "This would be prohibitively expensive for the manufacturers and prohibitively expensive for your constituents."

Hosein Shapouri, an economist with the U.S. Department of Agriculture, said ethanol was worth the trouble.

According to research he has done, advances in farming technology have improved the economic feasibility of ethanol production. He has concluded that the manufacture, pro-



cessing and use of ethanol in modern facilities could eventually replace petroleum imports. "The future of the ethanol industry is very bright," he said.

"This legislation is good for our state, our farms and our country," said Rod Jorgenson, who farms near Kasson, adding that it will create jobs and help businesses in rural Minnesota.

A Senate companion (SF4), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action in the Senate Transportation Committee.

### 'Mad Mom' bill

The son of Rep. Mary Liz Holberg (R-Lakeville) obtained his learner's permit, allowing him to drive with a licensed driver in the car, shortly after he turned 15. The permit expired in one year, so it was his intent to get his driver's license shortly after he turned 16.

That didn't work out, Holberg said, so they went to get another permit when his expired. They were told it would be all right to continue

to drive with an expired learner's permit.

"It was not OK in my mind, so we ended up buying another permit," she said. She was later told that people frequently drive with expired learner's permits.

Hence was born Holberg's self-proclaimed, "Mad Mom bill."

Heard March 2 by the House Transportation Committee, HF1351 would extend the duration of learner's permits to two years. The bill was held over for possible inclusion in the committee's omnibus bill.

There is no Senate companion.

## VETERANS



### Veterans' plates

The Minnesota Department of Transportation now issues license plates to a number of veterans, including: World Wars I and II, Gulf, Korean and Vietnam wars.

A number of bills are being offered to

expand the collection. The House Transportation Committee considered five March 2.

HF105, sponsored by Rep. Dan Dorman (R-Albert Lea), would authorize a special veterans' motorcycle license plate for veterans who served in the Gulf War. Now, veterans' motorcycle license plates are authorized only for Vietnam veterans. There would continue to be a \$10 fee. The bill was referred to the House Transportation Finance Committee. A companion bill (SF135), sponsored by Sen. Bob Kierlin (R-Winona), awaits action in the Senate Finance Committee.

HF171, sponsored by Rep. Bruce Anderson (R-Buffalo Township), would authorize new license plates for veterans who have served in Iraq, Afghanistan or elsewhere in support of the global war on terrorism. The plate would sport decals and lettering to signify the veteran's service. There would be a \$10 fee for each set of plates to cover the cost. The bill was referred to the House floor. A companion bill (SF605), sponsored by Sen. Michael J.

## MUSEUM PROPOSAL



PHOTO BY TOM OLMSCHIED

Katie Guck, bottom left, a member of VFW Post 4020 Women's Auxiliary in Perham, listens as members of the House Jobs and Economic Opportunity Policy and Finance Committee hears a proposal to appropriate money for a grant for a Veterans Museum in Perham. Other post members pictured include, clockwise from top left, Art Sozama, Gary Metz and Norm Hayden.

Jungbauer (R-East Bethel), awaits action in the Senate Transportation Committee.

HF472, sponsored by Rep. Mark Olson (R-Big Lake), would allow veterans to have special veterans' plates on all vehicles they own. They are now allowed a maximum of two. The bill was referred to the House floor. A companion bill (SF921), sponsored by Sen. Betsy L. Wergin (R-Princeton), awaits action in the Senate Transportation Committee.

HF883, sponsored by Rep. Ray Vandever (R-Forest Lake), would allow members of the Disabled American Veterans to have a license plate with the "Disabled American Veteran" notation under the numbers and the "DAV" notation on the side for a \$10 fee. The bill was referred to the House Transportation Finance Committee. A companion bill (SF931), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Transportation Committee.

HF1095, sponsored by Rep. Peter Nelson (R-Lindstrom), would allow veterans' license plates to be used on 1-ton trucks that don't meet the definition of a commercial vehicle. They can now only be displayed on passenger

cars and trucks. The bill was referred to the House Transportation Finance Committee. A companion bill (SF950), sponsored by Sen. Sean R. Nienow (R-Cambridge), awaits action in the Senate Transportation Committee.

### Potential property tax breaks

Disabled American veterans would get a break on their property taxes under a bill heard March 2 in the Property and Local Tax Division of the House Taxes Committee.

Held over for possible inclusion in an omnibus bill, HF169, sponsored by Rep. Tom Rukavina (DFL-Virginia), would make veterans with a permanent service-connected disability exempt from property taxes beginning with taxes payable in 2006. The United States Veterans Administration must provide the certification.

"The bill does not charge veterans who got their disability in the line of duty any (property) tax whatsoever," Rukavina said. "This would be a good tax policy for someone who is totally disabled."

To get the exemption, the veteran must apply with the county assessor, and then provide the documentation. When the exemption is granted, it remains in effect until the property changes hands. Veterans would then qualify for an exemption at their new home. The exemption would extend to the spouse if the veteran dies first, until the spouse either remarries or disposes of the property.

Permanently and totally disabled American veterans currently qualify for a lower property tax rate, not a total exemption, if they live in special housing unit to accommodate the disability. Rukavina's bill drops that requirement.

According to an analysis from the Minnesota Department of Revenue, there are approximately 2,800 homeowners who would qualify for the exemption. The main impact on the state's budget would be the elimination of property tax refunds to the disabled veterans, so money would actually be saved.

A companion bill (SF417), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Taxes Committee.

## What's on the Web

### Talkin' 'bout My Bills (My Bills)

The legislative Web site provides personalized bill tracking for House and Senate legislation within the current biennium. MyBills, as the service is called, requires an easy one-time registration of a username and password ([www.house.leg.state.mn.us/leg/billsublogin.asp](http://www.house.leg.state.mn.us/leg/billsublogin.asp)).

The system keeps track of House and Senate bills by bill number, subject or author. Users enjoy the benefit of viewing bill status with items of significant current action highlighted. The status

is updated daily, and users can modify their lists at anytime. Lists are retained throughout the legislative biennium.



## Constitutional Officers

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Election Division: (651) 215-1440  
Open Appointments: (651) 297-5845  
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(651) 296-2803

# DNA database

## Crime-solving tool or invasion of privacy?

By Ruth Dunn

A cotton swab would be used to capture DNA from inside your mouth if you are arrested for any felony, under HF1244, sponsored by House Majority Leader Erik Paulsen (R-Eden Prairie).

"DNA is the fingerprint of the 21st century," Paulsen told the House Public Safety Policy and Finance Committee March 1. DNA results can be used to help convict the guilty, exonerate the innocent and to solve both current and old cases, he said.

Under his bill, DNA would be collected from all people arrested for felony crimes in Minnesota beginning July 1, 2010.

A phase-in would begin July 1, 2005, with collection of samples from people arrested for certain violent and predatory felonies, such as murder, kidnapping and criminal sexual assault.

All DNA information that is collected would be added to a statewide DNA database and also shared with a national database.

The proposal sparks a controversy between those who think the DNA database is an important crime-solving tool and those who have concerns about civil liberties and the invasion of personal privacy.

Rep. Keith Ellison (DFL-Mpls) said DNA collection started with convicted sex offenders, then moved to violent and predatory offenders upon conviction, then to all felons upon conviction and now it's proposed to take samples from all who are arrested in connection with felonies. "Why doesn't your bill go to non-felons, misdemeanors, driving after suspension? Why even stop there, why not tell all hospitals to take

everyone's DNA at birth?" he said.

Rep. Michael Paymar (DFL-St. Paul) said it was problematic that every person arrested — not just convicted — for felonies would have DNA taken. He said the net becomes so large that thousands of individuals would be affected, including many who are wrongly arrested.

There is a process for clearing (expunging) a record in some circumstances but that could be expensive and time consuming, commented Ellison.

He also said that personal information on computer networks could mistakenly be released. "When you've got humans involved, mistakes will happen."

Rich Neumeister, a concerned citizen, also raised concerns.

"I believe in personal autonomy and freedom, and if I have not done a crime my DNA sample and '21st century' fingerprint should not be in the computer and the Bureau of Criminal Apprehension refrigerator/freezer," he wrote in testimony to the committee.

"DNA is the most powerful tool available to law enforcement to prove the truth," said James Backstrom, Dakota County attorney. DNA biological samples are genetic fingerprints that should

be considered no different from fingerprints that have been used in crime investigations for decades, he said.

DNA has been taken from all convicted felons in Minnesota since a law was passed by the Legislature in 2003 (and expires in July 2005).

At that time, the Legislature provided funds for the collection of DNA but not for the analysis of it, so there is a backlog of more than 19,000 samples that nothing has

***"This legislation is saving lives in other states, and can save lives here in Minnesota. It is entirely appropriate for us to protect citizens and prevent future crimes."***

— House Majority Leader Erik Paulsen

***"Why doesn't your bill go to non-felons, misdemeanors, driving after suspension? Why even stop there, why not tell all hospitals to take everyone's DNA at birth?"***

— Rep. Keith Ellison

### History of Minnesota's Combined DNA Index System

1989: DNA sex offender database established in Minnesota; about 1,000 DNA samples a year done by taking blood from adults convicted of felonies.

1991: First Minnesota murder solved by use of database.

1993: First crime solved in another state through match of Minnesota database with national database.

1999: New DNA technology, much less time required to process samples.

2000: DNA sampling expanded to convicted predatory offenders, sample collection increases to about 4,000 a year.

2003: DNA sampling further expanded to all convicted felons, set to sunset in 2005.

**Source: Minnesota Bureau of Criminal Apprehension of the Minnesota Department of Public Safety**

been done with, according to Frank Dolejsi, director of the BCA laboratory at the Minnesota Department of Public Safety. Some grant money was secured to process some samples, he said.

There are now 23,613 offender DNA profiles in the Minnesota database. In addition, there are 1,619 forensic samples collected from crime scenes or victims that have not yet been matched to suspects, said Dolejsi.

All states participate in the national DNA index system, which includes more than 2 million profiles of convicted adult felons, as of December 2004.

Four states have authorized DNA collection from people who are arrested for felonies: California, Louisiana, Texas and Virginia.

The House Public Safety Policy and Finance Committee recommended the bill to pass and sent it to House Civil Law and Elections Committee to clarify civil liberties issues before it is returned. A companion bill (SF1201), sponsored by Sen. Leo T. Foley (DFL-Coon Rapids), awaits action in the Senate Crime Prevention and Public Safety Committee.

"This is a natural evolution of fingerprint requirement," said Paulsen. "This legislation is saving lives in other states, and can save lives here in Minnesota. It is entirely appropriate for us to protect citizens and prevent future crimes."

## High-speed connection

Broadening broadband use could help productivity

By MATT WETZEL

A broadband Internet connection means more than surfing the Web quickly without tying up your phone line. It also helps businesses operate more efficiently.

One example is WindLogics, Inc. Based in St. Paul, and with a Grand Rapids operation, the company provides long-term weather and wind variability reports to utilities and wind farm developers. "All of our products are delivered on the Web. You couldn't really do it without broadband," said Mark Ahlstrom, chief executive officer.

Lee Alnes, vice president of marketing with WindLogics, said the company has more than 100 computers in Grand Rapids that transmit massive amounts of data to the St. Paul office every day. Transmitting that data by dial-up connection would probably take more than a day.

"It would be too expensive to bother driving them down. Our need for information is pretty much real time," he said. "It changes your life when you can look up something instantaneously. I don't have a phone book in my home anymore."

Simply put, broadband does what dial-up connections do, only a lot faster, and you can connect without occupying your phone line. Alas, broadband Internet access costs more.

The Blandin Foundation in Grand Rapids recognizes the efficiency of broadband technology, so

it's trying to raise \$1 million for a Broadband Development Fund. The foundation will put up \$250,000, and is seeking \$250,000 from the state, with the remainder to come from other sources. The money must be used to increase the use of broadband technology by businesses, schools, health care, government organizations and the general public.

Sponsored by Rep. Andrew "Andy" Westerberg (R-Blaine), HF1197 was heard March 1 by the House Jobs and Economic Opportunity Policy and Finance Committee, and held over for possible inclusion in the committee's omnibus bill.

"I believe broadband is a necessary tool for continued development in rural Minnesota," Westerberg said.

Broadband became available to the general public about five years ago, after the Internet had become popular. Internet access at the time was primarily achieved by dial-up, which had its limitations. Broadband offered a quicker, more varied choice.

Broadband is a high capacity, high-speed transmission channel carried on cables that have a wider bandwidth than the telephone lines. Broadband channels can carry video, voice and data simultaneously, so the transmission of movies and videotapes is a lot easier.

"Whether you're a business, or school, or government or health care organization, it allows you to operate more efficiently and productively," said Gary Fields, project consultant for the foundation.

"There are many areas where we are less competitive. We have to take every opportunity. Broadband technology allows us to do that," he said. "Many companies sell on the Internet. Broadband is a great way to identify who they (customers) are."

One use for businesses is to place catalogs on the Internet for downloading and schools can place courses on the Web for students at

remote locations.

The foundation has a Broadband Initiative Board that encourages businesses to consider broadband. Committee Chair Rep. Bob Gunther (R-Fairmont) is a member. "There are very many small towns in Greater Minnesota where you couldn't be an auto dealer if you didn't have high-speed Internet," he said.

"Can you imagine a dial-up (connection) downloading a book report?" Gunther asked. If broadband allows businesses to grow, they could add employees, and that makes broadband an effective economic development tool, he said.

Even so, according to a 2004 study by the Center for Rural Policy and Development, based in St. Peter, only 21 percent of people in Greater Minnesota use broadband, even though 85 percent have access to it.

Gunther said people have to be convinced of the importance of high-speed Internet access. "Somebody has to tell people about it. It's an educational tool."

And the Blandin Foundation is trying to take the ball and run with it. "We are trying to show people why they need it," he said.

Cost could be an issue, according to the report. The average price of a home broadband connection in rural Minnesota dropped from \$40.90 in 2003 to \$37.45 in 2004. That's still \$13 higher than the average monthly dial-up connection, according to the report. Prices for businesses would be comparable, Fields said.

"The cost of broadband continues to come down as people use it. As people understand the value it delivers, they usually spend the money for it," Fields said.

Gunther said it's an investment that some companies will have to make. "You can't take the time in today's business using what dial-up offers you. You've got to be fast," he said.

A companion bill (SF1120), sponsored by Sen. Dallas C. Sams (DFL-Staples), awaits action in the Senate Finance Committee.

***Expanding broadband would not only help businesses, but schools could place courses on the Web for students at remote locations.***

***According to a 2004 study by the Center for Rural Policy and Development, based in St. Peter, only 21 percent of people in Greater Minnesota use broadband, even though 85 percent have access to it.***



# Taking on the issues

Hansen's background perfect for diverse constituency

By LEE ANN SCHUTZ

The day before the legislative session was to begin, Rep. Rick Hansen (DFL-South St. Paul) sat at his desk, studying last year's bonding bill. If he could have introduced the first bill of the session, that would have been it, he said. "It is unfinished business, and at least to the people I represent, it is important."



Rep. Rick Hansen

But when it comes to concerns in his district, the bonding bill is outranked by concerns over affordable health care and maintaining a quality public education system. This shouldn't come as too much of a surprise, Hansen said. For his district, that includes Lilydale, Mendota, Mendota Heights, West St. Paul and parts of Eagan, and South St. Paul,

is diverse in economics, ethnicity and age.

The district has a large number of seniors, with whom the cost of health care is an immediate concern. But there is an equally large number of what he calls the "sandwich generation" — adult children taking care of their children and elderly parents.

Hansen knows all about these struggles. He is a new father and recently had to deal with making decisions about nursing homes and assisted care facilities for his own parents. He has introduced legislation asking for a study on how public and private institutions and workplaces are dealing with the issue.

From his farming roots in rural Freeborn County and his work with the Department of Agriculture, to his new ventures in e-commerce selling Amish-made furniture, Hansen believes he is well suited to represent his constituency. He was drawn to the idea of running for the House because of his dedication to

## DISTRICT 39A

2002 population: 36,532  
Largest city: Eagan  
County: Dakota  
Top concerns: Affordable health care, quality education

***Hansen has introduced legislation asking for a study on how public and private institutions and workplaces are dealing with issues faced by the "sandwich generation."***

public service and feels honored to have been elected.

On the day that Hansen was sworn in, he resigned from a job at the Department of Agriculture where he worked for 17 years on pesticide issues. Hansen could have retained his position, but felt that ethically he could not vote on legislation that affected the department. "But I won't forget my work in public service, and I bring that to the table," he said.

# Natural progression

A culmination of experience led Loeffler to the House

By BRETT MARTIN

Rep. Diane Loeffler (DFL-Mpls) has spent a good part of her career working with budgets, and in one instance, it had a very interesting outcome.



Rep. Diane Loeffler

Several years ago, when the Minnesota Board of Environmental Education was facing budget woes, it held an auction to raise money. Loeffler bid, sight unseen, on help to perform some home improvements. The board member who offered the service is now her husband.

"Demanding times can sometimes result in creative solutions," she said of the auction.

Loeffler has an eclectic background. She interned at the Department of Administration, which used to handle state budgeting. She has worked in education policy research, local government, employment, human ser-

vices and health care, focusing primarily on budgets and analyzing policy. This all served as a catalyst to run for the House seat.

"One of the things I bring to the job is experience on a wide range of issues," she said, adding that her background will be invaluable on her committees: Commerce and Financial Institutions and its Technology, Bioscience and Medical Products Division; Governmental Operations and Veterans Affairs; and Rules and Legislative Administration.

Loeffler would like to see more funding in education.

"We need to increase the state investment in education — in pre-k through university education," she said. "The state has to assure that every child, no matter where he or she is born, receives a quality, publicly paid education."

If she could have introduced the first bill of the session, it would have been equal quality education for all children in the state.

"If you look at what the state is responsible for providing, education is a key responsibility,"

## DISTRICT 59A

2002 Population: 36,715  
Largest city: Minneapolis  
County: Hennepin  
Top concerns: Adequately funded education, health care needs

***"The state has to assure that every child, no matter where he or she is born, receives a quality, publicly paid education."***

— Rep. Diane Loeffler

ity," Loeffler said. "Education is a core Minnesota value. If you have a good education, it opens up so many doors later in life."

She is also concerned with keeping a lid on property tax increases.

"There are a lot of young homeowners and elderly people on fixed incomes who are being strangled by property tax increases," she said.

Having spent part of her career in the health care field, she realizes the importance of affordable health care.

"I want to ensure quality health care is available for everyone," she said.

# Large expanse, many issues

Sailer is working on variety of subjects for her constituents

By MIKE COOK

It takes Rep. Brita Sailer (DFL-Park Rapids) more than two hours to drive from her home to the northernmost part of her district.



Rep. Brita Sailer

With such a geographic expanse, come a variety of issues.

Affordable and accessible health care is of importance to her constituency. "It is affecting people in so many ways — more than just on a personal level, but certainly on the economic level." She has spoken with people who work more than one job, yet can't afford health care. People are affected by past cuts to MinnesotaCare, she said. Additionally, small business owners want to provide some kind of health care for their employees, but it's tough.

Such is also the case for school districts

that have had little success in passing levy referendums. "We want to make sure that all Minnesotans have equal access to quality education," she said.

Before being elected, Sailer got to know some of her constituents through her work, which she terms, "A Dating Service for Waste Materials."

The materials exchange program is one of several around the state. "My job is to think 'who could use this and how could we get it there?' It's really great to help out both ends, save money, sometimes thousands of dollars," and save resources as well.

For example, she said a company in a nearby county benefited from the program. The company was making packaging for Rubbermaid containers and once the packaging was developed, many of the containers used in the testing process went to schools and nonprofits rather than a landfill.

Despite her employment activity, Sailer

## DISTRICT 2B

2002 population: 36,538  
Largest city: Park Rapids  
Counties: Beltrami, Clearwater, Hubbard, Pennington and Polk  
Top concerns: Health care and education

***There are telecommunication issues in Sailer's district, such as inconsistent cell phone coverage and the lack of high-speed Internet.***

does not serve on an environment committee. She is on the House Education Policy and Reform, Rules and Legislative Administration and Commerce and Financial Institutions committees, including the Tourism Division of the latter. That is fine with her.

"It comes back to representing the district," she said, noting that there are telecommunication issues in her district, such as inconsistent cell phone coverage and the lack of high-speed Internet. Additionally, many district businesses rely on tourism dollars.

# Importance of tradition

New member resolves to make a difference

By MATT WETZEL

Rep. Steve Simon (DFL-St. Louis Park) ran for his legislative seat because he believed the state had gotten away from its tradition of good government.



Rep. Steve Simon

"I was worried the state was getting off on the wrong track, and I felt I could help move it back in the right direction. I didn't think we were going to get the kind of changes that we needed by changing the minds of the people at the Legislature. We had to change the bodies." He defeated six-term Republican Rep. Jim Rhodes by 11.3 percent.

After earning an undergraduate degree in political science, Simon, in 1992, went to work on the campaign staff of former

President Clinton. He said the experience was invaluable. Viewers of the movie, "The War Room," a documentary about the Clinton presidential campaign, might have caught a 2-second glimpse of Simon.

After the campaign, Simon earned his law degree. He then worked on consumer, tax and education issues in the Attorney General's office under Hubert "Skip" Humphrey III, and also Mike Hatch. He joined the Minneapolis law firm of Robins, Kaplan, Miller and Ciresi LLP, where he represents businesses.

Simon believes quality public education is important to his constituents and that it might be compromised because of "flat state funding."

If he could have introduced the first bill of the session, it would have provided more financial help for schools. "I think the schools in our area have really felt the pinch of the cuts in the last two years," he said.

## DISTRICT 44A

2002 Population: 36,849  
Largest city: St. Louis Park  
County: Hennepin  
Top concerns: Education, health care and transportation

***"I saw, firsthand, how families can get kicked around by the system. It didn't just make me mad, I resolved to try to do something about it."***

— Rep. Steve Simon

Other key issues are health care and transportation.

"Sickness doesn't discriminate, whether you're rich or poor or black or white. I saw, firsthand, how families can get kicked around by the system. It didn't just make me mad, I resolved to try to do something about it," he said. He serves on the House Transportation, and Civil Law and Elections committees.

## Monday, February 28

### HF1353—Beard (R)

#### Transportation Finance

Motor fuel tax rates increased, county and city transportation fees and taxes authorized, bonds issued and money appropriated.

### HF1354—Ruth (R)

#### Transportation

Motor vehicle transaction fee and filing fees for processing license applications increased.

### HF1355—Demmer (R)

#### Education Finance

School districts authorized to build school buildings using design-build construction techniques.

### HF1356—Kohls (R)

#### Commerce & Financial Institutions

Corporate research tax credit computation increased.

### HF1357—Peppin (R)

#### Commerce & Financial Institutions

Corporate research tax credit increased and money appropriated for the biotechnology credit.

### HF1358—Wilkin (R)

#### Commerce & Financial Institutions

Minnesota No-Fault Automobile Insurance Act repealed, appropriate premium reduction provided and liability coverage required.

### HF1359—Carlson (DFL)

#### Higher Education Finance

Minnesota State Colleges and Universities repairs funding provided and money appropriated.

### HF1360—Bradley (R)

#### Health Policy & Finance

Developmental disabilities quality assurance system modified and money appropriated.

### HF1361—Olson (R)

#### Regulated Industries

Lottery proceeds percentage deposited in the natural resources and recreation fund, fund established and funds usage specified.

### HF1362—Jaros (DFL)

#### Commerce & Financial Institutions

Credit scoring prohibited for automobile and homeowner's insurance.

### HF1363—Demmer (R)

#### Education Policy & Reform

Education staff development program and reserved revenue eliminated.

### HF1364—Mariani (DFL)

#### Education Policy & Reform

Probationary period authorized for assistant principals who are promoted to principal in cities of the first class.

### HF1365—Thissen (DFL)

#### Local Government

Municipal solid waste service business inverse condemnation authorized when a governmental entity occupies the market.

### HF1366—Olson (R)

#### Transportation

Minnesota Regulated Public Transit Utilities Act adopted providing for regulation of transit services and requiring legislative reports.

### HF1367—Olson (R)

#### Civil Law & Elections

Water utility charges responsibility regulated for landlords and tenants.

### HF1368—Kahn (DFL)

#### Governmental Operations & Veterans Affairs

Minnesota Twins community ownership process provided.

### HF1369—Thissen (DFL)

#### Taxes

Regional investment income and franchise tax credit provided.

### HF1370—McNamara (R)

#### Commerce & Financial Institutions

Plumber licensure required and new plumbing installation inspection requirements established.

### HF1371—Huntley (DFL)

#### Higher Education Finance

Wisconsin student tuition reciprocity at the University of Minnesota regulated.

### HF1372—Huntley (DFL)

#### Health Policy & Finance

Medical Assistance reimbursement rates modified for nursing facilities.

### HF1373—Clark (DFL)

#### Health Policy & Finance

AIDS prevention initiative grants established focusing on African-born Minnesotans and money appropriated.

### HF1374—Erickson (R)

#### Governmental Operations & Veterans Affairs

Teachers retirement association board membership modified to include a school administrator.

### HF1375—Severson (R)

#### Commerce & Financial Institutions

Construction defects in residential housing causes of action regulated and notice and opportunity to repair provided.

### HF1376—Hoppe (R)

#### Regulated Industries

Minneapolis; Walker Art Center on-sale liquor license authorized.

### HF1377—Ellison (DFL)

#### Civil Law & Elections

Predatory offender screening committee established, access to data provided and hearing judge and attorney panels authorized.

### HF1378—Soderstrom (R)

#### Public Safety Policy & Finance

Conditional release board created with the authority to release certain nonviolent controlled substance offenders from prison, expungements authorized, chemical dependency treatment required and new facility proposals authorized.

### HF1379—Sailer (DFL)

#### Governmental Operations & Veterans Affairs

Toll-free taxpayer assistance telephone lines required.

### HF1380—Solberg (DFL)

#### Health Policy & Finance

Aitkin County nursing facility moratorium exception project deadline extended.

### HF1381—Howes (R)

#### Taxes

Sylvan gravel tax authorized.

### HF1382—Clark (DFL)

#### Agriculture & Rural Development

Wild rice; genetically engineered wild rice release, planting, cultivation, harvest or sale prohibited.

### HF1383—Dill (DFL)

#### Taxes

Direct reduced ore production tax clarified.

### HF1384—Dill (DFL)

#### Environment & Natural Resources

Trapper education requirements provided.

### HF1385—Nornes (R)

#### Higher Education Finance

Higher education funding provided for Minnesota State Colleges and Universities, the University of Minnesota and the Mayo Medical Foundation; Higher Education Facilities Authority merger authorized and money appropriated.

### HF1386—Sertich (DFL)

#### Commerce & Financial Institutions

Ergonomics occupational safety and health standard required.

### HF1387—Hornstein (DFL)

#### Taxes

Foreign operating corporations definition modified, foreign royalties tax subtraction repealed and certain income excluded.

### HF1388—Hornstein (DFL)

#### Taxes

Foreign operating corporation tax definition modified.

### HF1389—Gunther (R)

#### Agriculture & Rural Development

County agricultural society exemption from local zoning ordinances clarified.

### HF1390—Vandever (R)

#### Local Government

Local governments authorized to purchase aerial platform fire trucks using certificates of indebtedness with 10-year terms.



**HF1391—Cox (R)****Environment & Natural Resources**

Waste electronic products recovery and recycling provided.

**HF1392—Nelson, P. (R)****Taxes**

Ready-to-eat meat and seafood prepared food sales tax provision expiration date removed.

**HF1393—Holberg (R)****Local Government**

Minneapolis-St. Paul International Airport additional taxicabs provided, taxi services fees increased, transfer of permits authorized, unsafe rules prohibited and report provided.

**HF1394—Soderstrom (R)****Governmental Operations & Veterans Affairs**

Persian Gulf War veterans plaque authorized in the Court of Honor on the Capitol grounds.

**HF1395—Anderson, B. (R)****Governmental Operations & Veterans Affairs**

Minneapolis Employee Retirement Fund service credit purchase for a workers' compensation injury period authorized.

**HF1396—Solberg (DFL)****Environment and Natural Resources**

Aitkin County; Big Sandy Off-highway Vehicle Recreation Area established.

**HF1397—Cybart (R)****Commerce & Financial Institutions**

State Patrol term prohibited in advertising for private detective or protective agent services.

**HF1398—Cybart (R)****Commerce & Financial Institutions**

Unclaimed property held by cooperatives and the right to receive or recover unclaimed property regulated and public notice requirements modified.

**HF1399—Kohls (R)****Commerce & Financial Institutions**

Minnesota No-Fault Automobile Insurance Act modified, medical expense benefits tied to worker's compensation fee schedule, income loss and funeral benefits increased, tort threshold modified and arbitration process modified.

**HF1400—Nelson, P. (R)****Transportation**

Maximum axle weights allowed on highways regulated and certain motor carrier rules abolished.

**HF1401—Nelson, P. (R)****Transportation**

Commercial motor vehicle definition federal conformity provided.

**HF1402—Nelson, P. (R)****Transportation**

Cellular telephone operation in motor vehicle prohibited by holder of provisional driver's license or instruction permit.

**HF1403—Otremba (DFL)****Agriculture & Rural Development**

Milk producer payments provided to beginning producers and dairy modernization grant program established.

**HF1404—Hackbarth (R)****Environment & Natural Resources**

Cathode-ray tube recycling provided.

**HF1405—Sailer (DFL)****Agriculture and Rural Development**

Businesses that sell leases for agricultural equipment required to file a bond.

**HF1406—Zellers (R)****Governmental Operations & Veterans Affairs**

Criminal sexual conduct life without release sentences provided, maximum sentences increased, sex offender review board established, sentencing guidelines modified and predatory offender registration and notification requirements modified.

**HF1407—Finstad (R)****Health Policy & Finance**

Brown County; intermediate care facility for persons with mental retardation relocation authorized.

**HF1408—Finstad (R)****Local Government**

Brown County; recorder appointment authorized.

**HF1409—Scalze (DFL)****Public Safety Policy & Finance**

State fire marshal budget base increased.

**HF1410—Davnie (DFL)****Commerce & Financial Institutions**

Businesses maintaining personal information in electronic form required to disclose to consumers breaches in security.

**HF1411—Erickson (R)****Transportation**

Milk transport vehicles exempted from weight restrictions.

**HF1412—Demmer (R)****Education Finance**

Agricultural land exempted from certain school district debt service levies.

**HF1413—Brod (R)****Education Finance**

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

**HF1414—Brod (R)****Education Finance**

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

**HF1415—Zellers (R)****Regulated Industries**

Liquor wholesaler-retailer relationship laws modified.

**HF1416—Mullery (DFL)****Public Safety Policy & Finance**

Lifetime conditional release imposed on sex offenders who fail to register as predatory offenders.

**HF1417—Loeffler (DFL)****Commerce & Financial Institutions**

Homeowner insurers prohibited from acting on policies of a vacant dwelling if the vacancy is caused by the insured being called to active duty.

**HF1418—Atkins (DFL)****Civil Law & Elections**

Notification of non-custodial parents and the court required of custodial parent's residence with certain convicted persons.

**HF1419—Sykora (R)****Education Finance**

Minnesota Early Learning Foundation established, funding provided and money appropriated.

**HF1420—Ozment (R)****Environment & Natural Resources**

Environmental, natural resources, agricultural, and economic development funding provided and money appropriated.

**HF1421—Bradley (R)****Jobs & Economic Opportunity****Policy & Finance**

Deaf and hard of hearing grants provided to the Minnesota Employment Center and money appropriated.

**HF1422—Bradley (R)****Health Policy & Finance**

Health care policy provisions modified, fees and licensing provisions modified, positive abortion alternatives provided, alternative health care practice regulation repealed and money appropriated.

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**Thursday, March 3**


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**HF1423—Smith (R)****Public Safety Policy & Finance**

Public safety, corrections, and various public safety and crime-related boards policy provisions established, methamphetamine regulations modified, additional crime policy provided and money appropriated.

**HF1424—Dittrich (DFL)****Education Policy & Reform**

Public education equitable and adequate funding provided and constitutional amendment proposed.

**HF1425—Abeler (R)****Jobs & Economic Opportunity****Policy & Finance**

Supportive housing services provided and money appropriated.

**HF1426—Mariani (DFL)****Education Policy & Reform**

Non-school-hours enrichment grant program reestablished and money appropriated.

**HF1427—Sieben (DFL)****Governmental Operations & Veterans Affairs**

House resolution memorializing Congress to preserve Social Security.

**HF1428—Wilkin (R)****Health Policy & Finance**

Chemical dependency county expenditure allocation modified.

**HF1429—Dittrich (DFL)****Education Finance**

Referendum equalization aid and referendum revenue cap increased.

**HF1430—Dittrich (DFL)****Education Finance**

School district bonding for certain technology costs authorized.

**HF1431—Dittrich (DFL)****Education Finance**

School district formula allowance adjustment provided.

**HF1432—Dittrich (DFL)****Education Finance**

Special education program funding restored.

**HF1433—Dittrich (DFL)****Education Finance**

Early childhood family education program funding restored.

**HF1434—Dittrich (DFL)****Education Policy & Reform**

Hazardous traffic condition pupil transportation zone locally controlled process defined and levy for hazardous pupil transportation services authorized.

**HF1435—Hortman (DFL)****Education Policy & Reform**

Hazardous traffic condition pupil transportation zone locally controlled process defined and levy for hazardous pupil transportation services authorized.

**HF1436—Latz (DFL)****Transportation**

Uniform standards for driver's licenses and other documents provided, certain identification fraud acts prohibited, audits authorized, penalties provided and money appropriated.

**HF1437—Smith (R)****Civil Law & Elections**

Child support and parenting time six-month review hearing provided and procedures established.

**HF1438—McNamara (R)****Environment & Natural Resources**

State forest roads official map provided as alternative recording method for prescriptive easements.

**HF1439—Nornes (R)****Higher Education Finance**

Minnesota State Colleges and Universities Board of Trustees competitive salaries funding provided and money appropriated.

**HF1440—Nornes (R)****Higher Education Finance**

Higher Education Services Office service-learning program funding provided and money appropriated.

**HF1441—Nornes (R)****Higher Education Finance**

Enrollment base adjustments eliminated.

**HF1442—Emmer (R)****Public Safety Policy & Finance**

Life imprisonment required for persons convicted of a second violent felony and life imprisonment without parole required for third violent felony conviction.

**HF1443—Emmer (R)****Civil Law & Elections**

Voter registration proof of citizenship and voter picture identification required.

**HF1444—Emmer (R)****Civil Law & Elections**

Candidates failing to agree to be bound by spending limits required to make a payment.

**HF1445—Emmer (R)****Civil Law & Elections**

Summons and complaint filing required before issuance of garnishment summons.

**HF1446—Charron (R)****Regulated Industries**

Public Utilities Commission expedited proceedings and practices sunset repealed.

**HF1447—Erickson (R)****Regulated Industries**

Anticompetitive telecommunications practices sunset provision removed.

**HF1448—Smith (R)****Public Safety Policy & Finance**

Local correctional officer discipline procedures created.

**HF1449—Latz (DFL)****Health Policy & Finance**

Charity care by certain health care facilities required.

**HF1450—Juhnke (DFL)****Transportation**

Road authority appraisals designated as private data and required to be provided to landowners; appraisal review and direct billing of appraisal costs provided and legal fee reimbursement for landowners authorized.

**HF1451—Juhnke (DFL)****Transportation**

Transportation appraisals furnished to landowners for eminent domain proceedings, reimbursement of appraisal costs required and land acquisition public information provided.

**HF1452—Juhnke (DFL)****Transportation**

Day activity center buses warning equipment operation authorized.

**HF1453—Juhnke (DFL)****Agriculture & Rural Development**

Family agricultural revitalization zones authorized and value-added processing agricultural products promoted.

**HF1454—Eastlund (R)****Education Policy & Reform**

Education administrative districts established.

**HF1455—Zellers (R)****Commerce & Financial Institutions**

Sign specialist licenses created to be issued by the Board of Electricity.

**HF1456—Mullery (DFL)****Environment & Natural Resources**

Pollution Control Agency structure modified.

**HF1457—Urdahl (R)****Environment & Natural Resources**

Aquatic invasive species management funding provided, account established, watercraft decal required and money appropriated.

**HF1458—Kahn (DFL)****Governmental Operations & Veterans Affairs**

Cass Gilbert and Julia Finch Gilbert portraits display maintained in the Capitol building.

**HF1459—Kahn (DFL)****Governmental Operations & Veterans Affairs**

National Guard tuition reimbursement program time period extended for members who have served in active duty, income tax surcharge imposed and money appropriated.

**HF1460—Beard (R)****Governmental Operations & Veterans Affairs**

State construction contracts including design-build contracts regulation provided.

**HF1461—Ruth (R)****Transportation**

Disabilities parking provisions modified and simplified.

**HF1462—Krinkie (R)****Education Policy & Reform**

Independent School District No. 621, Mounds View, required to establish a trust fund for the proceeds from the sale of property to use for general operating purposes.

**HF1463—Koenen (DFL)****Education Finance**

Independent School District No. 2180, MACCRA, fund transfer authorized.

**HF1464—Dean (R)****Health Policy & Finance**

Medical malpractice liability reformed.

**HF1465—Finstad (R)****Health Policy & Finance**

Long-term care provider liability limited.

**HF1466—Koenen (DFL)****Agriculture & Rural Development**

Farm tractor clock-hour meter tampering prohibited and civil penalty and private right of action prescribed.

**HF1467—Hackbarth (R)****Environment & Natural Resources**

Minnesota conservation heritage foundation established, Legislative Commission on Minnesota Resources eliminated, revenues distributed and money appropriated.

**HF1468—Penas (R)****Higher Education Finance**

Minnesota State Colleges and Universities Board of Trustees membership regulated.

**HF1469—Urdahl (R)****Agriculture, Environment & Natural Resources Finance**

Minnesota State Horticultural Society funding provided and money appropriated.

**HF1470—Hackbarth (R)****Environment & Natural Resources**

Dry cleaner environmental fees annual adjustment authorized.

**HF1471—Davníe (DFL)****Education Finance**

School district net debt limit definition expanded.

**HF1472—Davníe (DFL)****Commerce & Financial Institutions**

House resolution memorializing Congress to oppose the Central American Free Trade Agreement.

**HF1473—Mullery (DFL)****Civil Law & Elections**

United States and Minnesota flag display restriction prohibited.

**HF1474—Demmer (R)****Education Finance**

School lunch additional funding provided.

**HF1475—Smith (R)****Civil Law & Elections**

Child support accounting required.

**HF1476—Slawik (DFL)****Education Policy & Reform**

Anti-bullying staff development training directed under the safe schools levy.

**HF1477—Abeler (R)****Health Policy & Finance**

Secure forensic state nursing facility placement criteria established.

**HF1478—Hilty (DFL)****Civil Law & Elections**

Absentee voter ongoing status provided.

**HF1479—Mullery (DFL)****Public Safety Policy & Finance**

Indecent exposure in the presence of a vulnerable adult criminal penalty provided for caregivers.

**HF1480—Lieder (DFL)****Local Government**

Red Lake County drainage system outlet fee authorized for drainage originating in Pennington County.

**HF1481—Seifert (R)****State Government Finance**

State government funding provided for general legislative and administrative expenses, state and local government operations modified and money appropriated.

**HF1482—Davids (R)****Health Policy & Finance**

Ostrander nursing facility reimbursement rate increased.

**HF1483—Greiling (DFL)****Governmental Operations & Veterans Affairs**

State vendor preference provided to vendors with certain mental health benefits.

**HF1484—Hoppe (R)****Regulated Industries**

Beer market dual distribution prohibition eliminated.

**HF1485—Huntley (DFL)****Health Policy & Finance**

Medical Assistance dental benefits cap eliminated, MinnesotaCare covered health services modified and MinnesotaCare limited care benefits for single adults without children eliminated.

**HF1486—Kelliher (DFL)****Local Government**

Minneapolis city governance and management structure study panel created, membership provided and money appropriated.

**HF1487—Soderstrom (R)****Jobs & Economic Opportunity****Policy & Finance**

Incumbent worker program established.

**HF1488—Smith (R)****Governmental Operations & Veterans Affairs**

Retirement system directors and State Board of Investment director salary limit provisions modified.

**HF1489—Greiling (DFL)****Education Policy & Reform**

No Child Left Behind continued implementation conditions imposed and money appropriated.

**HF1490—Greiling (DFL)****Education Policy & Reform**

House resolution memorializing Congress to amend the No Child Left Behind Act according to the recommendations of the National Conference of State Legislatures' task force on No Child Left Behind.

**HF1491—Greiling (DFL)****Health Policy & Finance**

Postpartum depression information provided to mothers and their families.

**HF1492—Seifert (R)****Governmental Operations & Veterans Affairs**

Guaranteed savings lease purchase contracts term extended to 15 years.

**HF1493—Seifert (R)****Transportation**

Railroad fences and cattle guards obsolete provisions repealed.

**HF1494—Hoppe (R)****Civil Law & Elections**

Voters required to provide specified identification before voting.

**HF1495—Westrom (R)****Jobs & Economic Opportunity****Policy & Finance**

Wind-to-hydrogen pilot project funding provided, bonds issued and money appropriated.

**HF1496—McNamara (R)****Taxes**

Watershed management organizations included in the definition of special taxing districts.

**HF1497—Atkins (DFL)****Taxes**

Indoor ice arena electricity and natural gas use exempted from sales tax.

**HF1498—Erhardt (R)****Taxes**

Noncommercial seasonal recreational property exempted from the state property tax.

**HF1499—Simpson (R)****Taxes**

Limited market value expanded to include certain small resorts, limited market value extended one year, valuation deferment provided and tax credits and refunds provided.

**HF1500—Brod (R)****Civil Law & Elections**

Large campaign contributions by candidates immediate reporting required.

**HF1501—Sailer (DFL)****Higher Education Finance**

Minnesota State Colleges and Universities farm and small business management programs funding provided and money appropriated.

**HF1502—Sailer (DFL)****Environment & Natural Resources**

Clearwater County; Upper Rice and Minerva Lakes management provided.

**HF1503—Simon (DFL)****Education Finance**

Education commissioner's role in recommending school finance changes strengthened.

**HF1504—Thissen (DFL)****Governmental Operations & Veterans Affairs**

Minneapolis Firefighters' Relief Association service credit clarified, disability benefits recomputed and pension benefit reductions prohibited.

**HF1505—Brod (R)****Health Policy & Finance**

Vaccines containing mercury or mercury compounds prohibited.

**HF1506—Mariani (DFL)****Education Policy & Reform**

Migrant seasonal farm workers educational and child development needs addressed.

**HF1507—Abeler (R)****Health Policy & Finance**

Quarantine and isolation provisions modified for persons exposed to or infected with a communicable disease.

**HF1508—Howes (R)****Transportation**

Utility vehicle seasonal load restrictions clarified.

**HF1509—Moe (DFL)****Taxes**

Homestead resort property tax class rate reduced.

**HF1510—Brod (R)****Taxes**

Tax reform action commission established, appointments authorized, legislative report prepared and money appropriated.

**HF1511—Nelson, P. (R)****Taxes**

Taylors Falls; city development zone powers authorized.

**HF1512—Liebling (DFL)****Taxes**

Sales to political subdivisions exempted from the sales tax.

**HF1513—Greiling (DFL)****Education Policy & Reform**

Socio-emotional development included in early childhood health and development screening, and mental health screening availability included in notice to parents of truant children.

**HF1514—Heidgerken (R)****Taxes**

Sauk River Watershed District increased levy authorized.

**HF1515—Clark (DFL)****Jobs & Economic Opportunity  
Policy & Finance**

Health occupation training initiation and expansion provided and money appropriated.

**HF1516—Paymar (DFL)****Taxes**

Individual income tax rates increased.

**HF1517—Gunther (R)****Regulated Industries**

Wind energy facility certificate of need provisions modified and automatic recovery of certain electricity transmission costs provided.

**HF1518—Howes (R)****Agriculture, Environment &  
Natural Resources Finance**

Cross-country ski pass fees increased.

**HF1519—Sailer (DFL)****Agriculture, Environment &  
Natural Resources Finance**

Beaver damage control grant program reinstated and money appropriated.

**HF1520—Anderson, I. (DFL)****Jobs & Economic Opportunity  
Policy & Finance**

Koochiching County; Jackfish Bay sewer project bonds issued and money appropriated.

**HF1521—Hamilton (R)****Commerce & Financial Institutions**

Power limited technicians application period extended.

**HF1522—Hamilton (R)****Taxes**

Nobles County, Worthington and Independent School District No. 518 joint truth in taxation hearings authorized.

**HF1523—Hamilton (R)****Transportation**

Recreational vehicle combinations maximum length limitation increased.

**HF1524—Hamilton (R)****Transportation Finance**

Trunk Highway 60 improvement bonds issued and money appropriated.

**HF1525—Kahn (DFL)****Local Government**

Political subdivision pay equity reporting requirements modified.

**HF1526—Simpson (R)****Taxes**

Revenue recapture provisions relating to petty misdemeanor fine collections clarified.

**HF1527—Marquart (DFL)****Taxes**

Joint public truth in taxation advertisements and hearings allowed.

**HF1528—Gazelka (R)****Commerce & Financial Institutions**

Claims practices regulated.

**HF1529—Severson (R)****Transportation**

Air bag repair or replacement cost and related repair costs excluded from motor vehicle damage calculations for salvage title and consumer disclosure purposes.

**HF1530—Simpson (R)****Regulated Industries**

Energy assistance program statutory authority clarified, obsolete energy assistance programs repealed and obsolete oil overcharge language removed.

**HF1531—Paymar (DFL)****Jobs & Economic Opportunity  
Policy & Finance**

Minnesota State Capitol, Minnesota History Center and Science Museum of Minnesota prohibited from charging entrance fees for certain elementary school class visits.

**HF1532—Zellers (R)****Commerce & Financial Institutions**

Department of Commerce licensee requirements modified.

**HF1533—Lesch (DFL)****Commerce & Financial Institutions**

Overtime work payment regulated.

**HF1534—Hackbarth (R)****Transportation**

Roadside wildlife habitat enhancement provided.

**HF1535—Hoppe (R)****Environment & Natural Resources**

Hunting stands and blinds on public lands regulated.

**HF1536—Gazelka (R)****Jobs & Economic Opportunity  
Policy & Finance**

Marriage and marriage dissolution fees adjusted to fund employment opportunities and money appropriated.

**HF1537—Nelson, P. (R)****Transportation**

Terminal and facility access by certain vehicles weighing up to 40 tons required; training and certification for peace officers that engage in vehicle weight enforcement required.

**HF1538—Blaine (R)****Regulated Industries**

New municipal liquor stores prohibited.

**HF1539—Paymar (DFL)****Transportation**

Residential roadway definition modified and speed limit establishment on residential roadways authorized.

**HF1540—Nornes (R)****Health Policy & Finance**

Otter Tail County nursing facility reimbursement rate increased.

**HF1541—Clark (DFL)****Governmental Operations & Veterans Affairs**

State Office Building renamed the Paul Wellstone State Office Building.

**HF1542—Clark (DFL)****Jobs & Economic Opportunity  
Policy & Finance**

MFIP overview of employment and training services modified.

**HF1543—Dill (DFL)****Environment & Natural Resources**

Lynx, bobcat and fox snare hunting permit requirement eliminated.

**HF1544—Klinzing (R)****Education Policy & Reform**

Charter school student participation in resident school district extracurricular activities authorized.

**HF1545—Erhardt (R)****Transportation Finance**

Transportation; county state-aid highway formula calculation modified, county wheelage tax authorized, vehicle registration taxes modified, fuel taxes increased, highway bonds and metro sales tax authorized and money appropriated.

**HF1546—Sykora (R)****Regulated Industries**

Off-sale liquor license issuance required to qualify applicants in cities operating municipal liquor stores.

**HF1547—Hackbarth (R)****Environment & Natural Resources**

Off-highway vehicles regulated, rulemaking required, certain state trail and forest classifications provisions modified, study required, civil penalties provided and money appropriated.

**HF1548—Kohls (R)****Jobs & Economic Opportunity  
Policy & Finance**

University of Minnesota; biotechnology and medical genomics research funding provided and money appropriated.

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

## MINNESOTA INDEX

### Child support

In state fiscal year 2004 (ending June 30, 2004) millions in child support dollars	
collected and disbursed to people or agencies .....	\$589.7
Millions in fiscal year 2003 .....	\$571.6
Millions in fiscal year 1999 .....	\$442.7
Millions spent to provide child support services in fiscal year 2004 .....	\$144.4
Dollars collected in fiscal year 2004 for every dollar spent .....	\$4.08
In 2003 .....	\$4.03
In 1999 .....	\$4
Percent of child support enforcement funded by the federal government .....	76
Percent funded by states and counties, each .....	12
Billions in child support collected nationwide in federal fiscal year	
2003 (ending Sept. 30, 2003) .....	\$21.2
Billions spent to fund child support services .....	\$5.2
Number of cases in the state child support program as of June 30, 2004 .....	247,500
Average collection per open case with a court order .....	\$2,945
Estimated number of children with a state child support case that were	
born outside of marriage .....	151,000
Percent that had paternity established, as of September 2004 .....	98
Percent of state collections in fiscal year 2004 that came from income withholding .....	72
Percent from federal tax intercept .....	4
Percent from unemployment insurance .....	3
Billions in total child support debt in Minnesota as of June 30, 2004 .....	\$1.46
Percent of debt that is child support .....	91
Percent that is medical care .....	4
Percent each for child-care and judgment for pregnancy and birth .....	2
Child support debt that is more than one year old, as percent .....	82
Four months to one year .....	11
Average debt owed in cases with child support debt .....	\$7,692
Percent of child support cases with debt .....	78
Approximate number of parents, as of June 30, 2004, that had their driver's	
license suspended for failing to pay child support .....	29,000
Millions in payments collected and processed each month by the state's	
centralized collection and disbursement office .....	\$50
Average number of calls received each month by state automated phone lines that	
provide parents with case information .....	161,000

**Sources: Department of Human Services, including 2004 Minnesota Child Support Performance Report by the Child Support Enforcement Division; Child Support Laws in Minnesota, House Research Department.**

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

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INSIDE: A BETTING CROWD, CAPTURE THE FLAG, CAPPING DAMAGES, MORE

This Week's Bill Introductions HF1549-HF1742

# Session Weekly

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#### Clarification

A March 4 *Session Weekly* Highlight about a report to the House Transportation Finance Committee from the Association of Minnesota Counties stated the proposal to improve roads and transit would not raise taxes. The article should have stated that it would not raise property taxes.

On the cover: John Hanson, a historic site interpreter at the Oliver Kelley Farm in Elk River, portrays an 1860s farmer as he holds a rooster during the March 7 History Matters rally, sponsored by the Minnesota Historical Society, in the Rotunda.

—Photo by: Tom Olmscheid



# Attracting a betting crowd

Gambling facilities benefit tourism statewide

By **BRETT MARTIN**

If you think that people visit Minnesota only to shop and fish, odds are you don't know how gambling impacts tourism. Gambling is good for Minnesota tourism, according to representatives of gaming facilities who say casinos and horse racing attract millions of visitors to the state each year.

"Tribal casinos make an important contribution to tourism, especially in rural areas of Minnesota," Marsha Kelly, communications consultant with the Minnesota Indian Gaming Association, recently told the Tourism Division of the House Commerce and Financial Institutions Committee.

The estimated number of state visitors each year ranges from 24.5 million to 28.5 million, and Kelly said that about 15 percent of those visitors go to a casino. According to the association, out-of-state casino visitors spend \$191 million in Minnesota each year.

Casinos are a top state attraction, second only to the Mall of America, Kelly said.

American Indian tribes spend nearly \$30 million in annual advertising and visitor promotion to lure guests to their casinos, nearly 10 times more than Explore Minnesota Tourism, the state's tourism office, spends.

"Indian casinos are part of the Minnesota travel product," John Edman, director of Explore Minnesota, told *Session Weekly*.

Explore Minnesota does not directly promote gaming, but it does promote the cultural heritage of American Indians.

## The casino draw

Tourism is a key component of Minnesota's economy, generating \$9.2 billion annually. While the lakes, malls, parks and scenic views attract millions of visitors, casinos also play a vital roll in the lucrative industry, and, by extension, in the state's economy.

## Top activities, as percent, for travelers in Minnesota

Scenic touring	46
Visiting friends/family	38
Shopping	38
Fishing	32
Visiting state/national parks	25
Camping	22
Attending fairs/festivals	20
Sightseeing of city sites	19
Visiting historical sites	15
Casino gambling	14
Hiking	14
Museum/concerts/theater	13

Data reflects spring and summer travel  
Source: Explore Minnesota Tourism

In the city of Red Wing, with a population slightly more than 16,000, Treasure Island Resort & Casino is responsible for up to half of the city's 1.25 million to 2 million annual visitors.

"The direct financial impact of these visitors is estimated at \$59.9 million. The chamber believes that one-third of this amount, or \$20 million, can be connected directly to Treasure Island," Pierre Menard, board chair of the Red Wing Area Chamber of Commerce, told the tourism division. "Gaming has had a profound impact on tourism in the Red Wing area."

About 25 percent of overnight guests and nearly 30 percent of day visitors to Red Wing are from out of state, said Stephanie Fox, public relations manager for the resort and casino.

"Treasure Island employs over 1,500 people with an annual payroll of nearly \$45 million. This is possible because of the successful tourism industry the casino has worked so hard to promote," Fox said.

The tourism industry in Red Wing now employs 2,200 people with an annual payroll of \$59.4 million, Menard said.

In northern Minnesota, casino visitors are literally crossing the country's border to come to Minnesota. Steve StandingCloud, enterprise administrator for the Lake Superior Band of Chippewa in Grand Portage, said the Grand Portage Lodge & Casino attracts more than 800,000 Canadians each year.



PHOTO BY TOM OLMSCHEID

Red Lake Tribal Secretary Judy Roy discusses the possible effects of a casino partnership with the state and interested tribes during a March 4 news conference in the governor's reception room. Gov. Tim Pawlenty was also joined at the announcement by White Earth Tribal Chairwoman Erma Vizenor, left, and Leech Lake Tribal Chairman George Goggeley, third from left, tribal council members from each of the tribes, bill sponsors, labor and urban American Indian leaders. Pawlenty's proposal would provide a gaming partnership between the state and three northern Minnesota tribes.

First Reading continued on page 4

### First Reading continued from page 3

"They spend money," StandingCloud said. "They spend money at the border, and they continue south."

He said that 80 percent of visitors who come to the casino are from Thunder Bay, Canada, which is 45 miles away.

### Off to the races

While casinos tend to receive most of the attention when it comes to gambling, there's another segment of the gaming industry that also appeals to tourists.

"We bring a lot of tourism dollars in," said Carin Offerman, a board member of Canterbury Park in Shakopee. "Having a racetrack is an attraction that brings people to the state."

Kay King, executive director for the Minnesota Thoroughbred Association, agrees, saying horses benefit tourism.

"More than 1,400 horses from over 20 states come to Canterbury Park each year. Along with

them come trainers, groomers and owners. Whether they come for one weekend, such as the national Claiming Crown hosted at Canterbury Park, or they stable for the entire summer meet, there is a definite impact on the hospitality industry and Minnesota's economy," King said. "The impact of the horse industry is felt in a very real way all across the state."

Offerman and King both said the track needs to increase its purse size to attract better quality horses. The average purse last year was \$130,000 per race day and approximately \$10 million for the summer. More than 1 million people visited the facility.

"The significant increase in purses and the addition of a major show horse venue will help grow and develop Minnesota's horse industry and attract more horses from outside Minnesota

### Economic impact of Indian gaming since 1990:

30,000 jobs (14,000 direct, 16,000 indirect)
\$2.8 billion paid in wages and benefits
\$1.9 billion paid to Minnesota vendors for goods and services
\$810 million paid in state/federal taxes
\$600 million in capital construction
\$298 million in out-of-state Minnesota tourism promotion
\$159 million paid to local governments

Source: Minnesota Indian Gaming Association

to race and show at Canterbury," King said.

Citing a 2004 University of Minnesota analysis of the impact of horses on Minnesota's economy, King said horses generate nearly \$1 billion of economic activity in the state each year, producing work for horse breeders, trainers, veterinarians and farmers.

"The analysis found the best way to increase the value of the horse industry in a state is to

### First Reading continued on page 18

## Capture the flag

### Civil War battle cries echo the halls of the Capitol



The memories and wounds of the Civil War shaped the Minnesotans who built the State Capitol. It was the great conflict of the era, and the first chance for the nascent state to participate in the destiny of the nation.

Just 40 years had passed between the end of the war and the completion of the Capitol. So it is fitting that the Capitol motif is steeped in Civil War paintings, statues and memorabilia.

Although 140 years have passed since the end of the war, one dispute still lingers: the fate of the Confederate battle flag of the 28th Virginia Infantry that was captured by the First Minnesota Volunteer Infantry Regiment at Gettysburg, Penn.

In July 1863, the First Minnesota was waging a dramatic battle against the Confederacy during a turning point in the war, the Battle of Gettysburg.

Though outnumbered, they staged a charge that left 215 of the 262 Minnesotans

dead. But they held off a Confederate advance that was threatening to cut the Union line in two and eventually move the war theater northward.

Pvt. Marshall Sherman, a painter from St. Paul, captured the battle flag on July 3, 1863, during what became known as Pickett's Charge.

Today, the flag is in the possession of the Minnesota Historical Society, having rebuffed requests by Virginia state officials and a Civil War enactment group to return the flag.

Minnesota officials declined, hence the need for a security guard when the flag made a rare public appearance at the Capitol March 7.

The flag, which was displayed in a glass case, rests on a special form to prevent the wool bunting fabric from becoming stressed.

The words "28th Va. Inf'y" are embroidered in white thread across the red background of the "Southern Cross." The 13 white stars on a blue background represent the 11 Confederate states plus Kentucky and Missouri who attempted but failed to secede. Stains and tears are clearly visible.

According to the Gettysburg National Military Park, the 82 percent casualty rate experienced by the First Minnesota those three days in July 1863 was never equaled by any other Union regiment during the Civil War. The flag should stay in Minnesota, the First Minnesota re-enactment group and others have argued, to honor the soldiers who fought and died at Gettysburg.

(N. Wood)



PHOTO BY TOM OLMSCHIED

Shawn Ewing, portraying a young George Washington, counts the stars as he and his brother, Dylan, portraying Davy Crockett, take a closer look at a Confederate flag on display outside the House Chamber March 7. The boys are the stepsons of Rep. Mark Olson and came to the Capitol in costume as part of History Matters Day.

## ★ AGRICULTURE

**Jump to the pump**

In September 2004, Gov. Tim Pawlenty signed an executive order designed to move state agencies away from using gasoline in state vehicles and toward fuels such as ethanol, biodiesel and hydrogen.

HF560, sponsored by Rep. Rod Hamilton (R-Mountain Lake), would turn the so-called SmartFleet initiative into state law.

The House Agriculture and Rural Development Committee approved the measure March 8. It now moves to the House floor.

The bill would establish a goal of using 25 percent less gasoline in state vehicles by 2010 and 50 percent less gasoline by 2015; petroleum-based diesel fuel consumption would be reduced 10 percent by 2010 and 25 percent by 2015.

HF560 aims to set an aggressive, yet obtainable, goal for fleet management, Hamilton said, and it would "provide more certainty" to the governor's executive order.

Under the bill, a SmartFleet committee, consisting of representatives from the Pollution Control Agency; Administration, Agriculture, and Commerce departments; as well as any other department wishing to participate, would provide "information, guidance, sample policies and procedures, and technical and planning assistance."

The bill also calls for boosting fleet fuel efficiency and reducing the reliance on state vehicles by increasing Internet availability of state goods and services.

Rep. Al Juhnke (DFL-Willmar) said he surveyed state agencies a couple of years ago and discovered that 54 percent of travel management vehicles were E85-capable (meaning they were manufactured to run on an 85 percent ethanol/15 percent gasoline blend) yet only 16 percent of the fuel put through them was actually E85.

"So you can buy the cars but if you're not stopping at the station and fueling we've got a problem," he said. "It's one thing again to say we're doing this but, as we can see, it's not being done and just because we say so doesn't mean it will be done."

Juhnke successfully offered an amendment that would "keep the pressure on" by requiring the SmartFleet committee to submit to the Legislature

an annual progress report.

A companion bill (SF969), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ BANKING

**All the way to the bank**

Burns Township in the northwest corner of Anoka County is one step closer to having a bank branch in its community.

Rep. Larry Howes (R-Walker) is sponsoring HF997, which would allow Pine River State Bank, which has its main office in Pine River, to establish a branch in Burns Township.

The House Commerce and Financial Institutions Committee approved the bill March 8 and referred it to the House floor. A companion bill (SF985), sponsored by Sen. Carrie L. Ruud (R-Breezy Point), awaits action in the

Senate Commerce Committee.

Minnesota law does not permit locating a new branch in a township, so a bank that wants to do so must receive an exemption from the Legislature, something that is done an average of once every two years.

"This is the standard course for putting a bank in a township that does not have a bank," Howes said.

Even with approval from the Legislature, the bank would still be required to follow Department of Commerce procedures for approval of a new branch. The Burns Township Board would also need to approve it.

## ★ CHILDREN

**Child-care reimbursement rates**

Reimbursement rates for the state's child-care sliding fee program were frozen in 2003.

While child-care providers in the Twin Cities metropolitan area were not generally affected, it certainly wrought havoc with the providers in Greater Minnesota according to testimony received by the House Jobs and Economic Opportunity Policy and Finance Committee on March 9.

Four bills trying to address the problems were heard, and all were held over for possible inclusion in the committee's omnibus bill.

According to John Molinaro, vice president at the West Central Initiative, a nonprofit agency in Fergus Falls, a 2004 study shows that in the 22 rural counties closest to the metropolitan area, the average child-care center lost \$22.50 per month per child in state reimbursement. The average facility in the Twin Cities metropolitan area made \$20 per month per child.

That's because there is far less competition in Greater Minnesota, and fewer choices, so most centers have to charge the same rate, even when the state freezes reimbursements.

According to Tammy Anderson, executive director at Child's Corner Child Care Center, her program lost \$28,000 in 2003 because reimbursement rates went from \$28 to \$21 per child. Many of her clients have credit issues, so she is looking at approximately \$10,000 in uncollected fees, with little hope of recovery.

Rep. Bud Nornes, (R-Fergus Falls)

**SUICIDE PREVENTION STRATEGY**

PHOTO BY SARAH STACKE

**Sammy Stoppelmoor, 16, of Blue Earth, participates in a March 8 rally for Minnesota's Yellow Ribbon Suicide Prevention Program at the State Capitol. Students taped together signed petition forms and hung them from the balcony. The petitions ask Gov. Tim Pawlenty to direct resources to implement a National Suicide Prevention Strategy and provide accessible and affordable health services.**

who is Anderson's father, offered three bills to help.

- HF522 would return reimbursement rates of child-care providers to what they were before the freeze, which was enacted July 1, 2003. This applies only to those who had their rates cut. A companion bill (SF873), sponsored by Sen. Cal Larson, (R-Fergus Falls), awaits action in the Senate Finance Committee.
- HF1056 would provide for a half-day reimbursement rate for children who come in after school and stay until their parents finish work. When the rates were frozen, counties switched to hourly rates for those children. Reimbursement went from \$10 to between \$1 and \$2, Anderson said. A companion bill (SF1119), sponsored by Larson, awaits action in the Senate Finance Committee.
- HF374 would reduce license fees paid by child-care centers by 25 percent. A companion bill (SF826), also sponsored by Larson, awaits action in the Senate Finance Committee.

Sponsored by Rep. Morrie Lanning (R-Moorhead), HF1195 would reimburse providers who had their reimbursement rates cut. There is no Senate companion.

## ★ CONSUMERS

### Spammers beware

Those that send spam e-mail messages could face criminal and civil penalties, under a bill sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights).

HF1318 would prohibit e-mail messages that are false, misleading or deceptive sent to or from a computer in Minnesota. "We are all bombarded with spam on a daily basis," Atkins told the House Commerce and Financial Institutions Committee March 9. He said the bill is similar to federal statutes and would not affect "appropriate" e-mails.

The committee approved the bill and referred it to the House Civil Law and Elections Committee.

The bill would make sending multiple illegal messages a misdemeanor, punishable by up to a year in jail and a \$3,000 fine. Under the bill, a person would be committing a gross misdemeanor if convicted of sending multiple e-mail messages using 20 or more e-mail or online accounts, 10 or more domain names or sending more than 250 spam messages within 24 hours, 2,500 within 30 days or 25,000 within a year. Causing losses of \$500 or more to victims through spam e-mails would also be a gross misdemeanor.

Accessing a computer without authorization to send illegal e-mails would be a gross misdemeanor on the first offense and a felony on the second offense.

The bill would also grant the attorney general or e-mail service provider the right to sue a person who violates the terms of the bill, provided the suit is started within one year of the offense.

A companion bill (SF927), sponsored by Sen. Dan Sparks (DFL-Austin), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ CRIME

### A bill for Ben

Ben Doran of St. Paul was beaten to death two years ago by members of a gang who mistook the 15-year-old youth for someone else.

The death of Doran was the inspiration for HF988, its sponsor, Rep. John Lesch (DFL-St. Paul), told the House Public Safety Policy and Finance Committee March 3. Lesch calls the bill "Benny's Law."

"The worst crime in Minnesota is not just murder, it's the murder of an innocent child," he said.

The bill boosts penalties for gang members who kill children less than 18 years of age. If a child is the victim of a felony crime committed by a gang member, then the sentence for the convicted offender would be extended five years

beyond the statutory maximum prison sentence. If the crime is a gross misdemeanor, then the offender would face a three-year felony sentence. If the crime is a misdemeanor, the sentence would be increased to a gross misdemeanor.

Most prisoners now are released for the final one-third of their sentences because "that's how we do it in Minnesota," Lesch said.

"Benny was my life," said his mother, Maggie. "I can't say enough about protecting kids." She stressed the importance of keeping "seasoned violent killers" in prison so they can't hurt anyone else.

Jim Lym, co-leader of the Minnesota Hope Chapter of Parents of Murdered Children, also spoke in favor of the bill. He said that one of the people convicted of killing his son nearly 10 years ago may be eligible to get out of prison in a couple of years.

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1139), sponsored by Sen. Ellen R. Anderson (DFL-St. Paul), awaits action in the Senate Crime Prevention and Public Safety Committee.

### Name change

John Eastham, a Ramsey County deputy sheriff, was transporting prisoners last fall when he overheard their conversation, which led to the discovery that one of the prisoners had been able to legally change his name while jailed.

This disturbed Eastham because the prisoner was serving time for burglary and was



PHOTO BY ANDREW VONBANK

**Jim Lym, left, co-leader of the Minnesota Hope Chapter of Parents of Murdered Children, and Maggie Doran, right, whose son, Ben, was murdered by gang members, testify before the House Public Safety Policy and Finance Committee March 3 in support of a bill that would toughen penalties for gang members who kill children.**

also a registered sex offender. He discovered there's no law to prevent such a person from legally changing names and nothing to require officials be notified of the change. "I found it disheartening that they be allowed to change their name and basically be their own monitor and have to report themselves for having a name change afterwards," he said.

Eastham contacted Rep. Lloyd Cybart (R-Apple Valley) and the result is HF1200 and HF1201 were combined, by amendment, into one bill.

The bill authorizes courts to do a search of national records through the FBI by submitting a set of fingerprints to determine if there is a criminal history when a person applies for a name change, Cybart told the House Public Safety Policy and Finance Committee March 9.

If a name change is granted for an applicant with a criminal history, the court and applicant must submit the name change to the Bureau of Criminal Apprehension. Failure to do so would result in a gross misdemeanor penalty.

Rep. Mary Murphy (DFL-Hermantown) asked if this bill would affect people changing their names through marriage. Cybart replied that his bill did not include name changes because of marriage since they're not done through courts.

The committee will consider the bill for possible inclusion in its omnibus bill.

There is no Senate companion.

### **Phishing could be a crime**

There's a kind of phishing in Minnesota that has nothing to do with walleyes.

Phishing is a new technique used by Internet scam artists and it's legal under current state law, Rep. Steve Simon (DFL-St. Louis Park), sponsor of HF243, told the House Public Safety Policy and Finance Committee March 9.

Phishing occurs when scam artists send e-mails that look like they're from a trusted financial institution such as a bank, mortgage company or credit card issuer. Readers of the e-mail are asked to update their account information by clicking on a link that takes them to a Web site, which also looks authentic, said Simon.

The bill makes phishing a crime punishable by up to five years imprisonment and a \$10,000 fine.

"Phishing is the fastest growing form of identify theft on the Internet," according to Hilary Caligiuri, representing the Hennepin County Attorney's Office. An estimated 57 million Americans receive phishing e-mails a year, and 3 percent to 5 percent of them will respond and give out personal information that

is used by scammers to raid bank accounts and set up credit card accounts, she said.

"The bill makes it a crime to set out the bait even if they don't make a catch," said Caligiuri. It's important to stop these crimes at the source, she explained, because once a scam has succeeded a victim's identity has been lost, a good name is ruined and it can be difficult to repair the damage.

The committee will consider the bill for possible inclusion in its omnibus bill.

A companion bill (SF336), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Finance Committee.

### **Sex offender changes**

The governor's proposal to establish life sentences for certain sex offender crimes was approved by the House Governmental Operations and Veterans Affairs Committee March 3.

Sponsored by Rep. Kurt Zellers (R-Maple Grove), HF1406 would create a sex offender review board and a sex offender policy board, change registration and community notification, and allow the Department of Human Services to access certain databases, including the sex offender registry.

Similar to HF1, also sponsored by Zellers, HF1406 differs on which penalty applies to what conduct, according to the nonpartisan House Research Department. Also, HF1 contains sentencing guidelines that the U.S. Supreme Court has since ruled could create complications in sentencing guidelines for states.

The bill is a "quantum leap forward" in making "Minnesota the very, very best in sex offender management," said Eric Lipman, state sex offender policy coordinator.

The review board would oversee the release of inmates, and the policy board would develop standards for the treatment and supervision of sex offenders.

Rep. Phyllis Kahn (DFL-Mpls) offered an unsuccessful amendment that would have required the retention of biological evidence used to secure a conviction in a criminal case for as long as the "person remains incarcerated, on probation or parole, civilly committed, or subject to registration as a sex offender in connection with the case."

The bill now goes to the House Civil Law and Elections Committee.

A Senate companion (SF1325), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Crime Prevention and Public Safety Committee.

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

## **EDUCATION**



### **Classroom contributions**

A process similar to one that helps candidates fund their campaigns may give a financial boost to classroom teachers.

Taxpayers can contribute to political candidates and receive refunds through the state's political contribution fund. Rep. Karen Klinzing (R-Woodbury) has come up with a similar program to fund contributions to classroom teachers through HF967.

"My rationale is there are lots of unique classroom needs and lots of innovative ideas coming from classroom teachers for which there's no specific funding stream," Klinzing told the House Education Finance Committee March 9.

Under the bill, a taxpayer can claim a refund for financial contributions made to a classroom teacher. The maximum refund for a single taxpayer could not exceed \$50 and for a married couple filing jointly, the maximum would \$100. Contributors would need to fill out a form, attach a receipt and send it to the state to receive a refund.

Contributions could be made to any licensed teacher in a public or accredited private school and could be spent on supplies, books, computer software or hardware, field trips or other materials used in the classroom.

Classroom teachers would be responsible for keeping records of receipts and expenditures.

Preliminary estimates indicate the program could cost between \$10 million to \$30 million to set up the fund and operate it, said Klinzing.

"A lot of our solutions we have at the Legislature this year are a result of people and families seeing not enough money for the schools," said Rep. Mindy Greiling (DFL-Roseville). All the proposed good solutions will limit what's available to add to the general education formula, she said.

Equity is also a concern, said Greiling, because some classrooms might receive a lot of contributions while others might not.

Rep. John Dorn (DFL-Mankato) expressed concern there could be a lack of accountability with teachers being solely responsible for the funds. For example, Dorn's campaign treasurer handles the money that is received from the political contribution fund.

The committee approved the bill and referred it to the House Civil Law and Elections Committee.

A companion bill (SF1153), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Judiciary Committee.



### Measuring academic growth

Public school districts would be able to participate in a voluntary pilot project of value-added assessment to measure individual student academic growth, under HF1587 sponsored by Committee Chair Rep. Mark Buesgens (R-Jordan).

The bill is an initiative from the Minnesota Department of Education, Buesgens told the House Education Policy and Reform Committee March 8.

Value-added assessment allows educators to measure individual student's growth in academic achievement from one school year to the next by tracking student's scores on annual standardized tests.

"This is a no brainer. We all agree value added is the way to go," said Rep. Mindy Greiling (DFL-Roseville).

The pilot project would be funded by a \$300,000 appropriation from the state for 2006 and \$1.6 million in fiscal year 2007.

Rural, urban and suburban public schools and charter schools would be able to apply to the Department of Education to participate in the program.

Value-added assessment would be used in addition to assessments now in place to determine schools' Adequate Yearly Progress as part of the national No Child Left Behind legislation, according to Dr. Patricia Olson, assistant commissioner of the Office of Accountability and Improvement of the Department of Education.

The committee approved the bill and referred it to the House Education Finance Committee.

It has no Senate companion.

### Prinsburg receives approval

**Signed  
by  
the  
governor  
★ ★ ★**

Prinsburg School District 815 will be able to use voter-approved levy referendum money to pay off a debt to a neighboring school district, under a new law signed March 7 by Gov. Tim Pawlenty.

Funds will also be used to provide special education services for school district residents who attend a private religious school in the district.

Prinsburg owes about \$280,000 to the neighboring MACCRAY School District for tuition of Prinsburg residents who attended the district through an informal arrangement a few years ago.

Prinsburg has no students and is one of only two remaining common school districts in the state. Because of its unique situation, state approval was required for levy recertification and authority.

Rep. Al Juhnke (DFL-Willmar) and Senate Majority Leader Dean E. Johnson

(DFL-Willmar) sponsored the legislation, most of which is effective March 8, 2005, and applies to taxes payable in 2005.

HF248\*/SF485/CH8

### Pain relief

Secondary students would be able to possess and properly use nonprescription drugs in school without going to the nurse's office under HF615, sponsored by Rep. Karen Klinzing (R-Woodbury).

"It's legal outside of school, it's only inside of school we're saying these kids are not responsible enough to take medication," Klinzing, a high school teacher, told the House Education Policy and Reform Committee March 3.

Under the bill, if parents or guardians provide annual written authorization, their children would be able to take over-the-counter drugs on their own. The school district could revoke this privilege if a student abuses it.

Casey Hoshaw, a junior at Centennial High School, said when pain suddenly strikes, students must wait for a break in the class period to ask the teacher for permission to go to the nurse's office to get medicine. This can result in missed class time, getting pain relief too late to do any good and even having students go home because they're not feeling well.

According to Hoshaw, it can be inconvenient and even embarrassing to have to go to the school nurse's office for medicine. "Any 17-year-old could walk into a drug store and

buy Tylenol® or ibuprofen without parent's permission," she said. "Students should be able to do the same in school."

"I understand the issue of convenience but we should also look at safety," said Linda Sandvig, a lobbyist for the School Nurse Organization of Minnesota. She said school nurses aren't just pill dispensers. When children come in for medication, nurses can monitor their situation and ask questions. "Medicine is not always the best way to deal with pain," she said. But if students don't come to the nurse, there's no opportunity for teachable moments.

The committee approved the bill and sent it to the House floor.

A companion bill (SF232), sponsored by Sen. Mady Reiter (R-Shoreview), awaits action by the full Senate.



For information on HF 1086, sponsored by Rep. Duke Powell, which would allow school districts to raise money through two new levies, go the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ELECTIONS



HF865, sponsored by Rep. Mark Olson, would speed up the process of updating precinct finder databases when precinct boundaries change. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.



PHOTO BY ANDREW VONBANK

Centennial High School juniors Casey Hoshaw, left, and Nina Coon, right, testify March 3 before the House Education Policy and Reform Committee in support of a bill that would authorize secondary students to possess nonprescription pain relief in school.

## ★ ENVIRONMENT

### Bombs, bullets and biodiversity

It's not every day a person snuggles a black bear and walks away unscathed. The House Environment and Natural Resources Committee members and staff had the rare opportunity to do so March 4 at Camp Ripley near Little Falls.

What they discovered is an environmental program flourishing in a most unlikely place: a military training base.

With 53,000 acres, the largest stretch of undeveloped shoreline along the entire Mississippi River, and no public roads crisscrossing the landscape, wildlife abounds at Camp Ripley. The committee encountered a red-shouldered hawk, a bald eagle, many wild turkeys, at least two-dozen deer and three bears during the brief visit.

Although it would seem incongruous for a landscape to support bombs, bullets and biodiversity, Post Commander Col. Richard Weaver said some Department of Defense installations have approximately 10 times more wildlife than civilian-owned parcels.

"Wildlife would rather be bombed than strip-malled," he said.

The camp's environmental program started in 1986, in part to comply with the Endangered Species Act and other federal laws, explained Bill Brown, the program's natural/cultural resources specialist.

"Of course that sounds good but nobody knew what that meant," he said. The first step, he said, was developing an accurate inventory of the plant and animal species on the base. The inventory served as the foundation for



**Rep. Greg Blaine examines a bear's teeth during a black bear den visit at Camp Ripley. The camp, which is near Little Falls, is in Blaine's district.**



PHOTOS BY ANDREW VONBANK

**Members of the House Environment and Natural Resources Committee and school children from Perham observe scientists from the Department of Natural Resources bear project as they check the condition of a bear sow and two of her cubs March 4.**

several studies of the connection between military activities and wildlife.

One of those ongoing studies is the Camp Ripley Bear Project.

"When I first started here, it was nothing for bears to be going into tents and vehicles," said Environmental Supervisor Marty Skoglund. The black bears were deemed a nuisance, he said, but after further review they found they didn't have a bear problem; they had a people problem: Don't feed the bears, the soldiers learned.

The camp's environmental department teamed up with the Department of Natural Resources and bear monitoring continues to this day. The camp currently has eight collared

bears within its boundaries.

Once a year, DNR biologists conduct a den survey while the bears are hibernating. They tranquilize them and then take blood samples, body measurements and adjust the collars.

As part of the camp's community mission, students and civic groups are often allowed to trek along for the den visit. The lucky ones get to hold a bear cub.

"The bear project is what has really gotten us rolling with the community," Skoglund said.

Lawmakers and staff left the range with a special place in their hearts for Bear 2087: 41 pounds, 14 months old, surprisingly odor free and snuggly soft while sedated.



## ★ GOVERNMENT

### Renaming a building

A bipartisan group of House members would like to see the State Office Building named after a longtime employee.

HF858, sponsored by Rep. Lynn Wardlow (R-Eagan), would rename the structure the Edward A. Burdick State Office Building. Of the legislation's other 28 sponsors, 14 are Republican and 14 are DFL.

The bill was approved March 8 by the House Governmental Operations and Veterans Affairs Committee and referred to the House State Government Finance Committee.

"Whose name is more germane to this building than Ed Burdick?" asked Wardlow.

Although not opposed to the bill, Rep. Phyllis Kahn (DFL-Mpls) asked committee members to reflect on the number of state buildings that are named after prominent influential women. The fact is there are none in the Capitol Complex, and only two plaques devoted to women, she said.

Kahn sponsors HF694 that would name the building after former Rep. Coya Knutson, who was the first female Minnesotan to serve in Congress (1955-58). Rep. Karen Clark (DFL-Mpls) is sponsoring HF1541 to rename the building after Paul Wellstone, and Rep. Tim Wilkin (R-Eagan) is sponsoring HF26 to rename it after Ronald Reagan. All await a committee hearing.

"This is the peoples' house," said Rep. Marty Seifert (R-Marshall). The building should be named after a person, like Burdick, instead of a politician, he added.

First hired as a page in 1941, Burdick served as chief clerk in the House from 1967 until retiring before the current session began. He served under 16 different speakers.

A companion bill (SF1283), sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action in the Senate State and Local Government Operations Committee.

## ★ HEALTH

### Abortion numbers could be tracked

A bill that would track the number of abortions performed under the parental notification/judicial bypass law was approved by the House Civil Law and Elections Committee March 7. It now moves to the House Public Safety Policy and Finance Committee.

Sponsored by Rep. Steve Smith (R-Mound), HF226 would require physicians and facilities to file statistical reports with the Minnesota Department of Health on abortions

performed under the 1981 law, which provides that an abortion may not be performed on a minor unless parents are given 48 hours notice or the minor is given permission from a court for that abortion, a judicial bypass.

The reports would be used to compile statistics to be published annually.

"This bill does what should have been done in 1981; put into legislation the tracking device necessary to provide the Legislature the ability to oversee a bill," Smith said. "Secondly, it is in the best interest of the parents and their minor daughters."

Information that would be reported includes the age and race of the female, the county where the woman resides, where the abortion was performed, where the judicial bypass was obtained and the process used to inform the woman of the judicial bypass.

Rep. Keith Ellison (DFL-Mpls) questioned Smith about the intent of the bill. "What is the objective to this data collection bill? Do you believe that judges are granting judicial bypasses in incidents where they should not? Is that what is driving this bill?"

Smith said that he wouldn't speculate on whether that is happening. "I think we should have the numbers so that we can tell as a Legislature," he said.

A companion bill (SF328), sponsored by Sen. Thomas M. Neuville (R-Northfield), awaits action in the Senate Health and Family Security Committee.

## ★ HIGHER EDUCATION

### Tuition freeze

Students in the Minnesota State Colleges and Universities (MnSCU) system would not see an increase in their tuition during the next biennium, under a bill sponsored by Rep. Jim Abeler (R-Anoka).

Held over for consideration in the Higher Education Finance Committee's omnibus bill, HF670 would appropriate \$20.7 million in fiscal year 2006 and \$42.2 million in fiscal year 2007 to hold tuition at the current level.

"Paying for school is a burden, and in some cases it's a burden that (students) can no longer handle," Abeler said at the March 7 meeting. "We believe in a strong higher ed system and so everybody who wants to have a chance can get there."

The bill would only take effect if 2006-07 biennial appropriations exceed current base funding by \$197.3 million — the amount requested by the system — and tuition in the biennium is not increased above 2004-05 levels.

MnSCU's request includes \$130.9 million for

enrollment growth, as provided in law, and a \$66.5 million base increase. Included in the appeal is an assumption that tuition will be increased 4.4 percent, an estimated \$62 million.

Students told the committee of expecting to graduate with debt exceeding \$20,000, even though they work 30-40 hours per week.

"In addition to working multiple jobs and living on ramen noodles and mac and cheese, our students are forced to deficit spend in hopes of brighter days ahead," said Brad Krasaway, state chair of the Minnesota State University Student Association.

Bill co-sponsor Rep. Gene Pelowski, Jr. (DFL-Winona) said part of the problem goes back to 2003, when higher education appropriations were reduced by "hundreds of millions" of dollars to help balance the state's budget.

"We let the students carry a significant part of the budget reduction in '03-'04 and now in '05," he said. "I think it's time that we took at least that burden off their backs."

A companion bill (SF707), sponsored by Sen. John C. Hottinger (DFL-St. Peter), awaits action by the Higher Education Budget Division of the Senate Finance Committee.

## ★ HOUSING

### Buyer beware

Buyers would know if property they are purchasing has been used as a place to create methamphetamine, under an amendment to HF572 approved by the House Civil Law and Elections Committee March 7.

The bill, sponsored by Rep. Jeff Johnson (R-Plymouth), clamps down on the sale of certain over-the-counter cold medications containing the essential ingredients needed to make methamphetamine. But with the amendment, the bill now spells out requirements for clean up of lab sites prior to being reoccupied and disclosure to any future purchaser of the property.

Under the provision, a seller must disclose, in writing, to the buyer if the property has been used as a clandestine drug lab, whether there has been an order for cleanup and if the cleanup has been successfully completed.

Contractors are put on notice that cleanup work would need to be done to meet Department of Health guidelines. Verification of cleanup would then be provided to the property owner and the "applicable authority" within five days from the completion of the remediation.

Once cleaned, a map and legal description of the property would be provided to the

county recorder or registrar of titles.

Additionally, each local community health services administrator would keep certain information on file and make it available to the public, including location of the property and the name of the owner, the extent of the contamination and status of the removal.

Rep. Keith Ellison (DFL-Mpls) said that he would like to see some disclosure requirement for renters who may be concerned about occupying a place that had previously been used as a meth lab. Johnson said he would be willing to consider the proposal.

The bill now moves to the House Commerce and Financial Institutions Committee.

A companion bill (SF423), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ INDUSTRY

### Genomics may be funded

Two bills, if combined, would provide more than \$100 million for a collaborative venture between the Mayo Clinic and University of Minnesota, were approved March 8 by the House Jobs and Economic Opportunity Policy and Finance Committee.

HF434, sponsored by Rep. Randy Demmer (R-Hayfield), would provide \$15 million to the partnership in each of the next five years. HF1548, sponsored by Rep. Paul Kohls (R-Victoria), would provide \$18 million to the project in fiscal 2006 and \$15 million in fiscal 2007.

Both bills were referred to the House Commerce and Financial Institutions Committee.

The project calls for extensive research in biology and medical genomics, which could create new industries, expand the state tax base and position the state as a world leader in biotechnology and medical genomics. The money would go toward operating expenses.

"All 50 states in the union are working very, very hard to try to take advantage of the growing opportunities in this field," Demmer said. Medical genomics pinpoints the normal and abnormal functions of individual genes and uses the information to diagnose and treat diseases. It's medicine tailored to each individual.

Demmer said the funding could create thousands of jobs. The economic impact could be hundreds of millions of dollars.

The research facility could attract grants from the National Institutes of Health, which would create jobs. Depending on how successful the research is, it could lead to licenses and patents, according to Dr. Eric Wieben, director of Mayo Genomics Research Center at the Mayo Clinic.

After patents, could come product development, clinical trials, funding from the federal Food and Drug Administration, then sales and marketing of the products.

Four research projects underway now are heart disease, prostate cancer, Alzheimer's disease and obesity. The goal is to diagnose the disease sooner, even prevent them and save money on treatment.

Demmer's bill has no Senate companion.

A companion bill to Kohls' bill (SF1309), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action by the Senate Finance Committee.

## ★ LAW

### Make the shoulders safer

A bill that could make the shoulders of Minnesota's highways safer for law officers dealing with stopped vehicles was approved by the House Transportation Committee March 8 and sent to the House floor.

HF1164, sponsored by Rep. Paul Gazelka (R-Brainerd), would require motorists approaching a parked emergency vehicle with lights flashing to take precautions.

Under the bill, motorists would be required to slow to a speed of 10 mph below the speed limit. Motorists would also be required to pull over into the next lane if possible. Violators would be guilty of a petty misdemeanor, and could be fined more than \$100. "It'll take their foot from the gas pedal and move it over to the brake pedal," said Capt. Brian Erickson of the Minnesota State Patrol.

The bill is an attempt to improve the "Ted Foss Move Over Law," which requires passing motorists to move a lane over and reduce their speed, but it doesn't say by how much. That bill was passed after the 2000 death of Minnesota State Trooper Ted Foss, during a traffic stop near Lewiston.

"People do not move over when there is an emergency vehicle at the side of the

road," Erickson said, adding the wording to reduce speed does not provide a lot of direction.

Sgt. Curtis S. Mowers, a trooper from the Brainerd area, said police accept a certain amount of risk with their job, but this is something the Legislature could control.

"It's really close to all of our hearts. When there's something that can be done to help make us safe, we feel this is very important," Mowers said.

A companion bill (SF1388), sponsored by Sen. Mike McGinn (R-Eagan), awaits action in the Senate Transportation Committee.

## ★ LOCAL GOVERNMENT

### Buried electric lines

Local governments would be able to enter into agreements with private electric or communications companies to bury distribution lines under a bill approved by the House Local Government Committee March 9.

## SOUNDING OFF



PHOTO BY SARAH STACKE

Justin Barlow and Jenny Williams, juniors at Minnesota North Star Academy, clap during the March 8 Rally for the Deaf and Hard of Hearing. The rally was organized to encourage and support legislative issues concerning deafness.

Sponsor of HF732, Rep. Doug Meslow (R-White Bear Lake), said the bill would give municipalities the authority to do so under the condition that "all of the residents of the property affected agree to the plan and agree to pay for it."

"Unlike a lot of the newer communities and newer subdivisions where everything is placed underground now, they see a beautiful street and sidewalk and at the end they still have some unsightly overhead cables," said Mark Sather, city manager of White Bear Lake.

A group of homeowners approached the city about burying some electric lines with the cooperation of a local utility, Sather said, but a city attorney said current laws might prohibit the city from being able to work with the utility company to bury the lines.

There was no opposition to the bill and it next goes to the House floor.

A companion bill (SF527), sponsored by Sen. Mady Reiter (R-Shoreview), awaits action in the Senate Jobs, Energy and Community Development Committee.

### **Don't touch my mandate**

The House Local Government Committee approved a bill March 7 that would establish procedures for local governments to opt out of state mandates.

"I call this the 'Don't touch my mandate' list," said Rep. Mark Olson (R-Big Lake), the sponsor of HF1172.

Under the bill, counties, towns, school districts and cities could present the Legislature with a resolution requesting to opt out of state mandates, and the legislative bodies would have to adopt rules ensuring that those resolutions are given priority status and presented in a timely manner.

The bill is intended to foster "institution to institution communication" and solve the issue of "unfunded mandates," that Olson said he continually hears about from local units of government.

Opponents say entities could be released from mandates such as special education services, transportation, health, and safety standards or, potentially, the state's public employee bargaining law.

Local governments may not opt out of property tax laws, under the bill.

It could also create a "patchwork" of laws depending on the region in which cities are able to opt out, said Brad Lehto, legislative director for Minnesota American Federation of Labor-Congress of Industrial Organizations.

This is "a recipe for fragmented government," said Rep. Michael Paymar (DFL-St. Paul).

According to the nonpartisan House

Research Department, a state mandate is "a state law or rule that affects local government structure, operation, services, programs or financing and imposes a cost on local government, decreases revenue without decreasing required programs or services, makes local government or its officials liable for failing to comply with a law or rule, restricts the ability of local government to operate or obtain funding, or increases or decreases program, service, or funding levels in implementing or interpreting federal law."

The bill, which has no Senate companion, next moves to the House Governmental Operations and Veterans Affairs Committee.

### **Help for Taylors Falls**

Interstate Park is a popular tourist destination in Minnesota; known for camping, rock climbing, hiking and kayaking.

It's wholly within the city of Taylors Falls, for which the locals take great pride, according to Vice Mayor Ross Rivard. However, with all that fun comes a few problems, and that's why the police department and volunteer fire department are kept busy by calls to the park.

They need some help, so Rep. Peter Nelson (R-Lindstrom) is sponsoring HF1146, which would give a city an extra \$25,000 a year in local government aid if its population is at least 1,000, 14 percent of the city's land is a state park and the city provides rescue services at the park. Taylors Falls is the only city that qualifies for this aid under those conditions.

The bill was heard March 9 in the Property and Local Tax Division of the House Taxes Committee and held for possible inclusion in the division's report to the full committee.

Taylors Falls has historically provided basic services for the park, and the state has purchased water and sewer services. "The state and the city have mutually benefited from this for years," Rivard said. "Taylors Falls has its own responsibilities."

Between 1998 and 2002, there were an average of 277 police calls per year to the park, and 30 for fire or rescue services, he said.

Rep. Tom Rukavina (DFL-Virginia) pointed out that there are parks in northern Minnesota where local governments are responsible for emergency services, but Nelson said the situation in Taylors Falls is more pronounced. "This would be a fee to the state of Minnesota for providing services," he said.

A companion bill (SF1097), sponsored by Sen. Sean R. Nienow (R-Cambridge), awaits action in the Senate Taxes Committee.

### **No new jail for Wabasha**

Wabasha County may not be able to build a new jail outside the county seat because the bill authorizing it to do so failed in the House Local Government Committee March 9.

HF1287, sponsored by Rep. Andy Welti (DFL-Plainview), would permit the county to build a jail and criminal justice center to replace the current jail located in Wabasha. The bill would have allowed the county to do so without local approval.

The bill is "an effort to effect the best possible price for land or the availability of services to accommodate a new facility," said County Commissioner David Harms. The best deal for the taxpayers is what the board is trying to accomplish, he added.

By law, each county is to have the sheriff's office and a sufficient jail at the county seat.

"It is not just law enforcement and jail inmates who must have easy and frequent access to the court, but also social services, court administration, probation, the county attorney. ... If we move some of those branches to a new criminal justice center and keep others here in the county seat, we will be creating a horribly inefficient system," Wabasha District Court Judge Terry Walters said in a written statement.

"It is essential to have the jail as near the courtroom as possible," Wabasha Mayor Peter Klas said while testifying against the bill.

"This is fraught with difficulties ... there is something here that legislation is not going to solve," said Rep. Paul Marquart (DFL-Dilworth).

A Senate companion (SF1299), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action by the Senate Crime Prevention and Public Safety Committee.

### **Minors in bars**

Current law allows minors to play music but not wash dishes in bars without approval from the Department of Labor. A bill sponsored by Rep. Tom Rukavina (DFL-Virginia) would change that.

HF12 would amend the Child Labor Standards Act to regulate the employment of minors in establishments that serve alcohol. It would generally prohibit minors from working in rooms in establishments, such as bars and restaurants, where liquor is served or consumed, but allow them to work in an area where no alcohol is consumed or sold.

"I would appreciate common sense support of this bill," Rukavina said.

Exceptions would be made for minors at least 16 years of age to bus tables, wash dishes, wait on tables or provide musical entertainment in areas where alcohol is incidental to food service.

The bill would regulate the employment of minors in establishments where liquor is served or consumed the same way Department of Labor rules do now. However, the exceptions in the bill would apply to minors who are at least 16 years of age, while the current law applies to 17 year olds.

Before approving the bill and referring it to the House floor, the House Commerce and Financial Institutions Committee amended it March 8 to also exempt minors who perform hosting services.

Rep. Tina Liebling (DFL-Rochester) unsuccessfully tried to introduce an amendment to prohibit minors from working in any establishment that allows smoking. Rukavina said he did not want the tobacco issue attached to his bill. The amendment was ruled out of order because it did not meet the 24-hour rule.

A companion bill (SF187), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ RECREATION

### **No lifeguards**

Adults who swim in zero-depth entry public pools may be doing so at their own risk.

Sponsored by Rep. Sandra Peterson (DFL-New Hope), HF604 would exempt these pools, when used by people 18 years of age or older, from lifeguard presence requirements.

The House Health Policy and Finance Committee approved the bill March 3 and referred it to the House Civil Law and Elections Committee. It was approved and referred back to the Health Policy and Finance Committee.

A zero-depth entry pool is one with a slope that begins at grade level, and gradually deepens in a uniform slope to a depth of 3 feet or more. The gradual slope makes it easier for some people to get in and out of the pool. The bill would allow health clubs to hold aqua-aerobic classes for adults in zero-depth pools without being required to have a lifeguard present.

Regular pools are currently exempt from the lifeguard requirement when used by adults.

"If this bill passes, zero-depth pools would still have to meet license requirements," Peterson said.

The bill would have no fiscal impact, add no additional regulatory responsibilities to the state or local government, and not affect the need for inspections.

A companion bill (SF284), sponsored by Sen. David Gaither (R-Plymouth), awaits action on the Senate floor.

## **Houseboat hot tubs**

If you swim in a hot tub or whirlpool on a rental houseboat, you could be swimming at your own risk, under a bill that would exempt hot water pools on rental houseboats from public pool requirements.

Rep. David Dill (DFL-Crane Lake) is sponsoring HF423 to help houseboat owners, including 125 in his district, who rent out their boats. Dill said the owners shouldn't be responsible for making sure the houseboat pools meet public pool requirements since the boats are rented.

"They have no control over what happens on the houseboat," Dill said.

Under current law, a hot water pool on a rental houseboat is considered a public pool and subject to review and inspection under the Minnesota Pool Code. Dill's bill would have no fiscal impact.

The House Health Policy and Finance Committee amended the bill March 3 to require a notice be placed near the pool that would read, in part, "NOTICE: This spa is exempt from state and local sanitary requirements that prevent disease transmission. USE AT YOUR OWN RISK." The committee approved the bill and referred it to the House floor.

A companion bill (SF520), sponsored by Sen. Thomas M. Bakk (DFL-Cook), awaits action on the Senate floor.

## ★ TAXES

### **Business incentives proposed**

Companies could benefit from new tax incentives under a trio of bills approved March 9 by the House Commerce and Financial Institutions Committee. All were referred to the House Taxes Committee.

"This is an economic development initiative," said Rep. Paul Kohls (R-Victoria). "One of my priorities is creating good jobs in Minnesota."

Kohls is sponsoring HF1356, which would increase the research and development credit rate to 5 percent across the board through gradual increases over the next three years. Current law sets the credit rate at 5 percent for the first \$2 million of research expenses and 2.5 percent after that.

Firms want to add high-paying research and development jobs in Minnesota, and the bill would encourage that investment, he said.

Rep. Joyce Peppin (R-Rogers) is sponsoring HF1357, which she said would make the tax credit even more competitive. Her bill would increase the tax credit to 6 percent of research expenditures, effective for taxable years beginning after Dec. 31, 2004.

"The benefits outweigh the costs," Peppin said.

The bill would also provide tax benefits of \$2 million in fiscal year 2006 for businesses in technology and health science zones.

Rep. Barbara Goodwin (DFL-Columbia Heights) opposed the bills, saying they amount to corporate welfare.

Rep. Laura Brod (R-New Prague) is also sponsoring a bill to provide tax credits or exemptions for biotechnology and health sciences industry zones. HF1127 would allow businesses to receive tax benefits totaling \$2 million in 2006 by applying for tax credit certificates issued by the commissioner of employment and economic development.

The Senate companion for Kohls' bill (SF1348), sponsored by Sen. Steve Kelley (DFL-Hopkins), and the companion for Brod's bill (SF1024), sponsored by Sen. Julie A. Rosen (R-Fairmont), await action in the Senate Taxes Committee. Peppin's bill does not have a Senate companion.

## **Growing pains**

In 2003, approximately 40 people living just outside the city of Wells in Faribault County approached city officials asking that their area be annexed.

They had issues with their septic systems and wanted be part of the city's system. The city said, "Welcome aboard," to the people, but then in 2004, they said goodbye to \$93,000 in local government aid.

That was because their population went from just under 2,500 to approximately 2,540. Cities with a population of under 2,500 receive local government aid according to one formula, and cities with a population of 2,500 or greater receive the aid under an entirely different formula. So when Wells gained people, it lost money.

Under HF835, sponsored by Rep. Tony Cornish (R-Good Thunder), cities would lose that aid gradually, instead of all at once. The bill was heard March 9 in the Property and Local Tax Division of the House Taxes Committee and held for possible inclusion in the division's report to the full committee.

Under the bill, in the first year after reaching a population of 2,500, the city would still receive 80 percent of its local government aid under the small city formula and 20 percent under the large city formula.

The split would be 60-40 in years two through five, then a city would receive 100 percent of its local government aid under the large city formula.

Rep. Ron Abrams (R-Minnetonka) said the bill is fair. "When you do something new, there are sometimes things that develop that we haven't thought through. This actually

improves things quite a bit," he said.

There is no cost to the state because the total aid to cities is already established. The bill would take effect with the 2006 payments.

A companion bill (SF1312), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Taxes Committee.

### Some nasty mold

In 2000, Nancy Johnson of Columbia Heights was having some work done on her home and the windows were accidentally left open during a five-hour rainstorm.

Because of the incident, the house became infested with mold that had to be removed. The Johnsons had to find somewhere else to live during, what turned out to be, an eight-month renovation.

In 2001, they applied for a property tax rebate, because the house had been uninhabitable for eight months. They were turned down by both the Anoka County assessor and the Anoka County Board.

Flooding, fire damage and other obvious problems are listed, they were told, but not mold contamination. However, some counties do allow a rebate for mold contamination.

Rep. Barbara Goodwin (DFL-Columbia Heights) is sponsoring HF420, which would add mold contamination to the list of problems eligible for a property tax rebate. Homeowners would have to apply with both the county assessor and the county board. The size of the rebate would depend on how long the affected party was unable to live in their home.

The bill was heard March 9 in the Property and Local Tax Division of the House Taxes Committee and held for possible inclusion in the division's report to the full committee.

A companion bill (SF1081), sponsored by Sen. Lawrence J. Pogemiller (DFL-Mpls), awaits action in the Senate Taxes Committee.

## ★ TRANSPORTATION

### Transaction costs

Deputy registrars say that e-commerce is allowing them to do more work than ever before, and more efficiently, but to continue to do so they're going to need some help.

"We're able to enter information immediately. We're able to do the work that was done by the department (of transportation)," said Gary Spooner, president of the Minnesota Deputy Registrars Association. "In order to do this, we're looking for an increase in fees to cover our costs."

Rep. Connie Ruth (R-Owatonna) is spon-

soring HF1354, which would reduce some driver's license fees, but add a \$5 surcharge to them until June 30, 2007, and \$10 after that. Filing fees with deputy registrars for any application other than a registration renewal would go from \$7 to \$8.50 until June 30, 2007, and to \$13 after that.

The bill was approved March 9 by the House Transportation Committee and referred to the House Transportation Finance Committee.

The fee for a Class D license, the conventional driver's license, would drop from \$18.50 to \$15. Fees for a learner's permit and a provisional license would decrease from \$9.50 to \$6, fees for a duplicate license would be reduced from \$8.50 to \$5 and the fee for a state identification card would be lowered from \$12.50 to \$9.

Fees for some commercial licenses would also drop. The fee for the Class A license would go from \$37.50 to \$34 and the fee for a Class C license would go from \$22.50 to \$19.

The fee for a Class B commercial license would go from \$20.50 to \$26, however.

A companion bill (SF1240), sponsored by Sen. Julianne E. Ortman (R-Chanhassen), awaits action in the Senate Transportation Committee.

### Goodbye to 10-day tags

When you buy a new vehicle, you usually get everything but the license plates. Instead, you get a 10-day (or longer) tag, which allows you to drive the vehicle until the state sends you your license plates and registration.

Members of the Minnesota Automobile Dealers Association want to give their customers the new plates and stickers, without having to wait. A bill approved by the House Transportation Committee March 9 would accomplish that. It now goes to the House floor.

Sponsored by Rep. Dan Severson (R-Sauk Rapids), HF1134 would allow the Department of Public Safety to distribute license plates and stickers to automobile dealerships. Dealers would then issue the plates and stickers to customers at the time of purchase. The information would then be electronically transmitted to the state. A deputy registrar would also review the transaction electronically before issuing the registration.

The charge to customers in other states for the service has been around \$20, said Alyssa Schlender, director of government affairs for the association. She doesn't yet know what it will cost here. Distribution of the plates by dealers would be optional. People could still get their new plates directly from the state.

"Dealers are willing to contract with a third

party vendor to create software and transfer the data from the dealer's computer to the state's computer," Schlender said. "This bill is a good bill. It really represents modernization of the system. Dealers benefit because they get satisfied customers," she said.

Rep. Melissa Hortman (DFL-Brooklyn Park) agreed. "This is part of the great bureaucracy that could move faster. This is the short line to the DMV," she said.

A companion bill (SF1056), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Transportation Committee.

## ★ VETERANS

### Preserving disabled veterans land

The Disabled Veteran's Rest Camp on Big Marine Lake in Washington County would be excluded from certain zoning controls, under a bill approved by the House Local Government Committee March 7.

HF34, sponsored by Rep. Ray Vandever (R-Forest Lake), would also require the camp to continue developing and promoting camp features for disabled veterans, and would exclude the camp from property taxes effective 2005.

There was no opposition to the bill, which next moves to the House Taxes Committee.

The Disabled American Veterans organization, in a written letter to the committee, said there have been numerous attempts by the Washington County Park Commission and the Washington County Board of Commissioners to acquire the land and make it part of the Big Marine Park Reserve.

The proposal "ensures that (the camp) is going to be there for the next 100 years," said Donald Drigans, camp board treasurer.

"We've been working with the veterans," and things are going fairly well on issues that need to be addressed, said Myra Peterson, chair of the Washington County Board.

Concerns have been raised about how the county would be able to purchase the land if the camp wanted to sell the land in the future, she said. Under the bill, Washington County would have a right of first refusal for the camp.

A companion bill (SF467), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Judiciary Committee.

### Moving?

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## Capping damages

Three bills seek to lower medical malpractice insurance costs

By Brett Martin

Relief could be on the way for health care providers, nursing homes and private ambulance services that are experiencing skyrocketing medical malpractice insurance costs.

The House Health Policy and Finance Committee heard three bills March 8-9 that would set caps on malpractice claims and limit tort liability.

"The evidence is very clear that caps do work," said Rep. Matt Dean (R-Dellwood). He said 30 states already have legislation that addresses rising medical malpractice costs.

Dean is sponsoring HF1464, which would enact limits on the damage recoverable, and attorney fees charged, in medical malpractice claims.

Total damages for non-economic loss and punitive damages would both be capped at \$250,000. The bill would prohibit disclosing the limits to juries. All punitive damages would be paid to the Minnesota Comprehensive Health Association. Private nonprofit hospitals would not be liable for punitive damages.

The bill would accomplish three critical objectives, Dean said. It would improve health care, improve access to health care and decrease health care costs.

The committee amended the bill to remove the best practices guidelines and narrow the scope of the bill to emergency health care workers, obstetricians and gynecologists.

Dr. Gary Gosewisch, a partner at Emergency Physicians Professional Association, said his group is no longer able to buy malpractice insurance in the United States, so he buys it through an offshore organization. One or two malpractice suits can end a doctor's career and cause an insurance company to stop offering

insurance, he said, adding that doctors now meet to discuss insurance rather than medical issues.

"It truly is a crisis," he said. "We just want to be able to practice."

Rep. Thomas Huntley (DFL-Duluth) opposed the bill, saying legislators don't know the extent of a person's pain and suffering caused by medical malpractice and therefore shouldn't limit damages. Instead, courts should continue to decide damage amounts, he said.

"I don't know why we think we're smarter than a jury to make these decisions," Huntley said.

One such victim of malpractice is Linda McDougal. In May 2002, after a routine mammogram, she was told she had breast cancer. After undergoing a double mastectomy, she learned her doctor had made a mistake. To make matters worse, she ended up with an infection that required several more surgeries.

"I will never, ever have what I had before," McDougal said. "Victims of malpractice never plan on being victims of malpractice." However, she did not say if a suit was filed.

She said legislators should focus on eliminating medical errors rather than setting caps.

Rep. Brad Finstad (R-New Ulm) is sponsoring similar legislation for long-term care providers. HF1465 would limit non-economic damages

that could be awarded against a provider to \$300,000 per claim and \$1 million for all claims arising from a single occurrence.

"Because of fixed reimbursement rates, nursing homes do not have the ability to sim-

ply raise prices to cope with climbing liability insurance costs," Finstad said in a prepared statement.

The average per bed premium expense for liability insurance is estimated to have increased by \$400 since 1999, according to the Long-Term Care Imperative. Therefore, a typical 100-bed facility has experienced an estimated increase of nearly \$40,000 in total premium expenses since 1999.

The bill would require nursing homes to hold certain insurance in order to benefit from the cap. The cap would not apply if a nursing home caused harm intentionally or through gross negligence.

"Our goal is to change the regulatory environment in Minnesota so that health care remains accessible now and in the future," Finstad said.

Both bills were

amended to require the commissioner of commerce to provide to the Legislature an annual report on the status of medical malpractice insurance in Minnesota.

A bill sponsored by Rep. Duke Powell (R-Burnsville) would limit the tort liability of private ambulance services to the same limits that apply to local government ambulances.

Those limits are \$300,000 per claim, \$1 million per incident and zero for punitive damages.

Brian Holmer, director for Great Plains EMS, said if the bill becomes law, it could save him up to \$20,000 a year in insurance costs.

Huntley also opposed this bill, saying if victims can't collect enough money to cover their expenses and needs, such as medical and home care, then the state will get stuck with the tab.

All three bills were approved and referred to the House Civil Law and Elections Committee. A companion for Powell's bill (SF713), sponsored by Sen. Geoff Michel (R-Edina), awaits action in the Senate Health and Family Security Committee. Dean's and Finstad's bills do not have Senate companions.

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***"I will never, ever have what I had before. Victims of malpractice never plan on being victims of malpractice."***

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— Linda McDougal

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***"Our goal is to change the regulatory environment in Minnesota so that health care remains accessible now and in the future."***

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— Rep. Brad Finstad

## Benefiting veterans

### Bills seek to ease transition back to civilian life

By PATTY JANOVEC

Minnesotans might see camouflage painted military tractor trailers going between Fort Snelling in St. Paul and Camp Ripley near Little Falls, but what they may not suspect is that the driver, once back in civilian clothes, is not authorized to drive a similar size commercial vehicle.

"Other states invite veterans to come back and they actually recruit veterans that have skills in certain areas," including tractor-trailer drivers, said Randall Tesdahl, senior veterans employment representative with the Department of Employment and Economic Development.

Tesdahl is part of an informal military working group trying to address "road blocks" veterans face as they transition back to civilian life.

The group includes representatives from the department's Workforce Center, Minnesota State Colleges and Universities system, the Department of Public Safety and House members.

One of the areas the group is working on is to identify the top 10 job shortages in the state by category, and giving veterans the opportunity to fill those occupations. Examples include nurses, truck drivers, emergency medical technicians and middle management positions.

Rep. Dan Severson (R-Sauk Rapids) said he is working with the group on formulating legislation that would create incentives to entice veterans to fill those jobs.

In the nursing field, there are people who are well-trained Navy corpsmen, medics in the Army, and Air Force medical technicians "that are saving lives on the battlefield ... but when they come back to the state and go to a local college or the University of Minnesota to a nursing program, they start at day one," explained Tesdahl.

The group has been working with the Minnesota Board of Nursing to inform soldiers of the opportunities and exemptions for licensing.

"When I came into the Legislature, one of the

things that I wanted to do was make Minnesota a better place for veterans," said Severson. By tapping into a workforce that is already educated, experienced and has a real desire to contribute to their local community you could have "a tremendous workforce," he added.

When Severson retired as an Air Force pilot four years ago, he was given a list of veteran-friendly states at his weeklong transition assistance seminar. Minnesota ranked near the bottom.

Many times a soldier hasn't been off a military base in nearly 20 years, and transition assistance helps them mold into civilian life, explained Severson.

#### Veterans' legislation

In conjunction with an informal military working group, Rep. Dan Severson (R-Sauk Rapids) has introduced a number of bills that would help state veterans. He said there has been no opposition to any of the bills.

- HF685 would eliminate the veteran's preference restriction that says preference for state employment cannot be used for those who receive or are eligible for veteran's pension. It awaits action on the House floor.

Severson said the components of the bill would tell soldiers looking for state employment that "we recognize your contribution to our country and to this state and we are willing to make an exception for your case and give you some extra credit."

A companion bill (SF1268), sponsored by Sen. Michelle L. Fischbach (R-Paynesville), awaits action by the full Senate.

- HF1240 would designate May as "Hire a Veteran Month" and awaits action on the House floor.

The measure instructs the governor, each year, to "issue a proclamation honoring this observance, urging Minnesota state and local government departments, agencies, and boards, as well as private employers, to give fair and appropriate consideration to hiring military veterans."

A Senate companion (SF1254), sponsored by Sen. Betsy L. Wergin (R-Princeton), awaits action by the full Senate.

- HF1053 would allow the public safety commissioner to issue a waiver for a road test for a veteran trying to obtain a commercial driver's license. Severson said 48 other states recognize a veteran's military license for operating certain types of vehicles.

The bill awaits action by the House Transportation Committee.

A companion bill (SF1095), sponsored by Fischbach, awaits action in the Senate Transportation Committee.



PHOTO BY TOM OLMSCHEID

Jefferson Hobbs and his wife, Jennifer, leave the National Guard Armory in Anoka after a homecoming reception March 9. Hobbs is a member of Battery E, 151st Field Artillery that returned home after spending more than a year in Iraq. This was the third deployment in eight years for the group. They were previously in Bosnia-Herzegovina and Kosovo.



# Finding common ground

Ruud wants to connect constituents to government

By RUTH DUNN

Vividly colored children's artwork brightens the stark white walls of Rep. Maria Ruud's office in the State Office Building.



Rep. Maria Ruud

It's a mini art gallery of original works created by children who live in her district.

After Ruud (DFL-Minnetonka) was elected, she invited schools to select artwork for display.

Not only do students feel good that their art was selected, but Ruud, a passionate supporter of the arts, gets a boost every time she enters her office. "How can you not smile when you look at these?" Ruud asks as she gestures to the walls.

It was "seeing the human costs of bad policy" that prompted Ruud to run for the House. She saw those human costs as a nurse practitioner working with people in poverty; as a mother

with children in the public schools; and as the spouse of a small business owner. She kept waiting for an adult to stand up and run for office and then realized, "I was the adult. If not me, then who?" Still she said the decision to seek office was "a huge step and scary."

Ruud (pronounced "rood") ran on a campaign theme of "finding common ground" — a phrase that resonated with constituents in her traditionally Republican suburban district of Minnetonka and Eden Prairie where many are social moderates.

Increased support for public education turned out to be the prime common ground. "My district contains three outstanding school districts but people are really worried about deterioration in light of budget cuts and resulting increases in class sizes and decreases in class offerings," she said. She serves on the House Education Policy and Reform and Regulated Industries committees.

The youngest of seven children, Ruud grew up in Bloomington, but has Iron Range

## DISTRICT 42A

2002 population: 36,923  
Largest city: Eden Prairie  
County: Hennepin  
Top concern: Education

***"My district contains three outstanding school districts but people are really worried about deterioration in light of budget cuts and resulting increases in class sizes and decreases in class offerings."***

— Rep. Maria Ruud

connections through her father, a Croatian-American.

She's an avid runner who hits the pavement at least five days a week, often with her teenage son. "It's a good time for us to talk," she said.

Ruud sponsors regular coffee parties to keep in touch with people in her district. How will she judge her success? "If people in my district feel more connected to government and more engaged in the process and if I help facilitate that."

# Turning a new page

Youngest lawmaker setting a path

By PATTY JANOVEC

At age 24, Rep. Andy Welti (DFL-Plainview) said he didn't expect to already be a legislator.



Rep. Andy Welti

He says it's an advantage being the youngest lawmaker. "I have a lot of support," and with that comes increased attention and many legislators are offering to mentor him, he said.

Welti was a participant in the page program in high school. "I remember being up here for that week long program and thinking how, someday, I wanted to be here in a legislative seat because I really enjoyed the debate." He just thought it would be more like at age 28 or 29.

Serving as a page and participating in his local 4-H program, Welti said he "developed a strong appreciation for community service, which I

think translated well to public service."

Participating in 4-H also helped with his speaking and leadership skills, both extremely important as a legislator. "Your ability to know how to compromise and ... communicate well with others so you can achieve an end result," and finding common ground is important, he added.

He's using those skills in the House committees on which he serves: Agriculture and Rural Development, Environment and Natural Resources and Governmental Operations and Veterans Affairs.

He knows about the issues he faces on the agriculture committee because he grew up on dairy farm. "I can relate to the issues when we are discussing them."

What he enjoys most about the job so far is, "Being able to respond to the constituents and knowing that I have voted in a way that my constituents wanted me to vote. You're

## DISTRICT 30B

2002 population: 37,084  
Largest city: Rochester  
Counties: Olmsted, Wabasha  
Top concerns: Affordability of health care and education

***Welti has invited two teachers from every school, and farmers from around the district to engage in discussions. He expects to sponsor legislation on key issues from the meetings.***

making a difference and making effective policy."

Welti says he has started something unique in his district to get his constituents more involved the process. "I have an education think tank, and an agriculture think tank," he said. He invited two teachers from every school, and farmers from around the district to engage in discussions. He said he expects to sponsor legislation on key issues from the meetings.

increase the purses for racing and invest in a show horse infrastructure,” she said.

The money at stake is significant. On average, each horse produces \$6,002 in total economic impact, King said. Minnesota has 155,000 horses, ranking ninth in the nation in the number of horses.

Canterbury Park, which currently offers poker and other casino card games, is advocating for slot and video gaming, which would make it a racino. Also on the park’s wish list is a world-class equestrian center that would include two indoor arenas, three outdoor arenas, a cross-country jumping course and new stalls specifically for show horse events. A 250-room hotel and conference center is also part of the proposal.

The racino would be privately financed and not require state bonding or subsidies.

“Our proposal is really a Minnesota proposal,” Offerman said. 🏛️

Tourism ad money makes money

A nearly 800 percent return on an investment makes good business sense, Rep. Paul Gazelka (R-Brainerd) told the Tourism Division of the House Commerce and Financial Institutions Committee March 3.

Every \$1 invested in tourism marketing returns an estimated \$4.60 in state and local taxes, \$20.40 in wages and \$53 in gross sales, according to Explore Minnesota Tourism.

“If we spend more, we’re going to get back more,” Gazelka said. “It benefits business, and it can benefit the state.”

Gazelka is sponsoring HF1002, which seeks to boost tourism by appropriating \$14.5 million in each year of the 2006-07 biennium to market Minnesota tourism. The bill would make \$6 million of those funds each year contingent upon matching money from private entities that have partnered with Explore Minnesota.

The base budget for Explore Minnesota is currently slated at approximately \$8.6 million each fiscal year.

If the additional money were appropriated,

part of the marketing effort would focus on small resorts.

“If we don’t watch how they take care of mom and pop resorts, we’ll be looking for a new job in two years,” said Rep. Larry Howes (R-Walker), the division chair.

Following division approval, the full committee approved the bill March 9 and referred it to the House Jobs and Economic Opportunity Policy and Finance Committee. A companion bill (SF1141), sponsored by Sen. Carrie L. Ruud (R-Breezy Point), awaits action in the Senate Finance Committee.

Maureen Scallen, director of government relations for the Greater Minneapolis Convention and Visitors Association, said she’s frustrated to see other states with larger tourism budgets advertise in Minnesota. She cited a billboard along a busy Minnesota highway advertising the Wisconsin Dells.

If the \$14.5 million annual budget were approved, Minnesota would be on par with South Dakota’s tourism budget, but still behind Wisconsin.

SPEAKING OF THE HOUSE

🏛️ As he presented a bill (HF670) that would appropriate an additional \$62.9 million for the Minnesota State Colleges and Universities system in the next biennium and institute a tuition freeze, **Rep. Jim Abeler (R-Anoka)** said the bill was needed, in part, because the state is short in areas such as nurses, doctors and lawyers.

“Well, maybe not lawyers,” Abeler said with a smile. “Sorry Mr. Chair, just a cheap shot.”

“I’m not a lawyer,” responded a laughing

**Rep. Joe Opatz (DFL-St. Cloud)**, who held the gavel.

“It’s no wonder I like you so well,” said Abeler.

With laughter filling the room, **Rep. Ron Latz (DFL-St. Louis Park)**, an attorney by profession, quickly spoke, “Mr. Chair, sounds like libel.”

Said Abeler: “He would know.”

🏛️ When talking about choices students make when deciding a major, **Rep. Dean Urdahl (R-Grove City)** complimented his college counselors.

“I’m just glad that St. Cloud State had some good advisors when I was trying to decide if I wanted to be a dance major or social studies,” he said with a chuckle.

“The market would have taken care of that,” said **Rep. Ron Latz (DFL-St. Louis Park)**.

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Toll-Free .....	1-800-657-3700	Toll-Free .....	1-800-657-3864		
Finance .....	296-5900	Public Safety .....	282-6565		

## Monday, March 7

### HF1549—Ruth (R)

#### Transportation

Public safety commissioner's authority to deny limited driver's licenses clarified.

### HF1550—Ruth (R)

#### Transportation

Motor bicycle rental business regulation provisions repealed.

### HF1551—Holberg (R)

#### Education Policy & Reform

Student survey notice requirements provided.

### HF1552—Magnus (R)

#### Education Finance

Transportation sparsity formula modified and money appropriated.

### HF1553—Sykora (R)

#### Taxes

Income tax credit authorized for contributions to scholarship granting organizations.

### HF1554—Opatz (DFL)

#### Higher Education Finance

Nursing low-income loan repayment program established to expand the supply of trained nurses and money appropriated.

### HF1555—Powell (R)

#### Governmental Operations & Veterans Affairs

Minnesota Emergency Health Powers Act and authority of out-of-state license holders modified.

### HF1556—Huntley (DFL)

#### Health Policy & Finance

Medical education funding provisions modified.

### HF1557—Hilty (DFL)

#### Health Policy & Finance

Carlton County nursing facility rate increase provided and money appropriated.

### HF1558—Hilty (DFL)

#### Governmental Operations & Veterans Affairs

Minnesota State Retirement System service credit purchase authorized.

### HF1559—Urdahl (R)

#### Health Policy & Finance

Meeker County nursing facilities placed into geographic group II.

### HF1560—Heidgerken (R)

#### Agriculture & Rural Development

Rural economic development base funding level established including ethanol producer payments.

### HF1561—Peterson, A. (DFL)

#### Regulated Industries

Wind power usage goal established at 20 percent by 2020 and wind energy conversion system loan guarantee program established.

### HF1562—Ellison (DFL)

#### Public Safety Policy & Finance

Hunting licensees reviewed to determine whether they are ineligible to possess a firearm and governmental officials notified where applicable.

### HF1563—Vandever (R)

#### Education Finance

Basic general education revenue amounts uniform increase provided and uniform school levy authorized.

### HF1564—Erhardt (R)

#### Agriculture, Environment & Natural Resources Finance

Diseased shade trees removal and replacement funding provided, bonds issued and money appropriated.

### HF1565—Paymar (DFL)

#### Regulated Industries

Renewable development account expenditures and nuclear fuel storage facilities legislative approval authority granted.

### HF1566—Ellison (DFL)

#### Civil Law & Elections

Campaign workers allowed to access multiple unit dwellings unaccompanied by a candidate.

### HF1567—Ellison (DFL)

#### Civil Law & Elections

Primary election moved from September to June.

### HF1568—Meslow (R)

#### Public Safety Policy & Finance

State identification cards and driver's licenses assessment fee authorized to fund the Minnesota Financial Crimes Task Force and regional districts organization provided.

### HF1569—Sertich (DFL)

#### Jobs & Economic Opportunity Policy & Finance

Community action grants funding provided and money appropriated.

### HF1570—Huntley (DFL)

#### Regulated Industries

Hospital revenue provided from the operation of gaming machines in licensed hospitals under contracts with the state lottery.

### HF1571—Emmer (R)

#### Civil Law & Elections

Settlement offer effect provided on the recovery of costs and disbursements.

### HF1572—Meslow (R)

#### Education Finance

Special education delivery and funding task force established.

### HF1573—Krinkie (R)

#### Transportation

Metropolitan area access ramp meters deactivated.

### HF1574—Samuelson (R)

#### Health Policy & Finance

Home care services reimbursement rates increased.

### HF1575—Brod (R)

#### Governmental Operations & Veterans Affairs

Public officer and employee vacation and sick leave accumulation clarified while on military leave and payments of accumulated leave authorized.

### HF1576—Erickson (R)

#### Education Policy & Reform

Alternative teacher training program established for qualified professionals.

### HF1577—Erickson (R)

#### Education Finance

Equalized debt service levy tax base modified.

### HF1578—Liebling (DFL)

#### Civil Law & Elections

Human Services Department authorized to collect spousal maintenance.

### HF1579—Westrom (R)

#### Regulated Industries

Telecommunications standard provider contracts authorized.

### HF1580—Westrom (R)

#### Regulated Industries

Telecommunications combined per number fee provided.

### HF1581—Smith (R)

#### Environment & Natural Resources

Hennepin County tax-forfeited land conveyance authorized.

### HF1582—Meslow (R)

#### Taxes

White Bear Lake city payments required and money appropriated.

### HF1583—Meslow (R)

#### Commerce & Financial Institutions

Membership travel contracts regulated.

### HF1584—Mullery (DFL)

#### Taxes

Limited market value provisions extended for five additional years for certain property, different value maximum increases provided and certain property exempted from the limitation.

### HF1585—Olson (R)

#### Commerce & Financial Institutions

Manufactured home park exclusions provided relating to seasonal agricultural operations.

### HF1586—Lanning (R)

#### Higher Education Finance

State higher education grant program regulated.

### HF1587—Buesgens (R)

#### Education Policy & Reform

Value-added student growth assessment program provided and money appropriated.

### HF1588—Scalze (DFL)

#### Taxes

Cigarette and tobacco taxes increased, health care provider tax repealed and portion of tax increases dedicated to health care access fund.

**HF1589—Scalze (DFL)****Health Policy & Finance**

Prescription drug bulk purchasing program established.

**HF1590—Magnus (R)****Transportation Finance**

Bonding bills required to fund transportation purposes including local streets and highways, motor vehicle sales tax revenue dedicated, motor fuel tax increased, bonds issued, money appropriated and constitutional amendment proposed.

**HF1591—Larson (DFL)****Local Government**

Metropolitan Airports Commission eliminated and duties transferred to the Department of Transportation.

**HF1592—Westrom (R)****Regulated Industries**

Public Utilities Commission authorized to develop incentives for community-based generation projects, renewable energy price incentives provided and interconnection studies required.

**HF1593—Emmer (R)****Civil Law & Elections**

Candidates not agreeing to spending limits required to make a specified payment to the state elections campaign fund.

**HF1594—Eken (DFL)****Health Policy & Finance**

Respiratory therapy practice recognized in emergency situations.

**HF1595—Emmer (R)****Local Government**

Hennepin and Wright county boards authorized to initiate a process for the change of boundaries by resolution.

**HF1596—Emmer (R)****Civil Law & Elections**

Polling place regulations modified.

**HF1597—Sertich (DFL)****Education Finance**

All-day kindergarten levy authorized.

**HF1598—Sertich (DFL)****Education Finance**

Alternative facilities bonding program qualifications modified.

**HF1599—Rukavina (DFL)****Education Finance**

School districts authorized to levy for employee health care premium increases.

**HF1600—Solberg (DFL)****Education Finance**

School districts authorized to levy for school bus purchases.

**HF1601—Ozment (R)****Jobs & Economic Opportunity Policy & Finance**

Foreign trade promotion funding provided and money appropriated.

**HF1602—Smith (R)****Public Safety Policy & Finance**

Upward durational departure sentencing procedures established; Blakely hearings provided; and notice, jury determinations beyond a reasonable doubt and court findings required.

**HF1603—Slawik (DFL)****Governmental Operations & Veterans Affairs**

Maplewood Firefighters Relief Association authorized to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals.

**HF1604—Hoppe (R)****Transportation**

Carver County auditor appointment as a deputy motor vehicle registrar authorized.

**HF1605—Hackbarth (R)****Environment & Natural Resources**

Snowmobile state trail sticker provisions modified, trail maintenance costs payment provided, easement acquisition provided and money appropriated.

**HF1606—Smith (R)****Public Safety Policy & Finance**

Interstate offender data collection law repealed.

**HF1607—Smith (R)****Public Safety Policy & Finance**

Advisory council on interstate adult offender supervision appointments authorized.

**HF1608—Cox (R)****Regulated Industries**

District court authorized to hear appeals of lesser utility fines.

**HF1609—Lesch (DFL)****Public Safety Policy & Finance**

Presumptive stayed sentence imposed for first-time fourth- and fifth-degree controlled substance possessors, expungement of records authorized, terms of imprisonment modified and money appropriated.

**HF1610—Goodwin (DFL)****Health Policy & Finance**

Patient's consent required to transmit medical records out of the country.

**HF1611—Lanning (R)****Taxes**

Affordable housing contribution tax credit provided.

**HF1612—Hamilton (R)****Transportation**

Department of Transportation required to indicate on specific service signs those businesses that sell E85 at retail.

**HF1613—Lesch (DFL)****Taxes**

St. Paul Housing and Redevelopment Authority authorized to establish tax increment financing subdistricts.

**HF1614—Olson (R)****Regulated Industries**

Net energy billing provisions extended to electricity generated from livestock manure.

**HF1615—Smith (R)****Governmental Operations & Veterans Affairs**

Minneapolis Teachers Retirement Fund Association coordinated program consolidated with the Teachers Retirement Association, bonds issued and money appropriated.

**HF1616—DeLaForest (R)****Civil Law & Elections**

Marriage dissolution grounds modified and waiting period provided for certain dissolutions.

**HF1617—Finstad (R)****Agriculture, Environment & Natural Resources Finance**

Redwood County waste-to-energy and material recycling facility funding provided, bonds issued and money appropriated.

**HF1618—Thissen (DFL)****Civil Law & Elections**

Eminent domain attorney fee requirements and provisions modified for taking for public purposes.

**HF1619—Dean (R)****Health Policy & Finance**

Health Care Administrative Simplification Act of 1994 modified and other health care administrative and filing requirements modified.

**HF1620—Koenen (DFL)****Agriculture & Rural Development**

Noninvasive floating of horses' teeth excluded from the definition of veterinary medicine practice.

**HF1621—Koenen (DFL)****Commerce & Financial Institutions**

Auctioneer license numbering requirements modified.

**HF1622—Davids (R)****Environment & Natural Resources**

Beaver Creek Valley State Park special deer hunt required.

**HF1623—Davids (R)****Commerce & Financial Institutions**

Dresbach Visitor Information Center hours expanded.

**HF1624—Davids (R)****Taxes**

Preston tax increment financing district authorized to capture the state general tax.

**HF1625—Davids (R)****Commerce & Financial Institutions**

Commerce commissioner directed to communicate to federal authorities this state's desire for federal law changes to facilitate the use of long-term care insurance with a long-term care partnership program.

**HF1626—Davids (R)****Environment & Natural Resources**

Beaver Creek Valley State Park camping facilities availability required during spring turkey hunting and fall firearm deer hunting seasons.

**HF1627—Atkins (DFL)****Health Policy & Finance**

Dakota County developmental disabilities facility downsizing authorized.

## Wednesday March 9

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### **HF1628—Seifert (R)**

#### **State Government Finance**

State surplus property sales proceeds distribution provisions modified.

### **HF1629—Seifert (R)**

#### **State Government Finance**

Legislative public information publications and media productions revenue solicitation required, donations accepted, fees authorized and money appropriated.

### **HF1630—Thissen (DFL)**

#### **Taxes**

Homestead exemption increased relating to debtor creditor relations.

### **HF1631—Sykora (R)**

#### **Health Policy & Finance**

Medical Assistance for needy persons \$20 general income disregard authorized in certain circumstances.

### **HF1632—Larson (DFL)**

#### **Local Government**

Metropolitan Council and Metropolitan Airports Commission required to submit proposed budgets to legislative committees.

### **HF1633—Larson (DFL)**

#### **Local Government**

Metropolitan Airports Commission and Metropolitan Council transition to fiscal year budgets provided, and legislative approval of budgets required.

### **HF1634—Clark (DFL)**

#### **Jobs & Economic Opportunity Policy & Finance**

Hennepin County; New Chance program funding provided and money appropriated.

### **HF1635—Huntley (DFL)**

#### **Health Policy & Finance**

Individuals and small employers authorized to purchase state health coverage at their own expense and MinnesotaCare coverage authorized at full cost.

### **HF1636—Hornstein (DFL)**

#### **Governmental Operations & Veterans Affairs**

Minnesota State Retirement System allowable service definition modified to include time on strike.

### **HF1637—Liebling (DFL)**

#### **Governmental Operations & Veterans Affairs**

Legislative fiscal notes required for nonbinding resolutions.

### **HF1638—Peppin (R)**

#### **Transportation Finance**

I-94 and Hennepin County Highway 101 interchange construction funding provided and money appropriated.

### **HF1639—Hoppe (R)**

#### **Regulated Industries**

Basic services regulation of telephone companies provided.

### **HF1640—Magnus (R)**

#### **Jobs & Economic Opportunity Policy & Finance**

Job opportunity building zones and biotechnology and health sciences industry zone provisions modified.

### **HF1641—Olson (R)**

#### **Local Government**

Personal rapid transit local bonding authorized.

### **HF1642—Finstad (R)**

#### **Health Policy & Finance**

Rural pharmacy planning and transition grant program established, rural loan forgiveness program modified and money appropriated.

### **HF1643—Sieben (DFL)**

#### **Commerce & Financial Institutions**

Student information sale to credit card marketers by higher education institutions prohibited.

### **HF1644—Knoblach (R)**

#### **Commerce & Financial Institutions**

Real estate appraiser oversight, licensing and certification provisions modified.

### **HF1645—Simpson (R)**

#### **Regulated Industries**

Electric transmission lines state permitting process length reduced, automatic cost recovery provided for certain facilities and easement payment options provided.

### **HF1646—Ruud (DFL)**

#### **Education Policy & Reform**

School districts required to comply with the schools interoperability framework specifications and school data sharing working group established.

### **HF1647—Charron (R)**

#### **Transportation Finance**

Trunk Highway 5 safety improvements funding provided, bonds issued and money appropriated.

### **HF1648—Abeler (R)**

#### **Governmental Operations & Veterans Affairs**

Teachers Retirement Association service credit purchase authorized.

### **HF1649—Hosch (DFL)**

#### **Education Finance**

Independent School District No. 750, Rocori, fund transfer authorized.

### **HF1650—Ruth (R)**

#### **Commerce & Financial Institutions**

Cosmetology regulatory oversight transfer provided, regulatory provisions modified and conforming changes provided.

### **HF1651—Seifert (R)**

#### **Jobs & Economic Opportunity Policy & Finance**

Minnesota Inventors Congress grants provided and money appropriated.

### **HF1652—Peterson, S. (DFL)**

#### **Education Policy & Reform**

Learning year record system modified from a pupil unit basis to a credit unit basis.

### **HF1653—Johnson, R. (DFL)**

#### **Agriculture, Environment & Natural Resources Finance**

Minnesota Institute for Sustainable Agriculture information exchange program funding provided and money appropriated.

### **HF1654—Johnson, R. (DFL)**

#### **Environment & Natural Resources**

Bridge or culvert replacement provisions modified relating to drainage repairs.

### **HF1655—Kohls (R)**

#### **Civil Law & Elections**

Corporation definition expanded relating to campaign finance.

### **HF1656—Solberg (DFL)**

#### **Education Policy & Reform**

Regional education districts provided.

### **HF1657—Mullery (DFL)**

#### **Taxes**

Health insurance premium income tax deduction provided.

### **HF1658—Mullery (DFL)**

#### **Commerce & Financial Institutions**

Auto insurance discrimination prohibited based on geographic location within the metropolitan area.

### **HF1659—Mullery (DFL)**

#### **Commerce & Financial Institutions**

Driver's license suspension as a result of mailed demands for proof of insurance authority repealed, remedial measures for victims provided and money appropriated.

### **HF1660—Krinkie (R)**

#### **Taxes**

Truth in taxation provisions modified, taxpayer satisfaction survey provided and public hearings and newspaper advertisement requirements eliminated.

### **HF1661—Olson (R)**

#### **Education Policy & Reform**

Character development education promoted in schools.

### **HF1662—Sailer (DFL)**

#### **Higher Education Finance**

University of Minnesota student outreach funding provided and money appropriated.

### **HF1663—Bernardy (DFL)**

#### **Education Finance**

Special diet breakfast and lunch pilot program established for paying additional costs of special diets based on religious beliefs of students and money appropriated.

## Thursday, March 10

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### **HF1664—Buesgens (R)**

#### **Regulated Industries**

Lottery gaming machines provided, contracting for placement of machines authorized, horse racing purse payments established, tax on machines and card club revenue imposed and blackjack and other card games authorized.

**HF1665—Hackbarth (R)**  
**Agriculture, Environment & Natural Resources Finance**

Metropolitan Regional Parks System funding provided and money appropriated.

**HF1666—Severson (R)**  
**Education Finance**

Independent School District No. 738, Holdingford, fund transfer authorized.

**HF1667—Beard (R)**  
**Transportation**

10-ton vehicle loading authorized under certain circumstances and 7-ton vehicle loading allowed during spring weight restrictions.

**HF1668—Lesch (DFL)**

**Health Policy & Finance**

Clinical drug or biological product trial registration and civil penalties provided.

**HF1669—Wilkin (R)**

**Commerce & Financial Institutions**

Insurance fees, rate filings, policy renewals and alterations and data collection regulated.

**HF1670—Abrams (R)**

**Local Government**

Municipal planning requirements modified for certain nonconformities relating to floodplains.

**HF1671—Abrams (R)**

**Transportation Finance**

Motor vehicle sales tax proceeds allocation modified, highway and transit bonds issued, money appropriated and constitutional amendment proposed.

**HF1672—Abrams (R)**

**Transportation**

Van-only handicapped parking spaces limited to parking for handicapped-enabled vans and penalty imposed.

**HF1673—Lanning (R)**

**State Government Finance**

Legislators' forum money appropriated.

**HF1674—Abeler (R)**

**Higher Education Finance**

Deaf individuals tuition assistance provided.

**HF1675—Seifert (R)**

**Commerce & Financial Institutions**

Barbershop registration fee exception provided.

**HF1676—Finstad (R)**

**Education Finance**

Capital levy amount increased in certain instances.

**HF1677—Cornish (R)**

**Environment & Natural Resources**

Snowmobile state trail sticker procedures modified, fees established and deposited, electronic licensing system commission provided, account created and money appropriated.

**HF1678—Westrom (R)**

**Taxes**

Property tax refund schedule for homeowners and renters modified and percentage of rent constituting property taxes reduced.

**HF1679—Westrom (R)**

**Taxes**

Property tax refund schedule for homeowners and renters modified and percentage of rent constituting property taxes reduced.

**HF1680—Meslow (R)**

**Education Policy & Reform**

Licensed student support services student access provided.

**HF1681—Penas (R)**

**Environment & Natural Resources**

Off-highway vehicle forest classification requirements modified.

**HF1682—Eastlund (R)**

**Regulated Industries**

On-farm qualified biogas recovery facility definition expanded.

**HF1683—Solberg (DFL)**

**Environment & Natural Resources**

Lakeshore acquisition with county environmental trust fund resources authorized.

**HF1684—Gazelka (R)**

**Taxes**

Baxter city sales and use tax and bond issuance authorized.

**HF1685—Moe (DFL)**

**Education Finance**

Early childhood family education program funding restored.

**HF1686—Moe (DFL)**

**Education Policy & Reform**

Hazardous traffic condition pupil transportation zone establishment locally controlled process defined and levy authorized.

**HF1687—Moe (DFL)**

**Education Finance**

Transportation aid for school districts providing full day, every day kindergarten authorized.

**HF1688—Nelson, P. (R)**

**Environment & Natural Resources**

Clean Water Legacy Act created; authority, direction, and funding to achieve and maintain water quality standards provided; conformity with federal Clean Water Act provided and money appropriated.

**HF1689—Simpson (R)**

**Environment & Natural Resources**

Muzzleloader hunting with optical scopes authorized.

**HF1690—Abrams (R)**

**Taxes**

Taxable estate definition modified, exemption amount increased and Minnesota qualified terminable interest property elections allowed.

**HF1691—Westrom (R)**

**Taxes**

Biomass electric generation facility property tax exemption construction date requirement and sales tax exemption duration extended.

**HF1692—Peterson, N. (R)**

**Governmental Operations & Veterans Affairs**

State Board of Investment compensation plans regulated.

**HF1693—Thao (DFL)**

**Public Safety Policy & Finance**

St. Paul Police; Asian Gang Task Force funding provided and money appropriated.

**HF1694—Thao (DFL)**

**Jobs & Economic Opportunity Policy & Finance**

St. Paul; Asian community center funding provided, bonds issued and money appropriated.

**HF1695—Sykora (R)**

**Higher Education Finance**

Regent candidate recommendation method modified.

**HF1696—Sieben (DFL)**

**Health Policy & Finance**

Prescription drug discount program established and money appropriated.

**HF1697—Dill (DFL)**

**Higher Education Finance**

Mineral research funds transferred to the University of Minnesota for core sampling at the Tower-Soudan mine complex and money appropriated.

**HF1698—Pelowski (DFL)**

**Taxes**

Winona; port authority tax increment financing district duration extended.

**HF1699—Cox (R)**

**Health Policy & Finance**

Scott County intermediate care facility for persons with mental retardation licensing change authorized.

**HF1700—Cox (R)**

**Public Safety Policy & Finance**

Motor vehicle hit-and-run offense petty misdemeanor penalty imposed.

**HF1701—Cox (R)**

**Transportation**

Driver's license renewal provisions modified to include passing specified examinations.

**HF1702—Smith (R)**

**Transportation**

Railroad company prohibited from obstructing treatment of railroad worker injured on the job or from disciplining or threatening to discipline injured employee for requesting treatment or first aid.

**HF1703—Smith (R)**

**Public Safety Policy & Finance**

Railroad and employees prohibited from obstructing treatment of a railroad worker injured on the job or from disciplining or threatening to discipline the employee injured for requesting treatment or first aid.

**HF1704—Demmer (R)**

**Education Finance**

Limited English proficiency aid increased by including pupils with less than seven years of average daily memberships.

**HF1705—Smith (R)****Civil Law & Elections**

Marriage dissolution, child custody, child support, maintenance, and property division style and form changes provided; child support and pension distribution provisions modified; data classified and procedures and enforcement clarified.

**HF1706—Smith (R)****Governmental Operations & Veterans Affairs**

Volunteer Firefighter Relief Association working group recommendations implemented relating to firefighter retirement financing and benefits.

**HF1707—Abeler (R)****Regulated Industries**

Anoka; Main Street Stage Theatre wine license expanded to include malt liquor.

**HF1708—Krinkie (R)****Transportation**

Counties authorized to contract with commissioner of transportation to maintain trunk highways.

**HF1709—Lesch (DFL)****Public Safety Policy & Finance**

Sex offenders prohibited from living near schools and other predatory offenders except under specified conditions.

**HF1710—Beard (R)****Jobs & Economic Opportunity Policy & Finance**

Broadband telecommunications revolving loan fund established.

**HF1711—Beard (R)****Environment & Natural Resources**

Radioactive waste or material transport fee imposed.

**HF1712—Beard (R)****Public Safety Policy & Finance**

Scott County; Community Corrections Act subsidy funding provided and money appropriated.

**HF1713—Krinkie (R)****Taxes**

Solar energy sales tax exemption sunset removed.

**HF1714—Kahn (DFL)****State Government Finance**

Coya Knutson memorial funding provided for the Capitol grounds and in the city of Oklee and money appropriated.

**HF1715—Ellison (DFL)****Public Safety Policy & Finance**

Expungement eligibility expanded to include certain criminal proceedings not resolved in petitioner's favor.

**HF1716—Hamilton (R)****Health Policy & Finance**

Jackson County nursing facility reimbursement rate increased.

**HF1717—Emmer (R)****Education Policy & Reform**

Minors under age 18 required to attend school as a requirement for possessing a driver's permit or license.

**HF1718—Demmer (R)****Education Policy & Reform**

School boards prohibited from contracting to limit superintendent authority to assign teachers and administrators.

**HF1719—Klinzing (R)****Education Policy & Reform**

High school reform measures provided including educational planning and assessment program, and a college-level examination program; basic skills tests replaced with comprehensive assessments and money appropriated.

**HF1720—Holberg (R)****Civil Law & Elections**

Sexual abuse personal injury civil action limitation period modified.

**HF1721—Paulsen (R)****Governmental Operations & Veterans Affairs**

Public employer reimbursement modified for compensation paid to firefighters and peace officers and claim evaluation panel established.

**HF1722—Mullery (DFL)****Commerce & Financial Institutions**

State contract bidding prohibited for certain employers and safety and health plans required for all construction projects.

**HF1723—Mullery (DFL)****Public Safety Policy & Finance**

Falsely reporting crime and providing false information to law enforcement criminal penalties imposed.

**HF1724—Mullery (DFL)****Public Safety Policy & Finance**

Sex offender mandatory life sentences provided for specified offenses, indeterminate sentences provided for repeat offenders, sixth degree criminal sexual conduct crime established and sentencing guidelines modified.

**HF1725—Mullery (DFL)****Public Safety Policy & Finance**

Violent offenders required to consent to on-demand searches as a condition of probation, supervised release or parole.

**HF1726—Blaine (R)****Agriculture & Rural Development**

Pesticide application record retention requirement eliminated.

**HF1727—Beard (R)****Regulated Industries**

Off-sale wine licenses authorized for supermarkets.

**HF1728—Beard (R)****Regulated Industries**

Basic services regulation of telephone companies provided.

**HF1729—Nornes (R)****Environment & Natural Resources**

Electronic computer product waste recycling provided.

**HF1730—Beard (R)****Transportation Finance**

House resolution memorializing the president and Congress to support Amtrak funding.

**HF1731—Lanning (R)****Taxes**

Historic structure rehabilitation expenditure income tax credit provided.

**HF1732—Blaine (R)****Agriculture & Rural Development**

Agricultural loan provisions modified, livestock equipment pilot loan program established, livestock zoning requirements modified, town road repairs funding provided and money appropriated.

**HF1733—Kahn (DFL)****Health Policy & Finance**

Adverse Health Care Events Reporting Act expanded to include facility-acquired infection rates.

**HF1734—Kahn (DFL)****Health Policy & Finance**

Stem cell research state policy established and criminal penalties imposed.

**HF1735—Erhardt (R)****Transportation Finance**

Metropolitan area sales tax imposed with the proceeds dedicated to transportation and transit improvements, allocation of revenues for the motor vehicle sales tax provided and money appropriated.

**HF1736—Dill (DFL)****Environment & Natural Resources**

St. Louis County tax-forfeited land sales authorized.

**HF1737—Rukavina (DFL)****Commerce & Financial Institutions**

Employee invention agreements regulated.

**HF1738—Murphy (DFL)****Governmental Operations & Veterans Affairs**

Higher education individual retirement account plan members permitted up to five years to elect between defined benefit and defined contribution plan coverage.

**HF1739—Peterson, S. (DFL)****Education Finance**

Limited English proficiency programs funding restored.

**HF1740—Seifert (R)****Health Policy & Finance**

Abortion criminal penalty eliminated.

**HF1741—Thao (DFL)****Jobs & Economic Opportunity Policy & Finance**

Group residential housing supplemental rate modified for certain specified facilities.

**HF1742—Mullery (DFL)****Environment & Natural Resources**

Hunting licensees reviewed to determine whether they are ineligible to possess a firearm and governmental officials notified where applicable.

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# MINNESOTA INDEX

## Seeing the sites

Billions generated for state economy by travel and tourism annually .....	\$9.2
Billions in state and local tax revenue from tourism annually .....	\$1.1
For each dollar invested in tourism marketing, return on investment in	
new state and local taxes .....	\$4.60
In wages .....	\$20.40
In gross sales .....	\$53
Millions, as estimate, tourism generates in gross receipts/sales per day	
in Minnesota .....	\$25
Estimated number of travelers in Minnesota in 2003, in millions .....	28.6
Percent of travel that is for pleasure .....	85
Median number of night stays for pleasure trips .....	3
Percent of travel occurring between April and August .....	55
Percent between September and November .....	26
Jobs, as approximate, in state that were in leisure and hospitality industry	
in 2003 .....	233,000
In 1993 .....	199,700
Expected industry growth between 2002 and 2012, as percent .....	19
Number of scenic byways in the state .....	22
Year Itasca State Park was established .....	1891
Feet above sea level in the park where the Mississippi River begins .....	1,475
Estimated number of lakes in the Brainerd Lakes Area .....	500
Miles of Lake of the Woods shoreline, as estimate .....	65,000
Islands in the lake .....	14,582
Miles of canoe routes, as estimate, within the Boundary Waters Canoe Area Wilderness .....	1,500
Estimated number of annual visitors to the area .....	200,000
Weight, in pounds, of "Willie the Walleye" that greets visitors in Baudette .....	9,500
Number of freighters, as approximate, that drop anchor in Duluth's harbor	
each year .....	1,100
Weight, in tons, of Duluth's Aerial Lift Bridge center span .....	1,000
Height, in feet, of cliff that Split Rock Lighthouse was built atop in 1910 .....	130
Nesting species of birds in the Superior National Forest .....	155
Length, in miles, of the North Shore Scenic Drive from Duluth to Grand Portage .....	150
Miles of snowmobile trails, as estimate, on the Iron Range .....	3,000
Approximate miles of bike trails the state has developed along former railroad beds .....	450
Year Vikings allegedly inscribed a rock displayed at the Kensington Runestone Museum .....	1362

**Sources: 2006-07 biennial operating budget background, Minnesota Department of Finance; Stepping Stones, Department of Natural Resources; Explore Minnesota 2005 Travel Guide, Minnesota's Boundary Waters and Tourism Works for Minnesota: Tourism and the Economy 2005; Explore Minnesota Office of Tourism; Duluth Convention and Visitor's Bureau.**

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# SESSION Weekly

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MARCH 18, 2005

VOLUME 22, NUMBER 11

INSIDE: CLEAN WATER - A LASTING LEGACY, SCHOOLS' CORE MISSION, GOPHERS - GO FIGURE, MORE

This Week's Bill Introductions HF1743-HF1947

# SESSION Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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**On the cover:** The post World War II statue, "The Promise of Youth," frames the Capitol building. Created by Alonzo Hauser, it is meant to symbolize the youth of a nation looking for the promise of peace. The statue was placed near the Veterans Service Building in 1958.

—Photo by: Sarah Stacke



PHOTO BY TOM OLMSCHIED

One of the goals of the Clean Water Legacy Act is to assess the water quality in all of Minnesota lakes within the next 10 years, including this one in the Boundary Waters Canoe Area Wilderness.

# A lasting legacy

## New direction and resources for clean water efforts

By NICOLE WOOD

**M**innesota spends \$1 million a day on water quality issues. Yet it's not enough to keep up with the requirements of the federal Clean Water Act, according to proponents of a clean water proposal that's making waves at the Capitol.

Cleaning up the state's surface waters is going to take more money and better coordination, they say, to prevent the state from becoming the Land of 10,000 *Impaired* Lakes.

Advocates warn that noncompliance with the impaired waters provisions pose a triple threat of environmental degradation, litigation and increased federal regulation. Furthermore, it places economic development in a precarious position because there are restrictions to development where contaminated waters exist.

HF826, the so-called Clean Water Legacy Act, sponsored by Rep. Dennis Ozment (R-Rosemount), would establish both a policy framework and a funding mechanism to deal with the state's impending water quality woes.

The House Local Government Committee

approved the measure March 16. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

A companion bill (SF762), sponsored by Sen. Dennis R. Frederickson (R-New Ulm), awaits action in the Senate State and Local Government Operations Committee.

### The Clean Water Act of 1972

HF826 aims to protect, restore and preserve Minnesota's surface waters and ensure compliance with the federal Clean Water Act of 1972.

According to the Environmental Protection Agency (EPA), the federal entity charged with enforcing the act, it is "the cornerstone of surface water quality protection in the United States."

The responsibility for monitoring surface waters falls mainly on the states. In Minnesota, the task is delegated to the Pollution Control Agency (PCA). Every two years, the agency is required to submit to the EPA a report that summarizes the state's water quality information and a listing of those water bodies that are failing to meet the standards set for their designated uses.

Among the pass/fail criteria are chemical, physical or biological measures, but the big picture is not so complicated.

"Is it swimmable? Can you eat the fish out of it?" It can be a tough standard to reach but it's not a tough standard to understand, Ozment said.

The best science indicates that Minnesota could have 10,000 polluted water bodies by the end of the decade, according to PCA Commissioner Sheryl Corrigan.

There are already 2,000 water bodies on the state's impaired waters listing, and only 14 percent of the lakes and 8 percent of the streams have been assessed so far.

Once a water body is deemed impaired, the next step is to compile a document known as a "TMDL report" that determines the pollution sources and the amount of cleanup needed to restore the watershed, and then make reasonable progress toward restoration.

TMDL is the acronym for Total Maximum Daily Load. By EPA definition, a TMDL is "a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources."

Put quite simply, a TMDL is a fix-it plan.

**First Reading continued on page 4**

## Clean Water oversight and funding

When the impaired waters issue resurfaced in 2003, the Legislature ordered the agency to organize a group of people and agencies with a special interest in tackling the problem — including conservation organizations; local, state, federal, and tribal officials; farmers; business owners; builders and developers — and report back with a policy framework and financing ideas. The core group of stakeholders is commonly referred to as “the G16.”



PHOTO BY TOM OLMSCHIED

**With Rep. Dennis Ozment watching, Gordon Cumming, executive director of the Cannon River Water-shed Partnership, testifies March 14 before the House Local Government Committee as members hear about the Clean Water Legacy Act.**

Out of this broad, diverse coalition came recommendations that form the backbone of the bill: the creation of a Clean Water Council, fee and account.

Under the bill, an 18-member council would be created to coordinate the cleanup efforts. Membership would include representatives from state and local government, as well as business, agricultural and environmental interests.

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To pay for the ramped-up water quality work, the bill would establish a clean water fee on all service connections to sanitary sewer

systems. The proposed fees are \$36 per year on residential units (including multi-unit dwellings and individual septic systems), with an exemption for certain low-income people, and a tiered fee on non-residential service connections of \$120, \$300 or \$600 per year based on discharge.

The fee would be collected by the public agency that currently collects sewer fees. The PCA would collect from the permitted facilities currently under its jurisdiction. Counties would be required to collect the fees from individual septic system owners and identify by Aug. 15, 2005, a list of all the people served by these systems.

The fees would be deposited in a clean water legacy account in the state treasury. The money could be used for grants and loans for impaired waters identification and restoration activities, wastewater and stormwater treatment projects, individual sewage treatment system upgrades and other preventive measures.

## The opposition

It's not as though opponents to HF826 are rallying in the Capitol Rotunda, carrying “Mercury Now” and “Phosphorus Forever” placards. Much of the opposition is a matter of process — the fee, its collection mechanism and disbursement plan — rather than policy.

Some of those concerns arose during the March 14 House Local Government Committee hearing.

“County officials do not feel that this bill clearly defines the nexus between the fee and the service that will be provided,” said Association of Minnesota Counties Policy Analyst Annalee Garletz. “The recordkeeping required for this fee will really place an

administrative burden on counties.”

The fee is imposed without regard to a payer's contribution to the water quality problems and regardless of a community's past efforts to clean up waters, said Kari Thurlow, a lobbyist for the Coalition of Greater Minnesota Cities. It would be more equitable to try to identify General Fund dollars, she said.

Craig Johnson, a League of Minnesota Cities intergovernmental relations representative and a G16 member, said the goal was to come up with a package that would at least meet enough of the criteria of the Legislature and the governor to move it forward as a legitimate proposal.

“Since none of us really felt it was a viable year to be coming into the Legislature and expecting you to just magically create new General Fund revenues out of existing revenue streams, we had to come up with some suggestion of how we would recommend that could be done,” he said.

Even the bill sponsor said he is “uncomfortable” with the fee in its current form. However, he is seeking alternatives rather than delete-all amendments.

“It is not fair to those who have spent two years putting the bill together to just delete their proposal from the bill and provide no alternative,” Ozment wrote in an open letter to House members and staff. “Please bring your ideas to the table on how to improve the G16 funding proposal.”

“The goal is to use existing government and current regulations at the state and local levels to develop methods to clean up all of our water. The clean up will take a long time but by using collaboration, common sense and quality science I believe it can be done efficiently and with accountability.”

## Golden gophers Capitol motif reflects striped squirrel sobriquet



Though some say Minnesota's Gopher State nickname comes from the abundant numbers of the prairie critters, it seems the Legislature may have had a hand in earning the moniker.

According to *Cartoons of Minnesota Politics*, a 1976

Minnesota Historical Society publication, state lawmakers in 1857 accepted a federal land grant to build railroads in Minnesota by tacking it onto a bill designed to weed out the arch-nemesis of the farmer: the pesky gopher.

“Many jokes were made about this

‘gopher bill,’ which gave the state's railroad companies a vast gift of land,” the account reads. When railroad lobbyists returned the next year seeking \$5 million in state capital investment, one St. Paul resident turned his ire into a political cartoon lambasting the railroad promoters. They are depicted as gophers pulling a “Gopher Train” full of lawmakers.

Never mind that Minnesota gophers are actually ground squirrels. The striped squirrel sobriquet stuck and gophers earned a permanent place among the lovely imagery and fine art in the Capitol motif.

(N. Wood)



PHOTO BY TOM OLMSCHIED

**Decorative gophers dance along the third floor north railing overlooking the Capitol Rotunda.**



## ★ AGRICULTURE

**Curbing herbicides**

It's banned in Europe and restricted in Wisconsin, but the House Agriculture and Rural Development Committee has declined to take those approaches to regulating the herbicide atrazine in Minnesota.

The committee rejected three atrazine restriction bills on March 16:

- HF1224, sponsored by Rep. Jean Wagenius (DFL-Mpls), would establish a process for sampling groundwater and prohibit the application of the herbicide where atrazine contamination exists;
- HF1246, sponsored by Rep. Keith Ellison (DFL-Mpls), would completely ban the sale or use of atrazine after Jan. 1, 2006; and
- HF1248, also sponsored by Ellison, would restrict the use of atrazine in several areas of the state beginning Jan. 1, 2006, and then prohibit the sale or use of atrazine on a statewide basis beginning Jan. 1, 2008. It would provide an exemption for research purposes as long as surface and ground waters would be protected.

Atrazine is typically sprayed on 35 percent to 50 percent of Minnesota's 7 million acres

of corn crops, according to the nonpartisan House Research Department.

Proponents of its restricted use have cited health and environmental concerns.

"Do you really believe the U.S. EPA, under two administrations, one Democrat and one Republican, would disregard a real threat to human health and the environment?" said Jere White, executive director of the Kansas Corn Growers Association. "I respectfully suggest the premise behind these bills is severely flawed and should be rejected."

HF1224 has no Senate companion. The Senate companions to the Ellison bills, SF1187, sponsored by Sen. Ellen R. Anderson (DFL-St. Paul), and SF1048, sponsored by Sen. John Marty (DFL-Roseville), await action in the Senate Agriculture, Veterans and Gaming Committee.

## ★ BANKING



For information on a bill (HF997) sponsored by Rep. Larry Howes regarding a new bank branch for Burns Township, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ BUSINESS

**Foreign-trade zones can help**

A foreign-trade zone can't help the economy if no one knows about it, so a bill that would provide money to promote Minnesota's zones might help.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF1601 aims to do that.

Heard March 16 by the House Jobs and Economic Opportunity Policy and Finance Committee, it was held over for possible inclusion in the committee's omnibus bill.

A foreign-trade zone is a place where exports are not subject to the normal duties or taxes. The zones were created to offset the customs advantages foreign producers have over American exporters.

The bill would provide \$300,000 in fiscal year 2006 to get the word out about Minnesota's three foreign-trade zones: Duluth, International Falls and Minneapolis.

"This is a small investment but will pay big dividends," Ozment said. The money would be used to promote the benefits of a foreign-trade zone. Any money not used in fiscal year 2006 could be expended in 2007.

A foreign-trade zone creates warehousing and assembly jobs, Paul Nevanen, director of the Koochiching County Economic Development Authority, wrote in a letter to the committee. The increased trade can help diversify the economy.

Mike Hanson, chairman of the Koochiching County Board, agreed. "Our economy is a natural resources-based economy driven by the timber and tourism industries," he said, and is subject to layoffs and decline.

A growing area is the number of trains and rail containers passing through the Port of Ranier, he said. Those goods are shipped from the Pacific Rim to the west coast of Canada, then sent by rail to International Falls.

A companion bill (SF1257), sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action in the Senate Finance Committee.

## ★ CONSUMERS

**Advertising unclaimed property**

If you're one of the more than 1 million Minnesotans who have unclaimed property, such as uncashed checks, dormant bank accounts or utility deposits, you might not be able to learn about it through the local newspaper.

Rep. Lloyd Cybart (R-Apple Valley) is sponsoring HF1398, which would give the Department of Commerce flexibility in how it notifies owners of unclaimed property.

The commerce commissioner could choose how to best provide public notice, which could include using the Internet or other media. Currently, the commissioner is required to publish the names and last known addresses of owners in newspapers.

The bill would also require cooperatives to notify the owner of abandoned property before donating it to charity.

The House Commerce and Financial Institutions Committee approved the bill and referred it to the House Civil Law and Elections Committee March 15. An amendment requiring the commissioner to continue newspaper advertising in addition to other notification methods was not adopted.

Mark Anfinson, attorney for the Minnesota Newspaper Association, said only 25 percent of unclaimed property is returned to its rightful owners. The remaining 75 percent, estimated to be worth \$50 million to \$70 million, is returned to the state, he said.

He said newspapers are the most effective way to reach people about unclaimed property.

Anfinson suggested imposing a 2 percent to



PHOTO BY TOM OLMSCHIED

**Dr. Tyrone Hayes, professor of Integrative Biology at the University of California-Berkeley, presents his findings on atrazine to the House Agriculture and Rural Development Committee March 15.**

3 percent service fee on each claimed property to fund newspaper advertising costs.

"That's new money to the state," he said. "That's a simple solution."

Sen. William V. Belanger Jr. (R-Bloomington) is sponsoring a companion bill (SF1360). It awaits action in the Senate Commerce Committee.

## ★ CRIME

### Child abusers who murder

Lathen McDonald Sr. had a history of child abuse.

He shook a 5-year-old girl until she fell to the floor and struck her face. He used a hair-dryer to burn the face of a 1-month-old baby. He later killed his 7-month-old son, Lathen McDonald Jr., by hitting him so hard that he lacerated the baby's liver and caused internal bleeding.

Prosecutors could not charge him with first-degree murder because, under current law, the charge is limited to cases where the defendant later kills the same child he earlier abused, Hilary Caligiuri, representing the Hennepin County Attorney's Office, told the House Public Safety Policy and Finance Committee March 16.

By simply changing the wording of statute from "the child" to "a child," HF741 would allow a first-degree charge to be applied to offenders who kill a child and have a past pattern of abuse against any child, said the bill's sponsor, Rep. Doug Meslow (R-White Bear Lake).

Child abusers can now escape the first-degree murder penalty if they "choose a different child to kill," said Caligiuri.

"Our office believes it's important to hold repeat child abusers accountable and to give greater protection to children," she said.

The committee will consider the bill for inclusion in its omnibus bill. It has no Senate companion.

### Gas and go

Pump gas into your car and then intentionally leave a gas station without paying and your driver's license could be suspended for 30 days under HF1289, sponsored by Rep. Keith Ellison (DFL-Mpls).

"If you steal gas, it's not funny and it's not a prank; it hurts all of us," Ellison told the House Public Safety Policy and Finance Committee March 15.

The bill requires the Department of Public Safety to impose a 30-day driver's license suspension for anyone convicted of the theft of gasoline.

SuperAmerica stations in Minnesota lose an estimated \$100,000 a month because of drivers who gas and go, according to David Blatnik, state government affairs manager for Marathon Ashland Petroleum, who said his company owns approximately 178 of the 3,000 stations in the state. As gas prices rise, there is usually an increase in incidents of gas theft, he said.

Rep. Mary Murphy (DFL-Hermantown) pointed out that a 30-day suspension could affect a person's ability to get to work.

Ellison replied that 30 days is a reasonable period of time and that people would have to join a carpool or take a bus. He considered a six-month suspension but decided that was too long.

If the legislation passes, Ellison hopes retailers will post information by pumps to let the public know about the law and the consequences of violating it.

The committee will consider the bill for possible inclusion in its omnibus bill. It has no Senate companion.

### Pirating movies

Recording a movie in a theatre would become a crime under HF695, sponsored by Rep. Doug Meslow (R-White Bear Lake).

"HF695 makes something a crime that I think most people assumed already was illegal," Meslow told the House Public Safety Policy and Finance Committee March 16.

In 21 other states it is illegal to sneak a camcorder into a theatre and record a movie, but it is legal to do this in Minnesota, said Meslow.

The bill would make it a crime to knowingly record a motion picture in a theatre without the consent of the theatre's owner or lessee. Owners would be permitted to detain suspects in the same way that merchants can detain people suspected of shoplifting.

"Right now if we catch somebody in the movie theatre with a video camera there's nothing we can do except ask them to leave," said Dale Haider, representing the North Central Chapter of the National Association of Theatre Owners.

The bill would give theatre owners the right to call the police and detain suspects just as other businesses do, he said. "Unfortunately we don't have those same rights."

If people illegally record movies and pirate (sell) them, there is a loss of revenue for theatres, he said.

A first violation would be a misdemeanor, the second a gross misdemeanor and subsequent offenses would be a felony punishable by up to two years in prison and \$4,000 in fines.

The committee will consider the bill for possible inclusion in its omnibus bill.

A companion bill (SF672), sponsored by Senate President James P. Metzen (DFL-South St. Paul), awaits action in the Senate Crime Prevention and Public Safety Committee.

## ★ DEVELOPMENT

### Design-build contracts

State construction projects could be contracted a different way, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 10.

HF1460, sponsored by Rep. Michael Beard (R-Shakopee), would allow for design-build, a process by which a contract is established with a single company to perform both the design and construction of a project. It also authorizes construction manager at-risk and job order contracting methods for projects.

"Forty-two other states already do what we are asking statutory authority to do," said Beard. "This is not primarily a money saving thing, it's a time and governmental utilization saving thing."

Traditionally, state contracts have been a design-bid-build process, in which a contract with an architect is established to create the construction documents and then the project is bid out.

The design-build process, while not the cheapest, allows the owner and designer to become involved early in the process and derive the best value out of the project, said Bob Debruin, past president of the Society of American Institute of Architects of Minnesota.

The bill would also allow a construction manager at-risk, where the constructor has initial input during the design; it's faster than the traditional method of design-bid-build, added Debruin. By statute, the contract "shall include a guaranteed maximum price, construction schedule, and workmanship of the construction performed."

Also, under the bill, job order contracting is permitted on projects up to \$250,000. By statute, job order contracting "means a project delivery method that requests a limited number of bids from a list of qualified contractors, selected from a registry of qualified contractors who have been prescreened and who have entered into master contracts with the (administration) commissioner."

There was no opposition to the bill, although Rep. Mark Olson (R-Big Lake) raised a concern. The bill authorizes the commissioner to develop a list of qualified contractors, which Olson said could be subjective.



The bill next goes to the House floor.

A Senate companion (SF1335), sponsored by Sen. Richard J. Cohen (DFL-St. Paul), awaits action in the Senate State and Local Government Operations Committee.

### Millions proposed for partnership

Two bills seeking to position Minnesota as a world leader in medical technology would give millions of dollars to the Minnesota Partnership for Biotechnology and Medical Genomics.

Rep. Randy Demmer (R-Hayfield) is sponsoring HF434, which would appropriate \$15 million to the partnership each year for five years, starting in fiscal year 2006. HF1548, sponsored by Rep. Paul Kohls (R-Victoria), would make a one-time appropriation of \$15 million in fiscal year 2006 that would be available until expended.

The Technology, Bioscience and Medical Products Division of the House Commerce and Financial Institutions Committee approved both bills March 16 and referred them to the full committee.

Kohls' bill would also require annual reporting on fund spending to the House and Senate higher education committees. The bill was amended to include reporting to the Senate Environment, Agriculture and Economic Development Budget Division of the Senate Finance Committee and the House Jobs and Economic Opportunity Policy and Finance Committee.

Dr. Mark S. Paller, assistant vice president for research at the University of Minnesota's Academic Health Center, said the bills would create job opportunities and help keep the partnership globally competitive.

"We will lose our position if we don't continue to invest," Paller said.

Rep. Barbara Goodwin (DFL-Columbia Heights) opposed Demmer's bill, saying there would be no accountability for the money and there are other priorities for the \$75 million it would spend over five years.

"Somebody else is going to lose," Goodwin said.

Dr. Karen R. Effrem, a pediatrician and EdAction board member, also spoke in opposition to Demmer's bill. She said the partnership does not provide for adequate patient consent for research projects.

A companion to Kohls' bill (SF1309), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action by the Senate Finance Committee. Demmer's bill does not have a Senate companion.



For information on a proposal (HF112), sponsored by Rep. Margaret Anderson Kelliher, concerning a Minneapolis development project, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## EDUCATION



### Charter student extracurriculars

With a 30-day notice, students who attend public charter schools would be able to participate in extracurricular activities at their resident public school district under HF1544, sponsored by Rep. Karen Klinzing (R-Woodbury).

The bill is an opportunity to extend extracurricular activities to all public school students, Klinzing told the House Education Policy and Reform Committee March 10.

The extension has already been made for students who are home-schooled and should also be made for students in public charter schools, she said.

Public schools would be able to charge charter schools for the proportional share of the direct and indirect costs of charter students' participation in extracurricular

activities. Charter school students would be responsible for the same participation fees that other students pay. School districts would not be required to provide transportation so that charter school students could participate.

"While some progress has been made in establishing voluntary cooperative agreements between charter schools and resident districts, some resident districts continue to deny access to public charter school students," said Jay Martini, executive committee president of the Minnesota Association of Charter Schools.

Dan Pratt, a teacher and athletic director at Washburn High School in Minneapolis, said what's difficult is putting charter school and resident students on the same playing field. For example, Minneapolis has a grade point average requirement and some charter schools don't even give grades. Minneapolis also has an attendance policy and getting that information from charter schools can be difficult, he said. If this bill goes into effect, he said, "The job of athletic director becomes much, much more difficult to keep all things in focus and keep everyone on the same level."

The committee approved the bill and referred it to the House Education Finance Committee. It does not have a Senate companion.

### Driving attendance

Students who miss too much school might not be able to get, retain or renew a driver's license under HF1717, sponsored by Rep. Tom Emmer (R-Delano).

"The bill is appropriate, and I'm carrying it because it encourages our kids not only to stay in school, but to attend school," Emmer told the House Education Policy and Reform Committee March 14.

The bill would apply to 16- and 17-year-old students, who are absent one or more class periods on seven school days without a lawful excuse.

Local school boards would decide whether to participate in the program. Individual students could apply for hardship exemptions.

Katherine Engler, with the Department of Administration Information Policy Analysis Division, said there might be some federal data privacy laws that could be obstacles to the bill. She offered to work with Emmer on the bill's language. Tom Deans, legal counsel with the Minnesota School Boards Association, agreed with her assessment.

The committee approved the bill and referred it to the House Civil Law and Elections Committee. There is no Senate companion.



PHOTO BY ANDREW VONBANK

**Katie Houg, a freshman at TrekNorth High School in Bemidji, testifies March 10 before the House Education Policy and Reform Committee in support of a bill that would authorize charter school student participation in school district extracurricular activities.**

## ELECTIONS



### Absentee voters

If a voter has a permanent illness or disability that keeps them from going to the polls on Election Day, that person can currently apply for status as an ongoing absentee voter.

Under HF1478, sponsored by Rep. Bill Hilty (DFL-Finlayson), any voter could apply for the status. It would continue until the voter's death, the voter requests in writing to have the status changed, the absentee ballot is returned as undeliverable, placement of the voter's registration on inactive status or the voter loses eligibility due to a felony conviction or finding of legal incompetence.

Hilty told the House Civil Law and Elections Committee March 16 that the bill will accommodate voters who, on very short notice, might be absent from their home on Election Day.

"This is an increasingly large category," Hilty said. "There are many people involved in sales that are typically on the road during the week." There are people who work away from home, such as truckers and construction workers, he said.

The bill was laid over for possible inclusion in the elections omnibus bill.

A companion bill (SF1051), sponsored by Sen. John C. Hottinger (DFL-St. Peter), awaits action on the Senate floor.

### Complex campaigning

Currently, the only person who can campaign or drop election literature in an apartment complex is the candidate running for office.

Under HF1566, sponsored by Rep. Keith Ellison (DFL-Mpls), campaign workers authorized by the candidate would be able to do so as well.

"People in apartment complexes have just as much right to receive campaign materials as those in detached houses," Ellison told the House Civil Law and Elections Committee March 14.

He said that current law protects complex residents from those seeking to use the proposed law to do mischief by allowing management to ask for proper identification and requiring prior notice of a campaign visit.

Jack Horner, a lobbyist for the Minnesota Multi Housing Association, said the measure opens up all multi-housing, including nursing homes, to candidates, which he said is a broadly defined term covering anyone running for any public office.

"Our problem is that there is no real accountability. Our fear is that anyone can come in to drop literature, register voters or

for non-campaign related activities. These are people's homes," Horner said.

Rep. Bill Hilty (DFL-Finlayson) successfully offered an amendment requiring the candidate to give written authorization to the worker campaigning in multi-unit housing complexes.

The bill was held over for possible inclusion in the omnibus elections bill.

A companion bill (SF359), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action on the Senate floor.

### Electoral college changes

Nothing in current state law binds a member of the Electoral College to vote for a particular U.S. president and vice presidential candidate.

HF271, however, would align Minnesota with 29 other states and the District of Columbia in making that body's members accountable to the party to whose name the elector was elected to represent.

"Usually electoral votes are little more than a rubber stamp. But the closeness of recent elections shows the need to formally bind the electors," the bill's sponsor, Rep. Laura Brod (R-New Prague), told the House Civil Law and Elections Committee March 14. "This is designed to stop a renegade elector."

The proposal calls for the nomination of eight alternative members to the Electoral College. If an elector does not vote for the appropriate candidate or abstains, the vote would be invalidated and an alternate elector would be chosen.

Brod said that several states place sanctions on electors who cast a "faithless vote." For instance, in New Mexico it can be considered a fourth-degree felony, and in some states electors can be hit with a \$1,000 civil penalty.

The bill also calls for the electors to speak loudly and publicly affirm their choice of a candidate in a way that can be heard and not mistaken.

The bill was held over for possible inclusion in the omnibus elections bill.

A companion bill (SF289), sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), awaits action on the Senate floor.

## EMPLOYMENT



### Health occupation training

The health industry has a desperate need for workers, especially nurses and nursing assistants. Poor and unemployed people served by the state's five Opportunities and

Industrialization Centers have a desperate need for jobs.

Rep. Karen Clark (DFL-Mpls) thinks it's a good match, and is sponsoring HF1515, which would provide \$500,000 in each of the next two fiscal years to the Minnesota OIC State Council to start and expand health occupation training at the five centers: North Minneapolis, South Minneapolis, St. Paul, Bemidji and Onamia. Possible jobs include nurses, nursing assistants, home health aides, phlebotomists and medical coding.

The bill was heard March 16 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

Clients take classes in the centers or in nearby schools. The centers are dedicated primarily to those with low incomes, said William Means, executive director of the Minnesota OIC State Council. The centers are nonprofit organizations that receive state, federal and private money.

The first OIC was founded in 1964 in Philadelphia by Dr. Leon Sullivan, who said, "I know I will get my milk and honey in heaven. But I want to get some ham and eggs on earth."

"We provide the ham and eggs in the Phillips neighborhood," said Lee Antell, executive director of the American Indian OIC in the neighborhood. "We've put literally hundreds of people to work, dropping hundreds of people off welfare."

A companion bill (SF1618), sponsored by Sen. Mee Moua (DFL-St. Paul), awaits action in the Senate Finance Committee.



HF1421, sponsored by Rep. Fran Bradley, would provide funding for employment services for the deaf. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Money for training

Minnesota's jobs programs provide financial help to people between jobs, and gives them chances to go to school to learn new skills.

What they don't provide is training to people who have jobs.

"We've been told, time and time again, when we contact businesses there's a large demand for training," said Rick Caligiuri, employment and training director of the Department of Employment and Economic Development.

HF1487, sponsored by Rep. Judy Soderstrom (R-Mora), would change that. It was heard

March 16 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

The bill would create a new program that would allow employers to train employees with state money. The Minnesota Job Skills Partnership Board would award grants to businesses for training.

The training must provide a measurable increase in job-related skills, according to the nonpartisan House Research Department. The board would establish performance measures and report annually to the Legislature. Employers would have to provide matching funding or in-kind services.

A companion bill (SF1373), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), awaits action in the Senate Jobs, Energy and Community Development Committee.



A bill (HF400), sponsored by Rep. Tim Mahoney, would make benefits available to school food service workers. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ ENERGY

### Biomass energy

A bill to expand the definition of farm-grown closed-loop biomass failed to generate enough energy to pass out of the House Regulated Industries Committee March 15.

Rep. Tom Rukavina (DFL-Virginia) is sponsoring HF1026, which would reflect changes made in a power purchase agreement for a biomass project in northern Minnesota that has been pending before the Public Utilities Commission since 2003. The commission would be required to approve the changes so the project can move forward.

The bill would expand the farm-grown closed-loop biomass definition that projects must meet to fulfill the state's biomass mandate by including biomass harvested from designated utility, railroad and road rights-of-way; brush harvested from lands managed in accord with the Department of Natural Resources' best management practices; slash and timber residuals harvested in compliance with Minnesota Forest Council guidelines; and trees and brush harvested for fire protection, disease, insect control or timber stand improvement purposes.

Farm-grown closed-loop biomass is biomass that is intentionally cultivated, harvested

and prepared for use as a fuel for generating electricity.

Under the bill, the average price over the term of a power purchase agreement with the Public Utilities Commission would be \$104 per megawatt-hour or less.

A companion bill (SF940), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action in the Senate Jobs, Energy and Community Development Committee.

## FAMILY



### Child support changes proposed

For the first time in more than two decades, the state's child support laws could see an overhaul.

"Our child support guidelines are broke and they've allowed an unfair situation to exist," Rep. Steve Smith (R-Mound), sponsor of HF1321, told the House Civil Law and Elections Committee March 16. The measure was approved and referred to the House Jobs and Economic Opportunity Policy and Finance Committee.

Over the past three years, the Legislature



PHOTO BY ANDREW VONBANK

**Les Jobst, a father from Coon Rapids, testifies March 16 before the House Civil Law and Elections Committee concerning a bill that, in part, would reform Minnesota child support laws.**

has heard various proposals addressing what proponents say is an archaic view of custody issues.

Les Jobst, a Coon Rapids father of a 5-year-old, told the committee that, while he is supportive of parts of the bill, he is concerned that the needs of the children are not being taken into consideration.

Legislators need to consider how to empower the children, he said. "Don't make it about how to empower one parent to consider their child as a financial award. Make it about each parent showing their child what they can accomplish based on their abilities."

Rep. Tim Mahoney (DFL-St. Paul) and Rep. Rob Eastlund (R-Isanti) also proposed legislation (HF779 and HF1191, respectively). The significant issues addressed in those bills were successfully amended onto Smith's bill.

Both Eastlund and Mahoney would like the law to favor joint physical custody, which is not addressed under current law.

"We kind of raised the standard for what is expected of parents," Eastlund said.

The amendment calls for both parents to give the child love, affection, care and guidance. Addressing the state's diverse population, the measure calls for children of divorce to be raised in their culture, language or languages and religious background.

Language that Eastlund supports would make it easier for a father to gain custody of the child. The provision states that the court, when deciding custody, "may not use any one factor to the exclusion of all others and may not prefer one parent over the other on account of gender."

Smith's bill also addresses the issue of child support, calling for support to be calculated using the parents' combined income.

A companion to Smith's bill (SF630), sponsored by Sen. Thomas M. Neuville (R-Northfield), and the companion to Mahoney's bill (SF1408), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), await action in the Senate Judiciary Committee. There is no companion to Eastlund's bill.

## ★ HEALTH



### Isolation and quarantine

The House Health Policy and Finance Committee approved a bill (HF1507) March 15 that would modify provisions for the isolation and quarantine of people infected or exposed to communicable diseases. The bill was referred to the House Civil Law and Elections Committee.

The bill is designed to protect people in the event of an emergency, including a bioterrorism attack or an outbreak of a disease

such as Severe Acute Respiratory Syndrome (SARS), said Rep. Jim Abeler (R-Anoka), the bill's sponsor.

If an emergency were declared, the health commissioner would be able to authorize vaccinations or the dispensing of drugs to protect the health and safety of the public.

The bill would require a peace officer to enforce an order for isolation or quarantine. They would be able to use all necessary and lawful means, except deadly force, to apprehend, hold, transport, quarantine or isolate the person subject to the order.

The health commissioner, when issuing a directive to isolate or quarantine without first obtaining a written order, would be required to specify the incubation or communicability period.

Individuals isolated or quarantined who are not represented by counsel would be able to request the court to appoint counsel at the expense of the Health Department or a local public health board. The counsel would not be required to pursue an appeal if he or she determines there is insufficient basis for proceeding.

A companion bill (SF1482), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Health and Family Security Committee.



Reps. Jim Knoblach and Tim Wilkin have introduced bills dealing with health saving accounts. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ HIGHER EDUCATION

### Doctoral degrees

Minnesota is one of seven states with just one public doctoral degree awarding institution, and it is the only one in the Upper Midwest.

Under current law, only the University of Minnesota can offer such degrees, while state universities in the Minnesota State Colleges and Universities (MnSCU) system can offer no degree higher than a master's.

Sponsored by Rep. Joe Opatz (DFL-St. Cloud), HF165 would permit applied doctoral programs to be offered at state universities. "We need to expand in Minnesota where the demand is. The state universities are ideally suited being that they are spread across the state," he told the House Higher Education Finance Committee March 14. It will be considered for inclusion in the committee's omnibus bill.

Supporters say more programs are needed, in part, because a large number of psychologists, school superintendents and nurses are expected to retire in the next few years.

"One of the key bottlenecks we have in addressing the nursing shortage is the ability to attract nurses with a doctorate who can then train the master's level nurses, who then train students at the baccalaureate and two-year college nursing programs," Opatz said. To have an accredited baccalaureate or master's level nursing program, most, if not all, faculty need to be at the doctoral level, he said.

Speaking on behalf of the university, and against the bill, was Martin Sampson, an associate political science professor. He said the bill does not define an applied doctoral degree. "It could be understood as degrees that require no research. It could be understood as degrees that require research as part of the education of someone who will be a practitioner."

A companion bill (SF220), sponsored by Sen. John C. Hottinger (DFL-St. Peter), is being considered for inclusion in the Senate's higher education omnibus bill.

### Immigrant tuition

Angela Fuentes, a senior at Bethlehem Academy in Faribault, wants to attend Rochester Community and Technical College next year to begin training to become a veterinarian.

However, the 18-year-old, who came to Minnesota from Mexico five years ago, is not a permanent resident.

Without citizenship, she and other immigrants must pay out-of-state tuition at most colleges and universities in the state, which can add thousands of dollars to the price tag. That may prohibit some students, such as Fuentes, from attending a postsecondary institution.

"Help people like me with dreams of a future," she told the House Higher Education Finance Committee March 16.

Fuentes was one of about a dozen people to speak in support of HF566, which will be considered for inclusion in the committee's omnibus bill.

Under the bill, sponsored by Rep. Ray Cox (R-Northfield), students would be eligible for in-state tuition at all public higher education institutions if they meet four criteria: at least two years of attendance at a Minnesota high school, graduation from a state high school or attainment within the state of an equivalent, registration or enrollment at a public higher education institution and, in the case of a student without lawful immigration status, the filing of an affidavit indicating they have filed an application to legalize their citizenship or will at the earliest opportunity they

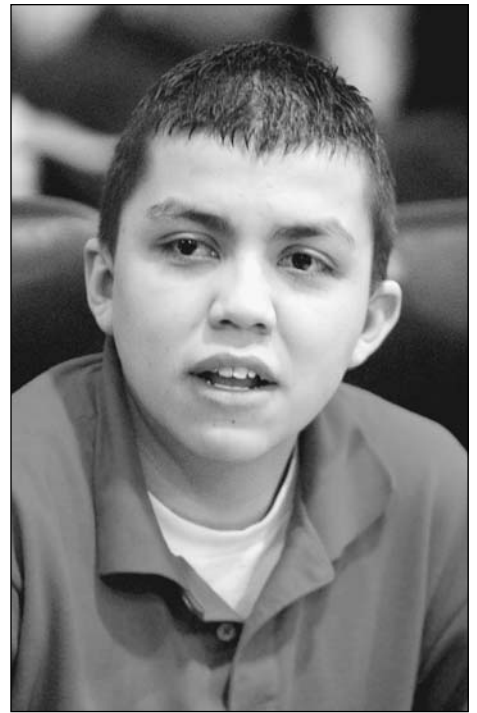


PHOTO BY ANDREW VONBANK

**Oscar Gomez, a sophomore at Bethlehem Academy in Faribault, testifies before the House Higher Education Finance Committee March 16 in support of a bill that would provide in-state tuition regulations for all Minnesota students attending colleges and universities in the state.**

are eligible to do so.

"A high school diploma is nice to have, but it's not enough," said Rep. Carlos Mariani (DFL-St. Paul).

Similar bills have been enacted in eight states and 18 more are considering similar laws, Cox said.

Not everyone was supportive.

"The bill breaks the promise that property taxes and other education funding is to be used for Minnesota's students — our children, my children," said Minneapolis resident Dell Erickson. "Its primary purpose appears to be to further blur, if not eliminate, the distinction between Minnesota and American citizens and foreign nationals, especially of illegal aliens."

A companion bill (SF627), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), might be included in the Senate higher education omnibus bill.

## ★ HOUSING

### Establishing a negotiation process

A bill that would require a negotiation process before a homeowner can file suit against a contractor for construction defects was laid over for further consideration by the

House Commerce and Financial Institutions Committee March 15.

Sponsored by Rep. Dan Severson (R-Sauk Rapids), HF1375 would require a 90-day period for the contractor and homeowner to resolve their differences before a suit can be filed. If an agreement cannot be reached during that time, the homeowner can proceed with a suit.

The bill would require a homeowner to notify the contractor of a claim. The contractor would then need to respond in writing within 30 days. The response must include a monetary settlement, making of repairs or inspection of property. If the contractor rejects the claim or fails to respond the homeowner can sue without further delay.

Pam Perri Weaver, executive vice president of the Builders Association of Minnesota, said the bill would improve communications between homeowners and contractors.

"We want to get these claims resolved," she said. "We don't want them sitting on the table."

Nancy Johnson, a member of Minnesota Home Watch, said a contractor damaged her Columbia Heights home. She opposed the bill, saying it doesn't benefit homeowners.

"This is not a bill for homeowners," Johnson said. "This is a bill designed by the building industry."

A companion bill (SF1287), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action in the Senate Judiciary Committee.

### A safe place to live

Tia Frechette, 20, gave birth to her daughter in August 2003. At the time she lived with an extended family that included her daughter's father, her father and grandmother.

The family had some conflict and her daughter's father left before she eventually had to also leave. After staying in a series of friends' homes Frechette moved into Elim Transitional Housing Inc., which offers affordable transitional housing.

According to the nonpartisan House Research Department, transitional housing programs provide housing designed for independent living to homeless people or families at a rental rate of at least 25 percent of family income for a period of up to 24 months.

Rep. Nora Slawik (DFL-Maplewood) would like to help more people like Frechette, so she is sponsoring a bill that would provide \$15 million to transitional housing and emergency services grants.

HF1198 was heard March 15 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

Michael Dahl, executive director of the Minnesota Coalition for the Homeless, then pointed out some frightening anecdotes. When juveniles are on the street, it is likely that they will be approached within 48 hours by someone who wants to use them for some illegal purpose.

They will resist the first time, he said, but not for long. "Needing a warm place and something to eat makes it an eventuality."

A companion bill (SF684), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action in the Senate Finance Committee.

## HUMAN SERVICES



### Grants for alternatives

Programs that provide information, referrals and services to assist women in carrying their pregnancies to full-term could receive their share of \$2.5 million in grant money in fiscal year 2007 as part of the Positive Alternatives Act.

Rep. Brad Finstad (R-New Ulm) is sponsoring HF952, which would make the money available only to groups that do not provide, promote or refer abortions. The health commissioner would be responsible for administering and monitoring the grants.

To be eligible, a program must be offered through a private, nonprofit corporation, be free of charge, have the purpose of assisting and encouraging women to carry their pregnancies to term and ensure none of the money is used for abortion counseling.

Some organizations oppose the abortion provision, saying the bill funnels money to groups that do not offer women all options for their pregnancy.

"As drafted, this legislation bars any organization that counsels women on all of her legal, medical options from receiving state funding," said Tina Smith, vice president of external affairs for Planned Parenthood. "No one in this room would knowingly submit themselves to a standard of care that gave them only half the truth."

The House Health Policy and Finance Committee amended the bill March 10 to include provider services that offer child-care assistance. An amendment to include adoption agencies that have been established in Minnesota for at least 10 years and do not encourage abortion as a best alternative was not approved.

The committee approved the bill and referred it to the House Civil Law and Elections Committee.

A companion bill (SF917), sponsored by Sen. Dallas C. Sams (DFL-Staples), awaits action in the Senate Health and Family Security Committee.

## THE CHIEF



PHOTO BY TOM OLMSCHIED

**Nathan Latz, 6, points at the voting board as he joins his father, Rep. Ron Latz, on the House floor March 14. During the House Higher Education Finance Committee meeting earlier in the day, Rep. Latz referred to his son as his chief political advisor.**



An electronic information service for the blind would continue to see funding under HF1214, sponsored by Rep. Jim Knoblach. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Changing terminology

The House passed a bill March 10 that would change terms in state law like "mental retardation," "mentally retarded" and "handicapped persons" to terminology more desirable to those with disabilities, such as "disabled persons."

Sponsored by Rep. Joe Opatz (DFL-St. Cloud), HF487 passed 131-0. It now goes to the Senate, where Sen. Sheila Kiscaden (IP-Rochester) is the sponsor.

"What the bill does is direct the (Revisor of Statutes) wherever the revisor finds these terms ... and replaces them with more up to date and respectful terms, what we refer to as person first language," Opatz said.

The term "handicapped" originates from the European war when many of the decorated veterans were returning home as amputees and forced to beg in streets. They would take their caps off to beg with, so they were

notoriously known as the “handicappers,” Cara Ruff, president of the Minnesota Association of Centers for Independent Living, previously told a House committee.

“I don’t think anyone in this room, or any of our families, or any of our friends, certainly not our children, deserve to be referred to as a retard or an idiot, or as handicapped,” Ruff said.

There are nearly 400 pages in state law that would need modification to fall in line with a national campaign called “The People First,” that advocates for changes in descriptions of disabled persons, Opatz said in committee. “We shouldn’t refer to someone by some characteristic, we don’t say to someone who has cancer, that’s a cancerous person, it’s a person who happens to have the disease of cancer,” he added.

## ★ INDUSTRY



Rep. Denny McNamara is the sponsor of a bill (HF1370) that would require licensing of plumbers in communities of fewer than 5,000 people. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ LAW



A bill (HF1036), sponsored by Rep. Marty Seifert, making several changes regarding the Office of Administrative Hearings, passed the House by a 132-0 vote on March 10. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ LOCAL GOVERNMENT

### Changing salary limits

Salary compensation limits for government employees could be removed, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 15.

It now goes to the House floor.

Rep. Ron Erhardt (R-Edina) sponsors HF995 that would repeal the limit for employees of charter cities, counties and towns. He said placing caps on employees’ salaries makes it hard to keep quality workers. Minnesota is the only state with salary caps on local government employees and can’t compete nationally for workers, he added.

Currently, employees are limited to 95 percent of the \$120,303 governor’s salary.

With the state facing another budget deficit, removal of the salary cap is something the state cannot afford, testified Paul Larson, deputy commissioner of the Department of Employee Relations. The governor is against the proposal and “evidence says we are retaining our employees,” he added.

Smaller cities and towns can’t compete on a state level when bigger ones can offer higher salaries than smaller counterparts, said Rep. Larry Hosch (DFL-St. Joseph).

A large portion of the state sales tax revenues comes from the seven-county Twin Cities metropolitan area, Erhardt said. “We gladly share that to help you out and now we need some help in return.”

A Senate companion (SF953), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

## ★ MILITARY

### Accruing benefits

St. Louis Park Police Officer Paul Barnes testified that when he returned home from a year of active military service with the Army Reserve in Iraq, the city wouldn’t give him his vacation and sick time he had accrued and had a right to under state and federal law.

Barnes went through a long fight with the city, and was recently awarded sick leave and vacation time after he went to the city council and his state representative for help, he told the House Governmental Operations and Veterans Affairs Committee March 16.

HF1575, sponsored by Rep. Laura Brod (R-New Prague), clarifies that a state or local public employee ordered into active military service continues to accumulate sick leave and vacation at the same rate from the time the person enters active military service until the date of reinstatement, when the accrued leave would be awarded. This would be done without regard to limits on accrued vacation or sick time.

Brod said she is sponsoring the bill so “soldiers returning from duty do not have to fight for what already belongs to them and has been a longstanding ruling since 1941.” The ruling was also clarified in 1945 by the state attorney general, according to the nonpartisan House Research Department.

The committee approved the bill without opposition and sent it to the House floor.

A companion bill (SF1624), sponsored by Sen. David Hann (R-Eden Prairie), awaits action in the Senate Agriculture, Veterans and Gaming Committee.



A bill (HF1778), sponsored by Rep. Greg Blaine, would allow and regulate rental of facilities at Camp Ripley near Little Falls. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Retired personnel pay

Retired members of the Minnesota National Guard could be paid at a higher rank than when they retired if called back to duty, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 16.

HF1779, sponsored by Rep. Lloyd Cybart (R-Apple Valley), says the commander-in-chief or adjutant general may authorize a pay increase based on the person’s special skills or experience.

“It gives the adjutant general the ability to compensate them at a level that is commensurate with experience gathered in the private sector,” said Col. Denny Shields, special assistant to the adjunct general. There’s no specific case in mind with the bill, he said; it’s more of a result of the staff attempting to solve problems before they happen.

There was no opposition to the bill that next goes to the House floor.

A Senate companion (SF1625), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

### Financial assistance

Families of active National Guard and Reserve members could see some help with paying their bills under HF229 heard March 10 in the House Taxes Committee.

The measure would allow taxpayers to designate on their tax returns that \$1 or more be paid into a Minnesota military families relief account. The bill, sponsored by Rep. Scott Newman (R-Hutchinson), was held over for possible inclusion in the omnibus tax bill.

The money would go to the Department of Military Affairs, and grants would be made to Guard or Reserve members (and their families) who have been ordered to active duty since Sept. 11, 2001, and have a financial need. The maximum grant would be \$2,000 for one year.

“In many cases, it does create a financial hardship. Not only for the member of the military, it’s for the families,” said Col. Denny Shields of the Minnesota National Guard.

He said some National Guard family members receive money from private individuals for food, clothing and some extras, but that can’t always be counted on.

Rep. Joe Mullery (DFL-Mpls) said the need for the legislation is not likely to go away soon, but when it does, it would be easy to remove the check-off. "It's pretty simple for us as legislators to come in and take it off," he said.

If it becomes law, the legislation would take effect for tax year 2005. According to a fiscal analysis, putting the check-off on would cost \$284,000 the first year.

A companion bill (SF946), sponsored by Sen. Steve Dille (R-Dassel), awaits action in the Senate Taxes Committee.

## ★ RECREATION

### Familiar terrain

All-terrain vehicle enthusiasts could see better education opportunities, stronger enforcement measures and another place to ride, under HF1547, sponsored by Rep. Tom Hackbarth (R-Cedar).

The House Environment and Natural Resources Committee approved the measure March 16. It now moves to the House Governmental Operations and Veterans Affairs Committee.

The bill would allow conservation and peace officers to issue civil citations for wetlands violations with penalties set at \$100 for the first offense, \$500 for the second and \$1,000 for subsequent offenses.

"There are some violators for whom education won't do the trick," said Minnesota Center for Environmental Advocacy Forestry

Advocate Matt Norton. He would like to see vehicle forfeiture rather than cash penalties.

The bill would direct the Department of Natural Resources to establish an off-highway vehicle safety and conservation grant program. The purpose would be to encourage vehicle clubs to participate in safety and environmental training.

Other provisions of the bill include the opening of a 55-mile segment of the North Shore State Trail to all-terrain vehicles and the ordering of a study of the amount of unfunded gasoline tax attributable to all-terrain vehicle use in the state.

A companion bill (SF1442), sponsored by Sen. Thomas M. Bakk (DFL-Cook), awaits action in the Senate Environment and Natural Resources Committee.

### Saving lives with lifejackets

Children under 10 years of age would be required to wear a lifejacket while boating on state waters, under a bill the House passed March 14. The vote was 101-31.

The Senate refused to concur with the House amendments March 17 and requested that a conference committee work out the differences.

"The purpose of this bill is to save lives, the lives of children," said Rep. Char Samuelson (R-New Brighton), the House sponsor of HF590/SF1116\*. "And if, through this bill, we could save the life of one child it would definitely be worth it."

The bill would provide exemptions for

commercial watercraft and boats that are anchored.

It specifies that warnings could be issued to the watercraft operator for noncompliance during the first year after enactment; tickets would be issued thereafter.

Rep. David Dill (DFL-Crane Lake) successfully offered an amendment that changed the penalty from a misdemeanor to a petty misdemeanor.

Current state law requires readily accessible flotation devices for everyone on board. It does not state that the lifejackets must be worn.

Federal law requires that children under the age of 13 (who are not in the cabin or below deck) must wear a personal flotation device on waters under federal jurisdiction. This includes Lake Superior; Canadian border waters; the Mississippi and St. Croix rivers; and Cass, Leech and Winnibigoshish lakes.

### Paying to snowmobile

Driving a snowmobile on a state or grant-in-aid trail may cost Minnesotans a little cash.

Under HF1605, sponsored by Rep. Tom Hackbarth (R-Cedar), a \$30 sticker would need to be purchased by everyone wanting to sled on the estimated 20,000 miles of state or grant-in-aid trails. The money would then be put into an account to help private clubs maintain the trails.

Currently, a \$15 fee is charged only to out-of-state snowmobilers for a trail sticker.

"This would create an ongoing mechanism for the state to work with local clubs to keep the trails," Doug Franzen, an attorney representing the Minnesota United Snowmobilers Association, told the House Environment and Natural Resources Committee March 10.

Clubs now receive state reimbursement for 65 percent of their maintenance costs, with the rest coming from volunteer work. The bill would increase the state's contribution to 90 percent. "We believe the \$30 is sufficient to meet the expenditures we envision in this bill," Franzen said.

Clubs are struggling to find volunteers so they have to pay people to perform the work, while, at the same time, the costs for grooming machines, gas, maintenance and insurance continue to rise.

"We're tired of selling hot dogs, we're tired of raffles," said Harold Brace, association president. "We want this to be paid for by the snowmobiler."

Brace said Michigan charges \$25 and western states, such as Idaho, charge \$20-\$30. He recently returned from a snowmobiling trip through some northeastern states where all



PHOTO BY TOM OLMSCHIED

During the March 15 House Environment and Natural Resources Committee meeting, Cheryle Young, All Terrain Vehicle Association of Minnesota office administrator, holds a photo showing the training the association provides for young people.



snowmobilers pay \$100 per state. "I could really see a difference in the trail conditions."

The bill would also create a trails acquisition coordinator position in the Department of Natural Resources. That person would be responsible for acquiring easements for permanent recreational snowmobile trails. An annual appropriation of \$500,000 would be provided for acquisitions.

The approved bill was referred to the House Agriculture, Environment and Natural Resources Finance Committee.

A companion bill (SF1534), sponsored by Sen. Thomas M. Bakk (DFL-Cook), awaits action in the Senate Environment and Natural Resources Committee.



Critical habitat license plates could be available for recreational vehicles and camping trailers under a bill (HF684), sponsored by Rep. Tom Hackbarth. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.



For more information on a bill (HF275), sponsored by Rep. Al Juhnke, that would provide seed money to help Minnesotans "Go Fishing," go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Commission abolishment

A bill that would abolish the Legislative Commission on Minnesota Resources and replace it with a new foundation was approved by the House Environment and Natural Resources Committee March 16.

HF1467, sponsored by Rep. Tom Hackbarth (R-Cedar), would abolish the commission and transfer the responsibilities to a new entity, the Minnesota Conservation Heritage Foundation.

The bill is an initiative from the governor and would provide for long-term environmental benefits, said Mark Holsten, deputy commissioner for the Department of Natural Resources. The commission currently operates on a two-year financial plan with monies from the Environmental and Natural Resources Trust Fund. Under the bill, the foundation would operate on a 10-year plan and it "provides for the foundation to take ownership of the trust fund in a way we believe the citizens had meant it to be used," Holsten added.

The bill has stronger legislative audit language and legislative checks and balances than the current commission has, said John Curry, legislative director for the Minnesota Center for Environmental Advocacy.

"Two things really bother me about this,"

said Rep. Jean Wagenius (DFL-Mpls). Legislators who serve both on the commission and on the environment committee would not be part of the foundation, and there is less citizen involvement under the bill, she added.

"This bill is out here to get some discussion going," said Hackbarth. It has a long way to go before a final product is made, he added.

The bill next goes to the House Governmental Operations and Veterans Affairs Committee. It has no Senate companion.

## SAFETY



### Shocking hearts

Charlie Butruff of Rochester was tired after a shopping trip in November 2003, so he sat in his favorite chair and drifted off to sleep. While he was napping, his heart stopped beating. Luckily, his wife realized what was happening and called 911. Even luckier, the first rescue workers who arrived had an automated external defibrillator with them and were able to shock Butruff's heart back to life.

A defibrillator would be placed in every Minnesota State Patrol vehicle, under HF1156, sponsored by Rep. Duke Powell (R-Burnsville). The proposal would save lives, he said, especially in Greater Minnesota where defibrillators are not as readily available.

Under the bill, the purchase of the life-saving equipment would be funded by nearly \$1 million from the state's trunk highway fund.

Defibrillators send an electric shock to a heart that has gone into sudden cardiac arrest to get it started again, and are most effective when used as quickly after the incident as possible. The machines are reusable and would be a valuable life-saving tool in state patrol cars, Powell told the House Public Safety Policy and Finance Committee March 10.

The proposal is an initiative of the Minnesota chapter of the American Heart Association and not the state patrol, according to O.J. Doyle, a volunteer with the organization.

The committee approved the bill and referred it to the House Transportation Finance Committee.

A companion bill (SF1121), sponsored by Sen. Dallas C. Sams (DFL-Staples), awaits action in the Senate Finance Committee.

## TAXES



### Designated contributions

A bill that would allow taxpayers to direct certain portions of their taxes to education, transportation, health care or the environment

was held over for possible inclusion in the House Taxes Committee omnibus bill.

HF919, sponsored by Rep. Ray Cox (R-Northfield), would allow individual and corporate taxpayers to direct that at least \$5 of their taxes be used for one of six areas, effective for tax years 2005 and 2006.

The six areas, which would be listed on individual tax forms, are:

- Education, for technology and capital improvement grants;
- Higher education, for assistance to students based on need;
- Transportation, for local roads and bridges;
- Health care, for public health programs;
- Nursing home assistance, for state reimbursement of nursing home costs; and
- Grants to cities for wastewater treatment.

Cox told the committee March 10 that he developed the list from conversations with constituents.

Rep. Tom Rukavina (DFL-Virginia) said the bill was innovative, but doesn't go far enough. "We're in a world of hurt in this state. We have to do something. There are problems in this state and we'd better address them," he said.

Rep. Ann Lenczewski (DFL-Bloomington) said she was appreciative of the bill. "I don't think we'll bring in much revenue, but I thank you for bringing the bill forward."

A companion bill (SF1195), sponsored by Sen. Thomas M. Neuville (R-Northfield), awaits action in the Senate Taxes Committee.

## TRANSPORTATION



### There's the ethanol

Gasoline sold in the state must contain at least 10 percent ethanol, which is derived from corn. Supporters hope that it will eventually reduce the reliance on foreign oil and be a boost for farmers.

Some stations offer the more potent blend of E85 (85 percent ethanol, 15 percent gasoline), but in order for it to gain in popularity, people have to know where it can be purchased. That's sometimes hard, because the approximately 100 gas stations across the state that sell it don't always make a point of displaying the fact that it is for sale.

HF1612, sponsored by Rep. Rod Hamilton (R-Mountain Lake), would require the Department of Transportation to include a notification on the service signs it places near freeway and interstate exits. The notification for a station with ethanol would be E85. Businesses would not be charged extra for the logo.

The bill was heard March 16 by the House Transportation Committee and referred to the House Transportation Finance Committee.



PHOTO BY ANDREW VONBANK

**Robert Moffitt, communications director for the American Lung Association of Minnesota, testifies March 16 before the House Transportation Committee in support of a bill that would require the Department of Transportation to indicate on specific service signs those businesses that sell E85 at retail.**

Robert Moffitt, communications director for the American Lung Association of Minnesota, said referral signs in other parts of the country have increased usage. Ethanol burns cleaner than regular gas, he said, but only approximately 20 vehicle models on the road now can use it.

There is no Senate companion.

### Keeping data private

In mid-May, Twin Cities metropolitan area commuters will have the option of driving solo on the Interstate 394 express lanes, but only if they purchase a new MnPASS.

To use MnPASS, drivers will need to open a prepaid account with their credit or debit card and then install a small electronic device on the inside of their windshield which will allow access to the express lanes at anytime. Orders are scheduled to be accepted beginning April 11.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville), and approved by the House Civil Law and Elections Committee March 14, HF1204 would classify the user's credit card information as private. It now goes to the House floor.

Barbara Forsland, data practices compliance officer for the Department of Transportation, said it was important that system users have complete assurance that their name and home address would not become public data.

"We feel it could become a barrier to

participation," she said. "We feel it is critical for Minnesota to receive good participation in the program so we can evaluate whether this is something the state needs to pursue as a means to help finance the roads."

Another provision in the bill would keep private the data that the department uses when it undertakes a design-build transportation project when the short list of qualified contractors is announced. This data could include scoring methodology and evaluation criteria.

A companion bill (SF1425), sponsored by Sen. Julianne E. Ortman (R-Chanhassen), awaits action in the Senate Transportation Committee.

### Increase that speed

On most Twin Cities metropolitan area freeways, motorists can cruise along at 55 mph, sometimes 65 mph.

An exception is a section of Interstate 35E in St. Paul, where the speed limit is 45 mph between downtown and West Seventh Street.

Rep. Tim Wilkin (R-Eagan) unsuccessfully introduced a bill in 2003 to increase that speed, but it failed to become law. HF1219 sets the speed limit at 55 mph, unless the Department of Transportation determines that the switch would be unsafe.

He said increasing the speed would have that stretch of freeway coincide with everything else inside the Interstate 494-694 beltway.

The bill was heard March 16 by the House Transportation Committee and referred to the House Transportation Finance Committee.

Wilkin said when I-35E was built through St. Paul in the 1980s, community residents sued and an environmental impact statement followed. There were negotiations, and the result was noise walls and a 45 mph speed limit.

However, some drivers may be going back on the agreement. Betsy Parker, director of the Office of Government Affairs for MnDOT, said tests show the average speed in the area is 55 mph.

Rep. Dan Larson (DFL-Bloomington) said he would oppose the bill because the speed limit was negotiated years ago, and it wouldn't be fair to change it. "I drive it every day. It's an inconvenience. I'd like to drive faster. I've got to come down on the side of sympathy with the neighborhood," he said.

Rep. Frank Hornstein (DFL-Mpls) agreed. "It seems the community has sacrificed quite a lot," he said. "They went to the (negotiating) table and this is what came out. To go back on an agreement to save a few minutes on a commute makes no sense."

If there was a move to change the speed limit, an environmental impact statement might be necessary, Parker said.

A companion bill (SF302), sponsored by Sen. Mike McGinn (R-Eagan), awaits action in the Senate Transportation Committee.

### Moving to the governor

A company that was helping to move the furniture of resettled families for free may soon be able to do so again, this time without violating the law.

HF298/SF75\*, sponsored by Rep. Neil W. Peterson (R-Bloomington) and Sen. William V. Belanger Jr. (R-Bloomington), awaits the signature of Gov. Tim Pawlenty. It was passed 132-0 by the House March 10, and 62-0 by the Senate four days later.

The bill allows movers providing a charitable service to operate outside their geographic area and exempts them from complying with rates filed with the Department of Transportation.

The issue grew out of the work by a Bloomington-based company called Two Men and A Truck, a small, six-truck moving company. The franchise has a corporate philosophy of donating eight hours of community service work each month. That service was helping to move the donated furniture of newly arrived families.

However, another mover apparently reported them to MnDOT. The caller claimed that by offering the service for free, the company was creating an unfair disadvantage.



The family of Bradley Waage would like to see a bridge named after him. For more information on a bill (HF626), sponsored by Rep. Frank Moe, that would do just that, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## Speaking of the House



When **Rep. Tom Rukavina (DFL-Virginia)** presented his bill (HF1042) to allow video lottery terminals in bars to the Gaming Division of the House Regulated Industries Committee March 16, **Rep. Torrey Westrom (R-Elbow Lake)** asked if terminals would be available for blind or handicapped people.

After answering that such terminals are probably available, Rukavina continued, "Oh, and by the way, when we were playing poker the other night, I really didn't have the flush I told you I had."

Westrom, who is blind, answered, "I know. I read your cards when I dealt them."

## Bill sparks discussion

What should be the core mission of schools?

By Ruth Dunn

**W**hat's a school district to do in the 21st Century? With dollars stretched and resources limited, should a school district stop trying to do everything and focus on academics? Or, should school districts continue to educate the whole child including athletics and the fine arts along with academics?

Committee chair Rep. Mark Buesgens (R-Jordan) and Rep. Mindy Greiling (DFL-Roseville) posed those questions with the introduction of HF1090 in the House Education Policy and Reform Committee March 10. Buesgens is the chief sponsor and Greiling is a co-sponsor.

Although the bill was tabled until next session, the sponsors hope to keep the discussion alive.

They're asking the legislative auditor to evaluate the financial costs and educational benefits of high school sports and fine arts activities. Results of the research would "help policy makers decide on the relative importance of sports and fine arts activities in light of their impact on students' educational performance and the reality of increasingly constrained and stretched school revenues," the bill's sponsors wrote in a letter to Legislative Auditor James Nobles.

The bill would shift responsibility for non-curricular athletic and fine arts activities from school districts to local governments. The transfer would allow school districts to focus on academics, said Buesgens. Programs would remain the same, but paychecks to coaches, advisors and athletic directors would come from cities instead of school districts.

"We're not proposing eliminating co-curricular activities, we just want to explore the governance so all kids have the opportunities," said Greiling. "We would never propose getting rid of these opportunities for kids."

The bill would affect noncurricular (sometimes called extra-curricular and co-curricular) activities regulated by the Minnesota State High School League, including sports, debate and speech.

Buesgens said he and Greiling introduced

the bill to start a discussion about the mission of schools — should schools specifically focus on academics or have a wider focus on the whole child.

Since it began meeting in January, Buesgens said the House Education Policy and Reform Committee has heard testimony from several people who have studied the current education system. "We have seen data on how the educational system is serving young men and women; about how society itself is changing,"



PHOTO BY ANDREW VONBANK

**Jeffell Tate from Roosevelt High School in Minneapolis, from left, Emma Paskewitz from Southwest High School in Minneapolis and Keegan Connor and Amanda Nisleit from Woodbury High School testify March 10 before the House Education Policy and Reform Committee on a bill that would transfer noncurricular athletic and fine arts activities for youth from school districts to local governments. Behind them are Rep. Mark Buesgens and Rep. Mindy Greiling, two of the bill's sponsors.**

he said. "Those who spoke have alluded to concerns as to whether or not the [educational] system we created almost 100 years ago can now serve the needs that we as society and we as politicians have placed on the system."

Buesgens said he passionately believes in the benefit of noncurricular activities for young men and women. "I just don't see how one can make the case that the only place for those lessons to be learned is inside school walls," he said. "Learning happens all over the place in our daily lives."

Co-curricular activities are a huge and vital part of his school's core mission of educating the whole child, said Matt Kraft, associate principal

and activities director at Henry Sibley High School. "If you take [co-curricular activities] out of the schools you miss an opportunity to educate the whole child."

"Co-curricular activities enrich classroom academics," said Kraft. They are an extension of the classroom and allow students to experience the reality of many lessons they learn in the classroom.

"The core missions don't match," said Rich Dippel, activities director at South St. Paul High School, who used to work in city recreation. The core mission of cities is to provide public services like roads, water, sewer and police and fire protection. "The core mission of schools is to provide for students and help them become strong, young adults."

City recreation departments operate on shoestring budgets, he said. Some rural cities

don't even have them.

Amanda Nisleit, who plays on the basketball and volleyball teams at Woodbury High School, said she's participated on summer non-school teams and the players never got close. "It's all about the camaraderie of the team," she said. School teams are very close and share team goals and attitudes. She worries that she'd lose that closeness if school teams are moved to city ones and that school spirit would diminish.

A companion bill (SF1381), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), awaits action in the Senate Education Committee.



# Ascending the ladder

Lillie moves from city to state government

By MATT WETZEL

After a decade on the city council, Rep. Leon Lillie (DFL-North St. Paul) saw an opportunity to take his experience to the state level.



Rep. Leon Lillie

"I wanted to make sure we kept a strong voice for the area," he said.

And his campaign for the House seat was a family affair. "My wife and the rest of my family got involved. It was

a fun thing to do that. Getting out there and being with them," he said.

A major issue in District 55A, which includes Maplewood and North St. Paul, is education. "It's important to the people in my area that higher education is affordable," Lillie said. "You don't want to see where the less affluent won't

have access to higher education."

Health care is also a concern. "I would try to make health care available to everyone. How we get there, obviously, that's the sticking point," he said.

Transportation is on the minds of his constituents, also. "The need (for new roads) is very great," he said.

But again, the key issue is funding. Lillie said that raising the gas tax one-half cent and then dedicating the proceeds to roads is an option.

"I'm comfortable with making the choices," he said. "I think there's support out there and I'm willing to ask."

If he could have sponsored the first bill of the session, it would have been the bonding bill. "That was important. Voters are disappointed with us for the work (the Legislature) did last session."

Lillie, who defeated former Rep. Scott Wasiluk in the primary, said he wants to work

## DISTRICT 55A

2002 population: 36,753  
Largest city: Maplewood  
County: Ramsey  
Top concerns: Education, health care, transportation and jobs

***"People need decent jobs. I realize businesses need to be viable. Quality of life is kind of what I'm all about."***

— Rep. Leon Lillie

with his colleagues on both sides of the aisle. "I'm trying to build friendships. I realize by working together, hopefully we can keep that perspective," he said.

Lillie is a union man, and he believes jobs are important. "People need decent jobs. I realize businesses need to be viable. Quality of life is kind of what I'm all about."

A member of the International Association of Machinists, Local 1833, Lillie works as a ramp agent for Northwest Airlines at Minneapolis-St. Paul International Airport.

# Governance with patience

Peterson takes on new role to serve familiar constituency

By LEE ANN SCHUTZ

Bow ties.

Rep. Neil W. Peterson (R-Bloomington) wears them for a reason. "You remember me, don't you?"



Rep. Neil W. Peterson

It's not that he's trying to draw attention to himself; the ties are more of a personal statement. It's his way of saying the stereotypical life of a retiree is not for him — he's living life his way. And that is to

continue a life of public service.

Representing a portion of Bloomington is a continuation of his long years of service to that constituency. He served three terms as the city's mayor, and four terms as a city councilor. During some of that time, he steered the city through the opening of the Mall of America.

Peterson had very little time to make his decision to run for the House. Six-term representative Alice Seagren was appointed commissioner of education by Gov. Tim Pawlenty on the last day candidates could file to run for the Legislature.

"My wife suggested I run, and so did an acquaintance. So I jumped in, and here I am."

Now that he's at the Capitol, he's exercising patience with the process. "I don't have an agenda. Good governance is important, and I think that means not opening your mouth first, but instead, observe what is going on and listen to your constituency and instincts."

Although his district covers the western portion of Bloomington, if, on the east side of the city, a casino becomes part of any Mall of America expansion, it would impact his constituents. He explained that the hospitality industry, with more than 8,000 hotel rooms along Interstate 494, has a huge impact on the

## DISTRICT 41B

2002 population: 36,523  
Largest city: Bloomington  
County: Hennepin  
Top concern: Transportation

***"I don't have an agenda. Good governance is important, and I think that means not opening your mouth first, but instead, observe what is going on and listen to your constituency and instincts."***

— Rep. Neil W. Peterson

local economy.

His sense is that the people there do not want a casino, nor is he in favor of balancing the state budget on gambling revenue.

Peterson describes his district, which also includes a portion of Edina, as mature, second-ring suburbs with a population that is older and high income. He sees good connecting roads as one of the area's greatest concerns.

## Monday, March 14

### HF1743—Blaine (R)

#### Agriculture & Rural Development

Vending machine sales of milk and water exempted from sales tax.

### HF1744—Sykora (R)

#### Education Policy & Reform

Teacher alternative compensation provided and school staff development requirements provided.

### HF1745—Lesch (DFL)

#### Commerce & Financial Institutions

One-week waiting period eliminated from unemployment insurance benefits eligibility.

### HF1746—Urdahl (R)

#### Agriculture, Environment & Natural Resources Finance

Veterinary Diagnostic Laboratory at the University of Minnesota funding provided and money appropriated.

### HF1747—Pope (DFL)

#### Agriculture & Rural Development

Agriculture best management practices loans limits modified.

### HF1748—Hoppe (R)

#### Governmental Operations & Veterans Affairs

State employee grievance appeal procedures modified and correctional employee medical examination provision eliminated relating to working past mandatory retirement age.

### HF1749—Zellers (R)

#### Taxes

Income tax check-off provided to fund benefits for survivors of law enforcement officers and firefighters and to provide for maintenance of memorials, advisory council established and report required.

### HF1750—Solberg (DFL)

#### Civil Law & Elections

Town election voting system exemption provided for ballot question on changing the town election to coincide with the county general election.

### HF1751—Newman (R)

#### Education Policy & Reform

Career and technical levy modified and money appropriated.

### HF1752—Smith (R)

#### Public Safety Policy & Finance

Child neglect and endangerment offense expanded to include a penalty for leaving a child unattended in a car.

### HF1753—Wardlow (R)

#### Governmental Operations & Veterans Affairs

Correctional employee retirement contribution rates increased.

### HF1754—Smith (R)

#### Governmental Operations & Veterans Affairs

State Patrol retirement fund contribution rates increased.

### HF1755—Smith (R)

#### Governmental Operations & Veterans Affairs

Public Employees Retirement Association contribution rates increased for certain covered employees and employers.

### HF1756—Smith (R)

#### Governmental Operations & Veterans Affairs

Public Employees Retirement Association police and fire plan contribution rate modifications proposed.

### HF1757—Smith (R)

#### Governmental Operations & Veterans Affairs

State employee retirement contribution rates increased.

### HF1758—Smith (R)

#### Governmental Operations & Veterans Affairs

Public Employees Retirement Association augmentation rates modified for covered members.

### HF1759—Meslow (R)

#### Education Policy & Reform

Early childhood development screening expanded, school readiness kindergarten assessment initiative established and money appropriated.

### HF1760—Tingelstad (R)

#### Civil Law & Elections

Trafficking in persons crimes specified, forfeiture of property provided, sex trafficking included in the promoting of prostitution crime and forfeiture proceeds distribution formula modified.

### HF1761—Kahn (DFL)

#### Governmental Operations & Veterans Affairs

Active military personnel allowed to suspend MinnesotaCare enrollment without a lapse in coverage and MinnesotaCare eligibility determinations and premium payments modified for persons in active military service.

### HF1762—Marquart (DFL)

#### Regulated Industries

Detroit Lakes; on-sale liquor license authorized.

### HF1763—Hilstrom (DFL)

#### Public Safety Policy & Finance

Methamphetamine treatment grants provided and money appropriated.

### HF1764—Cybart (R)

#### Governmental Operations & Veterans Affairs

Hepatitis C educational materials made available through the Department of Veterans Affairs.

### HF1765—Cybart (R)

#### Health Policy & Finance

May 2005 designated as "Hepatitis C Awareness and Education Month" in Minnesota.

### HF1766—Hornstein (DFL)

#### Taxes

Wind-generated electricity purchase income tax deduction provided.

### HF1767—Hornstein (DFL)

#### Transportation

Toll facilities plan required and non-compete provisions in toll facility development agreements prohibited from restriction development, design, construction or operation of public transit.

### HF1768—Hornstein (DFL)

#### Transportation

Counties authorized to submit proposals for toll facilities, development agreements made available to the public, restrictions provided, requirements imposed and number of facility development agreements and collection of tolls limited.

### HF1769—Hornstein (DFL)

#### Education Policy & Reform

No Child Left Behind Act and other student testing laws evaluated by the Office of Educational Accountability.

### HF1770—Hornstein (DFL)

#### Regulated Industries

Social and economic costs of gambling study and report required and money appropriated.

### HF1771—Westrom (R)

#### Transportation Finance

Greater Minnesota elderly and disabled transportation pilot project established where transit is limited or nonexistent, report required and money appropriated.

### HF1772—Hornstein (DFL)

#### Governmental Operations & Veterans Affairs

Minneapolis Teachers Retirement Fund Association service credit purchase authorized.

### HF1773—Hornstein (DFL)

#### Education Finance

Student achievement grant program established, school sites assisted in training parents and community leaders in holding the school district accountable for high academic standards and money appropriated.

### HF1774—Hornstein (DFL)

#### Taxes

Carsharing group membership income tax credit provided.

### HF1775—McNamara (R)

#### Environment & Natural Resources

Hunting and fishing license fees adjusted to reflect changes in the Consumer Price Index.

### HF1776—Abeler (R)

#### Health Policy & Finance

Professional counselors licensing transition period provided.

**HF1777—Seifert (R)****Governmental Operations & Veterans Affairs**

State-owned vehicles study required, proposal required to outsource certain functions related to vehicles and money appropriated.

**HF1778—Blaine (R)****Governmental Operations & Veterans Affairs**

Camp Ripley facility rental authorized.

**HF1779—Cybart (R)****Governmental Operations & Veterans Affairs**

Retired National Guard personnel ordered to active duty pay and allowances provided.

**HF1780—Bradley (R)****Taxes**

General fund income tax contribution check-off provided.

**HF1781—Hornstein (DFL)****Regulated Industries**

Renewable development fund grants eligibility regulated.

**HF1782—Ruth (R)****Transportation**

Personalized veterans license plates authorized.

**HF1783—Bradley (R)****Jobs & Economic Opportunity Policy & Finance**

Child-care assistance modified by limiting absence days.

**HF1784—Demmer (R)****Taxes**

Streets added to municipal improvements that can be subsequently reimbursed for earlier costs incurred.

**HF1785—Emmer (R)****Civil Law & Elections**

Election terms clarified; registration procedures, requirements, and election judge duties modified; delivery of ballots provided; absentee ballot boards provided in certain counties and canary ballots modified.

**HF1786—Sertich (DFL)****Health Policy & Finance**

MinnesotaCare covered health services modified and limited benefits for certain single adults and households without children repealed.

**HF1787—Sertich (DFL)****Commerce & Financial Institutions**

Health plan companies required to file reports including director and employee compensation costs.

**HF1788—Sertich (DFL)****Education Finance**

School levies authorized for the difference between the maximum certified levy and the maximum levy quoted by the commissioner of education.

**HF1789—Abrams (R)****Taxes**

Marriage penalty relief federal tax conformity provided.

**HF1790—Dorn (DFL)****Taxes**

Mankato local sales tax expiration date modified.

**HF1791—Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

Sustainable agriculture grants funding provided and money appropriated.

**HF1792—Hausman (DFL)****Commerce & Financial Institutions**

Antibacterial soap sales generally prohibited.

**HF1793—Urdahl (R)****Taxes**

Postsecondary tuition and fee expenses income tax deduction provided.

**HF1794—Dill (DFL)****Transportation**

Orr; 30 mph speed limit established for trains.

**HF1795—Otremba (DFL)****Education Policy & Reform**

Irradiated food in schools formal policy required.

**HF1796—Larson (DFL)****Local Government**

Metropolitan Airports Commission meetings prohibited from being held within an airport security screening perimeter.

**HF1797—Otremba (DFL)****Taxes**

Property tax class rate reduced for certain property bordering public waters.

**HF1798—Peterson, A. (DFL)****Regulated Industries**

Utilities required to meet certain renewable energy standards.

**HF1799—Wardlow (R)****Governmental Operations & Veterans Affairs**

Volunteer firefighter statewide retirement plan task force established and money appropriated.

**HF1800—Howes (R)****Education Policy & Reform**

School year start prohibited before Labor Day.

**HF1801—Hackbarth (R)****Regulated Industries**

Lawful gambling definitions amended and technical and conforming changes provided.

**HF1802—DeLaForest (R)****Governmental Operations & Veterans Affairs**

State labor agreements, arbitration awards, compensation plans and salary increases ratified.

**HF1803—Sertich (DFL)****Higher Education Finance**

State higher education grant program application deadline extended.

**HF1804—Sertich (DFL)****Jobs & Economic Opportunity Policy & Finance**

Child-care license fees temporarily suspended.

**HF1805—Clark (DFL)****Commerce & Financial Institutions**

Businesses that possess personal data required to notify persons whose information has been disclosed to unauthorized persons.

**HF1806—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Foodshelf program funding provided and money appropriated.

**HF1807—Nelson, P. (R)****Taxes**

Capital equipment sales tax exemption made an up front exemption in two phases.

**HF1808—Eken (DFL)****Governmental Operations & Veterans Affairs**

Bridges Medical Services in Ada; employees added to Public Employees Retirement Association privatization coverage.

**HF1809—Wilkin (R)****Commerce & Financial Institutions**

Insurance agency terminations, coverages, fees, forms, disclosures, reports, information security and premiums regulated.

**HF1810—Holberg (R)****Civil Law & Elections**

Comprehensive incident-based reporting system law enforcement data access and classification provided.

**HF1811—Penas (R)****Education Finance**

Telecommunications/Internet access equity aid provided and money appropriated.

**HF1812—Abeler (R)****Regulated Industries**

Racetrack and horsepersons' organizations agreements provided and simulcasting and card club operation restrictions modified.

**HF1813—Huntley (DFL)****Jobs & Economic Opportunity Policy & Finance**

Group residential housing supplemental rate expanded.

**HF1814—Huntley (DFL)****Higher Education Finance**

Higher education programs for underserved students funding provided and money appropriated.

**HF1815—Lanning (R)****Public Safety Policy & Finance**

Crime victim services funding provided and money appropriated.

**HF1816—Emmer (R)****Health Policy & Finance**

Mental health services coverage extended and children's mental health and civil commitment provisions modified.

**HF1817—Westerberg (R)****Regulated Industries**

Lottery gaming machines and games operation provided at a gaming facility, license and fee provided and gaming transaction fee imposed.

## Wednesday, March 16

### **HF1818—Olson (R)** **Transportation**

Transportation providers not receiving subsidies exempted from various taxes, transit bus restriction on use of freeway and expressway shoulders eliminated and Metropolitan Council required to allow transit providers to use its bus stops.

### **HF1819—Wagenius (DFL)** **Environment & Natural Resources**

Aquaculture license requirements imposed.

### **HF1820—Eastlund (R)** **Governmental Operations & Veterans Affairs**

Cambridge State Hospital cemetery named the Garden of Remembrance.

### **HF1821—Jaros (DFL)** **Higher Education Finance**

Immigration History Research Center grant-matching funds provided to the University of Minnesota and money appropriated.

### **HF1822—Carlson (DFL)** **Higher Education Finance**

State higher education grant surpluses distributed equally to the University of Minnesota and the Minnesota State Colleges and Universities and money appropriated.

### **HF1823—Eken (DFL)** **Taxes**

Income tax rates modified, credit provided for nursing home residents and money appropriated.

### **HF1824—Hamilton (R)** **Commerce & Financial Institutions**

Financial institution investment authority and annual reporting requirements regulated, obsolete references removed, residential mortgage originators regulated and insurance license renewals provided.

### **HF1825—Beard (R)** **Transportation**

Ten-ton vehicle loading authorized under certain circumstances, and 7-ton vehicle loading authorized during spring weight restrictions under certain circumstances.

### **HF1826—Mullery (DFL)** **Taxes**

De minimus tax exemption provided for specified goods.

### **HF1827—Mullery (DFL)** **Taxes**

Local government aid additional city aid base provided for certain cities, city aid appropriation limit increased and aid required to be used for certain purposes.

### **HF1828—Samuelson (R)** **Health Policy & Finance**

Counties required to process certain medical assistance applications within specified timelines.

### **HF1829—Mullery (DFL)** **Commerce & Financial Institutions**

Nontraditional career programs for women grants provided and money appropriated.

### **HF1830—Mullery (DFL)** **Commerce & Financial Institutions**

Minority job training and wage increase initiative required.

### **HF1831—Ruth (R)** **Commerce & Financial Institutions**

Small business growth acceleration program established and money appropriated.

### **HF1832—Davids (R)** **Transportation**

High-occupancy vehicle lanes access extended to vehicles fueled regularly with E85 fuels.

### **HF1833—Davids (R)** **Agriculture, Environment & Natural Resources Finance**

Ethanol-derived hydrogen fuel research grant provided and money appropriated.

### **HF1834—Hackbarth (R)** **Environment & Natural Resources**

Game and fish heritage fund established, sales tax portion dedicated to the fund and constitutional amendment proposed.

### **HF1835—Erickson (R)** **Education Finance**

Advanced placement and international baccalaureate exam fees funding provided and money appropriated.

### **HF1836—Ellison (DFL)** **Taxes**

Lead hazard reduction property tax valuation exclusion provided.

### **HF1837—Paymar (DFL)** **Local Government**

Civil rights or human rights departments authorized for cities of the first class and enforcement powers provided for housing discrimination cases.

### **HF1838—Blaine (R)** **Transportation**

Local governments authorized to permit low-speed neighborhood electric vehicles to be operated on residential roadways.

### **HF1839—Ruth (R)** **Environment & Natural Resources**

Water use prohibition on once-through use permits provision modified.

### **HF1840—Abeler (R)** **Health Policy & Finance**

Physician assistants physician review modified and telephone information contained on prescriptions requirement eliminated.

### **HF1841—Penas (R)** **Agriculture, Environment & Natural Resources Finance**

Turf grass research in northern climates continuing research grant provided and money appropriated.

### **HF1842—Beard (R)** **Environment & Natural Resources**

Scott County land sale wetland development restriction clarified.

### **HF1843—Beard (R)** **Transportation**

Minneapolis-St. Paul International Airport safety zones and land use restrictions defined for runway 17-35.

### **HF1844—Klinzing (R)** **Transportation**

St. Paul to Stillwater transportation corridor bus rapid transit study required.

### **HF1845—Johnson, J. (R)** **Civil Law & Elections**

Attorney fee awards reasonableness factor provided.

### **HF1846—Nelson, M. (DFL)** **Taxes**

Brooklyn Park economic development tax increment financing district duration extended.

### **HF1847—Powell (R)** **Health Policy & Finance**

Medical assistance special transportation services coverage criteria specified, special transportation reimbursement rates increased, prohibition on brokers to manage services extended and review of special transportation services required.

### **HF1848—Peppin (R)** **Public Safety Policy & Finance**

Neglecting a vulnerable adult criminal penalties provided.

### **HF1849—Cornish (R)** **Public Safety Policy & Finance**

Fugitive Apprehension Unit authorized to seize property under the forfeiture law and limitations on unit's participation provided.

### **HF1850—Abeler (R)** **Health Policy & Finance**

Healthy Minnesotans bio-monitoring program established, reports required and money appropriated.

### **HF1851—Jaros (DFL)** **Taxes**

Mortgage interest income tax deduction limited.

### **HF1852—Klinzing (R)** **Education Finance**

Teacher content-based professional development grant provided to the Minnesota Humanities Commission and money appropriated.

### **HF1853—Severson (R)** **Transportation**

Mud flaps on trucks and trailers regulated.

### **HF1854—Kahn (DFL)** **Public Safety Policy & Finance**

Ticket scalping prohibition repealed.

### **HF1855—Simpson (R)** **Environment & Natural Resources**

Shoreland and lake comprehensive management provided.

### **HF1856—Tingelstad (R)** **Education Policy & Reform**

Law enforcement teachers required to be licensed as peace officers.



**HF1857—Urdahl (R)****Agriculture & Rural Development**

Licensed food handler violation penalties application modified.

**HF1858—Sykora (R)****Taxes**

Tuition organization contribution income tax credit provided.

**HF1859—Wilkin (R)****Commerce & Financial Institutions**

Workers' Compensation Advisory Council recommendations adopted.

**HF1860—Abeler (R)****Education Finance**

School district pilot program authorized to spend compensatory revenue at school sites with low test scores.

**HF1861—Abeler (R)****Health Policy & Finance**

Health care best practices guidelines modified and quality improvement investment program established.

**HF1862—Abeler (R)****Health Policy & Finance**

Health care provider expenditure reporting requirements modified, separate procedure established for procedures over \$5 million, certain medical referrals restricted and money appropriated.

**HF1863—Abeler (R)****Health Policy & Finance**

Electronic medical record system loan program fund established, bonds issued and money appropriated.

**HF1864—Abeler (R)****Health Policy & Finance**

Coordinated statewide health improvement action plan provided, health plans required to issue coverage to all applicants and charge community rates, income tax deduction provided, coverage maintenance required and money appropriated.

**HF1865—Abeler (R)****Health Policy & Finance**

Dental licensure provisions modified and fees established.

**HF1866—Lenczewski (DFL)****Taxes**

Foreign operating corporation, royalties subtraction and deemed dividend deduction tax definitions modified.

**HF1867—Lenczewski (DFL)****Taxes**

Bloomington fiscal disparities repayment extended by eight additional years.

**HF1868—Mullery (DFL)****Health Policy & Finance**

MinnesotaCare eligibility requirements modified for persons with continuation coverage.

**HF1869—Mullery (DFL)****Public Safety Policy & Finance**

Cockfighting, dogfighting and other domestic animal fighting criminal penalties imposed; procedures established for disposition and care of animals; hearings provided and admissibility of certain evidence clarified.

**HF1870—Mullery (DFL)****Public Safety Policy & Finance**

Criminal penalties imposed for selling drugs in public places.

**HF1871—Mullery (DFL)****Public Safety Policy & Finance**

Controlled substance criminal offenders geographic restrictions policies established and increased sentences provided for offenders who commit further drug sale crimes in restricted area.

**HF1872—Slawik (DFL)****Civil Law & Elections**

Legislative and budget proposal data preliminary draft definition clarified.

**HF1873—Powell (R)****Health Policy & Finance**

MinnesotaCare provisions modified to align with practice.

**HF1874—Peppin (R)****Governmental Operations & Veterans Affairs**

Armory boards eligibility extended to military personnel beyond officers.

**HF1875—Bradley (R)****Jobs & Economic Opportunity Policy & Finance**

Human services agency technical amendments provided relating to children and family services, health care and continuing care programs.

**HF1876—Huntley (DFL)****Health Policy & Finance**

Nursing home license surcharge reduced and cigarette tax increased.

**HF1877—Seifert (R)****Governmental Operations & Veterans Affairs**

State government competitive bidding provisions modified.

**HF1878—Finstad (R)****Education Finance**

Independent School District No. 836, Butterfield, fund transfer authorized.

**HF1879—Finstad (R)****Civil Law & Elections**

Campaign finance reporting requirements modified, inactivity redefined, assumption of liabilities required and public subsidy distribution requirements modified.

**HF1880—Johnson, J. (R)****Public Safety Policy & Finance**

Local correctional fees provided.

**HF1881—Powell (R)****Health Policy & Finance**

Ambulance service provisions and first responder and emergency medical technician requirements modified and emergency suspension of certain requirements provided.

**HF1882—Abeler (R)****Health Policy & Finance**

Alcohol and drug counselor licensure transition period modified and temporary permit fee increased.

**HF1883—Severson (R)****Transportation Finance**

Federal-aid highway funds distribution provided to state and local bodies.

**HF1884—Hamilton (R)****Education Finance**

Independent School District No. 177, Windom, account transfer authorized.

**HF1885—Marquart (DFL)****Health Policy & Finance**

Clay County nursing facility rate increase provided.

**HF1886—Ellison (DFL)****Public Safety Policy & Finance**

Property crime dollar threshold amounts study committee established.

**HF1887—Simpson (R)****Taxes**

Prefabricated homes subjected to the sales tax.

**HF1888—Entenza (DFL)****Civil Law & Elections**

Confidential and private data government disposal requirements provided.

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**Thursday, March 17**


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**HF1889—Wilkin (R)****Jobs & Economic Opportunity Policy & Finance**

Child protection, child welfare, child-care and child and family support provisions implemented.

**HF1890—Brod (R)****Commerce & Financial Institutions**

Manufactured and industrialized/modular home sales licensure provided.

**HF1891—Sailer (DFL)****Civil Law & Elections**

Fathers' adoption registry timely registration provision clarified.

**HF1892—Thissen (DFL)****Health Policy & Finance**

HIV prevention and health care access program established and money appropriated.

**HF1893—Simpson (R)****Commerce & Financial Institutions**

Tobacco product sales and deliveries regulated, penalties imposed and remedies provided.

**HF1894—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Unsubsidized employment hours requirement decreased for job training and education opportunities.

**HF1895—Loeffler (DFL)****Agriculture & Rural Development**

Shade tree definition expanded relating to metropolitan area disease control and money appropriated.

**HF1896—Westrom (R)****Transportation**

Recreational vehicle combinations redefined to include certain combinations hauling horse trailers and related vehicles, maximum gross weights increased on non-interstate highways and permits required.

**HF1897—Ellison (DFL)**

**Jobs & Economic Opportunity Policy & Finance**  
Minneapolis; North Minneapolis summer youth employment funding provided and money appropriated.

**HF1898—Finstad (R)**

**Health Policy & Finance**  
Pharmacy benefits managers certificate of authority required, powers and duties to state agencies granted, data access authorized, disclosures required and responsibilities provided for pharmacy benefits managers.

**HF1899—Lanning (R)**

**Taxes**  
State general levy shares fixed for noncommercial seasonal recreational property and commercial-industrial property.

**HF1900—Lanning (R)**

**Taxes**  
Limited market value extended for two additional years.

**HF1901—Slawik (DFL)**

**Education Policy & Reform**  
Early care and education programs coordination provided.

**HF1902—Lesch (DFL)**

**Taxes**  
Housing opportunity area tax abatement program provided.

**HF1903—Poppe (DFL)**

**Taxes**  
Mower County local sales tax authorized.

**HF1904—Hackbarth (R)**  
**Agriculture, Environment & Natural Resources Finance**

Watercraft license fees increased and revenue dedicated to public access on public waters.

**HF1905—Thissen (DFL)**

**Taxes**  
Pre-kindergarten scholarship granting organization contribution income tax credit authorized.

**HF1906—Simon (DFL)**

**Taxes**  
Marriage penalty relief in income tax federal conformity provided.

**HF1907—Ruth (R)**

**Taxes**  
Motor fuel tax rates increased.

**HF1908—Vandevor (R)**

**Taxes**  
Low-income apartment property tax class created.

**HF1909—Hackbarth (R)**

**Environment & Natural Resources**  
Heritage enhancement and clean water funds and councils established, sales tax percentage dedicated and constitutional amendment proposed.

**HF1910—Peppin (R)**

**Education Policy & Reform**  
Independent School District No. 728, Elk River, election authorized to form two separate school districts.

**HF1911—Thao (DFL)**

**Governmental Operations & Veterans Affairs**  
Translation services state contracts preference given to native speakers.

**HF1912—Larson (DFL)**

**Civil Law & Elections**  
Subscriber data classified for government entity electronic newsletters and electronic municipal utility billing.

**HF1913—Samuelson (R)**

**Commerce & Financial Institutions**  
Flavored cigarettes, cigars and smokeless tobacco sales prohibited.

**HF1914—Clark (DFL)**

**Commerce & Financial Institutions**  
Failure to pay a discharged employee within 24 hours penalty increased, failure to pay benefits or wage supplements penalty modified and violation of migrant worker payment requirements increased.

**HF1915—Zellers (R)**

**Health Policy & Finance**  
Maple Grove hospital construction moratorium exemption provided.

**HF1916—Meslow (R)**

**Public Safety Policy & Finance**  
Crime victim service programs and battered women's shelters funding provided and money appropriated.

**HF1917—Tingelstad (R)**

**Local Government**  
Local government investment of funds in certain securities authorized.

**HF1918—Finstad (R)**

**Health Policy & Finance**  
Physical therapist assistant, aide, and student definitions provided; license provisions modified and penalties provided.

**HF1919—Sailer (DFL)**

**Environment & Natural Resources**  
Beltrami County tax-forfeited land sale authorized.

**HF1920—Abrams (R)**

**Regulated Industries**  
Minneapolis; Guthrie Theater on-sale liquor license authorized.

**HF1921—Wilkin (R)**

**Health Policy & Finance**  
Medical treatment of minors consent provisions modified, parental access to minor's records authorized and minor consent agreements provided.

**HF1922—Charron (R)**

**Governmental Operations & Veterans Affairs**  
Minnesota Computers for School authorized to acquire surplus property for the state.

**HF1923—Ellison (DFL)**

**Health Policy & Finance**  
Lead Poisoning Prevention Act modified.

**HF1924—Ellison (DFL)**

**Taxes**  
Paint excise tax provided.

**HF1925—Dean (R)**

**Health Policy & Finance**  
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**HF1926—Knoblach (R)**

**Public Safety Policy & Finance**  
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**HF1927—Solberg (DFL)**

**Education Finance**  
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**HF1928—Nelson, P. (R)**

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**HF1929—Klinzing (R)**

**Governmental Operations & Veterans Affairs**  
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**HF1930—Seifert (R)**

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**HF1931—Heidgerken (R)**

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**HF1932—Severson (R)**

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**HF1933—Cornish (R)**

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**HF1934—Wardlow (R)**

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**HF1935—Abeler (R)**

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**HF1936—Fritz (DFL)**

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**Agriculture & Rural Development**  
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**HF1938—Johnson, S. (DFL)**

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**HF1939—Solberg (DFL)****Local Government**

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**HF1940—Knoblach (R)****Transportation**

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**HF1941—Brod (R)****Transportation**

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**HF1942—Koenen (DFL)****Agriculture & Rural Development**

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**HF1943—Davnie (DFL)****Commerce & Financial Institutions**

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**HF1944—Johnson, R. (DFL)****Education Finance**

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**HF1945—Charron (R)****Education Policy & Reform**

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**HF1946—Peterson, S. (DFL)****Education Finance**

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**HF1947—Peterson, S. (DFL)****Education Policy & Reform**

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# MINNESOTA

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**Sources: 2005-06 Legislative Manual, Office of the Minnesota Secretary of State; Department of Natural Resources; Department of Health; Board of Water and Soil Resources.**

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES



**INSIDE: PROCESS COMES TO THE PEOPLE, CONTENTIOUSNESS TO CIVILITY, MORE GAMBLING BILLS, MORE**

This Week's Bill Introductions HF1948-HF2120

MARCH 25, 2005

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# Session Weekly

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**On the cover:** A participant holds a Red Lake Nation flag during a March 22 Capitol memorial service for the victims of the Red Lake High School shooting one day earlier.

—Photo by Tom Olmscheid

# House comes calling

## Bringing the process to the people leaves an impression

By LEE ANN SCHUTZ

**W**hen the House of Representatives comes calling, especially to Greater Minnesota, it's a big deal. And if it is to discuss a high profile issue, such as asking for an amendment to the state constitution defining marriage as only between a man and a woman, then there is a lot to consider.

The logistic wheels were set in motion when it was decided in January that the House Civil Law and Elections Committee would hear HF6 in Grand Rapids on March 18.

If you're the community's police chief, it means planning for the possibility that a rumored 2,000 protestors could show up. If you're a testifier, it's figuring out what you're going to say so that you can best articulate your side's point of view, and if you're the committee administrator, it is making sure that every detail is taken care of — that every eventuality is planned for.

Shortly after session began, House Speaker Steve Sviggum (R-Kenyon) asked that committees, if possible, hold hearings in Greater Minnesota. Two committees responded, the

House Civil Law and Elections Committee, and on March 8, the House Education Policy and Reform Committee went to Crosby to learn how residents in that area are being affected by the teachers' strike.

**It had been rumored that 2000, protestors would show up in Grand Rapids opposing and supporting the bill that asks for a constitutional amendment defining marriage only as a union between a man and a woman. According to the city's chief of police, a total of about 80 showed up to carry their signs at a designated intersection.**

PHOTOS BY LEE ANN SCHUTZ

### Police presence

Grand Rapids Police Chief Leigh Serfling had heard rumors that busloads of protestors would show up for the hearing on the controversial bill, sponsored by Rep. Dan Severson (R-Sauk Rapids).

Since the Reif Center, where the hearing was held, is connected to the high school, it was decided that an intersection along Highway 38 leading to the facility would be designated for protestors.

The hearing was scheduled for 10:30 a.m. and protestors from both sides of the issue began to gather at the corner around 9 a.m. "I suppose there were about 80, at that time," Serfling said. "But by the time the hearing had ended and lawmakers were headed home no more than two-dozen were left holding their signs."

With five state troopers stationed inside the Reif Center, and five Grand Rapids police officers, two police force reservists and two Itasca County Sheriff's deputies assigned to the detail, the law enforcement presence made quite an impression.

"People were very cooperative," Serfling said. While there were no arrests, two people were escorted from the facility after becoming upset because they didn't have tickets and they wanted to testify.

### Choosing the right words

Deer River resident Carolyn McElfatrick, the mother of two grown children and two grandchildren, had a week to prepare her testimony in favor of bringing the issue to the voters.

Committee officials had decided the best way to ensure that both sides were heard was to involve two of the most vocal groups on the issue: OutFront Minnesota and the Minnesota Family Council. Both were given an hour to state their positions and they could decide who would carry their message. Most testifiers were from the Grand Rapids area.

McElfatrick was one of seven people testifying for the amendment. "I'm just a regular person, but I do feel strongly about the quality of family life for our children," she said in an interview.

If the intent of the Grand Rapids hearing was to bring the process to the people, it wasn't lost on McElfatrick. She has never participated in any legislative activity and was "fascinated" with the process. "I felt privileged to be there," she said.

Al Kruger was the last of 10 people testifying against the bill. Ask him if he's political and the answer is a resounding "yes," especially when it comes to issues of poverty. "There should be a constitutional amendment that no one will go hungry in the state," he said in an interview.

Kruger was more concerned that lawmakers were in Grand Rapids to play politics and not "address the real issues."

"You came up here to cook up some goodies and you are going to leave us with a big mess," he told committee members.

When he learned of plans for the hearing, he organized a gathering of residents at his home to speak with interested legislators about the issues affecting the area. "I thought if they wanted to come up here, they at least ought to get to know us."

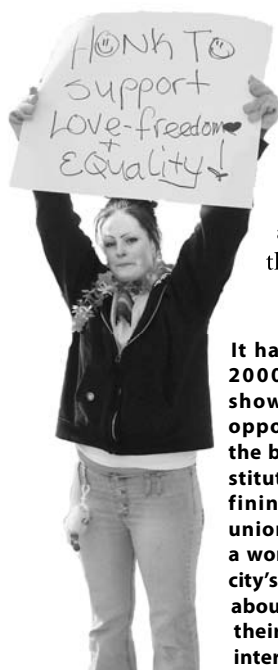
Reps. Steve Simon (DFL-St. Louis Park), Nora Slawik (DFL-Maplewood) and Keith Ellison (DFL-Mpls) did attend. Kruger said he notified the office of Committee Chair Rep. Jeff Johnson (R-Plymouth), but no Republicans attended. Rep. Matt Dean (R-Dellwood) told Kruger that he would have attended, had he known about the meeting.

### Best-laid plans

It was a month-long process deciding where to hold the hearing, said Committee Administrator Dennis Virden. "Some will say that we took that issue out because Rep. Jeff Johnson is running for attorney general. That just didn't factor in at all," said Virden who shares the same party affiliation as Johnson, Republican.

It was decided to take HF6 on the road because it is high profile. "How else are you

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## Marriage bill amended

A bill (HF6) that would allow state voters to decide, through a constitutional amendment, if marriage should be recognized as a union only between a man and a woman took on a new look in the House Ways and Means Committee March 22.

Rep. Dan Severson (R-Sauk Rapids), the bill's sponsor, asked the committee to approve his amended version, which tightens up language addressing the "legal equivalent to marriage." It did, sending the bill to the House Rules and Legislative Administration Committee.

The bill came before the committee to consider the fiscal impact to the state. According to the nonpartisan House Fiscal Analysis Department, the cost to the Office of the Secretary of State to put the question before voters would be about \$2,000. The statewide estimated cost to local governments for voters to consider the measure would be about \$122,000.

Several committee members were concerned that the new language stating that the "state and its political subdivisions shall not create or recognize a legal status similar to marriage," would bar benefits, as little as family memberships to the Minnesota Science Museum, which receives state funds, to as great as domestic partnership benefits such as those offered by the University of Minnesota.

Rep. Mindy Greiling (DFL-Roseville) unsuccessfully asked that the measure be sent back to the House Civil Law and Elections Committee, which approved the bill at a March 18 meeting in Grand Rapids, for language clarification. "It looks to me to be a pretty significant change," she said.

Severson said the amendment was not considered in Grand Rapids because it arrived in members' hands a "tad late." He said he was

able to get the amendment to at least two DFL committee members before the trip, and it was decided that bringing an amendment to an open forum could be confusing.

Severson said, "They had the opportunity to see the amendment ahead of time ... had they really desired to debate that issue, they had the opportunity."

Rep. Bill Hilty (DFL-Finlayson), a member of the House Civil Law and Elections Committee, took issue with Severson saying there was no opportunity to debate the amendment. "What you told the committee was that you were not offering the amendment. Why would the committee debate an amendment that the author said he was not offering?"

A companion bill (SF1691), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Judiciary Committee.

## Literal meets allegorical

### Painter places nod to Capitol stewards within lunette mural



The grand allegorical paintings throughout the Capitol lend symbolic meaning to the people, characteristics and events that influenced the young state.

One of the murals composed by Edwin H. Blashfield in the Senate Chamber shows an allegorical female figure, representing Minnesota, being crowned by two genii, or guardian spirits of Roman mythology. She is seated on sheaves of wheat atop a grain cart pulled by two white oxen. In front of the oxen, walks a child bearing a tablet with the inscription: *HÆC EST MINNESOTA GRANARIA MUNDI* (This is Minnesota, the granary of the world).

Gazing at the painting, from right to left, your eyes encounter heavenly creatures, the Spirit of Patriotism and the Spirit of Agriculture, and your mind deciphers allegory, allegory, allegory — wait, who are those two literal figures?

At the left edge of the canvas looking on are Capitol Architect Cass Gilbert and State Capitol Commission Vice President Channing Seabury.

Seabury's daughter, Edith Seabury Nye, described the artist Blashfield as "mild mannered, courteous and kindly" in a 1936 account of growing up surrounded by the Capitol construction.

According to Nye, "He was several times elected President of the American Academy of Arts, had a school of men working under him, and had painted many large canvasses for public buildings all over the country,

and yet he was so unaffected and modest that when he first showed us the 'Minnesota Enthroned' picture, he told us almost apologetically that he had put in it two small heads, portraits of Mr. Gilbert and my father.

"He said, 'You know the great European masters put the donors of the madonnas in, so I thought it would be all right.'"

(N. Wood)



PHOTO BY TOM OLMSCHIED

The inset reveals an up-close view of Cass Gilbert and Channing Seabury within the *Minnesota the Granary of the World* mural in the Senate Chamber.

## ★ AGRICULTURE

### Farm tax relief

The House Education Finance Committee heard three bills March 22 that would, in slightly different ways, relieve the property tax burden on agriculture land when voters approve referendums to raise money to build or improve school buildings.

Farms and cabins are already exempted from paying when schools pass referendums for operating expenses.

HF1412 is sponsored by Rep. Randy Demmer (R-Hayfield) and HF1413 and HF1414 are sponsored by Rep. Laura Brod (R-New Prague). Under all three bills, farmers would still pay taxes on their homes, garages and 1 acre of land but not on their other acreage.

"Right now one of the main interests in this is because it's difficult to pass bond referendums when it goes on farmland because farmers are paying so much an acre for that debt service," said Rep. Barb Sykora (R-Excelsior), the committee chair.

The committee passed all three bills to the House Taxes Committee without recommendation.

The committee also recommended that a joint task force take a look at the issue during the interim.

HF1412 has a companion bill (SF889), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), which awaits action in the Senate Finance Committee.

HF1413 has no Senate companion.

HF1414 has a companion bill (SF1324), sponsored by Sen. Thomas M. Neuville (R-Northfield), which awaits action in the Senate Finance Committee.

## ★ ARTS

### Capturing another artifact

The portrait of the man who designed the State Capitol would remain longer in the building, under a bill approved March 21 by a House committee.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls), HF1458 would require the Minnesota Historical Society to submit a request to the Smithsonian Institute Museum of American Art to keep the portraits of Cass Gilbert and his wife, Julia Finch Gilbert, on display in the current location when they are not publicly displayed elsewhere. The portraits are on loan

from the museum and displayed on the second floor of the Capitol.

The bill was approved by the House Governmental Operations and Veterans Affairs Committee and referred to the House floor.

The first version of the bill was drafted in conjunction with Sen. Cal Larson (R - Fergus Falls), sponsor of SF1446. He told Kahn, "We shouldn't give 'em back, we should just treat it like the Virginia flag and just keep it," she humorously told the committee.

The Confederate battle flag of the 28<sup>th</sup> Virginia Infantry Regiment, recently displayed in the Capitol, is in the possession of the historical society, which has rebuffed requests by Virginia state officials and a Civil War enactment group to return the flag. Kahn said future loans from the institute could be made difficult if the society were to capture the portraits as well, so she amended the bill for a "kinder" version.

"The reason we have the Virginia battle flag is because we fought a Civil War. We want to deal with these paintings with a little less blood shed," said Patrick McCormack, deputy director for interpretive programs for the historical society. "Our preference would be to hold the legislation over," so the society can negotiate without the formal legislative request, he added.

The Senate bill awaits action by the Senate State and Local Government Operations Committee.

## ★ BONDING

### Some progress on bonding bill

A week that began with cantankerousness ended with civility, but no agreement by the Capital Investment Conference Committee.

Conferees appear to have agreed on about \$880 million in general obligation bonds, but what comprises that total is under consideration. The original bills (SF1 and HF3) called for \$975.6 million and \$780.3 million, respectively.

"I'd say we're 90 or 94 percent of the way there," Rep. Dan Dorman (R-Albert Lea), the House sponsor, said after a March 23 meeting. "There are a few sticking points that are more of where you view your priorities, but I think we realized we're not that far apart."

Committee leaders are optimistic a deal can be finalized shortly after legislators return to St. Paul March 29, and expressed concern if one isn't.

"We've got to keep the pressure on. I'm afraid we'll lose steam and momentum if we don't," Dorman said. Another concern is missing a second straight construction season, after no bill was passed last year.

Easter was the second unofficial deadline that legislators missed after earlier predictions that a bill would be completed by the end of February. Dorman and Sen. Keith Langseth (DFL-Glyndon), the Senate sponsor, were



PHOTO BY TOM OLSCHIED

Holding up cutouts of a house during the March 23 meeting of the Capital Investment Conference Committee are, from left, Gordon Hebert, who is homeless, Kristin Titcombe of the Minnesota Coalition for the Homeless, Sheila Husemoller, who is homeless, and Phil Christman of Catholic Charities Volunteer Corporation at the Dorothy Day Center. The quartet was offering support for \$20 million in permanent supportive housing loans.

asked why the sides could not come to an agreement.

"Because not everyone agreed with me," said Langseth. "Because not everyone agreed with Sen. Langseth," said Dorman.

That light-heartedness was a far cry from earlier in the week, when members on both sides seemed less willing to work together.

When the sides met March 21, a Senate proposal of nearly \$951 million in general obligation bonding was rejected, as was an \$880.2 million House proposal. Rep. Denny McNamara (R-Hastings) pointed out that the House proposal was almost \$100 million more than its original plan, while the Senate went down just \$25 million from its original offer.

The Senate came back with an \$880.9 million offer one day later. The House countered with a \$880.7 million offer that included \$46 million less for higher education and, about \$6 million less for the Red Lake School District and flood mitigation, while increasing money for an expansion of the prison in Faribault, a nursing facility for sex offenders and the Minnesota Zoo. Langseth accused House conferees of trying to "sabotage" the bill with that proposal.

"If there was truly an effort to sabotage the bill, the document would look a lot different," Dorman said. He also said the proposal is approximately \$135 million more than the governor's proposal and that conferees need to be respectful of the governor and his veto power, while meeting the needs of Minnesotans.

"The problem isn't the 10 people here," Langseth said at the time. "The governor hasn't moved an inch. We should have come up with a decent plan and let the governor veto. Other people won't let us get the job done."

## ★ BUSINESS

### Growing small businesses

Small businesses could get a financial boost to help implement technology and business improvements, under a bill sponsored by Rep. Connie Ruth (R-Owatonna).

HF1831 would establish the Small Business Growth Acceleration Program under Minnesota Technology, Inc. The program would assist manufacturing and manufacturing-related companies that employ fewer than 50 employees by helping them improve business and implement technology.

The program would receive \$1 million in each of the fiscal years 2006 and 2007. Program funds for a particular project would be capped at \$25,000 during a calendar year.

Minnesota Technology, Inc. would be required to report to the Legislature on the

actual financial impact of the funds awarded to companies.

The House Commerce and Financial Institutions Committee approved the bill March 22 and referred it to the House Jobs and Economic Opportunity Policy and Finance Committee.

A companion bill (SF1886), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ CONSUMERS

### Omnibus liquor bill

Significant changes in policy are proposed in the omnibus liquor bill approved by the House Regulated Industries Committee March 22. It now heads to the House floor.

Rep. Joe Hoppe (R-Chaska) is sponsoring HF605, which would provide for a statewide 10 p.m. closing time for off-sale liquor and move, from noon to 10 a.m., the time on Sundays when alcohol, including 3.2 beer, could be sold.

The bill would also exempt brewpubs from the requirement to use only Minnesota-produced wort (unfermented beer) if their total sales of off-sale beer in any 12-month period do not exceed 10 percent of total beer production on the premises or 100 barrels, whichever is less.

Other provisions in the bill would allow for the issuance of liquor licenses, including:

- Minneapolis for the Guthrie Theater;
- Anoka for the Main Street Stage;
- Elko for Elko Speedway;
- Caledonia for the Four Seasons Community Center;
- Duluth for Enger Park Golf Course;
- Eden Prairie for the city center;
- Mankato for the Midwest Wireless Civic Center; and
- Mille Lacs for an exclusive liquor store in Eastside Township.

A companion bill (SF664), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), may become part of a Senate omnibus liquor bill.

## ★ CRIME

### Data sharing

Law enforcement officials could more easily share case information through a statewide data system proposed in HF1810, sponsored by Rep. Mary Liz Holberg (R-Lakeville).

The bill calls for the creation of statewide data system, the Comprehensive Incident-Based Reporting System, which would be operated by the Bureau of Criminal Apprehension and the Department of Public Safety. The information would be made available only to

law enforcement agencies for use in criminal investigations and for background investigations required by state statute. Holberg said the system could be running by fall.

"I can't stress how important this is," Bloomington Police Chief John Laux told the House Civil Law and Elections Committee March 21. "If we can't share information on criminal investigations, we are literally working with one hand tied behind our back."

The bill addresses the data privacy issues that need to be worked out. "As you know, unless we classify otherwise, all information collected by the state is public," Holberg said.

System information would be classified as confidential for 10 days unless it was important to an active investigation, then that classification could be held for up to 120 days. The reporting agency could ask to have it extended.

Access to the information could only be achieved through certification from the BCA. Subjects of the data would have access to their data through a participating law enforcement agency or the BCA.

Rich Neumeister, a citizen advocate for data privacy issues, said that while he has been working with the bill's sponsor, he is still concerned about "how long some of the data will be retained."

The bill was approved and now moves to the House Public Safety Policy and Finance Committee.

A companion bill (SF1833), sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), awaits action in the Senate Judiciary Committee.

### Legal scalping

Scalping tickets would no longer be a crime, under HF1854, sponsored by Rep. Phyllis Kahn (DFL-Mpls). Current state law, dating back to 1913, prohibits the reselling of tickets at inflated prices.

Kahn said she first became interested in the issue when the Minnesota Twins were in the 1987 World Series and scalpers were selling tickets for \$400 to \$500. Recent events in the news brought it to mind again.

Back in 1987, Kahn saw what she considered to be "an obscene diversion of the Minneapolis police force to go after ticket scalpers," she told the House Public Safety Policy and Finance Committee March 22. During the four days of the series, 15 officers made 30 arrests for scalping. These were not simple arrests since they involved undercover work by officers, she said.

She called the current law an "unwarranted government interference with a free market system of resource allocation." Scalping is a voluntary activity. The buyer values a ticket more than the money it costs; the seller values

the money more than the ticket he has.

If scalping was legal, scalpers could be required to register with the state, declare their income and pay taxes, she said. Consumers could also be protected from counterfeit tickets.

Minnesota is losing business to states where scalping is currently legal, including California, Texas, New York and Wisconsin, she said.

If the committee wasn't comfortable with repealing the scalping prohibition, Kahn said she would agree to it being a petty misdemeanor, instead of the current misdemeanor.

The committee will consider the bill for possible inclusion in its omnibus bill.

There is no Senate companion.



The Minnesota Financial Crimes Task Force could see its funding continued through HF1568, sponsored by Rep. Doug Meslow. For more information go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ EDUCATION

### Sharing administrators

Smaller school districts thinking about merging with other districts to save money but don't want to lose their own identity could have an alternative choice, under HF1454, sponsored by Rep. Rob Eastlund (R-Isanti).

"This bill helps school districts gain efficiencies by pooling resources to purchase administrative services," Eastlund told the House Education Policy and Reform Committee March 17. School districts could save money by combining administrative functions while maintaining local control.

There are no geographic restrictions or requirements for student numbers. "Simply, if districts can get together and demonstrate they can create efficiencies, and they want to enter this kind of agreement, they can do it with the approval of the commissioner [of education]," said Eastlund.

The bill would allow school districts to save money on administrative costs and "free up money for classroom teachers," said Rep. Bud Heidgerken (R-Freeport).

Districts would have a two-year transition period before coming together under one administrative head.

Each administrative district would have a board with representatives from all districts involved.

Levy authority would be provided only to fund start-up costs for the first three years.

The committee approved the bill and referred it to the House Education Finance Committee.

A companion bill (SF1436), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action in the Senate Education Committee.

### Revamped computers for schools

The nonprofit Minnesota Computers for Schools would be added to the list of organizations able to acquire surplus state property, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 21.

HF1922, sponsored by Rep. Mike Charron (R-Woodbury), adds the organization to others able to receive surplus property, such as an Indian tribal government, any nonprofit and tax-exempt medical institution, hospital, clinic, health center, school, school system, college and university. The bill also says the commissioner of administration "may transfer state surplus computers," to the nonprofit for "refurbishing and distribution to any school, school system, college or university in Minnesota."

Inmates at the Stillwater correctional facility are trained to refurbish these computers and then the computers are made available to schools. In a later interview, Charron said the purpose of the bill is to make sure they have "crossed all the T's and dotted all the I's," in providing less costly computers to schools.

The Minnesota Computers for Schools Web site states the organization, "refurbishes donated computers and provides them to schools

at a minimal charge, a high quality alternative to purchasing new systems."

There was no opposition and the bill next goes to the House floor.

A Senate companion (SF1768), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate State and Local Government Operations Committee.

### An apple a day

Fresh fruits and vegetables, lowfat milk and whole grains are being added to some school lunches to make them healthier. Unfortunately, those good foods cost more than what is traditionally served in schools.

"HF1747 basically would allow schools to make choices for more healthy, wholesome lunches," Rep. Randy Demmer (R-Hayfield), the bill's sponsor, told the House Education Finance Committee March 21.

Under the bill, if school districts choose to become involved, they would receive an additional 10 cents per meal for each meal that exceeds federal nutrition standards and promotes healthier food choices.

A qualifying meal would include: at least three different fruits and vegetables (including one that is fresh), at least one whole grain item at least three days a week, healthier a la carte choices and reduced fat milk. A district would be required to do an annual evaluation of its school lunch program to receive the additional aid. The state cost is estimated to be about \$10 million.



PHOTO BY TOM OLMSCHIED

During her presentation for additional funding for school lunches, Polly Podpeskar, left, food services director for the Grand Rapids School District, tells the House Education Finance Committee that the milk container on the left appeals more to children than the traditional milk carton. Sherri Knutson, right, student nutrition services coordinator for Rochester Public Schools, also testified on the bill.

"It is clear we need to start teaching children better eating habits. School nutrition programs want and need to be part of the solution. We ask you to help us do that," said Polly Podpeskar, food services director for the Grand Rapids School District, who also discussed rising health problems for children because of obesity and diabetes.

She said about 55 percent of funding for school meals comes from payments from families. The federal government funds about 40 percent and the state funds about 5 percent.

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1403), sponsored by Sen. LeRoy A. Stumpf (DFL-Plummer), awaits action in the Senate Finance Committee.

### Religious meals

If more than 20 percent of students receive special meals based on their religious beliefs, then their school could join a two-year pilot project and receive additional money for the cost of those meals, under HF864.

The bill is directed at a problem that more Minnesota schools are experiencing as their students come from more diverse backgrounds, the bill's sponsor, Rep. Ron Abrams (R-Minnetonka), told the House Education Finance Committee March 21.

"As our population gets more diverse, and as more and more people have special dietary requirements, the current program for school breakfasts and lunches doesn't recognize the difference in costs to provide special dietary needs of students," said Abrams. People of many religions have dietary restrictions, including Catholics, Jews, Muslims and Hindus, he said.

Most of the money for school meals comes from federal funds and commodities, but the state also contributes 8 cents for each school lunch served and 9 cents for each half pint of milk for kindergarten students. In addition, the state also pays 30 cents for meals for children whose family income qualifies them for reduced price meals and 55 cents for those who qualify for free meals.

The pilot project would be open to public, charter and private schools because they all currently receive state money for meals. The bill appropriates \$60,000 each year from the state's general fund to pay for the project.

"With freedom of religion comes the responsibility for believers to pay for the religion of their choice," said August Berkshire, public relations representative for the Minnesota Atheists. "It's not the government's duty or option to subsidize religious practices." He considers the bill to be unconstitutional for several reasons.

The precedent is already set, according to

Abrams, because specialized religious meals are provided with state money to nursing home residents and inmates of state prisons.

The committee will consider the bill for possible inclusion in its omnibus bill.

A companion bill (SF763), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Finance Committee.

### Increasing school rigor

Reforms designed to increase academic rigor and better prepare students for further education after high school are included in HF1719, according to Rep. Karen Klinzing (R-Woodbury), the bill's sponsor.

Under the proposal, heard in the House Education Policy and Reform Committee March 23, the Minnesota Basic Skills Test, first given to students in eighth grade, would be eliminated as a graduation requirement. Instead Minnesota Comprehensive Assessments would become the "high stakes" tests required for graduation. Current seventh-graders would be the first class to graduate under the new requirements.

School districts would also have the option to participate in a new program, Education Planning and Assessment System, offered through ACT, Inc., best known for its college entrance exams. The program would help students gauge if they're on track and taking the classes they need to prepare for post-secondary schooling. Students in eighth and 10th grades could take Pre-ACT tests, called Explore tests, with the test costs paid by the state.

As an incentive for high school students to take more academically challenging Advanced Placement (AP) and International Baccalaureate (IB) courses, the state would subsidize the costs of the exams for low-income students. Any money left over from the appropriation would be used to pay all or part of the exam fees for other students.

School districts starting new AP or IB programs could be eligible for one-time state funds, available on a competitive basis.

A new program called the College Level Examination Program would allow high school students to demonstrate college level achievement and receive college credit or advanced standing.

An amendment by Rep. Jim Davnie (DFL-Mpls) successfully removed private schools from receiving state funds through provisions of the bill.

The committee approved the bill and referred it to the House Higher Education Finance Committee.

A companion bill (SF1855), sponsored by Sen. Geoff Michel (R-Edina), awaits action in the Senate Finance Committee.

## ★ EMPLOYMENT

### Displaced Homemaker Program

The 52-year-old Duluth woman got a call from her husband, telling her he couldn't be married to her anymore.

"All I ever wanted to be, all I knew anything about, was ended," said Kimberly Pilgrim, an assistant with the Displaced Homemaker Program in Brainerd. She was relating the story of the woman, who received the program's services.

Pilgrim said the woman was divorced and ended up homeless in an alley. She was soon put in touch with the program, which provides pre-employment training to people re-entering the labor market after having been homemakers.

Most of the clients are over age 50 and 98 percent are women.

After an assessment, the woman took some computer training, and now works as a network administrator, making \$15 an hour with a company in Duluth. Pilgrim said without the program, the woman might still be homeless.

Rep. Paul Gazelka (R-Brainerd) is sponsoring HF1536, which would provide \$1.5 million for the program. Gov. Tim Pawlenty's biennial budget proposal eliminates the program, but this bill would put it back by raising marriage and dissolution fees between \$10 and \$30.

The bill was heard March 23 in the House Jobs and Economic Opportunity Policy and Finance Committee and referred to the House Civil Law and Elections Committee.

A companion bill (SF1271), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action in the Senate Finance Committee.

### Job help for women, minorities

Two bills sponsored by Rep. Joe Mullery (DFL-Mpls) would help women and minorities into the workforce.

HF1829, heard in the House Commerce and Financial Institutions Committee March 22, would appropriate \$900,000 for grants to nonprofit organizations for programs that encourage women to enter nontraditional careers in trades and technical occupations. The appropriations would be available until June 30, 2007.

To qualify for a grant, an organization would need to provide outreach to women in schools, community organizations and existing employment and training programs or assist women through training, child-care, transportation assistance, job placement assistance and job retention support.

The bill would require all state-funded employment and training programs to include information about opportunities for women

in non-traditional careers.

Rep. Joyce Peppin (R-Rogers) opposed the bill, saying it's not an appropriate use of money.

HF1830 would require the Department of Employment and Economic Development commissioner to develop an initiative to promote employment opportunities for minorities in Minnesota, with a focus on African-Americans.

The initiative would be required to significantly expand job training and promote substantial wage increases to minorities. It would have to be implemented by Jan. 10, 2006.

Some committee members said the bill should benefit all minorities, including American Indians, and not just target African-Americans.

The committee approved both bills and referred them to the House Jobs and Economic Opportunity Policy and Finance Committee. Neither has a Senate companion.

### State employee retirement options

Executive branch state employees who voluntarily work on a limited basis would be able to contribute to their retirement fund as if they are a full-time employee, as well as receive fund contributions from the state, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 22.

HF1953, sponsored by Rep. Tony Cornish (R-Good Thunder), also includes a provision that allows for retired executive branch state employees to return to work on a reduced schedule, of at least 25 percent but not more than 1,044 hours (part-time), without penalty to their pensions.

"We're not looking at this as any kind of a cost containment, but we're looking more in the area of continuing to preserve the workforce that we think is vital in the continuation of our services," said Deputy Employee Relations Commissioner Paul Larson.

Larson expects an exodus of nearly 1,500 workers who will be eligible for retirement in the next five years. The bill gives the department an incentive to retain knowledge and expertise to "continue the quality services we provide," he added.

"This looks like we're trying to get to a part-time workforce," said Rep. Tim Mahoney (DFL-St. Paul). "Although you've put it into nice terms ... I don't think it works from the perspective of helping the state maintain a good and healthy workforce with some longevity," he added.

The bill next goes to the House floor.

A Senate companion (SF1845), sponsored by Sen. Cal Larson (R-Fergus Falls), awaits

action by the Senate State and Local Government Operations Committee.



A \$1 million proposal (HF984) would help the Minnesota Alliance of Boys and Girls Clubs fund a statewide job skills development program. For more information on the measure sponsored by Rep. Bob Gunther, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ENERGY



For information on a proposal (HF1964), sponsored by Rep. Neil W. Peterson, that would allow the state to purchase energy in bulk over two-year periods, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ENVIRONMENT

### Sales taxes for habitat and water

It was known as the "3/16-bill" at one time. Past versions have proposed raising the state sales tax rate or not, but all would have dedicated various percentages of state sales tax dollars to the environment. Parks and trails and zoos have been in and out of the mix. The Senate at one time expanded it to include the arts and humanities.

The latest version, HF1909, sponsored by Rep. Tom Hackbarth (R-Cedar), would propose the following constitutional amendment to voters in the 2006 general election:

"Shall the Minnesota Constitution be amended to provide funding beginning July 1, 2007, to provide hunter and angler access or improve, enhance, or protect game and fish habitat and to protect and restore the state's lakes, rivers, streams, wetlands, and groundwater by dedicating the sales and use tax receipts equal to the state sales and use tax of one-fourth of one percent on taxable sales?"

The House Environment and Natural Resources Committee approved the measure March 22. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

If voters were to approve the measure, Game and Fish Heritage and Clean Water funds would be created in the state treasury. An 18-member Clean Water Council would be created to recommend Clean Water Fund expenditures.

Rep. Rick Hansen (DFL-South St. Paul) unsuccessfully offered an amendment that would

have created a secretary of natural resources at the executive level of constitutional officers. He said it was an attempt to lend more transparency and accountability to the fund distribution.

"I'm uncomfortable with having appointed people appoint people to recommend the dollars," he said.

The bill is explicit that the revenue may not be used as a substitute for traditional sources of funding. Land acquired with Game and Fish Heritage Fund dollars must be open to public hunting and fishing during open seasons.

A companion bill (SF1721), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action in the Senate Environment and Natural Resources Committee.

### Minnesota River brims over

The Buffalo Ridge area in southwestern Minnesota has a unique topography that lends itself to recurrent flooding.

Nine counties in the area have worked together since 1978 to plan, design and install floodwater control projects. The group is formally organized as Area II Minnesota River Basin Projects, Inc.

HF279, sponsored by Rep. Doug Magnus (R-Slayton), would direct \$280,000 in fiscal years 2006-07 to the program for flood plain management, water retention and administration of the joint powers group.

The House Agriculture, Environment and Natural Resources Finance Committee reviewed the request March 23 and held the bill over for possible inclusion in its omnibus environmental finance package.

Area II encompasses the terrain draining into the Minnesota River, from Ortonville to Mankato, along the south side of the river.

This upland, known as Buffalo Ridge, creates elevation differences of up to 80 feet per mile in the Lac Qui Parle watershed and 50 feet per mile in the Redwood River watershed, explained Project Coordinator Kerry Netzke.

"Due to these very steep slopes, flooding becomes an annual horror for the people who live there and try to make their living from the land," she said.

Plus, they battle what she described as "crossover flooding." The waters flow in a northeasterly direction to the river and a southeasterly direction down the plateau.

In addition to the fate of HF279, the Area II group is awaiting the outcome of a House-Senate bonding bill conference committee. The latest proposals from each body contain \$500,000 in capital investment dollars for dam repair and road retention projects.

A companion bill (SF405), sponsored by Sen. Jim Vickerman (DFL-Tracy), has been laid over by the Environment, Agriculture



## GAZING GECKO



PHOTO BY ANDREW VONBANK

**DFL Legislative Assistant Laurie Nistl views a leopard gecko in the Capitol Rotunda March 22. Volunteers from the Minnesota Zoo displayed numerous animals in an effort to garner support for continued zoo funding.**

and Economic Development Budget Division of the Senate Finance Committee for possible inclusion in its omnibus finance bill.



For information on a bill (HF1747), sponsored by Rep. Jeanne Poppe, that would help some homeowners in her district solve their sewage dilemma, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## FAMILY



### Seeing adoption records

Gretchen Taylor, an adoptive mother and an adopted child, had been plagued by health problems throughout much of her life. She had a lung defect and decided against a transplant because she knew nothing about her family health history.

She tried to get information about her birth mother so she could find out about her health history, but ran up against a brick wall. Even-

tually, she found some relatives, and discovered there were several life-threatening health problems on both sides of her birth family.

She wants to spare other adopted people these problems, so she supports HF659, sponsored by Rep. Kathy Tingelstad (R-Andover).

The bill would give people adopted on or after Aug. 1, 2005, and who are at least 19 years old access to their original birth record upon request. Currently, that information is only available with a court order. With adoptions made after April 1, 1982, adopted people can get the information if the birth mother doesn't object.

Under the bill, birth mothers who want their record to remain confidential could do that.

Heard over two days in the House Jobs and Economic Opportunity Policy and Finance Committee, the bill was referred without recommendation to the House Civil Law and Elections Committee March 22.

Rep. Tim Mahoney (DFL-St. Paul) was concerned about breaking the promise of confidentiality to birth mothers. "Legislators 50 years ago gave their word. Fifty years from today, I don't want some wet-nosed legislator changing my word. All I have as a politician is my word. Every day when I go to work as a pipefitter, they tell me I'm a lying, cheating,

lowdown scum because I don't keep my word. I hope you understand how difficult it is (for us)," he said to those testifying for the bill.

A companion bill (SF1005), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action in the Senate Health and Family Security Committee.

## Family planning grant funds

A bill to limit the use and eligibility for family planning grant funds passed the House in the last biennium, but was never signed into law. This year it returns as HF227, sponsored by Rep. Greg Blaine (R-Little Falls).

The bill would prohibit using the funds to subsidize abortion services or administrative expenses. It would also prohibit organizations receiving the grant money from referring patients who seek abortions to a group that provides them.

Independent audits of organizations applying for the grants would be required to ensure they are in compliance with the bill.

The bill was amended to exclude medical education funds awarded to the University of Minnesota, Mayo Clinic and other clinical programs.

Andrea Rau, legislation associate for Minnesota Citizens Concerned for Life, told the House Health Policy and Finance Committee March 23 that the bill would stop tax money from being used to subsidize abortions.

"They will no longer receive your or my tax money to do their work," she said.

Speaking in opposition to the bill was 24-year-old St. Paul resident Kirsten Klevan. She said the bill would restrict options for women and restrict what doctors can say to their patients.

"Women have the right to be informed about all options related to their health," she said.

The committee took no action, but plans to take up the bill again next week.

A companion bill (SF330), sponsored by Sen. Betsy L. Wergin (R-Princeton), awaits action in the Senate Health and Family Security Committee.

## GAMBLING



### Omnibus policy gaming bill

Modifying lawful gambling, regulating lottery service businesses, exempting games that simulate horsing racing as games of chance and legalizing Texas hold'em tournaments comprise the House Regulated Industries Committee's omnibus policy gaming bill.

The committee approved the bill March 22 and referred it to the House State Government Finance Committee.

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



Rep. Tom Hackbarth (R-Cedar) is sponsoring HF1801, that would also repeal bingo hall licensing, increase from 55 percent to 60 percent the maximum percentage of gross profit that may be spent on expenses for gambling other than bingo, authorize electronic bingo devices, authorize sports-themed tipboards and increase from \$500 to \$599 the maximum tipboard prize.

Another provision would regulate lottery service businesses, which are businesses that purchase lottery tickets for customers for a fee or commission. The businesses would be required to have registrations, disclose costs and give unclaimed prizes to the commissioner of public safety for deposit in the General Fund. The bill would also prohibit the businesses from accepting credit cards.

Video games or devices that simulate horse racing would not be considered a video game of chance, under the bill. This means playing the game would not be gambling.

The final section of the bill would add Texas hold'em to the list of games permitted in tournaments or contests under state law. Prizes for the game could not exceed \$200. Tournament organizers must make reasonable accommodations for players with physical disabilities. Accommodations would include announcing the cards visible to the entire table and the use

of Braille cards.

Sen. Ann H. Rest (DFL-New Hope) is sponsoring the companion bill (SF1555). It was passed by one committee and awaits action in the Senate Finance Committee.

### Omnibus technical gaming bill

A bill that would establish a State Lottery Board and give the Minnesota Racing Commission more oversight of the card club at Canterbury Park was approved by the House Regulated Industries Committee March 22 and referred to House Governmental Operations and Veterans Affairs Committee.

Rep. Andrew "Andy" Westerberg (R-Blaine) sponsored HF514, which is the committee's omnibus technical gaming bill. The bill would create a lottery board, as recommended by the Lottery Organization Task Force. The board would consist of seven members appointed by the governor with the consent of the Senate.

Board members would serve three-year terms, although some initial members would only serve one or two years. The board would be responsible for reviewing lottery performance and operations and making recommendations to the director regarding operations, maximizing proceeds and assuring public confidence in the lottery.

Board responsibilities would include reviewing the lottery's annual budget, reviewing proposed rules, conducting annual performance reviews of the director and reviewing finances.

The bill would also require the racing commission to hire a director of card clubs for Canterbury Park. The director would be responsible for making the commission more directly involved in the oversight of card club activities.

A companion bill (SF406), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action by the full Senate.

### At a bar near you

Gambling could spread across the state, under a bill sponsored by Rep. Tom Rukavina (DFL-Virginia) that would permit up to five video lottery terminals in bars where lawful gambling, such as pull-tabs, already occurs.

Net revenues from the terminals would be taxed at 30 percent. Retailers would receive a commission equal to 33 percent of the net income in their establishments, 31 percent of which would be distributed to organizations conducting the lawful gambling.

Revenue would also be transferred to the state lottery and a compulsive gambling trust account. The remaining revenue would be split the same way as other lottery proceeds:

60 percent to the General Fund and 40 percent to the Environmental Trust Fund.

The proposal (HF1042) would not require a state investment, Rukavina told the Gaming Division of the House Regulated Industries Committee March 16, which took no action. A companion bill (SF964), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

"That's the good thing about this bill," Rukavina said. "There's no capital investment to get it up and running."

Colin Minehart, past president of the Minnesota Licensed Beverage Association, said 7,000 establishments and the state could reap the benefits, which could include new jobs and higher salaries for bar employees.

## ★ GAME & FISH

### Whooo's protected?

When Alice the great horned owl fell out of a 60-foot pine tree, she landed in a hazy area between state and federal protection status.

HF419, sponsored by Rep. Ray Cox (R-Northfield), would remove the great horned owl from the state's unprotected bird list. It aims to clarify the protected status of great horned owls in Minnesota.

Alice and her handler, Houston Nature Center Naturalist Karla Kinstler, appeared before the House Environment and Natural Resources Committee March 17 in support of the bill.

Unable to survive in the wild because of a broken wing sustained in the fall, Alice is a "human imprint," Kinstler said. "If she knew she was an owl, she would not be comfortable doing this."

Kinstler explained that there is confusion, even among state conservation officers, over the classification of great horned owls in Minnesota. Great horned owls appear on Minnesota's unprotected birds list, along with sparrows, blackbirds and pigeons. They are, however, protected under the federal Migratory Bird Treaty Act.

The confusion came home to roost during a flap over construction of a city-funded nature center in Houston.

Because Alice was a symbol of the center, some opponents were threatening to shoot her, Kinstler said. When she approached a local state conservation officer, he told her he had no jurisdiction over the matter because the great horned owl is on the unprotected birds list.

The committee approved the measure and sent it to the House floor. A companion bill (SF628), sponsored by Sen. Thomas M. Neuville



PHOTO BY ANDREW VONBANK

George Googleye Jr., left, from the Leech Lake Band of Ojibwe, and Erma Vizenor, right, of the White Earth Band of Chippewa, testify March 18 before the Gaming Division of the House Regulated Industries Committee in support of a bill that would provide for the operation of lottery gaming machines and the conduct of lottery games at a gaming facility.



PHOTO BY ANDREW VONBANK

**Karla Kinstler, a naturalist from the Houston Nature Center, gives members of the House Environment and Natural Resources Committee an up-close look at Alice, a great horned owl. One of the bills heard at the March 17 meeting would modify the protection status of the great horned owl.**

(R-Northfield), awaits action in the Senate Environment and Natural Resources Committee.

## GOVERNMENT



For information on a bill (HF658), sponsored by Rep. Marty Seifert, that would let state agencies purchase used goods, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## HEALTH



### Governor's budget bill

The governor's comprehensive health and human services budget bill was held over by the House Health Policy and Finance Committee for possible inclusion in its omnibus bill.

More than 30 people testified March 16-17 concerning HF1422, including some who oppose the proposed change in MinnesotaCare eligibility, which could cause more than 22,000 people to lose health care coverage. Critics of the proposal said the patients would end up seeking care in emergency rooms, driving up health care costs.

"Losing health care coverage will cause significant hardship for many working Minnesotans who do not have health insurance available through their employer or who suffer from chronic illnesses," said Kathy McDonough, attorney for Legal Services Advocacy Project. "Health care needs don't just go away because

a person doesn't have health insurance."

Dr. Mary Braddock, director of child health policy for Children's Hospitals and Clinics of Minnesota, objected to the proposed payment reductions to hospitals for patients on Medical Assistance, Medicaid, GAMC and MinnesotaCare.

"Hospital payments represent 3 percent of state spending, yet we are hit with 23 percent of the proposed cuts," she said.

"The bottom line is that none of us want to have to make difficult choices," said Rep. Fran Bradley (R-Rochester), the committee chair and bill sponsor. "In the end, we have to balance the checkbook."

Bradley encouraged committee members and testifiers to submit ideas for saving money while still providing quality care.

Cynthia Tregilgas, director of Minnesota's chapter of the National Organization of Circumcision Information and Resource Center, said defunding unnecessary infant circumcisions could save the state millions of dollars each year.

"Based on data I received from the Minnesota Department of Human Services, in 2002 alone, Medical Assistance paid over \$1 million for this unnecessary cosmetic surgery," Tregilgas said, noting the figure did not include indirect costs, such as complications and increased hospital stays, which would increase the amount eightfold.

A companion bill (SF1313), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action by the Senate Health and Family Security Committee.

## Legislator options

Legislators would have a unique health care benefit; they could opt in and out of the state health plan as many times as they like as long as it's during the open enrollment period, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 23.

HF913, sponsored by Rep. Michael Beard (R-Shakopee), initially was heard in the committee Feb. 22, but was laid over for changes. One of those included restricting the ability for legislators to opt in and out of the health care plan at any time, which currently is a benefit. An amendment by Beard changed it to during open enrollment periods only.

Elizabeth Houlding, director of the Insurance Division of the Department of Employee Relations, previously said that without the limit, "premiums skyrocket ... and those costs are spread across a smaller group."

Rep. Tim Mahoney (DFL-St. Paul) said he researched whether legislators were actually doing what she described, and "not one has been found."

"We do have records that have been ... reviewed by the commissioner that indicate that we have, as I think I testified, three or four individuals that have come and gone from the program," Houlding responded.

Under the bill, the department would also be required to offer an alternative to the current more costly health plan to state retirees. Many are finding the continual yearly increase in premiums too costly to afford and requested the state offer a choice of plans.

The bill next goes to the House State Government Finance Committee.

A companion bill (SF1390), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action in the Senate State and Local Government Operations Committee.

## No smoking

If you're receiving Medical Assistance or help from the Minnesota Family Investment Program, Rep. Marty Seifert (R-Marshall) believes you should not be smoking.

HF955 asks that those who smoke and receive assistance enroll in a tobacco cessation program or face an increase in co-payments. Heard March 17 by the House Jobs and Economic Opportunity Policy and Finance Committee, it was held over for possible inclusion in the committee's omnibus bill.

Seifert said he was amenable to talking about changes with members, or even using it as a pilot project in one or two counties. The bill relies on the honesty of the recipients when they complete their application, and does not provide for testing.

"This is a bill that simply does what a lot of people feel is common sense," Seifert said. "Does it make sense that we're paying for something that's detrimental to people's welfare? If you've got money for cigarettes there is money lying around somewhere in your discretionary income."

"I don't think anybody who smokes wants to. I think it's an addiction. I think in the long run, prevention will help," Seifert said.

Linden Gawboy, a member of the Welfare Rights Committee, spoke against the bill. She said if Seifert was going to go after poor people who smoke, he should also go after everyone who smokes, including department heads, veterans and police officers.

A companion bill (SF947), sponsored by Sen. Chris Gerlach (R-Apple Valley), awaits action in the Senate Health and Family Security Committee.

### **"Unborn Child Pain Prevention Act"**

Before an abortion could be "performed on an unborn child who is 20 weeks gestational age or more," under a bill sponsored by Rep. Mary Ellen Otremba (DFL-Long Prairie), the physician or physician's agent would need to inform the woman if an anesthetic would eliminate or alleviate pain to the unborn child caused by an abortion.

HF235, the so-called "Unborn Child Pain Prevention Act," would also require the physician or agent to inform the woman of risks associated with the anesthetic. With the woman's consent, the physician could then administer the anesthetic.

The House Health Policy and Finance Committee held the bill over March 23 for possible inclusion in its omnibus bill, with some DFL members voting against it. A companion bill (SF331), sponsored by Sen. Michelle L. Fischbach (R-Paynesville), awaits action by the Senate Health and Family Security Committee.

Otremba's bill would impose criminal penalties on doctors for not informing women about the anesthetic. The violation could result in felony charges. The penalty would not apply to the woman having the abortion.

Rep. Paul Thissen (DFL-Mpls) unsuccessfully offered an amendment to reduce the charge to a misdemeanor.

Under the bill, civil damages could be sought by a woman who had an abortion, or the father or grandparents of the unborn child, against a person who knowingly or recklessly performed an abortion without providing the anesthetic information.

David A. Renner, director of state and federal legislation with the Minnesota Medical Association, said he opposes legislation that requires informed patient consent because

science and the needs of patients change, which could invalidate the information in the consent requirement.

He also opposed the provision that felony charges could be brought against doctors.

## **HIGHER EDUCATION**



### **Funding programs**

Administrators for the Program in Occupational Therapy at the University of Minnesota were directed last September to stop recruiting students for the fall 2005 class.

"Although no formal action has been taken to discontinue the program, blocking student admissions effectively blocks the program's existence," said Program Director Peggy Martin. Twenty-five students graduate with a Master of Science degree each year.

Sponsored by Rep. Margaret Anderson Keliher (DFL-Mpls), HF629 would appropriate an unspecified amount of money for the program and the medical technology program at the university. She is willing to work with all parties to determine a necessary dollar amount.

"This is a question of resources. It gets to the heart of the matter about what sort of university we're going to have when we're put in the devil's dilemma of which programs to continue and which programs to stop when there's a need for these professionals in our state."

The House Higher Education Finance Committee held the bill over March 21 for possible inclusion in its omnibus bill.

The university has the oldest baccalaureate medical technology program in the country, according to Karen Karni, the program director from 1984-2000. However, the program, which had 10 faculty members in 1985, now has two tenured and one non-tenured faculty members. Once open, the positions have been turned into medical school faculty positions, she said.

"The present model is not sustainable. One reason is a decrease in state funding. The current model that exists in the Academic Health Center cannot, and will not, provide the capacity that is required for the workforce in these two areas going forward. We don't have the faculty or the facilities," said Frank Cerra, senior vice-president for health sciences. The path now being pursued is partnerships, such as a nursing program expansion with the Mayo Clinic and the Minnesota State Colleges and Universities system.

A Senate companion (SF411), sponsored by Sen. John Marty (DFL-Roseville), is under consideration for placement in the Senate higher education finance bill.



For information on a bill (HF602), sponsored by Rep. Lyndon Carlson, that would keep \$35 million of unused funding in higher education, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## **HUMAN SERVICES**



For information on a bill (HF1569), sponsored by Rep. Tony Sertich, that would appropriate funds for Community Action Councils in Minnesota, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## **HUMANITIES**



### **Dignity for the dead**

A cemetery located at Cambridge State Hospital would be renamed the Garden of Remembrance, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 21.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF1820 now goes to the House floor.

One of about 15 state cemeteries that are often neglected and in out-of-the-way locations, the people buried at the Cambridge location primarily had developmental disabilities or mental illnesses. Their gravesites once had no identification or had numbered markers, said Jim Fassett-Carman, community organizer with Remembering With Dignity.

"We do not shun people with disabilities in society. Making state cemeteries respectable, accessible places, regularly maintained, marked with people's names is what we hope to accomplish at state cemeteries around Minnesota," he added.

Remembering with Dignity worked with the Department of Human Services, the National Alliance for the Mentally Ill, the Minnesota Extended Treatment Options program in Cambridge, and churches in the area to place named grave markers in the Cambridge cemetery. The group works to honor those who have lived and died in state institutions.

A Senate companion (SF1868), sponsored by Sen. Sean R. Nienow (R-Cambridge), awaits action in the Senate Health and Family Security Committee.

## ★ INSURANCE



For information on a bill (HF1669), sponsored by Rep. Tim Wilkin, that would make it easier for insurance companies to offer new products or change rates more quickly, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ MILITARY

### Soldiers suspend care

Active duty soldiers and their dependents would be able to suspend enrollment in the state's health care program, MinnesotaCare, under a bill approved by the House Governmental Operations and Veterans Affairs Committee March 21.

HF1761, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow for the suspension of care, as well as premium payments, without having to reapply upon their return. Currently a lapse in coverage results in a four-month waiting period before being eligible to reapply.

Before he was deployed Michael W. Vogt, specialist in the Minnesota National Guard, said he contacted MinnesotaCare to suspend his care, but the person who helped him said there wasn't a process for suspension. He remained on the plan and paid the premium even though he was covered under military health care, which created a convoluted set of issues once he was injured overseas.

Vogt also said his premiums increased upon his return from Kosovo due to his combat pay allowance. Under the bill, an enrollee's gross income prior to active service or while in active service, but only counting the base military pay, can be used to calculate the premium. Previously all military pay, including combat pay allowance, was considered in setting premiums per an enrollee's income.

There was no opposition and the bill next goes to the House floor. A companion bill (SF1726), sponsored by Sen. Gary W. Kubly (DFL-Granite Falls), awaits action in the Senate Health and Family Security Committee.

## ★ RECREATION

### Shooting ranges

Shooting range owners and local units of government have reached an accord on an issue that stalled at the Legislature in 2003 and 2004: how to protect shooting ranges from encroaching developments without unnecessarily restricting local planning and zoning authorities.

Representatives from both groups appeared together March 22 before the House Environment and Natural Resources Committee in support of HF2006, sponsored by Rep. Tom Hackbarth (R-Cedar).

The committee approved the bill and sent it to the House Governmental Operations and Veterans Affairs Committee. There is no Senate companion.

David Gross, an attorney speaking on behalf of Faribault Rifle and Pistol Club and the Gopher Rifle and Revolver Club, described the troubles a Harris, Minn., shooting range is facing under so-called urban sprawl.

"When we built that range in 1971 it was a farming community," he said. "Now it's a bedroom community."

The bill would set noise standards and direct the Department of Natural Resources to develop performance standards for shooting ranges. It would protect those ranges that comply with the guidelines from nuisance lawsuits.

Under the bill, any development or structure approved after Oct. 1, 2005, within 750 feet of a shooting range's property line would not be allowed if that development would cause the range to fall out of compliance with the performance standards.

Furthermore, a shooting range operating in full compliance could not be permanently closed unless a range activity is determined to be "a clear and immediate safety hazard."

Rep. Jean Wagenius (DFL-Mpls) questioned whether that wording would create "an impossible standard to meet" if someone were to bring forward a safety concern.

### Pay more to play

Cross-country skiers who venture onto Minnesota's public trails might have a little less money for wax and gear next year, under HF1518, sponsored by Rep. Larry Howes (R-Walker).

They might be spending that money on increased ski pass fees.

But a statewide ski organization is not complaining because they say the additional dollars would improve the condition of the trails.

The House Agriculture, Environment and Natural Resources Finance Committee reviewed the proposal March 23 and laid it over for possible inclusion in its omnibus environmental finance package.

Currently, skiers 16 years and older must purchase a pass from the Department of Natural Resources to ski Minnesota's public trails.

Ski pass fees support the department's cross-country ski trail grant-in-aid program.

Under the program, local units of government and clubs are eligible for some reimbursement for their efforts to develop, groom and maintain ski trails across the state.

Last year the department sold 25,000 daily passes; 11,500 annual passes; and 2,200 three-year passes, according to Tom Danger, program manager for the department's Trails and Waterways Division.

Under the bill, the fee structure would be modified in the following increments:

- Daily passes would increase from \$2 to \$4,
- Annual passes would go from \$9 to \$14, and
- Three-year passes would be adjusted from \$24 to \$39.

The current fees raise \$210,000 annually and the increases would net an additional \$140,000, Danger said.

A companion bill (SF703), sponsored by Sen. Carrie L. Ruud (R-Breezy Point), awaits action in the Environment, Agriculture and Economic Development Budget Division of the Senate Finance Committee.

## ★ SAFETY



HF1881, sponsored by Rep. Duke Powell, would provide for Indian tribes to hold a license to operate an ambulance service.

HF121, sponsored by Rep. Steve Smith, would offer reimbursement to police officers purchasing their own bulletproof vests. For more information on these two bills, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ TAXES

### Ticket exemption

When you go to an artistic event at the University of Minnesota, you don't have to pay sales tax on the ticket.

However, when you go to an arts event a state university or private, nonprofit college or university, you do pay the sales tax on the ticket.

Rep. Bob Gunther (R-Fairmont) doesn't think that's right, so he is sponsoring HF406, which would expand the sales tax exemption to arts events at those other institutions. That exemption would be good as long as the event was sponsored by a nonprofit organization. The University of Minnesota has had that exemption since 1998.

The bill was heard March 22 by the House Taxes Committee and held over for possible inclusion in the committee's omnibus bill.

In order to qualify, admission receipts must be recorded on the books of the sponsoring organization, and the sponsoring organization must receive at least 5 percent of its annual revenue from voluntary contributions. The actual beneficiary of the bill is the Minnesota State Colleges and Universities system. The impact in fiscal year 2006 is expected to be \$68,000, then \$69,000 in fiscal 2007.

Gunther said, "This is (usually) a theatrical performance by students to help organizations at the college. They're going to help defray some expenses and the withholding of sales tax is appropriate."

A companion bill (SF1576), sponsored by Sen. John C. Hottinger (DFL-St. Peter), awaits action in the Senate Taxes Committee.

### Income-based property tax

Property values are increasing so rapidly that, for some, the tax bill that goes along with the higher valuation is surpassing their income.

Rep. Ray Vandever (R-Forest Lake) is the sponsor of HF992, which provides that household income be the basis for determining property taxes, rather than market value. The bill was heard by the Property and Local Tax Division of the House Taxes Committee March 17 and held over for possible consideration in the division report. It has no Senate companion.

Under the bill, a homeowner's property tax liability would be 1.5 percent of household income, multiplied by the tax rate set by the local government.

Property taxes would be computed and collected by the Department of Revenue, rather than the counties. The impact on the General Fund, according to a department analysis, would be \$54.7 million in fiscal year 2007, \$36.9 million in fiscal year 2008 and \$27.6 million in fiscal year 2009. The bill applies only to homestead properties.

"Changes will be highly visible to taxpayers, and therefore provide greater discussion," said Marlowe Hamerston, chairman of the Property Tax Committee of the Minnesota Senior Federation. "There is no relation between the market value of the property and the property owner's ability to pay the tax. A 50-foot lot doesn't earn income nor does it equate to wealth."

Rep. Ann Lenczewski (DFL-Bloomington) did not completely concur. "I think there is some relationship between the income and the house people live in. There aren't many people in poverty who live in a multi-million dollar home," she said.

Vandever pointed out, "We do have a problem that we haven't gotten to the bottom of yet."

### TIF districts considered

Tax increment financing is still a popular way to encourage development, and representatives from four Minnesota cities pleaded their case March 23 before the Property and Local Tax Division of the House Taxes Committee.

All but one request was held over for possible inclusion in the division's report to the committee.

Property taxes normally go to a city's general fund. Under tax increment financing, a city rezones an area to encourage development. Property taxes created by the new development in that area pay for infrastructure, such as roads and sewers.

HF133, sponsored by Rep. Randy Demmer (R-Hayfield) would allow the cities of Elgin, Eyota, Byron and Oronoco, all with populations of less than 5,000, to qualify for a TIF district. Eyota city officials said potential developers lose interest when they discover there are no districts in the city. Ordinarily, cities with a population of less than 5,000 that are located within 10 miles of a city with a population of 10,000 or more may not qualify for a district.

A companion bill (SF183), sponsored by Rep. Sheila M. Kiscaden (IP-Rochester), awaits action in the Senate Taxes Committee.

HF176, sponsored by Rep. Jerry Dempsey (R-Red Wing), asks to extend the duration of a tax increment financing district in Wabasha for five years. A hotel and an eagle center are being built in the district, and they need more time to finish the \$13 million project. A total of \$10 million is coming from the hotel's developer.

A companion bill (SF231), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Taxes Committee.

HF825, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would add three years to Brooklyn Center's district while the city is trying to redevelop the Brookdale shopping center area.

A companion bill (SF854), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action in the Senate Taxes Committee.

A fourth bill, HF726/SF699\*, sponsored by Rep. Connie Bernardy (DFL-Fridley) and Sen. Don Betzold (DFL-Fridley), would allow the city of Mounds View to establish multiple redevelopment districts. The bill, approved 62-0 Feb. 24 by the Senate, was tabled by the division due to time constraints.

## TRANSPORTATION



### Driving tests

Minnesotans that have problems following the rules of the road might find they have to take the written portion of the driving exam or even the road test if they want to keep their driving privileges.

Sponsored by Rep. Ray Cox (R-Northfield), HF1701 was heard March 22 by the House Transportation Committee and referred to the House Transportation Finance Committee.

Warning letters now go out to drivers if they've been convicted of two misdemeanors or three moving violations in a two-year period. The letter states if it happens again, the license will be suspended, said Joan Kopcinski, central office coordinator for the Department of Public Safety.

"It's telling you it's time to clean up your act because we're going to take action at the next violation," she said.

Under the bill, those drivers would have to take the written test again when they renew their license. Those who get their license suspended are called habitual violators, and they would have to take their road test again.

Rep. Paul Gazelka (R-Brainerd), who works in insurance, said this might get those who have lost their driving skills off the road. "When somebody starts having claims and they're older, they don't want to give up their driving privileges," he said. "This is an opportunity to see if they can drive."

A companion bill (SF233), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate State and Local Government Operations Committee.

### Ethanol content requirement

Following two days of hearings, the House Transportation Finance Committee tabled a bill March 22 that would eventually require all gasoline sold in Minnesota to contain a 20 percent mix of ethanol.

Committee Chair Rep. Mary Liz Holberg (R-Lakeville) said the committee, would take up HF223/SF4\*, sponsored by Rep. Gregory M. Davids (R-Preston) and Sen. Dallas C. Sams (DFL-Staples), one last time March 29. She said there would be no further public testimony and that members should be ready to either defeat the bill or send it to the House Ways and Means Committee.

As of now, gasoline sold in the state must contain at least 10 percent ethanol. Supporters hope that it will eventually reduce the reliance on foreign oil.

The committee tacked on several amendments.



PHOTO BY TOM OLMSCHIED

**Donald Brown, left, shows his support for a bill that would increase the use of ethanol. He is posted outside a hearing of the House Transportation Finance Committee as Jim Pearson, right, enters the March 17 meeting. Brown's sign claims his minivan runs great on ethanol.**

The original deadline for compliance would be 2015. That was amended to 10 years after the Environmental Protection Agency acts on an application to allow the ethanol mix, or 60 days after at least 60 percent of new cars can use the ethanol mix.

Others would have the agriculture commissioner review effects of E20 on the development of Minnesota's ethanol industry and the effects of E20 on Minnesota consumers, would continue subsidies for ethanol producers and would require an environmental impact statement for an ethanol plant fueled by a coal-fired boiler.

The latter amendment would not take effect until July 1, 2007.

Amendments rescinding the 20 percent mandate have also been included in the bill.

The mandate would be rescinded if:

- The Environmental Protection Agency cannot determine conclusively by Dec. 31, 2010, the ethanol mix won't harm engines;
- It becomes apparent Minnesota will lose federal highway funds; or
- The U.S. Consumer Product Safety Commission doesn't assure by Dec. 31, 2010, that the ethanol mix won't cause product hazards.

Minus the amendments, the bill passed the Senate 54-12 Feb. 7.

### More special plates

Bills that would provide special license plates for two groups were heard in the House Transportation Committee March 22 and referred to the House Transportation Finance Committee.

Rep. Connie Ruth (R-Owatonna) is sponsoring HF178, which would make veterans eligible for special personalized plates. They would not be charged a fee other than the regular cost of the plate. A companion bill (SF757), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action in the Senate Finance Committee.

HF2058, also sponsored by Ruth, would allow members of the Knights of Columbus, a Roman Catholic men's service organization, to receive special license plates for a \$10 fee, plus the cost of the license. A companion bill (SF1904), sponsored by Senate Minority Leader Dick Day (R-Owatonna), awaits action in the Senate Transportation Committee.

There have been several bills introduced this session allowing for veterans' license plates, Rep. Bernard Lieder (DFL-Crookston) said. While he appreciates the groups for the work they do, he thought special license plates had reached their limit.

"We're getting to the point where we can't see the license (number) on the vehicle. You need it for law enforcement. The state patrol has to have the ability to read the license plate from here to there," he said.

Willard Strand, state coordinator for the Knights of Columbus, said the group has 44,000 members in the state. In 2003, it raised more than \$3 million for charities.

### Paying for toll roads

A measure to ensure that tolls instituted to pay for new road construction are stopped once the road is paid for is being sponsored

by Rep. Ray Vandever (R-Forest Lake).

HF888 was heard March 22 by the House Transportation Committee and referred to the House Transportation Finance Committee.

Vandever said people have been told the tolls would end when the roads are paid for. "We could call it truth-in-advertising," he said.

However, Betsy Parker, director of the Office of Government Affairs for the Department of Transportation, said in other states, tolls are still needed after construction. A study being done in Minnesota indicates they might also still be needed.

"In Minnesota, we probably don't have enough congestion to pay for the entire road system with the tolls," she said. "Only people willing to pay the toll use it."

Vandever said, "We can see that the temporary tolls will not be temporary. Taxpayers will help build the road but only if they pay the toll. We have been told as part of our indoctrination that they'd be temporary. It's not a fee in any sense of the word, it's a tax."

A companion bill (SF1170), sponsored by Sen. Michele Bachmann (R-Stillwater) awaits action in the Senate Transportation Committee.

### The movers may move



A company that was helping to move the furniture of resettled families for free can now do so legally, according to a new law signed by Gov. Tim Pawlenty.

Effective March 20, 2005, the law allows movers providing a charitable service to operate outside their geographic area. It exempts them from complying with rates filed with the Department of Transportation.

The issue grew out of the work by a company called Two Men and A Truck in Bloomington, a small, six-truck moving company. The franchise has a corporate philosophy of donating eight hours of community service work each month. That service was helping to move the donated furniture of newly arrived families.

However, another mover apparently reported them to MnDOT. The caller claimed that by offering the service for free, the company was creating an unfair disadvantage.

Rep. Neil W. Peterson (R-Bloomington) and Sen. William V. Belanger Jr. (R-Bloomington) sponsored the law.

HF298/SF75\*/CH12

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



## First deadline near

The first of three committee deadlines set by House and Senate leadership is fast approaching:

- **Tuesday, April 5** — Bills must be out of policy committees in the house of origin.
- **Tuesday, April 12** — All House and Senate files must be out of all policy committees in the other body.
- **Friday, April 22** — Omnibus finance bills must be out of House and Senate finance committees.

Additionally, there will be no floor sessions or committee activity April 25, the day after Passover.

### To find out who represents you at the Capitol . . .

Call House Public Information Services at (651) 296-2146 or 1-800-657-3550

## CALLIGRAPHY CRAFTSMAN



PHOTO BY TOM OLMSCHIED

**Ik Tong Yoo demonstrates Korean calligraphy in the Rotunda March 18 as part of Asian Pacific Week. Activities at the Capitol allowed members of the Asian community to engage with their legislators on issues of concern to Asian families.**

## Speaking of the House



At a March 18 press conference announcing a plan to increase the maximum limit on General Fund expenditures by \$750 million with the money going toward K-12 education, **Rep. Mindy Greiling (DFL-Roseville)** said, “This is where the rubber meets the road.”

That brought a smile to the face of **Rep. Dan Dorman (R-Albert Lea)**, who owns a tire dealership, and is also a lead supporter of the proposal.

“We’re talking about tires. That’s beautiful.”



The contentiousness of the March 21 Capital Investment Conference Committee was typified when **Sen. Sandra L. Pappas (DFL-St. Paul)** pointed out that **Rep. Dan Dorman (R-Albert Lea)** may have never previously chaired a “major conference committee” and later noted that **Rep. Laura Brod (R-New Prague)** had never served on a “major conference committee.”

In response, Dorman said, “I could point out maybe that’s why not a lot of stuff happened when you get people that have been

on too many of them trying to run the show. If you want to get into that debate I guess we could go down that road. I don’t know that it’s helpful, but I guess I could point that out and say ‘Boy, no wonder the place is goofed up. Look what’s been happening.’ We could go back and forth and you could belittle us for not having the experience in years that you have, and we could say ‘Well, maybe that’s why we’re in some of the mess we’re in.’”

Conferees began to better work together in the following days. 🏛️

### First Reading continued from page 3

going to get people out for a hearing?” he said.

Viriden, who has served in that partisan position for seven years, said five cities were talked about as possible sites for the hearing — Moorhead, Rochester, Bemidji, Brainerd and Grand Rapids.

Critics say Grand Rapids was chosen because of politics — it is a DFL stronghold currently represented by Rep. Loren Solberg and Sen. Tom Saxhaug. But Viriden says the decision was based more on logistics. “We knew there would be a

large turnout, and we had to find a place that was available during a specific timeframe.”

A ticket was required for those attending, like last year when a similar bill was heard at the State Office Building in St. Paul. With 1,000 people expected, and only seating for 650 in the Reif Center, tickets again were required. The tickets were available through OutFront Minnesota or the Minnesota Family Council.

Viriden received criticism from some who were uncomfortable with having to align himself or herself on one side or the other in order to get a ticket. “That’s a valid point,” he said.

For the most part, onlookers saw how a

committee is run in St. Paul. However, during committee hearings, legislators are able to ask questions of testifiers. In Grand Rapids, that didn’t happen. Instead, each lawmaker was allowed to make a short statement about the bill.

Slawik, the DFL committee lead, said not being able to ask questions was frustrating. “If you are going to take a committee on the road, people should be able to see how it actually works.” She did say, however, that sometimes when there is debate on the issue, “you run out of time, and it was good that each committee member was given the opportunity to be heard.” 🏛️



## A "Gustie" blows in

### Johnson gets to the heart of education issues

By RUTH DUNN

She didn't know it back then, but being the daughter of a Lutheran pastor turned out to be good training for political life, according to Rep. Ruth Johnson (DFL-St. Peter). The formation of the weekly messages, the commitment to public service and the interactions with people are important with pastors and also with politicians, she said.



Rep. Ruth Johnson

Johnson was re-elected last fall to her third non-consecutive term. She was first elected in 1996, after a former Gustavus Adolphus College classmate, Rep. Mindy Greiling (DFL-Roseville), urged her to run when an incumbent decided to retire. A whirlwind first term picked up speed when a tornado cut a 1.25-mile swath through St. Peter in March 1998.

Johnson was the House sponsor of a \$27.6 million tornado relief bill, which moved through the legislative process with bipartisan speed and showed public and private partnerships at their best, she said. "It was a united Minnesota effort to get the job done and help people at the worst moments of their lives."

Her efforts caught the attention of 1998 gubernatorial candidate Mike Freeman who selected her as his running mate for lieutenant governor. The team was not successful, but the experience gave her many memories, like the overwhelming response when she spoke to DFL state convention delegates in four languages: English, Spanish, German and Ojibwe.

Gustavus has always been a special place to Johnson. She was a "Gustie" baby when her father was a student at the college. Later, she attended the college and majored in religion. She completed a career in college administration by returning to Gustavus in 1982 and eventually became associate dean of students

### DISTRICT 23A

2002 population: 36,889  
Largest city: North Mankato  
Counties: Nicollet, Sibley  
Top concern: Education

***Rep. Ruth Johnson didn't know it back then, but being the daughter of a Lutheran pastor turned out to be good training for political life.***

before she retired in 1999 as a consultant.

"Schools are the heart of rural communities," said Johnson. That's why education has always been one of her legislative priorities. She believes education is a basic Minnesota value that has helped provide a high quality of life in the state.

"There's a wonderful quality of life in small communities," said Johnson. She enjoys the quieter pace and how people know each other. She loves opera, classical music and dance and finds plenty of arts events near her home because there are four colleges and universities in the area.

## Solution seeker

### An avid outdoorsman, Moe comes inside for session

By RUTH DUNN

The best Friday night stress buster is a moonlit ride on a dog sled over snowy trails through the woods, according to Rep. Frank Moe (DFL-Bemidji).



Rep. Frank Moe

It's also the time he puts the challenges of the week behind him and reminds himself why he's serving in the Legislature and what he's working to accomplish in St. Paul.

Running for office was not an item on his "to do" list for life. He lived for sports and, growing up, dreamed of playing professional football.

College friends would jokingly introduce him by saying, "This is Frank Moe and he's running for president in 2020," only because he was so social.

While studying at Carleton College, Moe had

a professor named Paul Wellstone who had a big influence on his life. "We didn't always agree on issues, but I was inspired by him," says Moe.

Moe was motivated to run for the House two years ago after hearing a speech by then-Rep. Doug Fuller (R-Bemidji). "He was not fighting for the things I thought were important, like education, health care and the environment," said Moe. "I wanted to become more a part of the solution." Last November he defeated Fuller by 7.1 percent.

To win the seat, he pulled together a coalition of supporters that included college students, American Indians and "others who wanted change." Moe says he won because turnout was 3,500 voters greater than the previous presidential election and those new voters were his supporters.

Moe teaches physical education at Bemidji State University, including outdoor education, first responder training and environmental studies.

### DISTRICT 4A

2002 population: 36,727  
Largest city: Bemidji  
Counties: Beltrami, Cass, Itasca  
Top concern: Education

***"We all have different ideas and priorities, but it's important we come to consensus on how to accomplish things. We were elected to do the job."***

— Rep. Frank Moe

Besides being an avid dog sled musher, Moe is a triathlete, rock climber, fishing guide and camper.

Moe has family roots in southern Minnesota, graduated from high school in Bloomington and now lives in northern Minnesota with his wife, Sherri, and their nine dogs.

Moe said his faith helps him see that all legislators share a commitment to public service. "If they didn't have that commitment, they would not be here away from their families, working long hours for peanuts."

## Monday, March 21

### HF1948—Holberg (R)

#### Education Policy & Reform

Public school employee usage of public funds and resources to promote or defeat a political candidate or question prohibited.

### HF1949—Opatz (DFL)

#### Local Government

Stearns, Benton and Sherburne county boards initiation of process for the change of county boundaries by resolution authorized.

### HF1950—Holberg (R)

#### Civil Law & Elections

Data obtained by scanning driver's licenses, permits and identification cards regulated.

### HF1951—Bradley (R)

#### Health Policy & Finance

Long-term care provisions modified.

### HF1952—Olson (R)

#### Health Policy & Finance

Patient care expense information required for certain public health coverage programs.

### HF1953—Cornish (R)

#### Governmental Operations & Veterans Affairs

Post retirement employment option created for state employees and voluntary hours reduction plan authorized.

### HF1954—Hausman (DFL)

#### Taxes

Educational instruction qualifying property tax exemption provided.

### HF1955—Gunther (R)

#### Governmental Operations & Veterans Affairs

Power plants siting and routing, wind energy conversion system and pipeline authority transfer from the Environmental Quality Board to the Public Utilities Commission provided.

### HF1956—Finstad (R)

#### Jobs & Economic Opportunity Policy & Finance

Citizenship requirements for the general assistance and MFIP programs modified.

### HF1957—Johnson, J. (R)

#### Civil Law & Elections

Comprehensive incident-based reporting system data treatment procedures provided.

### HF1958—Wagenius (DFL)

#### Capital Investment

Information technology public systems, licenses and infrastructure public debt authorized and constitutional amendment proposed.

### HF1959—Zellers (R)

#### Commerce & Financial Institutions

Premium finance transaction refund calculation procedures modified.

### HF1961—Dorman (R)

#### Commerce & Financial Institutions

Prevailing wage requirement exemption for qualified businesses in job opportunity building zones provided.

### HF1962—Mullery (DFL)

#### Civil Law & Elections

Low-income apartment property class reinstated, housing certifications qualifying for reduced property class rate provided, civil penalties established, rulemaking authorized and exemption specified.

### HF1963—Thissen (DFL)

#### Commerce & Financial Institutions

Comprehensive health insurance plan minimum benefits regulated.

### HF1964—Peterson, N. (R)

#### Governmental Operations & Veterans Affairs

Energy savings program established and Department of Administration usage of energy forward pricing mechanisms for budget risk reduction authorized.

### HF1965—Dean (R)

#### Civil Law & Elections

Ballot certification provisions modified.

### HF1966—Dean (R)

#### Governmental Operations & Veterans Affairs

Legislative regular sessions in even-numbered years prohibited.

### HF1967—Finstad (R)

#### Health Policy & Finance

Nursing facility closure and alternative service development process provided, appropriation bond issuance required, critical access nursing facility designation established, moratorium exception process updated and money appropriated.

### HF1968—Charron (R)

#### Public Safety Policy & Finance

Stillwater correctional facility bonds issued and money appropriated.

### HF1969—Clark (DFL)

#### Commerce & Financial Institutions

Unreasonable blocks of customer access to credit capacity on credit or debit card prohibited.

### HF1970—Samuelson (R)

#### Health Policy & Finance

Center of nursing start up money appropriated.

### HF1971—Nelson, P. (R)

#### Local Government

Alternative local government annexation process provided.

### HF1972—Marquart (DFL)

#### Health Policy & Finance

Intermediate care facility payment system exception for persons with mental retardation and related conditions created.

### HF1973—Gunther (R)

#### Local Government

Metropolitan area county formation of economic development authorities authorized.

### HF1974—Erhardt (R)

#### Education Finance

Certain levy authority restored.

### HF1975—Zellers (R)

#### Commerce & Financial Institutions

Rental vehicle insurance coverage regulated.

### HF1976—Gunther (R)

#### Jobs & Economic Opportunity Policy & Finance

Human services and economic development programs established and modified; accounts, assessments, and fees provided; children and family programs modified and money appropriated.

### HF1977—Smith (R)

#### Public Safety Policy & Finance

Criminal Justice and Juvenile Information Policy Group modified, annual report required and grant requirements established.

### HF1978—Ruth (R)

#### Governmental Operations & Veterans Affairs

Teachers retirement association prior service credit purchase authorized.

### HF1979—Jaros (DFL)

#### Taxes

Sales to counties that support certain judicial functions tax exemptions provided.

### HF1980—Murphy (DFL)

#### Public Safety Policy & Finance

Flammable liquids, explosives, and fireworks provisions modified; smoke detector requirements provided and obsolete state fire code provisions removed.

### HF1981—Murphy (DFL)

#### Public Safety Policy & Finance

Uniform Fire Code name changed to State Fire Code.

### HF1982—Dill (DFL)

#### Agriculture, Environment & Natural Resources Finance

North Shore Management Board grants provided.

### HF1983—Sertich (DFL)

#### Governmental Operations & Veterans Affairs

Legislative day references removed and constitutional amendment proposed.

### HF1984—Eastlund (R)

#### Public Safety Policy & Finance

Fingerprinting of certain persons involved in criminal justice process required.

### HF1985—Latz (DFL)

#### Public Safety Policy & Finance

DWI-related offense requirement that 48 hours of jail time be consecutive deleted.

**HF1986—Emmer (R)****Civil Law & Elections**

Security information and data classification and dissemination procedures provided.

**HF1987—Peterson, A. (DFL)****Environment & Natural Resources**

Deer management zones and youth special hunts establishment required and penalties provided.

**HF1988—Mahoney (DFL)****Commerce & Financial Institutions**

Plan review exemption for certain biotechnology manufacturing firms provided, piping system installation supervision study initiated and report required.

**HF1989—Kahn (DFL)****Governmental Operations & Veterans Affairs**

Cass Gilbert and Julia Finch Gilbert portrait display in Capitol continuation request by Minnesota Historical Society required.

**HF1990—Solberg (DFL)****Transportation**

Commodities transport corridor pilot project created; work group establishment required; and study, report and pilot project implementation mandated.

**HF1991—Murphy (DFL)****Public Safety Policy & Finance**

Fire code adoption process technical changes provided.

**HF1992—Murphy (DFL)****Public Safety Policy & Finance**

State fire marshal provisions modified.

**HF1993—Powell (R)****Local Government**

Metropolitan Radio Board earlier responsibility transfer date provided.

**HF1994—Moe (DFL)****Local Government**

Shared hospital or ambulance service purchasing provision modified.

**HF1995—Davnie (DFL)****Civil Law & Elections**

Notice of certain independent candidate expenditures required and spending limit agreement exemption provided.

**HF1996—Thissen (DFL)****Environment & Natural Resources**

Minnesota Electronics Recycling Act of 2005 enacted, rulemaking authorized and penalties provided.

**HF1997—Walker (DFL)****Health Policy & Finance**

State health care program capitation rate withhold for blood lead testing performance targets required.

**HF1998—Hilty (DFL)****Jobs & Economic Opportunity Policy & Finance**

Children and community services funding provided and money appropriated.

**HF1999—Thissen (DFL)****Health Policy & Finance**

Case management of persons with mental retardation or related conditions procedures modified.

**HF2000—Abeler (R)****Health Policy & Finance**

Cesarean sections Medical Assistance coverage provisions modified.

**HF2001—Nelson, M. (DFL)****Jobs & Economic Opportunity Policy & Finance**

Housing Finance Agency funding provided for the Homeless Management Information System and money appropriated.

**HF2002—Emmer (R)****Commerce & Financial Institutions**

Balance billing prohibited by health care providers and certain no-fault automobile insurance medical claims, and health care providers made the party at interest in certain no-fault arbitrations.

**HF2003—Knoblach (R)****Education Finance**

Independent School District No. 742, St. Cloud, fund transfer authorized.

**HF2004—Blaine (R)****Transportation**

Municipal administrative enforcement provided for minor traffic offenses.

**HF2005—Newman (R)****Public Safety Policy & Finance**

County jail construction amount raised before corrections commissioner review.

**HF2006—Hackbarth (R)****Environment & Natural Resources**

Shooting Range Protection Act adopted.

**HF2007—Dean (R)****Education Policy & Reform**

K-3 teachers grant program established to allow teachers to decide on classroom expenditures for improving instruction and learning, funding allocated and money appropriated.

**HF2008—Peppin (R)****Commerce & Financial Institutions**

Gasoline sales below cost regulation provision repealed.

**HF2009—Soderstrom (R)****Transportation**

Motor vehicle registration provisions modified.

**HF2010—Soderstrom (R)****Public Safety Policy & Finance**

Drug treatment facility incarceration required for specified offenders and request for operation proposals issued.

**HF2011—Soderstrom (R)****Civil Law & Elections**

Recall list of specified grounds eliminated and constitutional amendment proposed.

**HF2012—Soderstrom (R)****Public Safety Policy & Finance**

Judicial diversion program for drug offenders established, expungement of certain records authorized and request for proposals for secure chemical dependency treatment facilities issued.

**HF2013—Bradley (R)****Higher Education Finance**

Rochester; university development committee established, development account created and money appropriated.

**HF2014—Hilty (DFL)****Taxes**

Large retail establishment gross receipts tax imposed.

**HF2015—Brod (R)****Taxes**

Market value assessment reduction provided for energy-efficient new commercial property.

**HF2016—Abeler (R)****Education Policy & Reform**

Positive educational behavioral supports authorized, including physical intervention and isolation time-outs.

**HF2017—Clark (DFL)****Commerce & Financial Institutions**

Reasonable bank account fees provided and lifeline checking accounts required.

**HF2018—Sailer (DFL)****Education Policy & Reform**

Computer-based adaptive assessments provided and student portfolio demonstration project established.

**HF2019—Bradley (R)****Civil Law & Elections**

Medical Assistance recovery from trusts and annuities authorized.

**HF2020—Heidgerken (R)****Health Policy & Finance**

Stearns, Sherburne and Benton counties nursing facilities reimbursement rates increased.

**HF2021—Mullery (DFL)****Taxes**

Police and fire pension income tax exclusion provided.

**HF2022—Mullery (DFL)****Taxes**

Research credit extended to the individual income tax, portion of the credit made refundable and money appropriated.

**HF2023—Wilkin (R)****Commerce & Financial Institutions**

Health maintenance organizations assessed for purposes of the insurance fraud prevention account; rates, claims and filing practices regulated and expanded provider network requirements eliminated.

**HF2024—Lenczewski (DFL)****Taxes**

Federal income tax conformity provided, state contracts prohibited with certain vendors, liquor and rented vehicle taxes provided, homestead market value credit modified, other tax provisions specified and money appropriated.

## Tuesday, March 22

### **HF2025—Hoppe (R)**

#### **Governmental Operations & Veterans Affairs**

Public employees police and fire retirement plan service credit purchase authorized.

### **HF2026—Hoppe (R)**

#### **Governmental Operations & Veterans Affairs**

Public employees police and fire retirement plan service credit purchase authorized.

### **HF2027—Walker (DFL)**

#### **Jobs & Economic Opportunity Policy & Finance**

American Indian advisory councils reinstated.

### **HF2028—Heidgerken (R)**

#### **Local Government**

Pope County recorder and auditor-treasurer offices provided by appointment.

### **HF2029—Holberg (R)**

#### **Public Safety Policy & Finance**

Forfeiture law appropriate agency definition clarified.

### **HF2030—Johnson, J. (R)**

#### **Commerce & Financial Institutions**

Social Security number disclosure prohibited as a condition of receiving a service or product.

### **HF2031—Thissen (DFL)**

#### **Governmental Operations & Veterans Affairs**

University of Minnesota police officers excluded from the public employees police and fire fund.

### **HF2032—Ellison (DFL)**

#### **Public Safety Policy & Finance**

Prostitution crimes expanded to include loitering with intent to participate in prostitution, pilot projects to reduce homelessness provided, vagrancy crime repealed and money appropriated.

### **HF2033—Ellison (DFL)**

#### **Taxes**

Local government aid city formula modified, funds dedicated to police and public safety purposes and city aid appropriation adjusted.

### **HF2034—Cornish (R)**

#### **Jobs & Economic Opportunity Policy & Finance**

Blue Earth County; Riverbend Center for Entrepreneurial Facilitation funding provided and money appropriated.

### **HF2035—Nelson, P. (R)**

#### **Transportation**

Public Safety Department authorized to remove records of certain old liens on passenger automobiles.

### **HF2036—Samuelson (R)**

#### **Health Policy & Finance**

Nursing assistant and home health aide training curriculum review and update required.

### **HF2037—Ruth (R)**

#### **Transportation**

Vehicles prohibited from driving onto the shoulder to pass on the right.

### **HF2038—Westrom (R)**

#### **Taxes**

Agricultural products defined to include short rotation trees for purposes of the agricultural property tax classification.

### **HF2039—Davids (R)**

#### **Civil Law & Elections**

Feedlot permit data classified.

### **HF2040—Magnus (R)**

#### **Local Government**

County economic development authority nine-member boards authorized.

### **HF2041—Heidgerken (R)**

#### **Education Policy & Reform**

School milk program milk required to be provided in single service plastic containers, by the glass or from bulk containers.

### **HF2042—Cornish (R)**

#### **Environment & Natural Resources**

Project Riverbend Board eliminated.

### **HF2043—Cornish (R)**

#### **Education Finance**

Marginal cost pupil units and equalized debt service levy calculations modified.

### **HF2044—Finstad (R)**

#### **State Government Finance**

Minnesota Racing Commission regulatory and administrative expenses funding provided and money appropriated.

### **HF2045—Welti (DFL)**

#### **Agriculture & Rural Development**

Ethanol combustion efficiency research grants provided and money appropriated.

### **HF2046—Krinkie (R)**

#### **Taxes**

Federal income, corporate franchise, property tax refund and estate tax conformity provided.

### **HF2047—Krinkie (R)**

#### **Taxes**

Special taxing districts for light rail transit funding authorized.

### **HF2048—Peterson, A. (DFL)**

#### **Taxes**

Nursing home resident income tax credit provided and money appropriated.

### **HF2049—Carlson (DFL)**

#### **Taxes**

Postsecondary tuition and related expenses income tax credit provided.

### **HF2050—Anderson, B. (R)**

#### **Health Policy & Finance**

Health care records access modified.

### **HF2051—Ruud (DFL)**

#### **State Government Finance**

Internal service fund balances specified and transfer of certain amounts provided to the general fund.

### **HF2052—Abeler (R)**

#### **Education Finance**

Pupil transportation cost equalized aid and levy authorized.

### **HF2053—Abeler (R)**

#### **Health Policy & Finance**

Coroner or medical examiner notification of death of a nursing home patient required.

### **HF2054—Severson (R)**

#### **Taxes**

St. Cloud area cities local option sales taxes authorized and revenue uses specified.

### **HF2055—Latz (DFL)**

#### **Taxes**

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

### **HF2056—Peterson, A. (DFL)**

#### **Taxes**

Gasoline and special fuels tax rate indexed and recomputed annually.

### **HF2057—Vandever (R)**

#### **Transportation Finance**

Metropolitan Council; Hiawatha light rail transit line fare collection system installation required.

### **HF2058—Ruth (R)**

#### **Transportation**

Knights of Columbus special license plates authorized.

### **HF2059—Davids (R)**

#### **Taxes**

Education funding increased, local government aid formula modified and increased, motor vehicle sales tax portion dedicated to transit eliminated, local sales tax or property tax levy for transit authorized and money appropriated.

### **HF2060—Liebling (DFL)**

#### **Local Government**

Land use advisory council established, duties provided, certain annexation limits removed and alternative annexation procedures established for cities in certain cases.

### **HF2061—Lanning (R)**

#### **Local Government**

Urban development limited on unincorporated property that abuts a municipality in certain cases and city land use controls extended.

### **HF2062—Smith (R)**

#### **Civil Law & Elections**

Seatbelt use or failure to use admissibility of evidence provided, insurance actions regulated and direct liability imposed and recovery regulated.

### **HF2063—Holberg (R)**

#### **Transportation**

Commercial motor vehicle provisions modified including traffic regulations and driver's license provisions, identification card issuance prohibited to holder of permit and driver's license classifications and restrictions modified.

### **HF2064—Holberg (R)**

#### **Public Safety Policy & Finance**

CriMNet data definitions provided and public defender access to criminal justice data provided.

### **HF2065—Clark (DFL)**

#### **Education Policy & Reform**

Native Language Eminence Credentialing Task Force established.

**HF2066—Clark (DFL)****Higher Education Finance**

University of Minnesota employee health care costs report required.

**HF2067—Clark (DFL)****Health Policy & Finance**

Environmental justice tracking system development required in order to track health risks caused by toxic substances according to census tract data.

**HF2068—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Learn to earn, Minnesota youth and Youthbuild programs funding provided; and money appropriated.

**HF2069—Dorman (R)****Taxes**

Education funding increased, motor vehicle sales tax dedicated to transit eliminated, property tax levy for transit authorized and money appropriated.

## Wednesday, March 23

**HF2070—Loeffler (DFL)****Governmental Operations & Veterans Affairs**

Public access to the Internet and Internet-based public information and applications assessment directed.

**HF2071—Holberg (R)****Public Safety Policy & Finance**

Minnesota Safe and Secure Railroad Transportation Act of 2005 adopted authorizing railroad company police, prohibiting trespass on railroad tracks and imposing criminal penalties.

**HF2072—Hosch (DFL)****Governmental Operations & Veterans Affairs**

Salary decreases provided for legislators and constitutional officers.

**HF2073—Hosch (DFL)****Taxes**

St. Joseph local sales tax authorized.

**HF2074—Hoppe (R)****Regulated Industries**

Wine importer wholesale exclusive agreements eliminated.

**HF2075—Davids (R)****Health Policy & Finance**

Health plan-pharmacy and health plan-pharmacy benefits manager contracts limited.

**HF2076—Cybart (R)****Local Government**

Municipalities authorized to contract with the Metropolitan Council to join the metropolitan transit district and property tax levy authorized.

**HF2077—Mullery (DFL)****Public Safety Policy & Finance**

Ammunition possession prohibited by persons under age 18.

**HF2078—Charron (R)****Education Finance**

Education price index created and annual computation of basic revenue provided.

**HF2079—Smith (R)****Public Safety Policy & Finance**

Fire safety surcharge established in fire premiums and assessments.

**HF2080—Smith (R)****Governmental Operations & Veterans Affairs**

State Patrol retirement fund member definition expanded to include Commerce Department Division of Insurance Fraud Prevention employees.

**HF2081—Westrom (R)****Regulated Industries**

Electric transmission company certificate of need proceedings cost recovery authorized.

**HF2082—Westrom (R)****Regulated Industries**

Electric transmission companies regulated.

**HF2083—Abeler (R)****Health Policy & Finance**

Pharmacist explanation of benefits requirements modified.

**HF2084—Marquart (DFL)****Governmental Operations & Veterans Affairs**

Cell telephone use during legislative meetings penalties provided.

**HF2085—Smith (R)****Public Safety Policy & Finance**

HIV testing of sex offender victim notification procedure clarified.

**HF2086—Beard (R)****Local Government**

Metropolitan Airports Commission appointment Senate confirmation required, term limits imposed, aviation knowledge and experience required and nominating committee created.

**HF2087—Smith (R)****Governmental Operations & Veterans Affairs**

Teachers Retirement Association extended leave of absence program conforming changes provided for first class city teacher retirement fund associations.

**HF2088—Smith (R)****Governmental Operations & Veterans Affairs**

Teacher Retirement Association sabbatical leave service credit provision updated for first class city teacher retirement associations.

**HF2089—Smith (R)****Governmental Operations & Veterans Affairs**

Public pension plan annual administrative expense reporting itemized detail specified.

**HF2090—Smith (R)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Association collection procedures clarified relating to charter schools.

**HF2091—Smith (R)****Governmental Operations & Veterans Affairs**

Legislators retirement plan provisions recodified.

**HF2092—Smith (R)****Governmental Operations & Veterans Affairs**

Elective state officers retirement plan defined as the portions in effect on the date of termination of service.

**HF2093—Smith (R)****Governmental Operations & Veterans Affairs**

Statewide and major local retirement plan exemptions from process and taxation clarified.

**HF2094—Smith (R)****Governmental Operations & Veterans Affairs**

Retirement plan language usage and style updates provided and various provisions and cross-references clarified.

**HF2095—Smith (R)****Governmental Operations & Veterans Affairs**

Teacher retirement associations of cities of the first class required to periodically file updated copies of articles of incorporation and bylaws.

**HF2096—Smith (R)****Civil Law & Elections**

Summary real estate disposition judgment information requirements provided, judgments recorded and pension plans subject to marital property division identified.

**HF2097—Holberg (R)****Transportation**

Motor vehicle registration tax refunds regulated, registration procedures modified and technical and clarifying changes provided.

## What's on the Web

### What could be easier than e-mail? Join the growing ranks of MyBills subscribers

MyBills, the personalized bill tracking system on the legislative Web site, now offers an even handier component: e-mail notification of every official action taken on House and Senate bills.

The system simply requires the one-time registration of a username and password ([www.house.leg.state.mn.us/leg/billslogin.asp](http://www.house.leg.state.mn.us/leg/billslogin.asp)).

MyBills keeps track of House and Senate legislation by bill number, subject or author. Users enjoy the benefit of viewing bill status with items of significant current action highlighted. The status is updated daily, and users can modify their lists at any time. Lists are retained through the legislative biennium.

Under the new e-mail notification element, MyBills subscribers receive a message from the House webmaster address every time the system logs an official action on a bill. The subject line reads: Legislative action was taken on HFXXXX or SFXXXX (insert your favorite bill number here).

The body of the message keys users into the short description of the bill and provides a direct link to the bill status Web page.

Currently, the MyBills system has 5,678 subscribers, according to House Web Manager Mike Speiker. Only 45 of those subscribers have opted out of the e-mail function.



**HF2098—Knoblach (R)****Taxes**

St. Cloud and Waite Park local sales taxes authorized.

**HF2099—Johnson, J. (R)****Civil Law & Elections**

Vouching for another individual for Election Day registration limited to three proof-of-residence oaths per Election Day.

**HF2100—Lesch (DFL)****Civil Law & Elections**

Domestic abuse no contact order applicability expanded.

**HF2101—Murphy (DFL)****Governmental Operations & Veterans Affairs**

Higher education individual retirement account plan investment option provision modified.

**HF2102—Liebling (DFL)****Civil Law & Elections**

Children's Freedom to Breathe Act adopted prohibiting employment of minors in establishments where smoking is permitted and imposing civil penalties.

**HF2103—Powell (R)****Regulated Industries**

Emergency 911 communication provisions modified.

**HF2104—Lieder (DFL)****Public Safety Policy & Finance**

Community notification provided for out-of-state offenders and community notification scope expanded for predatory offenders not sentenced to prison.

**HF2105—Mullery (DFL)****Public Safety Policy & Finance**

Forfeiture of conveyance device used in controlled substance crimes expanded to allow for state or local forfeiture ordinance.

**HF2106—Carlson (DFL)****Education Finance**

Basic education formula allowance increased, early childhood family education program revenue restored and money appropriated.

**HF2107—Smith (R)****Civil Law & Elections**

Child support guidelines established and separate household adjustment provided.

**HF2108—Smith (R)****Public Safety Policy & Finance**

Theft crime definition expanded and clarified relating to taking property with or without having a legal interest.

**HF2109—Smith (R)****Governmental Operations & Veterans Affairs**

State salary limitation exceptions provided for pension purposes.

**HF2110—Smith (R)****Civil Law & Elections**

Custody and parenting time domestic abuse hearings safety focus provided.

**HF2111—Sailer (DFL)****Health Policy & Finance**

Intermediate care facilities for persons with mental retardation division of costs modified.

**HF2112—Smith (R)****Governmental Operations & Veterans Affairs**

Judges' retirement plan provisions clarified and revised and obsolete provisions eliminated.

**HF2113—Smith (R)****Governmental Operations & Veterans Affairs**

Statewide and major local retirement plan references to actuarial services clarified in determining actuarial equivalence.

**HF2114—Smith (R)****Governmental Operations & Veterans Affairs**

Statewide and major local retirement plan omitted salary deduction provisions updated and clarified.

**HF2115—Smith (R)****Governmental Operations & Veterans Affairs**

Statewide and major public pension plan final average salary defined.

**HF2116—Emmer (R)****Civil Law & Elections**

Campaign finance disclosure requirements increased; contributions to political committees,

funds and party units limited; release from spending limits provided in case of certain independent expenditures; and party expenditures limited.

**HF2117—Brod (R)****Health Policy & Finance**

Prescription drug program; I-Save Rx program participation established.

**HF2118—Nelson, P. (R)****Civil Law & Elections**

Precinct election summary statement requirements modified.

**HF2119—Olson (R)****Higher Education Finance**

University of Minnesota-Duluth personal rapid transit safety facility funding provided, bonds issued and money appropriated.

**HF2120—Westrom (R)****Regulated Industries**

Large electric energy facility site permits and route permits modified and payment of fees provided to the Environmental Quality Board.

**RED LAKE MEMORIAL**

PHOTO BY TOM OLMSCHIED

Sharon G. of Leech Lake holds her 3-year-old granddaughter, Trina Staples, as they prayed for the victims of the Red Lake High School tragedy at a March 22 memorial service on the steps of the State Capitol.

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

# MINNESOTA INDEX

## Government spending

Number of commissioners now overseeing a major state department .....	21
Salary for 20 of them .....	\$108,400
Range in 1999 .....	\$85,000-\$98,000
Range in 1995 .....	\$60,000-\$78,500
Full-time executive branch employees in July 2004 .....	36,206
In July 2000 .....	35,507
In July 1995 .....	30,837
Average pay per hour .....	\$23.21
Appropriation in fiscal year 2005 to state judicial branch, in millions .....	\$241
State employees of appellate courts, district courts and judicial agencies .....	3,005
Appropriation to state legislative branch, in millions .....	\$58.7
Legislative branch permanent employees .....	609
Annual salary for a House or Senate member .....	\$31,140
Percent of last pay increase in January 1999 .....	5
Daily per diem for living expenses for House and Senate members .....	\$66
Increase from last year for House members .....	\$10
Billions in state spending in fiscal year 2005, excluding federal funds .....	\$17.57
Billions in fiscal year 2003 .....	\$17.7
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Percent that is individual income taxes .....	41.4
Percent that is sales taxes .....	32.2
Respective percentages in fiscal year 1999 .....	43.5, 33.3
Percentages in fiscal year 1995 .....	41.4, 33.6
State debt, as of Nov. 1, 2004, in billions .....	\$8.22
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Annual rent for non-state owned space for state agencies and boards, in millions .....	\$126.2
Departmental leases of state-owned space, in millions .....	\$24.7

**Sources:** House Research Department, including *Minnesota Data Book for Legislators, January 1995, 1999, 2001, 2003 and 2005*, and *State Elected Officials' Salaries, August 2001*; Department of Administration, including *Minnesota Guidebook to State Agency Services 2004-2007; 2005-06 Legislative Manual*, Office of the Minnesota Secretary of State.

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# SESSION Weekly

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VOLUME 22, NUMBER 13 • APRIL 1, 2005



**INSIDE: E-WASTE ANSWER, GAMING EXPANSION, BILL HEARING PROCESS, MORE**

This Week's Bill Introductions HF2121-HF2268

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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On the cover: An early spring rain greets a visitor to the State Capitol March 30.

—Photo by: Andrew VonBank

# An answer to e-waste

## Electronics recovery and recycling plan plugs along

By NICOLE WOOD

**M**innesotans tune in and log on at impressive rates.

According to Office of Environmental Assistance (OEA) estimates, approximately 600,000 televisions, 700,000 computers and 265,000 laptops were sold in the state in 2003 alone.

All of this plugging in contributes to a growing electronic waste problem when the urge to upgrade strikes.

A 1999 National Safety Council (NSC) study determined 20.6 million computer monitors became obsolete in 1998. Of those, only 11 percent were recycled.

"NSC believes the lifespan of a personal computer has decreased from four to five years down to just two years, with nearly 500 million computers becoming obsolete between 1997 and 2006," cites the OEA on its Web site. "NSC anticipates that three-quarters of all computers ever bought in the U.S. remain stockpiled in storerooms, attics, garages, and basements."

Advancing technologies, such as the impending conversion from analog to digital television signals and the shortened useful lives of personal computers, are driving what some describe as an e-waste explosion.

This e-waste stockpile could be hazardous to the environment and human health when it hits the waste stream.

Televisions, computer monitors and video display devices contain cathode ray tubes that convert electronic signals into visual images. From a waste management perspective, cathode ray tube disposal is problematic in part because the phosphorescent coating around the tube contains lead that can be released into the environment when the components are crushed.

Among the known health hazards of lead are brain, kidney and reproductive problems.

According to the OEA, cathode ray tubes are considered the single largest source of lead in Minnesota's municipal waste. Lead makes up approximately 20 percent of each tube, which equals about 5 pounds to 8 pounds of lead per unit.

Cathode ray tubes will be banned from the state's solid waste facilities as of July 1, 2005.

With the ban just around the cor-

Spring cleaning is likely to turn up a number of televisions and electronic devices collecting dust in Minnesota basements. The Office of Environmental Assistance is a clearinghouse for information on recycling options for consumer electronics. For household collection events, lists of for-fee recyclers, retail and manufacturing recycling programs, or even donation opportunities, log on to <http://www.moea.state.mn.us/plugin/recyclershousehold.cfm>.

ner, HF1391, sponsored by Rep. Ray Cox (R-Northfield), aims to get the e-waste stockpile out of Minnesotans' basements and garages and safely into a statewide disposal system.

The House Environment and Natural Resources Committee approved the measure March 29. It now moves to the House Governmental Operations and Veterans Affairs Committee.

A companion bill (SF1298), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action in the Senate State and Local Government Operations Committee.

### Product stewardship and the Producer Responsibility model

HF1391 promotes a "product stewardship" approach to video display device disposal, Cox said.

"Product stewardship means that everyone involved in designing, manufacturing, selling and using products takes responsibility for the environmental impacts at every stage of a product's life," according to the OEA. "When manufacturers share in the costs and responsibility for collecting and recycling products, they have an incentive to design products differently, to reduce toxic constituents and increase the use of recycled materials."

This is the third try for Cox on a statewide electronics recycling initiative.

Wait for a national program, opponents said in past years.

However, a National Electronics Product Stewardship Initiative has so far failed to reach a consensus on establishing a nationwide program. Minnesota was among the states participating in



PHOTO ILLUSTRATION BY TOM OLMSCHEID

**The National Safety Council estimates nearly 500 million computers will become obsolete between 1997 and 2006. A statewide electronics recycling proposal sponsored by Rep. Ray Cox aims to establish a safe, convenient way for Minnesota consumers to keep used televisions and computers out of the waste stream.**

**First Reading continued on page 4**

the stakeholder group that also included manufacturers, recyclers and environmental groups. The group agreed on many of the underlying principles but failed to agree on a funding mechanism, it states in a 2004 resolution.

After a similar proposal stalled in 2004, lawmakers asked the OEA to meet with the interested parties during the interim and report back with a plan for e-waste. Participants discussed three models: a Producer Responsibility model, an Advance Recycling Fee and a hybrid of the two.

### Register, reuse, recycle

HF1391 takes the Producer Responsibility approach.

Under the bill, manufacturers would be required to register with the OEA in order to sell video display devices in Minnesota. A video display device is defined as a computer monitor or television with a screen size greater than 8 inches measured diagonally.

The office would be allowed to collect a fee of up to \$3,000 per year from each registrant to cover administrative costs.

With OEA approval, local governments or private companies could voluntarily set up consolidation centers around the state that would serve as consumer drop-off points.

The bill would require manufacturers to pick up truckloads of used devices at

intermediate consolidation points and arrange for their recycling or reuse.

Retailers would be required to certify to the OEA that the devices they sell are clearly labeled with the name or brand of the manufacturer.

Civil and administrative penalties could be levied against manufacturers and retailers who fail to participate.

The bill also contains a procurement provision that would require state vendors to be in full compliance with the registration program.

The Minnesota model would automatically end if a national program for effectively taking care of e-waste were to be established and implemented in the state.

### Pay up front

"No one wants to pay to get rid of a dead fish," said IBM Manager of External Programs and Public Affairs Valerie Halverson Pace, in opposition to the Producer Responsibility model.

Instead, she touted the Advance Recycling Fee approach. Putting the fee at the point of sale creates an incentive for everybody to participate in the system, Pace said.


Julie Ketchum, a lobbyist for Recycle America Alliance, a subsidiary of Waste Management, expressed concerns about the way in which recyclers would be compensated under HF1391.

"In looking at the manufacturer responsibility approach, we have concerns about being an intermediate consolidation point and whether we will get paid. If there are 1,100 brands or several hundred manufacturers and I'm a consolidation point and I'm a private industry do I get 1,100 checks from 1,100 different entities or several hundred different checks from the manufacturers?"

Rep. Paul Thissen (DFL-Mpls) is sponsoring HF1996 that proposes an Advance Recycling Fee of \$10 for every video display device sold in the state. The committee did not hear the bill.

Cox said he would not sponsor an Advance Recycling Fee proposal, a key reason being the way in which manufacturers engineer environmentally sound products into the future.

"What is going to be the biggest incentive to keep them really involved in what products they are putting out and what elements they are putting in these products that they are selling to you?" he said. "Having them be responsible for end-of-life is the biggest one, I think.

"If all they have to do is count on you to put \$12 on the table or \$18 on the table or whatever it is and that would just get raised as people discover there is maybe more cost to this, it is not going to really promote a full review of the products." 

## Midwest Masterpiece

### Gilbert's dome soars to St. Peter's heights



Minnesota's Capitol dome is modeled in Italian Renaissance style after St. Peter's Cathedral in Rome.

But Michelangelo never met a Midwest winter.

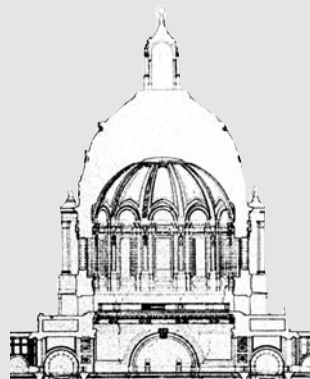
If Capitol architect Cass Gilbert had adopted a similar single-dome design, the inevitable freezing and thawing would have wreaked havoc with the marble and demanded expensive, frequent repairs.

Gilbert devised what Neil B. Thompson, in *Minnesota's State Capitol: The Art and Politics of a Public Building*, describes as "a unique solution to the problems of moisture and frost that had plagued dome builders since the time of Michelangelo."

Gilbert's design consists of three domes: a self-supporting outer marble dome, a

middle dome constructed of steel and brick and the inner dome that forms the ceiling high above the Rotunda.

Modern musings on the dome's beauty can hardly compare to the enamored



A cutaway image from Cass Gilbert's Capitol dome blueprints depicts the relative space between the inner and outer domes.

observations of one of the Capitol's artists.

"This is no dome of painted iron or gilded copper, it is of solid masonry and the material is a gray-white marble," wrote painter Kenyon Cox in an August 1905 issue of *The Architectural Record*. "In luminosity, in texture, in tenderness of gradation, in sweetness of light and shade, there is nothing which so nearly approaches the beauty of human flesh as does marble, or which affords so perfect a means of displaying form; and this great dome is a vast piece of sculpture upon which the light falls as caressingly as upon the white breast of the Venus of Milo, while, seen at a distance, it seems of the colors and almost of the very substance of the sky, in which it melts like a snow-peak on the horizon."

(N. Wood)

Photo courtesy of the Minnesota Historical Society



## ★ AGRICULTURE

**Equine Dentistry 101**

Horses chew side-to-side and as a result their teeth wear unevenly. The answer to any discomfort horses may experience from the uneven wear and tear is a procedure known as "floating" that files down the sharp enamel points. The term floating comes from carpentry and it means to smooth or level.

HF1620, sponsored by Rep. Lyle Koenen (DFL-Clara City), would allow a person who is not a veterinarian to perform the procedure if they have obtained a license through the Board of Veterinary Medicine.

The House Agriculture and Rural Development Committee approved the measure March 30. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

Equine dentistry is much more complex than floating teeth, said Julia Wilson, Minnesota Association of Equine Practitioners president.



PHOTO BY TOM OLMSCHIED

**Julia Wilson, president of the Minnesota Association of Equine Practitioners, shows the House Agriculture and Rural Development Committee an informational video about the procedure of floating horses' teeth.**

The horse is not exactly thrilled with the procedure and certainly having it done with sedation is much more preferable, she said. "I'm here representing the horse's point of view."

Jim Johnson, a farrier from Sacred Heart, said he worked on horse teeth for 15 years until last fall when the state ordered him to quit because he was not a veterinarian.

"This is not meant to be in competition against veterinarians," he said. "There are not enough practitioners to serve the horses in this state and if this is left to only vets there will be many horses that are forced to go without any care."

Jay Wood of Eden Prairie said he gets paid a lot of money to train horses on his Plato, Minn. farm and he's not going to just call in some guy off the street.

"Everybody has a specialty," he said. "The gentlemen who do this work ... they are more what I think of as a horse whisperer."

A companion bill (SF554), sponsored by Sen. Gary W. Kubly (DFL-Granite Falls), awaits action in the Senate Agriculture, Veterans and Gaming Committee.



For information on a bill (HF1732), sponsored by Rep. Greg Blaine (R-Little Falls), that would add uniformity to livestock operation siting, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

**Pesticide application records**

A bill that would make it easier for citizens to gain access to pesticide application records failed to gain approval from the House Agriculture and Rural Development Committee March 30.

HF1160, sponsored by Rep. Mary Ellen Otremba (DFL-Long Prairie), would add private pesticide applicators to the list of applicators required to maintain records.

Applicators would be required to submit reports to the Department of Agriculture within 10 days after the end of a month in which an application has occurred.

The records collected by the department would be public.

Currently, pesticide application records are considered private.

Don Gemberling, former director of the state's information policy analysis division, spoke in favor of opening the data to the public.

"There clearly is, in this situation, a distrust about what the Department of Agriculture is doing," he said. "Whenever the government

**First deadline near**

The first of three committee deadlines set by House and Senate leadership is fast approaching:

- **Tuesday, April 5** — Bills must be out of policy committees in the house of origin.
- **Tuesday, April 12** — All House and Senate files must be out of all policy committees in the other body.
- **Friday, April 22** — Omnibus finance bills must be out of House and Senate finance committees.

Additionally, there will be no floor sessions or committee activity April 25, the day after Passover.

tries to keep information from the public, you ought to take a very good look at why that is."

Paul Liemandt, manager of the department's Environmental Response and Enforcement Division, said the bill would greatly expand the department's recordkeeping responsibilities at a cost of more than \$1 million per year.

Otremba said her county ranks 35th in the nation in cancer rates and more information is needed to determine whether pesticides are a contributing factor.

"I don't know if this is the cause and effect, and I don't know if the cancer piece in southwestern Minnesota has to do with water or air or what. But we've got to get a handle on some of this," she said.

"If there's nothing wrong, if there's nothing there, if you're not afraid of anything, why can't we do this?"

A companion bill (SF1049), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

**Tracking livestock**

When the first case of Mad Cow Disease was identified in the United States, the secretary of agriculture announced the implementation of a national animal identification and tracking system.

"We realized that if we weren't able to trace that meat back to its herd of origin, we would have a lot of difficulty in assuring people that their meat supply is safe," William L. Hartmann, executive director of the Minnesota Board of Animal Health, told the House Civil Law and Elections Committee March 30.

The state has received a grant from the United States Department of Agriculture to

begin implementing the program which will be done in three phases: identify every livestock premise in the state, including farms, auction markets and slaughter houses; identify each animal in a uniform way; and track each animal through the marketing phase.

Through the process, a large amount of information about producers will be gathered. HF2039, sponsored by Rep. Gregory M. Davids (R-Preston), deals with how that information will be classified. Most of the information gathered through the process will be deemed private, under the bill, including the location of the feedlot or premises where animals are kept, and the names and addresses of feedlot applicants.

Hartmann explained that some farmers are concerned because of the marketing information that would be tracked. "This bill tries to address that, so that we can use the information for disease control, but that it is not available others who might want to use it for other purposes."

The committee approved the bill and sent it to the House floor. The bill has no companion in the Senate.

## BANKING

### Omnibus financial institutions bill

The Department of Commerce could see changes in the regulation of banks, credit unions and other financial institutions, under the omnibus financial institutions bill.

Rep. Rod Hamilton (R-Mountain Lake) is sponsoring HF1824, which would regulate the investment authority of, and annual reporting for, certain financial institutions.

The House Commerce and Financial Institutions Committee approved the bill March 30 and referred it to the House Civil Law and Elections Committee. A companion bill (SF1636), sponsored by Sen. Dan Sparks (DFL-Austin), awaits action in the Senate Commerce Committee.

Hamilton's bill would eliminate requirements that a bank file a copy of its annual financial audit report with the commerce commissioner and that the commissioner notify the credit union advisory council when a credit union's operations are suspended. A person who has been convicted of a crime involving dishonesty, breach of trust or money laundering would be prohibited from working as or for a residential mortgage originator.

Other provisions of the bill would convert the license of an insurance company from annually renewable to perpetual, subject to payment of related fees, and permit the voluntary dissolution of a fraternal benefit society, upon the commissioner's approval.

## BONDING

### Spending number OK'd

Following a day of meetings with legislative leadership, bill sponsors and the governor, a dollar amount has been reached for a bonding bill.

The Capital Investment Conference Committee agreed to the nearly \$945 million total March 30. Conferees were expected to meet late in the week to iron out language in the proposal. House and Senate leaders said they expect the bill before each body early next week.

"Hopefully we can have strong votes in the House and Senate," said Rep. Dan Dorman (R-Albert Lea), the House sponsor.

The \$885.6 million in general obligation bonding nearly splits the difference between the original \$975.6 million Senate proposal and \$780.3 million House plan. The governor's original plan was just shy of \$744 million.

"I wish we could have done this last May or June, but nine months later we got the job done," said House Speaker Steve Sviggum (R-Kenyon). "Everybody can project a few things they don't like, but in totality this is a good bill for Minnesota."

Among the highlights are:

- \$213.6 million for the Minnesota State Colleges and Universities,

- \$108.4 million for the University of Minnesota,
- \$98.7 million for the Department of Corrections, including \$84.8 million for an expansion of the Faribault facility,
- \$37.5 million for the Northstar commuter rail,
- \$22.6 million for the Minnesota Zoo, and forgiveness of a \$1.88 million debt payment;
- \$22 million for a Minneapolis planetarium,
- \$21.76 million for a University of Minnesota/Mayo Clinic biotech research facility;
- \$19 million for bioscience development; and
- \$18 million for the Red Lake School District for school renovation and construction.

While Gov. Tim Pawlenty would not guarantee that matching federal dollars would still be available for the Northstar rail line, which would run between downtown Minneapolis and Big Lake, he said it is "very likely." However, without the bill he had been told the federal money would no longer be available.

After some early differences and tension among conferees, significant progress was made during a series of meetings March 21-23, most notably agreement on a target of about \$880 million.

"The tension was pure theatrics," said Sen. Keith Langseth (DFL-Glyndon), the Senate sponsor, with a laugh. "We love each other dearly."



PHOTO BY TOM OLMSCHEID

Gov. Tim Pawlenty, from left, and the chairs of the Capital Investment Conference Committee, Rep. Dan Dorman and Sen. Keith Langseth, are all smiles during a March 30 news conference to announce that a dollar amount has been agreed to for funding projects around the state.

Pawlenty explained why the final amount was increased by about \$6 million from what conferees agreed to.

"We worked through the spreadsheet line-by-line, and reached a conclusion that by going up a little bit we could smooth out some differences."

All involved said it was especially important to get this bill completed so another construction season is not missed.

"Bring on the bricks. Bring on the concrete. Bring on the steel," said Senate Majority Leader Dean Johnson (DFL-Willmar).

A copy of the bonding spreadsheet is available at: <http://www.house.leg.state.mn.us/fiscal/files/bond05.pdf>.

## ★ BUDGET

### A \$30 billion budget

The House narrowly adopted a budget resolution March 29 that sets the maximum limit on General Fund expenditures for fiscal years 2006-07 at \$29.84 billion.

The vote was 67-66.

The resolution, sponsored by Rep. Jim Knoblach (R-St. Cloud), also establishes the amounts to be set aside for the cash flow account and budget reserve at \$350 million and \$653 million, respectively.

The budget target would increase state spending by \$2 billion from the previous biennium, Knoblach said.

"That's \$400 for every man, woman and child in this state," he said. "That should be enough."

The resolution means every school district in the state will continue to make crippling cuts, said House Minority Leader Matt Entenza (DFL-St. Paul). It represents "a vision of averageness or below-averageness," he said.

Rep. Dan Dorman (R-Albert Lea) unsuccessfully offered an amendment that would have raised the spending level by \$358 million to \$30.19 billion. Though the budget resolution does not earmark money for specific areas of the budget, the additional money was intended for education.

"If you really want money for education you have to have as many balls in the air as possible," said Rep. Mindy Greiling (DFL-Roseville) in support of the amendment. "It doesn't mean we have to spend it."

"If you vote for this amendment you are voting for a state tax increase," Knoblach said. "I can see the postcards now: Rep. (BLANK) voted to raise taxes."

The amendment failed 72-61.

Now that the budget resolution has been adopted, the House Ways and Means Com-

mittee has 14 days to send to the House floor budget targets for the major finance or revenue bills.

## ★ CRIME

### Corrections board

When the state put sentencing guidelines into place nearly 25 years ago, it eliminated the state parole board.

HF928 would re-create a corrections board with the authority to parole inmates of state correctional facilities, Rep. Judy Soderstrom (R-Mora), the bill's sponsor, told the House Public Safety Policy and Finance Committee March 30.

The board would work in conjunction with the sentencing guidelines and serve as checks and balances to the guidelines, she said. Four of the board's five members would be appointed by the governor, with no more than two from the same political party. The corrections commissioner would appoint the fifth member.

Once half their sentence had been served, prisoners who meet certain criteria would be able to apply for parole.

The bill recognizes that people can change, said John Stuart, the state public defender. "The system needs flexibility. Not all should serve the sentence on the (sentencing guidelines) grid."

Committee Chair Rep. Steve Smith (R-Mound) expressed concern that 43 percent or more of felons now behind bars would have the option to apply for parole because chemical dependency had been a factor in their crimes.

"This would be a major policy change," said Rep. Mary Murphy (DFL-Hermantown), who said the issue deserves more time for discussion. She also wants more information on the fiscal impact of the proposal.

The committee sent the bill to the House Governmental Operations and Veterans Affairs Committee without recommendation.

A companion bill (SF967), sponsored by Sen. Don Betzold (DFL-Fridley), awaits action in the Senate Crime Prevention and Public Safety Committee.

### Decriminalizing homelessness

The vagrancy law, now a misdemeanor, would be repealed under HF2032, sponsored by Rep. Keith Ellison (DFL-Mpls).

"The law criminalizes homelessness," Ellison told the House Public Safety Policy and Finance Committee March 30. Currently, people are considered vagrant when they are over 18 years old and able to work

but do not seek employment and have no means of support. That describes homeless people, he said.

"Homelessness should not be equated with being a criminal," said Rachel Callanan, representing the Minnesota Coalition for the Homeless. "Homeless people are down on their luck and need resources to get back on their feet."

One portion of the current vagrancy law, loitering in a public place with intent to participate in prostitution, would, under the bill, become a misdemeanor crime on its own.

The bill would also provide \$600,000 for grants to homeless outreach pilot projects in Hennepin and Ramsey counties and in one yet-to-be-named county in Greater Minnesota. The grants are meant to reduce recidivism and promote stronger communities.

"Homelessness is a significant statewide problem," according to Callanan. She said that 28 percent of homeless people live outside the seven-county Twin Cities metropolitan area; an estimated 20,000 people are homeless on any given day in Minnesota; 4,000 people are long-term homeless, living on the streets for a year or more; and 1,000 people are turned away from shelters every night. She added that 117 people died in Minnesota in 2004 because of their homelessness.

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1877), sponsored by Sen. Jane B. Ranum (DFL-Mpls), awaits action in the Senate Crime Prevention and Public Safety Committee.

### Protecting the vulnerable

When Greg Roehl discovered that a 64-year-old man who had neglected his 89-year-old mother with dementia could only be charged with a gross misdemeanor, the Brooklyn Center police captain called his legislator.

The result is HF1848, sponsored by Rep. Joyce Peppin (R-Rogers), which would increase penalties for anyone convicted of neglecting vulnerable adults.

The crime is now considered a gross misdemeanor, punishable by up to one year in jail and a \$3,000 fine.

"That's not acceptable," said Peppin who added the penalty for mistreating animals is up to four years in jail and a \$10,000 fine.

The bill establishes graduated penalties based on the severity of the harm to the vulnerable adult, Peppin told the House Public Safety Policy and Finance Committee March 30.

If neglect results in death, the maximum penalty would be 15 years of imprisonment and a \$30,000 fine. If there were great bodily harm, the maximum penalty would be



10 years imprisonment and a \$20,000 fine. For substantial bodily harm, the penalty would be up to five years imprisonment and a \$10,000 fine.

The bill would apply to anyone responsible for the care of a vulnerable adult, including relatives and employees in care facilities.

Peppin said some nursing home employees expressed concerns about the bill and were willing to work with her on it. No one was present to testify against the bill.

The committee will consider the bill for inclusion in its omnibus bill.

A companion (SF1704), sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action in the Senate Crime Prevention and Public Safety Committee.

## ★ EDUCATION

### Information savings

A working group would study and make recommendations for developing an efficient, accurate and cost-effective, Internet-based student information and reporting system that could serve all Minnesota school districts.

Rep. Maria Ruud (DFL-Minnetonka), sponsor of HF1210, told the House Education Policy and Reform Committee March 29 that the working group would be expected to make its report to the Legislature by Jan. 15, 2006.

Members of the committee would include representatives of several school districts of diverse size and location, charter schools, area learning centers, the Department of Education and up to three people with demonstrated expertise in information technology.

The system would have to be unified, secure, user-friendly and able to convert data from various sources, said Ruud. The system would be funded by the state. School districts would have the option of using it.

School districts are now required to report to the state a variety of information including pupil counts and test results.

Gregory Baufield, a member of the Wayzata School Board, estimates his school district could save \$100,000 with a better system, money that could instead be used for teachers.

The committee approved the bill and referred it to the House Education Finance Committee.

A companion bill (SF731), sponsored by Sen. David Gaither (R-Plymouth), awaits action in the Senate Education Committee.

### Subsidized tests

After high school students complete challenging Advanced Placement (AP) or International Baccalaureate (IB) courses, they can take exams and may earn college credits if their scores are high enough.

Under current law, the state pays the cost of the exam for low-income public and nonpublic school students. The state also pays a smaller portion of the exam costs for other students with any of the leftover appropriation.

HF1835 would expand the state subsidy to pay a greater share of the exam costs for all students — about 80 percent of the cost of AP exam fees and the total cost of IB exam fees.

The state would provide \$2.2 million in both fiscal years 2006 and 2007 for the exam fees, Rep. Sondra Erickson (R-Princeton), the bill's sponsor, told the House Education

Finance Committee March 30. Erickson said most of the funding for her bill would come from what the governor had proposed to pay in stipends to teachers whose students score well on the tests.

An estimated 29,000 AP exams and nearly 3,000 IB exams will be taken this year, according to Marlys Peters-Melius, AP/IB coordinator for the Department of Education. An AP exam costs about \$82 and an IB exam costs about \$185, she said later.

The committee will consider the bill for inclusion in its omnibus bill.

There is no Senate companion.

## ★ ELECTIONS

### Voting accessibility

It never occurred to Judy Sanders, who is blind, that the day would come when she would be able to vote independently. That is until she learned about the voting machines that will make it possible.

Several bills making their way through the House address the implementation of the Help America Vote Act, passed by Congress in 2002 requiring state and local governments to reform election processes and systems to ensure equal treatment of and accessibility for all voters. Provisions of the bill must be in place in time for the 2006 general election.

The House Civil Law and Elections Committee heard two such measures March 30.

HF622, sponsored by Rep. Chris DeLaForest (R-Andover), is short in language and has the support of the Office of the Secretary of State. It states that each "polling place in Minnesota must have voting equipment that treats every voter in the state equally by permitting every voter to vote independently and privately and to detect errors and change their votes before their ballot is cast and counted."

HF874, sponsored by Rep. Laura Brod (R-New Prague), is more detailed and has the support of many cities and counties.

As part of the federal mandate, the state will receive about \$18 million for the purchase of an assisted voting machine for every polling place in Minnesota. Each unit will cost about \$4,400.

Brod's measure appropriates another \$18 million from the Help America Vote Act fund to be used for grants to counties to purchase optical scan voting systems. Counties or municipalities could also receive funds, not to exceed \$450 per polling place, for hardware maintenance and training of county and municipal staff on the system.

Among concerns addressed by Deputy Secretary of State Tony Kielkucki is that



PHOTO BY TOM OLMSCHEID

**Dana H. Babbitt, superintendent of South St. Paul Public Schools, listens March 30 as a member of the House Education Finance Committee questions the mission statement of international baccalaureate programs. The committee was hearing a bill that would fund a pilot program in the district for evaluating the impact of the elementary and middle school international baccalaureate programs on student achievement.**

while training of county personnel is spelled out in Brod's bill, it doesn't address the cost of training voters, particularly the disabled about the new equipment. He expects there will be consensus on one bill as the measure moves through the process.

Rep. Bill Hilty (DFL-Finlayson) successfully offered an amendment clarifying that a paper ballot would be the permanent record of the vote.

Both measures were passed and referred to the House State Government Finance Committee.

Brod's companion bill (SF290), sponsored by Sen. Linda Higgins (DFL-Mpls), awaits action in the Senate Finance Committee. The companion to DeLaForest's bill (SF715), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Elections Committee.

## ★ EMPLOYMENT

### Working injured on the railroad

Members of the United Transportation Union, a bargaining agent for trainmen, conductors, locomotive operators and yardmasters, believes that some members have been injured while working, and that the railroad companies have delayed medical care.

HF1702, sponsored by Rep. Steve Smith (R-Mound), would make that illegal. Violators could be fined up to \$10,000 per incident. It also prohibits companies from disciplining employees who request medical attention.

The bill was heard March 29 by the House Transportation Committee and referred to the House Jobs and Economic Opportunity Policy and Finance Committee.

Phillip Qualy, state legislative director for the union, described one incident when he believes the railroad withheld medical care.

"A conductor was working on a train. She broke her ankle," Qualy said. Rather than stop, the train continued, and the woman ended up spending more than half of the shift with the broken ankle.

John Huber, director of government affairs for the Canadian Pacific Railway, disputed Qualy's account. "Canadian Pacific Railway flatly denies that description of events that happened last February," he said "I would hope we could stick to the facts."

A companion bill (SF1603), sponsored by Sen. Mee Moua (DFL-St. Paul), has passed two committees and awaits action in the Senate Jobs, Energy and Community Development Committee.

## ★ FAMILY

### Providing more information

A bill would give a parent considering licensed day care for their children access to more information about providers than is currently available under the Data Practices Act.

Dakota County Commissioner Nancy Schouweiler told the House Civil Law and Elections Committee March 29 that when parents call the county for information about daycare providers there is certain data that they may want to know, but it is deemed private. "Parents cannot access information that they think is important," Schouweiler said.

She brought the problem to the attention of Rep. Lloyd Cybart (R-Apple Valley), the sponsor of HF1074, after learning that Apple Valley parents, whose child was shaken at a daycare center and later died, had called the county for information about the provider before placing the child. The county wasn't able to disclose certain information that the parent's might have liked to know.

"There is the assumption that a daycare provider is safe because they are licensed by the county," Schouweiler said.

Under current law, basic information about the licensee is available; such as date of licensure, licensed capacity, type of dwelling, name and relationship of other family members and the existence and status of complaints.

The bill would make public the number of serious injuries to, or death of, individuals in the licensed program that were reported to

the commissioner of human services. Other facilities covered would include foster care and day care services for adults.

The bill was held over for possible inclusion in the data practices omnibus bill.

A companion bill (SF1023), sponsored by Senate President James P. Metzen (DFL-South St. Paul), is being considered for inclusion in a Senate data practices omnibus bill.

## ★ HEALTH

### Birth certificates for stillborns

Parents who give birth to stillborn children may have the option of getting a birth certificate.

Rep. Karen Klinzing (R-Woodbury) is sponsoring HF947, which is modeled after Arizona's Missing Angels Bill. Currently, parents of stillborns in Minnesota can only receive a death certificate.

"My rationale for supporting this bill is that grief is a really difficult thing for parents dealing with the death of an infant," Klinzing told the House Health Policy and Finance Committee March 30. The committee approved the bill without opposition and referred it to the House floor.

She said a birth certificate recognizes the fact that the mother gave birth and helps families deal with the grief.

"How can a death certificate be given for someone who was never considered born?" asked Candy McVicar, founder of The Missing



PHOTO BY ANDREW VONBANK

**Candy McVicar, founder of The Missing GRACE Organization, gives testimony March 30 before the House Health Policy and Finance Committee on a bill that would provide for an optional record of birth resulting in stillbirth.**

GRACE Organization. McVicar experienced a stillborn birth on Dec. 20, 2001.

The bill would require those responsible for filing a fetal death report to advise parents that they could request a record of birth, inform them the record is optional and explain how to obtain a record.

Under the bill, the state registrar would be required to prepare and file, within 30 days, a record of birth, upon request.

A companion bill (SF1029), sponsored by Sen. Michele Bachmann (R-Stillwater), awaits action in the Senate Health and Family Security Committee.

## HIGHER EDUCATION

### Free tuition

By statute, any state resident who graduates from the Minnesota State Academy for the Blind is entitled to free tuition at the University of Minnesota.

Rep. Jim Abeler (R-Anoka) is sponsoring a bill (HF1674) that would waive any remaining tuition and fees for deaf students attending any public higher education institution after deducting any grants the student might obtain.

"The question is how do we create access for some of these folks that might not otherwise get to the system," he told the House Higher Education Finance Committee March 30. "To help them out with their tuition, I would suggest, is a good reason."

"It's very important that we are able to invest in the deaf and deaf children here in Minnesota," Mike Cashman, president of the Minnesota Association of Deaf Citizens, said through an interpreter. "Research shows that going to a postsecondary program helps people get off Social Security disability income services. It's really sad that some deaf people have to depend on the state and federal government for that kind of money."

He said there are currently about 1,200 deaf students in K-12 schools in the state, and in the last three years there have been an average of 88 graduates.

The bill was laid over for possible inclusion in the committee's omnibus bill.

A companion bill (SF1384), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), is being considered for inclusion in the Senate higher education omnibus bill.

### Funding doctor training

It is widely accepted that not enough medical professionals are being trained to keep up with current and future health services needs of Minnesota, especially in family medicine in rural and urban areas.

To help, state appropriations now provide funding for residency programs operated by the University of Minnesota and the Mayo Foundation, including a partnership with St. Cloud Hospital to train physicians to practice in rural areas.

The United Family Medicine Residency Program in St. Paul also trains family practice professionals in underserved areas, but unlike the other programs it receives no state dollars.

"When we started the program (in 1992) we made a conscious decision to postpone requests for state funding until we really knew if we would be good at this, if we would be successful in terms of graduating classes," said Dr. Kathleen Macken, the program director. "We'd hope to see some equity and funding to continue our work."

She said that 85 percent of program graduates have stayed in Minnesota, including 36 percent in rural areas and 23 percent in underserved urban areas. It costs about \$189,000 to train a resident throughout the three-year program.

HF669, sponsored by Rep. Carlos Mariani (DFL-St. Paul), would appropriate an unspecified amount in fiscal years 2006-07 to fund 18 resident family practice physicians in the program. Six residents are accepted into the program annually.

"I want to emphasize that we are not seeking state support at the expense of the other programs. We are looking for an increase in the state's commitment to this kind of work," Mariani told the House Higher Education Finance Committee March 30. The bill was held over for possible inclusion in the committee's omnibus bill.

A fiscal note associated with the companion bill (SF575), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), indicates the program is requesting \$20,000 annually per resident, for an annual appropriation of \$360,000. It is being considered for inclusion in a Senate higher education omnibus bill.



For information on a bill (HF1695), sponsored by Rep. Barb Sykora, that would change how the University of Minnesota Board of Regents is selected, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

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## INDUSTRY



For information on a bill (HF1988), sponsored by Rep. Tim Mahoney, that would exempt biotechnology companies from plan review by any city in Ramsey and Hennepin counties, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## INSURANCE

### Omnibus insurance bill

The 2005 omnibus insurance bill from the Department of Commerce that would make a series of technical changes to insurance regulations was approved by the House Commerce and Financial Institutions Committee March 30. It now awaits action by the House Civil Law and Elections Committee.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF1809 would regulate insurance agency terminations, coverages, fees, forms, disclosures, reports, information security and premiums.

The bill would require premium finance company refunds to be paid within 60 days after the contract is cancelled, increase the fee for filing insurance forms and premium rates from \$75 to \$90 and eliminate a \$250 filing fee for a worker's compensation large risk alternative rating option plan that meets a \$250,000 threshold in annual premiums from a single employer.

Other provisions in the bill would require insurance companies to implement a comprehensive security program to protect customer information, add MinnesotaCare to the list of acceptable waivers of coverage for small employer health insurance and increase the initial and annual renewal licensing fee for data service organizations from \$50 to \$1,000.

Rep. Diane Loeffler (DFL-Mpls) offered a successful amendment that would prohibit insurers from changing or declining coverage in a homeowner's policy for a vacant dwelling if the vacancy is caused by the insurer being called to active duty by the military or National Guard.

A successful amendment was also offered by Rep. Tom Rukavina (DFL-Virginia) that would require insurers to provide a premium reduction of at least 5 percent on a snowmobile policy if the snowmobile has a hazard warning lighting system.

Sen. Linda Scheid (DFL-Brooklyn Park) is sponsoring a companion bill (SF1783) that awaits action by the Senate Commerce Committee.

## School district employee pools

Employee health insurance pools could provide a cost savings to school districts on their health insurance coverage, but critics argue the pools aren't the answer to rising health costs.

Rep. Gregory M. Davids (R-Preston) is sponsoring HF517, which would create a state-wide health insurance pool for school district employees. The bill arises out of legislation enacted in 2002 that created a group to study and design the pool.

Davids told the House Commerce and Financial Institutions Committee March 30 that creating a large insurance pool would help keep health care costs low by spreading costs over a larger population.

The bill would create a 14-member board by Aug. 1, 2005, to administer the pool. The board would report annually to the Legislature until 2010, then bi-annually.

The bill was amended to require the board to be a contributing member of the Minnesota Comprehensive Health Association and pay assessments. A second amendment prohibited a cash payment to employees in lieu of health insurance.

All eligible employers would be required to provide health coverage only through the pool, according to the bill. The pool would have to include a choice of plans and could include more than one level of premium rates charged to employers.

According to Education Minnesota, the bill would save approximately \$223 million during the first six years of implementation.

Carolyn Jones, director of health care and transportation policy for the Minnesota Chamber of Commerce, said the legislation doesn't address rising health care costs.

The bill was approved and referred to the House Education Policy and Reform Committee.

A companion bill (SF1459), sponsored by Sen. Don Betzold (DFL-Fridley), has moved through two committees and awaits action in the Senate State and Local Government Operations Committee.

## LAW

### Pay in dollars

Monetary court judgments transferred to Minnesota will need to be paid in U.S. dollars and conform to state law as to the length of the judgment and the interest rate being charged, according to a measure signed into law by Gov. Tim Pawlenty March 25.

Signed  
by  
the  
governor  
★ ★ ★

Under current law, according to the non-partisan House Research Department, if a party has a judgment on a foreign money claim (money from another country), current law allows the party to choose between getting paid in U.S. dollars or the foreign currency.

Gary Larson, assistant chief judge for the Hennepin County Court, spoke in favor of the measure during a March 9 meeting of the House Civil Law and Elections Committee. "Our computers have our interest rates and our lengths of judgments in them," he said, adding that one person wanted their judgment entered in Euros. "Our computer doesn't even have a symbol for Euros let alone being able to enter a judgment in Euros. This just makes more sense," he said.

Rep. Ron Abrams (R-Minnetonka) and Sen. Ann H. Rest (DFL-New Hope) sponsor the law, which takes effect Aug. 1, 2005.

HF1295/SF1210\*/CH14

## Serving on the Sabbath

When Rep. Doug Meslow (R-White Bear Lake) learned that a person couldn't be served with legal papers on Sunday, he went to the state statute and learned that "the problem was bigger than I realized."

Meslow came before the House Civil Law and Elections Committee March 29 with HF665 that would repeal the section of state statute specifying that legal papers cannot be served on the Sabbath Day. "I reflected on Sabbath ... if Jewish, then you can't be served on Saturday, and if Christian, on Sunday, and if you're atheist, you can be served any day. I think that it is confusing," he said.

Under Meslow's bill, which was passed and sent to the House floor, papers could be served any day of the week.

The measure has no Senate companion.

## LOCAL GOVERNMENT



### Annexation bill stalls

The House Local Government Committee tabled a bill that would have addressed how cities and townships establish growth areas March 30.

HF1971, sponsored by Rep. Peter Nelson (R-Lindstrom), would have made several changes to the annexation process that has become contentious in several areas in the state.

Under the bill, cities would be required to provide, in summary, the proposed boundaries for a growth area, copies of all documentation used to determine the size and location of the proposed area and an outline of the city's plan to provide municipal services to all

property annexed for the area. The city would have also been required to state the intended use of land to be annexed.

Furthermore, a public hearing would have been required with gathered information to be submitted to an administrative law judge in contested cases. Information would include if the annexation would improve municipal services, like water and wastewater treatment services, and would be cost-effective.

The bill would decrease a city's ability to annex property and is anti-environment, anti-economic development and anti-property owner, testified Detroit Lakes Mayor Larry Buboltz.

"Cities have the right to grow," said Rep. Morrie Lanning (R-Moorhead), while noting that, under the bill, "contentions and polarizations would become even worse," between cities and townships.

Township representatives said the bill would even the playing field and argued cities abuse current statutes to annex property.

A Senate companion (SF1867), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action in the Senate State and Local Government Operations Committee.

## Growth determined by cities

Bills that would have limited township developments on property next to cities and created a land use council to monitor annexations in the state were heard in the House Local Government Committee March 30.

HF2061, sponsored by Rep. Morrie Lanning (R-Moorhead), would limit developments by townships, and designate city regulations to prevail over town regulations, in certain cases, if there was a conflict.

Cities should be allowed to plan for their growth and if townships want new developments, "perhaps they should incorporate and become a city," said Lanning.

Also heard was HF2060, sponsored by Rep. Tina Liebling (DFL-Rochester). It would create a land use council to monitor the state's annexation issues, strike current language of cities being able to annex 60 acres or less, change public hearing procedures, and require cities to update land use plans according to the addition of the proposed annexed land.

The state needs to be looking at an overall plan, rather than what entities are vying with each other to gain land, said Liebling.

The provisions would help "better accommodate economic development," testified Patty Gartland, Sartell city administrator.

The committee should be looking at balancing the statutes so townships have a voice in the annexation process, said Kent Sulem, an attorney for the Minnesota Association of Townships.

Neither bill has a Senate companion, and both were laid over with the expectation the committee will approach topics surrounding annexation later in the week.

## MILITARY



### Veteran's plates to tuition

The House Governmental Operations and Veterans Affairs Committee approved a bill March 30 that contains the governor's initiative for veterans.

Among the items in HF682, sponsored by Rep. Dan Severson (R-Sauk Rapids), are provisions for special license plates, the appropriation of funds for tuition reimbursement, and nearly \$7 million in bonding money for several military projects.

Included in the bill are:

- authorization of Support Our Troops license plates with funds from the plates going to support veterans programs,
- allocation of \$5.35 million in fiscal years 2006 and 2007 for the National Guard tuition reimbursement program and reenlistment bonuses,
- \$6.3 million for the Veterans Home Board for the maintenance and improvement of the state's veterans' homes, including \$6 million for asset preservation and \$306,000 for the Luverne Veterans Home dementia unit, and
- \$670,000 for the construction of a World War II veterans memorial on the Capitol Complex.

Rep. Diane Loeffler (DFL-Mpls) questioned whether other military initiatives could be added to the bill that weren't part of the governor's initiatives. Any changes would have to be negotiated with the governor, Severson said.

The bill next moves to the House Transportation Committee.

A Senate companion (SF734), sponsored by Sen. Jim Vickerman (DFL-Tracy), awaits action in the Senate Finance Committee.



For information on a bill (HF2126), sponsored by Rep. Rob Eastlund, that would clarify the terms and conditions of pay for state employees ordered to active duty, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

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

## VETERANS GRANTS



PHOTO BY TOM OLMSCHIED

**Carol Jackson, left, executive director of the Vinland Center, listens as Michael Pugliese, deputy veterans affairs commissioner, tells members of the House State Government Finance Committee March 30 that veterans service grants could be better utilized by other veterans agencies. The committee was hearing a bill that would provide a grant to the Vinland Center to provide services to veterans for vocational rehabilitation, developmental disabilities and chemical dependency.**

## RECREATION



### Paying for public access

Public access sites on Minnesota lakes could use a facelift, according to some boating and angling enthusiasts, and they're willing to pay for it through increased watercraft license fees.

HF1904, sponsored by Rep. Tom Hackbarth (R-Cedar), would increase three-year watercraft license fees and place the funds in a dedicated account for boating facilities and public access improvements on public waters.

The House Agriculture, Environment and Natural Resources Committee reviewed the proposal March 30 and laid it over for possible inclusion in an omnibus environment finance package. There is no Senate companion.

Many of the boat license fees have not been increased since 1981, Hackbarth said. Those would be doubled, under the bill.

Others that were raised in 1999 by

50 percent would be raised another 50 percent, he said.

A sampling of current license fees and the proposed increases includes:

- canoes, kayaks and sailboats - \$7 to \$14,
- watercraft 19 feet in length or less - \$18 to \$27,
- watercraft 19 feet in length up to 26 feet - \$30 to \$45,
- watercraft 26 feet in length to 40 feet - \$45 to \$67.50, and
- personal watercraft - \$25 to \$37.50.

"It's going to cost my family some money. It's a user's fee — we're all in favor of that," said 86-year-old St. Paul angling activist Frank Schneider. The state has spent some "real good money" on public accesses, but it hasn't been able to keep them in good shape, he said.

"I've been fishing actively since before World War II and don't take our fun away from us. Us old farts, we need it."

## SAFETY



### Property protection

Last year, Gov. Tim Pawlenty vetoed a bill that would have protected private property cave owners from injury lawsuits by recreational explorers. The veto came in the wake of the April 27, 2004 deaths of three teenagers from carbon monoxide poisoning in St. Paul caves near the Mississippi River. In his veto message, Pawlenty said, "We've seen, firsthand, the dangers involved in cave exploration. This bill could decrease precautions to avoid tragedy in the future."

Rep. Gregory M. Davids (R-Preston), who sponsored the bill last year, told the House Civil Law and Elections Committee March 30 that if the bill had passed it wouldn't have applied in that case. He is giving the measure another go-round this year with HF221.

Under current law, a landowner making property available for recreational activities, without charge, has no responsibility to prevent individuals from harming themselves. Activities covered by the law include hunting, fishing, swimming and various winter sports. The bill would add rock climbing and cave exploration to the list. A successfully offered amendment defines each activity.

The measure now goes to the House floor.

Sen. Mady Reiter (R-Shoreview) is again sponsoring a companion bill (SF196), which awaits action in the Senate Judiciary Committee.

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

### **In case of an emergency...**

A bill that would allow peace officers with a Class D driver's license to operate any vehicle, or combination of vehicles, while on duty was passed March 29 131-0 by the House.

HF974, sponsored by Rep. Ron Erhardt (R-Edina), now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

It would also direct the Department of Public Safety to see if the bill would violate any federal laws, and if so, it would be required to seek a federal waiver.

The bill is needed for emergency situations, Erhardt said. Peace officers might only have a Class D license, which is the typical driver's license most people have. They might come upon a heavy vehicle that's blocking the road, and they need to move it. However, they might not have the proper license. "They want to be legal about it," Erhardt said.

A Class D license allows people to operate a passenger car and a few other vehicles. Heavier vehicles, such as trucks and buses, require Class A, B or C licenses.

## **TAXES**

### **Stop hurting investments**

When businesses spend money for a capital improvement, they pay the standard sales tax of 6.5 percent.

However, since 1984 they've been able to get that sales tax refunded, but according to the Department of Revenue, 80 percent to 85 percent of eligible companies do not apply for the refund.

Rep. Peter Nelson (R-Lindstrom) is proposing to do away with the sales tax altogether.

Under HF1807, the purchase of repair and replacement parts would not have a sales tax from July 1, 2005, to July 1, 2007. After that, sales taxes would no longer be collected on any capital equipment purchases used for mining, manufacturing, fabricating or refining. The cost to the General Fund could run to \$93 million in fiscal year 2008, then \$35 million in 2009.

The bill was heard March 30 by the House Taxes Committee and held over for possible inclusion in the committee's omnibus bill.

"What the state has always wanted to do is encourage businesses to invest," Nelson said. "It actually does a good job of stifling growth. This is one way you could go about correcting some inequities. Our sales tax has morphed into something that is far from simple."

John Eagleton is president and chief executive officer of Northstar Aerospace, a precision machining business in Duluth. He said the

sales tax makes it hard for him to do business. "It's a particularly heavy burden with companies that have experienced large growth. We're purchasing a substantial amount of capital equipment. When you're buying \$1.5 million worth of equipment, the sales tax comes to around \$100,000. That's a lot of money I share with the state of Minnesota," he said.

A companion bill (SF1735), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action in the Senate Taxes Committee.

### **Time for a tax increase**

Rep. Michael Paymar (DFL-St. Paul) is sponsoring a bill that would raise taxes less than 1 percent, but would boost the General Fund coffers by as much as \$527 million by fiscal year 2009.

HF1516 was heard March 30 in the House Taxes Committee and held over for possible inclusion in the committee's omnibus bill. Effective tax year 2006, the bill would raise individual income tax rates from 5.35 percent, 7.05 percent and 7.85 percent, respectively, to 5.7 percent, 7.62 percent and 8.5 percent, based on income levels.

According to a fiscal analysis from the Department of Revenue, more than 1.8 million Minnesotans would receive an average tax increase of \$115 in tax year 2005. For 2006, the average tax increase would be \$228.

"I believe if the economy wavers, the Legislature and governor should work together to do the right thing. Fifty-seven percent of the electorate believes we should solve our ongoing budget problems with cuts and taxes," Paymar said. "We are seeing signs of a diminished quality of life. In my district, our Early Childhood Family Education was closed because of budget cuts. Our school district is facing a \$20 million deficit."

Several people testified on behalf of the bill, including the Rev. Victor Balke, bishop of the Diocese of Crookston, who spoke for the Minnesota Catholic Conference, a coalition of Catholic bishops based in St. Paul.

"It's the way that 'haves' share with the 'have-nots,'" Balke said. "Because human needs require it and other resources are not available to meet these needs, we believe that it is right and proper to raise income taxes justly and equitably."

A companion bill (SF1333), sponsored by Sen. John C. Hottinger (DFL-St. Peter), awaits action in the Senate Taxes Committee.

## **TRANSPORTATION**



### **Omnibus bill sent to the floor**

An omnibus transportation policy bill that makes several changes to the state's transportation system but spends no money, was passed March 30 by the House Transportation Committee and sent to the floor.

HF945, sponsored by Committee Chair Rep. Ron Erhardt (R-Edina), does everything from allowing state highway logo signs to display the availability of E85 fuel (an ethanol-gasoline blend), to encouraging Department of Transportation employees to plant low-maintenance vegetation along the side of the road to cut down on mowing costs.

Other notable parts of the bill, include:

- A section of Trunk Highway 371 near Little Falls would be designated as the Purple Heart Highway, in honor of veterans who were wounded while serving; a new bridge on Trunk Highway 10 between Fargo, N.D. and Moorhead would be designated Veterans Memorial Bridge; and the Trunk Highway 23 bridge over the St. Louis River would be designated the Biouswah Bridge in Honor of Native American veterans. Money for the signage of those new names must come from non-state sources.
- A five-axle vehicle or combination not exceeding 40 tons may operate on a highway not designated for that weight if the vehicle needs reasonable access to fuel, repair and rest facilities if within three miles of such a designated highway.
- Day activity center buses would be allowed to use their stop arm and warning signals to restrain traffic while passengers are crossing, as do school buses.
- The duration of learner's permits, given to drivers after they've passed their written test but before they take their road test, would increase from one to two years.

A companion bill (SF1089), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Transportation Committee.

### **Seatbelt penalties**

Minnesota's state troopers, sheriff's deputies and police officers are the ones who have to wake families up at 2 a.m. after a fatal traffic accident "and set them on a grief journey that's going to last them the rest of their lives," said Olmsted County Sheriff Steven Borchardt.

More often than not, the people killed in those accidents were not wearing their seatbelt, he said.

So it made sense that many of the state's law enforcement officers were at the March 29 meeting of the House Transportation Committee,

which was hearing a bill that would raise the stakes on seatbelt violations. The bill was recommended to pass and referred to the House Public Safety Policy and Finance Committee.

HF1087, sponsored by Rep. Duke Powell (R-Burnsville), would increase the fine for failure to wear a seatbelt from \$25 to \$50. It would also permit law enforcement officers to cite motorists for not wearing a seatbelt even if the violator was not being stopped for another offense.

Now, officers can only cite a person for not wearing a seatbelt if they are being stopped for another offense.

In other states where similar laws have been passed, the increase in use has been "immediate and sustained," Powell said. Use has gone up as much as 20 percent.

Seatbelt use in Minnesota is now just over 80 percent.

A companion bill (SF1070), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action on the Senate floor.

### Keep off the shoulder

It's against the law to pass on the shoulder on Minnesota's highways, and it's been that way for years.

The law seemed clear while many of the state's shoulders were unpaved. But now, with so many paved shoulders, some people have seen fit to pass on them, even though it's still against the law.

The courts have felt that in the present form, the law is unclear, said Brian Erickson, captain with the Minnesota State Patrol.

Rep. Connie Ruth (R-Owatonna) is sponsoring HF2037, which clarifies that issue. In the section of state statute that prohibits driving on the shoulder, it adds the language, "whether paved or unpaved."

The bill was heard March 29 by the House Transportation Committee and held over for possible inclusion in the committee's omnibus bill.

"We believe it is in fact a violation to drive on the shoulder," Erickson said, but this bill removes any question.

He said that even when paved, shoulders are not as thick as the road. Allowing motorists to drive on them would be disastrous. "We would destroy the shoulders faster than we do now," he said.

A companion bill (SF1386), sponsored by Sen. Mike McGinn (R-Eagan), awaits action in the Senate Transportation Committee.

## LATE ACTION



### "Marriage" proposal passes House

A proposal that would ask Minnesota voters if the constitution should limit the recognition of marriage or its legal equivalent "to only the union of one man and one woman" was approved March 31 by the House on a 77-56 vote.

House Republicans rallied behind Rep. Dan Severson (R-Sauk Rapids), the sponsor of HF6.

"This bill is about defining marriage and stopping activist judges, and about the voice of the people being heard," Severson said. "The only way to protect the state from circumventing the will of the people by activist judges is to allow the voices of the people of Minnesota to be heard on the ballot in 2006."

The language of the bill, particularly the words "legal equivalent," came under intense questioning throughout the three-hour debate.

Rep. Steve Simon (DFL-St. Louis Park) said that "activist judges" would look to legislative intent as they interpret the law. The "language is muddy, murky and sloppy. ... We are setting ourselves up for years of litigation and for years of confusion." He said that unclear language "gives judges more power, not less."

Severson said the intent of the bill is to allow the people to decide on the definition of marriage, not activist judges. And he is

concerned that if the constitutional amendment is not put in place, marriage would be lost as an institution.

"The Legislature determines the language, and I believe the legal challenges would go through the courts. I believe this is the strongest language to protect marriage," Severson said.

Rep. Ron Latz (DFL-St. Louis Park) said the vague language could put in jeopardy domestic benefits that are currently offered by businesses and some public institutions. "We have an obligation to tell the people what the question is that they are voting on."

Rep. Mark Olson (R-Big Lake) said that ambiguity is created by "trying to get around current law. We have marriage, we have civil unions ... this (bill) eliminates ambiguity."

"The people have the right to know that you will take away our benefits, our legal contracts," said Rep. Karen Clark (DFL-Mpls) the only openly gay House member. "You know how deep the harm will be. These are civil rights" and this is not the first time the minority has had the majority making decisions about their civil rights.

Rep. Tom Emmer (R-Delano) said the bill "does not mean there cannot be gay unions. It is not going to take away someone's rights. We are making sure that the definition is not changed by activist judges."

This bill now goes to the Senate where Sen. Michele Bachmann (R-Stillwater) is the sponsor.

### DIFFERENCE OF OPINION



PHOTO BY TOM OLMSCHIED

Kathy Brown of Columbia Heights, right, leans over to talk to her mother, Lois Rothfusz of Rosville, as they hold their signs in support of a proposed Minnesota constitutional amendment that would specify that marriage be between a man and woman. Doug Benson of Robbinsdale, left, and Robert Halfhill of Minneapolis hold their sign opposed to the constitutional amendment outside the House Chamber prior to session March 29.



# 2005-06 Minnesota House of Representatives Members

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

# A winning hand or bust?

## Both sides sound off on proposed gaming expansion

By BRETT MARTIN

**A** new day of gaming may be dawning on Minnesota, but not without stiff opposition.

Proposals worth hundreds of millions of dollars that would expand gaming to include a casino and a racino drew standing room only crowds, dozens of testifiers and hours of debate at March committee hearings.

HF1817, sponsored by Rep. Andrew "Andy" Westerberg (R-Blaine), is the governor's proposal for the state to enter into a contract with tribal governments to operate a casino. The state would own the gaming machines and be responsible for operations. The tribal entity would need to pay a \$200 million licensing fee and bear all facility-related costs. It would manage the casino's day-to-day operations.

Rep. Mark Buesgens (R-Jordan) is sponsoring HF1664, which would allow gaming machines at racetracks that have conducted live racing for five consecutive years. The racetrack would have to pay \$100 million to the state's General Fund upon entering into the contract, and a set percentage of annual profits thereafter.

Proponents of the bills say the gaming expansion would give the state much needed revenues and create fairness in the state casino industry. Opponents say the bills would hurt some American Indian tribes and create social ills.

The House Regulated Industries Committee approved the bills March 29, and referred them to the House Taxes Committee, despite opposition from DFL members.

On March 30, the state attorney general's office said the provisions of HF1817 are inconsistent with Minnesota's constitution.

"Accordingly, should the governor and the Legislature wish to pursue a state-operated casino, I recommend that they first seek approval of a constitutional

amendment from the voters," according to the letter signed by Kristine L. Eiden, chief deputy attorney general.

Gov. Tim Pawlenty later said he "respectfully disagrees with the attorney general's opinion."

### Tribal partnership

Westerberg's bill would allow the state to partner with American Indian tribes that have demonstrated financial need. The three largest tribes in the state, Leech Lake, White Earth and Red Lake, meet the need criteria and plan to form a tribal entity for the casino venture.

George J. Goggeley Jr., chairman of the Leech Lake Band of Ojibwe, said the casino revenues would help the tribes with housing, unemployment, education and health care. "It's a chance for us to make a difference in the lives of our people."

Under the bill, the state would pay the tribal entity 64 percent of adjusted gross revenues. Initial projections are that the total tribal



PHOTO BY TOM OLMSCHEID

**One gambling proposal being considered this session would make Canterbury Park a racino offering slot and video gaming. The facility currently offers live and simulcast horse racing and a card room.**

### Some 2005 gambling-related bills

- HF179: Compulsive gambling prevention and education
- HF211: Gambling tax rate reduced
- HF215: Specifies uses for some gambling profits
- HF401: Certain raffles not required to register
- HF463: Referendum required for gambling facility in town or city
- HF485: Noon hour bingo restrictions removed
- HF514: Omnibus technical gaming bill
- HF519: Texas hold'em legalized
- HF767: Permitting pull-tab purchases by employees of organization lessors
- HF791: Video game of chance modified
- HF803: Raffle definition modified
- HF934: Compulsive gambling prevention and education funding
- HF968: Sports wagering pool established and bookmaking licenses authorized
- HF989: City approval of gambling facility required
- HF1009: Operating a casino in the Minneapolis-St. Paul International Airport
- HF1042: Operating video lottery terminals in bars
- HF1092: Sports-themed tipboard games provided
- HF1099: Gambling fraud crime provision clarified
- HF1179: Racing Commission card club duties clarified
- HF1208: Referendum required for gambling facility in town or city
- HF1361: Lottery proceeds percentage deposited in natural resources and recreation fund
- HF1570: Operating gaming machines in hospitals
- HF1664: Permitting gaming machines at racetracks
- HF1770: Social and economic costs of gambling study and report required
- HF1801: Omnibus policy gaming bill
- HF1817: Tribal-state casino for Twin Cities metropolitan area
- HF2154: Compulsive gambling prevention and treatment



PHOTO BY TOM OLMSCHIED

**A pair of bills that would expand gaming, including one that would help three American Indian tribes, were approved by one House committee and await action in the House Taxes Committee.**

earnings would be between \$100 million and \$178 million annually for the first five years.

Not all American Indians support the partnership. Wally Storbakken, a member of the Leech Lake Band, said gambling would not solve tribal problems such as poverty and unemployment.

"If you want to help us, find another way," Storbakken said.

John McCarthy, executive director of the Minnesota Indian Gaming Association, said the proposal puts all gaming at risk because the state would not be able to stop expansion once it starts.

"Minnesota would become dependent on gambling," he said.

A new casino in the Twin Cities metropolitan area would also cause more than 1,000 job losses in rural casinos, McCarthy said.

The bill would allow a temporary casino to be operational within six months of legislative approval and a permanent facility to be built within two years. Once a site is chosen, that city would have 60 days to adopt a resolution if it does not want to host the casino.

### Playing the slots and the ponies

Buesgens said his bill would allow for the next step in the evolution of Canterbury Park — the addition of slot and video gaming, making it a racino. The privately financed expansion would include a 250-room hotel and conference center and a world-class equestrian center with two indoor arenas, three outdoor arenas, a cross-country jumping course and new stalls for show horse events.

Shakopee Council Member Joseph Helkamp said local support is crucial for the racino.

"I can assure you that Canterbury Park has that support," he said. "This proposal will enhance our community."

### Pro and con

The hospitality industry supports both bills, said Jaye Rykuny, president of UNITE HERE Local 17. She said the gaming expansion would create good paying union jobs and allow employees a better quality of life.

"Workers in the hospitality industry want to achieve the American dream," she said.

Doreen Hagen, president of the Prairie Island Community Tribal Council that owns and operates Treasure Island Resort & Casino near Red Wing, opposes both bills.

"We're told it's a matter of fairness," she said. "As a community that has endured more than its share of injustices, it's difficult for us to accept being lectured to by others about fairness."

The racino would cause 400 job losses and \$12 million in lost wages for Treasure Island, she said. Area businesses would lose nearly \$16 million in revenues.

"In the past, the governor and many other lawmakers have opposed expanded gambling as a matter of good public policy," Hagen said. "Budget challenges and what appears to be a desire by some to punish certain tribes are not justification for changing this policy."

Brian Rusche, executive director of the Joint Religious Legislative Coalition, said most casino revenues come from 4 percent of people who are problem gamblers. He said new casinos would exacerbate the problem.

### A divided committee

"This bill is about fairness," Westerberg said of his proposal, pointing out that 85 percent of American Indians receive little benefit from current gaming.

Voicing support for the racino, Rep. Sondra Erickson (R-Princeton) said it would help the state's \$1 billion horse industry. "This is a phenomenal opportunity for a fast growing industry in the state."

Rep. Thomas Huntley (DFL-Duluth) said

### Gambling activities by Minnesotans in the past year

Any activity	83%
Minnesota lottery	60%
Raffle	49%
American Indian casino	41%
Social bets	28%
Cards (non-casino)	27%
Pull-tabs	26%
Sports	18%
Bingo	13%
Nevada casino	12%
Dice	9%
Horse race	6%
Internet	2%

Source: Minnesota State Lottery

Minnesota is the seventh richest state and should not have to rely on gaming to fund essential programs.

"We've sunk to the level that we have to fund K through 12 education with gambling money," Huntley said.


For Rep. Joe Atkins (DFL-Inver Grove Heights) the issue was finances.

"These [facilities] are really going to have a tough time making it," he said. "The math just simply doesn't work."

Atkins unsuccessfully offered more than two dozen amendments between the meetings, including increasing the percentage the state receives from the casino, forbidding tribal governments from using casino money to provide payments to individual tribal members, requiring the host city or town to approve a casino in an election, requiring principal to be paid on bonds that finance the casino and requiring a full waiver of sovereign immunity by the tribal governments. The amendments were defeated along party lines or withdrawn.

Atkins did offer a successful amendment to HF1817 that would require any change of ownership in the tribal entity to be approved by the Legislature.

Rep. Kurt Zellers (R-Maple Grove) successfully offered amendments to both bills to make the gaming machines accessible to people with disabilities, including people with sensory impairments.

Senate Minority Leader Dick Day (R-Owatonna) sponsors a companion bill (SF1609) to Buesgens' bill and Sen. Sandra L. Pappas (DFL-St. Paul) is sponsoring a companion (SF1978) to Westerberg's bill. Both await action in the Senate Agriculture, Veterans and Gaming Committee. 

# Holding the gavel, control

## Committee chairs serve as gatekeepers to the House floor

By BRETT MARTIN

**O**f the 2,268 bills introduced in the House, as of March 31, just 17 had become law. Most of the remaining bills are waiting to get through the committee process.

Before a bill can be voted on by the full House, it usually has to be approved by a committee, sometimes several committees. However, not every bill gets a committee hearing.

Rep. Tom Rukavina (DFL-Virginia) said that he's been trying, in some cases several years, to get committee hearings on his bills, including raising the minimum wage, requiring American flags to be made in the United States and requiring an insurance reduction for snowmobiles with hazard lights.

Rukavina said he could have offered his snowmobile bill as a successful amendment last session, but he withdrew it thinking he could get a committee hearing this session.

"Now I can't get a hearing," he said.

However, Rukavina successfully amended a snowmobile insurance reduction provision to an omnibus insurance bill March 30.

### The power to choose

Committee chairs serve as gatekeepers who determine which bills get hearings in their respective committees. Some make a conscious effort to keep partisan politics out of that process.

Rep. Mark Olson (R-Big Lake), chair of the House Local Government Committee, has initiated a system where bills are ranked by members and those with the highest ratings get the nod.

"If you want to influence which bills we hear, you have a chance. If you don't want to, you have that prerogative. At least everyone in my committee has a voice, regardless of party," Olson said.

Rep. Gregory M. Davids (R-Preston) said he also wants his committee to run without parti-

san politics. As a goodwill gesture to the minority caucus, he always hears a DFL-sponsored bill as the first bill of the session.

"Ag issues aren't partisan issues," said Davids, who currently chairs the House Agriculture and Rural Development Committee. Before that he had chaired the commerce committee for six years.

Davids said his committee would hear most bills referred to it this session, although he tends to deny a hearing to bills that are political rather than policy.

"Ag issues are so important to the state that there's not room for playing party politics," Davids said. "There is a time to send campaign flyers. The committee is not that time."

He hears bills that he doesn't agree with, such as three bills to regulate atrazine.

"If something fails, it got a fair hearing," he notes.

With the first committee deadline of April 5 rapidly approaching, time is becoming more crucial. Rep. Barb Sykora (R-Excelsior), chair of the House Education Finance Committee, said she's already heard well over 60 bills in her committee, and she still has more than three-dozen requests for bill

hearings.

"The trouble is that some bills are controversial, and that takes a lot of time," she said. "You can't predict how many questions you'll get."

Sykora said if bills are similar, she won't hear all of them.

"I'll listen to one that does something; not to the six or seven others that do the same thing," she said. "I like to hear new ideas. It might be the answer to an issue."

Some bills do get fast-tracked, such as gubernatorial initiatives and those impacting communities.

Bills referred from other committees also get preference.

"We're respecting the time the other committees have put into it already," Olson said.

### Getting heard

Despite efforts by some chairs to keep the process balanced, not everyone feels all voices are being heard. Rep. Barbara Goodwin (DFL-Columbia Heights) is the chief author of 11 bills this session, yet only one has been heard in committee.

"I'm very frustrated," she said. "Party politics get in the way of legislators doing what we're supposed to be doing."

All bills require a time investment for research, writing, talking to people, and reviewing pros and cons, whether the bills are heard

or not, she said.

"We're all elected," Goodwin said. "We all deserve equal opportunity to have ideas heard and represent the people we were elected to represent."

***"Party politics get in the way of legislators doing what we're supposed to be doing."***

— Rep. Barbara Goodwin

Olson agrees that the current system stifles ideas.

"I don't believe the process is set up to assure each member has an equal voice in the process," he said.

He said the process underwent a radical change about 40 years ago. From territorial days until the 1960s, when a bill was first introduced on the House floor and someone objected to it, the question was asked, "Shall the bill be rejected?" Now, no bill can be objected to upon its introduction.

Deciding which bills are heard was once done by the entire body, Olson said. Now, it's done by a minority of people, usually the committee chairs.

"When you create minority control, you're violating members' rights to hear a bill," he said.

Committee chairs can pick and choose which bills fit their agendas and which ones will ultimately pass, Olson said. As an example, he said that from 1989 to 1994, 1,859 bills passed the House and only 10 failed.

There is an avenue available to members who feel they can't get a committee hearing.

**Continued on page 23**

# Sending a cultural message

## Kong is a leader in the Hmong community

By Ruth Dunn

**S**oliving Kong, who works with representatives every day in his position as assistant postmaster for the House, is also a representative, of a different kind.

Kong is among 18 Hmong clan leaders in Minnesota, being selected by 70 families with the last name of Kong, to represent their clan. In Hmong culture, clans are organized by last name.

Clan leaders are selected based on knowledge and experience. They tend to be well-known. "My job is to represent men, women and children," said Kong. His leadership philosophy is, "Respect others if you want to get respect."

As Kong clan leader, he also is a member of the Clan Council, which meets monthly and

hunters in Wisconsin last November.

While holding press conferences are not normally a part of the Hmong culture, the group has recently done so. It's a case of when in Minnesota, do as Minnesotans do. Kong and two other clan leaders also recently appeared on "Almanac," the public affairs program on public television, and they've installed a hotline phone at the council office so people can call with questions or concerns.

Kong hopes people realize that just because one or two Hmong men might have done bad things, not all Hmong are bad. "We hope people understand these are individuals; not the group," said Kong. "There may be one or two bad apples but the rest of the apples are still good."

Kong estimates there are about 60,000 to

"I tell refugees, 'You are so lucky. We are here to do everything we can to help you.' It's a lot easier for them than it was for us," he said.

Kong, 49, was forced to flee Laos in 1975 when Americans left Southeast Asia because his ties with the CIA put his life at risk. He arrived in Minnesota in 1980 and saw his first snow. In 1986, his neighbor, former Rep. Steve Trimble, recommended him for work at the Capitol and he's been here ever since, including 17 years as assistant postmaster.

As clan leader, Kong helps newcomers adjust to life in Minnesota — and it's a huge adjustment to learn to live in this country successfully, he said. "When you arrive, you don't know the language and everything you hear sounds like mumbo jumbo." The hardest part for him was homesickness — missing his country and the family left behind.

Another part of his role as clan leader is to help people live together and learn from each other and other cultures.

"You think of this as a free country but there are so many rules and regulations here," said Kong. "My country (Laos) was a free country. We could do anything we wanted to there."

Kong mediates conflicts among spouses, parents and children. A huge generation gap can develop when tightly-knit family-oriented Hmong move to America.

"Hmong of my generation think of themselves as Hmong-Americans while our children, who were born here, think of themselves as American-Hmong," said Kong.

Tension has developed at times in Kong's own family. He and his wife, a professional seamstress, have four grown sons and a daughter. "Sometimes parents have no choice. The children grow up and have their own choices," admits Kong. Kong estimates that Hmong people lose about 75 percent of their culture when they come to the United States so they want to tightly hold on to the remaining 25 percent.


Kong sees the progress Hmong people have made in Minnesota. "We only arrived 30 years ago, but we have improved our lives," he said, adding that more Hmong are going on to higher education and going into professional careers, and there is a Hmong-American in the House, Rep. Cy Thao (DFL-St. Paul), and another in the Senate, Sen. Mee Moua (DFL-St. Paul). Kong would like to see more Hmong-Americans elected to city councils, school boards and county boards. 



PHOTO BY TOM OLMSCHIED

**House Assistant Postmaster Soliving Kong stands in the House post office. Kong, who was forced to flee Laos in 1975, is now a Hmong elder in the Twin Cities.**

has an office in St. Paul. The council recently launched an effort to counteract negative publicity after a Hmong-American working for the city of St. Paul was allegedly involved in financial mismanagement and another has been charged in the shooting deaths of six

80,000 Hmong in Minnesota, a number that increases every year. He's a board member of the Hmong American Partnership, a Hmong refugee agency, which sponsors a lot of new arrivals. He understands how newly arrived immigrants feel and what they are going through.

## Tuesday, March 29

### HF2121—Johnson, J. (R) Civil Law & Elections

Business notification of persons whose personal information has been disclosed to unauthorized persons required.

### HF2122—Goodwin (DFL) Health Policy & Finance

Social services for children with serious emotional disturbances specified.

**HF2123—Abeler (R)**  
**Governmental Operations & Veterans Affairs**  
Prescription drug purchases by state employee health insurance plan from one pharmacy benefits manager required, local government participation in drug purchasing program authorized and money appropriated.

**HF2124—Kahn (DFL)**  
**Governmental Operations & Veterans Affairs**  
Interaction with third-party consultant regarding bond underwriting services by bonding authorities and political subdivisions prohibited.

**HF2125—Davids (R)**  
**Health Policy & Finance**  
Minnesota health care purchasing authority established and report required.

**HF2126—Eastlund (R)**  
**Governmental Operations & Veterans Affairs**  
Pay differential law for state employees ordered to active military service clarified.

**HF2127—Huntley (DFL)**  
**Commerce & Financial Institutions**  
Clinical trial health plan coverage study and report required.

**HF2128—Sykora (R)**  
**Education Finance**  
Regular special education revenue restored and state budget reserve priority added.

**HF2129—Beard (R)**  
**Regulated Industries**  
Horse racing electronic wagers provided.

**HF2130—Lenczewski (DFL)**  
**Taxes**  
Card club operations gross receipts tax imposed.

**HF2131—Gunther (R)**  
**Local Government**  
County issuance of capital improvement bonds for rehabilitation or demolition of tax-forfeited commercial property permitted.

**HF2132—Gazelka (R)**  
**Education Policy & Reform**  
Student eligibility maintained when participating in Minnesota State High School League activities in another district during a teachers' strike.

**HF2133—Peppin (R)**  
**Governmental Operations & Veterans Affairs**  
Lease of state property at 168 Aurora Ave. in St. Paul as a child-care facility authorized.

**HF2134—Otremba (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Minnesota Family Investment Program family cap repealed.

**HF2135—Abeler (R)**  
**Health Policy & Finance**  
Tobacco use in certain health care settings permitted.

**HF2136—Simon (DFL)**  
**Transportation**  
Driver's license reinstatement surcharge imposed to fund trauma care centers.

**HF2137—Westrom (R)**  
**Regulated Industries**  
Hydrogen usage as energy resource promoted and money appropriated.

**HF2138—Hosch (DFL)**  
**Education Finance**  
Independent School District No. 741, Paynesville, fund transfer authorized.

**HF2139—Mullery (DFL)**  
**Commerce & Financial Institutions**  
Prevailing wage violations investigator employment by commissioner of labor and industry required, investigation procedures clarified and notification of violations required.

**HF2140—Ellison (DFL)**  
**Health Policy & Finance**  
Medical Assistance coverage of environmental investigations for children with elevated blood lead levels required.

**HF2141—Wilkin (R)**  
**Commerce & Financial Institutions**  
Definition of "wage" modified.

**HF2142—Wilkin (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Duplex first-time homeowner construction funding study required.

**HF2143—Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
President, Congress and United States memorialized by resolution to maintain current levels of postal service.

**HF2144—Simpson (R)**  
**Taxes**  
Vendor sales tax allowance provided.

**HF2145—Severson (R)**  
**Governmental Operations & Veterans Affairs**  
Veterans' postsecondary education rights expanded.

**HF2146—Soderstrom (R)**  
**Agriculture & Rural Development**  
Anhydrous ammonia additive feasibility study to prevent illicit use of methamphetamine required.

**HF2147—Soderstrom (R)**  
**Health Policy & Finance**  
Methamphetamine offender education material development and sheriff distribution of methamphetamine education materials to inmates required.

**HF2148—Bernardy (DFL)**  
**Transportation Finance**  
County Road J and Airport Road lane addition and noise barrier improvement bonds issued and money appropriated.

**HF2149—Bernardy (DFL)**  
**Transportation Finance**  
Highway interchange reconstruction at Interstate 35W and County Road J and Lake Avenue improvement bonds issued and money appropriated.

**HF2150—Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
At-risk youth out-of-wedlock pregnancy prevention program money appropriated.

**HF2151—Huntley (DFL)**  
**Health Policy & Finance**  
Marijuana medical use and penalties provided.

**HF2152—Holberg (R)**  
**Civil Law & Elections**  
Bullying behavior private educational data disclosure authorized.

**HF2153—Tingelstad (R)**  
**Civil Law & Elections**  
Husband of mother by assisted reproduction or artificial insemination treatment as biological father of resulting child provided.

**HF2154—Mullery (DFL)**  
**Health Policy & Finance**  
Compulsive gambling prevention and treatment services money appropriated.

**HF2155—Gunther (R)**  
**Environment & Natural Resources**  
Weights and measures standards updated, petroleum tank release cleanup provisions delayed and Petroleum Tank Release Compensation Board rule adoption for consultant services authorized.

**HF2156—Demmer (R)**  
**Civil Law & Elections**  
Financial planner usage in preparing a conservator's inventory for the court and certified public accountant audit usage provided.

**HF2157—Johnson, R. (DFL)**  
**Transportation**  
Highway construction adherence to a 10-ton standard required in certain instances.

**HF2158—Johnson, R. (DFL)****Education Finance**

Middle school math and science initiatives money appropriated.

**HF2159—Hackbarth (R)****Environment & Natural Resources**

Environment advisory boards modified and report eliminated.

**HF2160—Eastlund (R)****Higher Education Finance**

Minnesota State Colleges and Universities; Board of Trustees innovations fund money appropriated.

**HF2161—Eastlund (R)****Higher Education Finance**

University of Minnesota; Board of Regents research support money appropriated.

**HF2162—Slawik (DFL)****Education Policy & Reform**

Online learning information provision to students by school districts required, online learning funding provided and money appropriated.

**HF2163—Vandever (R)****Taxes**

County supermajority vote to transfer certain local assessment responsibilities required.

**HF2164—Vandever (R)****Higher Education Finance**

Free speech for faculty and students bill of rights enacted.

**HF2165—Davnie (DFL)****Education Policy & Reform**

Principals' leadership institute establishment grant authorized and money appropriated.

**HF2166—Samuelson (R)****Health Policy & Finance**

Traumatic Brain Injury Advisory Committee termination date extended.

**HF2167—Anderson, B. (R)****Transportation**

Novice driver safety education program established, driver instruction permits and provisional driver's license provisions modified and money appropriated.

**HF2168—Gunter (R)****Jobs & Economic Opportunity Policy & Finance**

Minnesota redevelopment accounts modified.

**HF2169—Walker (DFL)****Taxes**

Nonprofit entity grants to facilitate delivery of volunteer assistance to low-income taxpayers established and money appropriated.

**HF2170—Hoppe (R)****Local Government**

Carver County; designation of county auditor, treasurer and recorder positions as appointive offices authorized.

**HF2171—Tingelstad (R)****Agriculture, Environment & Natural Resources Finance**

Fridley; Springbrook Nature Center redevelopment bonds issued and money appropriated.

**HF2172—Bradley (R)****Health Policy & Finance**

Licensing and alternative quality assurance task force established.

**HF2173—Larson (DFL)****Governmental Operations & Veterans Affairs**

Bloomington Fire Department Relief Association funding deadline extended and interest rate assumption increased.

**HF2174—Larson (DFL)****Local Government**

Metropolitan Airports Commission implementation of specified sound mitigation efforts in designated areas required.

**HF2175—Abeler (R)****Health Policy & Finance**

Statewide health improvement plan and grant program established, health coverage maintenance required, tobacco tax increased, health plan essential benefit set provided, health care provisions detailed, bonds issued and money appropriated.

**HF2176—Hackbarth (R)****Transportation Finance**

Elk River and Minneapolis commuter bus service money appropriated.

**HF2177—Cornish (R)****Education Policy & Reform**

Compulsory instruction of children between 5 and 16 years of age provided and special provisions for children under age 7 established.

**HF2178—Krinkie (R)****Taxes**

Definition of "tax" specified.

**HF2179—Welti (DFL)****Governmental Operations & Veterans Affairs**

Emergency state government meetings facilitation by telephone or other electronic means authorized.

**HF2180—Marquart (DFL)****Education Finance**

General education basic formula allowance and declining enrollment funding increased, levy reinstated, alternative teacher compensation programs promoted, school district Internet access funding authorized and money appropriated.

**HF2181—Vandever (R)****Taxes**

Alternative minimum income tax for individuals and corporations abolished.

**HF2182—Carlson (DFL)****Higher Education Finance**

University of Minnesota; Board of Regents size established and constitutional amendment proposed.

**HF2183—Davids (R)****Taxes**

Local city sales tax imposition authorized.

**HF2184—Dittrich (DFL)****Jobs & Economic Opportunity Policy & Finance**

Northwest Regional Curfew Center grant money appropriated.

**HF2185—Charron (R)****Environment & Natural Resources**

Shooting range protection act established and expedited rulemaking required.

**HF2186—Demmer (R)****Public Safety Policy & Finance**

Dodge County; drug court money appropriated.

**HF2187—Abrams (R)****Local Government**

Hennepin County Medical Center governance provided, and county subsidiary corporation providing healthcare and related services created.

**HF2188—Jaros (DFL)****Governmental Operations & Veterans Affairs**

Military honor guard member pay or reimbursement grants provided.

**HF2189—Ellison (DFL)****Public Safety Policy & Finance**

Definition of "public place" for purposes of prostitution law provided.

**HF2190—Hackbarth (R)****Regulated Industries**

Horse racing; Class A license requirements amended.

**HF2191—Abeler (R)****Health Policy & Finance**

Office of Mental Health Practice oversight authority transferred, report required and money appropriated.

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**Wednesday, March 30**


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**HF2192—Tingelstad (R)****Governmental Operations & Veterans Affairs**

Human services rules required relating to affidavits of disclosure and nondisclosure and medical history forms related to birth parents of adopted children.

**HF2193—Cox (R)****Environment & Natural Resources**

Mercury emissions limits imposed for coal-fired electric generating facilities and grant program established to research mercury reduction technology for taconite processing.

**HF2194—Mariani (DFL)****Environment & Natural Resources**

Mercury emissions limits imposed for coal-fired electric generating facilities, and grant program established to research mercury reduction technology for taconite processing.

**HF2195—Nelson, P. (R)****Transportation**

Motor vehicle headlamps and taillamps required to be illuminated at all times when vehicle is operated on highways.

**HF2196—Charron (R)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Association general plan service credit purchase authorized for a period of prior employment as a public defender.



**HF2197—Vandev eer (R)****Taxes**

Levy limits imposed on counties and certain cities.

**HF2198—Mariani (DFL)****Education Finance**

Charter school pupil transportation formulas modified.

**HF2199—Johnson, R. (DFL)****Health Policy & Finance**

Suicide prevention program funding provided and money appropriated.

**HF2200—Sertich (DFL)****Transportation**

Floodwood; safety rest area authorized to sell beverages and snack foods.

**HF2201—Thissen (DFL)****Local Government**

Real property appraisal data classified relating to eminent domain, appraisal provisions modified, time when a party may challenge public purpose or authority specified, relocation benefits clarified and other procedures specified.

**HF2202—Hilty (DFL)****Civil Law & Elections**

Campaign and candidate committees prohibited from having certain public officials serve as chairs or treasurers.

**HF2203—Samuelson (R)****Health Policy & Finance**

Long-Term Care Task Force recommendations implemented, nursing facility beds excess capacity reduced, savings allocated to home and community-based services and services for elderly and caregivers expanded.

**HF2204—Ruth (R)****Taxes**

Active military service compensation individual income tax deduction provided.

**HF2205—Ruth (R)****Transportation Finance**

Southern Minnesota rural transit services funding provided and money appropriated.

**HF2206—Bernardy (DFL)****Agriculture, Environment & Natural Resources Finance**

Fridley; Springbrook Nature Center redevelopment funding provided, bonds issued and money appropriated.

**HF2207—Lenczewski (DFL)****Taxes**

Federal income tax update provided, government contractors prohibited with certain vendors, liquor and rented vehicle taxes provided, sales tax exemptions modified, homestead market value tax credit modified and money appropriated.

**HF2208—Lenczewski (DFL)****Governmental Operations & Veterans Affairs**

Minneapolis Employees Retirement Fund service credit purchase authorized for prior city employment as a permit employee.

**HF2209—McNamara (R)****Education Finance**

School district requirement to reserve revenue for cooperative programs removed.

**HF2210—Peterson, A. (DFL)****Agriculture & Rural Development**

Farmer-reserved seed storing mechanism provided for planting in subsequent crop years, fee authorized and penalty imposed.

**HF2211—Peterson, A. (DFL)****Environment & Natural Resources**

Natural Resources Department required to obtain permits for construction activities in watershed districts.

**HF2212—Tingelstad (R)****Governmental Operations & Veterans Affairs**

Sesquicentennial commission established to plan activities relating to the 150th anniversary of Minnesota statehood and money appropriated.

**HF2213—Carlson (DFL)****Commerce & Financial Institutions**

Health provider payment disclosure required, disclosure of and limiting certain charges to the uninsured provided and provider recourse limited.

**HF2214—Emmer (R)****Public Safety Policy & Finance**

Identity theft; commissioner of public safety required to adopt rules to protect victims of identity theft from invalid criminal suspicion.

**HF2215—Marquart (DFL)****Education Finance**

Education excellence revenue provided as a mechanism for rewarding results and money appropriated.

**HF2216—Thissen (DFL)****Governmental Operations & Veterans Affairs**

Notaries public maximum fees increased.

**HF2217—Howes (R)****Taxes**

Hubbard County lodging tax authorized and municipalities within the county prohibited from imposing a separate tax.

**HF2218—Davids (R)****Commerce & Financial Institutions**

Insurance producer compensation and producer-agency relationship disclosure required.

**HF2219—Fritz (DFL)****Governmental Operations & Veterans Affairs**

Public employees police and fire fund service credit purchase authorized.

**HF2220—McNamara (R)****Taxes**

Aggregate resource preservation property tax program established and classification provided for property containing unmined aggregate.

**HF2221—Dorman (R)****Taxes**

Clothing sales tax exemption eliminated.

**HF2222—Thissen (DFL)****Governmental Operations & Veterans Affairs**

State agencies encouraged to use open-source software.

**HF2223—Cornish (R)****Public Safety Policy & Finance**

Criminal Gang Strike Force funding provided and money appropriated.

**HF2224—Nornes (R)****Higher Education Finance**

Minnesota academic excellence scholarship modified and tuition benefits clarified for senior citizens.

**HF2225—Cox (R)****Education Finance**

Resident school district's obligation to charter schools for unreimbursed special education costs limited and state required to pay 70 percent of a charter school's remaining special education costs.

**HF2226—Lanning (R)****Civil Law & Elections**

Voter registration application deadline extended, proof of residency documentation clarified, application form specified, civil rights restoration notice required and other election and voting provisions modified.

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**Thursday, March 31**

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**HF2227—Klinzing (R)****Governmental Operations & Veterans Affairs**

Independent School District No. 625, St. Paul, post-retirement health insurance coverage restoration required for specified retired teachers.

**HF2228—Abrams (R)****Taxes**

Revenue commissioner general powers recodified and clarified, criminal penalty recodified and money appropriated.

**HF2229—Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Family Investment Program employment services requirement modified for participants with children less than 12 weeks old.

**HF2230—Peterson, N. (R)****Governmental Operations & Veterans Affairs**

Statewide and local retirement plans marriage dissolution public pension benefits division modified.

**HF2231—Loeffler (DFL)****Transportation Finance**

Hennepin County; bridge crossing the Mississippi River funding provided, bonds issued and money appropriated.

**HF2232—Ellison (DFL)****Taxes**

Alcoholic beverage tax increased, proceeds dedicated to county grants to provide probation supervision and treatment services for offenders and money appropriated.

**HF2233—Seifert (R)****Public Safety Policy & Finance**

Private prison housing of inmates authorized, pilot project to house short-term offenders established and proposals requested.

**HF2234—Liebling (DFL)****Health Policy & Finance**

Prescription drug bulk purchasing program established.

**HF2235—Hansen (DFL)****Commerce & Financial Institutions**

Meatpacking industry workers rights established.

**HF2236—Abeler (R)****Health Policy & Finance**

Public health care program performance reporting and quality improvement payment system established.

**HF2237—Abeler (R)****Local Government**

North Suburban Hospital District expanded and district authorized to levy taxes and issue bonds.

**HF2238—Abeler (R)****Local Government**

Long-term care voluntary purchase arrangements authorized for employees of political subdivisions.

**HF2239—Samuelson (R)****Agriculture, Environment & Natural Resources Finance**

Fridley; Springbrook Nature Center redevelopment funding provided, bonds issued and money appropriated.

**HF2240—Vandevor (R)****Civil Law & Elections**

Financing statements expedited judicial review provided and civil and criminal liability established for fraudulent or improper statements.

**HF2241—Lieder (DFL)****Transportation**

Transportation, Metropolitan Council, and public safety activities funding provided, trunk highway bonds issued, vehicle registration tax and fee provisions modified, money appropriated and constitutional amendment proposed.

**HF2242—Lieder (DFL)****Education Finance**

Independent School District No. 2609, Win-E-Mac, fund transfer authorized.

**HF2243—Seifert (R)****Governmental Operations & Veterans Affairs**

Office of enterprise technology established and money appropriated.

**HF2244—Abeler (R)****Governmental Operations & Veterans Affairs**

County postretirement benefit cost payments abolished.

**HF2245—Cybart (R)****Public Safety Policy & Finance**

Speed contests prohibited, observing a speed contest as a spectator penalty specified and criminal penalties imposed.

**HF2246—Cornish (R)****Education Finance**

Independent School District No. 2071, Lake Crystal-Wellcome Memorial, fund transfer authorized.

**HF2247—Cornish (R)****Taxes**

Major league sports franchise transfer sales tax imposed.

**HF2248—Penas (R)****Agriculture, Environment & Natural Resources Finance**

Snowmobile metal traction device sticker fees funds allocated and money appropriated.

**HF2249—Penas (R)****Agriculture & Rural Development**

Organic Advisory Task Force extended.

**HF2250—Moe (DFL)****Taxes**

Bemidji economic development abatement extension authorized.

**HF2251—Krinkie (R)****Transportation**

Freeway transit passenger loading study provided and money appropriated.

**HF2252—Opatz (DFL)****Local Government**

Central Minnesota county consolidation study and report required.

**HF2253—Latz (DFL)****Local Government**

Local government meetings held by telephone or other electronic means authorized.

**HF2254—Slawik (DFL)****Civil Law & Elections**

Minnesota false claims act adopted.

**HF2255—Severson (R)****Transportation**

Motor vehicle insurance company reporting requirements provided, vehicle insurance verification program and account established, database provided to identify uninsured motorists, sampling program discontinued and money appropriated.

**HF2256—Solberg (DFL)****Transportation**

First hauls of manufactured wood products exempted from highway gross weight restrictions.

**HF2257—Welti (DFL)****Taxes**

Feedlot environmental compliance individual income and corporate franchise tax credit provided.

**HF2258—Goodwin (DFL)****Commerce & Financial Institutions**

Health care provider payment disclosure required.

**HF2259—Goodwin (DFL)****Regulated Industries**

Phone cards required to clearly state expiration dates.

**HF2260—Goodwin (DFL)****Agriculture, Environment & Natural Resources Finance**

Fridley; Springbrook Nature Center redevelopment funding provided, bonds issued and money appropriated.

**HF2261—Seifert (R)****Civil Law & Elections**

Major political party definition modified related to the campaign finance public subsidy program.

**HF2262—Welti (DFL)****Governmental Operations & Veterans Affairs**

Employee energy savings suggestions incentives provided for state agencies and higher education institutions.

**HF2263—Knoblach (R)****Ways & Means**

Finance Department provisions updated.

**HF2264—Knoblach (R)****Governmental Operations & Veterans Affairs**

Minneapolis Teachers Retirement Association investment in the supplemental investment fund authorized, administrative expense surcharge revised and additional funding required by members and recipients in the event of underperformance.

**HF2265—Knoblach (R)****Health Policy & Finance**

Children with special health needs coverage provided and money appropriated.

**HF2266—Pope (DFL)****Local Government**

Mower County alternative publications for required notices authorized.

**HF2267—Jaros (DFL)****Environment & Natural Resources**

St. Louis County easement conveyance authorized.

**HF2268—Knoblach (R)****Civil Law & Elections**

Local government referenda on bonding and levy questions required to be put before voters only at the general election, ballot questions regulated and reports required.

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**Continued from page 18**


House rules allow the chief author to request the bill be returned to the House and referred to another committee or heard on the floor. The process is rarely used.

Some members feel the 24-hour rule for committee amendments, imposed by some chairs, also suppresses the process.

Most people don't see a bill until committee, and they'd like the opportunity to offer amendments and act on the bill, Rukavina said. "That's what the process is all about. That's the purpose of the committee."

Olson said he's not a fan of the 24-hour rule either, but he understands the reason behind it. "The rule is intended to get to people who bring in controversial amendments to catch people off guard."

For Davids, the responsibility of the chair is not lost on him.

"It's a great honor and responsibility to hold that gavel," he said. "The decisions we make, make a difference in people's lives." 

MINNESOTA HOUSE OF REPRESENTATIVES  
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# MINNESOTA

## I N D E X

### Play Ball!

Year the Minnesota Twins were founded as the Washington Senators .....	1901
Team's first season in Minnesota .....	1961
Times the Twins have opened the regular season against Seattle .....	3
Years prior to 2005 .....	1978, 1982
Team record in season openers .....	22-22
Air miles the team is scheduled to travel this season .....	30,184
Number of Twins players all-time born in Minnesota .....	26
Years that Herb Carneal has been the team's radio voice, including 2005 .....	44
Managers in the history of the Minnesota Twins .....	12
Not including interleague or postseason games, Twins pitchers who have batted since the designated hitter began in 1973 .....	4
Number that struck out .....	4
Triple plays turned in Twins history .....	10
Distance, in feet, of 1984 home run by Kent Hrbek in Metrodome .....	480
Feet short of stadium record set by Milwaukee's Ben Oglivie one year prior .....	1
Amount, to the nearest \$20,000, that the Twins spent lobbying the Legislature in 2004 .....	\$340,000
In fiscal year 2003 .....	\$960,474
Estimated 2004 net worth of Twins' Owner Carl Pohlad, in billions .....	\$2.3
Rank among Americans .....	92
Cost to build the Metrodome from 1979-82, in millions .....	\$68
Outdoor temperature, in degrees, the day of the first Twins regular season game in the Metrodome .....	28
Cubic feet of air pressure per minute needed to keep the Metrodome roof inflated .....	250,000
Weight of Metrodome pitching mound, in pounds .....	23,000
Acres of Teflon-coated fiberglass that covers the Metrodome .....	10
Year the latest version of the St. Paul Saints began .....	1993
Number of runs the Saints scored in the bottom of the ninth inning of the deciding game to become 2004 Northern League champions .....	7
Members of Minnesota AAU baseball .....	5,900
State rank .....	2
Year amateur baseball started in state .....	1857
Average for Willie Mays in 35 games with the Minneapolis Millers in 1951 .....	.477
Year the Minneapolis Millerettes played in the All-American Girls Professional Baseball League .....	1944

**Sources: Minnesota Twins, including 2005 Minnesota Twins Record and Information Book; St. Paul Saints; Minnesota Youth Athletic Services; Minnesota Amateur Baseball Hall of Fame; Campaign Finance and Public Disclosure Board; Forbes magazine.**

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# SESSION Weekly

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INSIDE: ACCESSING THE POLLS, HOME FOR GOLDEN GOPHERS, THE GEOGRAPHICAL GAP, MORE

This Week's Bill Introductions HF2269-HF2380

# Session Weekly

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On the cover: Louis Blazek of Roseville walks through a shaft of sunlight streaming in from a window on the second floor of the Capitol April 5. Spring is in the air as temperatures exceeded 70 degrees on Monday and Tuesday.

—Photo by: Tom Olmscheid

# Miles apart on some issues

Can the geographic gap be bridged?

By RUTH DUNN

**N**ot only is the current House nearly evenly split between Republicans and DFLers; it's also nearly balanced between rural, suburban and urban members.

When he first arrived at the House in 1991, Rep. Carlos Mariani (DFL-St. Paul) was given advice from a long-time member who told him it isn't just about party politics. There's also an urban and rural split that might be even greater. People will cross party lines for geographic reasons, he was told.

## A tale of three Minnesotas

Every House district has just over 36,500 residents, but that's where the similarities end.

For example, Canada is just across the water from the Bear Island home of Rep. David Dill (DFL-Crane Lake). His rural district is the most sparsely populated with six people per square mile. It's also the largest geographically with 6,485 square miles.

"Hybrid" is how Rep. Karen Klinzing (R-Woodbury) describes her outer-ring suburban district, one of the fastest growing in the state. Rural meets urban in her district, which still has agriculture land along with spreading housing developments.

With 15,428 residents per square mile, the urban district of Rep. Karen Clark (DFL-Mpls) is the most densely populated in the state and one of the smallest, just two square miles. It may also be one of the most diverse with a blend of languages and cultures from all over the world.

## Ring around the city

When State Demographer Tom Gillaspay looks at state population maps, he sees an expanding "donut," a growth collar that surrounds the core cities of Minneapolis and St. Paul.

The growth collar took off in the 1990s when the population of the outer suburbs grew by 36 percent compared to 4.6 percent in the core cities, 3.5 percent in the older first and second ring suburbs and 6.8 percent in the rest of the state.

Minnesota is now nearly one-third rural, one-third suburban and one-third core city, said Gillaspay. He predicts that balance will crumble after the next census in 2010 because the outer suburbs are expanding so rapidly. Older, inner ring suburbs are having a

second round of population growth that's more diverse than the first round in the 1950s and 1960s. The core cities of Minneapolis and St. Paul are, so far, retaining their populations. The rural areas, especially along the western and southern borders of the state, are losing population and thus legislators.

It's no longer a seven-county Twin Cities metropolitan area, said Gillaspay. It's a 13-county metro area that includes the Minnesota counties of Hennepin, Ramsey, Carver, Sherburne, Dakota, Wright, Anoka, Washington, Scott, Chisago and Isanti, along with two counties in western Wisconsin.

There's also significant growth along the Interstate 94 corridor toward North Dakota and in regional centers like Rochester.

Demographers consider anyone living in a city with a minimum 2,500 population to be urban. By that definition, 71 percent of Minnesotans are now urban dwellers compared to 34 percent in 1900, said Gillaspay.

Rep. Bud Heidgerken (R-Freeport), an unabashed rural supporter who will fight Republicans and DFLers to protect "Lake Wobegon,"

understands what the population numbers mean. "Even if all rural legislators voted together, the seven-county metro area would have the most votes. It's not a fair fight," he said.

## Strength in numbers

Both rural and suburban legislators have formed bipartisan caucuses that meet on a regular basis. The intent is to leave their political party affiliations at the door and focus on shared concerns.

The bipartisan suburban caucus began meeting recently, partly because a rural caucus was meeting on a regular basis, according to Rep. Ron Erhardt (R-Edina) who co-chairs the caucus with Rep. Ron Latz (DFL-St. Louis Park). But also because Erhardt remembered when united suburban legislators had an impact on property



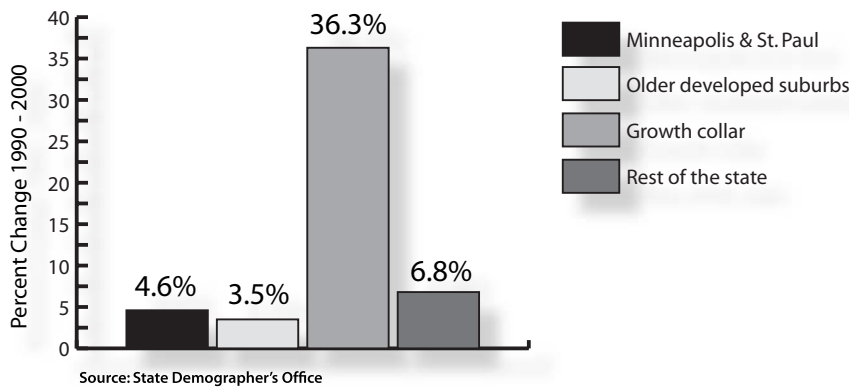
PHOTO ILLUSTRATION BY TOM OLMSCHIED

**At one time, the majority of Minnesota's population was considered rural. Now, due to population shifts, there is an almost three-way divide between urban, suburban and rural. When vying for state dollars, the legislative split causes some to cross over party lines and think geographically.**

**First Reading continued  
on page 4**



## The growth collar grew rapidly in the '90s while growth was modest elsewhere



### First Reading continued from page 3

tax reform about five years ago, a critical issue at that time.

"We've got to have our own suburban caucus, not to beat up on rural Minnesota but to make sure we get our fair share of what's being parceled out," said Erhardt. "Our needs may be different, but we do have needs."

Transportation and K-12 education topped the list of topics for the group's first meeting.

Bipartisan support is vitally important for rural Minnesota and crucial for its future quality of life, said Rep. Paul Marquart (DFL-Dilworth), who co-chairs the bipartisan rural caucus with Rep. Dan Dorman (R-Albert Lea).

"Both parties are not always geared toward rural issues," Marquart said.

The group's first goal was to get to know each other. Rural legislators don't see each other as often as metro reps do because they are more geographically separated, he said.

Meeting topics included restoration of Local Government Aid and new funding for K-12 education. Rural legislators hope to get

together on some bills and develop a strategy to frame the debate.

"So many issues and differences are more metro/rural than Democrat/Republican," Marquart said.

### Geographic differences

"Sometimes city folks just don't get it," said Rep. Larry Howes (R-Walker), who explained that urban legislators don't understand the full impact of the mandates they pass. He appreciates it when metro legislators take the time to ask him how legislation would affect rural areas.

However, Heidegerken said rural representatives could do a better job of helping metro legislators understand their parts of the state. "Our job is to educate; to paint a picture of rural Minnesota."

Many rural legislators gain insight into the metro area by living in St. Paul during sessions. Heidegerken would like metro legislators to live, for a time, in the country. He knows

Missouri legislators take a tour of the state together to gain a better understanding of the big picture and that could be a good thing for Minnesota, he said.

"People think a suburb is a suburb. But they're not the same," said Klinzing. "Even within our own caucus, there are divisions within (suburban) rings."

Clark knows many rural residents never venture off the freeways that cut through the core cities. She remembers a time when rural legislators were paired with urban families to spend an evening together and participants found out they were more alike than different.

### Common ground

Education funding is the issue that can now unite rural, suburban and urban Minnesota, said Rep. Maria Ruud (DFL-Minnetonka). "There's a perception that suburbs have a lot of money. We've been blessed, but our schools are still hurting just like everyone else," she said.

Mariani sees common concerns between rural and urban Minnesota in meeting challenges like poverty and spurring economic development. First and second ring suburbs also have more in common with the core cities than they used to. Some Greater Minnesota regional centers like Rochester may now have more in common with Edina than with Albert Lea, he said.

"Many metro and suburban residents grew up on farms, or their parents did, or increasingly their grandparents did," said Rep. Doug Magnus (R-Slayton). "They still have a warm place in their hearts for rural Minnesota."

"We're all part of the same community," said Clark. "When one hurts, we all hurt. When one is given opportunity, it helps the whole fabric of the state." 🌿

## Capitol capital

### Gilbert places Minnesota flower in Corinthian design



To appreciate the State Capitol is to develop a tiny working knowledge of architectural history.

The decorative gold crowns atop the 42 marble columns on the second floor are Corinthian capitals.

From the Latin *caput*, a capital is the crowning feature of a column. The Corinthian style, developed in the Greek city of Corinth, is one of the three classic Greek architectural orders. Where Doric or Ionic styles might call for simple elements or plain scrolls, Corinthian tends to be more ornate. It was a fitting architectural accent in the early 20th century for a

state on the rise and ready to declare, "look how civilized we are in Minnesota."



PHOTO BY TOM OLMSCHEID

Corinthian capitals grace the tops of the marble columns on the second floor of the Capitol.

The Corinthian capital typically consists of two rows of Mediterranean acanthus leaves, out of which rise two stalks that end in spiral scrolls called "volutes."

Rather than select a classic Greek "fleur-de-lis" (flower ornament) such as a honeysuckle or palm leaf, Gilbert went with something distinctly Minnesotan: the pink and white showy lady's slipper that had been adopted by the 1902 Legislature as the state flower.

Gilbert pulled this trick out of his bag again for his design on the capitals at the entrance to the Supreme Court Building in Washington, D.C. There, the ornaments above the acanthus leaves are eagles.

(N. Wood)



## ★ AGRICULTURE

**Migrant worker housing**

Affordable, decent seasonal housing can be difficult to find for Minnesota's migrant agricultural workers.

HF1585, sponsored by Rep. Mark Olson (R-Big Lake), aims to alleviate some of the pressure by exempting a grouping of up to four manufactured homes from the state regulatory guidelines placed on manufactured home parks, as long as certain conditions are met.

The House Agriculture and Rural Development Committee approved the measure April 5. It now moves to the House floor.

The exemption is already in place, Olson said, but it's set to sunset this year and HF1585 would make it permanent.

Under the bill, the manufactured homes must be used by agricultural laborers in areas zoned agricultural to qualify for the exemption.

The homes would be required to meet state water and sanitation standards.

The bill also contains an indoor living space requirement of at least 80 square feet per inhabitant.

HF1585 is not to be confused with HF527, sponsored by Rep. Dan Severson (R-Sauk Rapids), which would exempt up to two manufactured homes from the trailer park designation, under certain conditions. That bill awaits action on the House floor. The primary difference between the two is that the Severson bill is directed toward permanent agricultural workers, said Ron Elwood, Legal Services Advocacy Project legislative advocate.

A companion to HF1585 (SF1509), sponsored by Sen. Gary W. Kubly (DFL-Granite Falls), awaits action in the Senate Jobs, Energy and Community Development Committee.

**Abseonding with anhydrous ammonia**

Minnesota farms are fertile ground for anhydrous ammonia thievery. The common fertilizer is an ingredient in one of the recipes for cooking the illegal drug methamphetamine.

HF2146, sponsored by Rep. Judy Soderstrom (R-Mora), would direct the Agriculture Department, in consultation with several state agencies, to conduct a study of potential additives to anhydrous ammonia that would inhibit its use in meth production.

The House Agriculture and Rural Development Committee approved the measure April 5. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

## TARTAN TIME



PHOTO BY SARAH STACKE

**John Ivory of Aitken visits the State Capitol April 6 for the annual Tartan Day Celebration. Ivory and his wife, Ardis, whose maiden name is McIntyre, are members of The Minnesota Coalition of Scottish Clans. The day recognizes the contribution made by generations of Scots-Americans to the foundation and prosperity of modern America. The Scottish Declaration of Independence was signed on April 6, 1320.**

New York has undertaken a study of a chemical additive ferrocene, Soderstrom said. Another additive on the market is a telltale bubble-gum pink stain that also stains the finished meth.

Bill Bond, executive director of the Minnesota Crop Production Retailers, said the study should consider the cost for retailers and producers to have to use additives not required in other states.

A companion bill (SF2126), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Health and Family Security Committee.

## ★ BUSINESS

**Implementing improvements**

Even though the recession is over, manufacturing companies have not made the come-

back they'd like, and some in the industry say that still puts a drag on the state's economy.

Small manufacturers are the "bedrock" of the state's economy, said Wayne Pletcher, president of Minnesota Technology Inc.

Rep. Connie Ruth (R-Owatonna) agrees with him, so she is sponsoring legislation that might help small manufacturers.

HF1831 would provide \$1 million to Minnesota Technology Inc. in each fiscal year of the 2006-07 biennium to establish the Small Business Growth Acceleration Program.

The goal of the new program would be to help manufacturing companies with 50 or fewer workers implement technology and business improvements. Minnesota Technology Inc. would report to the Legislature on the actual fiscal impact of money awarded to companies.

The bill was heard in the House Jobs and Economic Opportunity Policy and Finance Committee April 6 and held over for possible inclusion in the committee's omnibus bill.

"From my perspective, MTI has been very supportive," said Doug Belmore, president and chief executive officer of Jones Metal Products Inc., a metal fabricator in Mankato.

A companion bill (SF1886), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Jobs, Energy and Community Development Committee.

**Underage liquor sales**

New penalties would be imposed on those caught selling liquor to minors, under a bill (HF687) sponsored by Rep. Connie Bernardy (DFL-Fridley).

The penalties for underage liquor sales at the same location within two years would be: \$500 for the first violation; \$750 for the second violation; \$750 and three-day license suspension for the third violation, and license revocation for the fourth violation. The licensee would be given an opportunity for a hearing before having the license suspended or revoked.

"Right now, it's just too easy for young people to get alcohol," Bernardy told the House Regulated Industries Committee's Liquor Subcommittee April 5 before the bill was tabled.

"If no one is checking these establishments, how do we know they're doing the right thing?" asked Ellie Church, youth program coordinator for Mothers Against Drunk Driving. "It's important for penalties for the establishments to be swift, certain and severe."

The bill would also require a licensing

authority to conduct at least two compliance checks each year on each retail establishment to ensure compliance. This provision drew opposition from groups that said it would cost hundreds of thousands of dollars to meet the compliance requirement.

Requiring two compliance checks a year is the equivalent of an unfunded mandate, said Jennifer O'Rourke, intergovernmental relations representative with the League of Minnesota Cities.

A companion bill (SF1444), sponsored by Sen. Ellen R. Anderson (DFL-St. Paul), is being considered for inclusion in a Senate omnibus liquor bill.

### Regulating service contracts

Consumers could see more protection with service contracts, under a bill approved by the House Commerce and Financial Institutions Committee March 31.

HF1003, sponsored by Rep. Tim Wilkin (R-Eagan), now heads to the House Jobs and Economic Opportunity Policy and Finance Committee.

The bill would provide for the regulation of certain types of service contracts by the Department of Commerce and create the legal framework for selling the contracts in Minnesota. Exceptions under the bill would include warranties, maintenance agreements, some products sold by public utilities, service contracts sold to non-consumers, motor vehicle service contracts and service contracts on personal property sold for less than \$250.

Service contract providers would be required to meet financial solvency requirements or maintain net worth or shareholder's equity of at least \$100 million, according to the bill. Service contract revenues would be exempt from the insurance premium tax. Other provisions in the bill would require disclosures of service contracts and reimbursement insurance policies.

Bruce W. "Buzz" Anderson, president of the Minnesota Retailers Association, said there is a lot of ambiguity concerning service contracts in current state law, which Wilkin's bill would clean up. He said other states have enacted similar legislation.

Sen. Dan Sparks (DFL-Austin) is sponsoring a companion bill (SF1782) that awaits action in the Senate Commerce Committee.

## ★ CONSUMERS

### Eliminating 'Power Hour'

The dangerous practice of binge drinking at midnight on a person's 21st birthday could be prohibited under a bill that seeks to end the so-called "Power Hour."

Rep. Morrie Lanning (R-Moorhead) is sponsoring HF1226, which would require people to wait until 8 a.m. on the day of their 21st birthday before being permitted to purchase or consume alcohol.

Under current law, a person can drink liquor at midnight on his or her 21st birthday.

Lanning told the House Regulated Industries Committee's Liquor Subcommittee that some people go to bars at midnight to celebrate reaching the legal drinking age and attempt to drink 21 shots of liquor before the bar closes. This practice can have tragic consequences.

Anne Buchanan said her son, Jason Reinhardt, died of alcohol poisoning after consuming 15 alcoholic drinks in the "Power Hour."

"We need to take charge of this situation and stop the 'Power Hour' celebration," Buchanan said.

Dana Farley, director of health promotion at the University of Minnesota, said the bill would help curb binge drinking by students

celebrating their 21st birthday. He said most students drink alcohol responsibly, but some believe they will stop drinking before they get sick and end up drinking to excess.

"Binge drinking is a national problem," Lanning said. "This is a policy change we need to make."

The bill was approved April 5 and referred to the full committee.

Sen. Rod Skoe (DFL-Clearbrook) is sponsoring the companion bill (SF1280). It awaits action by the full Senate.

### Hearing aid consumer protection

Those using hearing aids could enjoy additional consumer protections, under a bill sponsored by Rep. Karen Clark (DFL-Mpls).

HF949 would extend the period that a purchaser could return a hearing aid to a dispenser from 30 days to 45 days. Consumers buy hearing aids from dispensers rather than directly from manufacturers.

The bill would make the notice of cancellation period effective upon mailing the hearing aids, not upon receipt by the dispenser. The cancellation fee would be changed from 10 percent of the purchase price to no more than \$250.

Some new hearing aids cost as much as \$6,000 each, according to the Minnesota Commission Serving Deaf and Hard of Hearing People. Under current law, this could



PHOTO BY ANDREW VONBANK

**Anne Buchanan testifies April 5 before the House Regulated Industries Committee's Liquor Subcommittee in support of a bill that would specify 8 a.m. on the day of person's 21st birthday as attainment of age with respect to the use of alcohol. Buchanan's son, Jason Reinhardt, died after participating in the so-called "Power Hour."**



HF1650, sponsored by Rep. Connie Ruth, transfers cosmetology regulation to the newly expanded Board of Barber and Cosmetologist Examiners. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

result in a charge of \$1,200 for a pair of returned hearing aids.

The bill would also require old hearing aids that were given to a hearing aid dispenser in exchange for a discount be returned upon request if the new aids are returned. The audiogram administered by the dispenser to select the hearing aid would need to be provided to the consumer upon request.

The House Health Policy and Finance Committee approved the bill without opposition April 4 and referred it to the House Commerce and Financial Institutions Committee.

A companion bill (SF988), sponsored by Sen. Dallas C. Sams (DFL-Staples), awaits action on the Senate floor.

## ★ CRIME

### Animal fights

When 50 or more people suddenly descend on garages in his neighborhood, Rep. Joe Mullery (DFL-Mpls) and his constituents know organized animal fights are taking place.

Fights are a public safety threat because dogs trained to fight are also a risk to humans and other animals, Mullery told the House Public Safety Policy and Finance Committee April 4.

HF1869, sponsored by Mullery, puts more teeth into law enforcement efforts to stop fights before they begin.

"Currently, if we're working on a criminal case of dog fighting, we have to catch them in the process of fighting before animals can be seized," said Keith Streff, director of investigations for the Animal Humane Society in Golden Valley.

The bill makes it a gross misdemeanor to own a trained fighting dog as shown by possession of training equipment, paraphernalia or drugs known to prepare dogs for fighting. The crime could also apply if a dog exhibits fresh wounds, scarring or other indications that he has been or will be used for fighting.

Rep. Scott Newman (R-Hutchinson) said the bill casts too broad a net and might catch someone like himself, who has a pet Labrador that sometimes gets in fights. The bill also shifts the burden of proof to the defendant, he said.

"Our constituents ought to be getting their entertainment in some other way," said Committee Chair Rep. Steve Smith (R-Mound), "These animals can't speak for themselves."

The committee will consider the bill for its omnibus bill.

A companion bill (SF2066), sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

### From the counter to cooking

A bill that would change the way certain medications linked to methamphetamine cooking are sold over-the-counter, and would increase penalties for manufacturing, possessing and selling the drug itself was approved by the House Ways and Means Committee April 4.

HF572, sponsored by Rep. Jeff Johnson (R-Plymouth), now goes to the House floor.

Rep. Phil Krinkie (R-Shoreview) successfully amended the bill to remove a pharmacist-only sales restriction. As amended, the bill would allow for those medications containing pseudoephedrine and ephedrine to be sold at retail sites in limited quantities, if certain identification, age and recordkeeping requirements are met.

Though Johnson and others opposed the amendment, saying there is a significant difference in the controls between convenience store and trained pharmacy personnel, it was narrowly adopted.

An amendment, offered by Rep. Dan Dorman (R-Albert Lea), that would have removed a provision requiring a property's title to reflect whether it was the site of a clandestine methamphetamine lab failed.

He said that we don't do this with mold, flood damage or lead paint, and even if the property were to be cleaned up, the notice would leave a blight on the record forever and could affect property values.

The companion bill (SF423), sponsored by Sen. Julie A. Rosen (R-Fairmont), awaits action in the Senate Finance Committee. Though not a companion bill, a methamphetamine precursor drug regulation bill (SF51), sponsored by Sen. Linda Berglin (DFL-Mpls), passed the Senate 67-0 on March 3.

### Trafficking for sex and labor

Sex and labor trafficking is a problem in Minnesota. So much so that the Department of Justice calls the state a "high intensity sex trafficking area."

Susanne Peterson is a recent law school graduate and a volunteer helping Rep. Kathy Tingelstad (R-Andover) research her bill, HF1760, which was approved by the House Governmental Operations and Veterans Affairs Committee April 4.

She testified March 29 in the House Civil Law and Elections Committee that the state received its wakeup call in 1999 when the largest federal prostitution bust took place with 50 victims, and it happened in Minnesota.

Last year, the House passed Tingelstad's bill, which expands the definition of prostitution to include sex trafficking and establishes stiffer penalties. However, there was no Senate approval. She is bringing the issue forward this year with an amendment targeting those

trafficking people for labor purposes.

Peterson said there are at least two labor trafficking cases being investigated by the FBI, both coming out of Rochester. "We are receiving tons of information from social services, across the state, about different issues having to do with sex and labor trafficking," she said.

The measure calls for a trafficking study to include arrest, prosecution and conviction data, trafficking routes and patterns and social factors that contribute to trafficking. It also directs the public safety commissioner to develop a plan to address and prevent trafficking in Minnesota. Trafficking would be considered a felony with a maximum sentence of 15 years and a \$30,000 fine.

The measure next goes to the House Public Safety Policy and Finance Committee.

A companion bill (SF1689), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), awaits action in the Senate Finance Committee.

### Video game purchase or rental

Children under age 17 would be committing a crime if they buy or rent violent or explicitly sexual video games, under HF1298.

"Most importantly, I hope this catches the attention of a few painfully oblivious parents to take note of what their kids are looking at because some of this stuff is unbelievably harmful and sickening, in my opinion," Rep. Jeff Johnson (R-Plymouth), the bill's sponsor, told the House Public Safety Policy and Finance Committee April 4.

The bill refers to video games rated AO (Adults Only) or M (Mature). The crime would be petty misdemeanor, punishable by a fine of no more than \$25. The bill would also require retail businesses that sell or rent restricted video games to post a clearly visible sign that alerts customers to the crime and its penalty.

"If it's wrong to buy it, it's bad for retail establishments to sell it," said Rep. Keith Ellison (DFL-Mpls) who successfully offered an amendment that applies a petty misdemeanor fine to a business that knowingly sells a restricted game to a child under age 17. Ellison compared the situation to businesses being penalized for selling cigarettes to minors.

Associations representing video game retail businesses opposed the bill saying it violates the First Amendment of the U.S. Constitution. "The best control of entertainment is parental control," Sean Bersell, vice president of public affairs for the Video Software Dealers Association, said in a written statement.

The committee moved the bill without recommendation to the House floor.

A companion bill (SF785), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul) awaits action by the full Senate.

For more information on a bill (HF2034), sponsored by Rep. Tony Cornish, that would provide a grant to a Blue Earth County center which provides counseling to start-up businesses, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## DEVELOPMENT

### Watch the inventors

Jerry Ford, a grain farmer from St. Charles, was talking with his son, Zack, who works at a nursing home. Zack told him that too many falls and injuries occur when the clients in wheelchairs forget to apply the chair's manual brakes.

So, the elder Ford went home and tinkered around with some old wheelchairs and some other parts, and the result was the Jerry Lock Brake System, which automatically applies the brake whenever the occupant leaves the chair. The brakes remain on while the patient is not in the chair, then release when the patient is in the chair.

The system also allows the attendant to apply the brake and maintain better control while pushing the chair down inclines.

Ford called a patent attorney to find out how much his invention was worth, and he was referred to the Minnesota Inventors Congress, which put him in touch with potential investors.

Had it not been for the nonprofit Inventors Congress, which guides inventors through the

process of marketing and getting patents, "I would not have had the confidence and time or money to put this through," Ford said.

During his March 31 testimony before the House Jobs and Economic Opportunity Policy and Finance Committee, Ford demonstrated his invention, using three prototypes and spoke of how he has hired three people to work with him, and hopes to be in mass production by May.

He spoke in favor of HF1651, sponsored by Rep. Marty Seifert (R-Marshall), which would provide \$50,000 to the Inventors Congress in each fiscal year of the biennium. The bill was held over for possible inclusion in the committee's omnibus bill.

A companion bill (SF1627), sponsored by Sen. Dennis R. Frederickson (R-New Ulm), awaits action in the Senate Finance Committee.

## EDUCATION

### Funding for gifted programs

School districts would have the option of receiving funds to identify and provide locally developed programs for students who are considered gifted and talented, under HF1312, sponsored by Rep. Fran Bradley (R-Rochester).

The House Education Policy and Reform Committee approved the bill April 1 and referred it to the House Education Finance Committee where the amount of funding

per child will be determined, said Bradley. The funding would become part of the general education revenue paid by the state. The bill would also provide funding for staff development.

More than 35 states provide funding for gifted and talented education, according to Cindy Fuerstneau, a gifted and talented specialist with the Rochester Public Schools. "They see these students as future leaders, Nobel Prize winners and also at-risk," she said. Gifted students with an IQ of 130 or higher are at the same point range difference from normal (IQ of 100) as are those students with an IQ of 70 or below, who do receive funding, she explained.

Rep. Mindy Greiling (DFL-Roseville) said bills similar to this have come up every year, but never get enacted. "I hope this will be the year we can actually do it because these students deserve to have their needs met like every other student."

A companion bill (SF1491), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), has been laid over by the Senate Education Committee.

For information on a bill (HF2078), sponsored by Rep. Mike Charron, that would increase the funding formula for metropolitan area school districts and those in regional centers, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.



PHOTO BY TOM OLMSCHEID

**Speaking March 31 before the House Jobs and Economic Opportunity Policy and Finance Committee in support of a bill that would provide grants to the Minnesota Inventors Congress, Jerry Ford, right, of Jerry Ford Co. in St. Charles, demonstrates the wheelchair braking system he invented. Ron Soderberg, left, the committee's fiscal analyst watches the demonstration.**

### Keep personal information personal

Rep. Mary Liz Holberg (R-Lakeville) thinks parents should be given the opportunity to decide just how much personal information schools can gather from their student.

According to HF1551, sponsored by Holberg, a school district must obtain prior written informed consent from a parent or guardian before administering a survey, test or evaluation that asks for certain information about the student or the student's family.

The bill is aimed primarily at participation in the Minnesota Student Survey, which is given to students in grades six, nine and 12. It provides a look at youth by asking questions about their behavior, including use of alcohol, tobacco and other drugs, violence and sexual activity.

However, Holberg's request for prior consent would "go far beyond the student survey." It would apply to any test, analysis or evaluation that solicits information about such areas as political affiliations or beliefs, religious practices, sexual behavior or attitudes, income or illegal behaviors.

Parents now have the option of opting their child out of the test, which is completed

anonymously, with no way of tracing the results back to a specific child. Survey proponents say that the information gathered can be used by educators, parents, communities and youth to identify the strengths of young people and to respond to their needs and concerns.

"We should be asking our kids what's going on with them," said Rep. Keith Ellison (DFL-Mpls). "For as much as we want to believe that we know what is going on with our kids, we don't know, as parents, everything ... and the schools do need to know about some of the ugly things are kids are facing."

The House Civil Law and Elections Committee approved the bill April 5 and sent it to the House floor. A companion bill (SF2111), sponsored by Sen. David Haan (R-Eden Prairie), awaits action by the Senate Education Committee.

### Strike-proofing student participation

A teachers' strike would not affect students being able to continue their involvement in high school activities, under HF2132.

The bill would allow students in striking districts to continue to be fully eligible for all activities sponsored by the Minnesota State High School League if they transfer to another district without the waiting period that is currently required. Further, students would also be able to return to their home district within five days of a strike's conclusion and resume activities without a waiting period.

The bill's sponsor is Rep. Paul Gazelka (R-Brainerd), whose district includes the Crosby-Ironton School District where a teachers' strike ended April 6. He was motivated to sponsor the bill after hearing stories from constituents about high school athletes whose playing time came to a halt because of the strike.

"This is ripping their lives apart and if we can find ways to help them make transitions, I think we should do so," Gazelka told the House Education Policy and Reform Committee April 1. The committee approved the bill and sent it to the House floor.

Rep. Ron Latz (DFL-St. Louis Park) said the legislation could be unfair to students in neighboring school districts who might be displaced from their teams by incoming players from striking districts. Rep. Denise Dittrich (DFL-Champlin) said the bill would "transfer trauma" from one group of students to another.

A companion bill (SF1959), sponsored by Sen. Paul E. Koering (R-Fort Ripley), awaits action in the Senate Education Committee.

### Education access grants

Low-income students in Minneapolis and St. Paul would be able to take their per pupil

state aid with them to any private school they want to attend, under HF697, sponsored by Rep. Mark Buesgens (R-Jordan).

After many hours of discussion and testimony, the House Education Policy and Reform Committee tabled the bill April 4.

The bill would provide education access grants (also referred to as vouchers) to families whose incomes are less than or equal to 250 percent of the federal poverty guidelines. Once the education commissioner approves a grant application, families would receive \$4,601 in state aid paid to them for the restricted use of tuition at the nonpublic school of their choice.

Superintendents Thandiwe Peebles of the Minneapolis Public Schools and Patricia Harvey of the St. Paul Public Schools said the best way to help low income students is to adequately fund the public schools.

Peggy Smith, representing the Minnesota PTA, asked why Minneapolis and St. Paul were singled out. There's poverty all over the state, she said.

"If you vote against it I believe you're standing in the way of future success of low income students who need to go to a school which works for them. It's not about public versus private, it's about doing what's right for children," said Minneapolis resident Tiffany Green, representing the Black Alliance for Educational Options.

Rep. Denise Dittrich (DFL-Champlin) successfully offered an amendment that would have required nonpublic schools that receive students through the education access grant program to face the same Adequate Yearly Progress requirements that public schools do.

A companion bill (SF736), sponsored by Sen. David Hann (R-Eden Prairie), failed one day later in the Senate Education Committee.

## ELECTIONS

### Clamp down on campaigning

School districts would be required to adopt and implement a policy that prohibits school employees from using district funds and resources to pass, elect or defeat a political candidate or other ballot question, such as a referendum, under HF1948.

Rep. Mary Liz Holberg (R-Lakeville), the bill's sponsor, told the House Education Policy and Reform Committee April 1 that the bill addresses the problem of campaigning in schools.

Resources would include employee time, materials, equipment and facility technology.

The policy would not apply when an employee disseminates factual information about

a political question as required by their job responsibilities.

The Lakeville School District developed such a policy 1997 after volatile campaigns caused a negative atmosphere in the schools and disengaged the voters. "Once the policy was in place, the whole climate and tone changed," said Michelle Volk, a member of the district's board of education.

"The policy provides an orderly and sensible guide to avoid disruption," said Thomas Coughlin, the district's director of administrative services.

Rep. Lyndon Carlson (DFL-Crystal) questioned the need for a statewide policy, especially when the Legislature is often accused of providing too many mandates to districts. "Why can't local school districts decide to do this on their own?"

"This restricts a superintendent's ability to communicate with the community a little too much," said Charlie Kyte, executive director of the Minnesota Association of School Administrators.

The bill was referred to the House Civil Law and Elections Committee, which approved the measure April 5. It now awaits action on the House floor.

There is no Senate companion.



A bill (HF1655), sponsored by Rep. Paul Kohls, would provide more transparency to campaign contributions made by American Indian tribes. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## EMPLOYMENT

### More money

A bill proposing to increase the state's minimum wage is headed to the House floor.

HF48/SF3\*, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen R. Anderson (DFL-St. Paul), was approved by the House Commerce and Financial Institutions Committee April 6. However, the committee substituted the language from the House file into the previously passed Senate bill.

"I think all of us here believe in rewarding work," Rukavina said.

The bill would require employers with annual gross sales of at least \$500,000 to increase the minimum wage from \$5.15 an hour to \$5.90 per hour beginning July 1, 2005, and to \$6.65 an hour one year later.

Employers with annual gross sales less than \$500,000 currently pay \$4.90 an hour. The bill called for the rate to be increased to \$5.65 an

hour and then to \$6.40 an hour, respectively, but a successful amendment by Rep. Larry Howes (R-Walker) changed it to \$5.15 an hour starting July 1, 2005, with no additional raise requirements.

Under the bill, an employer would be able to pay an employee under 20 years of age \$4.25 an hour for the first 90 consecutive days of employment. Howes' amendment would change it to \$4.95 an hour.

According to the U.S. Department of Labor, the federal minimum wage for covered, nonexempt employees is \$5.15 per hour.

"We're convinced the workers of Minnesota need a raise," said Tarryl Clark, executive director for the Minnesota Community Action Association. "All people should be able to earn enough to support their basic needs. That is not the case with the minimum wage."

Brian Rusche, executive director for the Joint Religious Legislative Coalition, said raising the minimum wage is a moral issue.

"We believe in the dignity of every worker," he said. "Our economy exists to serve human beings, not the other way around."

Peggy Rasmussen, owner of the Countryside Café in Medina, said increasing employee wages "would be devastating" for small restaurants operating on tight margins.

"The state's minimum wage should be tied to the federal wage and we are opposed to efforts to exceed it," the National Federation of Independent Business said in written testimony.

### They need help, too

Rep. Pat Garofalo (R-Farmington) said that 14 percent of working age adults in Minnesota have some disability. He is sponsoring HF1034, which provides extra money for the state's extended employment services. The bill was heard March 31 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

"It's a very unique program, targeted toward specific individuals," Garofalo said. The program provided work for more than 6,500 people in 2004, he said.

The program is administered by the state's Department of Employment and Economic Development and helps people with severe disabilities or a "severe impairment" find or keep their jobs. The program is scheduled to receive \$11.7 million in each year of the current biennium, and, under the bill, that would increase to \$14.9 million in each year of the 2006-07 biennium.

The money would provide case management and ongoing support services, said Barbara Arnold, president of Accessibility

Incorporated, a job development and placement agency.

A companion bill (SF1133), sponsored by Sen. D. Scott Dibble (DFL-Mpls), is under consideration for inclusion in a Senate omnibus bill.



For information on a bill (HF1830), sponsored by Rep. Joe Mullery, that would expand job opportunities for minorities, particularly members of the black community, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.



Compensation by electronic transfer to an employee's payroll account could be defined as wages, under a bill (HF2141) sponsored by Rep. Tim Wilkin. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ENERGY

### Full of energy

A bill covering electric transmission and wind energy tariffs was approved by the House Regulated Industries Committee April 4. It now heads to the House Jobs and Economic Opportunity Policy and Finance Committee.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake), HF1344 would specify conditions under which the Public Utilities Commission could approve tariffs that would allow utilities to automatically recover certain transmission costs. It would also direct the commission to take regional impacts on the electricity grid into account when evaluating need under the certificate of need process.

One of the more contentious aspects of the bill had been the sale of private land that would be used for utilities. Farmers said that they did not want transmission line towers on their land because they are difficult to farm around.

A study of alternative ways to compensate landowners on whose land the high-voltage transmission lines would be constructed would be required by the bill.

The Legislative Electric Energy Task Force would need to convene a group of stakeholders representing utilities, consumer advocates and affected state agencies to determine if current state processes could be modified to increase the efficiency and effectiveness of transmission lines.

Public utilities, municipal power agencies, and generation and transmission cooperatives would be required to establish a community-

based energy development tariff, under the bill. The tariff would be used to promote wind projects throughout the state.

The bill would also provide for a statewide study to determine the impact on rates and reliability of increasing wind capacity in Minnesota to 20 percent by the year 2020.

A companion bill (SF1368), sponsored by Sen. Ellen R. Anderson (DFL-St. Paul), was laid over by the Senate Jobs, Energy and Community Development Committee.

## ENVIRONMENT

### Pieces of environmental policy

The House Environment and Natural Resources Committee sent an omnibus environmental policy bill to the floor April 5.

HF460, sponsored by Rep. Tom Hackbarth (R-Cedar), contains provisions that are part of the following bills:

- HF42, sponsored by Rep. Larry Howes (R-Walker), would give peace officers the option of using silencers to muffle firearms discharged for wildlife control purposes;
- HF417, sponsored by Hackbarth, would allow the Department of Natural Resources to give first preference in hunting and fishing license lotteries to qualified members of the armed forces, including the National Guard, or veterans;
- HF683, sponsored by Hackbarth, would restructure the way in which the department acquires scientific and natural areas with regard to county and township board notification and approval;
- HF1327, sponsored by Rep. Sheldon Johnson (DFL-St. Paul), would give St. Paul a backup water supply plan in the event of an emergency, such as a terrorist threat, drought or contamination. The city primarily pulls from the Mississippi River. Using the backup wells would require a consumptive use of groundwater permit, and the bill would allow for that permit change;
- HF1334, sponsored by Rep. David Dill (DFL-Crane Lake), would make a technical change to the description of the hearth furnace used in an iron nugget production pilot facility in Hoyt Lakes and extend the permit application timeframe to June 30, 2005;
- HF1547, sponsored by Hackbarth, includes off-highway vehicle enforcement and education components, and changes to certain trail designations and uses on public lands;
- HF1681, sponsored by Rep. Maxine Penas (R-Badger), would require that under a

Natural Resources Department forest classification process, all state forest land north of U.S. Highway 2 be classified as managed for the purposes of off-highway vehicle use. Legislation in 2003 required the department to take an inventory of all state forests and by 2007 change their designation from managed, meaning trails are open unless posted closed, to limited, meaning trails are closed unless posted open;

- HF1839, sponsored by Rep. Connie Ruth (R-Owatonna), would allow for annual water use permits to be issued for aquifer storage and recovery systems that return all once-through water to the source aquifer. State law restricts certain one-time industrial water uses. This would benefit Bushel Boy Farms in Owatonna, which is considering heating and cooling tomato greenhouses with a once-through system. The company hopes to save 35 percent to 45 percent in energy costs with this system; and
- HF2159, sponsored by Hackbarth, would establish an Environmental Innovations Advisory Council, in place of advisory councils that have lapsed, to advise the Office of Environmental Assistance on waste and pollution prevention. The bill also would eliminate an annual reporting requirement placed on the office regarding waste management fees.

Though there is no Senate companion to the bill in its omnibus environmental form, a Senate companion to HF460 as introduced (SF1047), sponsored by Sen. John Marty (DFL-Roseville), awaits action on the Senate floor.



District watershed managers could see their pay increased through a bill (HF1309) sponsored by Rep. Morrie Lanning. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ GOVERNMENT

### Administrative hearings changes



The governor signed into law, March 31, a "housekeeping" bill for the Office of Administrative Hearings.

Effective Aug. 1, 2005, the law makes several changes requested by administrative law judges, including: requiring the Revisor of Statutes to distribute three copies of the Minnesota Rules to the office, allowing a judge to set procedures for all hearings conducted and requires state licensing agencies to report back to a law judge

within 90 days of the record of a proceeding being closed.

Bruce Johnson, assistant chief administrative law judge, told a House committee that laws don't account for judges setting procedures for hearings in cases referred to the office, including those related to the Help America Vote Act, contested case proceedings related to municipal boundary adjustments and the Fair Campaign Practices and Campaign Finance Act.

The law's sponsors are Rep. Marty Seifert (R-Marshall) and Sen. David H. Senjem (R-Rochester).

HF1036\*/SF1158/CH16



For information on a bill (HF2243), sponsored by Rep. Marty Seifert, that would lay out the scope of a new Office of Enterprise Technology, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Commission reconfiguration

The Legislative Commission on Minnesota Resources would undergo an overhaul, under a bill approved by the House Governmental Operations and Veterans Affairs Committee April 5.

Under HF1467, sponsored by Rep. Tom Hackbarth (R-Cedar), the commission would be replaced with the Minnesota Conservation Heritage Foundation. The foundation would consist of an 11-member citizen board appointed by the governor to six-year terms and would work under a 10-year strategic plan. The Environment and Natural Resources Trust Fund that currently funds the LCMR would also support the foundation.

"I'd like to see the money get on the ground quicker," said Hackbarth, who believes that the choosing of projects through the LCMR process takes too long and is shortsighted.

"Going from the current 20-member legislative group to a totally citizen group under the governor is too far too fast," said Rep. Kathy Tingelstad (R-Andover). She successfully offered an amendment that would create a blend of legislators and citizens and change the name to the Minnesota Conservation Heritage Council.

"We're not getting rid of politics, and that's really the problem" with the bill, said Rep. Mark Olson (R-Big Lake). There are way too many requests for such a small amount of money the LCMR receives, and "pork barrel" politics gets in the way of choosing which projects are selected, he said.

Rep. Phyllis Kahn (DFL-Mpls) challenged committee members to cite those that would

be considered "pork barrel" projects. "One of the issues the LCMR does incredibly well ... is it builds the intellectual infrastructure of the state," she added.

The bill next goes to the House Agriculture, Environment and Natural Resources Finance Committee.

A companion bill (SF1809), sponsored by Sen. Satveer Chaudhary (DFL-Fridley), awaits action by the Senate Environment and Natural Resources Committee.



For information on a bill (HF2133), sponsored by Rep. Joyce Peppin, that would allow for the leasing of a state-owned building for the purpose of a day care facility, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## ★ HEALTH

### Rural pharmacy preservation

Rural areas could benefit from a program that would encourage pharmacies to remain in Greater Minnesota.

Rep. Brad Finstad (R-New Ulm) is sponsoring HF1642, which would establish the rural pharmacy planning and transition grant program. It would add pharmacists to those eligible for funds under the health professional education loan forgiveness program.

Andrew P. Traynor, a representative of the Minnesota Pharmacist Association, told the House Health Policy and Finance Committee March 31 that 126 Minnesota communities only have one pharmacist. Furthermore, 30 pharmacists go out of business in the state every year, and 10 to 12 have no replacement.

Traynor said the bill would encourage pharmacists to continue their businesses in rural areas.

The health commissioner would administer the grant program, according to the bill. Excess licensing revenues would be credited to a grant account to help fund the program.

The bill also calls for an appropriation of \$200,000 in both fiscal years 2006 and 2007 from the health occupations licensing account for the grant program.

To be eligible for the grants, applicants would need to develop a strategic plan that would have to include a needs assessment, a feasibility assessment and an implementation plan. Grants could be used to implement transition projects, develop practices that integrate pharmacy and health care facilities, establish a pharmacy provider cooperative and offer initiatives that maintain local access to prescription medications.



A companion bill (SF1567), sponsored by Sen. Gary W. Kubly (DFL-Granite Falls), was approved by one committee and awaits action in the Senate Finance Committee.

### Maple Grove hospital proposed

A bill that would allow a hospital to be built in Maple Grove has three parties competing for the project.

Rep. Kurt Zellers (R-Maple Grove) is sponsoring HF1915, which would add an exception to the hospital construction or modification moratorium. The exception would be for an existing hospital to relocate or redistribute beds from its current site to a new Maple Grove facility.

Since 1984, Minnesota law has prohibited the construction or expansion of hospitals without legislative approval.

In testimony before the House Health Policy and Finance Committee March 31, Fairview Health Services, North Memorial Health Services and Tri-Care Partnership each said they wanted to build the hospital.

The Department of Health reviewed proposals by the three hospitals and agreed that it is in the public interest to build a hospital in Maple Grove.

The committee amended the bill April 4 to require the existing hospital to have a current site in the city of Robbinsdale and build the new facility within 11 miles of that location. This amendment would give the project to North Memorial Health Services.

The committee approved the amended bill and referred it to the House floor. Rep. Thomas Huntley (DFL-Duluth) opposed the bill, saying more time is needed to objectively consider which hospital should build the new facility.

A companion bill (SF1840), sponsored by Sen. Warren Limmer (R-Maple Grove), awaits action by the Senate Finance Committee.

## HIGHER EDUCATION

### Funding enrollment adjustments

Both the University of Minnesota and the Minnesota State Colleges and Universities system (MnSCU) receive part of their funding based on projected enrollment numbers.

"This biennium the enrollment number was off by a rather large number, causing the state to be \$130 million short for MnSCU's base and \$75 million short for the University of Minnesota's base," said Rep. Bud Nornes (R-Fergus Falls). "Traditionally that difference has been less dramatic. The state needs to know what it is going to be paying out over a two-year

period as we do our budget," he said.

Nornes said that by the time enrollment adjustment numbers are known, some of the students that the state would owe money for have already graduated. "It doesn't make a lot of sense to pay for students who are no longer students. By the same token, if we overpay the system, that money cancels back to the General Fund and it's lost from higher education."

Judy Borgen, MnSCU associate vice chancellor for budget, said that for the last three biennia, MnSCU has returned money to the state "because we misestimated our enrollment," although the system has since changed its internal formula.

No University of Minnesota officials testified.

Nornes is sponsoring HF1441 that would eliminate adjustments for enrollment changes in the calculation of the instructional services base. The House Higher Education Finance Committee, which Nornes chairs, held the bill over for possible inclusion in its omnibus bill. It has no Senate companion.

According to Nornes, the Higher Education Services Office has proposed a task force to look at the issue, but he believes it should be the Legislature that makes the decision.

### Expanded Rochester opportunities

Rochester now has a three-in-one higher education partnership — the University Center Rochester — between the University of Minnesota, Winona State University and Rochester Community and Technical College, but business leaders say more is needed.

"Rochester needs greater identity and visibility for higher education," said Al DeBoer, chair of the Rochester Area University Center Higher Education Task Force. "A magnet, if you will, to attract talent and to encourage incumbent workers to advance their education."

Rep. Fran Bradley (R-Rochester) is sponsoring HF2013 that would create the Rochester University Development Committee to research and make recommendations on the creation of a postsecondary educational institution in Rochester. A report would be due to the Legislature by Jan. 15, 2006.

The House Higher Education Finance Committee laid the bill over April 4 for possible inclusion in its omnibus bill.

Among the 11-member committee's duties would be to "develop a proposal for establishment and implementation of the university." Included in its report must be the university's focus, the nature of programs to be offered, funding sources, site and facility needs and governance.

Bradley said a potential new institution would be expected to focus on upper division

and graduate work. "This is not a request for a new four-year university," DeBoer said. "Rochester is asking for an entity with innovative and strategic baccalaureate and graduate programs that serve our local economy and our state."

The bill includes \$200,000 in fiscal year 2006 for the planning activities and \$3 million for implementation activities. The appropriation would be available until June 30, 2009, and any part used for an endowment does not cancel and is available until spent.

"We need to find a way to help this important community broaden its higher education facilities to meet the demands of the area," said Rep. Joe Opatz (DFL-St. Cloud).

A Senate companion bill (SF2130), sponsored by Sen. David H. Senjem (R-Rochester), awaits action in the Senate Finance Committee.

## HUMAN SERVICES

### Serving offenders' needs

Incarcerated offenders could see their prescription drugs purchased through a pool, under a bill sponsored by Rep. Fran Bradley (R-Rochester).

HF1266 would allow the corrections commissioner to enter into a purchasing pool for prescription drugs for people confined in state correctional institutions. Local governments could participate in the pool for people confined in local correctional facilities.

The House Health Policy and Finance Committee approved the bill April 4 and referred it to the House Public Safety Policy and Finance Committee. A companion bill (SF1000), sponsored by Sen. Linda Berglin (DFL-Mpls), has been approved by two committees and awaits action in the Senate Finance Committee.

Bradley's bill would require the health commissioner to develop a discharge plan in collaboration with the corrections commissioner for offenders who have a diagnosis of mental illness and would otherwise be eligible for case management services.

Another provision would make an inmate eligible for Medical Assistance if the person were on a conditional work release program and housed in a halfway house, community correctional center or under house arrest and monitored by electronic surveillance.

The bill was amended to remove a section that would authorize an appropriation for supportive housing projects.



Rep. Mary Ellen Otremba is sponsoring HF910, which would limit traumatic brain injury caseload growth to 500 per year during the 2006-2007 biennium. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

### Nursing home rate increases

Rate increases are being proposed for nursing facilities in several counties throughout the state.

The House Health Policy and Finance Committee heard three bills April 6 to increase the rates. All were held over for possible inclusion in the committee's omnibus bill.

Rep. Bud Heidgerken (R-Freeport) is sponsoring HF2020, which would provide reimbursement rate increases for facilities in Stearns, Sherburne and Benton counties. The bill would impact 13 nursing homes that would have their operating rates equivalent to the median of the geographic group III facilities. Group III includes counties such as Anoka, Carver and Hennepin.

A companion bill (SF1954), sponsored by Senate Majority Leader Dean E. Johnson (DFL-Willmar), awaits action in the Senate Finance Committee.

HF1885, sponsored by Rep. Paul Marquart (DFL-Dilworth), would provide a \$7.92 increase in the operating rate for Barnesville Good Samaritan in Clay County that's licensed for 55 beds.

Sen. Keith Langseth (DFL-Glyndon) is sponsoring a companion bill (SF1820), which awaits action by the Senate Finance Committee.

Rep. Lyle Koenen (DFL-Clara City) is sponsoring HF1335, which would allow a rate increase of \$3.80 per resident day for the Ren Villa Nursing Home in Renville County. The facility has 58 licensed beds.

A companion bill (SF1273), sponsored by Sen. Gary W. Kubly (DFL-Granite Falls), has been laid over by the Senate Finance Committee.



Moratorium exceptions for the number of beds are being requested for two nursing homes, while an intermediate care facility wants to downsize. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

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## INSURANCE



### Medicare drug coverage conforms

**Signed  
by  
the  
governor  
\*\*\***

Minnesota law now conforms to recent changes in federal law concerning Medicare prescription drug coverage, also known as Medicare Part D.

Gov. Tim Pawlenty signed the law March 31, which makes technical changes in state law involving Medicare supplemental insurance and creates a procedure for licensing and solvency regulation of stand-alone prescription drug plans that could provide prescription drug coverage under Medicare Part D.

All 50 states have passed or are trying to pass legislation or amend regulations to conform to the federal Medicare Modernization Act of 2003.

The law, which has various effective dates, will bring Minnesota into federal compliance regarding the sale of policies with prescription drug coverage by Medigap carriers after Jan. 1, 2006. The coverage will be available only through private sector drug plans or as part of a Medicare Advantage plan.

Rep. Paul Gazelka (R-Brainerd) and Sen. Brian LeClair (R-Woodbury) sponsored the legislation.

HF925\*/SF880/CH17

## LAW



A bill (HF2019), sponsored by Rep. Fran Bradley, would allow the Department of Human Services, for the purposes of Medical Assistance recovery, have an interest in trusts and annuities at the time of a recipient's death. For more information, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## LOCAL GOVERNMENT



### Recording and registering fees

County recorders have to protect 150 years of records concerning property ownership and sales, and the fees they charge have not increased since 1991, said Martin County Recorder Kay Wucke.

She noted that inflation has increased more than 40 percent since that time, and that it's time county recorders get some help. She testified March 31 in favor of a bill that would make fees more uniform statewide.

HF358, sponsored by Rep. Connie Ruth (R-Owatonna), was approved by the House Jobs

and Economic Opportunity Policy and Finance Committee and sent to the House floor.

The bill sets a fee of \$40 for indexing and recording any deed or other document. Right now, that cost is \$1 per page, with a minimum charge of \$15 for any deed. It increases the maximum fee from \$5 to \$10 for every entry of an abstract of title, from \$50 to \$100 for an abstract certificate and from \$2 to \$5 for each name search identification. The fees would be standard in all Minnesota counties. "We're trying to standardize the rates and we feel it's really fair," Ruth said.

Besides inflation, labor costs and technology costs are putting recorders under the gun, said Wabasha County Recorder Jeffrey Aitken.

A companion bill (SF267), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Finance Committee.

### Fly the flag

Lynn Hauger, a veteran, wanted to fly an American flag on the outside of his home, which is part of a homeowners' association. However, the association president was against it. After some negotiation Hauger was allowed to attach a bracket for the flag on the outside of the home.

Through that process, he learned that there are many homeowner associations across the nation that do not allow flags to be flown.

Rep. Joe Mullery (DFL-Mpls) now sponsors HF1473, which would prohibit "any deed restriction, subdivision regulation, restrictive covenant, local ordinance, contract, rental agreement, or homeowners association document" that restricts the flying of the American flag.

"It is an appalling situation and goes against the First Amendment," Hauger told the House Civil Law and Elections Committee, which approved the measure April 1 and referred it to the House floor.

Mullery said the bill is narrowly crafted to apply only to the American flag, because it is a unique symbol, representing the United States.

A companion bill (SF1231), sponsored by Sen. Don Betzold (DFL-Fridley), awaits action on the Senate Floor.

## METRO AFFAIRS



### Aircraft noise mitigation

A new runway is scheduled to open later this year at the Minneapolis-St. Paul International Airport. Much of the airline traffic is expected to affect the eastern parts of Bloomington and Richfield.

However, before any planes rumble down the surface, Rep. Dan Larson (DFL-Bloomington) wants the Metropolitan Airports Commission to honor the intent of a 1996 agreement with nearby property owners. But the majority of the House Local Government Committee doesn't agree, because the bill failed to receive committee approval April 1.

HF1280, which has no Senate companion, would prohibit further construction of the north-south runway until the agreement for noise mitigation for buildings within a designated area is fulfilled.

Larson said fulfillment would occur when the commission approves full noise mitigation for all buildings within the 60 DNL exposure contour. A DNL, according to Larson, "is the averaging of the decibel level of noise impact and level of noise that folks receive from an airplane."

"Now the runway is nearly complete and the impact is about to be felt, but the noise mitigation package has gone up like a poof of smoke in the air," Larson said. And although no contractual deal is in state statute, Larson said the intention of the legislation was to perform noise mitigation to 60 DNL.

MAC Executive Director Jeff Hamiel says the commission has fulfilled its part of the deal. He noted that under federal law, full mitigation, such as better acoustical windows and adding insulation, is only required to 65 DNL. He said that nearly 7,700 homes have received mitigation materials with no homeowner contribution, and officials are looking at potential costs of further expansion, estimated to be in the \$330 million range.

Larson said homeowners in the 60-64 DNL range are now essentially being offered an air conditioning package that has a 50 percent homeowner co-pay, which Hamiel said is more than federal law requires.

## MILITARY

### Pay differential clarifications

By a 131-0 vote April 4, the House passed a bill that would clarify the terms and conditions of pay differentials for state employees ordered to active duty in the National Guard or reserves and who incur an earnings decrease as a result.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF2126 now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing), is the sponsor.

Two women testified in a House committee they each had to fight for their deployed military husband's pay differential.

Both husbands work for the Department of Corrections in St. Cloud. The wives testified

they have to file numerous papers each pay period during the month to get the pay differential they are already guaranteed in state law.

Under the bill, differential should be calculated by taking "the person's monthly total gross earnings as an active state employee, excluding any overtime pay received but including all other earnings, averaged over the last three full months of the person's active state employment prior to reporting to active military service."

Also, the "agency head must periodically inform in writing all agency personnel who are or may be members of the reserve component ... of the benefits provided." Both wives testified they were not initially informed of the benefit.

## RECREATION

### The Great Minnesota Sleepover

**Signed  
by  
the  
governor**  
★ ★ ★

Camping on the state fairgrounds will be preserved, under a new law signed by Gov. Tim Pawlenty March 31.

Effective Aug. 1, 2005, the new law cements a compromise between the Department of Health and fair officials regarding space between campsites and public safety vehicle access.

Under the new law, the fair must operate a camping area on the fairgrounds. Camping will be allowed under the following conditions:

- RVs and tents must be separated from each other and from other structures by at least 7 feet,
- a minimum area of 300 square feet per site must be provided and the total number of sites must not exceed one site for every 300 square feet of usable land, and
- each site must face a driveway at least 16 feet in width with unobstructed access to a public roadway.

Furthermore, the new law clarifies that livestock and Midway exhibitors, who need to stay close to the operation, will be able to catch a few winks in their cars. During the state fair, a person may sleep in a vehicle in a designated fairground parking lot if they have a valid exhibitor parking permit.

Rep. Marty Seifert (R-Marshall) and Sen. Paul E. Koering (R-Fort Ripley) sponsored the legislation.

HF1104/SF1031\*/CH15

## SAFETY

### Put that cell phone down

If you just got your driver's license and you want to call your friends on your cellular phone to tell them the good news, it could be a very expensive call.

HF1402, sponsored by Rep. Peter Nelson (R-Lindstrom), would make it a petty misdemeanor for those with a learner's permit or a provisional driver's license (issued to those under age 18) to talk on any type of cellular or wireless phone while driving, except in the case of an emergency. The bill was approved April 5 by the House Transportation Committee and referred to the House Public Safety Policy and Finance Committee.

The minimum fine for a first offense would be \$150, \$300 for the second offense, then another \$300 for the third offense, plus a one-year license suspension.

Nelson said drivers between the ages of 16 and 19 are four times as likely to be in an accident, and that 16-year-olds are three times more likely than 17-, 18- and 19-year-olds to be in an accident. In a simulator test, adult drivers missed only 3 percent of distractions and teens missed 54 percent of the distractions. Teenagers are responsible for 14 percent of accidents, yet they make up only 7 percent of the population.

A companion bill (SF1191), sponsored by Sen. Sean R. Nienow (R-Cambridge), awaits action in the Senate Transportation Committee.

## TAXES



For information on a bill (HF760) that would decrease corporation payroll and property taxes, go to the Session Weekly EXTRA page at <http://www.house.mn/hinfo/swx.asp>.

## TRANSPORTATION

### Aeronautics bill takes off

The House passed a bill 132-0 April 4 that would make changes to the state's aeronautics law.

Most notably, HF915, sponsored by Rep. Michael Beard (R-Shakopee), would regulate the repayment of state money used to buy airport land.

Other provisions include:

- If land bought by a city with state money ceases to be used for aviation, the city using the land must pay the state back;

- Classic or antique aircraft would no longer have to display special symbols;
- Recreational aircraft could use registration certificates for identification instead of decals;
- Civil air patrol aircraft would no longer have to display tax-exempt number plates; and
- Registered aircraft would no longer have to display number plates.

The bill now goes to the Senate, where Sen. Ann H. Rest (DFL-New Hope) is the sponsor.

### Hybrids get to go

If you have a hybrid vehicle, you would be able to drive in high-occupancy vehicle lanes without paying a fee, under a bill sponsored by Rep. Laura Brod (R-New Prague).

HF1243 was recommended to pass April 1 by the House Transportation Committee and referred to the House Transportation Finance Committee.

It would allow hybrid vehicles, which have a propulsion system that can operate on electricity and with gasoline, to use the lanes without a fee, unless federal law or regulation prohibits it. Drivers would not have to be car-pooling to use the lanes as they do now. Solo drivers will be permitted to use the lanes for a fee beginning in May.

Betsy Parker, director of the Office of Government Affairs for the Transportation Department, said Congress could authorize the use of hybrid vehicles in HOV lanes before the legislation would expire July 31, 2007. She said it's unlikely lanes would be crowded with the cars, because there aren't that many on the road now. She also said anything that would encourage the use of hybrid vehicles would be good for the air quality.

A companion bill (SF1536), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action by the full Senate.

### Altering airport commission

Changes to the 15-member Metropolitan Airports Commission, which owns and operates Minneapolis-St. Paul International Airport and six reliever airports in the Twin Cities metropolitan area, would be made under a bill approved by the House Governmental Operations and Veterans Affairs Committee April 4.

HF2086, sponsored by Rep. Michael Beard (R-Shakopee), would designate a committee to oversee the nominating process of commission members. A list of nominees would then be given to the governor to choose from, subject to the advice and consent of the Senate.

Beard said the Office of the Legislative

### RIDING HIGH



PHOTO BY ANDREW VONBANK

**Nicholas Wagner, 7, shows support for his dad, Dan Wagner of St. Paul, a Metro Transit bus driver, during an April 6 rally for transportation funding on the Capitol Mall.**

Auditor bases the proposed changes on a January 2003 audit of the finances, operations and budget of the commission. He said the report indicates the commission is excellently run, "however some areas did come up for suggestions of improvement," such as governance.

The governor currently appoints 12 members and the commission chair, with the mayors of Minneapolis and St. Paul each authorized to appoint one member. An oral amendment by Rep. Neil W. Peterson (R-Bloomington) added an additional member to the board to be appointed by Bloomington's mayor or a designee.

Other changes include residency requirements and meeting locale.

Amendments from Rep. Dan Larson (DFL-Bloomington) in the House Transportation Committee April 1 would require the commissioner to have lived in the district for at least six months and the state for at least one year. Currently, they must live in the district only at the time of appointment.

The bill goes next to the House Transportation Finance Committee.

A companion bill (SF1940), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action in the Senate State and Local Government Operations Committee.

### Driving on the shoulder

A bill that would allow Metro Mobility buses to use the shoulder of freeways while transporting passengers was passed 132-0 by the House April 4.

HF577/SF633\*, sponsored by Rep. Mary Liz Holberg (R-Lakeville) now returns to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

As amended, the bill would allow Metro Mobility buses and special transportation buses operated by the Metropolitan Council to use the shoulders of freeways in the Twin Cities metropolitan area. This privilege would also extend to other providers who get money from the Metropolitan Council.

The Senate bill allowed passing on the shoulder only for entities receiving money from the Metropolitan Council. It made no mention of buses operated by the Metropolitan Council.

### Transit company tax breaks

Rep. Mark Olson (R-Big Lake) has introduced HF1818, a bill that would provide tax incentives to transit companies that do not receive state or local government operating subsidies. The bill was approved April 5 by the House Transportation Committee and referred to the House Transportation Finance Committee.

"My hope is that we could have continuous service all around the metropolitan area," he said.

The bill applies to motor carriers in an urban area with a population of 50,000 or greater that receive no operating subsidy from the government. It would exempt those carriers from a license tax until July 1, 2025; from a corporate income tax until Jan. 1, 2026, from the state gasoline tax until July 1, 2025, and from a special fuel tax until July 1, 2025. The bill would also allow those buses to travel on shoulders outside the Twin Cities metropolitan area.

Olson does not know how many companies could qualify for this exemption, so he's not sure how much it would cost the state. However, he's betting that if there were enough that would take advantage of the incentives, they would expand their system. "We need to find the people. I believe they're out there," he said.

Rep. Mary Liz Holberg (R-Lakeville), the committee chair, agreed. "I think you've got a good idea right here," she said.

Rep. Paul Gazelka (R-Brainerd) said, "What if it worked? To not pursue some ideas would be a mistake."

A companion bill (SF1976), sponsored by Sen. Betsy L. Wergin (R-Princeton), awaits action in the Senate Transportation Committee.

## Projects set Long-awaited bonding bill now awaits governor's signature

By Mike Cook

Some may say it's a year late, a few dollars short and done outside normal protocol, but a capital investment bill is a governor's signature away from becoming law.

HF3\*/SF1, sponsored by Rep. Dan Dorman (R-Albert Lea) and Sen. Keith Langseth (DFL-Glyndon), was approved 115-16 by the House April 6 and 61-3 by the Senate about an hour later.

Of the nearly \$945 million bill, \$885.9 million is general obligation bonds, about an equal split between the original \$780.3 million House proposal and \$975.6 million Senate plan.

"I think it's a good compromise of what the House thought was important, what the Senate thought was important and what the governor thought was important," Dorman said.

"This is a great day for Minnesota. This is a good bill," said House Minority Leader Matt Entenza (DFL-St. Paul). "This meets critical jobs needs for our state."

Much of the House discussion was not about the bill itself, but rather a suspension of rules to get the bill heard.

Ninety votes are needed to suspend the rules, and the motion prevailed on a 95-36 vote, with more than half of the Republicans and Rep. Irv Anderson (DFL-Int'l Falls) voting no.

"The joint rules indicate to us that the conference committee report can only contain material that was in the Senate or House bill being confereed or has passed the House or Senate," said Rep. Dennis Ozment (R-Rosemount). "This bill has some problem provisions within it, so I'd like to suspend the rules so we can take this bill up."

At the heart of the matter was a provision, in neither the House nor Senate bonding bill, which would permit the Minnesota Amateur Sports Commission to lease up to 20 percent of land purchased in Blaine for up to 30 years. The dollars used for the purchase came from a 1998 General Fund appropriation of \$4.8 million that was designated for athletic fields and the development of a children's golf course.

Dorman said a commission representative

told him an attorney general's opinion indicated the language should be in the bonding bill, but he later found out there was no such opinion and that someone in the attorney general's office only helped to craft the language that was inserted at the final capital investment conference committee meeting.

Rep. Phil Krinkie (R-Shoreview) suggested the bill be returned to the conference committee for public input. "We should not suspend the rules just because we think it's convenient and just because the action suits our needs."

"We're setting a precedent here," warned Rep. Ron Abrams (R-Minnetonka).

Rep. Mark Olson (R-Big Lake) said the provision might be the start of a site for a new Minnesota Vikings stadium. "Imagine the black eye we'd get by approving a stadium with this kind of process."

However, Rep. Andrew "Andy" Westerberg (R-Blaine), an ex-officio commission board member, said the site is not large enough for a stadium and that the money would be used to help fund commission activities, which have

been hampered by budget cuts. "There isn't enough money there for them to operate and continue to do well," he said.

Other highlights of the bill:

### Higher Education

The Minnesota State Colleges and Universities (MnSCU) system will receive nearly \$213.6 million. Of the total, \$41.5 million is for asset preservation, \$6.67 million is for systemwide science renovations, \$3.08 million is for systemwide workforce classrooms, almost \$1.63 million for demolition, \$1.17 million for program consolidation, \$1.02 million for technology upgrades and the remainder will be split among 25 projects at schools, including science facility upgrades at Minnesota State University Moorhead and Winona State University.

Of the \$108.38 million for the University of Minnesota, \$40 million is for asset preservation; three projects on the Minneapolis campus: \$17.4 million for the Kolthoff Hall renovation, \$14.5 million to renovate the Education Sciences building and \$11.6 million to renovate and equip classrooms in the Academic Health Center; \$10.1 million for design and renovation of the Life Sciences building on the Duluth campus; \$8.7 million for a recreational sports center addition in Duluth; \$5.8 million for a biomass heat



PHOTO BY TOM OLMSCHIED

**The Capital Investment Conference Committee reached agreement April 5 on a \$945 million bonding bill that includes money for projects throughout the state. The House and Senate passed the bill April 6, and the governor has scheduled an April 11 news conference to sign the bill.**



PHOTOS BY TOM OLMSCHEID

**Included in the capital investment bill awaiting the governor's signature is \$3.5 million for the Minnesota Correctional Facility in Stillwater to, in part, design a new 150-bed segregation unit, \$2.56 million for design and a partial renovation of Trafton Hall at Minnesota State University, Mankato and \$27 million for the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage.**

generating facility and a football stadium to be shared with the school district on the Morris campus; and \$283,000 for the North Central Outreach Center in Grand Rapids for the farm machinery repair, maintenance and carpentry shops.

### Education

The Red Lake School District, under the bill, would receive \$18 million to "design, construct, renovate, furnish, and equip a new middle school and the existing high school."

The Minnesota state academies for the deaf and blind would receive almost \$4.26 million for asset preservation, \$1.08 million would be used to finalize land acquisition for the Crosswinds Arts and Science Middle School in Woodbury, \$1.08 million would be for asset preservation and a building demolition at the Perpich Center for the Arts in Golden Valley, \$1 million for library accessibility and improvement grants and \$500,000 would be for grants to rehabilitate early childhood learning and child protection facilities.

### Department of Human Services

The \$26.07 million is allocated seven ways, including: \$8.6 million for a forensic nursing facility in St. Peter; \$4 million to demolish the Ah-Gwah-Ching treatment center campus in Walker and redevelop the site; nearly \$3.26 million for new facilities at the St. Peter Regional Treatment Center for persons committed as sexual psychopathic personalities, sexually dangerous or mentally ill and dangerous; and \$1 million for a Willmar Regional Treatment Center renovation for, in part, methamphetamine treatment.

Arguably the greatest change at the end of the process was in reference to the forensic nursing facility. "In the House bill, it was dedicated to go to the Ah-Gwah-Ching site in Walker, the Senate and the governor had an open process," Dorman said. "As we went through the process it looked more and more like that facility should be located in St. Peter."

### Agriculture, Environment and Natural Resources

Flood hazard mitigation grants of \$27 million for two-dozen projects comprise the greatest portion of the \$72.15 million in this category. It also includes \$10 million to acquire land for wildlife management, \$7.91 million for state trail development and acquisition (13 projects), \$2.5 million to acquire private lands from willing sellers for state park acquisition, \$2 million each for increased reforestation and improved public water access on lakes and rivers, \$1.7 million for fish hatchery improvements and \$885,000 for grants for three trail connections.

The bill also allocates \$23 million to acquire conservation easements from landowners. Slightly more than \$4.36 million is designated to acquire or restore wetlands impacted by public road projects.

The bill includes \$10 million for the construction of remedial systems and to acquire land at landfills around the state in accordance with the Pollution Control Agency's Closed Landfill Program, which ensures the proper closure and post-closure care. Additionally, \$2 million in solid waste capital assistance grants are earmarked for Red Wing and Olmsted County.

To construct a level 3 plant pathogen research facility at the University of Minnesota, the bill provides \$3.3 million. The money is not available until \$1.6 million in nonstate sources has been contributed to the project. Supporters said the facility is needed to conduct research on such things as soybean rust, which could affect state soybean farmers.

### Transportation

The bill is heavy on future transportation needs, including \$37.5 million for the Northstar commuter rail from Minneapolis to Big Lake, \$10 million for a Cedar Avenue bus rapid transit project between Lakeville and the Mall of America, \$5.25 million for preliminary engineering for the Central Corridor transitway between Minneapolis and St.

Paul, and \$500,000 each for planning the Red Rock Corridor between Hastings and St. Paul and the Rush Line Corridor between Hinckley and St. Paul.

"I find special delight in the funding of transportation projects in five corridors. It's a significant way to start looking at other options," said Rep. Alice Hausman (DFL-St. Paul).

The bill also allocates \$40 million for local bridge replacement and \$10 million for local road improvement grants.

### Minnesota Zoo

Of the \$22.64 million the Apple Valley facility would receive, \$2 million would be for asset preservation and the rest would go toward a new Gateway to the North exhibit, consistent with the zoo's master plan.

Additionally, the zoo is relieved from paying nearly \$1.88 million in debt service on the bonds issued for the construction of Discovery Bay.

However, the Lake Superior Zoo will not receive \$400,000 for exhibit construction and facility improvements. The funding was in the initial House and Senate bills, but was removed by a conference committee.

### Other issues

- \$84.4 million for an expansion of the Faribault prison;
- \$29.9 million for grants and loans to municipalities through the wastewater infrastructure funding program;
- \$22 million for a Minneapolis planetarium;
- \$21.7 million for a University of Minnesota/Mayo Clinic biotech research facility;
- \$18.5 million for bioscience development;
- \$12 million for permanent supportive housing loans; and
- \$1 million for redesign of the Shubert Theater in Minneapolis.

A copy of the spreadsheet is available at: <http://www.house.leg.state.mn.us/fiscal/files/bond05.pdf>. 

## Football facility funding

Plan would move Gopher gridiron team back to campus

By Mike Cook

**O**n college campuses across the country, a fall Saturday afternoon is oftentimes marked with a marching band strolling past tailgating alumni decked out in school colors then past fraternity and sorority houses, shadowed by trees whose leaves are changing colors. Playing the school song, the band then heads into an open-air stadium where the school's football team is to play an archrival.

But at the University of Minnesota, that scene is replaced by a pep rally on the Metrodome plaza before everyone heads into the climate-controlled facility covered by a Teflon roof.

The university wants to return to the days before the Gophers moved from Memorial Stadium to the Metrodome in 1982. To do that, it is seeking state funds to help pay for a new stadium on the Minneapolis campus.

Sponsored by Rep. Ron Abrams (R-Minnetonka), HF263 calls for the state to provide 40 percent of the necessary dollars for the \$235 million facility, but only after the university has raised at least 60 percent (\$141 million) from nonstate sources.

"This is a first step towards solving some of the issues that are outstanding," Abrams told the House Higher Education Finance Committee April 4. Approved by the committee, the bill next goes to the House Taxes Committee.

Under the bill, the state would annually transfer \$7 million to the university starting in the 2008-09 biennium. "That reflects the principal and interest payments for 25 years on that \$94 million of debt that would be issued by the University of Minnesota," said Richard Pfitzenreuter, the university's chief financial officer. The state's total share is limited to \$7 million per year and \$94 million overall.

"I commend the university for bringing forth a proposal that I think is reasonable," said Rep. Dean Urdahl (R-Grove City). "I think it'd be interesting if the Twins and Vikings were able to put something together along a similar nature."

The university has already received some contributions, including \$35 million from TCF Bank, which includes naming rights to the 50,000-seat, open-air facility to be constructed on the parking lots east of Mariucci and

Williams arenas. The goal is to open in 2008.

In addition to sponsorship and fundraising, the university plans to allocate \$16 million in game-day parking revenue and \$50 million from students toward stadium construction. Pfitzenreuter said students would be charged a \$50 fee each semester, and negotiations are ongoing with student leaders for some kind of benefit, such as discounted tickets or preferred seating areas.

"This is not meant to be a complete solution to stadium issues facing the state," Abrams said. One potential issue this addresses, he said, is what happens if the Twins and Vikings get new stadiums and the Gophers remain the lone Metrodome tenant. It is estimated to cost a minimum of \$7 million per year to keep the Metrodome operating.

"I think it's better to pay us to build a new stadium," Pfitzenreuter said.

Gopher football coach Glen Mason said that in recent years the university has had to reschedule some home games to accommodate a baseball playoff game. "The Big 10 schedule just recently came out and (between 2006 and 2008) we'll only play two home games in the month of October. That is a big, big competitive disadvantage. Quite frankly, we can't even argue about it."

Additionally, the dome is not a recruiting asset. For example, he said that last year, recruits were unable to see the dome in a football setup because another event was booked at the stadium during their visit.

Just a handful of other college football teams share a stadium with a professional team, including: University of Pittsburgh and Arizona State, San Diego State, Temple and Tulane universities.

Rep. Ron Latz (DFL-St. Louis Park) remembers attending games at Memorial Stadium as a child. "It's a wonderful experience and I hope that someday every student at the University of Minnesota can enjoy a similar experience."

Supporters note that the facility would be used for more than just six football games per year, because it will provide new quarters and a practice facility for the marching band, and recreational sports, soccer and commencement activities could occur there.

Included in the bill is a sales tax exemption for construction materials, which Abrams estimates to be about a \$10 million cost to the state.

A companion bill (SF237), sponsored by Sen. Geoff Michel (R-Edina), awaits action by the Senate Finance Committee.



PHOTO BY TOM OLMSCHIED

Coach Glen Mason tells the House Higher Education Finance Committee April 4 why a new University of Minnesota football stadium is needed. Watching is Richard Pfitzenreuter, left, the university's chief financial officer, and Rep. Ron Abrams, right, the bill's sponsor.



# Helping America vote

## Accessibility is major component to proposed changes

By **LEE ANN SCHUTZ**

**T**hose going to the polls, those with their names on the ballots and those charged with monitoring the voting procedure, could see major changes in the election process by the time Election Day 2006 rolls around.

HF1785, the omnibus election bill, sponsored by Rep. Tom Emmer (R-Delano), was approved April 4 by the House Civil Law and Elections Committee and is now on its way to the House floor.

If signed into law, the biggest change for voters will be that those who are disabled in any way will, for the first time, be able to vote independently and in private.

Throughout the past two months, Secretary of State Mary Kiffmeyer and her staff have been frequent visitors to the committee speaking in favor of bills that would help the state comply with the federal Help America Vote Act (HAVA). This provision was passed by Congress in 2002 and requires state and local governments to reform election processes and systems to ensure equal treatment of, and accessibility for, all voters.

As of April 6, 80 bills had been introduced this session relating to elections. While some are still making their way through the process on their own, at least 13 have been rolled in to the omnibus bill. Some of the more notable provisions are listed below.

### Election procedures

- Currently there are as many as 80 to 90 election days in the state. Under this bill, elections would be allowed only on five specific dates during the year.
- Any voter would be able to apply to a county auditor or municipal clerk for status as an ongoing absentee voter. Current law allows persons with permanent illness or disability to have a standing absentee voter application.
- Eight alternative members to the Electoral College would be nominated, and if an elector does not vote for the appropriate candidate that he or she is designated to

vote for, or abstains, the vote would be invalidated an alternate elector would be chosen.

- For the purposes of establishing uniform polling place hours, the Twin Cities metropolitan area would mean the counties of Ramsey, Hennepin, Anoka, Washington, Dakota, Scott, Carver, Wright, Sherburne, Isanti and Chisago.
- Specific judging procedures would be laid out for distribution, receiving and counting absentee ballots for the military.
- No municipality annexation would "become effective between the opening of filing for a previously scheduled municipal election of the municipality which is annexing the unincorporated land and the issuance of certificates of election to the candidates elected at that election."
- No primary election would be required in cases where there are uncontested local races.


### Polling place provisions

- Through HAVA, the state is scheduled to receive more than \$36 million in federal grants to help place assisted voting machines in each polling place, making it possible for all voters to cast their ballots independently and in private. Each polling place will also be equipped with optical scanning voting systems.
- Some polling places may need to be adapted to meet a requirement calling for, to the extent possible, a space of at least 750 square feet, with an additional 60 square feet for each 150 voters in excess of 400 voted in the most recent similar election.
- Signage at polling places would be consistent with the displaying of the American flag and a "Vote Here" sign conspicuously placed near the flag.
- News media would once again have access to polling places without prior written authorization for up to 60 minutes for observation purposes.

***If signed into law, the biggest change for voters will be that those who are disabled in any way will, for the first time, be able to vote independently and in private.***

### Candidates

- Candidates now break the law when they hand out candy at a parade because it could be considered a "bribe." Under this bill, that act would be legal.
- Reporting procedures for campaign expenditures would be expanded.
- The value of a "memento" or food and beverage that a candidate would be eligible to receive would be raised from \$5 to \$15.
- Rules and penalties would be expanded regarding public officials who represent clients for a fee before any body that has rulemaking authority.
- Technical language relating to the definitions of major and minor party status would be clarified.

A companion bill (SF1692), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits action in the Senate Elections Committee. 

### Frequently called numbers (Area code 651)

#### Information, House

175 State Office Building ..... 296-2146  
Toll free ..... 1-800-657-3550

**TTY, House** ..... 296-9896  
Toll free ..... 1-800-657-3550

#### Chief Clerk of the House

211 Capitol ..... 296-2314

#### Index, House

211 Capitol ..... 296-6646

#### Sergeant-at-Arms, House

45 State Office Building ..... 296-4860

**Committee Hotline, House** ..... 296-9283

#### Information, Senate

231 Capitol ..... 296-0504

Toll free ..... 1-888-234-1112

**TTY, Senate** ..... 296-0250

Toll free ..... 1-888-234-1112

#### Secretary of the Senate

231 Capitol ..... 296-2344

Voice mail/order bills ..... 296-2343

#### Index, Senate

110 Capitol ..... 296-5560

#### Sergeant-at-Arms, Senate

Senate Chamber ..... 296-7514/296-1119

**Committee Hotline, Senate** ..... 296-8088

#### Legislative Reference Library

645 State Office Building ..... 296-3398

## Monday, April 4

### HF2269—Peppin (R)

#### Taxes

K-12 education income tax credit extended to tuition and tax credit income phase-out modified.

### HF2270—Slawik (DFL)

#### Jobs & Economic Opportunity Policy & Finance

Lifetrack Resources funding provided for immigrant/refugee collaborative workplace programs and money appropriated.

### HF2271—Slawik (DFL)

#### Public Safety Policy & Finance

Assault weapon and large-capacity ammunition magazine manufacture, sale, and possession crimes established; terms defined and language clarified.

### HF2272—Juhnke (DFL)

#### Education Finance

Independent School District No. 2396, A.C.G.C., fund transfer authorized.

### HF2273—Magnus (R)

#### Taxes

Nobles County; tax increment financing district property defined as not eligible for a property tax exemption under the JOBZ program.

### HF2274—Paulsen (R)

#### Education Finance

School district education referendum allowance increased.

### HF2275—Sykora (R)

#### Education Policy & Reform

Teaching probationary period work year definition provided and early childhood family education teachers defined as public employees.

### HF2276—Abrams (R)

#### Taxes

Employer refund provided for employee transit passes.

### HF2277—Eken (DFL)

#### Health Policy & Finance

Statewide elderly waiver services covered under the prepaid Medical Assistance program implementation extended.

### HF2278—Wagenius (DFL)

#### Taxes

Property tax valuation exclusion provided for new or refurbished individual sewage treatment systems.

### HF2279—Kohls (R)

#### Education Policy & Reform

Cologne; wetland replacement requirements exemption provided.

### HF2280—Wagenius (DFL)

#### Regulated Industries

Public Utilities Commission required to establish fund for reimbursing state and other entities for health costs relating to coal-fired power plants and money appropriated.

### HF2281—Wagenius (DFL)

#### Regulated Industries

Greenhouse gas emissions reduction plan required relating to electric generation facilities and other sources.

### HF2282—Abeler (R)

#### Health Policy & Finance

Children's case management therapeutic services and support expanded.

### HF2283—Thao (DFL)

#### Governmental Operations & Veterans Affairs

Minority veterans outreach program established and money appropriated.

### HF2284—Nornes (R)

#### Taxes

Class 1b homestead property market value amount subject to a reduced class rate increased.

### HF2285—Dorman (R)

#### Taxes

Local sales taxes authorized under specified criteria, Mankato sales tax extension authorized and Waite Park sales tax authorized as approved by the voters.

### HF2286—Nelson, P. (R)

#### Public Safety Policy & Finance

Assaulting a correctional employee mandatory minimum sentences imposed.

### HF2287—Dean (R)

#### Civil Law & Elections

Election terminology clarified and corporate spending restrictions in political campaigns modified.

### HF2288—Lanning (R)

#### Taxes

Agricultural property tax program property tax deferrals disallowed for certain property and cities authorized to establish programs for reclassification of vacant commercial and industrial properties in non-metropolitan counties.

### HF2289—Mullery (DFL)

#### Governmental Operations & Veterans Affairs

Minority veterans outreach program established and money appropriated.

### HF2290—Carlson (DFL)

#### Health Policy & Finance

MinnesotaCare limited benefits coverage modified to include vision and dental services.

### HF2291—Davids (R)

#### Agriculture & Rural Development

Town roads significant to livestock operations construction, reconstruction and maintenance provided.

### HF2292—Blaine (R)

#### Regulated Industries

Energy conservation investment expenses exemption authorized for qualifying businesses.

### HF2293—Nelson, P. (R)

#### Public Safety Policy & Finance

Mentally ill committed persons exempted from criminal liability.

### HF2294—Westerberg (R)

#### Taxes

Anoka County; football stadium financing provided, stadium authority established and county authorized to levy and collect certain taxes.

### HF2295—Westerberg (R)

#### Taxes

Anoka County football stadium; financing provided, stadium authority established, county authorized to levy and collect certain taxes, bonds issued and money appropriated.

### HF2296—Jaros (DFL)

#### Health Policy & Finance

Human services background studies provision modified.

### HF2297—Kohls (R)

#### Agriculture, Environment & Natural Resources Finance

State Board of Investment venture capital investments using the environmental and natural resources trust fund authorized and data relating to investments classified.

### HF2298—Emmer (R)

#### Public Safety Policy & Finance

Local correctional agency authorized to create a schedule of local confinement fees to defray costs and claim and lien established in favor of the local agency against an offender's future windfall.

### HF2299—Jaros (DFL)

#### State Government Finance

Minnesota Assistance Council for Veterans grants provided to provide housing and support services to veterans and their families and money appropriated.

### HF2300—Powell (R)

#### Civil Law & Elections

Receiving motor fuel without paying service charge and civil penalty increased and civil liability clarified to not bar criminal liability.

### HF2301—Solberg (DFL)

#### Taxes

Itasca County; towns maximum cemetery levies increased.

### HF2302—Moe (DFL)

#### Environment & Natural Resources

Shooting range protection act adopted establishing standards and regulating actions.

### HF2303—Moe (DFL)

#### Environment & Natural Resources

Angling fee for resident seniors established.

### HF2304—Samuelson (R)

#### Environment & Natural Resources

New Brighton; Long Lake water safety district established.

### HF2305—Eken (DFL)

#### Health Policy & Finance

Long-term care provider inflation adjustments provided and income tax provisions modified.

### HF2306—Eken (DFL)

#### Health Policy & Finance

Nursing home license surcharge reduced.

### HF2307—Lieder (DFL)

#### Transportation Finance

Motor fuel tax rates increased, annual indexing provided, motor vehicle sales tax revenue allocated, state trunk highway bonds issued and money appropriated.

### HF2308—Dittrich (DFL)

#### Transportation

Vehicle taillights required to emit only red light.

### HF2309—Lesch (DFL)

#### Taxes

Gross receipts tax provided on retail sales in excess of \$20 million at an individual location and thresholds established for compensation and percentage of full-time employees that cause the establishment to be subject to the tax.

### HF2310—Hortman (DFL)

#### Education Finance

Education referendum equalization aid increased.

**HF2311—Hortman (DFL)**  
**Governmental Operations & Veterans Affairs**

Public employees police and fire retirement plan annuity provided for a former St. Paul firefighter to correct an error in coverage.

**HF2312—Walker (DFL)**  
**Health Policy & Finance**

Naturopathic doctors licensing provided and criminal penalties imposed.

**HF2313—Walker (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**

Assistance provided to stabilize housing for children to enhance school attendance and performance and money appropriated.

**HF2314—Latz (DFL)**  
**Public Safety Policy & Finance**

Law enforcement agencies that record bookings of individuals accused of crimes required to maintain the recording for at least 30 days.

**HF2315—Ozment (R)**  
**Taxes**

Rosemount; tax increment spending authorized.

**HF2316—Abeler (R)**  
**Commerce & Financial Institutions**  
Insurance fraud investigations required to consult with health-related boards, excessive claims regulated, no-fault auto injuries practice standards provided and no-fault insurance medical cost study required.

**HF2317—Abeler (R)**  
**Health Policy & Finance**  
Blood-lead level needed to trigger a lead risk assessment lowered.

**HF2318—Dempsey (R)**  
**Local Government**  
County board meetings authorized at locations other than the county seat.

**HF2319—Dorman (R)**  
**Jobs & Economic Opportunity Policy & Finance**

Employer grants provided for paying prevailing wages in job opportunity building zones.

**HF2320—Dorman (R)**  
**Taxes**  
Agricultural homestead property tax bracket modified.

**HF2321—Bernardy (DFL)**  
**Taxes**  
Commuter rail system diesel fuel sales tax exemption provided.

**HF2322—Zellers (R)**  
**Public Safety Policy & Finance**  
Life imprisonment without possibility of release imposed for murder in the first degree.

**HF2323—Bernardy (DFL)**  
**Taxes**  
Commuter rail service construction materials and equipment sales tax exemption provided.

**HF2324—Wilkin (R)**  
**Health Policy & Finance**  
County chemical dependency allocation modified.

## Wednesday, April 6

**HF2325—Howes (R)**  
**Commerce & Financial Institutions**  
School districts authorized to provide employees with electronic earning statements.

**HF2326—Simon (DFL)**  
**Civil Law & Elections**  
Landlords who apportion bills or charge fees for utility service defined as not exempt from regulation as a utility.

**HF2327—Hortman (DFL)**  
**Civil Law & Elections**  
Apportionment and reselling of utility service and fees relating to utility service prohibited.

**HF2328—Mullery (DFL)**  
**Governmental Operations & Veterans Affairs**  
State Building Code references to the International Mechanical Code deleted and updated with references to the 1991 Uniform Mechanical Code with Minnesota amendments.

**HF2329—Sieben (DFL)**  
**Education Finance**  
Alternative facilities bonding and levying program deferred capital expenditures and maintenance projects clarified.

**HF2330—Sieben (DFL)**  
**Education Finance**  
Alternative facilities bonding and levying program deferred capital expenditures and maintenance projects clarified.

**HF2331—Vandever (R)**  
**Regulated Industries**  
Wireless telecommunications consumer protections expiration date extended.

**HF2332—Sailer (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Red Lake emergency assistance provided for counseling and other social services and cleanup and repair of damaged facilities and money appropriated.

**HF2333—Seifert (R)**  
**Local Government**  
Cities prohibited from collecting unpaid water charges through property taxes.

**HF2334—Sykora (R)**  
**Education Policy & Reform**  
Early childhood education pilot program established for at-risk children between the age of 3 and entering kindergarten.

**HF2335—Sykora (R)**  
**Education Finance**  
Education appropriations forecast adjustments provided.

**HF2336—Kelliher (DFL)**  
**Commerce & Financial Institutions**  
Hair transplant procedures consumer protection information required and enforcement provided.

**HF2337—Kelliher (DFL)**  
**Commerce & Financial Institutions**  
Children's personal information regulated and sale of personally identifiable child information for commercial marketing prohibited.

**HF2338—Lenczewski (DFL)**  
**Local Government**  
Metropolitan Airports Commission city definition expanded to include Bloomington.

**HF2339—Lenczewski (DFL)**  
**Taxes**  
Property tax market value credit reductions reflected in the credit amount shown on each property tax statement.

**HF2340—Zellers (R)**  
**Education Finance**  
School readiness project planning grants authorized and money appropriated.

**HF2341—Abrams (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative Coordinating Commission and subordinate agency governing provisions modified, Legislative Commission on Minnesota-Ontario matters eliminated, Compensation Council membership and operation modified, and money appropriated.

**HF2342—Meslow (R)**  
**Civil Law & Elections**  
Voting rights of persons under guardianship and persons with disabilities clarified, local redistricting authorized, appointment of election judges unaffiliated with a major party provided and local campaign disclosure increased.

**HF2343—Eken (DFL)**  
**Civil Law & Elections**  
Executive officers, judges, and legislators required to be elected by a majority of the votes cast for the office and constitutional amendment proposed.

**HF2344—Eken (DFL)**  
**Health Policy & Finance**  
Norman County nursing facility payment rate increased.

**HF2345—Eken (DFL)**  
**Education Finance**  
Declining pupil unit aid formula modified.

**HF2346—Wagenius (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Atrazine in well water testing grants provided and money appropriated.

**HF2347—Peterson, A. (DFL)**  
**Regulated Industries**  
Soy-diesel fueled generator project funding provided to back up wind energy conversion systems and money appropriated.

**HF2348—Johnson, S. (DFL)**  
**Commerce & Financial Institutions**  
Parrots; birds of the order psittaciformes sales regulated and civil penalty imposed.

**HF2349—Cornish (R)**  
**Public Safety Policy & Finance**  
Bullet-resistant vest purchase reimbursement exception provided for zylon-based vests.

**HF2350—Juhnke (DFL)**  
**Education Finance**  
Independent School District No. 347, Willmar, fund transfer authorized.

**HF2351—Hilstrom (DFL)**  
**Public Safety Policy & Finance**  
Community reintegration of offenders provided by placement of certain offenders with less than 180 days to serve in county jails and sheriffs authorized to electronically monitor offenders who are sentenced to work release.

**HF2352—Larson (DFL)**  
**Local Government**  
Metropolitan Airports Commission labor agreement required with airport concession operators.

**HF2353—Lenczewski (DFL)**  
**Taxes**  
Tax increment financing prohibited for use in assisting federally defined gambling facilities.

**HF2354—Garofalo (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Small business development funding provided and money appropriated.

**HF2355—Walker (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
American Indian entrepreneurial assistance funding provided and money appropriated.

**HF2356—Abeler (R)****Health Policy & Finance**

Public health information network development required and money appropriated.

**HF2357—Lanning (R)****Health Policy & Finance**

Methamphetamine use prevention grants provided and money appropriated.

**HF2358—Seifert (R)****Jobs & Economic Opportunity Policy & Finance**

MFIP monthly cash assistance payments prohibited for use in purchasing tobacco, alcohol, or lottery tickets.

**HF2359—Lenczewski (DFL)****Taxes**

Cigarette tax increased, tax revenue dedication modified and floor stocks tax imposed.

**HF2360—Lenczewski (DFL)****Health Policy & Finance**

Bloomington nursing facility moratorium exception proposal approval extended.

**HF2361—Knoblach (R)****Taxes**

Marriage income tax penalties reduced.

**HF2362—Smith (R)****Governmental Operations & Veterans Affairs**

Minneapolis Teachers Retirement Fund Association and expanded list plans mutual fund authority clarified and investment authority revised to exclude below-investment grade bonds.

**HF2363—Abrams (R)****Taxes**

Electric power generation efficiency property tax market value exclusion clarified.

**Thursday, April 7****HF2364—Bernardy (DFL)****Education Finance**

School district transition revenue calculation modified.

**HF2365—Latz (DFL)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Association survivor benefits provided to the spouse of a police officer killed while on active duty in Iraq.

**HF2366—Sykora (R)****Taxes**

Scholarship granting organizations tax credit provided.

**HF2367—Smith (R)****Governmental Operations & Veterans Affairs**

Correctional state employees retirement plan process for evaluation of potential inclusions in plan coverage required.

**HF2368—Mariani (DFL)****Higher Education Finance**

College in the schools program aid provided and money appropriated.

**HF2369—Vandever (R)****Health Policy & Finance**

Presumption of nutrition and hydration sufficient to sustain life established.

**HF2370—Lenczewski (DFL)****Taxes**

Tax increment financing; new districts or expansions of existing districts prohibited.

**HF2371—Anderson, B. (R)****Ways & Means**

Claims against the state settlement provided, reimbursement for damage by escaping inmates or runaway patients increased and money appropriated.

**HF2372—Ruth (R)****Taxes**

Electric generation facility personal property tax exemption provided.

**HF2373—Zellers (R)****Health Policy & Finance**

Maple Grove hospital construction moratorium exception provided.

**HF2374—Clark (DFL)****Agriculture, Environment & Natural Resources Finance**

Pollution Control Agency required to seek funding for environmental justice mapping.

**HF2375—Otremba (DFL)****Taxes**

Delinquent property tax notification required.

**HF2376—Hausman (DFL)****Taxes**

Metropolitan Council levy provided for transit and paratransit operating costs and motor vehicle sales tax proceeds transferred to Greater Minnesota transit fund.

**HF2377—Larson (DFL)****Transportation Finance**

Motor vehicle sales tax proceeds reallocated to the metropolitan area transit fund and the Greater Minnesota transit fund.

**HF2378—Dorn (DFL)****Transportation Finance**

Mankato; transportation district headquarters funding provided, bonds issued and money appropriated.

**HF2379—Abeler (R)****Jobs & Economic Opportunity Policy & Finance**

MFIP work participation and self-support index measurement exclusions provided.

**HF2380—Simon (DFL)****Transportation**

Major highway projects reporting required.

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# MINNESOTA INDEX

## Motorized Recreation & Trails

Percent of Minnesotans age 20 or older who hike or walk for recreation.....	54
Bicycle .....	39
Ride all-terrain vehicles.....	10
Snowmobile .....	10
Cross-country ski .....	7
Registered all-terrain vehicles in Minnesota in 2004.....	222,594
Off-highway motorcycles .....	12,163
Off-road vehicles .....	5,497
Snowmobiles.....	268,988
Miles of Department of Natural Resources (DNR) snowmobile trails in 2004.....	2,135
Grant-in-aid miles of trail.....	18,300
DNR all-terrain vehicle trails, in miles .....	300
Grant-in-aid miles of trail.....	631
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Grant-in-aid miles of trail.....	125
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Total, to date.....	1,163
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Total, to date.....	135,290
Adults who took snowmobile safety classes in 2004.....	2,214
Total, to date.....	10,932
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Total grants awarded in 2004 .....	\$199,981
Largest grant (St. Louis County).....	\$20,422
Smallest grant (Watsonwan County).....	\$2,674
Average grant.....	\$5,000
Volunteers working on DNR trails and waterways programs in 2004.....	4,987
Hours volunteered.....	36,626
Estimated value of volunteer work.....	\$629,601

**Sources: Mark LaBarbera, Department of Natural Resources; 2004 Outdoor Recreation Participation Survey of Minnesotans, January 2005, and Study of Off-highway Vehicle Trails, February 2005, 2004 Volunteer Report, all from DNR; department trails and waterways enforcement divisions; DNR Office of Volunteer Services.**

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 22, NUMBER 15 • APRIL 15, 2005

INSIDE: A tax by any other name, Border battles, Laws and sausages, MORE

This Week's Bill Introductions HF2381-HF2431



# Session Weekly

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On the cover: Third and fourth graders from St. Peter Claver School in St. Paul show their new, commemorative Minnesota state quarters after they were passed out during a ceremony on the front lawn of the Capitol April 12. Gov. Tim Pawlenty and U.S. Mint Director Henrietta Holsman Fore spoke during the ceremony. Fore told the 5,000 students to hold on to the quarter because the coins would only be minted for 10 weeks.

—Photo by: Tom Olmscheid

# What's in a name?

Tax or fee? It's all in your definition

By MATT WETZEL

The money you pay to renew your driver's license is commonly called a fee. Yet for most adult Minnesotans, having a driver's license is not really an option, it is a necessity. You need it to get to work, school, the grocery store and practically anywhere else.

"That's not really a choice to the vast majority of people in the state," said Rep. Phil Krinkie (R-Shoreview), chair of the House Taxes Committee. Therefore, he believes, the renewal charge is not a fee, but a tax. "It's only a fee if there's a competitive service or a competitive availability for it," he said.

You can't go anywhere but to the state to get your driver's license, so it is a tax, according to Krinkie's definition.

And as the owner of a small business, he doesn't have any options when he renews his business license. "I'm required by law to do it and I have nowhere else to go," he said.

On the other hand, people now have plenty of options beyond the U.S. Postal Service when writing a letter or shipping a package. That includes e-mail, FedEx or UPS. So the money you pay

for a postage stamp would be a fee, according to Krinkie's definition. "This is competitive. When there is no competition, how do we know if the fee you're paying truly represents the cost of the service?" he asked.

Krinkie believes that the definitions of taxes and fees have gone way out of whack in Minnesota government, so he's trying to bring folks back to reality by sponsoring HF2178, which

would define a tax, fee and charge. The bill is not yet scheduled for a hearing, but has been referred to the House Taxes Committee.

A companion bill (SF2206), sponsored by Sen. Lawrence J. Pogemiller (DFL-Mpls), has been referred to the Senate Taxes Committee.

The bill states, in effect, that a tax is any charge assessed by a government entity on people, businesses, goods, services or transactions. The bill further states that any "fee" or "charge" fitting that definition is a tax.

Historically, people have come to define taxes as what is deducted from your salary,

what you pay extra on things you buy and the assessment you pay on your property. For businesses, it's the money they pay on sales, property, income and payroll.

According to Webster's New World Dictionary and Thesaurus, a tax is "a compulsory payment or percentage of income, property value, etc., for the support of government."

People have come to define fees as the money you pay whenever you do business with the government, such as license fees and filing fees. Local governments also charge sew-

age fees, inspection fees, and most of those services can't be obtained anywhere else.

Going back to the dictionary, a fee is "a charge for professional services, licenses, etc."

Dan Salomone, commissioner of the Department of Revenue, said the difference between a tax and a fee is not black and white, and he provides a checklist to identify a fee:

***Tax means any fee, charge, exaction, or assessment imposed by a governmental entity on an individual, person, entity, transaction, good, service, or other thing.***

— HF2178 definition

1. The public benefits or cost can be assigned to a particular group of people. An example would be a hunting license. Hunters pay for hunting licenses, and they get the benefits.
2. The fee should pay for the cost of service.
3. There should be no large extended benefits paid for by fees, such as higher education.
4. The use or level of use is not mandatory.
5. Is the fee a burden to people on low or fixed incomes?
6. Fees shouldn't be more expensive to administer than the revenue they collect.

Also, under Krinkie's definition, licensing fees for casinos, plus just about anything else people pay to the government for service they can't get somewhere else, would be a tax. In recent years, to balance the budget, state government has increased some fees.

"There's been a great deal of discussion as to 'Is it a fee increase or a tax?'" Krinkie said. "The governor has said he doesn't support any tax increases or new taxes. I think this would be a good way to have a discussion of what is a tax and what is a fee."

"We've had dramatically increasing fees in the last six to eight years. What we're doing is not about the cost (of the service); we're putting the money in the General Fund to balance the budget."

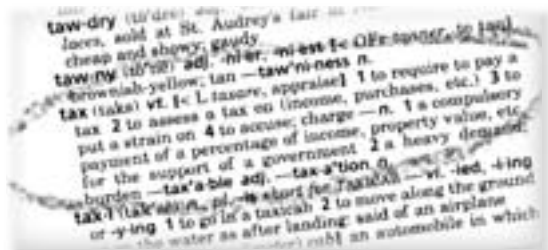
He doesn't blame governments for raising fees, especially when budgets are tight. "I don't think it's intentional. I don't think it's deliberate," he said.

Krinkie's bill has attracted some interesting co-sponsors, including his philosophical opposite, Rep. Tom Rukavina (DFL-Virginia), also a member of the House Taxes Committee.

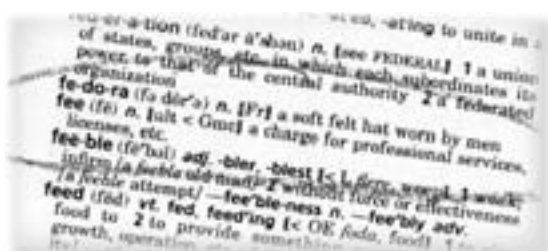
Rukavina agrees that it's time to define a tax and fee, and that's why he signed on with the bill.

"When I had a surcharge on my seatbelt violation I didn't get anything for it," he said. "You pay a sewage fee to the city when they come out to adjust your septic system. It's a tax."

**First Reading continued on page 4**



Webster's New World Dictionary and Thesaurus defines a tax this way.



Webster's New World Dictionary and Thesaurus defines a fee this way.

### First Reading continued from page 3

Another co-sponsor of the bill is Rep. Ann Lenczewski (DFL-Bloomington), the lead DFLer on the House Taxes Committee. She said the term “fees” is a lot more palatable to politicians and the public than taxes.

“I think what people are doing is mitigating the definition of a tax because they don’t want to call it a tax,” she said. “The best way to do it is call it a tax and fight for it.”

She said gambling advocates are proposing to fix the budget with gambling fees, and taxes

aren’t even mentioned. “If they’re generating money for the state, you should call it a tax,” she said. “Gambling should be viewed in the same light as everything else.”


Gov. Tim Pawlenty campaigned on a “No New Taxes” platform, and he continues to make that his watchword. Krinkie is aware of that, and he’s aware that if his bill becomes law it might turn the governor’s fee increases into new taxes or tax increases.

“My interest here is to deliberate on the policy issues and not to deliberate on the political risk of the equation,” Krinkie said. “If

it comes down to a definition, then I guess he has to decide. I agree with the governor that we shouldn’t raise taxes,” he said.

Rukavina is more blunt. “The governor said ‘no new taxes’ but that’s a promise he’s already broken,” he said, because property taxes and many fees have gone up.

Krinkie can’t wait to talk about what is a tax, and what is a fee and who is raising what. The first stop is his committee.

“Let’s have the debate. Hopefully, we’ll have a spirited debate,” he said. 

## Virtuous display

Statues remind visitors of ‘moral roots of their government’



The six statues above the main entrance to the Capitol symbolize the virtues apparent in good government and good citizenship.

Exercise sound judgment; be wise, brave, generous

and honest, they say from across the ages in allegorical fashion.

From left to right, they are: Wisdom, Courage, Bounty, Truth, Integrity and Prudence.

“The statues reflect conventional studio poses, and carry such typical studio equipment as Truth’s mirror, Prudence’s lamp, and the sword and shield of Courage,”

explains Thomas O’Sullivan in *North Star Statehouse*. “These fine points of iconology may be obscure to viewers so far below, but the statues add a graceful human accent and remind those entering the Capitol of the moral roots of their government.”

Designed by American sculptor Daniel Chester French (1850-1931), who also collaborated on the Quadriga, or Golden Horses statuary, the statues were carved in marble, on site, by local stonecutters.

French is perhaps best known for his stately seated statue of Abraham Lincoln in the Lincoln Memorial in Washington, D.C.

Though the golden horses above the statues tend to steal their thunder, the statues lend a moral air to the façade.

Apparently, French worried about crossing into immoral territory with his design for one of them.

He was a bit concerned Truth would be too naked for Minnesotans’ social mores, according to Neil B. Thompson in *Minnesota’s State Capitol: The Art and Politics of a Public Building*. So, he solicited criticism from architect Cass Gilbert, Thompson wrote. “No reply exists in the architects papers, but the finished statue (the fourth figure from the left) suggests that Gilbert felt public opinion in Minnesota was capable of accepting the nudity of a classical stone figure.”

(N. Wood)



PHOTO ILLUSTRATION BY TOM OLMSCHEID

Wisdom, Courage, Bounty, Truth, Integrity and Prudence, from left to right in this composite photo, stand above the front entrance of the Capitol as steadfast reminders of upstanding citizenship and government.

## ★ AGRICULTURE

### Fuel facts

Over the years, ethanol opponents have raised concerns over whether the fuel blend harms engines and decreases fuel efficiency.

Since 1997, most motor vehicle gasoline sold in Minnesota has been required to contain 10 percent agriculturally derived ethanol by volume. The questions were posed then, and they were echoed again in 2005 during debate over a bill that would raise the required ethanol/gasoline blend.

HF2045, sponsored by Rep. Andy Welti (DFL-Plainview), would arrange for additional research to determine the effects of ethanol on fuel system materials compatibility and ways to maximize fuel efficiency of ethanol fuel blends in motor vehicles without also increasing tailpipe emissions controls.

The House Agriculture and Rural Development Committee approved the measure April 12. It now moves to the House Agriculture, Environment, and Natural Resources Finance Committee.

The bill would direct \$200,000 in fiscal years 2006-07 to the Department of Agriculture to oversee up to two research grants.

Welti said he has in mind the University of Minnesota and Minnesota State University, Mankato as possible grant recipients. The automotive/fuel research departments at both institutions sent letters in support of the bill.

The bill would require a match of \$2 in non-state money for every \$3 of state funding.

The Minnesota Corn Growers Association is interested in assisting with funding for the research, said lobbyist Valerie Jerich.

A companion bill (SF1893), sponsored by Sen. Steve Murphy (DFL-Red Wing), has been laid over for possible inclusion in an omnibus finance bill by the Environment, Agriculture and Economic Development Budget Division of the Senate Finance Committee.

### 'Woodstock for livestock'

Rep. Dean Urdahl (R-Grove City) wants rural Minnesotans to give peace a chance.

He is sponsoring a House memorial resolution (HF2382) that calls for an end to the "feedlot wars" over animal agriculture.

The House Agriculture and Rural Development Committee approved the measure April 12 and sent it to the House Agriculture, Environment and Natural Resources Finance Committee.

The resolution is in response to the contentious debate over feedlots and permits during the past 20 years, Urdahl said. "I kind of look at it as Woodstock for livestock."

He is asking Minnesotans to channel rhetoric and resources into promoting rather than criticizing another person's preferred method of livestock production.

"Be it resolved, that 2005 be known as the year that the Minnesota feedlot wars ended and a new era beginning that is characterized by peace, harmony, love, and acceptance of diversity with regard to livestock farmers in Minnesota," the resolution reads.

It concludes with these findings: Livestock farmers should "renew and intensify their efforts to be good neighbors and carefully follow all federal, state and local regulations." Meanwhile, rural residents should "renew and intensify their efforts to be good neighbors, and accept, encourage and support the livestock farmers in their area."

A companion bill (SF1218), sponsored by Sen. Steve Dille (R-Dassel), awaits action on the Senate floor.

## ★ ARTS

### Capturing another artifact

The portrait of a man who designed the State Capitol would remain longer in the building, under a bill passed by the House 131-0 April 7.

The bill now awaits action by the Senate where Sen. Cal Larson (R-Fergus Falls) is the sponsor.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls), HF1458 would require the Minnesota Historical Society to submit a request to the Smithsonian Institute Museum of American Art to keep the portraits of Cass Gilbert and his wife, Julia Finch Gilbert, on display in the current location when they are not publicly displayed elsewhere. The portraits are on loan from the museum and displayed on the second floor of the Capitol.

"These portraits, until we requested them ... were being stored in the basement of the Smithsonian," Kahn said, adding the bill keeps the historical society on track to work on maintaining the portraits.

During a House committee meeting, Kahn said that Larson told her, "We shouldn't give 'em back. We should just treat it like the Virginia flag and just keep it."

The Confederate battle flag of the 28th Virginia Infantry Regiment, recently displayed



### Time to drop the gavel

The gavel is about to come down on committee actions. By Friday, April 22, omnibus finance bills must be out of House and Senate finance committees.

There will be no floor sessions or committee activity April 25, the day after Passover.

in the Capitol, is in the possession of the historical society, which has rebuffed requests by Virginia state officials and a Civil War reenactment group to return the flag. Kahn said future loans from the institute could be made difficult if the society were to capture the portraits as well.

"The reason we have the Virginia battle flag is because we fought a Civil War. We want to deal with these paintings with a little less bloodshed," Patrick McCormack, deputy director for the interpretive programs for the historical society, told a House committee.

## ★ BANKING

### New bank for Burns Township

Burns Township in the northwest corner of Anoka County was given the green light to open a bank branch in its community when Gov. Tim Pawlenty signed a new law April 7.

Rep. Larry Howes (R-Walker) and Sen. Carrie L. Ruud (R-Breezy Point) sponsored the legislation that allows Pine River State Bank, which has its main office in Pine River, to establish a branch in Burns Township.

A bank that wants to open a new branch needs permission from the Legislature when that branch will be in a township. The Legislature grants an exemption about once every two years.

**Signed  
by  
the  
governor**  
★ ★ ★

The law takes effect upon approval by the Burns Township Board.  
HF997\*/SF985/CH18

## BONDING



### Capital investment bill is now law

**Signed  
by  
the  
governor**  
★ ★ ★

Gov. Tim Pawlenty signed the \$945 million capital investment bill April 11.

Included in the bill is \$885.9 million in general obligation bonds and \$59 million in user-financed bonds. The funding proposal includes \$37.5 million for the Northstar commuter rail line that will run from Minneapolis to Big Lake. Included in the route is Coon Rapids, where the governor signed the legislation.

"After years of hard work by many it's time to get on board the Northstar line," Pawlenty said in a prepared statement. "This is one of the fastest growing corridors in the country. We need to bring relief and more choices to commuters so they can spend more time the way they choose, rather than sitting in traffic. The Northstar commuter line is a congestion buster and we need it."

The \$265 million project, of which half is to come from the federal government and the rest from the state and local coffers, is expected to save 890,000 commuter hours annually.

Pawlenty said the bill also contains money in five quality-of-life areas:

- \$322 million for higher education;
- \$211 million for water, environment and natural resources, including \$28.9 million for local sewer and water projects, \$27 million for local flood hazard mitigation grants and \$23 million for the Conservation Reserve and Enhancement Program;
- \$204 million in the areas of jobs, housing and transportation, including \$40 million in local bridge replacements, \$21.7 million for a University of Minnesota/Mayo Clinic biotechnology research center and \$18.5 million for biotechnology and health science development;
- \$125 million for safer communities, including \$84.8 million for an expansion of the Faribault prison; and
- \$83 million for effective government and public services, including \$2.5 million for emergency riverbank protection along the Red Lake River in Crookston and Red Lake Falls and \$670,000 for a World War II Veterans Memorial on the Capitol Mall.

Supporters of the measure say an estimated 10,000 new construction jobs will be created because of the law.

A copy of the spreadsheet is available at: <http://www.house.mn/fiscal/files/bond05.pdf>.

Rep. Dan Dorman (R-Albert Lea) and Sen. Keith Langseth (DFL-Glyndon) sponsored the law, which is effective April 12, 2005.

HF3\*/SFnone/CH20

## CONSUMERS



### Motor vehicle loans

**Signed  
by  
the  
governor**  
★ ★ ★

The Motor Vehicle Retail Installment Sales Act will be recodified.

Gov. Tim Pawlenty signed into law April 7 purely technical changes to the act, which renumbers the statutes dealing with motor vehicle loans by dealers.

Effective Aug. 1, 2005, the law puts those statutes in a new chapter of statutes that involves lending and is regulated by the Department of Commerce.

Rep. Diane Loeffler (DFL-Mpls) and Sen. Julianne E. Ortman (R-Chanhassen) sponsored the legislation.

HF933\*/SF1437/CH19

## CRIME



### Easing into the community

The corrections commissioner would be authorized, under HF2351, to transfer prisoners who have less than 180 days left of their prison sentences to the county or regional jail in the jurisdiction where the offender plans to live when on supervised release from prison.

This would help ease offenders back into their communities and would also free up space in the state's overcrowded prisons, Rep. Debra Hilstrom (DFL-Brooklyn Center), the bill's sponsor, told the House Public Safety Policy and Finance Committee April 8.

"The bill creates a foundation for us at the local level do a better job of dealing with offenders upon their release from prison," said Ron Wiborg of Hennepin County Community Corrections. At the local level, he said it would be easier to reunite prisoners with their families, connect offenders with follow-up treatment and begin seeking a job so they are more ready to go right to work upon release.

"While some of the larger county facilities may have pre-release programming, many have none," said Dennis Benson, deputy corrections commissioner, speaking against the bill. He said the state has a comprehensive pre-release program for all offenders that includes transition coordinators, housing and job fairs and job placement coordinators.

Under the bill, the state would pay counties a per diem for prisoners equal to what the state pays now to rent county jail space for some prisoners because the state facilities are full.

The bill would also free up space in county jails by allowing offenders, now released during the day to go to work, to go to their homes at night wearing electronic monitoring bracelets, at their own expense.

The committee will consider the bill for possible inclusion in its omnibus bill.

A companion bill (SF2195), sponsored by Sen. Leo T. Foley (DFL-Coon Rapids), awaits action in the Senate Crime Prevention and Public Safety Committee.

## DEVELOPMENT



### Ship those goods

A regional distribution center near the Minneapolis-St. Paul International Airport, capable of handling international freight, could shorten shipping time for Minnesota companies by three to four days and cut costs 15 percent to 20 percent.

Rep. Ron Abrams (R-Minnetonka) is sponsoring HF946, which would designate an international economic development zone within 60 miles and 90 minutes driving time of the airport. The bill was approved April 7 in the House Transportation Finance Committee and referred to the House Taxes Committee.

Qualifying businesses operating in the zone would be exempt from sales, income and property taxes for up to 12 years. A refundable jobs credit would be available for the portion of payroll that exceeds \$30,000 per full-time equivalent.

People who invest in zone businesses would be exempt on their business income from activity in the zone, as well as capital gains taxes on zone investments for a maximum 12 years. The business's primary purpose must be as a freight forwarder or a regional distribution center. A regional distribution center's primary purpose must be to centralize international shipping functions.

Abrams said a likely location for the distribution center would be Rosemount, because of land availability and close proximity to the airport. "It can be a tool for economic development," he said. Under the bill, the zone must be between 500 and 1,000 acres in size.

Many companies that need to ship products to international markets now must truck them to Chicago. With a local center, products would be trucked there and then to the local airport for shipping, Abrams said.

"There's a great economic advantage to

Minnesota businesses to gain future access to international markets for exports and imports,” he said later in an interview.

Steve Anderson, executive director of the Greater Metropolitan Foreign Trade Zone Commission, agreed. “This is precisely the kind of economic opportunity that should be available to our businesses in Minnesota. If the market forces bring it to bear, it’s a good thing.”

A similar provision was in an omnibus tax bill that failed to become law in 2004.

A companion bill (SF895), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action in the Senate Finance Committee.

## ★ EDUCATION

### English learners

Older immigrant children would have more time to learn English, under HF1704, sponsored by Rep. Randy Demmer (R-Hayfield).

School districts now receive funding for every qualifying non-English speaking student, but the 2003 Legislature limited the maximum funding period for any student to five years.

The bill would extend funding up to seven years, but not past age 21, for students in grades six through 12. The funding time limit would remain at five years for children in grades one through five.

“The basic idea is younger children can learn quicker and better, and can learn English faster than older children can,” Demmer told the House Education Finance Committee April 11.

Jerry Williams, Rochester School District superintendent, said his district and others have new immigrant and refugee students up to 15 years old who have never attended school. Not only do they not speak English, but also they are illiterate in their native languages. “They want to attend school and become contributing residents of their new country, but to suggest this can happen in five years or less is not possible,” he said.

“Older middle and high school students simply need more time to learn academic English necessary to pass (state) tests.”

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1490), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action in the Senate Finance Committee.

### Making hazardous crossings safer

School districts would be able to identify hazardous areas where children walk or bike to school and then raise money locally

## QUARTER QUEEN



PHOTO BY TOM OLMSCHIED

**Pine County Dairy Princess Amy Joy Bengtson passes out the Minnesota State Quarter to students on the front lawn of the Capitol during ceremonies to release the commemorative coin to the public April 12.**

through a tax levy to make the areas safer, under HF1434, sponsored by Rep. Denise Dittrich (DFL-Champlin).

The bill creates a process for local school districts to identify hazardous transportation conditions, Dittrich told the House Education Finance Committee April 12.

School boards may appoint a pupil transportation committee that would include bus drivers, school staff, parents and city officials, to develop a comprehensive plan for the safe transportation plan and have at least one public hearing before adopting the plan.

A district could levy annually, up to 20 percent of its total transportation costs, to raise money to alleviate hazards.

This is a huge issue in the Twin Cities metropolitan area where highways cut through many districts, according to Rep. Connie Bernardy (DFL-Fridley). “This bill helps give parents a voice — and parents wanted a voice — and gives school districts a tool to help transfer kids and keep them safe.”

Because of budget cuts, the Anoka-Hennepin School District has reduced busing to what is required by state law — busing students who live two or more miles from their school. This has resulted in 17,000 students no longer being bused and an estimated 7,000 students who face hazardous conditions as they walk or bike to school, according to Tom Heidemann, a member of the Anoka-Hennepin School Board.

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1574), sponsored by Sen. Charles W. “Chuck” Wiger (DFL-North St. Paul), awaits action in the Senate Finance Committee.

### ‘Take a bite out of crime’

School districts would be able to offer rewards to help solve crimes, under HF834, sponsored by Rep. Denise Dittrich (DFL-Champlin).

“This sends a message to school boards that we appreciate the work they do and we are trying to empower them with all the tools they need to keep our schools safe,” Dittrich told the House Education Policy and Reform Committee April 12.

Under the bill, school boards could choose to offer rewards for accurate and reliable information that leads to the apprehension and arrest of a person who commits a crime against school district property, students, employees, volunteers or school board members.

Kirk Schneidawind, associate director of governmental relations for the Minnesota School Boards Association, said it might also be a small deterrent and help prevent crimes.

The committee approved the bill and referred it to the House Education Finance Committee.

A companion bill (SF1197), sponsored by Sen. Don Betzold (DFL-Fridley), awaits action on the Senate floor.



## Sparsity support

The state pays about \$57 million a year to rural school districts to help with transportation costs.

Rep. Doug Magnus (R-Slayton) told the House Education Finance Committee April 11 that a bill he is sponsoring, HF1552, would increase transportation sparsity aid every year.

He initially suggested an annual 10 percent increase, but said he preferred the amendment offered by Rep. Randy Demmer (R-Hayfield) that would tie an aid increase to the mileage reimbursement rate established every year by the Internal Revenue Service.

"I like the idea of taking the transportation sparsity aid and tying it to something transportation-related that relates somewhat to costs," said Demmer. "It makes a lot of sense." He said the IRS mileage reimbursement has increased an average of 3.2 percent per year.

Rep. Jim Davnie (DFL-Mpls) said he is concerned that school districts would just assume they'd be getting more money every year so there would be no incentive to be more cost, fuel or environmentally efficient with transportation.

Demmer disagreed. "Districts will still be as efficient as possible with transportation because every dollar they save there they can put somewhere else."

The committee will consider the bill for inclusion in its omnibus bill.

A companion bill (SF1906), sponsored by Sen. Jim Vickerman (DFL-Tracy), has been laid over by the K-12 Education Budget Division of the Senate Finance Committee.

## Twin bonding

Wendy Haavisto's children talk in "twin babble" and share the type of bond that multiple birth children often have. So when the Inver Grove Heights family moved to a new house and was going through a lot of changes, the parents wanted Victoria and Nicholas to be in the same first grade classroom.

"They really needed to be together. They relied on each other to get through situations," Haavisto told the House Education Policy and Reform Committee April 12.

Unfortunately, the principal had other ideas. So Haavisto put into motion HF130/SF180\* which allows parents more say in whether their twins, or other multiples, are placed in the same classroom.

"This really isn't so much an issue about separate or together but about the rights of parents to do what we believe is best for our children," said Blane Huppert of Woodbury, the father of twin boys.

The bill's sponsor in the House is

Rep. Marty Seifert (R-Marshall), whose wife is a twin, and in the Senate by Sen. Dennis R. Frederickson (R-New Ulm), who is the parent of twins.

Parents of multiples would be required to make a placement request within 14 days of their children starting at a school.

The bill obligates schools to make classroom placements of multiples based on the parent's request. But if multiple-birth children are disruptive in a classroom, a principal could request that the school board determine a new placement for the children after the initial grading period.

"These problems should have been resolved at the local school board level rather than rising to the level of legislation," said Roger Aronson, legal counsel for the Minnesota Elementary School Principals' Association.

The committee approved the bill and sent it to the House floor.

## ELECTIONS



### Campaign reporting

Several changes to campaign reporting requirements are proposed in HF1879, sponsored by Rep. Brad Finstad (R-New Ulm).

The bill, recommended to pass by the House Civil Law and Elections Committee April 12 and sent to the House floor, covers recommendations made by the Campaign Finance and Public Disclosure Board, including a requirement that political committees and units file reports electronically when \$15,000 or more

has been raised or spent by the candidate or committee.

Jeanne Olson, executive director of the board, said that this information is now entered manually into a database and it would streamline operations if the information could be downloaded electronically.

Another provision would allow those running for a House or Senate seat in a special election to raise less money than currently required to qualify for a public subsidy. Under current law, the qualifying amount needing to be raised for either the general or special election is \$1,500 for the House and \$3,000 for the Senate.

The bill would reduce that amount for those running in a special election to \$500 for House races and \$1,000 for Senate races.

The companion bill (SF1319), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), awaits action on the Senate floor.

## EMPLOYMENT



### Pay up

Employers who fail to pay required wages and benefits to migrant workers could face increased penalties, under a bill sponsored by Rep. Karen Clark (DFL-Mpls).

HF1914 would increase from \$250 to \$500 the penalty for employers who fail to comply with the terms of an employment statement provided to a migrant worker and with statutory requirements for the payment of migrant workers. The penalty would also apply to



PHOTO BY ANDREW VONBANK

**Migrant worker Victor Contreras, right, testifies through translator Kathryn Gilje, left, before the House Commerce and Financial Institutions Committee April 12 in support of HF1914, a bill that would increase the penalty for employers in violation of migrant worker payment requirements.**



employers who fail to pay wages to migrant workers within the time period required by law, such as paychecks every two weeks.

The House Commerce and Financial Institutions Committee approved the bill without opposition April 12 and referred it to the House floor.

Increased penalties would also apply to employers who fail to pay wages on time after employment is terminated. Current law requires a discharged employee who lives away from home while performing the service to be paid within 24 hours.

Employers who don't meet the requirements would be liable for the employee's reasonable expenses for remaining away from home, under the bill. If wages were not paid within three days of termination, the employer would have to pay the employee's average daily wage from the time of termination until payment is made in full, up to 15 days.

The bill would also reduce the time for employers to provide benefits or wage supplements due to employees. Under current law, employers face a criminal misdemeanor if they fail to provide the benefits within 60 days after they're due. Clark's bill would reduce the time period to 30 days.

A companion bill (SF1984), sponsored by Sen. Ellen R. Anderson (DFL-St. Paul), awaits action by the full Senate.

### Drug testing pro athletes

Professional athletes in Minnesota could undergo random drug testing for the presence of anabolic steroids, under a bill sponsored by Rep. Larry Hosch (DFL-St. Joseph).

HF1103 would amend Minnesota statutes governing drug and alcohol testing in the workplace to permit employers of professional athletes to request or require random drug testing.

The House Commerce and Financial Institutions Committee amended the bill April 7 to make the drug testing subject to collective bargaining agreements. The committee then approved the bill and referred it to the House floor.

Jerry Bell, president of Twins Sports Inc., the parent company of the Minnesota Twins, supports the bill. He said the proposal would not put Twins' baseball players under different drug testing requirements than players from other teams because the same collective bargaining agreements covering drug testing apply to the entire league.

Hosch said his bill would make Minnesota law consistent with the collective bargaining agreements already in place with professional athletes.

Under current law, employers can only



PHOTO BY ANDREW VONBANK

**Minnesota Twins Sports Inc. President Jerry Bell testifies April 7 before the House Commerce and Financial Institutions Committee in support of a bill that would authorize steroid testing for professional athletes.**

require drug or alcohol testing for employees on a random selection basis if the employees are working in safety-sensitive positions. These are positions in which drug or alcohol impairment would threaten a person's health or safety.

A companion bill (SF1780), sponsored by Sen. Ann H. Rest (DFL-New Hope), awaits action by the full Senate.

### Stay in Minnesota

Minnesota manufacturing employers thinking of leaving the state might stay if they could get their employees' wages subsidized for awhile, believes Rep. Jerry Dempsey (R-Red Wing), and he's sponsoring a bill that would do just that.

HF509 would provide \$2 million in each year of the 2006-07 biennium to the Department of Employment and Economic Development, which would award grants to employers to subsidize the wages and benefits of manufacturing employees. That could occur only if it became apparent that the company couldn't keep the jobs in the state because of a short-term competitive downturn. The subsidy would apply only to manufacturers outside the Twin Cities metropolitan area.

The bill was heard April 11 in the House

Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

To qualify, the jobs would have to pay at least an annual salary of 110 percent of the federal poverty guidelines for a family of four. Subsidies for hourly wages cannot exceed \$4, and subsidies for benefits cannot exceed \$1 an hour. No grant for a job can last longer than four years.

Grants would be based on the likelihood a job would be retained, effect of job retention and economic viability of the business. If jobs are not filled within six months of the grant, the grant must be repaid.

"Nobody wants to be unemployed," Dempsey said. "If you don't have a job you're not a somebody. I think this particular piece of legislation will help that. We have a large number of businesses that have left the state. I think it's a prudent and good policy that the state can help businesses."

A companion bill (SF526), sponsored by Sen. Steve Murphy (DFL-Red Wing), awaits action in the Senate Finance Committee.

## ★ ENVIRONMENT

### Finding the right Clean Water Fee

A new funding mechanism for the so-called "Clean Water Legacy Act" emerged in the House Agriculture, Environment and Natural Resources Finance Committee.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF826 aims to achieve and maintain water quality standards for the state's surface waters as required by the federal Clean Water Act.

The committee approved an amendment April 12 that removed the section of the bill containing a fee structure supported by a clean water fee on all service connections to sanitary sewer systems. Further review continued April 13 and the bill was laid over, with Sec. 8, the funding provision, left blank for now.

Ozment presented a new funding proposal that would impose a clean water fee on all improved property (in this case property containing a structure valued at more than \$5,000). Fees would vary by property type — e.g. residential, commercial and industrial — and would be graduated based on market value of the structures.

Ozment said it could be viewed as a "water impact fee" from the structures. "The more concrete, shingles and asphalt you have, the more runoff you have, which creates problems as that flow picks up components and carries them into our streams, rivers and lakes."

Under the proposal, the property tax



PHOTO BY ANDREW VONBANK

**Surrounded by samples of water collected from impaired Minnesota lakes and rivers, Marie Zellar from Clean Water Action testifies before the House Agriculture, Environment and Natural Resources Finance Committee April 12 on the Clean Water Legacy Act.**

statement would be the collection mechanism and fees would be paid at the same time as property taxes. Estimated totals by property type are as follows:

- Residential class - \$57.52 million;
- Apartment class - \$7.2 million;
- Exempt property class (e.g. churches, schools) - \$2.04 million; and
- Business class - \$12.68 million.

The grand total would amount to an estimated \$79.44 million per year to support clean water activities.

A companion bill (SF762), sponsored by Sen. Dennis R. Frederickson (R-New Ulm), awaits action in the Senate Finance Committee.

### **Pests and pathogens**

Long before Asian long-horned beetles and emerald ash borers came a-creepin', the 1974 Legislature created a shade tree disease control program to combat old school diseases such as Dutch elm and oak wilt.

HF1895, sponsored by Rep. Diane Loeffler (DFL-Mpls), would broaden the definition of shade tree disease under current law to catch up with new threats and give the Department of Agriculture an infusion of fresh cash to fight them.

The House Agriculture and Rural Development Committee approved the measure April 12. It now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

Under the bill, references to disease would be swapped for "pest." A shade tree pest would be defined as "pests or pathogens affecting the growth and life of shade trees." And a specific definition of shade tree would be inserted as "a woody perennial grown primarily for aesthetic or environmental purposes."

Historically, much of the program's efforts were focused on the Twin Cities metropolitan area, but any municipality is eligible. The committee amended a provision relating to grants for pest-infested wood removal and reforestation efforts to reflect a 50:50 split between the metropolitan area and Greater Minnesota. Currently, the ceiling for metro funding is set at 67 percent.

A companion bill (SF1580), sponsored by Sen. Linda Higgins (DFL-Mpls), has been laid over for possible inclusion in an omnibus finance bill by the Environment, Agriculture and Economic Development Budget Division of the Senate Finance Committee.

## **GOVERNMENT**



### **Data practice violations**

Government entities found in violation of the Data Practices Act could be subject to paying substantially higher damages under HF225, the data practices omnibus bill.

Rep. Tom Emmer (R-Delano) successfully proposed the amendment that would raise the

damage award from \$10,000 to \$20,000.

"My amendment is two-fold; it is not just bringing the dollar amount up, but changing the terms of the law from willful violation to violations of the Data Practices Act, period," Emmer told the House Civil Law and Elections Committee April 11. The committee approved the bill, sponsored by Rep. Mary Liz Holberg (R-Lakeville), and sent it to the House floor.

Don Gemberling, former director of the Information Policy Analysis Division of the Administration Department, who has spent many years studying data practice issues, said an enforcement problem now exists, "How the law is enforced is what gives it meaning, and currently you have an enforcement problem." He said that current law makes it easy for government entities not to comply. "I think that anytime you do anything to improve enforcement for Minnesota citizens, you are doing something very positive."

Other provisions in the bill call for:

- designating as nonpublic financial or proprietary data retained by the State Board of Investment in connection with its venture capital, real estate, and resource investments;
- classifying information and accessibility limits for the proposed Comprehensive Incident-Based Reporting System to be operated by the Bureau of Criminal Apprehension and the Department of Public Safety;
- authorizing several more state boards and councils under the jurisdiction of the Department of Employment and Economic Development to meet by telephone or other electronic means; and
- making more information available to parents about daycare providers concerning the number of serious injuries (those treated by a physician) or deaths of children reported to government agencies.

A companion bill (SF361), sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), awaits action on the Senate floor.

### **Uniform flag patches**

Public employers would be prohibited from preventing a peace officer or firefighter from wearing an American flag patch no more than 3 inches by 5 inches, or a pin, under a bill approved by the House 131-0 April 11.

Sponsored by Rep. Ray Vandever (R-Forrest Lake), HF241 would also permit a peace officer or firefighter who believes a public employer is violating the provision to request the attorney general to issue an opinion on the issue. The attorney general must issue a written opinion, which is binding, unless a

court makes a contrary decision. The attorney general may bring action in district court to compel compliance by the employer, if the employer continues to violate the law.

The bill now moves to the Senate, where Sen. Mady Reiter (R-Shoreview) is the sponsor.

"The changing politics in some cities have resulted in changing policies with regard to this issue. This would just provide the same policy across Minnesota," Vandever said.

A number of years ago, patches were removed from the uniforms of St. Paul Police officers "for reasons that aren't completely clear," David Titus, president of the St. Paul Police Federation, previously told a House committee.

The flag is a very important symbol to the police officers and it was demoralizing when it was removed, he said. "There are two things that I have saved in my career for my son and my daughter, the first thing was my retired badge ... and the second thing was the 3 x 5 flag that I wore."

## ★ HEALTH

### Penalty fees bill becomes omnibus

A bill that would provide penalty fees for practicing certain health occupations without a license has turned into an omnibus bill with the incorporation of several other bills.

HF1161, sponsored by Rep. Thomas Huntley (DFL-Duluth), was approved by the House Health Policy and Finance Committee April 11 and referred to the House Ways and Means Committee.

The bill would impose penalty fees for practicing without a current license in speech language pathology or audiology, occupational therapy, alcohol or drug counseling, or hearing instrument dispensing. The fees would be based on renewal or application fees.

Penalty fees would also be assessed for failure to comply with continuing education requirements.

A companion bill (SF1204), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action by the full Senate.

Bills incorporated into Huntley's bill include:

- HF637, sponsored by Rep. Jim Abeler (R-Anoka), which would modify provisions related to licensed professional counselors;
- HF1112, sponsored by Abeler, which would allow for voluntary licensure of alcohol and drug counselors;
- HF1294, sponsored by Abeler, which would recodify social work statutes;

- HF1594, sponsored by Rep. Kent Eken (DFL-Twin Valley), which would require respiratory therapists to hold licenses in each state in which they practice and meet continuing education and licensure renewal requirements;
- HF1840, sponsored by Abeler, which would modify the information required on a prescription issued by a physician assistant;
- HF1865, sponsored by Abeler, which would modify dental licensure provisions and change the fee structure;
- HF1918, sponsored by Rep. Brad Finstad (R-New Ulm), which would modify provisions relating to physical therapists; and
- HF1935, sponsored by Abeler, which would provide that audiologists do not need to obtain hearing instrument dispenser certification.

### Postpartum depression education

When Ellie Zuehlke had thoughts of killing herself and her newborn son, she realized she needed help. She went to see a psychologist, but he didn't have any experience with postpartum depression.

Zuehlke was eventually able to find the help she needed through references from friends, and she's since met other women who suffer from the same disorder.

"One thing we all found is how difficult it was to find information on postpartum depression," she said.

Rep. Mindy Greiling (DFL-Roseville) is sponsoring a bill to change that. HF1491 would require health care professionals who provide prenatal care to educate women and their families about postpartum depression.

The bill would also require health care facilities to provide written information about postpartum depression to new parents. The information would need to include symptoms, methods of coping with the illness and treatment resources, including a hotline.

"Our hope is more women will hear about it and get help," Greiling told the House Health Policy and Finance Committee April 7. The committee held over the bill for possible inclusion in its omnibus bill.

Greiling said approximately 10 percent of women are affected by postpartum depression, and one in 1,000 women experience postpartum psychosis, a condition in which a woman may inflict harm on herself and her baby.

"Postpartum depression can occur within a few days or months after childbirth," according to the National Alliance for the Mentally Ill. "What we want is for mothers and fathers to know that postpartum depression exists, that it is important to intervene early and that it is treatable."

A companion bill (SF1445), sponsored by Sen. Steve Dille (R-Dassel), awaits action in the Senate Finance Committee.

## ★ HIGHER EDUCATION

### Disbursing financial aid

State financial aid appropriations are currently made to the Higher Education Services Office, (HESO) which then distributes dollars to participating, eligible institutions for grants to students.

That would change under HF504, sponsored by Rep. Lyndon Carlson (DFL-Crystal).

His bill would make the University of Minnesota and the Minnesota State Colleges and Universities system (MnSCU) responsible for administering financial aid to their students. The Minnesota Private College Council would be responsible for financial aid to students at its 17 institutions, and HESO would administer state-funded financial aid to private schools that are not council members.

The bill was held over April 11 by the House Higher Education Finance Committee for possible inclusion in its omnibus bill. A similar provision was not included in the 2003 omnibus bill.

"Basically the system is the same as it has been since the early 1980s, but the student profiles have changed immensely. Now we have many more part-time and non-traditional students," Carlson said. "The systems have said they'd like to manage their own financial aid programs to better meet the needs of their students."

Additionally, said Chris Halling, MnSCU director of financial aid, "it is putting some of the onus on us to manage the funds if there is a possibility of a deficit. We know there have been issues with trying to project the spending in this program in the past."

Peter Zetterberg, director of the university's Institutional Research and Reporting Office, said the bill would provide flexibility, be more efficient and provide a better connection between tuition and financial aid.

HESO officials spoke against the bill for a number of reasons, including that dollars now go with the student and that method recognizes enrollment changes.

"It's better to have it in one pot of money so that it follows the student, instead of creating a structure that hogties where the money is," said HESO Director of Financial Aid Cheryl Maplethorpe.

A companion bill (SF173), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), was laid over for possible inclusion in the Senate higher education omnibus bill.

## State grant changes

Lack of financial aid availability is a barrier for some students wanting to pursue a postsecondary education.

Rep. Morrie Lanning (R-Moorhead) is sponsoring HF1586 that would change four parameters used to calculate Minnesota state grants.

"Under current law most Minnesota students will end up getting less in state grant aid than they are currently," he said. "This is due, in part, because the federal Pell Grant eligibility standards have been changed. HESO (Higher Education Services Office) estimates that we're going to have 50,000 students in Minnesota who are going to lose an average of \$184 through the changes that have rippled down to the state level."

Although the amount does not seem like much, when combined with tuition increases it becomes a serious issue that needs addressing, Lanning said.

The bill would reduce the student responsibility from 46 percent to 45 percent of costs, and the state and parent's share would be increased accordingly. It would also return a fifth year of eligibility, which was eliminated in a 2003 budget move.

The bill changes two factors now used when considering a state grant award: the living and miscellaneous allowance would be increased by \$200 to \$5,405, as it was from 2001 to 2003; and tuition and fee caps for four-year institutions would be increased to \$9,477 and \$9,898 in the next two fiscal years, instead of \$8,983, which has been the amount since 2003.

The bill was laid over by the House Higher Education Finance Committee April 11 for possible inclusion in its omnibus bill.

A companion bill (SF1449), sponsored by Sen. Rod Skoe (DFL-Clearbrook), is being considered for inclusion in the Senate omnibus higher education bill.

A fiscal note prepared for the Senate file indicates a state cost of \$26.8 million in fiscal year 2006 and \$34.07 million one year later.

"In concept, the governor supports additional resources for the grant program, but in terms of his budget right now, I don't know where we would find the additional revenue to pay for this," said HESO Director Susan Heegaard.

## HUMAN SERVICES



### Long-term care alternatives

By 2030, one in four Minnesotans is anticipated to be over age 65, and 12 percent over age 85. As the population ages, so will the need for long-term care services.

Rep. Char Samuelson (R-New Brighton)

is sponsoring HF2203, which would implement the recommendations of the bipartisan Long-Term Care Task Force, which met during the second half of 2000 to address the state's long-term care issues. It released its report in January 2001. The bill would set goals for the state's long-term care system, require nursing facility bed closures, expand home- and community-based services, provide transitional support grants and provide cost-of-living increases for providers.

"We also need to look, seriously look, at expanding our home programs," Samuelson told the House Health Policy and Finance Committee April 7.

The bill would require at least 60 percent of state and federal funds for long-term care for the elderly to be allocated to home- and community-based services by 2010.

"No one has said to me, 'When I get older, I want to live in a nursing home,'" said Barbara Kaufman, president of the Minnesota Senior Federation. Now in her 70s, Kaufman said she's worried about her future. "Please don't force me into a nursing home that I don't want or need."

The Minnesota Leadership Council on Aging said long-term care alternatives would save money now and in the future.

"The average cost of care at home is \$850/month compared to \$3,500/month for care in a nursing home," the council said in a written statement.

Rep. Brad Finstad (R-New Ulm) is sponsoring HF1967, which would provide a specific plan for closing nursing facilities and developing alternative services. The bill would, in part, authorize the appropriation of up to \$90 million in bonds to further state goals of ensuring consumer access to older adult services, create an adequate supply of affordable alternatives and provide funding for smaller, state of the art nursing homes.

Both bills were held over for possible inclusion in the committee's omnibus bill.

A companion bill for Samuelson's bill (SF2080), sponsored by Sen. Becky Lourey (DFL-Kerrick), and a companion for Finstad's bill (SF1941), sponsored by Sen. Paul E. Koering (R-Fort Ripley), await action in the Senate Health and Family Security Committee.

### Bill would cut work hours

Those receiving help from the Minnesota Family Investment Program (MFIP) have to work 20 hours a week and attend school to stay in the program, but a bill introduced by Rep. Karen Clark (DFL-Mpls) would cut that work requirement in half.

HF1894 was heard April 7 by the House Jobs and Economic Opportunity Policy and

Finance Committee and held over for possible inclusion in the committee's omnibus bill.

According to its Web site, the program "is the state's welfare reform program for low-income families with children. MFIP helps families move to work and focuses on helping families. It includes both cash and food assistance."

Clark said the program's work requirements, plus the demands placed on single parents by children, often force clients to work three jobs, which hurts their education and their relationship with their children.

"It would help increase access to secondary or postsecondary educational opportunities," said Karen Kingsley, director of Affirmative Options Coalition, a St. Paul-based organization that tries to create opportunities for low-income people.

Each year of school beyond high school increases clients' wages, she said. "A balanced approach to education and training works best."

Rep. Paul Gazelka (R-Brainerd) said there are plenty of families that don't qualify for MFIP where individuals work more than 20 hours a week and go to college.

Kingsley said, "When they are trying to be a parent, a student and worker, they end up having difficulty. It makes schooling not the primary thing they're focusing on. They're not going to be able to find a job without that training."

Rep. Tim Wilkin (R-Eagan) agreed with Gazelka. "When I was in college I worked 25 hours a week and my grades went up. It helps you focus. Twenty hours is minimal and eminently achievable. I hope this is not included in the omnibus bill."

Committee Chair Rep. Bob Gunther (R-Fairmont) said, "I worked 30 hours (a week) so I could eat."

A companion bill (SF1817), sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action in the Senate Finance Committee.

### Regulating spending

Rep. Marty Seifert (R-Marshall) said he had heard from grocery and supermarket cashiers in his area, that people on public assistance were using their electronic benefits transfer cards to buy beer and cigarettes.

That doesn't sit well with Seifert and he is sponsoring HF2358, which would prohibit Minnesota Family Investment Program recipients from using their cash payments to buy alcohol or tobacco products.

The bill was approved April 13 by the House Jobs and Economic Opportunity Policy and Finance Committee and sent to the House Ways and Means Committee. It has no Senate companion.

"This money is to be used for buying diapers and gasoline for their cars," Seifert said. "We

talk about clothing the naked and feeding the hungry; there's nothing about poisoning the liver and polluting the lungs. My goodness," he said.

Seifert said when people use the cards to buy cigarettes and beer, it undermines the program and erodes public support.

"I'm surprised that we're actually debating this," said Rep. Pat Garofalo (R-Farmington). "The vast majority of recipients aren't going to use this for smokes and booze."

The bill was opposed by Rep. Karen Clark (DFL-Mpls), who said the number of people receiving help who actually use their assistance for cigarettes and beer is negligible, and that the bill perpetuates a stereotype.

Karen Kingsley, director of Affirmative Options Coalition, a St. Paul-based organization that tries to help create opportunities for low-income people, agreed with Clark, saying that it perpetuates the myth that low-income people can't manage money.

"It's the assumption that they're not smart enough to make their own decisions on this. It just galls me," said Rep. Michael Nelson (DFL-Brooklyn Park).

### Give them a new chance

Rep. Karen Clark (DFL-Mpls) believes a program that helps low-income young parents train for a job, get help with day care and learn the bus system gives them a better chance of landing a quality job.

She's sponsoring HF1634 that would provide \$280,000 to New Chance. It was heard by the House Jobs and Economic Opportunity Policy and Finance Committee April 13 and held over for possible inclusion in the committee's omnibus bill.

New Chance is part of Resource Inc., a Minneapolis nonprofit organization that helps people find jobs. The program provides help for parents ages 18-26 receiving Minnesota Family Investment Program assistance.

Program Director LaMonique Fairbanks said her clients are primarily high school dropouts and minor parents. "We try to bring in a one-on-one counselor to help people. The need is there. We'd like to enhance our services," she said.

They place 60 percent of their clients into jobs, she said. "We're there to help them through the process. We're there to help them see the big picture of employment. If you don't go through this challenge (being an unemployed single parent), it's hard to do it, and even harder if you don't have people show you."

If the program receives the grant, the program administrator has to make an annual report to the state on the results.

A companion bill (SF769), sponsored by Sen. Linda Berglin (DFL-Mpls), is being considered for possible inclusion in an omnibus bill from the Health, Human Services and Corrections Budget Division of the Senate Finance Committee.

### Let's find out

Some believe that people move to Minnesota to take advantage of the liberal public assistance programs. Rep. Marty Seifert (R-Marshall) says that's the prevailing belief in his area, and he wants to get to the facts.

He is sponsoring HF932, which would collect residency information on all new applicants to human services programs, such as Medical Assistance and the Minnesota Family Investment Program, and have that information reported to the Legislature annually.

The bill was heard April 12 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee's omnibus bill.

"I think it would be very helpful to the Legislature to have this information," Seifert said.

## ELECTRONIC ACCESSIBILITY



PHOTO BY ANDREW VONBANK

**Ken Rodgers, president of the American Council of the Blind of Minnesota, listens to testimony on HF1214 during the meeting of the House Regulated Industries Committee April 12. The bill would establish a service to make electronic information accessible to blind and disabled people. Rodgers' 6 1/2-year-old German Shepherd seeing eye dog "Lara" takes a break.**

Rep. Karen Clark (DFL-Mpls) questioned Seifert's motives. "Is your goal that people don't deserve this care because they haven't lived here long enough?" she asked.

"My goal is that Minnesota taxpayers take care of Minnesotans," Seifert said. "Fiscal sanity dictates that we can't have thousands and thousands of people moving here."

"It's a constitutional issue," Clark said. "We're attempting to pass residency requirements and we know that's unconstitutional," she said, warning a potential court fight "could cost us millions."

Rep. Fran Bradley (R-Rochester) said the constitutionality issue could be explored further. "I consider this very important. If there are constitutional issues maybe we can address those more formally," he said.

Rep. Anthony "Tony" Sertich (DFL-Chisholm) suggested collecting information on a different subject. "We can have a big fact-finding mission on the impact the last round of budget cuts had on people," he said.

A companion bill (SF1096), sponsored by Sen. Sean R. Nienow (R-Cambridge), awaits action in the Senate Health and Family Security Committee.

## HUMANITIES



### Humanities commission recognized

During the 2003 legislative session, funding for the Minnesota Humanities Commission was cut, inadvertently removing it from state statutes.

Rep. Barb Sykora (R-Excelsior) sponsors HF1275 that would "just put the language back into the statute," she told the House Governmental Operations and Veterans Affairs Committee April 12, which approved the measure and referred it to the House floor.

A Senate companion (SF877), sponsored by Sen. LeRoy A. Stumpf (DFL-Plummer), awaits action on the Senate floor.

The bill also permits the commission to ensure balance in public education and the state's cultural life through the creation of a humanities center, and to improve humanities education by establishing the Minnesota Institute for Lifelong Learning and Minnesota Institute for the Advancement of Teaching.

A portion of the commission's \$2.6 million operating budget comes as a grant from the National Endowment of the Humanities. "By restoring the humanities statutory authority you recognize the humanities commission as the organization designated by the state of Minnesota to receive these federal funds," said Stanley Romanstein, president of the commission.

The language also helps create public-private partnerships to maintain funding.

A successful amendment, offered by Rep. Phyllis Kahn (DFL-Mpls), calls for the commission to create a "Poet Laureate of the State of Minnesota." The bill directs the commission to make recommendations to the governor, and encourages state agencies and officers "to use the services of the Poet Laureate for appropriate ceremonies and celebrations."

## ★ INDUSTRY

### **Certifying crane operators**

Crane-related accidents have caused two fatalities in Minnesota within the last six months.

"Cranes are the most dangerous piece of construction equipment in the world," Paul Doran, president of Truck Crane Service, told the House Commerce and Financial Institutions Committee April 12.

In an effort to enhance job site safety regarding cranes, Rep. Tim Mahoney (DFL-St. Paul) is sponsoring HF759, which would require operators of large cranes on construction sites to be certified. The certification would need to be renewed every five years. No certification is currently required.



PHOTO BY ANDREW VONBANK

**Joe Herzog, crane operator, testifies before the House Commerce and Financial Institutions Committee April 12 in support of a bill that would require crane operator certification and regulation.**

Certification would be needed for people operating cranes with a lifting capacity of 5 tons or more. The National Commission for the Certification of Crane Operations would certify the operators.

Exceptions to the bill would include people being trained by a certified crane operator, certain railroad employees, personal use on one's own land and emergency situations.

People violating the provisions would be subject to a fine of not more than \$500.

The committee approved the bill and referred it to the House floor. A companion bill (SF1485), sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the full Senate.

"For safety reasons alone, we have long supported legislation for crane certification," the International Union of Operating Engineers said in a written statement. "In order to establish acceptable standards that certify an operator's knowledge, skills and ability, we support this legislation."

### **Omnibus telecom bill fails**

The omnibus telecommunications bill couldn't gain enough support to pass out of the House Regulated Industries Committee April 12.

HF1579, sponsored by Rep. Torrey Westrom (R-Elbow Lake), would require the Public Utilities Commission to establish a fee by July 1, 2006, applying to each telecommunications service provider based on the number of Minnesota telephone numbers in use by the provider's customers. The money would be used to fund the telephone assistance program, which subsidizes phone bills of low-income people; the telecommunications access Minnesota programs, which provide equipment to enable hearing- and sight-impaired people to use phones; and 911 emergency service.

Companies applying for a new authority, such as local or long distance service providers, would be required to submit a fee up to \$2,000, according to the bill. The fee would be determined by the commission and annually reviewed and adjusted.

Another provision in the bill would prohibit a service provider from claiming that 911 service is provided if calls are not routed through the 911 emergency telecommunications system. The provider would be required to disclose in advertisements and contracts that 911 service is not provided.

Service providers would be prohibited from listing a customer's wireless telephone number in a phone directory without express authorization, according to the bill. The customer could not be charged for opting out of the directory.

Under the bill, the city of Alexandria would be allowed to expand its joint venture authority by adding a third potential partner to the current two. If the city obtained authority to provide local service, it would be allowed to enter into a joint venture with the three entities to provide that service.

Successful amendments to the bill would establish an accessible electronic information service for blind and disabled persons, change reporting requirements for service providers and remove the requirement for the creation of a joint legislative taskforce on telecommunications to conduct a study.

Sen. Steve Kelley (DFL-Hopkins) is sponsoring a companion bill (SF1370). It has been approved by two committees and awaits action by the Senate Finance Committee.

## ★ INSURANCE

### **Flexible insurance plans**

A bill seeking to give small employers flexibility in their health plans was passed April 7 by the House 91-41.

HF588, sponsored by Rep. Tim Wilkin (R-Eagan), would allow companies with two to 50 employees to exclude or modify benefits otherwise required by state law.

Wilkin said Minnesota leads the nation in the number of health insurance mandates with 62. He said he's heard that companies can save between 15 percent and 40 percent by not offering the full slate of mandates, and he said a 20 percent savings is realistic.

The bill could also help the uninsured afford health care insurance, he said.

"The number one concern of small businesses is affordable health coverage," said Rep. Frank Moe (DFL-Bemidji). "This would provide small businesses options they now don't have."

Rep. Mindy Greiling (DFL-Roseville) urged members to vote against the bill, saying the proposal would not require employers to cover critical needs, such as mental health.

She fears the bill would result in people being underinsured. "That's the real erosion here."

A successful amendment dealing with disclosure would set requirements for informing consumers about the coverage they are buying.

The bill now moves to the Senate where Sen. Linda Scheid (DFL-Brooklyn Park) is the sponsor.

### **Service cooperative coverage**

A bill that would allow service cooperatives to provide group health coverage to private employers passed the House 128-2 on April 7.

Rep. Jim Knoblach (R-St. Cloud) is sponsoring HF563, which would allow the cooperatives to create and manage one or more group health coverage pools for private employers. The pools could be fully insured or self-insured.

Calling the bill “truly bipartisan,” Knoblach said it would provide health insurance options to people who aren’t currently insured.

The premise behind the bill is that more health care providers would create competition and drive down the cost of health coverage. The bill would prohibit service cooperatives from covering both public and private employers in the same pool.

The bill now goes to the Senate where it is sponsored by Sen. Dallas C. Sams (DFL-Staples).

## ★ RETIREMENT

### Plan changes

The House Governmental Operations and Veterans Affairs Committee approved a bill April 12 that makes several changes to legislative pensions and retirement plans.

Rep. Steve Smith (R-Mound) sponsors HF2092 that incorporates 28 other bills dealing with pensions and retirement options, including those for legislators, elective state officers, uniform judges, members of the Minnesota State Retirement System, members of the Minneapolis Teachers Retirement Fund Association, members of the Minneapolis Employees Retirement Fund, First Class City Teacher Plans and Minnesota State Colleges and Universities system Individual Retirement Account Plans.

The bill now goes to the House Public Safety Policy and Finance Committee.

A companion bill (SF427), sponsored by Sen. Don Betzold (DFL-Fridley), awaits action by the Senate State and Local Government Operations Committee.

According to a summary by the Legislative Commission on Pensions and Retirement, the bill would:

- change or add definitions of dependent child, constitutional officer, former legislator, member of the Legislature and salary while making technical changes to statutes;
- revise the Minnesota State Colleges and Universities system Individual Retirement Account Plans to not offer all of the State Board of Investment Supplemental Fund investment options;
- extend supplemental retirement plan status to the local laborers pension fund, and increases the maximum employer contribution to trade union supplemental retirement plans from \$2,000 to \$5,000;

- make a financial statement requirement applicable to volunteer firefighter relief associations and requires a report to the state auditor’s office;
- create a task force to study creating a statewide volunteer firefighter retirement plan; and
- allow the volunteer firefighter plans for Aurora, Biwabik, Hoyt Lakes and Palo to consolidate to pay a smaller pension amount than general law requires, and also allows the Maplewood and Oakdale firefighter plans to enter into an agreement to provide pension portability for six firefighters with service in the two relief associations.

## ★ SAFETY

### Protecting children in cribs

Approximately 240 Minnesota children are injured in baby cribs each year, with some injuries resulting in death.

Rep. Katie Sieben (DFL-Newport) is sponsoring HF987 that would prohibit the sale and commercial use, such as licensed day-care use, of unsafe cribs.

“The purpose of the bill is to make sure safe cribs are used in day-cares,” Sieben told the



PHOTO BY ANDREW VONBANK

**Rick Torgerson of Lino Lakes pauses during the House Commerce and Financial Institutions Committee April 7 while testifying in support of a bill that would prohibit the sale and commercial use of cribs that are in violation of certain regulations. Torgerson’s son, Luke, died in April 2000 while in a crib purchased at a garage sale.**

House Commerce and Financial Institutions Committee April 7. The bill was approved and referred to the House Jobs and Economic Opportunity Policy and Finance Committee.

“In the last 25 years, 1,100 infants have died in unsafe cribs,” according to The Danny Foundation, a nonprofit organization dedicated to protecting babies from preventable injuries and deaths associated with unsafe cribs. “Annually, more than 11,600 children are hospitalized because of serious injuries sustained in unsafe cribs.”

Rick Torgerson told the committee that a crib in a day-care killed his son five years ago.

“This law can and will allow you to feel safe when leaving (babies) in them,” he said. “It’s hard to explain what it’s like to lose a baby. It’s also hard not to do anything about it.”

The bill would require all licensed child-care providers to maintain documentation of their cribs, including the brand name and license number. Each year, child-care providers would need to check this information against a U.S. Consumer Product Safety Commission Web site listing of unsafe cribs.

Every month, day-care providers would be required to perform safety inspections of their cribs, according to the bill. A delete-all amendment removed civil penalties for violations.

“Every necessary measure should be taken to ensure that the crib is the safest possible environment for a baby,” according to written testimony from the National Association of Resale and Thrift Shops. Thrift shops could be impacted by a provision in the bill that would prohibit selling or reselling unsafe cribs after Jan. 1, 2006.

Sen. Ellen R. Anderson (DFL-St. Paul) is sponsoring a companion bill (SF899), which awaits action by the full Senate.

## ★ TOURISM

### Sesquicentennial planning

Minnesota will be celebrating its 150th anniversary in 2008, and it’s time to begin planning for the celebration.

HF2212, sponsored by Rep. Kathy Tingelstad (R-Andover), would create a sesquicentennial commission, which would plan activities related to Minnesota’s 150th anniversary of statehood.

The bill was heard April 11 by the House Jobs and Economic Opportunity Policy and Finance Committee and held over for possible inclusion in the committee’s omnibus bill.

The commission would have 17 members, nine appointed by the governor, two by the House Speaker and two appointed by the



House Minority Leader. The Senate Subcommittee on Committees would appoint two majority and two minority caucus members.

Members would not be paid, but gubernatorial appointees could be reimbursed for expenses. The bill does not specify an appropriation. The Minnesota Historical Society would provide office space and support.

The committee's duties would be to plan for capital improvements and celebration funding. The committee would also arrange for the production of a commemorative coin, with proceeds going to the commission.

"The commission is just a good way to get started with the heavy lifting and the work that needs to be done," said Pat McCormack, deputy director of the historical society.

Committee Chair Rep. Bob Gunther (R-Fairmont) agreed. "I think the commission will have a big job ahead of them and we should probably get started."

A companion bill (SF2011), sponsored by Sen. Ann. H. Rest (DFL-New Hope), awaits action in the Senate Finance Committee.

## TRANSPORTATION



### Weight limits

A law that allows recycling and garbage trucks to exceed certain seasonal weight limits was set to expire July 1, 2005. A bill (HF1189), sponsored by Rep. Ron Erhardt (R-Edina), that would indefinitely extend the law's sunset date was passed by the House 117-12 April 11.

The law says that recycling vehicles and vehicles collecting mixed solid waste are allowed to exceed seasonal weight limits if the axle weight does not exceed 14,000 pounds.

Law enforcement is permitted, under the bill, to impose a civil penalty on garbage and recycling truck drivers violating weight restrictions.

The Department of Transportation and the Center for Transportation Studies at the University of Minnesota were to have finished a study on road wear and weight restrictions, but those studies aren't completed, Erhardt said, so the law should remain in effect.

Garbage companies favor the law, but city engineers and county representatives oppose it, fearing the continued use could further damage roads.

The bill now moves to the Senate, where Sen. William V. Belanger Jr. (R-Bloomington) is the sponsor.

## MINORITY VETERANS



PHOTO BY TOM OLMSCHIED

**Veterans, from top, Michael Gates, Jimmy L. Collier and Clarence Hilliard came to the House State Government Finance Committee April 12 to support a bill that would establish a minority veterans outreach program.**

## VETERANS



### May to honor veterans

May is designated as "Hire a Veteran Month" under a new law signed by the governor April 14.

**Signed  
by  
the  
governor  
★ ★ ★**

HF1240/SF1254\*/CH22 is sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Betsy L. Wergin (R-Princeton), and is effective April 15.

The law is, "in honor of the more than 48,000,000 citizen soldiers who, as of Jan. 1, 2005, have served in the United States Armed Forces, of whom over 1.5 million have been wounded and over 1 million more have made the ultimate sacrifice by giving their lives for their country."

The law is "an important part of Minnesota's move toward being friendlier to those who have given so much to our country," Severson said on the House floor. The legislation was prompted by

a piece of correspondence from an educational organization that detailed how schools could keep from rehiring teachers who were called to active duty and returned, he added.

Under the new law, the governor is to annually issue a proclamation honoring this observance, in order to urge all public and private employers to give fair and appropriate consideration to veterans in their hiring decisions.

## Minnesota State Agencies

(Area code 651)

Administration .....	296-8261
Agriculture .....	297-2200
Toll-Free .....	1-800-967-2474
Commerce .....	296-4026
Corrections .....	642-0200
Education .....	582-8200
Employment and Economic Development .....	296-3711
Toll-Free .....	1-888-GET-JOBS
Employee Relations .....	297-1184
Job Information Hotline .....	296-2616
Explore Minnesota Tourism .....	296-5029
Toll-Free .....	1-800-657-3700
Finance .....	296-5900
Health .....	215-5800
Housing Finance .....	296-7608
Toll-Free .....	1-800-657-3769
Human Rights .....	296-5663
Toll-Free .....	1-800-657-3704
Human Services .....	297-3933
Labor and Industry .....	284-5000
Toll-Free .....	1-800-342-5354
Military Affairs .....	268-8925
Natural Resources .....	296-6157
Toll-Free .....	1-888-646-6367
Pollution Control Agency .....	296-6300
Toll-Free .....	1-800-657-3864
Public Safety .....	282-6565
Driver and Vehicle Services .....	296-6911
Fire Marshal .....	215-0500
Alcohol and Gambling Enforcement Division .....	296-6979
State Patrol .....	282-6871
Div. of Homeland Security and Emergency Management .....	296-0466
Revenue Income Tax Helpline .....	296-3781
Transportation .....	296-3000
Toll-Free .....	1-800-657-3774
Veterans Affairs .....	296-2562

### Moving?

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## A contingency plan

### Committee targets set, with or without gaming

By NICOLE WOOD

After working from the governor's budget recommendations for the past few months, and with a certain degree of uncertainty over their spending ceilings, House committees now have concrete numbers to use in crafting omnibus finance and revenue bills.

With one caveat, that is.

Under the committee budget resolution (HR8) adopted by the House April 13, there are two alternatives and the ultimate targets hinge upon a potential \$210 million or so that gaming could bring the state. The vote was 68-66.

The resolution sets forth two different scenarios, Option A and Option B, contingent upon the passage of a Racino or Racino/casino hybrid proposal that may or may not come to fruition under HF1664, sponsored by Rep. Mark Buesgens (R-Jordan).

"I think that this budget resolution is a very open and honest budget resolution in addressing the uncertainty that exists in terms of whether gaming revenues will be available or not," said resolution sponsor Rep. Jim Knoblach (R-St. Cloud).

HF1664 is currently drafted as a Racino proposal, Knoblach explained, but amendments could incorporate an agreement with American Indian tribes or other ideas.

Buesgens, however, said he would not support those amendments. "It is not my intention on HF1664 to morph it into anything but the Racino bill," he said.

Under HR8, the targets plus debt service and other calculations add up to the \$29.84 billion maximum limit on General Fund expenditures for fiscal years 2006-07 previously adopted by the House in a separate budget resolution (HR6).

Rep. Doug Meslow (R-White Bear Lake) successfully amended HR8 to transfer \$18 million into the education category for early childhood education funding. In doing so, the state government finance target was

decreased by \$13 million and another \$5 million was depleted from a category that accounts for claims against the state and "other" spending.

Rep. Marty Seifert (R-Marshall), chair of the House State Government Finance Committee, said National Guard spending would be held harmless, but the committee would have to take a second look at areas of the budget such as real estate management and the governor's faith-based initiatives.

The table below identifies the specific targets set by HR8.

Three committees received targets that fall below the governor's recommendations. The Jobs and Economic Opportunity category drops \$72 million below the governor's proposal under Option A, or \$57 million below under Option B.

Federal dollars not considered by the governor will make up some of the difference, Knoblach said.

The Environment category drops either \$14.4 million or \$3 million and, with the adoption of the Meslow amendment, the State Government finance area is \$14 million below the governor's proposal under either option.

Though the floor contest lasted approximately three hours, the debate began the night

**Watch the debates on the House Web site:**

House Ways and Means Committee, April 12  
[http://www.house.leg.state.mn.us/htv/archivesCOM.asp?ls\\_year=84](http://www.house.leg.state.mn.us/htv/archivesCOM.asp?ls_year=84)

House floor session, April 13  
[http://www3.house.leg.state.mn.us/htv/archivesall.asp?ls\\_year=84](http://www3.house.leg.state.mn.us/htv/archivesall.asp?ls_year=84)

before with three hours of deliberations in the House Ways and Means Committee.

The decision to send forth two options from the committee was met with opposition, both from a process viewpoint and because of the gambling reliance of Option B.

"I might want to vote yes for one option and no to another," said Rep. Loren Solberg (DFL-Grand Rapids). "I think you're putting members in a difficult position."

A side debate developed regarding whether, under the state constitution, 40 percent of gaming proceeds under the Buesgens bill would be directed to the Environmental Trust Fund.

"I think the proposal you are carrying right now is illegal," said Rep. Jean Wagenius (DFL-Mpls).

An amendment offered by Rep. Dan Dorman (R-Albert Lea) that would have eliminated Option B failed to gain committee approval.

Amendments offered by Rep. Lyndon Carlson (DFL-Crystal), Rep. Tom Rukavina (DFL-Virginia) and Rep. Thomas Huntley (DFL-Duluth) to alter the first House budget target resolution (HR6) and then direct those dollars in HR8 toward education, aid to local governments and health care coverage, respectively, also failed. The three amendments prompted a dispute over the committee procedures, under the Permanent Rules of the House, of amending House budget resolutions and when and if approval by the full House would be necessary.

#### The resolution sets the following targets under major spending categories for fiscal years 2006-07:

Category	Option A	Option B
Education	\$12.42 billion	\$12.56 billion;
Higher Education	\$2.75 billion	\$2.78 billion
Taxes	\$2.81 billion	\$2.6 billion
Health	\$7.31 billion	\$7.33 billion
Jobs and Economic Opportunity	\$1.07 billion	\$1.09 billion
Environment	\$274.48 million	\$285.88 million
Public Safety	\$1.66 billion	\$1.66 billion

(figures only appear identical when decimal places are rounded up).

#### Three finance targets would remain the same under either option:

Agriculture - \$85.83 million;  
 State Government - \$476.04 million; and  
 Transportation - \$146.82 million.

**For more information about the House rules and budget targets see page 20**

## Border battles

Annexation pits cities vs. townships

By PATTY JANOVEC

While driving through Chisago County, a motorist might notice bright yellow signs along the roadside reading, "NO HOSTILE ANNEXATION." It is just one of the areas in the state dealing with the issues of cities and townships making boundary adjustments.

Contentions have become so high on the topic of annexation that the Legislature required representatives of cities and townships to attend five mediation meetings in 2004. "Although the parties agree that their discussions were useful, there was not complete resolution ... major policy issues remain," according to a letter from Aimee Gourlay, mediator with the Mediation Center for Dispute Resolution.

Many issues keep the two entities at odds and have been aired this session in the House Local Government Committee.

### Urban vs. suburban

City representatives want the terms "urban" and "suburban" defined with specific factors by the Legislature. In considering the density and types of a development, and whether a property is divided, they believe it would help define the roles of cities and townships to make annexation decisions easier through laws.

Township representatives say defining the terms is needless, because the real issues are about what city services are needed for an area to be annexed and how those can best be provided. They say that many times cities will want to annex an area believing they can provide better services such as wastewater treatment, but townships say they can provide just as good of service.

### Undeveloped land

Cities say annexation is needed for undeveloped lands "for zoning and subdivision control so they can control their destiny and accommodate development as it comes in," said Kari Thurlow, a lobbyist for the Coalition of Greater Minnesota Cities.

Ineffective annexation impedes growth and development for cities causing additional

costs when townships or residents want to be annexed.

Many times cities want to annex lands without any sort of plan in mind. An annexation should occur only if there is a true need, Kent Sulem, attorney for the Minnesota Association of Townships said. Also, those issues could be addressed as part of a planning process by joint planning boards, a township report says.

### Growth and planning

"Cities, oftentimes, are required to extend city services, but they have no ability to control the zoning and subdivision regulations outside the city to control their own growth ... so services are extended before the development occurs," said Thurlow.

"All portions of an annexed property may not have the same need for the same service on the same timeline," added Craig Johnson, intergovernmental relations representative for the League of Minnesota Cities. "It could very well be that there is a part ... that has adequate sewer ... the long term will be to provide sewer and water to that area, but in the short term there's a new area developing that will need it immediately."

"The cities are using annexation as a very large planning club, club meaning something you can hit the townships with. Annexation should be about property coming into the city for needed services," said Michael Couri, a lobbyist for the Local Government Alliance.

Townships view it as a jurisdictional issue in saying, "We're the local government. This is what our people want. The cities view it as a planning issue," he added.

### Contested cases

The "threat issue" of legal fees and hearing costs from contested annexation cases is one many townships simply cannot afford, said Couri.

"We will tell the client straight out ... under the current administrative law judge system they have largely gone for the city in large chunks of property," and many times a case doesn't get filed because of the cost and history of rulings in the past.

### Bills introduced this session

#### dealing with annexation include:

- HF1971, sponsored by Rep. Peter Nelson (R-Lindstrom), would require cities to provide the proposed boundaries for a growth area, copies of documentation used to determine the size and location of the proposed area, an outline of the city's plan to provide municipal services to all property annexed for the area, and the city would be required to state the intended use of land to be annexed.
- HF2060, sponsored by Rep. Tina Liebling (DFL-Rochester), would create a land use council to monitor the state's annexation issues, strike current language of cities being able to annex 60 acres or less, change public hearing procedures and require cities to update land use plans according to the addition of the proposed annexed land.
- HF2061, sponsored by Rep. Morrie Lanning (R-Moorhead), would limit developments by townships and designate city regulations to prevail over town regulations in certain cases if there was a conflict.

Within the first three paragraphs of a ruling, a judge will cite language from current statute saying the Legislature finds that cities are better at delivering municipal services and townships are better at administering rural residential property, thus deciding in favor of cities in most cases, he explained. The burden of proof isn't enforced in many cases as well.

Thurlow disagrees.

"The fact that cities are succeeding in contested annexations most of the time I think would speak that they are bringing very justifiable cases," she said.

### Mediation results

The deal breaker in mediation for townships was alternatives to contested case proceedings because it impacted how they would have to negotiate everything else, said Sulem.

Current contested case proceedings are based on a number of problems: a faulty presumption of the definitions of urban versus rural, criteria that are less than clear and less than uniformly applied, and the excessive costs of going through the process with the likelihood of succeeding nearly nil, he added.

"Cities are primarily concerned with taking away incentives for sprawl, and not creating anymore incentives for that," Thurlow said, adding that is a difficult issue to work out.



## Mercury free vaccinations

Correlation between mercury and autism raises concerns

By BRETT MARTIN

Christine Loose of New Prague thinks a vaccine that contained mercury could be responsible for her youngest son's autism. Brady was diagnosed with the developmental disability six years ago at the age of 2.

"If we regulate and recommend against mercury in the fish we eat, the air we breathe and the water we drink, it seems logical to do the same with vaccines that we are injecting into our bloodstreams," Loose said. "The fact that we are currently recommending or requiring vaccines with mercury when there are alternatives is beyond my comprehension."

Concerns such as Loose's, that vaccines containing mercury may cause neurological disorders, most notably autism, has prompted a bill that would require the use of mercury-free vaccines when available.

"This bill is about creating further confidence and public trust in our immunization program in Minnesota," said Rep. Laura Brod (R-New Prague), sponsor of HF1505.

The bill would prohibit vaccines administered in Minnesota from containing mercury or a mercury compound, including thimerosal, unless a mercury-free vaccine is not available.

Thimerosal is an organic mercury-based preservative used in some vaccines, including some influenza vaccines.

A new law enacted last year directs the health commissioner to encourage health care providers to use thimerosal-free vaccines when available, but does not mandate its usage.

The House Health Policy and Finance Committee held an informational hearing on the bill April 5, but didn't take any action. A companion bill (SF639), sponsored by Sen. Becky Lourey (DFL-Kerrick), has been tabled by the Senate Health and Family Security Committee.

In written testimony, the National

Autism Association expressed support for the bill, saying, "Along with a growing number of researchers, we believe that exposure to mercury through increased use of thimerosal-containing vaccines in the 1990s has led to a public health crises surpassing all others in our nation's history in scope and severity."

Dr. Jeff Schiff, president of the Minnesota Medical Association, opposed the bill, citing a lack of scientific evidence that thimerosal in

vaccines causes autism.

"There's nothing to be gained by passing this legislation," he said, adding that the bill would raise unwarranted fears in parents about vaccines.

The March of Dimes opposes the bill on the premise that it would restrict access to vaccines. In a letter to the committee, State Director Bob Gustafson pointed out that because of vaccines, preventable diseases have been reduced by 92 percent or more from 20<sup>th</sup> century highs.

"The benefits of vaccination far outweigh the risks," Gustafson wrote. "Immunizations are extremely safe thanks to advancements in medical research and ongoing review by doctors, researchers and public officials."

According to the Department of Health, since 2001 all routinely recommended vaccines made for young children in the United States contain no thimerosal or only trace amounts. The department said there is no convincing evidence of harm caused by small amounts of thimerosal in vaccines, except minor reactions at the injection site.

Studies showing that mercury can cause brain and kidney damage are based on research of methyl mercury, which is found in foods, not on ethyl mercury, which is found in medical products, according to the Minnesota Medical Association.

But not everyone is convinced.

"Many consumers are aware of the toxicity of mercury and do not wish to have a vaccine containing mercury," according to the Minnesota Natural Health Legal Reform Project. "Without this legislation, thousands of Minnesotans may still receive large amounts of mercury in their flu vaccines and tetanus vaccines, and thousands of children will still receive trace amounts of mercury in their routine immunizations."

Vaccinating a child using mercury-free vaccines is less expensive than using those containing mercury, according to the project. Savings are estimated at more than \$14 per child by using vaccines without mercury.

Iowa and California have

Continued on page 20



PHOTO BY ANDREW VONBANK

**Jennifer VanDerHorst-Larson, parent of an autistic child, testifies April 5 before the House Health Policy and Finance Committee in support of a bill that would prohibit vaccines containing mercury or mercury compounds when a mercury-free alternative is available.**

## Select provisions under House rules governing budget resolutions

### 4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS.

(b) Within 20 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt and report a budget resolution, in the form of a House resolution. The budget resolution must set: (a) the maximum limit on net expenditures for the next fiscal biennium for the general fund, excluding any increased expenditures for tax reduction and relief; and (b) an amount or amounts to be set aside as a budget reserve and a cash flow account. The House budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (a) and (b). After the House adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the resolution is amended according to the process specified in paragraph (f).

(d) In the odd-numbered year, within 14 days after the House adopts a budget resolution, the Committee must adopt and report a resolution setting limits for each budget category represented by the major finance and revenue bills identified in paragraph (i). The Committee may also, in a resolution, set limits for funds other than the general fund. After the House adopts the resolution, the limits in the resolution are the maximums effective during the regular session in the year in which the resolution is adopted, unless the Committee or the House subsequently adopts different or amended limits for the same fiscal biennium according to the process specified in paragraph (f).

(f) After the House adopts a budget resolution or a resolution setting limits, the Committee on Ways and Means may amend the resolution. If the Committee amends a resolution, that amendment must be reported to the House by the Chair of the Committee and printed in the House Journal. On the next day the House is in session, under the order of Motions and

Resolutions, a member may make a motion to reject the amendment to a resolution made by the Ways and Means Committee. If that motion prevails, the amendment made by the Ways and Means Committee is rejected. If no motion is made or a motion is made and does not prevail, the amendment made by the Ways and Means Committee is adopted. The House may not amend a report of the Committee on Ways and Means under this paragraph. It is not in order to give notice of intent to reconsider at a later time or move to reconsider on a later day the motion to reject the amendment of the Committee on Ways and Means under this paragraph. After the Chair of the Committee on Ways and Means reports an amendment to limits under this paragraph, the Committee may not report a bill affected by the proposed amendment to the limits until the time has passed for the House to act under this paragraph. The limits for a bill that has already been given its second reading are not subject to amendment unless that bill is re-referred to a committee.


## Continued from page 19

already eliminated mercury from their vaccines, and 14 other states are considering similar legislation, according to the reform project. England, Russia, Japan and Canada are among countries that have also banned mercury from vaccines.

According to a letter by a dozen health care organizations, including the Mayo Clinic and the Minnesota Academy of Family Physicians, the bill would perpetuate false and misleading information, add more complexity to the vaccine delivery system, raise costs for vaccines and lead to ongoing vaccine shortages.

Of the several vaccines given to children, including the influenza vaccine, only a small portion of the total supply is available in thimerosal-reduced or thimerosal-free formulations, the letter stated.

Brod recognized the complexity of the issue, saying she expected the bill to draw a spirited debate. She said while the cause and effect relationship between mercury and autism may not be scientifically clear, the autism problem is.

"What is clear is that there is an autistic epidemic that is facing our communities and more specifically, facing these parents," Brod said. 

## VOICING CONCERNS



PHOTO BY SARAH STACKE

**Muslims from around the metro area gathered at the State Capitol on April 13 for the first Muslim Day at the Capitol. The rally was organized to voice concerns that are shared by the local Muslim community related to civil liberties, public education, the welcoming of new Minnesotans and gambling.**



## How to get here

### Location

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

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

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

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

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

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

### Parking

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

All-day parking permits may be purchased for \$4 from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

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

The main disability entrance to the Capitol is on the northwest side of the building,

just off Lot N; there also are drop-off entrances on the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (612) 373-3333 for schedule and route information.

## What to do

### Tours

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

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 4 p.m. (last tour leaves at 3 p.m.); Saturdays between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

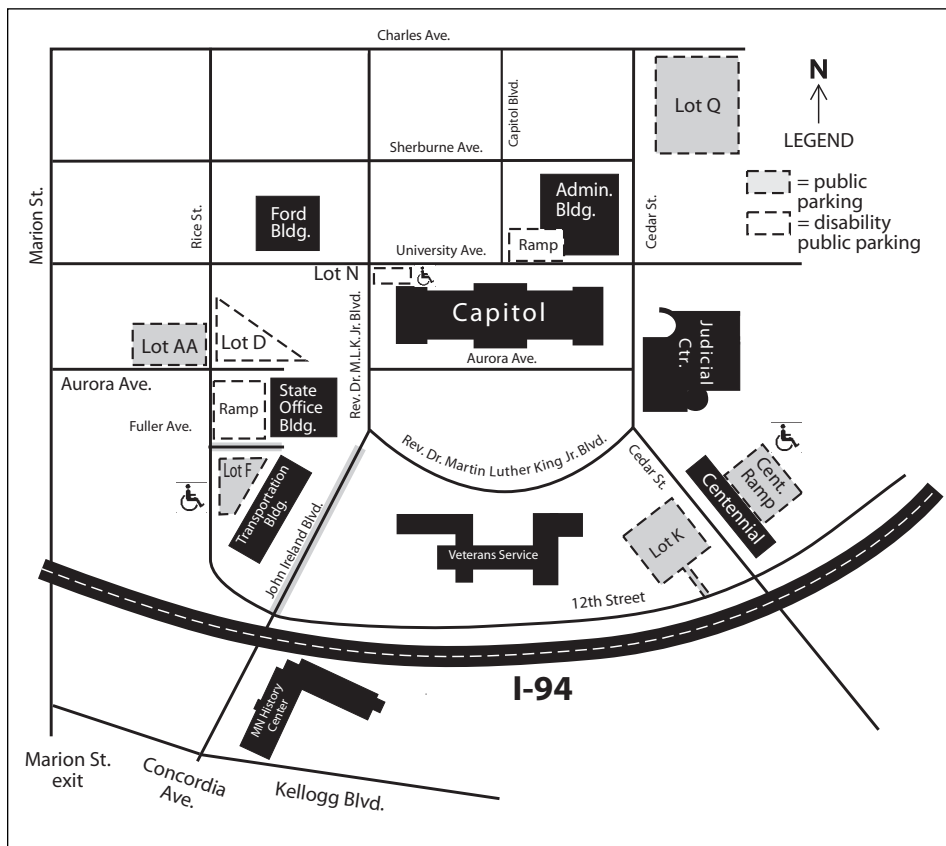
Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

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

The society offers a number of specialized tours for educational groups ranging from preschool students to high school seniors. Admission for 45-minute educational group tours is \$2 per person. Tour participants may request customized tours that emphasize topics such as architecture, women's history, or the Civil War. During the legislative session, the society offers "Voice of the People: Your Role in Minnesota Government," a three-hour session for students in grades 9-12. Admission for the lengthier, focused educational group tours is \$4 per person.

Also, special tour events are scheduled throughout the year. Themes include "Art and Artists of the State Capitol" and "Shadows and Spirits of the State Capitol." Some of these events require admission fees; others are free. A special events guide is available upon request.

For more information about the tours and fee structure, or to make a reservation, call the Capitol Historic Site Program, (651) 296-2881.



## Monday, April 11

### HF2381—Hackbarth (R)

**Environment & Natural Resources**  
Sales tax portion dedicated to water resource purposes, clean water fund and Clean Waters Council established and constitutional amendment proposed.

### HF2382—Urdahl (R)

**Agriculture & Rural Development**  
Feedlots; a memorial resolution asking the residents of Minnesota for tolerance of different views of livestock production and ending the feedlot war in Minnesota.

### HF2383—Seifert (R)

**Education Finance**  
Alternative secondary sparsity calculation created relating to education finance.

### HF2384—Demmer (R)

**Transportation**  
School bus driver's license verification required by June 30 of each year.

### HF2385—Davnie (DFL)

**Taxes**  
Low-income apartment property tax class established and market value of low-income apartment property restricted based on actual rent.

### HF2386—Davnie (DFL)

**Taxes**  
Low-income apartment property tax class established and market value restricted based on actual rent.

### HF2387—Abeler (R)

**Taxes**  
Ramsey; tax increment financing district authorized to provide housing for elderly and disabled persons.

### HF2388—Powell (R)

**Health Policy & Finance**  
Gender reassignment surgery coverage removed from state health care programs.

### HF2389—Powell (R)

**Health Policy & Finance**  
Psychology Practices Act modified and licensed psychological practitioner licensure phased out.

### HF2390—Abeler (R)

**Health Policy & Finance**  
Circumcision for newborns Medical Assistance coverage prohibited except in cases of medical or religious necessity.

### HF2391—Atkins (DFL)

**Health Policy & Finance**  
Clean sports act adopted requiring drug testing programs for players in sports facilities receiving state funding.

### HF2392—Eken (DFL)

**Education Policy & Reform**  
Domestic abuse and harassment training required for peace officers, teachers and school administrators.

### HF2393—Kohls (R)

**Taxes**  
Flea market and other occasional sellers exempted from the sales tax.

### HF2394—Emmer (R)

**Health Policy & Finance**  
MinnesotaCare eligibility determination procedures and criteria modified and MinnesotaCare premium surcharge and enrollee accounts established.

### HF2395—Mullery (DFL)

**Taxes**  
Low-income apartment property tax class reestablished.

### HF2396—Paymar (DFL) Governmental Operations & Veterans Affairs

State purchasing preference authorized for vehicles manufactured in Minnesota.

### HF2397—Simon (DFL)

**Education Policy & Reform**  
Full-day kindergarten authorized, state aid provided, sliding scale fee for full-day kindergarten provided and money appropriated.

### HF2398—Dittrich (DFL)

**Education Finance**  
School funding formula equalizing factors indexed to the growth in tax base.

### HF2399—Blaine (R)

**Commerce & Financial Institutions**  
Consumer credit reporting agencies regulated; and inspection and disclosure of credit reporting agency files and information provided.

### HF2400—Blaine (R)

**Commerce & Financial Institutions**  
Credit reports provided free of charge to victims of identity theft.

### HF2401—Hilstrom (DFL)

**Public Safety Policy & Finance**  
Sentencing Guidelines Commission recommendations adopted and rejected.

### HF2402—Mahoney (DFL)

**Jobs & Economic Opportunity Policy & Finance**  
Bioscience marketing activities funding provided and money appropriated.

### HF2403—Abeler (R)

**Health Policy & Finance**  
Dental health program funding provided and money appropriated.

### HF2404—Abeler (R)

**Health Policy & Finance**  
Suicide prevention program funding provided and money appropriated.

### HF2405—Nornes (R)

**Health Policy & Finance**  
Otter Tail County nursing facility reimbursement rate increased.

## Wednesday, April 13

### HF2406—Seifert (R)

**Taxes**  
Aircraft and aerial surveying equipment sales tax exemption provided for equipment used in a job opportunity building zone.

### HF2407—Abrams (R)

**Taxes**  
Metropolitan area transit and paratransit capital expenditures financing provided and Hiawatha light rail transit line bond restrictions clarified.

### HF2408—Finstad (R)

**Education Finance**  
School district salary differential reimbursement aid provided and money appropriated.

### HF2409—Finstad (R)

**State Government Finance**  
Minnesota Public Radio funding provided and money appropriated.

### HF2410—Greiling (DFL) Governmental Operations & Veterans Affairs

School administrators' retirement option provided to elect defined contribution plan coverage and Teacher Retirement Association authorized to enter into cooperative agreements with other states.

### HF2411—Marquart (DFL)

**Regulated Industries**  
Breckenridge on-sale liquor license authorized.

### HF2412—Huntley (DFL)

**Health Policy & Finance**  
Community mental health centers and clinics reimbursement rates increased.

### HF2413—Ellison (DFL)

**Taxes**  
Electric generating facility construction materials personal property tax and sales tax exemptions provided.

### HF2414—Sykora (R)

**Education Finance**  
Statewide student information and reporting system created and money appropriated.

### HF2415—Latz (DFL)

**Taxes**  
Tax court transcripts payment by movants required.

### HF2416—Huntley (DFL)

**Health Policy & Finance**  
Hospital payment and population adjustments provided, surcharge on criminal and traffic offenders increased and money appropriated.

### HF2417—Garofalo (R)

**Jobs & Economic Opportunity Policy & Finance**  
Minnesota Historical Society prohibited from charging fees for tours of the State Capitol.

### HF2418—Anderson, B. (R)

**Public Safety Policy & Finance**  
Drug paraphernalia crime modified to address mental state requirement, address sales of paraphernalia and consolidate into single statutory section; local sales restrictions authorized; and public nuisance and possession crimes defined.

### HF2419—Sertich (DFL)

**Regulated Industries**  
Biomass-fueled community energy systems funding provided and money appropriated.

### HF2420—Seifert (R)

**Local Government**  
Office of Strategic and Long Range Planning transfer to Department of Administration codified, forward pricing for energy purchases authorized, Small Business Procurement Advisory Council reinstated and money appropriated.

### HF2421—Heidgerken (R)

**Education Finance**  
School district equity revenue increased for districts with low levels of referendum revenue per pupil unit.



## Thursday, April 14

### HF2422—Gunther (R)

#### Health Policy and Finance

Counties of Martin and Faribault nursing facility rate increases provided.

### HF2423—Hornstein (DFL)

#### Jobs and Economic Opportunity Policy and Finance

Music industry fund established, music industry grants and support services provided, and money appropriated.

### HF2424—Cornish (R)

#### Civil Law and Elections

Minnesota Citizens' Personal Protection Act of 2003 reenacted.

### HF2425—Finstad (R)

#### Local Government

Stadium development process provided for use of the Minnesota Twins baseball team, metropolitan stadium authority established, Metropolitan Council authorized to issue bonds, and powers of the host communities provided.

### HF2426—Jaros (DFL)

#### Civil Law and Elections

Gift ban exception modified to eliminate requirement of making a speech as part of a program.

### HF2427—Gunther (R)

#### Jobs and Economic Opportunity Policy and Finance

Rental housing assistance provided and money appropriated.

### HF2428—Howes (R)

#### Civil Law and Elections

Minnesota Citizens' Personal Protection Act of 2003 reenacted.

### HF2429—Simpson (R)

#### Taxes

Explore Minnesota Tourism tax credit provided, Revenue Department report required, and money appropriated.

### HF2430—Ellison (DFL)

#### Education Finance

Quantum opportunities program funding provided and money appropriated.

### HF2431—Paulsen (R)

#### Environment and Natural Resources

Computer—assisted remote hunting prohibited.

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<http://www.leg.mn>

## LAWS AND SAUSAGES



PHOTO BY TOM OLMSCHIED

There's an old saying that is widely attributed to Otto Von Bismarck, 1st Chancellor of the German Empire (1871-1890) that says, "If you like laws and sausages, you should never watch either one being made." In the House Taxes Committee April 12, members dined on sausages and reviewed bills that could eventually turn into laws as Rep. Peter Nelson (R-Lindstrom) presented his bill on ready-to-eat meat and seafood. Nelson is asking to have ready-to-eat meats that are produced and sold on-site exempted from sales tax.

MINNESOTA HOUSE OF REPRESENTATIVES  
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# MINNESOTA

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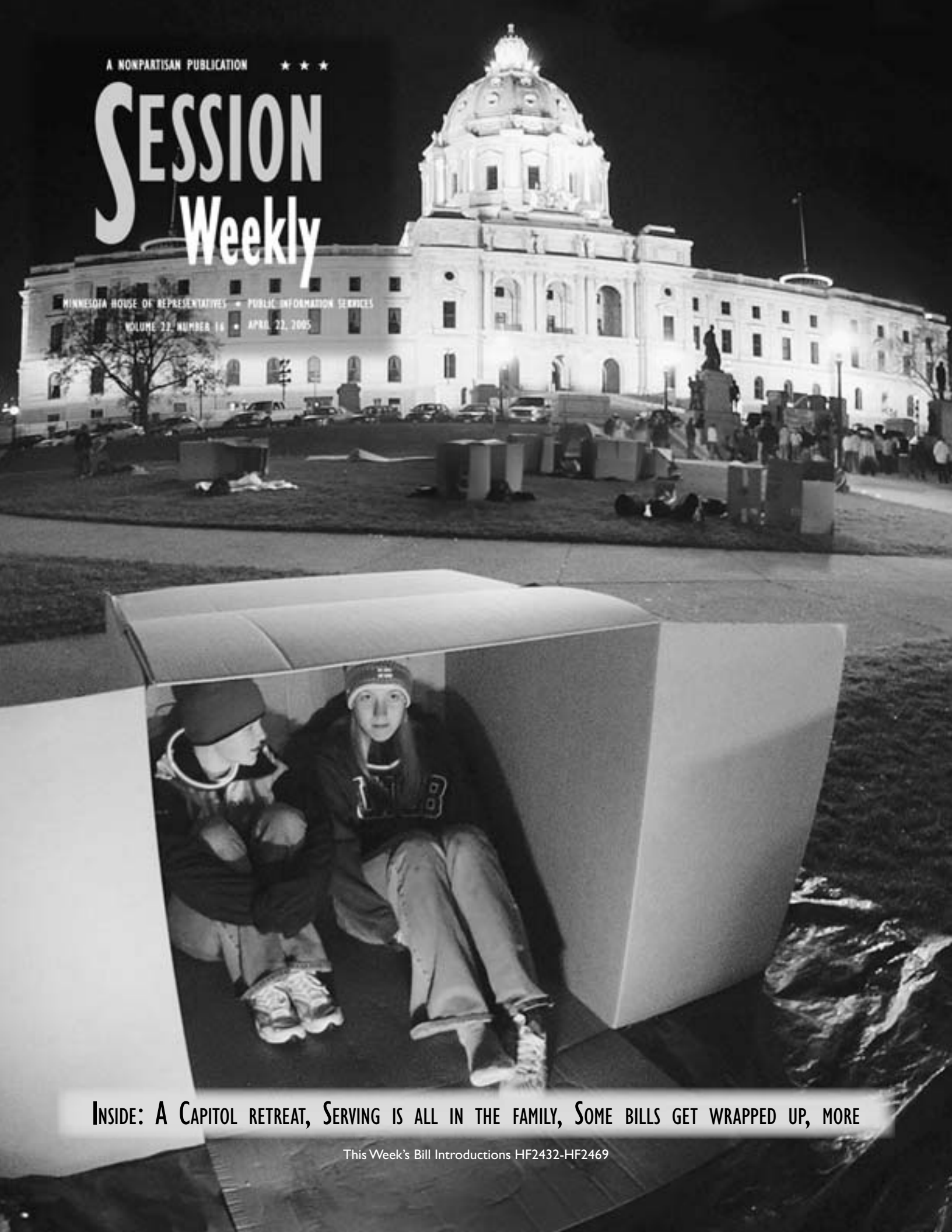
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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 22 NUMBER 16 • APRIL 22, 2005



INSIDE: A CAPITOL RETREAT, SERVING IS ALL IN THE FAMILY, SOME BILLS GET WRAPPED UP, MORE

This Week's Bill Introductions HF2432-HF2469

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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On the cover: Jenny Luoma, *left*, and Nicole Lepinski, students at Maple Grove Senior High School, get comfortable in the cardboard box that they will spend the night in during the Box City Vigil for Youth Homelessness on the front lawn of the Capitol April 16.

—Photo by: Tom Olmscheid

# Making an omnibus bill

Bundling bills together saves time, but can create contention

By **BRETT MARTIN**

One of the most common phrases heard during committee meetings earlier this session was, "This bill will be held over for possible inclusion in the omnibus bill."

The process of deciding which proposals should be part of those compilation bills is now in full swing.

The Office of the Revisor of Statutes has been working on six major omnibus bills this week — two are more than 300 pages long — with more on the way, said Michele Timmons, revisor of statutes.

The revisor's office provides nonpartisan services to members of the House and Senate. It drafts bills, amendments and other legislative documents.

"Right now, we're primarily working on bills from the House," she said. "We're working very steadily."

Although some omnibus bills contain a plethora of proposals, they can actually save time on the House floor.

"The beauty of omnibus bills is we don't have to debate 10 or 15 bills," said Rep. Ron Erhardt (R-Edina). "If you take up each bill individually, you burn up more time."

## Starting points

With sometimes dozens of bills held over since early January, it can be difficult to decide where to start the omnibus assembly process.

The House Health Policy and Finance Committee held over approximately 90 bills for omnibus bill consideration, said Committee Chair Rep. Fran Bradley (R-Rochester). He pared down the list to about 35 that he felt were committee priorities.

"I try to be as objective as I can, but in the end, it's the responsibility of the chair to give a new starting point," he said. "It is quite a combination of the governor's bill, bills that have been held over and a dozen or so new ideas that have been percolating."

Holding over bills can also prove problematic.

Rep. Michael Paymar (DFL-St. Paul) said



PHOTO BY ANDREW VONBANK

**Lobbyists and other concerned people scramble for amendments to the omnibus public safety finance bill April 19. This was a common sight in House committees as omnibus finance bills were finalized.**

members have to recall bills that were heard up to three months ago.

"Now we're trying to assemble an omnibus bill and we have to remember the debate that was happening at the time we heard the bill," he said. "You won't have the luxury of hearing the people who testified."

Held over bills should still be scrutinized, he said.

"If you think you're going to spend taxpayer money and time on bills, then you should be able to defend the merits of the bill," Paymar said. "You should be ready to make your arguments."

Rep. Mary Ellen Otremba (DFL-Long

Prairie) said while she's not a big fan of omnibus bills, holding over bills allows committees to reexamine and debate all of the proposals.

"It gives us an opportunity to look at all the good ideas and pick out the ones we like best," she said.

Since bills being considered for an omnibus bill have already been heard by the committee, that's where the omnibus process should begin, Erhardt said.

"We take those bills to the committee and say, 'That's how we're starting. If you want to add anything or make amendments, you can,'" he said.

With a limitless pot of money, some members would like to include almost every provision, but spending targets challenge committees to prioritize ideas. Some items are automatic inclusions, such as changing state laws to conform to federal laws.

If state transportation laws don't conform to federal laws, for example, Minnesota could lose federal highway funding, Erhardt said.

## One theme, many bills

Under the Minnesota Constitution, the Legislature may only pass single-subject laws. This means the contents of any bill, including an omnibus bill, must be directly related. In legalese, it's called being "germane" to an issue.

"You could end up in court if the issue is not germane," said Rep. Tom Hackbarth (R-Cedar). "You have to be careful what you put in the omnibus bills."

Indeed, just last week, the state Court of Appeals upheld a lower court's decision that Minnesota's permit-to-carry gun law is unconstitutional because it was added onto an unrelated natural resources bill.

## Why the wait

Since the House budget resolution, which sets financial targets, wasn't approved until April 13, committees held off approving bills that had a financial impact until they learned their budgets.

Bradley said he didn't want to pass a bill in January, then find out in April there's a better idea or higher priority and not have the money to pay for it.

"You have to live within your budget," he said.

**First Reading continued on page 4**

### First Reading continued from page 3

He supports the current process of creating a single set of priorities for an omnibus bill. He uses the analogy of a family budget, saying the family should operate within one budget rather than splitting up the family to allow multiple budgets.

"When you have to balance, you have to make trade-offs and prioritize," Bradley said. "If you have your budgets too small, then you can't make those trade-offs as well."

### Dealing with controversy

Omnibus bills can present a political quandary. With so many bills bundled together, there's bound to be provisions legislators like and don't like.

Members will vote for an omnibus bill even when they don't agree with everything in it because voting no can hurt them politically, Paymar said.

"You don't want to be perceived as the person

voting against public safety even if you don't like aspects of the bill," he said. "It politically puts you between a rock and a hard place."

Rep. Lyndon Carlson (DFL-Crystal) agrees. "If you're at a legislative forum after the session and someone asks, 'Why did you vote for such and such a bill that had a provision in it that you said you didn't agree with?' You have to say, 'Because there was more good in it than bad,'" he said.

For that reason, members sometimes include controversial bills that may not pass on their own in the omnibus bill.

"When you put these controversial bills in an omnibus bill, it makes them easier to pass," Hackbarth said. "You have to bite the bullet and vote for it."

Other times, contentious bills are purposely left out so they don't bring about the omnibus bill's demise.

"Sometimes, if a bill is too controversial, we let it go by itself," Erhardt said. "You look at things that are extremely controversial and

try not to put them in there."

In other cases, bills are held over and sent to the floor simultaneously. It often has less to do with controversy than making sure a bill gets a full House hearing.

"It's a way to get good legislation through," Erhardt said. "At least it gets to the floor."

Other bills receive neither treatment. They're not passed out of committee nor included in the omnibus bill.

"It can be a gentle way of laying a bill aside," Carlson said. "Rather than defeat it outright, you say it's going to be laid over."

The bill may have gotten a courtesy hearing to present an idea, or it may have seemed like a good idea at the time, then after public testimony and opposition, support waned.

"Members of the general public may say it impacts them in a way not thought of before," Carlson said. "The public input is a very important part of the process." ■

## A beautiful retreat

### House Retiring Room reflects state's natural scenery



The House Retiring Room is a lovely tribute to Minnesota flora and fauna as well as a respite from the hubbub of House Chamber activity.

With its location behind the Chamber, access is limited.

"From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House," according to the Permanent Rules of the House. "As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees."

Though it is no longer functional, the earliest lawmakers to enjoy the room warmed themselves at a fireplace with a red Numidian marble surround. The unpolished marble

is African in origin, and it is said to come from the Nile River Valley in Egypt, according to the Minnesota Historical Society.

An engraving above the mantle reads, "Free and fair discussion will ever be found the firmest friend of truth."

Above the oak wainscoting is a painted border by Capitol interior decorator Elmer E. Garnsey. It is a composition in

understated beauty with one delightful touch of whimsy: Careful eyes will find a shamrock tucked away among the native trees and plants to the left of the fireplace.

In a 1936 speech titled "The Men Who Built the Capitol," Edith Seabury Nye, daughter of State Capitol Commission Vice President Channing Seabury, spoke of the shamrock's anonymous painter.

"I wish I had time to tell stories of the artisans who left their work if not their names behind," the transcript reads. "Only one I can't resist telling, that of the Irishman who was working for Mr. Garnsey on the House of Representatives Retiring Room walls, where the Minnesota state flowers are shown at the base of the forest trees. He put in a shamrock and Mr. Garnsey remonstrated with him saying, 'But, Pat, shamrocks don't grow in Minnesota,' and his answer was, 'Shure an' if they don't yet, they will' and Mr. Garnsey admitted with a grin that he let him leave it."

(N. Wood)



PHOTOS BY TOM OLMSCHIED

The flowers and trees of the Garnsey frieze in the House Retiring Room bring the calming effect of nature indoors. The inset shows a shamrock tucked away in the mural by an anonymous Irish painter.



## ★ AGRICULTURE

### Appropriations for agriculture

The state would dedicate approximately \$150 million toward agriculture and rural development during the next biennium, under an omnibus finance package (HF1420) approved by the House Agriculture, Environment and Natural Resources Finance Committee April 20.

Sponsored by Rep. Dennis Ozment (R-Rosemount), the bill contains funding for the Department of Agriculture, Board of Animal Health and Agricultural Utilization Research Institute (AURI). There is no Senate companion to the bill as amended by the committee.

It now moves to the House Ways and Means Committee.

The net effect to the General Fund would be nearly \$86 million, in line with the House target. Total spending would reach \$150.39 million when all sources, such as the Agriculture and Remediation funds and federal dollars, are considered.

The Department of Agriculture would receive just under \$140 million. Of that amount, \$76.77 million would be dedicated for General Fund spending.

Ethanol producer payments would be set at 13 cents per gallon, under the bill, with \$34.01 million earmarked for those payments in fiscal years 2006-07.

Other earmarks include: \$300,000 for increased groundwater monitoring for pesticides, \$220,000 for a contract with the University of Minnesota for livestock odor research, \$200,000 for training of local officials in livestock siting and land use planning and a \$50,000 grant to Second Harvest Heartland for the purchase of milk for food banks.

A number of fee increases are forwarded under the bill, including apiary fees paid by beekeepers, nursery stock dealer fees and grain buyer and storage fees.

The bill would allocate \$7.62 million to the Animal Health Board, \$5.92 million of which is General Fund spending, and \$3.2 million to AURI.

Rep. Doug Magnus (R-Slayton) successfully amended a number of agriculture policy provisions to the bill. Policy issues addressed include:

- HF118, sponsored by Rep. Dean Urdahl (R-Grove City), that would grant food makers and sellers immunity from civil liability based on a person's food consumption and resulting obesity;
- HF527, sponsored by Rep. Dan Severson

## OPPOSING VIEWS



PHOTO BY TOM OLMSCHIED

During an April 20 rally on the front lawn of the Capitol, Sue Petron, right, gives the thumbs-up and expresses her approval of a plan to give Minnesotans the chance to vote on a state constitutional ban on same-sex marriage. Mary Lynn Murphy, left, brought her sign in opposition to the potential amendment. Those against the proposal held a rally in front of the Capitol April 7.

(R-Sauk Rapids), and HF1585, sponsored by Rep. Mark Olson (R-Big Lake), both of which would exempt manufactured homes from trailer park designations under certain conditions in order to provide housing for seasonal or permanent agricultural workers;

- HF560, sponsored by Rep. Rod Hamilton (R-Mountain Lake), that would move state agencies away from using gasoline in state vehicles and toward fuels such as ethanol, biodiesel and hydrogen under a so-called "Smartfleet initiative;"
- HF1747, sponsored by Rep. Jeanne Poppe (DFL-Austin), that would change the cap and term of the Agriculture Department's Best Management Practices loan program; and
- HF2039, sponsored by Rep. Gregory M. Davids (R-Preston), that would designate as private data collected by the Board of Animal Health related to voluntary registration in a USDA animal identification program.

liquor license. The Senate passed the measure 62-2 March 23. It now awaits the governor's signature.

HF1376/SF1535\*, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. D. Scott Dibble (DFL-Mpls), would allow the city of Minneapolis to issue the license to the center's concessionaire or operator for a restaurant and catering operation on the center's premises. The license would authorize liquor sales every day of the week.

Hoppe said the bill wasn't included in the omnibus liquor bill because there is an urgency to give the center a license as quickly as possible. The center reopened April 17.

The bill would take effect upon approval by the Minneapolis City Council.

## ★ BUSINESS

### Recovering attorney's fees

Funeral homes would have a greater chance of recouping attorney's fees in conciliation court under HF128, which passed the House 90-41 April 14.

Sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Betsy L. Wergin (R-Princeton), it now awaits action in the Senate.

## ★ ARTS

### Art and liquor

Visitors to the Walker Art Center may be able to have an alcoholic drink with their art. The House passed a bill 118-8 April 14 that would grant the center an on-sale intoxicating



Wes Siemers, a funeral director from Milaca, told the House Civil Law and Elections Committee that many rural funeral directors do business on a handshake, but sometimes those handshake contracts leave them empty-handed. They end up hiring an attorney and going to court in an attempt to recover their costs.

"You know the deceased and their family, and operate on trust that you will get paid," Siemers testified.

He said that even if there is a written contract, and those owing the money are brought to conciliation court, funeral homes seem to have little success in having judges award attorney's fees.

Under the bill, if a funeral provider is allowed to recover fees through court action, the provider may be able to recoup reasonable attorney's fees as well.

### More license exceptions sought

A bill that would amend a law involving two types of business licenses issued by the Department of Commerce was approved 131-0 by the House April 18.

HF792, sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm), would add residential mortgage originators and servicers, and athlete agents to the list of licenses that are exempt from a general state law that applies to licenses issued by the state.

The bill now goes to the Senate, where Sen. David Gaither (R-Plymouth) is the sponsor.

According to state statute, "The legislature finds that a uniform policy on business licenses is necessary to maintain an adequate level of protection of the public welfare while preventing business licensing from becoming overly burdensome for the citizens and businesses of Minnesota."

However, nearly 50 other exemptions currently exist in statute.

## ★ CONSUMERS

### Omnibus liquor bill

An omnibus liquor bill that Gov. Tim Pawlenty vetoed last year is back on his desk, without a provision concerning the sale of alcohol near a state facility in Walker.

The House approved the bill 108-22 April 14. The Senate passed the measure 60-1 Feb. 10.

HF286/SF171\*, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Sandra L. Pappas (DFL-St. Paul), would provide conformity in license fees and production levels for brewpubs and small brewers, authorize temporary

licenses to small brewers and modify other municipal licenses. It would also allow the issuance of liquor licenses in St. Paul for special events at the State Capitol and Duluth for Wade Municipal Stadium.

Other provisions in the bill would permit Elko Speedway to sell liquor seven days a week and transfer from St. Paul to Ramsey County the authority to issue licenses to state fair vendors to sell Minnesota-produced wine.

The bill would also authorize off-site sales of malt liquor by some small brewers.

The liquor would be sold in "growlers," which are 64-ounce containers with a twist-type closure, cork, stopper or plug. Rep. Dan Larson (DFL-Bloomington) opposed the bill, saying the growlers allow for "a jug to go." He said he doesn't want people taking alcohol with them on the road after drinking in a brewpub.

## ★ EDUCATION

### Revamped computers for schools

The nonprofit Minnesota Computers for Schools would be added to the list of organizations able to acquire surplus state property, under a bill approved April 14 by the House 133-0.

HF1922, sponsored by Rep. Mike Charron (R-Woodbury), adds the organization to others able to receive surplus property, such as an American Indian tribal government, any nonprofit and tax-exempt medical institution, hospital clinic, health center, school, school system, college and university. The bill also says the commissioner of administration "may transfer state surplus computers," to the nonprofit for "refurbishing and distribution to any school, school system, college or university in Minnesota."

Minnesota Computers for Schools "is a very successful program in which computers can be donated," said Charron.

Inmates at the Stillwater correctional facility are trained to refurbish these computers that are then made available to schools, he added.

The bill now awaits action in the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

### Mental health screening

Frequent unexcused absences can be a red flag for mental health issues in young people, according to Rep. Margaret Anderson Kelliher (DFL-Mpls).

She is sponsoring HF762, which would let parents who are contacted about their child's truancy know that a mental health screening

may be available.

"We know that one in 10 children are affected by mental health issues, and these, frankly, are issues that we should not be ignoring," Kelliher told the House Education Finance Committee April 14.

There may be many reasons a child is truant and mental illness could be one of the underlying reasons, said Sue Abderholden, executive director of the Minnesota Chapter of the National Alliance for the Mentally Ill. "What we're trying to do is plant the idea with schools that if you really want to get to the bottom of truancy, you might want to look at doing a mental health screening."

The screening would be optional for parents and for school districts. Schools that do not offer mental health screenings would not be required to tell parents about the option.

If parents or legal guardians decide to have their child screened they would then have access to the information just as they have access to other educational information about their child.

The committee will consider the bill for possible inclusion in its omnibus bill.

There is no Senate companion.

## ★ ELECTIONS

### Taking campaign materials

A bill that would make it a misdemeanor to take a candidate's election material was passed by the House 128-4 April 14.

It now awaits action by the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

HF892, sponsored by Rep. Chris DeLaForest (R-Andover), addresses the increase in what he termed as election-time "pranks" — taking campaign material and vandalism to signs.

DeLaForest said his bill makes a policy statement. "I want there to be a bipartisan public statement on behalf of the state of Minnesota that we don't view this type of an activity as a prank," he previously told the House Civil Law and Elections Committee.

Under current law, the taking of campaign material is treated like any other theft; the offense level depends on the value of the materials taken. DeLaForest noted that campaign material, in and of itself has little monetary value, but the value is more representative of our democratic process.

The bill makes it a misdemeanor for anyone, other than a candidate, to remove campaign material without permission. If a candidate or elected official commits the same act, it would be considered a gross misdemeanor.

## ★ EMPLOYMENT

### Search firms exception

For the second year in a row, the House agreed that search firms are not the same as employment agencies and, therefore, should be exempt from employment agency licensing requirements.

Rep. Dean Simpson (R-New York Mills) is sponsoring HF742, which would reenact a provision that was repealed by the 2001 Legislature and became effective July 1, 2003, regarding licensing.

"This is a very reasonable bill," Simpson said April 14 before the House passed the bill 125-6. It now goes to the Senate, where Sen. Thomas M. Bakk (DFL-Cook) is the sponsor.

Under the bill, a search firm would be exempted from employment agency regulations if:

- it is retained by, acts on behalf of, and is only compensated by the employer;
- the candidate retained by the search firm does not have to pay a fee for the firm's services;
- it does not encourage anyone it has placed with an employer to terminate the employment; and
- it does not, in any other way, act as an "employment agency."

The bill prohibits an employer from requiring an employee who has been placed by a search firm to pay any of the search firm's fee.

## ★ ENVIRONMENT

### Managing state timber

A bill that is now in the Senate's court aims to help the Department of Natural Resources manage timber sales more efficiently.

HF823, sponsored by Rep. Greg Blaine (R-Little Falls), addresses public notice and input on the timber management plan, fuelwood permit fees, rewards for state timber trespassing informants and sales procedures.

The House passed the measure 134-0 April 20. Sen. Thomas M. Bakk (DFL-Cook) is the Senate sponsor.

The bill is a department initiative and is supported by timber producers and forest industries interests, Blaine said.

It would require the department to conduct annual public meetings in the forested areas of the state to discuss the way in which its timber sales and management plan would shake out for the upcoming fiscal year.

Another provision would change the fu-

## CENTENNIAL CELEBRATION



PHOTO BY SARAH STACKE

**Bagpipers from the Minnesota Fallen Firefighters Memorial Association welcome the State Fire Marshal Division of the Department of Public Safety to the State Capitol April 19 as part of the division's Centennial Celebration designed to honor today's missions and yesterday's traditions. Fire trucks from 30 departments were displayed on the Capitol grounds as part of the celebration.**

elwood permit fee structure. Such a permit allows people to salvage or cut down up to 12 cords of fuelwood per year for personal use. The new language states the fee must cover the department's cost in issuing that permit.

Rep. Tom Rukavina (DFL-Virginia) said it was a bit unnerving to "trust in the benevolence" of the department and leave the permit fee language open.

Blaine said the department had assured him the average permit fee would go from \$22 to \$24.

Also under the bill, the reward for information leading to timber trespass convictions would be limited to the greater of \$100 or 10 percent of the single stumpage value of any timber unlawfully cut or removed. Current law contains a tiered reward structure of \$25, \$50 or \$100 based on timber value.

## ★ FAMILY

### Safe visitation

When child custody and visitation issues are being considered by the court, domestic abuse would play a larger role in any determination, under a bill passed by the House 131-0 April 18.

Sponsored by Rep. Steve Smith (R-Mound), HF2110 now awaits action in the Senate, where Sen. Thomas M. Neuville (R-Northfield) is the sponsor.

"The purpose of HF2110 is to return the focus of the court to the safety of the victim and the child when awarding custody and parenting time in the context of a domestic abuse hearing and order for protection," Smith previously told the House Civil Law and Elections Committee.

Also testifying in favor of the measure was Michele del Castillo, co-leader of ACES, which, according to its Web site, is an organization of parents working to improve child support enforcement and educating themselves about legal rights and remedies.

She told committee members that domestic abuse issues are only allowed to be heard in family court if the abuse victim is the child.

"It creates a problem if there is no consideration of what happened to the custodial parent, the mother. It puts the mother and child at risk of another incident when the parents see each other for the visitation," she said.

## ★ GOVERNMENT

### Future energy savings

The House Ways and Means Committee approved a bill April 18 that aims to limit the Department of Administration's exposure to pricing volatility in energy purchases for state facilities. It now moves to the House floor.

HF1964, sponsored by Rep. Neil W.

Peterson (R-Bloomington), would not apply to electricity. Rather, purchases of natural gas, heating oil, propane and other energy sources would fall under the energy savings program.

The bill would allow the department to employ, under certain conditions, a forward pricing mechanism to purchase energy. Such a mechanism is a contract that obligates a state agency to buy or sell a specified quantity of energy at a future date at a set price.

Rep. Jean Wagenius (DFL-Mpls) successfully offered an amendment that she said is an attempt to encourage conservation. Under the amendment, the quantity of energy affected by the contract must not exceed 90 percent of the estimated energy use for the state agency for the same period.

A companion bill (SF1846), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

Language from HF1964 is also included in the House omnibus state government finance bill (HF1481), sponsored by Rep. Marty Seifert (R-Marshall).

## ★ HEALTH

### Stillborn birth certificates

Parents of stillborn children would have the option of receiving a birth certificate, under a bill unanimously approved by the House April 19.

Under current law, parents of stillborns in Minnesota can only receive a death certificate.

HF947 now goes to the Senate, where Sen. Ellen R. Anderson (DFL-St. Paul) is the sponsor. A successful delete-all amendment makes the language consistent with that of the Senate companion bill (SF1029).

Rep. Karen Klinzing (R-Woodbury), the bill's sponsor, said parents of stillborn children go through the labor process and a birth certificate recognizes that birth and helps families deal with the grief of losing an infant.

"This bill goes a long way in the healing process," said Rep. Margaret Anderson Kelliher (DFL-Mpls).

The bill would require those responsible for filing a fetal death report to advise parents that they could request a record of birth, inform them the record is optional and explain how to obtain a record if they want one.

Under the bill, the state registrar would be required to prepare and file, within 30 days, a record of birth if one is requested.

A provision in the bill would make birth certificates for stillborns retroactive. A stillbirth that occurred in Minnesota at any

time would be eligible for a birth certificate by the parents submitting a written request to the state registrar on or after Aug. 1, 2005.

### Omnibus bill draws debate

The House omnibus health finance bill sparked debate, questions and testimony during several days of hearings by the House Health Policy and Finance Committee.

HF1422, sponsored by Rep. Fran Bradley (R-Rochester), includes more than \$7.3 billion worth of proposals. Despite the 15 percent in-

crease over the last biennium, some programs still face cuts.

"There are some hard decisions in here," Bradley said April 19. "I'm really focused on what taxpayers are spending."

The committee approved the bill April 22 and referred it to the House Ways and Means Committee.

Some DFL members opposed parts of the bill that could cause more than 20,000 people to lose their health insurance.

The bill, composed of more than 30 smaller bills, would reduce General Assistance

## LITTLE LOBBYIST

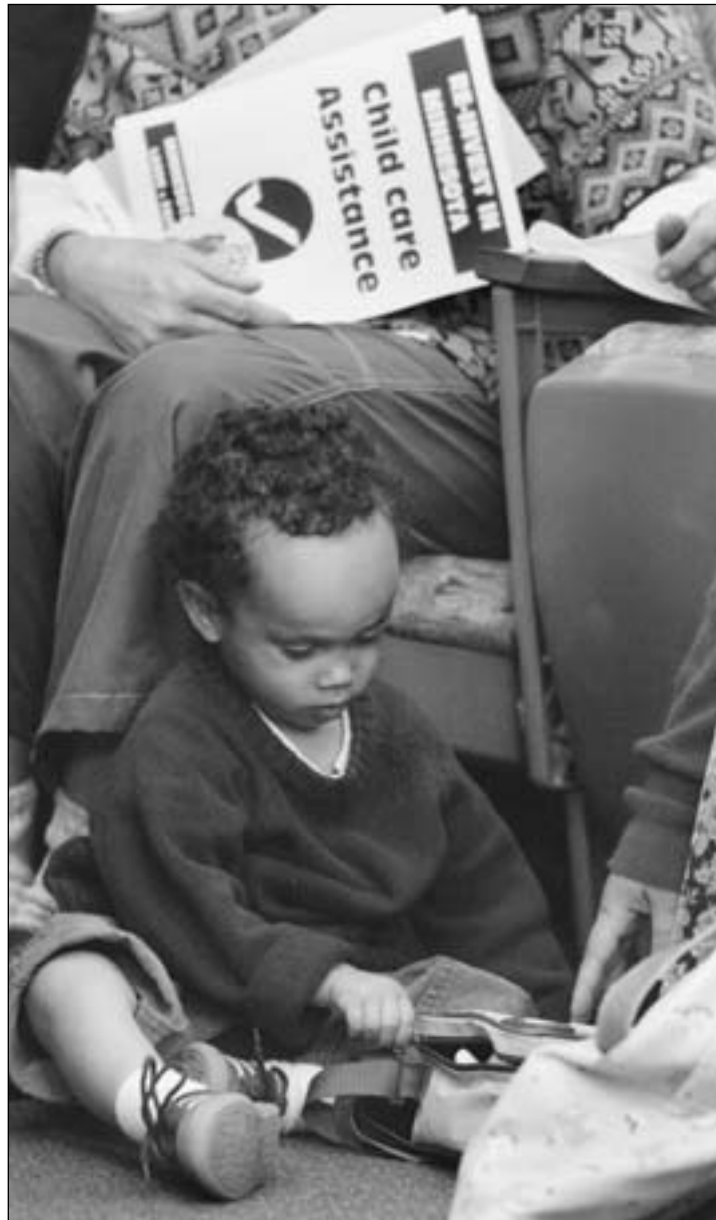


PHOTO BY TOM OLMSCHIED

**Three-year-old Malachi sits and plays as his mother, Quendy Raymond, listens to omnibus bill testimony before the House Jobs and Economic Opportunity Policy and Finance Committee April 20. The pair was present to express opposition to proposed cuts in childcare assistance.**



PHOTO BY ANDREW VONBANK

**Jeff Bangsberg, government relations director for the Minnesota Home Care Association, testifies April 20 on the omnibus health finance bill.**

Medical Care spend-down limits, reduce eligibility to MinnesotaCare and limit Alternative Care eligibility to 120 days. These reforms alone would save the state nearly \$30 million over the biennium, supporters say.

Under the bill, long term care provider rates and home care services reimbursement rates would be increased, at a cost of \$55 million and \$1.3 million, respectively. Bradley said helping people with disabilities and the elderly were top priorities.

Other sections in the bill would give the human services commissioner authority to develop pilot projects, implement adult mental health enterprise activities, develop additional sites for the Minnesota Security Hospital and close regional treatment centers.

Revenue neutral provisions included in the bill would limit family planning grants to exclude abortion services, establish the so-called "Unborn Child Pain Prevention Act," create the rural pharmacy planning and transition grant program and modify the rural loan forgiveness program to include pharmacists, provide for compulsive gambling prevention and require educational information on shaken baby syndrome and postpartum depression.

A companion bill (SF1313), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Health and Family Security Committee. Health and human ser-

vices provisions were also included in SF1879, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), the Senate budget-balancing bill that was passed 35-30 March 23.

## HIGHER EDUCATION



### Omnibus bill to the floor

More state dollars are proposed for higher education in the next biennium; but it is not enough say some members of the House Higher Education Finance Committee.

Nonetheless, the committee approved its omnibus bill April 19 on a nearly party-line vote. Despite reservations, Rep. Joe Opatz (DFL-St. Cloud) joined all Republicans in voting yes.

Approved by the House Ways and Means Committee one day later, HF1385, sponsored by Rep. Bud Nornes (R-Fergus Falls), now goes to the House floor.

It calls for \$2.75 billion in spending. The amount increases to nearly \$2.78 billion if a racino bill becomes law.

Under the bill, the University of Minnesota would receive nearly \$1.25 billion, the Minnesota State Colleges and Universities system (MnSCU) nearly \$1.2 billion, the Higher Education Services Office (HESO) \$347.6 million and the Mayo Foundation \$2.78 million.

Funding proposed for the University is \$18.2 million less than the governor's request, and MnSCU about \$5.2 million less. However, if the racino bill passes, MnSCU's appropriation would exceed the governor's by \$12.7 million and the university would be just \$5.5 million shy of the governor's proposal. HESO and the Mayo Foundation funding match the governor's request in both scenarios.

"We've had some rough years in higher education funding. I think the last time was almost a \$400 million reduction in appropriations. I see \$208 million of additional spending under Option A, and perhaps as much as \$234 million," said Opatz. "It doesn't go all the way to correcting the last go-round, but I think it goes significantly towards improving higher education."

Opponents said the bill does not provide for system enrollment adjustments and could equate to double-digit percent tuition increases for many students.

A budget that depends upon a tuition increase is a tax, said Rep. Ron Latz (DFL-St. Louis Park). "At this level of funding we are simply continuing to manage decline in the state's commitment to higher education, rather than reinvigorating."

A late addition to the bill was \$15 million in fiscal year 2006 from the university's allocation for the biotechnology and genomics

partnership with the Mayo Clinic.

The partnership has always been identified as a statewide economic development investment, said Dr. Frank Cerra, university senior vice-president for health sciences. "This project was never intended to be an education project funded as a component of the university's state appropriation. Taking this \$15 million from the university's appropriation would severely impede academic initiatives," he said.

Other members expressed concern that the funding request had been in the jobs committee all session, before suddenly appearing in the higher education bill.

The proposal includes \$3.2 million for the planning, implementation and development of a four-year institution in Rochester. The Rochester University Development Committee is to make recommendations to the Legislature by Jan. 15, 2006.

The bill also makes a number of changes to the state grant program, including an addition of a ninth semester of eligibility and a reduction of the student share of costs from 46 percent to 45 percent.

A Senate omnibus higher education bill was to be completed April 21 by the Higher Education Finance Division of the Senate Finance Committee.

### Selected bills in the omnibus bill:

HF67 (Opatz)  
HF165 (Opatz)  
HF1085 (Nornes)  
HF1441 (Nornes)  
HF1586 (Lanning)  
HF1695 (Sykora)  
HF2013 (Bradley)  
HF2145 (Severson)  
HF2224 (Nornes)

### Selected bills not in the omnibus bill:

HF504 (Carlson)  
HF566 (Cox)  
HF629 (Kelliher)  
HF669 (Mariani)  
HF670 (Abeler)  
HF1047 (Cox)  
HF1697 (Dill)

## HOUSING



### More review time

A bill described as a tune up of the law that governs development and operation of condominiums, cooperatives twin homes and townhouses was passed by the House 126-7 April 14.

HF369, sponsored by Rep. Paul Thissen

(DFL-Mpls), now awaits action in the Senate, where Sen. Thomas M. Neuville (R-Northfield) is its sponsor.

The Minnesota Common Interest Ownership Act took effect in 1994 and this bill, while making technical changes to the measure, also adds consumer protections, most notably by increasing the number of days a common interest property purchaser has to opt out of the deal.

Previous legislation changed the timeframe that a buyer of a new unit had to cancel the purchase from 10 days to five days, as requested by the Minnesota Realtors Association. However, the change back to 10 days was proposed now because "oftentimes these materials are two to three inches thick and five days isn't an adequate period of time for review," Thomas L. Bray, an attorney the Minnesota State Bar Association Real Property Section, previously told the House Civil Law and Elections Committee.

The bill also calls for a developer of shore land to submit plans for any proposed subdivision or conversion of the property to the local unit of government for review to make sure the project complies with the local ordinances regulating shore land.

## ★ INDUSTRY

### **Building a better nugget**

A 2004 law exempted from certain environmental review the first iron nugget production facility in the state. The goal was to ensure that a new process of producing high-quality iron nuggets from iron ore moved from demonstration to production in Minnesota before Indiana stole the economic thunder of being first to produce a better quality nugget.

HF1334, sponsored by Rep. David Dill (DFL-Crane Lake), would make a technical change to the statutory description of the hearth furnace used at the Hoyt Lakes Mesabi Nugget facility and extend its permit application timeframe to June 30, 2005.

The House passed the measure 89-42 April 14. It now awaits action in the Senate, where Sen. Thomas M. Bakk (DFL-Cook) is the sponsor.

The first provision is technical in nature, Dill said. It would align more closely the description of the facility's hearth furnace with the proper "term of art" in the engineering world.

The second component of the bill is actually good news for mercury emissions, he said, because the company has discovered new, better technology to control the discharge of mercury in the process water. Though the

discovery has lengthened the permitting process, the proprietary technology would meet the federal Great Lakes Initiative mercury emissions standards.

Rep. Carlos Mariani (DFL-St. Paul) failed to amend the bill to include revised requirements for Pollution Control Agency mercury reduction progress reports. Under the amendment, the agency, in its mandated Oct. 15, 2005 report, would also have been required to "describe the reductions made in mercury emissions since 1990 by each individual sector, including, but not limited to, materials processing, energy production, and intentional use, and shall estimate the amount of the reduction achieved in each sector overall and specifically as a result of implementing a voluntary reduction plan."

The amendment also would have called for revised estimates of mercury emissions by sector in 1990, 1995, 2000 and 2005.

Opponents said the amendment could be costly or duplicative in its scope.

## ★ LAW

### **Initiative and referendum**

A bill that would give voters the opportunity to decide on a process that would let them enact laws and repeal old ones without legislative approval was passed by the House 68-65 April 14.

"I believe that initiative and referendum will empower and energize voters to be engaged more so they know that their vote truly does make a difference," said House Majority Leader Erik Paulsen (R-Eden Prairie).

He sponsors HF820 that advocates changing the state constitution to allow for the process. The proposed constitutional amendment would be before state voters in the 2006 general election.

To get a proposal to initiate or repeal a law on the ballot, a petition would need to be signed by at least 5 percent of registered voters who cast ballots in the previous gubernatorial election, collected in each congressional district and in the state as a whole. The percent of signatures for a constitutional change would be 8 percent.

Paulsen said the process has been shown to increase voter turnout when a state has the option for initiative and referendum, and it brings more accountability to government.

"There are certain things that should not be up for public approval or public vote," said Rep. Keith Ellison (DFL-Mpls). He unsuccessfully offered an amendment that would have excluded civil and human rights as subjects to the process.

"It shouldn't be up to us to be the gatekeepers of what can and cannot be in that constitution that is the supreme law in this state," said Rep. Karen Klinzing (R-Woodbury).

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

## ★ LOCAL GOVERNMENT

### **Park name change**

The House passed a bill 110-24 April 20 that would change the name of the Hennepin County Park Reserve District, in statute, to the Three Rivers Park District.

"The name has been changed on all the signs, all of the many, many vehicles, everywhere in the parks. The only place it has not been changed is in statute," said Rep. Joe Hoppe (R-Chaska), the sponsor of HF1320.

The park district superintendent would also be able to serve as the chief administrative officer of the park district for a term of up to five years to "make it more easy for them to find quality candidates," added Hoppe. Currently, a term cannot exceed two years.

"The Three Rivers District, as a condition of receiving grant money for maintenance and operation costs, must agree to maintain the Coon Rapids Dam in a condition to raise the pool level each spring and decrease the level each winter," under an amendment successfully offered by Rep. Melissa Hortman (DFL-Brooklyn Park).

"That recreational pool is used by about 500,000 people a year," said Rep. Kathy Tingelstad (R-Andover).

Several members raised concerns on whether the amendment would be acceptable to the park district. Hoppe said he believes it is not.

Rep. Mark Buesgens (R-Jordan) asked if the amendment would force the district to reallocate funds internally. "I want to know if this language is going to affect parts in my county."

According to its Web site, "As a special park district, Three Rivers Park District is charged with the responsibilities of acquisition, development and maintenance of large park reserves, regional parks and regional trails for the benefit and use of the citizens of suburban Hennepin County, Scott County, the metropolitan areas, and the state of Minnesota."

The bill now moves to the Senate, where Sen. Ann H. Rest (DFL-New Hope) is the sponsor.

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

## MILITARY

### Soldiers suspend care

Active duty soldiers and their dependents would be able to suspend their enrollment in the state's health care program, MinnesotaCare, under a bill approved April 18 by the House 131-0.

HF1761, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow for the suspension of care as well as premium payments, without having to reapply upon their return. Currently, a lapse in coverage results in a four-month waiting period before being eligible to reapply.

The bill now goes to the Senate where Sen. Gary W. Kubly (DFL-Granite Falls) is the sponsor.

"This saves soldiers who are in this situation money and it also saves the state money," Kahn said.

Michael W. Vogt, a specialist in the Minnesota National Guard, told a House committee that before he was deployed he contacted MinnesotaCare to suspend his care, but the person who helped him said there wasn't a process for suspension. He remained on the plan and paid the premium even though he was covered under military health care, which created a convoluted set of issues once he was injured overseas.

"When I was in Kosovo I had to be on the phone calling insurance companies ... instead of calling my family, I was talking to insurance adjusters," he added.

Vogt also said his premiums increased upon his return from Kosovo due to his combat pay allowance.

Under the bill, an enrollee's gross income prior to active service, or while in active service, but only counting the base military pay, can be used to calculate the premium. Currently all military pay, including combat pay allowance, is considered in setting premiums per an enrollee's income.

The provision is also included in SF1837, sponsored by Sen. Becky Lourey (DFL-Kerrick). It awaits action in the Health, Human Services and Corrections Budget Division of the Senate Finance Committee. A companion to that bill (HF1873), sponsored by Rep. Duke Powell (R-Burnsville) is being considered for inclusion in the House Health Policy and Finance Committee omnibus bill.

#### To find out who represents you at the Capitol ...

Call House Public Information Services at (651) 296-2146 or 1-800-657-3550

## SAFETY

### Money for Minneapolis

Minneapolis officials believe the city has been hit hard with crime in the first few months of 2005, particularly on the north side, and would like some help.

Rep. Keith Ellison (DFL-Mpls) and Rep. Joe Mullery (DFL-Mpls) are sponsoring bills that seek more money from the state to be used for public safety purposes.

The bills were heard April 14 by the House Taxes Committee and held over for possible inclusion in the committee's omnibus bill.

Ellison's bill (HF2033) would remove a city's local government aid cap, but require that any new money be used for public safety beginning with fiscal year 2006. This bill applies to all cities.

Mullery's bill (HF1827) would provide a permanent annual increase of \$12 million to Minneapolis beginning with fiscal year 2006. The extra money must be used for police and prosecutors in the city attorney's office.

The money in both bills would replace what the city has lost in local government aid in recent years. Raising property taxes is not an option, Ellison said.

"I do believe the first responsibility of state government is safety," Mullery said. He said much of the crime is gang-related. "I do think we need some extra money narrowly targeted."

Deputy Chief Sharon Lubinski said the response time for emergency 911 calls, usually traffic accidents with injuries or someone breaking into a house, was eight minutes. "Every second is an eternity," she said. "The officers in the squad car are getting frustrated. People are getting desperate."

Respective companion bills, SF2056, sponsored by Sen. Linda Higgins (DFL-Mpls), and SF1972, sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), await action by the Senate Taxes Committee.

## TAXES

### Give dairy operators a break

The House Taxes Committee did not vote April 20 on a bill that would provide a tax credit of up to 10 percent for investments in dairy operations.

Instead, HF719, sponsored by Rep. Dean Urdahl (R-Grove City), was held over for possible inclusion in the committee's omnibus bill.

The credit would be 10 percent of the first \$500,000 of investment, after that a smaller percent as the qualifying investment increases to \$1 million. The credit would be capped at \$75,000. The state would make available \$2.9 million for credits in fiscal year 2006, \$3.5 million in fiscal year 2007 and \$4 million in fiscal year 2008 and beyond. In years where applications exceed the amount available, credits would be prorated among applicants.

Eligible expenditures would include barns, fences, water and feed facilities, milk storage equipment and manure handling equipment. The credit would be available for qualifying expenditures beginning in tax year 2005.

### FLAG WAVERS



PHOTO BY SARAH STACKE

An American flag hanging from two hook and ladder fire trucks serves as a backdrop for the April 19 Centennial Celebration of the Fire Marshal Division of the Department of Public Safety at the State Capitol.

Under the bill, applicants must notify the Department of Revenue by Jan. 31 of the year the applicant intends to claim the credit.

Paul Kent, a dairy farmer from Mora and chair of the Minnesota Association of Cooperatives Dairy Committee, said cooperatives welcome the bill.

"We're losing our farms and losing our cows," he said, noting that the number of dairy cows in Minnesota declined 37 percent from 1980 to 2000.

The bill would help improve investment in dairy herds, he said. Kent believes it would help Minnesota compete with surrounding states, particularly Wisconsin, which passed a dairy investment tax credit last year.

"Unless a similar proposal is passed here, members of the Minnesota Association of Cooperatives are concerned that such action puts Minnesota's dairy industry at a competitive disadvantage," he said.

A companion bill (SF719), sponsored by Sen. Dallas C. Sams (DFL-Staples), might become part of a Senate tax bill.

### **Tax-free milk and water**

If you buy milk or water at a convenience or grocery store, there is no sales tax. However, the beverages are taxed if you buy either in a vending machine.

Rep. Greg Blaine (R-Little Falls) believes if the tax was removed from milk and water purchased in vending machines, the cost would be less and more people, especially children, would buy the products that are better for their health. He is sponsoring HF1743 to do that.

According to a fiscal note, it would cost the state \$330,000 in fiscal year 2006 and gradually increase to \$395,000 by fiscal year 2009.

The bill was heard by the House Taxes Committee April 20 and held over for possible inclusion in its omnibus bill.

"I think it's a good step forward for the dairy industry," said Blaine, who is a dairy farmer. "It's a good step forward for the public in general. It's an effort to get some milk consumed out there. We feel that this is an attempt to make healthy choices more competitive in the marketplace."

"It's good for our kids," said Bob Lefebvre, executive director of the Minnesota Milk Producers Association. "We have an enormous calcium deficiency problem statewide."

A companion bill (SF1670), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Taxes Committee.

### **Willingly paying more**

Rep. Fran Bradley (R-Rochester) said that a while back he was meeting with some constituents in his office when they indicated, "that they should like to pay more tax."

He thought about their proposed largess awhile, and decided that if they want to pay more, they should be able to. "I thought, 'Why shouldn't that be?' This is elegantly simple," he said.

He has introduced HF1780, which would allow taxpayers to contribute \$5 or more to the General Fund, beginning with tax year 2005. The money would be added to their tax or deducted from their refund. There would be a new space on their tax form to indicate the contribution. The bill directs that the state not lengthen the two-page M-1 tax form.

The bill was heard April 20 by the House Taxes Committee and held over for possible inclusion in its omnibus bill. It has no Senate companion.

According to a Department of Revenue analysis, no other state has a similar check-off on its tax form. Minnesota now has a non-game wildlife check-off fund that netted approximately \$1.2 million in 2003. Bradley gave no indication of potential revenues from his bill.

### **Easing airport noise**

When an airplane takes off from one of the nearby runways at the Minneapolis-St. Paul International Airport, the ground in Richfield literally rumbles.

To mollify things, the city has previously gotten federal grants to buy and move houses. With a new runway opening this fall, the city needs more help.

HF1247, sponsored by Rep. Dan Larson (DFL-Bloomington), would allow the city to establish a tax-increment financing (TIF) district in the area affected by airport noise.

The bill was heard April 19 in the Property and Local Tax Division of the House Taxes Committee and held over for possible inclusion in the division report.

The district would differ from conventional TIF districts in that it could last longer than five years and it doesn't have to meet the "blight test," meaning 50 percent or more of the buildings don't have to be substandard.

According to the nonpartisan House Research Department, "Tax increment financing uses the increased property taxes that a new real estate development generates to finance costs of the development."

The tax-increment generated by the district would be used to buy and remove homes and possibly build "airport compatible" homes and businesses, said John Stark, Richfield assistant

director of community development.

The buildings there now aren't substandard; it's the noise that makes them unlivable, said Rep. Ann Lenczewski (DFL-Bloomington).

"The 'ground rumble' is, in effect, blight," she said. "This allows the locals to pay for it. It allows the city of Richfield to have a way to make it happen themselves. I think it takes the state of Minnesota off the hook."

A companion bill (SF1419), sponsored by Sen. Jane B. Ranum (DFL-Mpls), was included in SF1683, sponsored by Sen. Lawrence J. Pogemiller (DFL-Mpls). That bill was passed 40-27 March 31 then laid on the table.

## **TRANSPORTATION**



### **Keep the lights on**

Large utility vehicles used to restore or prevent the loss of power will now be allowed to travel on local asphalt and gravel roads with a spring axle-weight limit, under a new law signed April 14

by Gov. Tim Pawlenty.

Effective April 15, 2005, the law permits heavy utility vehicles to travel on these roads when performing emergency work. Members of the trucking industry said the law would make it easier to perform the necessary work.

The law applies to utility vehicles weighing up to 20,000 pounds per single axle, 36,000 pounds per two axles and 48,000 for three axles. Now, those trucks performing emergency work are exempt from seasonal weight limits posted by local authorities. Under this bill, that exemption extends to a spring limit of 5 tons per axle.

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

HF1508/SF1466\*/CH21

### **Take theirs and give it to them**

With no easy answer in sight to fix the state's transit funding problem, Rep. Dan Larson (DFL-Bloomington) believes redirecting some money might be a temporary fix.

Sponsored by Larson, HF2377 would take \$33 million in motor vehicle sales tax revenue that would normally go to the Trunk Highway Fund, to maintain state highways, and send \$30 million to metropolitan transit and \$3 million to Greater Minnesota transit in both fiscal years 2006 and 2007.

The bill was heard April 19 by the House Transportation Finance Committee and held over for possible inclusion in its omnibus bill.



It has no Senate companion.

"I bring this forward as a positive short-term solution. It's an attempt to replace the shortfall we're facing in the area of transit in Minnesota," he said.

The Metropolitan Council has recently proposed a 25-cent across-the-board bus fare increase and a 10 percent reduction in overall service.

Kevin Gray, an assistant transportation commissioner, said Larson's bill could cause problems for the Trunk Highway Fund. "There will be a significant impact on MnDOT," he said.

Larson said he was aware of that, but he knows the question always goes back to money, and where it will come from for transit. Most legislators are reluctant to use property taxes to pay for it.

"I don't want to do that, I think a lot of the people at this table don't want to do that," he said. "We need to find a global solution. We need to fund transportation across the board."

## LATE ACTION



### Getting tough on meth

The House passed a bill meant to tackle the state's growing methamphetamine problem 127-4 April 21.

"This drug is not like anything else we've ever seen before," said Rep. Jeff Johnson (R-Plymouth), who added that it's a problem in urban, suburban and especially rural areas.

He said HF572/SF51\*, which he sponsors with Sen. Linda Berglin (DFL-Mpls), is a multi-faceted approach to the problem.

It boosts meth into the narcotic drug category, which would increase penalties for sale, possession and use of the drug.

Additionally, sales of ephedrine, an ingredient used in over-the-counter cold medicines, would be restricted beginning Aug. 1, 2005, because it is an essential ingredient for the manufacture of meth. An amendment successfully offered by Rep. Mike Charron (R-Woodbury) would ban the pill form entirely by Aug. 1, 2006. Liquid, gel and

pediatric forms of the drug would not be affected.

Rural legislators tried unsuccessfully to remove the requirement that ephedrine medications be sold only in pharmacies by pharmacists, clerks or technicians.

An effort to keep criminal sentences at the status quo and channel the savings into increased long-term treatment for meth addicts was also defeated.

The bill also would:

- criminalize various meth-related activities that may impact children or vulnerable adults;
- require notification of county health officials of clandestine lab sites;
- require offenders to pay restitution when the crime involves an emergency response and clean up of meth sites; and
- establish a meth cleanup fund that would loan money to cities and counties.

The bill includes \$1 million in each year of the biennium for additional officers for the Bureau of Criminal Apprehension who would focus on meth enforcement. During the biennium, the bill also provides \$902,000 for more prison bed space, \$600,000 for pilot treatment projects, \$200,000 for meth lab remediation, \$180,000 for courts to offset the cost of increased trial court caseloads and \$125,000 to develop and distribute materials informing students of the drug's danger.

The bill now returns to the Senate, where it initially passed 67-0 March 3.

## WOOD BURNER



PHOTO BY TOM OLMSCHIED

**Carl Strickler, chief operating officer of Fibrowatt and project manager for Fibrominn, listens as members of the Property and Local Tax Division of the House Taxes Committee consider adding an exemption for a wood burning power plant to a bill that would also exempt a poultry litter fired power plant near Benson from sales tax and property tax during a construction period.**

## Frequently called numbers (Area code 651)

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## More and less

Omnibus state government finance bill contains an agency mix

By PATTY JANOVEC

Cuts, eliminations and adjustments to state agencies, commissions and state grants are included in a bill that now awaits action by the full House.

Many changes mirror the governor's proposed \$490 million budget recommendation; however, the House version totals \$14 million less for the 2006-07 biennium.

"I think we have a pretty good work product here. We did as much as we could considering the lack of money we had to work with," said Committee Chair Rep. Marty Seifert (R-Marshall) before the House State Government Finance Committee approved HF1481 April 19. The House Ways and Means Committee approved the measure the next day.

Under the bill, the Legislature would receive 2.5 percent in cuts, across the board, with a total appropriation of \$87.9 million, \$500,000 less than the governor proposed. The plans also include cuts to carryforward accounts that are used for nonrecurring expenditures, interim activities, public hearings, public outreach efforts and severance costs for involuntary terminations.

The cuts of 2.5 percent also extend to other state agencies, including: Legislative Coordinating Commission, the offices of the governor, legislative auditor, attorney general and secretary of state and the Black Minnesotans, Chicano Latino Affairs, Asian-Pacific Minnesotans and Minnesota Indian Affairs councils.

Other entities facing reductions include: finance and revenue departments, various offices in the Department of Administration, public subsidy funding for the Campaign Finance

and Public Disclosure Board and AMPERS, a statewide public radio network.

All funding would be eliminated for the Minnesota Amateur Sports Commission, including a Target Center appropriation; Department of Administration Local Planning Assistance office and Minnesota Public Radio equipment grants.

The Legislative Commission on the Economic Status of Women would be eliminated under the proposal. Rep. Phyllis Kahn (DFL-Mpls) unsuccessfully offered an amendment to allow for the commission to continue without funding. "When we started the (commission) the average pay for women was 59 cents for every dollar that men made, now we're actually up to 76 cents for every dollar," she said.

"I think now we're in a different time when we have more information available on the Internet ... and they don't do any original research," said Rep. Joyce Peppin (R-Rogers). The work of the commission could be rolled

into another office, she added.

New and additional funding designations include: the Mississippi Parkway Commission, restoration of state auditor audit practice staff, assistive technology grants, Department of Revenue enhanced tax compliance and Minnesota Racing Commission administrative expenses.

Military personnel would receive added benefits under the bill, including 100 percent tuition reimbursement for Minnesota National Guard soldiers. Re-enlistment incentives for retired Guard members would be paid at a higher rank than when they retired based on special skills or experience of a person called back to duty.

The Department of Veterans Affairs would receive funding for an outreach program to underserved minority veterans, and another for vocational rehabilitation and chemical dependency grants for veterans. The Veterans of Foreign Wars, Military Order of the Purple Heart and Disabled American Veterans would all receive increased funding.

Policy changes include the Legislature not being permitted to meet before April 1 in even-numbered years, and both bodies would be required to set one time for the convening of daily sessions. A successful amendment by Kahn would require Senate and House committees of similar jurisdictions to meet jointly.

The governor's faith-based initiative, which includes appointing an employee in the governor's office to help faith-based groups seek state grants for social services, is included in the bill. However, while the governor's budget allots \$300,000, no monies are in the House proposal.

Another provision in the bill would require a city or county with a population of more than 15,000 to notify its residents of the names and salaries of its three highest paid employees. The information would be required to be distributed either via a Web site, an annual publication or as part of the truth-in-taxation notices.

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PHOTO BY TOM OLMSCHIED

During a March 9 homecoming ceremony when his unit returned from Iraq, Spc. Jefferson Hobbs stands under a sign at the Anoka National Guard Armory. Military personnel would receive added benefits under the omnibus state government finance bill, including 100 percent tuition reimbursement for Minnesota National Guard soldiers and re-enlistment incentives for retired Guard members.



PHOTO BY TOM OLMSCHIED

A prisoner at the Ramsey County Correctional Facility looks out the window of his cell. The omnibus public safety finance bill contains \$591.4 million in corrections spending.

## Cracking down on criminals

Omnibus bill includes tougher sex offender penalties

By RUTH DUNN

**R**amped-up penalties for sex offenders is the cornerstone of HF1, which has become the omnibus bill of the House Public Safety Policy and Finance Committee.

It outlines nearly \$1.7 billion in spending over the next two years for the courts, public safety and corrections. The bill also includes policy and procedure changes, including new crimes and increased penalties for other crimes. The 312-page bill includes all or part of approximately 80 House files.

Approved by the committee April 19, it next goes to the House Ways and Means Committee.

The committee generally followed Gov. Tim Pawlenty's budget and policy recommendations except in a few areas, said Committee Chair Rep. Steve Smith (R-Mound), the bill's sponsor. One example is non-criminal legal aid services for low-income people, where the committee is recommending \$25.3 million for the biennium while the governor wants \$14.6 million.

Tougher penalties for sex offenders are a

priority of House Republican leadership this session and became HF1, the first bill to be introduced in January. "The first function of government is to provide safety," House Majority Leader Erik Paulsen (R-Eden Prairie) said at the time.

Under the omnibus bill, first-degree criminal sex offenders would receive a life sentence without the possibility of release if their crimes involved force, violence, a dangerous weapon, personal injury to the victim or abuse involving multiple acts over an extended period of time.

The bill also increases maximum sentences and adds indeterminate sentencing for second-, third- and fourth-degree criminal sexual conduct offenders, and establishes a five-member Minnesota Sex Offender Review Board to evaluate when conditional release may be appropriate.

Methamphetamine, commonly called meth, is another issue driving the omnibus bill with more money allocated for law enforcement, courts and correctional institutions. Still, not enough money was

included for meth treatment and educational prevention, according to some members.

Treatment and education are glaringly lacking in the bill, according to Rep. Rob Eastlund (R-Isanti) who added, "I hope we address this another time." This bill allocates \$40,000 for education and awareness efforts; however, treatment funding is expected to be in other bills.

Concerned about the impact meth is having on counties, Rep. Debra Hilstrom (DFL-Brooklyn Center) successfully offered an amendment to add \$1 to parking fines, statewide, to raise approximately \$600,000 a year to help counties deal with enforcement, treatment and other meth-related expenses. Originally, she wanted a \$5 increase that would have raised much more.

A controversial provision to take DNA samples from all people arrested for felony crimes is included in the bill. Currently, samples are taken only from convicted felons. A phase-in would begin July 1, 2005, with collection of samples from people arrested for certain violent and predatory crimes before expanding in 2010 to all felony arrests. Collected DNA would be added to state and national databases.

Some of the other provisions in the bill include:

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# Come one, come all

Representatives agree: constituent communication is key

By LAURA NOE

From phone calls to home visits, legislators depend on their constituents to keep them informed of issues in their district.

For Rep. Judy Soderstrom (R-Mora), a quick trip to the grocery store in her hometown often turns into an hour-long affair. People know her and aren't afraid to stop her next to the canned vegetables in aisle three to discuss the issues.

Yet, because each member of the House represents roughly 36,000 people, communication between representatives and constituents isn't always easy.

Legislators get hundreds of letters a day when there's a big vote coming up, said Rep. Gregory M. Davids (R-Preston). Even though their time is saturated with committee meetings, floor sessions and formulating bills, making contact with constituents gets top priority.

"If you have figured out a way to contact me, I feel that I need to get back to you," said Rep. Neva Walker (DFL-Mpls.).

Constituents of Rep. Steve Simon (DFL-St. Louis Park) can call him at home if they need to. "The day that I consider that a nuisance, kick me out," he said. To remain accessible, Simon has even taken field trips to constituents' homes.

Deciding how to contact one's representative can be intimidating. Should you e-mail, write, call or stop in? Will your representative read what you write or make time to see you? Some legislators, like Simon, say people should choose whichever method is most comfortable for them, while others have clear-cut preferences. "Contact the representative's legislative assistant and find out how your representative would like you to contact them," Walker said.

## Letters and e-mails

"Dinosaur" Davids, as he calls himself after serving in the House for 15 years, still personally reads all his mail. Mail from constituents tops his priority list, with one exception.

"Form letters go in the garbage, as a rule." If it isn't personally written, it doesn't make an impact, he said.

Said Simon, a first-term legislator: "I don't assume that because it's form language they care less." He understands that people are busy so he tries to treat all forms of communication equally.

For Walker, it depends on the time of the year. "The first six months I'm really good

## How to contact your representative:

**Call:** You can talk to your representative or his or her legislative assistant directly, or leave a message.

**E-mail:** Each representative has her or his own personal e-mail address, and e-mailing can sometimes be the quickest way to get a response from your legislator.

**Write:** Many representatives prefer handwritten or typed letters.

**Visit:** Call ahead to set up a time to meet. Call House Public Information Services at (651) 296-2146 or (800) 657-3550, or go to [www.house.mn](http://www.house.mn) to find your representative, get phone numbers, e-mail and mailing addresses.



PHOTO BY TOM OLMSCHIED

Rep. Neva Walker, left, meets with constituent Sarah Burt in her office April 19 as Justin Bigelow, Walker's intern, looks on.

with e-mail. The last six months I'm not because I like to be out in the community."

## Meeting in person

A self-proclaimed "personable person," Walker said, "I would much rather grab a cup of coffee than get an e-mail."

Davids agrees. "It's amazing what two people can accomplish by sitting down and having a cup of coffee. I never want to lose the ability to actually talk to someone," he said, even though parts of his district are more than two hours away.

Time is a luxury for many members, but Soderstrom tries to give constituents who visit at least 15 minutes.

"It's harder if people just stop in," she said, because she's usually jumping from meeting to meeting. She suggests people call ahead to set up a time to meet.

## Phone calls

Phone calls are best if a constituent simply wants to tell their representative to vote a

Continued on page 22

# 2005-06 Minnesota House of Representatives Members

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

# 2005-06 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	226 Cap.	8881	39 Metzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	133 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	121 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	G-15 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Ranum, Jane (DFL)	120 Cap.	7-8061
37 Gerlach, Chris (R)	149 SOB	4120	53 Reiter, Mady (R)	132D SOB	1253
42 Hann, David (R)	G-27 SOB	1749	45 Rest, Ann (DFL)	205 Cap.	2889
58 Higgins, Linda (DFL)	328 Cap.	9246	35 Robling, Claire (R)	143 SOB	4123
23 Hottinger, John (DFL)	317 Cap.	6153	24 Rosen, Julie (R)	G-23 SOB	5713
13 Johnson, Dean (DFL)	208 Cap.	3826	4 Ruud, Carrie (R)	109 SOB	4913
49 Johnson, Debbie (R)	135 SOB	3219	11 Sams, Dallas (DFL)	328 Cap.	7-8063
48 Jungbauer, Michael (R)	115 SOB	3733	3 Saxhaug, Tom (DFL)	124 Cap.	4136
44 Kelley, Steve (DFL)	205 Cap.	7-8065	46 Scheid, Linda (DFL)	303 Cap.	8869
31 Kierlin, Bob (R)	127 SOB	5649	29 Senjem, David (R)	G-17 SOB	3903
30 Kiscaden, Sheila (IP)	325 Cap.	4848	2 Skoe, Rod (DFL)	124 Cap.	4196
15 Kleis, Dave (R)	G-25 SOB	6455	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettnier (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	129 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	301 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knoblach-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Greg Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Sandra Peterson-(DFL) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Frank Moe-(DFL) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	<b>32</b> A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Mark Ourada-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	<b>47</b> A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
<b>6</b> A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	<b>20</b> A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	<b>34</b> A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	<b>48</b> A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	<b>62</b> A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettnier Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mike Buesgens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Ranum-(DFL)
<b>8</b> A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	<b>22</b> A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	<b>36</b> A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	<b>50</b> A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	<b>64</b> A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
<b>9</b> A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	<b>23</b> A Rep. Ruth Johnson-(DFL) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	<b>37</b> A Rep. Lloyd Cybart-(R) B Rep. Dennis Ozment-(R) Sen. Chris Gerlach-(R)	<b>51</b> A Rep. Andrew "Andy" Westerberg-(R) B Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	<b>65</b> A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
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# Standing tall

Dutch elm claims old trees, new provide more than shade

By LEE ANN SCHUTZ

**W**hen the leaves came out last spring on the trees of the State Capitol grounds, Senior Groundskeeper Mike Malone knew that some of the elms were in trouble.

The telltale signs of dying leaves near the treetops left him with little doubt — Dutch elm disease was back.

To confirm his suspicions, an arborist was brought in and samples taken. When the news came back from the testing laboratories at the University of Minnesota, it wasn't good. About 17 elms tested positive for Dutch elm and another 11 were placed on a "watch" list.

So last summer the infected trees came down. Combine that with another 14 or 15 trees that were felled because they had been severely damaged by storms, it was a tough year for the state's most prestigious grounds.

Malone has been a groundskeeper at the Capitol for 20 years and remembers all too well the toll that Dutch elm took back in the 1970s. Before the disease wreaked havoc

across the state, about 600 large elms cast their stately canopies over the Capitol grounds. But now, because of disease and storms, there are only 33 left.

It's a little too early in the year to detect just how many more of these trees are in trouble. "We'll have a better idea in May when we can detect the beetle. I'm sure we are going to lose more," Malone said.

American and European bark beetles transmit the fungus that causes Dutch elm disease, and while some preventive measures are available, they have been met with limited success.

After the outbreak in the 1970s, Capitol groundskeepers began planting a wider variety of trees including elms declared resistant to Dutch elm disease. Earlier this month, at least 35 of these trees were planted along Cedar Avenue, across from the Centennial Office Building.

All this comes at a time when groundskeepers are working hard to have everything that is green

and growing looking its best for the summer of the 100th birthday of the Capitol.

As with every detail of the Capitol, its, architect Cass Gilbert had a vision for the landscape. A year after the building was completed, he made a plea to government officials "to give the building such a setting as its exquisite lines and proportions demand," according to the Report on Capitol Approaches by Cass Gilbert which was submitted to the St. Paul City Council and the Ramsey County Board of Commissioners.

And now it is the job of the 12-member grounds crew to tend to the Capitol complex, which includes the Minnesota History Center area. They also watch over the greenery at the Governor's Mansion and the Minneapolis VA Medical Center. Malone said at least, to this point, there are no elms affected at either of those locations.

## In memoriam

Two of the trees that came down last year had been planted as memorials to loved ones. Malone said that each year four to five trees are donated as a remembrance to someone who has died.

At one time, commemorative plaques were routinely placed near the trees with the memoriam information. The practice was stopped because it was thought the lawn "could start looking like a cemetery," Malone said. The plaques that were near last year's felled trees will be given to the Historical Society, he added. But with an eye to the ground while walking around the Capitol lawn, other plaques can still be seen.

Memorial trees are encouraged, said Bernie Steele, facility support supervisor for the Department of Administration. Even though there is no marker, he said the memorial is important to the family. As examples, he said the family of former Gov. Orville Freeman had a tree planted near the spot where he used to park his car at the Capitol. And in Leif Erickson Park north of the State Office Building, House members who have lost infant children planted several trees.

Those interested in having a tree planted in memoriam should send a written request to Steele at [Bernie.Steele@state.mn.us](mailto:Bernie.Steele@state.mn.us), or by mail to G-10 Administration Building, 50 Sherburne Ave., St. Paul MN 55155.



PHOTO BY TOM OLMSCHEID

Last summer, Capitol grounds crew members took down 17 trees infected with Dutch elm disease. At one time the Capitol Complex had 600 elms; that number is now down to 35.



# Like father, like son/daughter

## Legislative service is family affair for six members

By RUTH DUNN

Six current representatives followed in their fathers' footsteps right up the steps of the State Capitol and into the House chamber.

These sons and daughters of former House members come from families where current events were a main course of dinner table conversation and public service was a priority.

"All children are affected by what their parents do," said Rep. Kent Eken (DFL-Twin Valley), whose father, Willis, served in the House from the time his son was six until he was out of high school. His father's service sparked an interest in the Legislature in young Eken who knew early on that he wanted to do what his dad was doing. "I looked up to him. I saw he made a difference and made the state a better place to raise a family," he said.

Not only did Rep. Peter Nelson (R-Lindstrom) follow his dad, Howard, into the House, but he also joined him in the family business, a meat processing shop. Nelson said it was natural for him to become involved in his community because his parents had been involved in everything from the Masonic Lodge and the PTA to their church. Nelson's community service then led him to the House just as it had for his father.

"I grew up with a positive image of public service and a ringside view of what good can be done," says Rep. Ron Latz (DFL-St. Louis Park). He was involved in campaigning since he could walk and has vivid memories of riding in a converted milk truck that his father, Robert, used on the campaign trail. Besides a love of the Legislature, Latz and his father are

**In a 1976 family campaign photo, Rep. Kent Eken, right, who is currently serving in the House, was 12 years old with brother, Lee, left; father, then-Rep. Willis Eken; mother, Betty Eken, and brother Loren. Twenty-six years later, the youngest Eken was elected to the House.**

**Submitted photo**



attorneys who share a law practice.

"Public service was held up as an admirable profession in my family," said Rep. Katie Sieben (DFL-Newport), who remembers campaigning door-to-door in a stroller. She was born while her father, Mike, was serving in the House. Her uncle, Harry, was also in the House, including a stint as speaker from 1981-84. Of her father's three children, she was always the most interested

in helping him campaign for himself or for others. No one was surprised when she first decided to run for the House at age 24 since her father had been elected when he was 25. "My father and uncle warned me that serving in the Legislature is a lot of work. They said it would have to be something I really wanted to do," she said.

The Peterson family may be setting a House record. The third generation of the family, Rep. Aaron Peterson (DFL-Madison), remembers running around the Capitol when he was a child and sitting on the House floor with

his father, Doug. His grandfather, Harry, also served. All three are “prairie populists, cut out of the same cloth,” says Peterson. Half of the voters in his district are over age 55 so a good percentage of them had a chance to vote for each Peterson, who all represented Madison, including the farm that has been in the family since the 1930s.

Nelson said his dad’s campaigns were different from his. “There was not as much door-to-door and not as many yard signs,” he said. His dad campaigned at auctions and church functions and hung posters in businesses. His father, now age 92, still has a strong interest in the Legislature. He avidly watches House Television and breaks only for walks. Nelson and his father share their interest in politics with discussions every Sunday after church.

Eken and his father share a top priority: education.

the family tradition and run for the House? “That’s totally up to them. It has rewards, but also frustrations,” he said. Campaigns have become more brutal and also more expensive, he adds.

Peterson’s father also takes an interest in his son’s political life. “He gives good advice but sometimes I have to

each other at the Capitol because the elder Peterson is president of the Minnesota Farmers Union and is here to lobby for bills.

Latz’s father pounded lawn signs for him and came up with ideas for campaign literature. “He taught me that credibility is the most important currency here,” said Latz.

The elder Latz is a good strategist, says his son. “He’s been through it, he understands how the process works. He has lots of ideas for legislation and is a good reference point.”

Will there be a third generation of the Latz family in the Legislature? The answer is yes based on a photo of Latz and his 6-year-old son, who he refers to as his chief political advisor, which was recently published in *Session Weekly*.

Nelson’s two grown sons — one a mortgage banker and the other an attorney — have never said they want to run. “But like me, they love engaging in a discussion of current events,” said Nelson, who adds he wouldn’t be surprised if one or both decides to run for office sometime.

**Two generations of Nelsons have served in the House, so far. Former Rep. Howard Nelson, right, celebrated his 90th birthday in 2002 with son, Rep. Peter Nelson, center; grandson, Chad Nelson, and great-grandchild, Jackson Nelson, possible House member in 2035.**

Submitted photo



His father, who served as chair of the education committee and as majority leader, now suffers from Alzheimer’s disease. His father’s illness was a motivating factor in Eken’s decision to return to the family farm and run for office. During Eken’s first term, his father came to visit the House and received a warm greeting during a House session. Will any of Eken’s four children follow

remind him, “That’s my name on the signs,” said Peterson. His father’s advice was “Knock on doors until you can’t stand it” and “Work harder than the other guy.” They even shared a campaign manager. These days, father and son often see

## A House full

### Current members and their fathers who have served

Rep. Kent Eken (DFL-Twin Valley) and his father, Willis

Rep. Peter Nelson (R-Lindstrom) and his dad, Howard

Rep. Ron Latz (DFL-St. Louis Park) and his father, Robert

Rep. Katie Sieben (DFL-Newport), her father, Mike

Rep. Aaron Peterson (DFL-Madison), his father, Doug

Rep. Barb Sykora (R-Excelsior), her father, John Zwach




## Continued from page 14

Provisions allowing a county, town, city or school district to opt out of state mandates is included in the bill. A successful amendment by Rep. Loren Solberg (DFL-Grand Rapids) changed language that says the bodies “may,” instead of “must,” adopt rules to ensure that at least seven mandates are given priority status

and given action during the session.

Adopted amendments by members from both parties ranged from a water and sewer billing study to issues addressing the Minneapolis Teachers Retirement Fund that has continually been plagued with funding issues.

A Senate companion (SF1285), sponsored

by Sen. Sheila M. Kiscaden (IP-Rochester) awaits action in the Senate Finance Committee, although a similar provision is also included in SF1879, the Senate budget-balancing measure, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), which was approved 35-30 March 23. 

## Continued from page 15

- Expansion of harassment and stalking crimes to include the use of technology;
- Employment protection for victims of domestic abuse or close relatives of murder victims;
- Suspension of driver's licenses for theft of gasoline;
- Restraints in vehicles required for all children weighing less than 80 pounds;
- A requirement that Level III sex offenders submit to polygraph tests as a condition of release and be photographed twice a year;
- Prohibition of audiovisual recording devices in movie theaters;
- Computers would be subject to forfeiture if used to commit designated crimes; and

- Traffic signal override devices would be prohibited except for fire, police and maintenance vehicles.


Also, penalties are provided or increased for such crimes as animal fighting, knowingly providing false information about crimes, possession and sale of steroids, making false reports of police misconduct, interfering with ambulance personnel, gang-related crimes against children and identify theft.

More than 50 amendments were proposed, including one to add \$2 million for battered women's shelters and outreach.

“We’ve short-changed shelters in the state over the years. This goes part way to remedy the problem,” said Rep. Michael Paymar (DFL-St. Paul). The amendment was defeated, but he said that he’d try to amend the bill on

the House floor.

An amendment for \$602,000 to establish a five-member corrections (parole) board was also unsuccessful. Rep. Judy Soderstrom (R-Mora), who offered the amendment, said there would be savings through the early release of non-dangerous offenders whose applications were approved by the board.

If House budget Option B (racino) becomes reality, there would be about \$4.5 million more for public safety, according to Smith. Additional funding would go to meth law enforcement, supervision and treatment; to counties for care of short-term offenders; to homeless outreach grants and for youth intervention programs. 

## Continued from page 16

### Tips for contacting your legislator

**Do . . .**

**Get right to the point.**

**Be familiar with the legislative process.**

**Cover only one issue per letter.**

**Use your own words.**

**Make your letter informative.**

**Use terms they will understand.**

**Offer to testify.**

**Ask for a reply if you want one.**

**Be polite and reasonable.**

**Be sure to say “thanks.”**

**Don’t . . .**

**Don’t assume you know your legislator’s position.**

**Don’t address a legislator as “Congressman.”**

certain way, says Soderstrom. She prefers people leave their name and address so she knows who’s taking the time to contact her. For a longer message, a phone call might not get the point across, so a letter or e-mail is more appropriate.

Walker prefers phone calls, but cautions that she usually is unable to return calls immediately.

“If I get 20 calls on Monday, 20 calls on Tuesday and have committee meetings all week, I might not be able to get back to people until Friday,” she said.


### Issue vs. district communication

“I look at my mail every day, I go through it all myself and I’m looking for letters from the district,” said Davids, who chairs the House Agriculture and Rural Development Committee.

He said that committee chairs receive more statewide communication because they decide which bills are heard. Any mail Davids gets from another legislator’s district is forwarded to that legislator.

Simon’s suggestion for those who want to influence a legislator other than their own is to find someone from that legislator’s district who is willing to voice their opinion.

On the flip side, Walker responds to anyone who takes the time to contact her. Because she travels and speaks all over the state, she says, “I feel like I have a responsibility, personally, to get back to them.”

The culture of the House rewards constituent contact, says Simon. Davids best sums up the general sentiment of the members: “Our number one job is to communicate with our constituents.” 

## Monday, April 18

**HF2432—Nelson, P. (R)**  
**Environment & Natural Resources**  
 Rowing sculls exempted from watercraft license requirement.

**HF2433—Walker (DFL)**  
**Civil Law & Elections**  
 Equality of rights under the law provided for men and women and constitutional amendment proposed.

**HF2434—Meslow (R)**  
**Health Policy & Finance**  
 Sexual crime research funding provided and money appropriated.

**HF2435—Lenczewski (DFL)**  
**Taxes**  
 Dependent care credit and working family credit inflationary and family size adjustments provided.

**HF2436—Brod (R)**  
**Taxes**  
 Agricultural land valued at production value for property tax purposes and money appropriated.

**HF2437—Anderson, B. (R)**  
**Local Government**  
 Annexations by order and annexations by ordinance of area of 60 acres or fewer moratorium imposed.

**HF2438—Abeler (R)**  
**Health Policy & Finance**  
 Health plan innovation and regulation provided, health plan companies and plans requirements modified, consumer information disclosure required, reports and studies required and cost-containment initiatives implemented.

**HF2439—Abeler (R)**  
**Health Policy & Finance**  
 Coordinated care safety net programs established to provide cost-effective services to uninsured and low-income persons with chronic disease, report required and money appropriated.

**HF2440—Mariani (DFL)**  
**Health Policy & Finance**  
 Pesticides; health commissioner required to study the impact of pesticides on migrant agricultural workers and money appropriated.

**HF2441—Davids (R)**  
**Agriculture & Rural Development**  
 Agricultural farm to market account established, statutory appropriation provided for value-added agricultural projects and town road maintenance and construction provided for roads serving the needs of livestock operations.

**HF2442—Hosch (DFL)**  
**Education Finance**  
 School district flexibility provided to transfer unused debt service revenue for general purposes.

**HF2443—Nelson, P. (R)**  
**Local Government**  
 Alternative annexation process provided.

**HF2444—Knoblach (R)**  
**Taxes**  
 Rockville fire hall construction materials sales tax exemption provided.

**HF2445—Gazelka (R)**  
**Commerce & Financial Institutions**  
 Insurance producer disclosures required.

**HF2446—Gunther (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
 Ford Motor Company Ford Production System training funding provided at the Twin Cities assembly plant and money appropriated.

## Tuesday, April 19

**HF2447—Abrams (R)**  
**Taxes**  
 Public finance provisions modified relating to financial statements, investment contracts, local finance authority, conservation easements, special service districts and bonding.

**HF2448—Bradley (R)**  
**Health Policy & Finance**  
 Human services programs forecast adjustments provided.

**HF2449—Holberg (R)**  
**Transportation Finance**  
 Trunk highway construction advances interest payment provided.

**HF2450—Krinkie (R)**  
**Health Policy & Finance**  
 Nutrition and hydration sufficient to sustain life presumption established.

**HF2451—Vandever (R)**  
**Taxes**  
 Tree removal as part of land clearing contract sales tax exemption retroactively clarified.

**HF2452—Lesch (DFL)**  
**Commerce & Financial Institutions**  
 Essential employee definition expansion to include assistant city attorneys reenacted.

**HF2453—Kahn (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Relief association financial requirements modified and Minneapolis Police Relief Association provisions amended.

**HF2454—Rukavina (DFL)**  
**Capital Investment**  
 Mesabi Trail previous appropriation error corrected.

**HF2455—Knoblach (R)**  
**Taxes**  
 Rockville; city hall and fire hall construction materials sales tax exemption provided.

## Wednesday, April 20

**HF2456—Abeler (R)**  
**Health Policy & Finance**  
 University of Minnesota; U special kids program funding required and money appropriated.

**HF2457—Krinkie (R)**  
**Taxes**  
 County and city levy limits imposed.

**HF2458—Greiling (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
 Child care assistance, early childhood family education, community education, special education, and general education funding increased; child care fees reduced; temporary income tax surtax imposed and money appropriated.

**HF2459—Zellers (R)**  
**Commerce & Financial Institutions**  
 Consumer fraud private remedies actions regulated.

**HF2460—Krinkie (R)**  
**Civil Law & Elections**  
 Breach of promise of confidentiality damages provided in cases where news media violates a promise to protect a confidential source.

**HF2461—Holberg (R)**  
**Transportation Finance**  
 Transportation, Metropolitan Council and public safety funding provided; trunk highway bonds issued; vehicle plate, tax and fee provisions modified; money appropriated and constitutional amendments proposed.

## Thursday, April 21

**HF2462—Wagenius (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Teachers Retirement Association past service credit purchase and coverage election authorized.

**HF2463—Wagenius (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Teachers Retirement Association past service credit purchase and coverage election authorized.

**HF2464—Dorman (R)**  
**Taxes**  
 Truth-in-taxation notices required to state charges for services including sewer, water, street lighting and disposal systems.

**HF2465—Meslow (R)**  
**Public Safety Policy & Finance**  
 Crime victims services funding provided and money appropriated.

**HF2466—Smith (R)**  
**Governmental Operations & Veterans Affairs**  
 Hennepin County supplemental retirement program administration by the Minnesota State Retirement System authorized.

**HF2467—Hilty (DFL)**  
**Education Finance**  
 St. Croix River Education District staff development grant funding provided and money appropriated.

**HF2468—Atkins (DFL)**  
**Taxes**  
 Levy and debt limitations market valuation definition modified.

**HF2469—Vandever (R)**  
**Taxes**  
 Homestead property tax limitation provided based on the income of the homeowner.

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

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

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**Sources:** *Community Supervision of Sex Offenders*, Office of the Legislative Auditor, January 2005; Department of Corrections; Minnesota Bureau of Criminal Apprehension.

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# SESSION Weekly

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INSIDE: WHERE THE ACTION IS, NO WILD WEST, THROUGH THE GENDER LENS, MORE

This Week's Bill Introductions HF2470-HF2487



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On the cover: Rep. Doug Meslow reads "Chicka Chicka Boom Boom" by Bill Martin, Jr. and John Archambault to a group of preschool children from the Swede Hollow Head Start and Agade Child Development Center April 28 during a early childhood read-a-thon in the Capitol Rotunda. The Early Childhood Caucus, a bipartisan group of legislators, sponsored the read-a-thon.

—Photo by: Tom Olmscheid



# Focus on the students

Education bill could see floor action next week

By **RUTH DUNN**

An omnibus K-12 education bill that places a priority on increasing per pupil state aid to school districts is expected to be voted upon by the full House next week.

"It's a pretty simple bill in a lot of ways. We tried to keep the focus on students and dollars per student," said Rep. Barb Sykora (R-Excelsior), the sponsor of HF872.

The House Education Finance Committee approved the bill April 21 on a party-line vote. The House Taxes Committee was expected to finish taking action on the bill April 28 after this issue of *Session Weekly* went to press.

The bill would increase the basic education formula per pupil state aid, now at \$4,601 per pupil unit, by 3 percent in fiscal year 2006 and by 3.1 percent in fiscal year 2007. That's more than Gov. Tim Pawlenty's proposal for a 2.5 percent annual increase, but less than what the DFL-controlled Senate has proposed.

"It's a significant increase for all students in

all schools, from Minneapolis to Blackduck to Slayton. It helps every district in the state," said Randy Demmer (R-Hayfield).

The bill covers financial and policy provisions that affect general education revenue, excellence in education, special programs, facilities, technology, nutrition, accounting, early education, prevention, libraries, self-sufficiency and life-long learning.

The bill calls for an increase of \$622 million in state aid to school districts during the biennium, and another \$112 million that districts would have the option to raise locally through a variety of levies that would increase property taxes. Total K-12 education funding under state budget Option A would be \$12.4 billion over the biennium and \$12.6 billion under Option B, if the racino bill (HF1664) becomes law.

A rural/metro split arose early in the bill's discussion by the House Taxes Committee when rural legislators tried unsuccessfully to

## Some elements of the omnibus K-12 education bill

- Per pupil basic aid state funding: Increase 3 percent in fiscal year 2006 and 3.1 percent in fiscal year 2007.
- Gifted talented funding: ongoing \$15 per pupil plus \$3 per pupil start-up costs for first year.
- Special education and deferred maintenance: allows districts to raise more money locally.
- Early Childhood and Family Education: increases \$16 for each district resident under age 5 in fiscal year 2006 and up another \$10 in fiscal year 2007.
- Community education: increases funding from \$5.23 to \$6 per district resident beginning in fiscal year 2007.
- Teacher compensation: allocates \$98 million during the biennium for some districts to phase in alternative compensation programs for teachers.
- Compensatory aid for low-income students: no increase.
- Transportation aid for sparsely populated districts: 8 percent increase.
- Safe schools levy: \$3 per pupil unit increase. School counselors added to list of eligible expenses.
- Educational evaluation assessment program: College readiness preparation and pre-ACT tests for eighth and 10th graders paid by state.
- Testing: eliminate Minnesota Basic Skills tests, now taken by eighth graders, and replace it with Minnesota Comprehensive Assessment II, as graduate requirement for students beginning with eighth graders next year.
- Referendums: raises the operating levy limit cap and also increases equalization between property-rich and property-poor districts that approve referendums.
- School buses: allows districts to levy to partially replace defective Carpenter-brand buses.
- Administrative savings: allows school districts to join together in education administrative districts to save costs.



PHOTO BY TOM OLMSCHEID

Under HF872, early childhood and family education funds would increase \$16 for each district resident under age 5 in fiscal year 2006 and another \$10 in fiscal year 2007. Photo taken at Lasting Impression Child Care Learning Center.

keep the current operating levy cap in place. The bill would allow districts, now at the current cap, to ask their property taxpayers for more money for operating expenses.

In assessing the entire bill, Sykora said, "We did some things I think we should have done a long time ago, such as gifted/talented which has not been funded for a number of years. The bill also recognizes various aspects of our state — rural, urban, suburban."

**First Reading continued on page 4**

"This bill really does do so much for our children," said Rep. Sondra Erickson (R-Princeton), who listed increased funding for school readiness, early childhood, community education along with opportunities that will better prepare students for postsecondary education as plusses.

All members did not share the joy.

"This bill is like a beehive with some honey in it, but our students are still going to get stung," said Rep. Connie Bernardy (DFL-Fridley). The proposed increase isn't enough to prevent further budget cuts and program reductions in the public schools, she said.

Rep. Mindy Greiling (DFL-Roseville) said the increase in basic aid formula should be greater since there has been no increase in per pupil basic state aid for a couple of years and in light of an economy that is now brightening. She and Rep. Dan Dorman (R-Albert Lea) unsuccessfully offered an amendment on the House floor to increase per pupil funding by 5 percent during discussion of the House resolution setting the maximum limit on General Fund expenditures for the biennium.

But the omnibus bill's biggest flaw, said Greiling, is that there is no increase in compensatory aid, which goes to school districts based on their enrollment of low-income students. Under current law, compensatory aid is linked to the basic aid formula and rises with it at the same percentage. This bill would separate the two and would require increases in compensatory aid to be considered separately.

"No increase in compensatory aid for the next biennium is essentially a decrease," Greiling said later. "It's like the rest of the formula moved on, but compensatory aid was left behind." This will hurt urban and first-ring suburbs the most, she added.

The bill expects local school districts to increase local property taxes, which is contrary to the legislative decision in 2001 to have the state take on a greater proportion of funding for K-12 education, and thus reduce reliance on local property taxes, she said.

Districts will have the option to levy locally to raise money for deferred maintenance on school buildings. But proposed increases could be reversed if a petition is signed by at least 15 percent of a district's registered voters within 30 days of the official notice being published. Districts would also be able to levy locally to pay special education costs, which are rising in many districts.

Rep. Paul Marquart (DFL-Dilworth) said discretionary levy opportunities, like those in the bill, are unfair because some districts, mostly rural, don't have as much capacity to

## Incandescent beauty

### Lighting of chandelier marks special occasions at Capitol



The immense crystal chandelier hanging high above the Capitol Rotunda was described by the *St. Paul Pioneer Press* as "a ball of fire" when it was first illuminated in 1905.

One hundred years later, it is rare to catch a glimpse of that glow. The chandelier is lighted only for special occasions, such as Statehood Day May 11.

As it is normally suspended 142 feet in the air, lowering the chandelier to dust crystals and change light bulbs is quite an affair.

The Mitchell Vance Company of New York made the chandelier for \$1,250. Contract specifications stated the design was to include "a hoisting and lowering mechanism, consisting of a windlass or other approved mechanism, located in the space between the inner and outer dome of the building," according to Minnesota Historical Society records.

The society's files indicate the chandelier was cleaned in 1910, 1951 and 1979.

Department of Administration Architect Gary Paulsen was on hand for the January 1979 cleaning and he documented his observations of the chandelier's construction in an internal memorandum dated Jan. 16, 1979:

- Diameter - 6 feet, 3 inches,

- Circumference - 19 feet, 4 inches,
- Height - 6 feet plus,
- 92 light bulbs,
- Nickel-plated metal ribs provide framework,
- Glass-cut faceted beads strung on metal wires between the ribs,
- Bead diameters - 7/8 inch and 3/4 inch,
- 3 top-hinged access doors measuring 16 inches x 4 feet and a circular removable bottom panel approximately 13 inches in diameter.

Paulsen estimated the weight of both the chain and the chandelier to be 2,500 pounds.

That year, the mechanical lowering system was replaced with a 2-ton electric hoist unit, said by Paulsen to move at a speed of 24 feet per minute.

Minnesotans will have an opportunity to view the glowing orb on May 6. The Minnesota Historical Society State Capitol Historic Site is sponsoring a free event at the Capitol from 7 to 9 p.m. that will feature the lighting of the chandelier and a tour focusing on restoration and preservation efforts. For more information, call (651) 296-2881 or log on to [www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc).

(N. Wood)

(Information courtesy of Minnesota Historical Society State Capitol Historic Site)



PHOTO BY TOM OLSCHIED

The Capitol's crystal chandelier looms large for onlookers on the second floor as the globe is lowered to the Rotunda floor for a cleaning and restoration project in the 1970s.

## ★ AGRICULTURE

### E20 by 2013

After nearly four hours of deliberation, the House voted 91-43 April 27 to double the state ethanol mandate by 2013, under certain conditions. HF223/SF4\* now returns to the Senate.

Currently, motor vehicle gasoline sold in Minnesota is required to contain 10 percent agriculturally derived ethanol by volume. The mandate, in place since 1997, is commonly referred to as "E10."

The bill, sponsored by Rep. Gregory M. Davids (R-Preston) and Sen. Dallas C. Sams (DFL-Staples), would raise the required ethanol/gasoline blend to 20/80 by the year 2013 unless, by Dec. 31, 2010, either the state is already using a 20 percent denatured ethanol blend in the gasoline supply or federal approval has not been granted for the E20 blend.

The benefits to increased ethanol use would be cleaner air, "breaking our addiction to foreign oil," and "stronger economic development at home," Davids said.

Under the bill, an E20 blend could not be deemed defective under any theory of liability except for negligence. The immunity would not apply to liability arising under certain specific conditions related to water pollution, leaking underground storage tanks and other environmental or public health damages.

Rep. Joe Atkins (DFL-Inver Grove Heights) successfully amended this language into the bill in place of broader immunity language that he described as "unprecedented total immunity."

Also under the bill, the Agriculture Department, in consultation with the Department of Employment and Economic Development and Pollution Control Agency, is directed to review the effects of E20 on the ethanol industry and Minnesota consumers.

Citing concerns over the effects of ethanol on small engines, Rep. Bruce Anderson (R-Buffalo Township) successfully added a provision that would require the governor to petition the U.S. Consumer Product Safety Commission to issue an advisory opinion on whether E20 gasoline would create a "substantial product hazard" or "unreasonable risk of injury" when used in motorcycles, outboard engines, lawn and garden products and other small engines.

The floor debate was chock full of amendments.

Davids successfully offered a delete-all amendment that altered the bill as it had been

crafted by six House committees.

Both Reps. Margaret Anderson Kelliher (DFL-Mpls) and Mary Liz Holberg (R-Lakeville) spoke against the procedure.

"What you saw happen today was an amendment brought to the floor that totally disregarded the committee process," said Holberg.

However, an amendment offered by Rep. Ron Erhardt (R-Edina) to revert to the language approved in the House Ways and Means Committee, the bill's previous stop, failed.

Other opposition to the bill came from members concerned about the use of the pesticide atrazine on the corn crops used in ethanol production. It's banned in Europe and restricted in Wisconsin, they said, because of environmental and health concerns.

"Just because I say to you, 'Hey, this atrazine stuff is a problem,' don't tell me I'm anti-agriculture," said Rep. Keith Ellison (DFL-Mpls). "I'm for ag, I'm just not for sexual abnormalities caused by pesticides."

### The ability to pay

A farmer's property tax bill is now based on the value of his or her land and that can cause problems in bad production years.

Rep. Laura Brod (R-New Prague) is sponsoring HF2436, which would establish a system for agricultural land to be valued based on its production value, beginning with taxes payable in 2008. There is no Senate companion.

A state board of agricultural land valuation would be created and charged with developing a system for valuing land based on how much crop is produced, commodity prices and the return on investment.

The bill was heard April 26 by the Property and Local Tax Division of the House Taxes Committee and held over for possible inclusion in the division report.

Under the current system, farm values are driven up artificially, according to Chris Radatz, director of Public Policy for the Minnesota Farm Bureau. He believes this system would better reflect the farmer's ability to pay.

However, Rep. Ron Abrams (R-Minnetonka) said the bill would shift the tax burden to commercial and industrial properties, plus homeowners. "There's going to be certain taxpayers who get their legislator to sponsor bills, then there's going to be the great mass of taxpayers holding the bag," he said.

"We have seen a lot of bills to try to deal with some unfairness in the system," Brod said. "Until we can have a broader discussion of the role of property taxes there will be tinkering."

## ★ ARTS

### Art with alcohol

Gov. Tim Pawlenty has given his OK for the Walker Art Center to serve alcohol by signing a bill into law April 22.

The legislation, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. D. Scott Dibble (DFL-Mpls), allows the city of Minneapolis to issue a liquor license to the center's concessionaire or operator of a restaurant and catering operation on the center's premises. The license will authorize liquor sales seven days a week.

The law will take effect upon approval by the Minneapolis City Council. The recently renovated center reopened April 17.

HF1376/SF1535\*/CH24

## ★ BONDING

### Correcting a provision

When the capital investment bill became law April 12, 2005, there was a technical error in the language.

HF2454, sponsored by Rep. Tom Rukavina (DFL-Virginia), would correct a location description in an appropriation for the Mesabi Trail.

"It's the Senate's fault or your fault, whichever way you look at it because you accepted the Senate language, and the Senate language was wrong and the House language in the bill was correct," Rukavina told the House Capital Investment Committee April 26. His response came after Committee Chair Rep. Dan Dorman (R-Albert Lea) asked why the bill was before the committee.

"I apologize for trusting those darn senators," said Dorman, the House sponsor of HF3\*/SF1.

The bill simply changes a pair of highway numbers describing the location of the Mesabi Station.

Recommended to pass by the committee, the bill awaits action by the full House.

A companion bill (SF2245), sponsored by Sen. David J. Tomassoni (DFL-Chisholm), awaits action by the Senate Finance Committee.

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

## BUSINESS



### Cosmetology regulations become law

**Signed  
by  
the  
governor**  
★ ★ ★

Technical changes in the transfer of cosmetology regulation from the Department of Commerce to the newly expanded Board of Barber and Cosmetologist Examiners have become law. Gov. Tim

Pawlenty signed the legislation April 22.

The law covers items that were not included or overlooked when the transfer was accomplished by the 2004 Legislature.

Rep. Connie Ruth (R-Owatonna) and Sen. Thomas M. Bakk (DFL-Cook) sponsored the legislation, which takes effect Aug. 1, 2005.

HF1650\*/SF1559/CH27

## CONSUMERS



### Better the second time

**Signed  
by  
the  
governor**  
★ ★ ★

After vetoing the omnibus liquor bill last year, Gov. Tim Pawlenty signed this year's bill into law April 22. It did not contain a provision concerning the sale of alcohol near a state facility in

Walker, which caused last year's veto.

Rep. Joe Hoppe (R-Chaska) and Sen. Sandra L. Pappas (DFL-St. Paul) sponsored the legislation that conforms license fees and production levels for brewpubs and small brewers, authorizes temporary licenses to small brewers and modifies other municipal licenses.

The law allows liquor licenses to be issued by St. Paul for special events at the State Capitol and by Duluth for Wade Municipal Stadium. It also permits Elko Speedway to sell liquor seven days a week and transfers from St. Paul to Ramsey County the authority to issue licenses to state fair vendors to sell Minnesota-produced wine.

The provision regarding license fee conformity is effective July 1, 2005, the permit for Elko Speedway is effective on approval by the Elko City Council and the rest of the law is effective April 23, 2005.

HF286/SF171\*/CH25

## EDUCATION



### Parent power

Parents would decide whether their twins, triplets, quadruplets or quintuplets should be placed in the same classroom under HF130/SF180\*, which was passed by the House 131-0 April 26.

## WINDOW WATCHING



PHOTO BY ANDREW VONBANK

**French windows and a state representative are silhouetted in the House retiring room during the April 22 floor session.**

Rep. Marty Seifert (R-Marshall) said he sponsored the bill after parents came to him with stories of schools that would not follow their wishes for placement of their multiple-birth children in the same class. Research shows that multiples, especially in the elementary school years, often do better in school if they are together, said Seifert.

The bill gives parents the first right of choice for placement of their children. Some parents may want their multiple-birth children together, but others may want them in separate classrooms.

Seifert said the bill includes an element of local control. If multiple-birth children are disruptive in a classroom a principal could request that the school board determine a new placement for the children after the initial grading period.

Sen. Dennis R. Frederickson (R-New Ulm) sponsors the bill in the Senate, where the measure passed 64-0 March 17.

The bill now goes to Gov. Tim Pawlenty for his consideration.

## EMPLOYMENT



### Jobs and economic development

The House Jobs and Economic Opportunity Policy and Finance Committee omnibus bill, approved April 21, appropriates almost \$385 million for jobs and economic development for the 2006-07 biennium, but not everyone is happy.

HF1976, sponsored by Committee Chair Rep. Bob Gunther (R-Fairmont), was approved on a party-line vote, before receiving House Ways and Means Committee approval April 27. It awaits action on the House floor. There is no Senate companion.

"The powers that be decided that other committees needed more money, and to do that they had to take money from us," Gunther said.

Taking \$33 million in human services money available from fiscal years 2004 to 2007 and moving it to the General Fund to help balance the budget accomplished that.

"I'm saddened that we're doing this," said Rep. Tim Mahoney (DFL-St. Paul). "I know how it pains you to put budgets like this forward. The governor did a disservice to the state with his budget."

Funding in the bill includes more than \$63 million for the Minnesota Housing Finance Agency, including \$7.4 million for programs to help the homeless and \$3.2 million for rental housing assistance for the mentally ill.

More than \$54.2 million would go to workforce services, including \$23.4 million for extended unemployment services for people with severe disabilities, nearly \$9.9 million for State Services for the Blind activities, \$2 million to help mentally ill people find and keep jobs, and \$350,000 would go to the Minnesota Employment Center for People who are Deaf or Hard-of-Hearing.

Included in the \$45.3 million allocated for the Minnesota Historical Society operations is \$1.49 million for the operation of seven historic sites: Oliver H. Kelley Farm, James J. Hill House, the Lower Sioux Agency, Fort Ridgely, Historic Forestville, the Forest History Center, and the Comstock House; \$120,000 for Capitol tours, while prohibiting the society from charging a fee for general tours; and \$50,000 for the Sesquicentennial Commission.

A total of \$45.1 million would go to the Department of Labor and Industry, including \$20.6 million for workers compensation.

The bill offers \$14.9 million for business and community development, including \$500,000 to start a revolving loan fund for cleanup of methamphetamine labs, a grant of \$300,000 each for WomenVenture for

women's business development programs and to the Rural Policy and Development Center at Minnesota State University, Mankato for operations; \$200,000 each to the Metropolitan Economic Development Association for minority business development programs in the Twin Cities metropolitan area and to help small businesses access federal money through consulting and training. Another \$100,000 would go to the Minnesota Inventors Congress in Redwood Falls.

Another \$14.9 million would go to workforce partnerships, including \$1.75 million to programs at the Operations Industrialization Centers around the state to provide education and job training for disadvantaged people, and \$500,000 to Twin Cities RISE! to provide jobs training for disadvantaged people.

### Teachers who serve

New public school teachers, who leave in the midst of their probationary period to serve in the military, would be able to return from active duty and pick up where they left off on their consecutive service, under a bill passed by the House 130-0 April 26 and the Senate 58-0 the next day.

New teachers are required to work three consecutive years before they can be considered for tenure, according to Rep. Randy Demmer (R-Hayfield), who sponsors HF1144/SF244\* with Sen. Sheila M. Kiscaden (IP-Rochester).

Under current law, probationary teachers have had to start over and lose credit for the one or two years they taught before leaving for military duty.

Teachers would not get credit for teaching time while they are serving in the military, said Demmer.

The bill now awaits the signature of Gov. Tim Pawlenty.

## ★ ENVIRONMENT

### Environmental funding

The state would dedicate nearly \$1 billion toward environmental protection and natural resources management over the next two years, under a bill approved by the House Taxes Committee April 27.

HF902, sponsored by Rep. Dennis Ozment (R-Rosemount), now moves to the House Ways and Means Committee. There is no Senate companion to the bill as an omnibus finance package.

Articles 1 and 2 of HF902 embody Option B and Option A, respectively, under the environmental spending target set by the House

committee budget resolution (HR8). The target is below the governor's budget recommendation by \$3 million in Option B and by \$14.4 million in Option A.

General Fund spending under Article 1 would equal the \$285.88 million target set under Option B; however total spending would reach \$999.09 million when other environmental funding sources such as lottery proceeds, license and permit fees, and federal dollars are added to the mix.

More than half of the overall package – \$609.41 million – would be directed toward the Department of Natural Resources for myriad responsibilities, such as wildlife, minerals, and forestry management, state park operations, habitat improvement, game and fish law enforcement and off-road vehicle trail development.

Policy language in the bill would:

- allow conservation officers and other peace officers to issue civil citations for wetlands violations by off-highway vehicle riders, with penalties set at \$100 for the first offense, \$500 for the second and \$1,000 for subsequent offenses;
- direct the department to establish an off-highway vehicle safety and conservation grant program to encourage vehicle clubs to participate in safety and environmental training;
- increase some fees, including cross country ski passes and watercraft licenses; and
- specify that boat trailers could be subject to seizure and forfeiture by the department because of a DWI arrest.

Under the bill, the Pollution Control Agency and Office of Environmental Assistance would be merged into one department. The new entity would be known as the Department of Environmental Protection.

The bill would allocate \$267.65 million to the department for land, water and air monitoring, regulation enforcement, environmental education and recycling efforts. A \$25 million appropriation would support SCORE grants to counties for recycling programs and solid waste management. Another \$4.7 million would be earmarked for technical assistance and money to local governments for water pollution clean-up and prevention. The bill specifies that these dollars could support restoring designated impaired waters. It contains the policy provisions of the so-called Clean Water Legacy Act (HF826), including the creation of a Clean Water Council, without the funding mechanism and appropriations.

A number of environmental projects would be funded through a \$39.28 million appropriation to the Legislative Commission on Minnesota Resources, although the bill would eliminate the commission and establish the

Minnesota Conservation Heritage Council in its place to make decisions on Environmental and Natural Resources Trust Fund spending.

Smaller biennial budget amounts would include \$33.28 million for the Minnesota Zoological Board, \$31.39 million for the Board of Water and Soil Resources and \$14.9 million to the Metropolitan Council for regional parks.

The Minnesota Conservation Corps would receive \$1.68 million and the Science Museum of Minnesota appropriation would be set at \$1.5 million.

If the House fails to pass a gaming measure, Article 2 would become a reality in order to meet the General Fund spending target of \$274.48 million. Under that scenario, funding would be reduced for the following agencies:

- Department of Natural Resources (-\$8.31 million); however, reductions to the Reinvest in Minnesota program forwarded in the Article 1 funding plan would be canceled out by \$691,000;
- Board of Water and Soil Resources (-\$1.41 million);
- Department of Environmental Protection (-\$1 million);
- Minnesota Conservation Corps (-\$700,000);
- Metropolitan Council parks (-\$600,000); and
- Science Museum of Minnesota (-\$70,000).

### St. Paul water supply

A bill on its way to the governor's desk would give the city of St. Paul a backup water supply plan in the event of an emergency such as a terrorist threat, drought or contamination.

HF1327/SF1252\*, sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Ellen R. Anderson (DFL-St. Paul), would grant legislative approval for the Department of Natural Resources to issue the city's water board a consumptive use of groundwater permit to draw more than 2 million gallons per day average in a 30-day period.

The House passed the measure 127-5 April 27, nine days after the Senate passed it 65-0.

The city primarily pulls from the Mississippi River. Using backup wells would require obtaining the permit.

Under the bill, the permit is subject to a determination by the department that the water remaining in the basin from which the backup wells draw would be adequate to meet the basin's need for water.

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

## FAMILY



### Granting siblings access

**Signed  
by  
the  
governor**  
★ ★ ★

Siblings will now be able to request a death certificate for a brother or sister, under a law signed by Gov. Tim Pawlenty April 22.

Under current law, the state or local registrar can only issue a certified birth or death record or a statement of no vital record found to a person who has a "tangible interest in the requested record."

Previously, a person with a tangible interest was limited to the person of the vital record, children, the spouse, parent, grandparent or grandchild. If the requested record is a death certificate, the law now includes a sibling.

Sponsored by Rep. Neva Walker (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls), the law takes effect Aug 1, 2005.

HF1268/SF271\*/CH23

## GAME & FISH



### Managing hunters and anglers

Limiting "palaces in the poplars" on public lands and improving the quality of walleye in Minnesota lakes are two of the goals of an omnibus game and fish bill that was passed by the House 117-16 April 27.

HF847, sponsored by Rep. Joe Hoppe (R-Chaska), now moves to the Senate, where Sen. Tom Saxhaug (DFL-Grand Rapids) is the sponsor.

Under the bill, anglers would see the statewide walleye length limit changed from one greater than 24 inches to one greater than 20 inches. Another fishing-related provision would clarify the way fish length is measured — from the tip of the nose or jaw to the tip of the tail, whichever is longer — to account for species that have a lower jaw that extends beyond the nose.

Hunting provisions in the bill would place restrictions on leaving waterfowl decoys unattended for more than two consecutive hours, prohibit the use of decoys that spin or flap to simulate wing movement and allow for the use of laser sights by totally blind hunters if they have assistance.

House Majority Leader Erik Paulsen (R-Eden Prairie) successfully amended the bill to include a provision that would prohibit the use of computer-assisted remote hunting.

"The concept of sitting at a computer screen playing a video game and activating a remote-controlled firearm to shoot an animal, I think is not hunting," he said. "It takes away the element of fair chase."

Rep. Denny McNamara (R-Hastings) successfully offered an amendment that would prohibit any permanent stand or blind on public land from having a permanent roof or a permanent wall. The roll-call vote was 68-63, with opponents questioning how it would be enforced or how it would affect elderly hunters.

Rep. Cy Thao (DFL-St. Paul) said he supported the amendment because it could prevent hunter conflicts. "The ownership appears more permanent as the stands become more elaborate," he said.

"I think we want to try to avoid conflicts," Hoppe said. "It's a little different when you have some 2-by-4s that are 10 feet up in the air with maybe a couple of 2-by-4s for braces around the sides as opposed to a palace in the poplars."

## GOVERNMENT



### A new way of doing things

Gov. Tim Pawlenty initiated a study of how state government does business, resulting in the Drive to Excellence campaign. The House State Government Finance Committee approved a bill April 27 that incorporates some of those changes proposed to streamline state government.

Sponsored by Rep. Marty Seifert (R-Marshall), HF2243 would make the Office of Technology (OT) an independent agency, instead of an office within the Department of Administration. The office would be under the direction of the state Chief Information Officer (CIO), who would be appointed by the Governor. The office would oversee Internet technology throughout the state's systems.

The bill helps create "one stop shopping" through the implementation of streamlined technology, said Administration Commissioner Dana Badgerow.

According to the bill, "The office shall provide oversight, leadership, and direction for information and telecommunications technology policy and the management and delivery of information and telecommunications technology systems and services in Minnesota."

According to the nonpartisan House Research Department, examples of office duties include:

- manage use of resources to develop statewide information and communications technology,
- approve state agency information and communications systems development efforts,
- ensure cooperation and collaboration, and
- eliminate unnecessary duplication of services.

The bill next goes to the House Ways and Means Committee.

A Senate companion (SF2032), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action in the Senate Finance Committee. A similar provision is also included in SF2266, the Senate omnibus state appropriations bill, sponsored by Sen. Richard J. Cohen (DFL-St. Paul).

### Government financing

The House April 22 passed the state government finance omnibus bill 111-23 that totals \$476 million for the 2006-07 biennium.

Cuts and eliminations are proposed for state agencies, commissions, and state grants. Many changes mirror the governor's \$490 million proposal.

"Let's show the people of Minnesota that, on a bipartisan basis, we can pass a finance bill," said Rep. Marty Seifert (R-Marshall), who sponsors HF1481.

Both the House and Senate would receive 2.5 percent across-the-board cuts under the bill.

Also facing possible reductions are: the Legislative Coordinating Commission; the offices of the governor, legislative auditor, attorney general, and secretary of state; the Black Minnesotans, Chicano Latino Affairs, Asian-Pacific Minnesotans and Minnesota Indian Affairs councils; Finance and Revenue departments, various offices in Department of Administration, public subsidy funding for the Campaign Finance and Public Disclosure Board and AMPERS, a statewide public radio network.

All funding would be eliminated for the Minnesota Amateur Sports Commission, that includes a Target Center appropriation, Department of Administration's Local Planning Assistance office and Minnesota Public Radio equipment grants.

Initially planned to be eliminated, an amendment successfully offered by Rep. Phyllis Kahn (DFL-Mpls) would allow for the Legislative Commission on the Economic Status of Women to remain, but without funding. "Members, this is the cheapest women's vote you'll ever make," she said.

Programs and governmental bodies that would receive new and additional funding, under the bill, include: the Mississippi Parkway Commission, restoration of state auditor audit practice staff, assistive technology grants, Department of Revenue enhanced tax compliance and Minnesota Racing Commission administrative expenses.

Military personnel would receive added benefits under the bill, including 100 percent tuition reimbursement for Minnesota



National Guard soldiers. Re-enlistment incentives for retired members of the Guard would be paid at a higher rank than when they retired based on special skills or experience of a person called back to duty.

The Department of Veterans Affairs would receive funding for an outreach program to underserved minority veterans and another for vocational rehabilitation and chemical dependency grants for veterans. The Veterans of Foreign Wars, Military Order of the Purple Heart and Disabled American Veterans would all receive increased funding.

The bill now goes to the Senate where Sen. Sheila M. Kiscaden (IP-Rochester) is the sponsor. A similar provision is also included in SF1879, sponsored by Sen. Richard J. Cohen (DFL-St. Paul). That bill passed the Senate 35-30 March 23.

## ★ HEALTH

### Maple Grove hospital approved

The House agreed 126-5 that a new hospital is needed in Maple Grove, but disagreed on the process for deciding which company should own and operate it.

HF1915, sponsored by Rep. Kurt Zellers (R-Maple Grove), would grant an exception to the hospital construction or modification moratorium and allow an existing hospital to relocate or redistribute beds from its current site to a new Maple Grove facility.

"This is intricately important for our community," Zellers said prior to the April 26 House vote.

The bill would give the project to North Memorial Health Services, which Zellers called "the hometown team."

Rep. Thomas Huntley (DFL-Duluth), the lone member of the House Health Policy and Finance Committee to vote against the bill in an April 4 committee hearing, also opposed the bill on the House floor. He said objective criteria should be established for selecting which hospital should build the new facility.

Fairview Health Services and Tri-Care Partnership had also submitted proposals to build the hospital, which prompted some members to question why the House was deciding which company should get the proposal.

Rep. Larry Howes (R-Walker) unsuccessfully offered an amendment that would require the health commissioner to select which hospital would get the project. The amendment would also require the hospital to provide uncompensated care, behavioral health services that would include mental health services, clinical training programs and senior services.

"I don't think 134 members of the House should decide who owns and operates the hospital," Howes said.

Since 1984, Minnesota law has prohibited the construction or expansion of hospitals without legislative approval. Eighteen exceptions have previously been granted.

Rep. Torrey Westrom (R-Elbow Lake) unsuccessfully offered an amendment to do away with the moratorium. He said the amendment would allow hospitals to compete in an open marketplace, which would drive down health care costs.

"Let the consumers have more choice," Westrom said. "Let the marketplace work."

Zellers successfully amended his bill to clarify that 180 new beds would be included in the hospital project that would begin operation in 2010.

The bill now heads to the Senate, where Sen. Warren Limmer (R-Maple Grove) is the sponsor.

## ★ HUMANITIES

### Dignity for the dead

**Signed  
by  
the  
governor  
★ ★ ★**

A cemetery located at Cambridge State Hospital will be renamed the Garden of Remembrance, under a new law signed April 26 by Gov. Tim Pawlenty.

One of about 15 state cemeteries that are often neglected and in out-of-the-way locations, the people buried at the Cambridge location primarily had developmental disabilities or mental illnesses.

Their gravesites had no identification or had numbered markers, said Jim Fassett-Carman, community organizer with Remembering With Dignity. The group works to honor those who have lived and died in state institutions.

"We do not shun people with disabilities in society. Making state cemeteries respectable, accessible places, regularly maintained, marked with people's names is what we hope to accomplish at state cemeteries around Minnesota," he added.

Remembering With Dignity worked with the Department of Human Services, the National Alliance for the Mentally Ill, the Minnesota Extended Treatment Options program in Cambridge and churches in the area to place named grave markers in the Cambridge cemetery.

The new law takes effect Aug. 1, 2005. It is sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Sean R. Nienow (R-Cambridge).

HF1820\*/SF1868/CH29

## ★ INDUSTRY

### Auctioneer numbers unchanged

Auctioneers may be able to retain their license numbers issued by county auditors, under a bill that would modify the license's numbering requirements.

Sponsored by Rep. Lyle Koenen (DFL-Clara City) and Sen. Gary W. Kubly (DFL-Granite Falls), HF1621/SF453\* was passed by the House 131-0 April 26. Because it was already passed 64-0 by the Senate March 14, it now

## PLANNING TO PLAN



PHOTO BY ANDREW VONBANK

Senate Majority Leader Dean E. Johnson, left, visits with House Speaker Steve Sviggum during the April 27 House floor debate on the ethanol bill.



awaits the governor's signature.

"This bill allows auctioneers to keep the same license number from year to year," Koenen said, noting that the bill has the support of auctioneers. Under current law, auctioneer licenses are issued for one year and numbers can change each time they're issued, presenting a problem for auctioneers who want to include their numbers in printed materials.

The bill would require the license to contain a number that individually identifies the auctioneer holding the license.

## LAW



### Passing on the estate

**Signed  
by  
the  
governor**  
★ ★ ★

A bill making minor changes to the state's probate law, but also addressing a loophole in how an estate can be divided among children and grandchildren, was signed into law by Gov. Tim

Pawlenty April 22.

The provisions deal with the statute that specifies how an estate can be divided among children listed in a will. According to statute, even if a child is born or adopted after the will is written, that child is entitled to an equal share of the estate as specified for the named children.

The new law, effective Aug. 1, 2005, clears up an oversight that did not provide for an inheritance to be passed on to the children of that later born or adopted child in the case of that child's death. This omission effectively wrote those children out of the original will.

According to testimony during a House Civil Law and Elections Committee, this change to the statute was brought forward because this situation happened with a family.

Rep. Paul Thissen (DFL-Mpls) and Sen. John C. Hottinger (DFL-St. Peter) sponsored the law.

HF368/SF392\*/CH26

### To have and to hold

If you file bankruptcy, you may be able to keep your wedding ring off the hands of creditors, under a bill passed by the House 132-0 April 27.

Rep. Mark Olson (R-Big Lake), the House sponsor, said HF473 would protect, in bankruptcy proceedings, wedding rings in the possession of the debtor, with a cumulative value of no more than \$1,225.

He said the bill's intent is to "create a modest exemption" so that rings aren't taken as part of a settlement.

The bill would extend the current

protection offered to debtors, which now includes clothes and household furniture not to exceed \$4,500 in value.

Olson said the bill would cover lower income people and that attorneys have told him this figure would apply to most bankruptcies.

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

## LOCAL GOVERNMENT



### Anoka County laws codified

**Signed  
by  
the  
governor**  
★ ★ ★

A new law, signed by Gov. Tim Pawlenty April 26, codifies Anoka County laws into a single chapter in Minnesota statutes.

Rep. Char Samuelson (R-New Brighton), who sponsors the law with Sen. Don Betzold (DFL-Fridley), said the measure, "simply organizes the special laws that have been passed throughout the years. ... Anoka County has 77 special laws in effect from 1955, and others that are no longer relevant, in conflict, or superseded by new laws that go back as far as 1858."

The county laws are found, the year they were enacted, in session laws and can be missed when legal research is conducted. The measure will organize the laws "for an easy, accurate reference," Samuelson said. Other counties such as Dakota, Hennepin, Ramsey and St. Louis have all codified their laws in the same way.

The new law is effective April 27, 2005.

HF656/SF451\*/CH28

### A new port authority

The city of Wabasha would be permitted to establish a port authority, under a bill passed by the House 131-0 April 26.

"The port authority statute will provide the city of Wabasha with expanded revenue generating sources to establish economic development. That, in simple regard, means jobs," said Rep. Jerry Dempsey (R-Red Wing), sponsor of HF1333.

The bill would establish a port authority commission that could exercise the same powers as a municipal housing and redevelopment authority.

According to the nonpartisan House Research Department, the bill would give the same authority to Wabasha as other cities, including: Fergus Falls, North Mankato, Detroit Lakes and Breckenridge.

"We need to steer economic growth to our community ... but we need jobs," Wabasha Mayor Peter Klas earlier told a House committee.

It now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

## SAFETY



### Public safety omnibus

An amendment calling for chemical castration of some sex offenders was among several amendments added to the omnibus public safety bill during discussion on the House floor April 28.

After more than six hours of debate, the discussion was still underway as this issue of *Session Weekly* went to press. For an update on the story, check out Session Weekly Extra at <http://www.house.leg.state.mn.us/hinfo/swx.asp>. If passed, the bill would go to the Senate.

"This is an important bill that moves a number of initiatives forward that are part of a vision of a safer Minnesota," said Rep. Steve Smith (R-Mound), sponsor of HF1.

The first job of any government is to protect its citizens, and that's why this bill has the significance of being designated HF1, he added.

The omnibus bill outlines nearly \$1.7 billion in spending for courts, public safety and corrections over the next two years.

Smith said the bill calls for life sentences without the possibility of release for the "worst of the worst," convicted first-degree criminal sex offenders whose crimes involve force, violence, a dangerous weapon, personal injury to the victim or abuse involving multiple acts over an extended period of time.

The bill also increases penalties for other sex offenders and methamphetamine users and provides funds for increased beds at state prisons.

An amendment successfully offered by Rep. Tom Emmer (R-Delano) would allow people who have committed sex crimes to undergo asexualization or chemical castration in addition to any other penalty allowed by law for their offense. It could be voluntary or ordered as a condition of released supervision. Nine other states, including Wisconsin and Iowa, already have a similar law in place, according to Emmer.

People currently required to register as Level III sex offenders would be required to have license plates and driver's licenses or state identification cards that identify them as a "predatory offender," under another successful amendment offered by Emmer.

The omnibus bill calls for DNA testing of all people arrested for felonies beginning in 2010. An amendment successfully offered by Rep. Doug Meslow (R-White Bear Lake) would have the samples destroyed if the person were not convicted.

An amendment offered by Rep. Judy

Soderstrom (R-Mora) to create a three-member parole board that would consider early release for non-dangerous prisoners was replaced by an amendment by Smith to have the Sentencing Guidelines Commission convene a working group to study the issue and report back to the Legislature by Jan. 15, 2006.

When the omnibus bill moved through the House Ways and Means Committee, a provision was removed that would have required children under age 7 to be fastened into child passenger restraint system after Jan. 1, 2008.

The committee also removed a fee that small resorts and camps would have paid for fire inspections. Rep. Michael Paymar (DFL-St. Paul) attempted to get the fee reinstated with an amendment on the House floor, but rural legislators led the opposition, saying it would be a financial hardship for struggling family-owned resorts.

To find out who represents you at the Capitol ...  
Call House Public Information Services at  
(651) 296-2146  
or 1-800-657-3550

## READER REPRESENTATIVE



PHOTO BY TOM OLMSCHIED

Rep. Maria Ruud reads "Go Away, Big Green Monster" by Ed Emberley during an April 28 early childhood read-a-thon in the Capitol Rotunda. The Early Childhood Caucus, a bipartisan group of legislators, sponsored the read-a-thon.

## What's on the Web Talkin' 'bout My Bills (My Bills)

The legislative Web site provides personalized bill tracking for House and Senate legislation within the current biennium. MyBills, as the service is called, requires an easy one-time registration of a username and password ([www.house.leg.state.mn.us/leg/billslogin.asp](http://www.house.leg.state.mn.us/leg/billslogin.asp)).

The system keeps track of House and Senate bills by bill number, subject or author. Users enjoy the benefit of viewing bill status with items of significant current action highlighted. The status is updated daily, and users can modify

their lists at anytime. Lists are retained throughout the legislative biennium.



## Frequently called numbers (Area code 651)

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# Where the action is

Love of the Legislature draws retirees back to work

By RUTH DUNN

**S**ome people retire and move to warmer climates. Others start working at the State Capitol.

"We're definitely not the snowbird type," said Arlen Restad. He and his wife, Arlene, are among retired people who give up lives of leisure to work at the Capitol during legislative sessions.

The Restads have more in common than their similar first names; they also share an interest in government. So, every morning they leave their home in Eagan and arrive in St. Paul before 7:30 a.m. to work at the House.

People say he looks like Gen. Norman Schwarzkopf or a slimmed-down Jonathan Winters, but Arlen is actually a retired corporate executive. Arlene was a homemaker when their four children were young and then worked for the

Swedish Institute in Minneapolis.

High school sweethearts who have been married for 52 years, the Restads find that working at the Capitol — during the session only — suits them fine.

Arlen is a guard at the entrance to the chamber when the House is in session and also patrols the gallery. He's gotten to know the representatives and greets them as they come in the door to the House. "They're a good group to work for," he said. Arlen especially



**Arlen and Arlene Restad married 52 years, are retirees who work as House pages during the legislative sessions.**



**Arlen Restad watches the action on the House floor April door of the chamber on session days.**

enjoys the floor debates.

Arlene works the floor as a page. Both also work as pages for House committees. He has Agriculture, Environment and Natural Resources Finance and she has Environment and Natural Resources.

Back when he was an executive with a public utility company, Arlen spent time at the Capitol lobbying for bills and testifying. He would have liked to run for office, but he was too busy with his job and moved around too much to establish a political base.

When Arlene first started working at the House, she was surprised at the sometimes-chaotic atmosphere on the floor. She had imagined the representatives would all "be sitting in their desks like well-behaved school children." She, too, enjoys the close-up look at government she gets as a page. Seeing the process in action is so much better than just reading about it in the newspaper or seeing it on TV, she said.

The Restads may have more gray hair and life experiences than the "typical" page, who is 24 to 26 years old, but the couple fits right



PHOTOS BY TOM OLMSCHIED

14 from the House Gallery. Restad splits his duties between patrolling the gallery and working at the front

***“Retired people who come to work at the Capitol tend to be social people who don’t want to just sit at home when they retire. They are people who had successful careers and they have an interest in government. They want to be where the action is.”***

— Andrew Carter  
Supervisor of House pages

in with the rest of the group. Arlen and Arlene enjoy being around the other pages and have taught several how to play cribbage, a favorite game of theirs, on breaks.

“It’s hard to retire and just quit,” said Arlen, who loved his work and admits he was a workaholic. He got the idea to work at the House when he was visiting his legislator in St. Paul in 2000. He applied and was hired for the session that began in early 2001. “I’ve enjoyed every minute. It’s fun to be here,” he said.

Arlene retired last August and thought she would just stay home but quickly realized she wanted something more. “I like to be among people and I like to be busy,” she admits.

“It’s so awesome to be here,” said Arlene who loves walking into the Capitol and seeing the beautiful décor and architecture. “It never ceases to amaze me. I’m lucky to be here.”

Arlen’s friends will sometimes jest him, “I thought you’d retired, so why are you working?” Both would like to continue working at the House for years to come.

Their session job is a way for the couple to keep active in mind and body. The job keeps Arlene moving and her pedometer proves it. She logs at least four miles a day. Both say they’re learning a lot about the legislative process and current events. They spend the money they earn on their grandchildren.

Andrew Carter, 1st assistant sergeant at arms and supervisor of the House pages, would be pleased if more retired people stayed in Minnesota for the winter and worked as pages. He’s impressed with the work ethic and dependability of retired people.

“Retired people who come to work at the Capitol tend to be social people who don’t want to just sit at home when they retire,” said Carter. “They are people who had successful careers and they have an interest in government. They want to be where the action is.”

When the session ends, the Restads migrate north to Detroit Lakes, their hometown. They own a cabin, built in the early 1900s, with a front porch and a great view where they can enjoy a lifestyle nicely balanced between the Legislature and the lake.



**Arlene Restad listens to testimony during the April 14 meeting of the House Transportation Finance Committee. On session days, she can also be found in Room 214 of the State Capitol taking messages for House members.**

# Working together

## Committee approves linking gambling proposals

By MATT WETZEL

**W**hile playing blackjack, a gambler doubles down on the bet to have the best opportunity to potentially double the winnings.

Proponents for expanding gambling are doubling down on bills that would provide for more betting opportunities at or near Canterbury Park in Shakopee.

A plan to combine previously introduced gaming proposals, while still expecting to provide hundreds of millions of dollars to the state, was approved April 22 by the House Jobs and Economic Opportunity Policy and Finance Committee on a party-line vote. Officially introduced April 26, the bill next awaits action by the House Taxes Committee. It has no Senate companion.

Rep. Bob Gunther (R-Fairmont), sponsor of HF2482, wanted the bill to bypass the committee and go directly to the House Ways and Means Committee, but an April 26 motion by Rep. Ann Lenczewski (DFL-Bloomington) on the House floor changed that. The House approved her motion to send the bill to the House Taxes Committee 79-53. "There are many tax implications for the state," said Lenczewski.

"This is very well-crafted and carefully crafted not to have taxes in it. If the chairman of the Taxes Committee wants to have it, let him ask for it," Gunther said.

Rep. Anthony "Tony" Sertich (DFL-Chisholm) disagreed, "The implications are there, it's just not written," he said.

House Taxes Committee Chair Rep. Phil Krinkie (R-Shoreview) said, "I think we should have that discussion in the taxes committee."

The bill calls for the state to enter into a contract with Canterbury Park and most likely the White Earth Band of American Indians. Two casinos, with a total of 4,000 slot machines, would be built at or near the Shakopee racetrack. The casinos are expected to provide more than \$150 million annually into state coffers.

Each licensee would have to make a one-time payment of \$150 million for a gambling license, then another \$50 million after two

years, or when the permanent facility opens, whichever comes first. The license would have to be renewed every two years.

The tribal entity would build and manage its facility, and the state lottery would own the slot machines. The state would pay the tribal entity 64 percent of the gaming machine revenue.

The tribal entity and racetrack would each pay 0.5 percent of its annual gross revenues to the state, to a maximum of \$2.5 million, for problem gambling treatment and programs and each entity would pay the host city and county 2 percent of all gross revenues in lieu of city and county property taxes. They will still be responsible for school district property taxes.

Earlier casino bills introduced in the House,

which have stalled, called for a racino at Canterbury Park and at another Twin Cities location with a higher license fee.

During an earlier committee hearing, members heard impassioned testimony against a state-sanctioned casino.

Brian Rusche, executive director of the Joint Religious Legislative Coalition, said money generated by the casino is not new, but it would just replace other recreational activities. "It (gambling) has very, very evil aspects to it," he said, because of the people who become compulsive gamblers.

"We're preying on them," he said. "This is a predatory desire. It sends the wrong signal to our kids, that the way to get something is to go to the casino."

Rep. Michael Nelson (DFL-Brooklyn Park) said his grandfather was a compulsive gambler. "I don't think we should be in it and I don't think we should be expanding gambling."

Some minority caucus members questioned why the hearing was announced less than 24 hours before it was scheduled.

"It sounds like you're trying to railroad this bill through," Sertich said.

DFLers were further rankled when dozens of amendments they introduced at the meeting were defeated or withdrawn.

Conversely, an amendment brought forward by Rep. Paul Gazelka (R-Brainerd) was approved. It stipulates that nobody can lose more than \$500 a day at a facility.

Gazelka said he wasn't comfortable with state-sanctioned gambling, but he realized it wasn't going away. "I want to build a better model," he said.

Canterbury Park President Randy Sampson said it could cut into the casino's profits, but they would work with the amendment.

After that were the unsuccessful DFL amendments, including one requiring that no one could lose more than \$50 a day, another calling for a referendum in Shakopee on the casino and another looking for a promise from the tribes that the profits not be paid to individual members. All were rejected on party-line votes.

"All in all, this is a dangerous game," said Rep. Nora Slawik (DFL-Maplewood). "It's about money, and we don't have enough of it. But you have the old saying, 'You can't get something for nothing.' The gambling proposal comes back and it comes back and it comes back. Why can't we solve this problem about getting revenue in our state?"



PHOTO ILLUSTRATION BY TOM OLMSCHEID

**Lawmakers are considering a new proposal that would put two new casinos at or near Canterbury Park in Shakopee.**

## Another round

So-called “conceal-carry” legislation moves forward

By LEE ANN SCHUTZ

A bill to reenact and make retroactive all provisions in the Minnesota Citizens’ Personal Protection Act of 2003 was approved by the House Civil Law and Elections Committee April 27.

Because the bill was heard after the April 5 policy committee deadline, it will go before the House Rules and Legislative Administration Committee, which is expected to decide whether to send it to the House floor.

HF2428, sponsored by Rep. Larry Howes (R-Walker), reenacts the 2003 legislation, which liberalized the process to acquire a handgun permit. The measure was ruled unconstitutional by District Court Judge John T. Finley because it was attached to an unrelated bill at the time of passage. That ruling was upheld by the Minnesota Court of Appeals April 12.

The bill would make, retroactive to April 28, 2003, all provisions in the previous legislation. The only change proposed is in how a business would notify the public that guns are not allowed on the premise. The earlier legislation called for a sign to be posted at every entrance and that the request be given verbally as well. The new proposal says that either a verbal or written notice is sufficient.

“This isn’t a philosophical debate anymore for we know conclusively what will happen and what won’t happen if we pass this law,” Committee Chair Rep. Jeff Johnson (R-Plymouth) said. “If we’d turned into the Wild West, seen murder and mayhem in the streets, as we were told would happen, it would give most of us great pause. We know conclusively now that none of those things are going to happen.”

The bill requires county sheriffs to grant handgun permits to anyone meeting specified criteria. Before the law, sheriffs and police chiefs had wide discretion in granting permits to carry handguns and, according to supporters of the law, this led to widespread discrimination with some sheriffs issuing a large number of permits and others none.

“The issue is the fair and nondiscriminatory issuance of permits,” said John Caile, communications director for Conceal Carry Reform, Now! He said that 27,000 permits have been issued since the act became law. “It’s worked. We are now coming up on the second year anniversary with the citizens attaining permits behaving extraordinarily well. Permit holders have been virtually invisible,” he said.

While Howes was clear that no amendments, other than the author’s, would be accepted, testifiers raised issues that they said would make for a better bill including:

- addressing the provision that does not allow for off-duty law enforcement officials to carry a weapon;
- giving local government officials the ability to ban guns from local public facilities;
- making churches gun-free zones; and
- revisiting the provision that states guns are banned on school property unless safely locked in the trunk of a car.

“To allow guns to be in trunks of cars, even if out of sight, in a school parking lot is wrong,” said Dan Kaler, superintendent of North St. Paul, Maplewood, Oakdale School District. “The danger is there that the weapon can fall into the wrong hands, and I would encourage that we either ban firearms or at least give locally elected officials, school board members, the authority to ban guns from their schools.”

Opponents to the bill were resigned that the votes were there to pass it out of committee.

“Here we go again,” said Rep. Nora Slawik (DFL-Maplewood). “It seems that I am often on the losing end of these battles. I know that. I worry about Minnesota and what we are doing to the soul of our state. Are we selling it out to gambling and guns?” She said that testifiers pointed out some real problems in the measure that should be addressed before it advances.

Howes said, in an interview, he expects the bill to move quickly through the legislative process. “If we can get this passed in the next seven to 10 days we can save some money,” he said referring to the costs of an impending hearing by the State Supreme Court on the lower court ruling.

As in 2003, Sen. Pat Pariseau (R-Farmington) is sponsoring the companion measure (SF2221). It awaits action in the Senate Crime Prevention and Public Safety Committee.



**Kate Havelin, director of the Midwest Chapter of the Million Mom March, testifies April 27 before the House Civil Law and Elections Committee in opposition to the Minnesota Citizens’ Personal Protection Act of 2003.**



**John Caile, communications director for Conceal Carry Reform, Now!, testifies April 27 before the House Civil Law and Elections Committee in support of the reenactment of the Minnesota Citizens’ Personal Protection Act of 2003.**

PHOTOS BY ANDREW VONBANK

# Omnibus bill moves on

## From sex changes to pay increases, bill covers range of issues

By **BRETT MARTIN**

**B**efore it was even drafted and released, the omnibus health finance bill was generating controversy.

In the House Health Policy and Finance Committee and on the House floor, DFL members claimed their ideas were not being considered and the bill would slash health care coverage for more than 20,000 Minnesotans.

In response, Rep. Fran Bradley (R-Rochester), committee chair and sponsor of HF1422, said tough choices had to be made and asked for cost saving alternatives.

The bill was introduced in committee April 19, and after three days of hearings, debate, testimony and more than 25 proposed amendments, the bill was approved along a mostly party-line vote, with Rep. Mary Ellen Otremba (DFL-Long Prairie) joining all of the Republicans in supporting the bill. It was referred to the House Ways and Means Committee, which made a few technical amendments before approving it April 27. The bill now heads to the House floor.

"We passed what I think is going to be looked back on for years to come as vision in terms of the way we manage quality for vulnerable people," Bradley said. "We still will be spending, in Minnesota, more than virtually any other state per capita on public assisted health care. The taxpayers in Minnesota are to be congratulated on their generosity."

"There are many positives members can be proud of," said Rep. Tim Wilkin (R-Eagan).

On the other side of the aisle, Rep. Kent Eken (DFL-Twin Valley) said the bill's policies would lead to greater health care costs in the future, and be especially devastating to rural Minnesota.

"More people are going to die as a result of

this legislation than are going to be saved," he said.

Rep. Barbara Goodwin (DFL-Columbia Heights) called the bill a "health care massacre."

"We're taking low pay, low wage people and forcing them to go on welfare," she said.

The \$7.3 billion bill would spend money on programs and services for people with disabilities and increase rates for long-term care providers and home care services.

Several testifiers, including Jeff Bangsberg, government relations director for the Minnesota Home Care Association, support proposed

rate increases.

Under the bill, total operating payment rates for nursing facilities and intermediate care facilities for people with developmental disabilities would be increased by 2 percent for rate years beginning Oct. 1, 2005 and Oct. 1, 2006. Two-thirds of each year's adjustment would have to be used for employee salaries, benefits and associated costs.

"We need it desperately," Bangsberg said. "Without this particular increase, we would be strapped."

The bill would change the division of costs between the state

and counties for placements in intermediate care facilities for people with disabilities. The current cost division of 80 percent state funds and 20 percent county funds would be changed to 95 percent state and 5 percent county.

Although about 30 requests were made for nursing home moratorium exceptions or extensions, the bill provided exceptions to

facilities located in Renville, Otter Tail, Anoka and Aitkin counties.

"It's very hard to make exceptions except for exceptional conditions," Bradley said.

Cost savings under the bill would include discontinuing Medical Assistance payments for sex change operations and circumcisions, and reducing eligibility for MinnesotaCare.

This latter provision, which would eliminate MinnesotaCare coverage for some adults without children, sparked sharp criticisms since it could leave more than 20,000 Minnesotans without health care coverage.

Robert Meiches, CEO of the Minnesota Medical Association, opposed cutting single adults from the MinnesotaCare program and reducing eligibility for parents from 275 percent of the federal poverty level to 175 percent.

"This will lead to more uninsured Minnesotans," Meiches said. "Our patients without insurance will delay seeking care until they are sicker and care is more expensive and will likely seek care in an emergency room where care is more expensive and costs are shifted to all Minnesotans."

He said Minnesota is the healthiest state in the nation because it has the lowest number of insured people.

Under the bill, Medical Assistance would not cover non-emergency visits to a hospital emergency room, and state-only funded Medical Assistance coverage for pregnant women who are undocumented would be

eliminated.

Jason Douglas, administrator for Sibley Medical Center & Clinics and representing the Minnesota Hospital Association, said a proposed 5 percent cut in the rates the state pays hospitals for Minnesotans on state programs would burden hospitals.

"This bill would cause a loss of \$47 million in federal matching dollars," Douglas said. "So while the 5 percent hospital rate cut would save the state \$55.5 million, it would cost hospitals \$103 million."

Advocates of the bill, however, pointed out that rising health care costs are impacting all areas of the state budget and economy.

### Given a chance in the omnibus

HF127 (Abeler)
HF226 (Smith)
HF227 (Blaine)
HF235 (Otremba)
HF490 (Cox)
HF663 (Koenen)
HF775 (Bradley)
HF829 (Peppin)
HF952 (Finstad)
HF980 (Wilkin)
HF1058 (Nornes)
HF1203 (Abeler)
HF1380 (Solberg)
HF1491 (Greiling)
HF1642 (Finstad)
HF2019 (Bradley)
HF2388 (Powell)
HF2390 (Abeler)

### Left out of the omnibus action

HF337 (Nelson, P.)
HF375 (Cox)
HF745 (Cox)
HF910 (Otremba)
HF1078 (Kohls)
HF1082 (Simpson)
HF1335 (Koenen)
HF1627 (Atkins)
HF1885 (Marquart)
HF2020 (Heidgerken)
HF2203 (Samuelson)

Health continued on page 21



## Cost of health care

Division's bill seeks to curb costs, increase quality

By BRETT MARTIN

To help the private sector cope with the challenge of skyrocketing health care costs and insurance premiums, Rep. Jim Abeler (R-Anoka) is sponsoring a bill (HF2438) that addresses both.

"The intent is to address the needs of cost containment," said Rep. Duke Powell (R-Burnsville). "This covers a lot of different issues of health plans."

For the past three months, the Health Care Cost Containment Division of the House Health Policy and Finance Committee has been working on initiatives and ideas to reverse the trend of mounting health care costs. The division heard testimony and sought input from a wide variety of organizations, departments and people. Those ideas and testimonials are reflected in the bill.

"It's been a long process, but a good one," said Rep. Paul Thissen (DFL-Mpls). "Everyone agrees that costs and premiums are rising at unsustainable rates in the private market."

Abeler, the division chair, wants to make sure the bill contains proposals that will be widely accepted without generating a lot of controversy. He told the division that he does not want a bill that passes by a party-line vote; he wants support from all or almost all members.

If the bill has the support of the full committee, where it would go next, it should also move through the Senate without creating controversy and end up on the governor's desk, he said.

"I want this bill to become law," Abeler said.

In addition to tackling soaring costs while preserving quality, the division had to work within the framework of existing federal and state laws governing health care and insurance.

"It really is an impossible job," Abeler said.

The bill would recommend several studies related to health care cost containment. Once the studies are completed, the division can use the information to formulate policies and make decisions.

Under the bill, the commerce commis-

sioner would be required to study medical costs associated with no-fault automobile accidents and include comparisons with other states, and provide a written report on the status of medical malpractice insurance in Minnesota.

The commissioners of health, commerce and human services would be requested to study improving quality of care, methods to encourage small providers to use electronic billing, universal participation and access to care, reducing administrative costs and providing language and sign interpreter services.

The health and commerce commissioners

would need to be developed and implemented by the health commissioner. The commissioner would be requested to develop a plan for cost information to support purchasing health care based on value.

"The bill looks at long-term solutions," Thissen said. "We can do something with a long-term vision."

To provide information to the public, the bill would require the health commissioner to post information on agency Web sites, such as healthy lifestyles and preventive health care information, health plan company administrative efficiency report cards, health plan coverage options, provider charges for common procedures and lists of organizations that accept donations of used medical equipment and supplies.

One of the cost savings provisions in the bill calls for the Board of Pharmacy to create a cancer drug repository program so that cancer drugs and supplies could be donated



PHOTO BY TOM OLMSCHIED

**A bill sponsored by Rep. Jim Abeler would help reduce health care costs and preserve quality of care in the private sector.**

would be responsible for studying the possibility of reducing the cost of individual and group health coverage through the creation of a state-sponsored reinsurance program.

According to the bill, a statewide action plan for improving the health status of Minnesotans and promoting primary prevention

for use by individuals who meet eligibility requirements.

Another provision would require health plans that cover prescription drugs to consider covering medication therapy

**Health Costs continued on page 21**

## Paying for college

### New higher education spending proposed

By Mike Cook

**M**ore than \$200 million in new higher education funding is included in a bill passed by the House April 22.

Following the 73-60 vote, HF1385, sponsored by Rep. Bud Nornes (R-Fergus Falls), now goes to the Senate.

"After this bill passed out of Ways and Means, several people out in the hall said it was the best higher education bill that they have seen in a long time," Nornes said. "It is good for the students and good for the institutions."

The bill allocates \$2.75 billion from the General Fund and \$4.31 million from the Health Care Access Fund for the University of Minnesota Medical School.

#### University of Minnesota/MnSCU

Overall, the university would receive \$1.22 billion and the Minnesota State Colleges and Universities system (MnSCU) about \$1.2 billion. Overall, this is a \$102.5 million increase from current spending.

If the gambling bill (HF1664) becomes law, an additional \$12.7 million would be appropriated to both MnSCU and the university.

The Mayo Medical Foundation would receive \$2.78 million to help increase the number of doctors trained to practice in rural areas.

"This is a well-balanced, even-handed bill, that treats colleges across the state fairly," said Rep. Jim Abeler (R-Anoka). "This is the biggest target in four budgets."

Opponents expressed concern that the bill does not provide enough to stop further tuition increases. "Students at Bemidji State University and Northwest Technical College have seen their tuition almost double in six years," said Rep. Frank Moe (DFL-Bemidji).

Missing from the bill, opponents said, is the lack of money for enrollment adjustments. Current statute provides a process for adjusting base enrollment funding in subsequent years for prior enrollments. MnSCU sought \$130.8 million in adjustments for the upcoming biennium; the university nearly \$74 million.

"If we don't recognize enrollment we can either jack up tuition or cut programs and services," said Rep. Gene Pelowski, Jr. (DFL-Winona).

Nornes said that the Higher Education Services Office (HESO) has been directed to work with both systems to develop a better funding mechanism than the current system. He also said that each system has been directed to hold tuition increases to a minimum.

Pelowski said the bill could be a double-whammy for some schools because the lack of enrollment adjustment equates to a base cut, and because they may not be deemed a Center of Excellence.

Included in the MnSCU funding is \$15 million for the development of a Center of Excellence in each of the following categories: manufacturing technology, science and engineering, health care, information technology, business, and teacher education. A center would be comprised of a state university working with up to two community and technical colleges. Among the criteria for selecting a center is "a development plan with a goal of achieving continuous improvement leading to national recognition."

Also totaling \$15 million is funding for a genomics partnership between the university and the Mayo Clinic.

An amendment, successfully offered by Rep. David Dill (DFL-Crane Lake), requires the university to allocate \$250,000 of the funds allocated to the Minerals Research Account for drilling a 5,000-foot core sampling bore hole at the Tower-Soudan mine complex.

Dill said the National Science Foundation wants to build a science lab 9,000 feet below ground to study things such as cold matter research and geomicrobiology, and that Minnesota is a lab candidate. However, it must first be determined if the earth's composition at that location could support the mine. The current mine is about 2,400 feet below ground.

"This is real money that can help northern Minnesota's economy as well as keeping Minnesota on the cutting edge of research," said

Rep. Dennis Ozment (R-Rosemount).

The bill also changes the composition of the Regent Candidate Advisory Council by reducing legislative appointees from 24 to 20, and authorizing the university's alumni association and foundation to each appoint two members. Additionally, council recommendations would be forwarded to the governor, who would then recommend a slate of candidates to the Legislature. Now a joint committee of House and Senate education committees recommends the slate.

#### State grants

The Higher Education Services Office would be renamed the Minnesota Office of Higher Education, and receive \$347.6 million.

The bill does not call for additional state grant funding, nor does it take any away.

"It helps students also by lowering the student share of costs from 46 percent to 45 percent," Nornes said. Additionally, students would be eligible for a state grant and child-care grant in their ninth semester, an increase from the current eight. Students who withdraw from school for active military service would be provided an extra semester of grant eligibility.

In calculating costs for financial aid purposes, the bill increases the maximum tuition, fees and related expenses at four-year programs and decreases the tuition maximum at private career schools. "We look at this as a fairness issue," Nornes said. "The change ensures that a student attending a private two-year career college will not receive more in state grants than a student in a two-year program at MnSCU."

#### Reciprocity

Under current reciprocity agreements, a Wisconsin student attending the University of Minnesota pays less than a Minnesota counterpart.

"While it doesn't prescribe that that doesn't happen, it provides some teeth to HESO to negotiate a new contract with Wisconsin, so that at a minimum, Wisconsin students pay at least what Minnesota students do," said Rep. Joe Opatz (DFL-St. Cloud).

The bill also requires HESO to examine reinstating payments with South Dakota. Despite being in law, the two states have not

**Higher Education continued on page 21**

## Striving for equality

Looking at issues through the gender lens

By PATTY JANOVEC

**B**ased on national and state facts and figures, women are still struggling for economic equality — justification some legislators say for the continued support of the Legislative Commission on the Economic Status of Women, created in 1976.

The commission was on the chopping block in the omnibus state government finance bill passed by the House April 22. An amendment successfully offered by Rep. Phyllis Kahn (DFL-Mpls) added the commission back into existence, but without funding for the 2.5 full-time positions.

“When we started the (commission) the average pay for women was 59 cents for every dollar that men made, now we’re actually up to 76 cents for every dollar,” Kahn previously told a House committee.

“I think now we’re in a different time when we have more information available on the Internet ... and they (the commission) don’t do any original research,” said Rep. Joyce Peppin (R-Rogers). The work of the commission could be rolled into another office, she added.

The commission works to provide statistical information, background information and analysis of legislative issues and information about women’s resources and organizations to legislators and legislative staff to help in the process. It compiles and analyzes information from state agencies, the U.S. Bureau of the Census and the U.S. Department of Labor, among others.

“One of the things we do is that we look at every piece of legislation that is introduced, and we ask the question, ‘What is the potential impact on the economic status of women?’” said Director Diane Cushman.

“The raw data is very difficult to comprehend ... so we develop queries specific to the state of Minnesota,” she said. The staff pulls the data out and puts it together so it’s meaningful to the legislators.

If the commission sees evidence that the economic status of women is not being addressed in the hearing process, staff

approaches the bill’s sponsor and makes sure he or she has all the information on the impact. Many times legislators take the initiative and approach the commission for more information on how their bills would specifically impact women, says Cushman.

The commission “brings balance to issues that naturally we wouldn’t probably hear a lot about. Without it, visibility to certain issues wouldn’t be there,” said Rep. Kathy Tingelstad (R-Andover).

“If we continue to accept the stereotypes of the roles that men and women play, we can make decisions that inadvertently impact women and men in ways we didn’t intend to,” she said. “That’s the lens we put on every piece of legislation.”

The commission looks at everything



PHOTO BY TOM OLMSCHIED

**Diane Cushman, director of the Legislative Commission on the Economic Status of Women, testifies on behalf of the commission during a recent House committee meeting.**

### The Legislative Commission on the Economic Status of Women legislative principles include:


- Support public assistance programs that provide for the basic needs of women and their children.
- Support education and training programs that allow women to achieve self-sufficiency.
- Ensure that all children with absent parents are economically supported by their parents.
- Promote the availability of safe, affordable housing.
- Promote sex equity at all levels of education and in all educational programs.
- Promote the development of women-owned businesses in the state.
- Encourage funding programs that enable displaced homemakers to re-enter the workforce with adequate job training and to obtain employment that can be self-supporting.
- Support programs promoting the prevention and cure of health conditions specific to women.
- Promote the development of shelters, counseling programs, transitional housing and other support services that assist victims of domestic violence or sexual assault.
- Promote programs that improve the health and wellness of Minnesota’s children and families.

through a gender lens. “Years ago you could see the inequity; it was much more visible. Now there are lots of things still to do but it’s not as obvious,” she said.

For example, several years ago a bill relating to family farms stereotyped farmers as men, said Cushman. “There are a lot of women who farm and inherit farms,” she said. Sometimes those overtones or assumptions impact the way laws are written and affect genders.

Another issue the commission is working diligently on is human trafficking.

“Minnesota has long been a source for prostitution,” Cushman said. The agency has been working with House and Senate sponsors of the bills and carefully following the proposals.

“I wouldn’t have been able to pass the legislation without them,” said Tingelstad, who sponsors HF1760 on human trafficking. The bill has been approved by two House committees and awaits action by the House Public Safety Policy and Finance Committee. 

## Buses, roads, licenses

Transportation bill could make gas pricing more competitive

By MATT WETZEL

An omnibus transportation finance bill that could mean lower gas prices for consumers and give voters a chance to change how motor vehicle sales taxes are spent is one committee approval away from the House floor.

HF2461, sponsored by Rep. Mary Liz Holberg (R-Lakeville), also provides \$3.98 billion to the Department of Transportation, Metropolitan Council and the Department of Public Safety for the 2006-2007 biennium. There is no Senate companion yet.

The bill was approved by the House Transportation Finance Committee April 21 and the House Capital Investment Committee April 26. The House Taxes Committee was to hear the bill April 28, and possibly forward it to the House Ways and Means Committee.

### Funding provisions

Nearly \$3.6 billion is designated to the Department of Transportation for its activi-

ties, which include overseeing state highways, infrastructure investment and planning; \$262.3 million would go to the Department of Public Safety, including \$140 million for the State Patrol and \$100 million for driver and vehicles services; and \$117.8 million would go to the Metropolitan Council for bus and light rail transit in the Twin Cities metropolitan area.

### Pump prices

Rep. Ron Abrams (R-Minnetonka) successfully amended the bill to repeal a state law that prohibits service stations in Minnesota from selling gasoline below cost. Industry members have said the law's intent is to prevent large companies from forcing local service stations out of business by selling gas below cost and making up the money by selling groceries.

"This is an opportunity to give our constituents a break," Abrams said.

It wouldn't be a break for owners of service stations, said Bob Krogman, executive director of the Minnesota Petroleum Marketers

Association in St. Paul. "Ninety percent of service stations and convenience stores in Minnesota are owned and operated by families and farm co-ops."

Rep. Doug Magnus (R-Slayton) agreed. "You would take the family owners and small businesses out," he said.

Abrams disagreed. "It's almost incomprehensible, given all the products that are sold, that we have to say how much a product should be sold for. Once you go down that slope, I believe you're in trouble."

### Constitutional amendment

The bill proposes to ask voters in November 2006 if they want to change how the Motor Vehicle Sales Tax is spent.

Now, 30 percent goes to state and local highways, 21 percent goes to the Metropolitan Council and much of the rest goes to the General Fund.

If voters approve the idea, 44.6 percent of tax proceeds would go to highways in 2008, 17.8 percent would go to metropolitan transit, 1.2 percent would go to Greater Minnesota transit and 36.2 percent would go to the General Fund. Those proportions (except for the General Fund) would gradually increase until 2012, when 70 percent would go to highways, 28 percent would go to metropolitan transit and 2 percent would go to Greater Minnesota transit.

The bill would also authorize \$2.75 billion in highway bonds from fiscal years 2006 to 2015 if the constitutional amendment passes, and \$1.57 billion if it doesn't pass.

### Fees for driving

Class A, B, C and D driver's licenses, provisional licenses, duplicate licenses and Minnesota identification cards would all increase \$3, under the bill. Those who fail their written driver's test twice would have to pay a \$10 fee for the third and subsequent tests, and those who fail their road test twice would have to pay a \$20 fee for the third and subsequent tests.

The maximum license tax for a car in its third year would increase from \$99 to \$189, according to the bill, and there would be a \$99 maximum tax for all cars between the fourth and 10th years, and \$35 a year after that.



PHOTO BY TOM OLMSCHEID

Service station operators, including Jeff Ricker of Shoreview Sinclair & Diagnostic Center, may see increased gas price competition, under the omnibus transportation finance bill.

Transportation continued on page 21

#### First Reading continued from page 4


raise money locally that metro districts do and equalization efforts by the state don't totally make up the difference.

Another reform in the bill is funding for a limited number of districts to start a new compensation program for teachers that would create multiple career paths and pro-

vide rewards for improving student and school performance.

Sykora believes the proposal will improve the quality of teaching and boost student achievement. "It will also make teaching a more attractive profession for young people to go into," she said. The bill includes \$98 million in state aid over the biennium for the

program and would also involve participating districts raising property taxes to help fund the program beginning in the second year.

"That is too much to put towards this proposal considering the funding drought that school districts have been facing," said Greiling. 

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#### Health continued from page 16

"Health care is growing at an unacceptable rate," said Carolyn Jones, director of health care and transportation policy for the Minnesota Chamber of Commerce. "We simply have to get a handle on costs."


Rep. Joyce Peppin (R-Rogers) agreed, saying state income taxes would need to double every eight years to fund the current level of health care spending.

Bradley said the committee's job was to live within its means, which it did.

"The biggest problem, frankly, that we have is building expectations that we can't handle," he said. "That's a problem."

Other provisions in the bill would not have a fiscal impact, such as limiting the use and eligibility for family planning grants to exclude abortion services and creating the so-called "Unborn Child Pain Prevention Act," which would require a physician or physician's agent to inform a woman if an anesthetic would eliminate or alleviate pain to the unborn child prior to performing an abortion.

Requiring health care professionals to provide education to women on postpartum depression and shaken baby syndrome are other programs that would not require state money.

A companion bill (SF1313), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Health and Family Security Committee. Health and human services provisions were also included in SF1879, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), that passed the Senate 35-30 March 23. 

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#### Health Costs continued from page 17


management services for enrollees taking four or more drugs to treat two or more chronic conditions.

The bill would transfer regulatory authority over health maintenance organizations from the health commissioner to the commerce commissioner, effective July 1, 2006.

Health-related boards would be allowed to establish practice standards for treating patients with injuries sustained in no-fault automobile accidents, under the bill.

Another section of the bill would modify provisions requiring state agencies to promote evidence-based guidelines and add specific references to medical groups and hospitals.

To promote healthy living, the bill would require community health boards to work with schools, health care providers and others to coordinate health and wellness programs.

A companion bill (SF2241), sponsored by Sen. Sheila M. Kiscaden (IP-Rochester), awaits action by the Senate Health and Family Security Committee. 

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#### Higher Education continued from page 18


exchanged payments since 1988.

Under reciprocity, students can attend school in another state at the tuition rate of a comparable home-state campus. If reciprocity students from one state impose a larger burden on the other state's taxpayers, the first state makes a reimbursement payment.

##### Rochester campus

The bill includes \$3.2 million for planning and implementation of a postsecondary institution in Rochester. The Rochester University Development Committee would be created to perform this task. Members would include

designees from the university, MnSCU and the Rochester business, health and medical sciences industries.

Rep. Ron Latz (DFL-St. Louis Park) unsuccessfully tried to amend the bill to include a faculty representative from the university and MnSCU on the committee. 

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#### Transportation continued from page 20

##### Veteran's plates


New license plates with the message "Global War on Terrorism" would be made available. The design could display an Iraq campaign medal, an Afghanistan campaign medal and a global war on terrorism expeditionary medal. Qualified members of the National Guard and military reserves would be eligible for the plates, which would have a \$5 surcharge.

Eligible veterans would be able to request a personalized plate, for no fee.

"Support Our Troops" license plates for the general public would be available for cars, pick-up trucks, recreational vehicles and motorcycles for a \$30 contribution to the state's "Support Our Troops" account created by the bill. Money in the account would be used for financial support to Minnesota soldiers on active duty or their immediate families.

##### Speed limits

The speed limit on I-35E in St. Paul would increase to 55 mph. Now, it's 45 mph in the area from West Seventh Street into downtown.

A speed limit of 30 mph would be posted for trains within the Orr city limits in northern Minnesota. The trains travel regularly near a school, often at speeds of 60 mph. 

## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

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

In the first year of the biennium, the governor has three days from the time of “presentment” to veto a bill. If the governor doesn’t sign the bill within this time frame, it will become law with or without his

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

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

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

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

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

**More information is available on the governor’s Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the “Legislation” link.**

### Key:

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

CH	HF	SF	Description	Signed	Vetoed
1	166	218*	Charitable contribution income tax deductions relating to tsunami relief donations.	1/27/2005	
2	57*	350	Deficiency funding provided for specified state agencies.	2/15/2005	
3	155	206*	Off-sale liquor license permitted within .5 mile of U of M Ag school.	2/24/2005	
4	357	262*	Local government filing and recording technical provisions modified.	3/7/2005	
5	124	225*	Pipestone County Legislative Route No. 268 turnback authorized.	3/7/2005	
6	254	685*	Legislative Route No. 143 description amended.	3/7/2005	
7	277	234*	Becker County Legislative Route 224 turnback authorized.	3/7/2005	
8	248*	485	Common School District No. 815, Prinsburg.	3/7/2005	
9	871*	548	Day training, habilitation services providers in state coop. purch. agreements.	3/14/2005	
10	378*	478	Revisor’s bill.	3/14/2005	
11	958	518*	Hennepin County duplicate campaign finance filings eliminated.	3/14/2005	
12	298	75*	Household goods movers charitable work exemptions..	3/19/2005	
13	547	532*	Washington Co. library board management provided by county board.	3/19/2005	
14	1295	1210*	Foreign judgments life span and interest rate clarification.	3/24/2005	
15	1104	1031*	State Fair camping area regulations exception provided.	3/31/2005	
16	1036*	1158	Office of Administrative Hearings: MN Rules copies, hearings regulated.	3/31/2005	
17	925*	880	Medicare related coverage federal conformity.	3/31/2005	
18	997*	985	Burns Township detached banking facility authorized.	4/7/2005	
19	933*	1437	Motor Vehicle Retail Installment Sales Act recodified.	4/7/2005	
20	3*	None	Omnibus bonding bill.	4/11/2005	
21	1508	1466*	Utility vehicle seasonal load restrictions clarified.	4/14/2005	
22	1240	1254*	Hire a veteran month designation provided for month of May.	4/14/2005	
23	1268	271*	Death records data access modified.	4/22/2005	
24	1376	1535*	Minneapolis on-sale liquor license authorized.	4/22/2005	
25	286	171*	Omnibus liquor bill.	4/22/2005	
26	368	392*	Probate venue, trustee powers, and omitted beneficiary provisions modified.	4/22/2005	
27	1650*	1559	Cosmetology regulatory oversight transfer provided.	4/22/2005	
28	656	451*	Anoka county law codification proposed.	4/26/2005	
29	1820*	1868	Cambridge State Hospital cemetery names the Garden of Remembrance.	4/26/2005	
30	990	692*	Wright, Sherburne co’s Miss. Rec. River Land Use Dist. land deleted.	4/26/2005	

## Friday, April 22

### HF2470—Brod (R)

#### Education Policy & Reform

Meningitis; schools required to inform students about meningococcal meningitis and influenza and their vaccines.

### HF2471—Knoblach (R)

#### Education Policy & Reform

Student transportation fees provision modified relating to elementary pupils.

### HF2472—Dittrich (DFL)

#### Education Finance

School district pilot program authorized allowing spending of compensatory revenue at school sites with low test scores.

### HF2473—Greiling (DFL)

#### Education Policy & Reform

School districts authorized to participate in the state employee health insurance plan.

### HF2474—Thissen (DFL)

#### Health Policy & Finance

Medical Assistance drug coverage authorized for obesity medications needed to treat certain conditions and diseases.

### HF2475—Peterson, A. (DFL)

#### Education Finance

Independent School District No. 2853, Lac qui Parle Valley, fund transfer authorized.

### HF2476—Peterson, A. (DFL)

#### Education Finance

Independent School District No. 2888, Clinton-Graceville-Beardsley, fund transfer authorized.

### HF2477—Krinkie (R)

#### Transportation Finance

Public transit fund established, state general levy increase provided to fund transit services and money appropriated.

## Tuesday, April 26

### HF2478—Rukavina (DFL)

#### Taxes

White and Biwabik; general obligations of the town of White authorized.

### HF2479—Johnson, R. (DFL)

#### Taxes

Region Nine Regional Development Commission temporary levy limit increase provided.

### HF2480—Finstad (R)

#### Governmental Operations & Veterans Affairs

Baseball stadium development process provided, metropolitan stadium authority established, Metropolitan Council bonds authorized and host community powers provided.

### HF2481—Erhardt (R)

#### Transportation Finance

Motor fuel tax rates increased, vehicle registration tax modified, county state-aid fund distribution formula revised, local wheelage taxes authorized, trunk highway bonds issued, money appropriated and constitutional amendment proposed.

### HF2482—Gunther (R)

#### Ways & Means

Casino; lottery gaming machines and other non-lottery games authorized at a gaming facility in conjunction with a tribal entity and a racetrack, licensing and regulation provided, fees imposed and money appropriated.

## Wednesday, April 27

### HF2483—Clark (DFL)

#### Commerce & Financial Institutions

Employer disclosure of terms of probationary employment and opportunities for permanent employment mandated in written agreements for hire, written agreements required for casual temporary employees and civil actions burden specified.

### HF2484—Lenczewski (DFL)

#### Taxes

Income tax credit authorized to refund portion of sales taxes imposed to fund sports facilities.

### HF2485—Cox (R)

#### Commerce & Financial Institutions

Private building inspector certification provided, residential building inspection method specified, boiler inspection requirements exemption authorized and fee revenue enhanced.

## Thursday, April 28

### HF2486—Klinzing (R)

#### Education Finance

School districts required to spend at least 65 percent of their total operating expenditures on direct classroom expenditures.

### HF2487—Thissen (DFL)

#### Governmental Operations & Veterans Affairs

Multi-member Senate and House districts provided that coincide with congressional district boundaries and constitutional amendment proposed.

## Constitutional Officers

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**Sources: 2004 Minnesota Student Survey Statewide Tables, Fall 2004, Department of Education; SchoolMatters; 2003-2004 Annual Report, Minnesota State High School League; National Center for Education Statistics.**

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 22, NUMBER 18 • MAY 4, 2005

**INSIDE: CLIPPING THROUGH PARTY LINES, RAISING MINIMUM WAGE, INFLUENCING THE HOUSE, MORE**

This Week's Bill Introductions HF2488-HF2503

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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**On the cover:** The State Capitol is reflected in the chrome of a 1960 Dodge Matador. Members of the Minnesota Street Rod Association brought nearly 40 collector cars to the Capitol May 3 as part of the association's Annual Run to the Hill.

—Photo by: Andrew VonBank



PHOTO BY TOM OLMSCHEID

As is the case most days, lobbyists gather outside the House Chamber waiting to speak with House members about issues. As of January 2005, there were about 1,200 lobbyists registered with the state Campaign Finance and Public Disclosure Board.

# Influencing the House

Lobbyists are invaluable, but constituents rule

By **BRETT MARTIN**

**R**ep. Bud Heidgerken (R-Freeport) begins his workday having coffee with lobbyists at the hotel he stays at in St. Paul.

"They're a wealth of information," Heidgerken said. "Each lobbyist presents good, good ideas. I seek them out."

Lobbyists know the impact of bills, the histories behind them and who will be affected if the legislation becomes law, he said.

"We'd be lost without them down here," he said. "They provide pertinent information that I don't get anywhere else."

## Valuable resources

With lobbyists outnumbering legislators by a nearly 6-1 ratio, representatives don't have to look too hard to find a lobbyist who can help with their legislative agenda.

As of January 2005, there were approximately 1,200 lobbyists registered with the Campaign Finance and Public Disclosure Board representing approximately 1,100 associations.

"There are so many lobbyists because the number of issues multiplies each year," said Bill Blazar, president of the Minnesota

Governmental Relations Council and senior vice president of the Minnesota Chamber of Commerce. "There are many, many, many more organized groups that have an interest in what goes on at the Capitol."

Once people realize the impact the Legislature has on them, they want someone representing their interests, Blazar said.

Rep. Denise Dittrich (DFL-Champlin) said lobbyists have changed her mind on bills.

"The advice I got from other members who have been here awhile is, 'You can and should use lobbyists as resources,'" she said. "As a freshman, you can't possibly know all of the information. You do depend on them to shape perspectives."

The best advice she got concerning lobbyists is that the good ones will present both sides of an issue.

Full disclosure on legislation is key to gaining a member's trust, said Rep. Ray Vandever (R-Forest Lake). The lobbyist should explain the pros and cons of a bill, then tell why one side is better than the other.

"Things can sound very reasonable when you only hear one-third of it," he said.

Lobbyists can also inform legislators about who will be opposed to their bills and why.

"They can tell you, 'If you do this, your resistance is going to come from here. So and so will be against it,'" Heidgerken said, adding that it's better to hear the opposition from lobbyists and be prepared than to be surprised in committee or on the House floor.

A good lobbyist is equal parts persistence, creativity, knowledge and sense of humor, Blazar said. They have to offer all viewpoints, and they have to be honest.

"You're only as good as your word," he said. "You have to know what you're talking about."

If misinformation is given to members or they get blindsided by the opposition, that lobbyist will never be trusted again.

## Good work, poor perception

While lobbyists may provide a needed service to legislators, they suffer from a poor public perception. They're often viewed as slicksters in designer clothes cutting deals with legislators — a perception that Blazar says is unfair.

"I'd invite the public to walk around the Capitol. They would find lobbyists are dedicated to their respective clients — that's their job — but they're also committed to the process," he said. "Having lobbyists leads to more democracy."

Lobbying is geared toward grassroots efforts and gets people involved in government, which is what democracy is all about, Blazar said.

"None of these bills miraculously shows

**First Reading continued on page 4**

## First Reading continued from page 3

up at the revisor's office," he said. "For the vast majority of bills, somebody asked the legislator to pursue the bill, and the person making the request is a lobbyist for it, even if the person is not a paid lobbyist."

Dittrich had a skeptical view of lobbyists when she started serving her first term in January, but she has been pleasantly surprised.

"My perceptions have changed. The majority of lobbyists have been professional, information-based and understand where I'm coming from," she said. "The stereotypical idea that they would try to strong-arm me into voting a certain way didn't happen."

Still, Dittrich, like most legislators, seeks information from a variety of sources. She often turns to her school board and city council for input because they understand the needs and values of her community.

"They are my go-to people," Dittrich said. She also values the expertise of legislators from both parties. "They are, for the most part, very well informed. I do stand in awe of the people who have experience here. Balance for me is the whole key."

Vandever views his peers as resources, too,

noting that some are experts in particular areas.

"You know them and trust their input," he said, pointing out that many issues are nonpartisan and DFL members can provide valuable insight.

If a legislator only spoke to lobbyists, the person would hear the same information over and over, Vandever said.

"Serving here is like being in a fish bowl," he said. "Pretty soon, you start thinking like everybody else, and then you're in trouble."

### Constituent power

Lobbyists may wield influence at the Capitol, but they still take a back seat to an even more powerful group — constituents. At least one representative excludes lobbyists from her schedule.

"Meeting with lobbyists leaves less time for constituents. What time I have, I want to give to the people I represent," said Rep. Barbara Goodwin (DFL-Columbia Heights). "The best source of information is the people you represent."

A former lobbyist, Goodwin prefers to gather her own research rather than rely on lobbyists. She has also had constituents give her carefully

researched information, such as the person who provided detailed research on the link between mercury in vaccines and autism.


"Constituents are probably the most influential," Vandever said. He always takes time to listen to the people he represents. "One of the jobs of a representative is to listen. A lot of times, people respect that you are listening, honestly listening."

Like most members, he attends town hall meetings to solicit input from constituents, asking for their ideas and concerns.

During committee hearings, he finds citizen testimony invaluable because people are taking the time to come to the Legislature and explain how bills could impact them. It puts a face to the legislation.

"They bring the real world perspective," Vandever said. "They have an agenda called, 'Don't hurt me.'"

Lobbyists can also help with constituents, Heidgerken said. They provide handouts and research that's needed for bills, and that information helps explain votes back home.

"I've taken this information and sent it to constituents to say, 'This is why I voted like I did,' he said. "Lobbyists help me with information, and it helps justify my vote." 



"The strength of man is in his brain and bone; That of the temple in its corner stone."

With these words, Judge Charles E. Flandrau of St. Paul handed Alexander Ramsey, first governor of the Minnesota Territory

and second governor of the state, a silver trowel to spread the mortar as the Capitol cornerstone was hoisted into place July 27, 1898.

The ceremony is well documented in *Laying of the Corner Stone of the New Capitol of Minnesota*, a commemorative book published by the Pioneer Press Company in 1898.

"We have met to perform a great political ceremony; to dedicate, by an impressive symbolism, employed by many nations throughout all time, the edifice which represents and typifies the state.

"The corner stone has always conveyed a mystical and symbolic meaning, even in divine utterances,"

## Capitol cornerstone

### A symbol of progress, keeper of past

said then U.S. Sen. Cushman K. Davis in a lengthy oration. Davis was the state's seventh governor, serving from January 1874 to January 1876. "The hand that laid the ideal foundation of this state 50 years ago, in the dining room of a frontier tavern, now lays the corner stone of this, the capitol of the completed commonwealth."

The stone is located near the southeast

ground level door, just to the right of the *porte cochère* (coach door) entrance beneath the Capitol's front steps.

It holds a cache of items near and dear to Minnesotans in the waning years of the 19th century.

"In this box made of copper we have placed various articles and memorials indicative of our progress in art, literature and agriculture," said then Gov. David M. Clough.

This time capsule of sorts includes: a Bible; state law books and legislative manuals; the original draft of the bill authorizing the Capitol construction; copper plate etchings of the building's floor plans; a history of Minnesota volunteers in the "War of the Rebellion;" gold, copper, nickel and silver coins; photographs from around the state; and an "Epitome of Memorable Events" in the state's history, with a timeline from 1784 to 1895.

(N. Wood)



The Capitol cornerstone was hoisted into place July 27, 1898. It is engraved with important dates in state history: "TERRITORY ORGANIZED MAR 3 1849, THE STATE ADMITTED TO THE UNION MAY 11 1858, THIS CORNERSTONE LAID JULY 27 AD 1898."

Photo courtesy of the Minnesota Historical Society



## Adjournment date approaching

The Minnesota Constitution stipulates that the Legislature cannot meet in regular session after the first Monday following the third Saturday of May in any year.

This means that the 2005 Legislature must adjourn no later than May 23.

If its work is not completed on time, only the governor can call a special session. However, he or she cannot specify issues to be acted upon once a special session is called.

If needed, this would be the third straight biennium that a special session would be required to pass budget bills for the following biennium.

A one-day special session in 2002 was needed to provide flood relief for Roseau. Also considered were charitable deductions and a sales tax exemption on the delivery of aggregate materials and concrete block.

## ★ AGRICULTURE

### E20 down the pike

The state's ethanol industry would receive a boost, under a bill on its way to the governor.

After a House-Senate conference committee worked out differences over the timeline, liability provisions and small engine reports, the House voted 100-32 May 5 to double the state ethanol mandate, under certain conditions. The Senate repassed HF223/SF4\* a day earlier by a 57-8 margin.

Currently, the state requires that motor vehicle gasoline sold in Minnesota contains an "E10" blend, meaning 10 percent agriculturally derived ethanol by volume.

The bill, sponsored by Rep. Gregory M. Davids (R-Preston) and Sen. Dallas C. Sams (DFL-Staples), would raise the blend to 20/80 by Aug. 30, 2013, unless, by Dec. 31, 2010, the state is already using a 20 percent denatured ethanol blend in the gasoline supply or federal approval has not been granted for the E20 blend.

"Ethanol isn't just a rural issue," said Rep. Al Juhnke (DFL-Willmar). "It's an issue of energy independence and it's an issue of being net exporters of energy from the state in the very near future."

The bill contains a provision to protect dealers and refiners from lawsuits alleging damages from defective gasoline. The immunity would not apply to situations of "simple or willful negligence or fraud" or environmental or public health damages.

"This is a liability exclusion with a hole so

## ARBOR DAY CELEBRATION



PHOTO BY ANDREW VONBANK

**Lt. Gov. Carol Molnau, left, and representatives from the Department of Natural Resources and the Minnesota Society of Arborists plant a tree on the Capitol grounds as part of the official State Arbor Day Celebration April 29.**

big you could drive an ethanol truck through it," said Rep. Paul Kohls (R-Victoria) in opposition to the language altered by the conference committee.

Under the bill, the Agriculture Department, in consultation with other agencies and stakeholders, is directed to review the effects of E20 on the ethanol industry and Minnesota consumers. Reports are due to the Legislature Jan. 15, 2009, and Jan. 15, 2011.

Additionally, the Commerce Department would be required to report to the Legislature by Jan. 15, 2008, on the appropriate use of E20 gasoline in small engines and make recommendations on marketing tactics and ways to increase E20 availability.

## ★ CRIME

### No quotas

A prohibition on quotas for issuing traffic and vehicle inspection citations would be expanded under HF998/SF1486\*, passed by the House 127-0 May 3.

Currently, the prohibition applies only to the Minnesota State Patrol. The bill would prohibit law enforcement agencies, along with the state patrol, from requiring troopers, commercial vehicle inspectors or law enforcement representatives to issue a certain number

of citations over any given period of time.

"This is a bill that doesn't have any opposition. It just reinforces the fact that commercial vehicle inspectors do not have quotas just like the state troopers don't," said Rep. Tom Rukavina (DFL-Virginia), the sponsor of the bill with Sen. David J. Tomassoni (DFL-Chisholm).

Passed by the Senate 61-0 April 28, the bill now goes to Gov. Tim Pawlenty for his consideration.

## ★ EDUCATION

### Omnibus K-12 education bill

Most Republicans would give an "A" to the omnibus K-12 education bill, passed 70-63 by the House May 4, while most DFLers would assign a lower grade.

The bill now moves to the Senate, which has its own education finance omnibus bill. A conference committee will likely be needed to reach a compromise.

"This is a bill that everyone can vote for, a very fair bill," said Rep. Barb Sykora (R-Excelsior), sponsor of HF872.

The bill would increase the basic state aid formula by 3 percent in fiscal year 2006 and 3.1 percent in fiscal year 2007, which would result in the second- and third-largest

amounts ever put into education, according to Sykora.

Total state funding for K-12 education, the largest chunk of the state's budget, would be \$12.4 billion during the biennium under House budget Option A, and \$12.6 billion under Option B, if the racino bill (HF1664) becomes law.

The bill also includes increases for gifted and talented education, early childhood programs, community education, school safety, technology and Internet access, and transportation aid for sparsely populated rural districts.

But opponents said the bill fails to provide enough funding to prevent further staff layoffs and program reductions.

"This bill will mean that every single school district in the state would continue to make cuts," said House Minority Leader Matt Entenza (DFL-St. Paul). The bill would also result in \$112 million in local property tax increases that school districts could levy without voter approval, he said.

Representatives missed a chance to return local control by rejecting an amendment that would have limited the mostly unfunded mandates in the federal No Child Left Behind law, said Entenza. Similar bills are being passed in other states, most recently in Utah, he added.

Geographic differences emerged when rural legislators tried to block a provision that would allow districts (mostly suburban), already at the referendum levy limit, to ask voters for additional operating funds.

It's not equal education when property-rich districts can offer eight world languages while property-poor school districts barely have enough money to pay for English classes, said Rep. Tom Rukavina (DFL-Virginia).

Another sore spot was a move that began in the House Ways and Means Committee to divert \$4 million in compensatory aid (paid to districts with high concentrations of poor students) to a pilot project in the Anoka-Hennepin School District.

Sykora said the project would look for better ways to assist struggling students, and that information could help all districts. Opponents said it was unfair to take money away from schools that need it the most and give it to one particular district. Instead, the pilot project will be funded with a portion of funds designated for Advanced Placement and International Baccalaureate programs for top students.

DFLers tried unsuccessfully to reduce the \$98 million going to a new teacher compensation program, that would create multiple career paths and provide rewards for improving student and school performance, and instead put the money toward per pupil

funding that would benefit all districts.

Among policy changes is a provision that students who are truant, risk losing their driver's license or state identification card.

The bill would also require that 65 percent of school districts' funding goes to the classroom.

### Coaching contracts

School boards that decide not to renew a high school varsity coach's contract must give timely notice of the basis for the decision, under HF68, which was passed 112-19 by the House May 2.

If a coach requests reasons for the non-renewal of the contract, the board must respond, in writing, within 10 days of the request. A coach then has the chance to respond at a school board meeting that may be open or closed at the board's discretion.

"This gives recourse to coaches non-renewed out of season. It's simply a matter of fairness," said Rep. Dean Urdahl (R-Grove City), the bill's sponsor.

Rep. Mark Buesgens (R-Jordan) said under current law, head varsity coaches know up front they have annual contracts. When a coach is let go at the end of the contract, it's a non-renewal and not a termination, he said. "The distinction is important to make."

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

## ELECTIONS

### No primaries in uncontested elections

Primary elections would no longer be required under certain circumstances if a bill passed by the House 129-0 May 3 becomes law.

Passed by the Senate 64-1 March 7, the bill now awaits action by Gov. Tim Pawlenty.

HF1110/SF879\*, sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Michelle L. Fischbach (R-Paynesville), states that no primary election would be required in cases where there are uncontested local races.

It also provides that at least 15 days after the close of filings the municipal clerk, county auditor and secretary of state's office must be notified that no primary will be held.

"This is a common sense bill," Hosch said. "All this really does is recognize the fact that many times we have uncontested primaries across the state" and that costs cities and townships a lot of money. "There was one township where four people came and voted all day long, and they were actually the election judges who worked at the poll," he said,

noting those four votes cost the township more than \$2,500.

Under current law, a state primary is held the first Tuesday after the second Monday in September in each even-numbered year when more than one person from each party has filed to run for the same elected position. The primary is used to select only one nominee from each of the major political parties to be on the general election ballot in November.

## EMPLOYMENT

### Jobs and development appropriations

A bill that appropriates almost \$385 million for jobs and economic development was passed by the House on a 68-66 party-line vote April 29, and now goes to the Senate.

Committee Chair Rep. Bob Gunther (R-Fairmont), sponsor of HF1976, said the bill was crafted with one thing in mind: "Helping Minnesotans have the best job they can possibly have."

However, House Minority Leader Matt Entenza (DFL-St. Paul) disagreed, saying the bill did not provide enough money for affordable housing, jobs and training. "This is not a bill for jobs. It's a jobless bill. The bill is a product of a whole lot of bad decisions," he said.

Among the amendments successfully added to the bill was one by Rep. Nora Slawik (DFL-Maplewood) that would require license holders and caregivers at child-care centers to complete 12 hours of in-service training every year.

Slawik said child-care is important because of the important decisions young Minnesotans will make in the future. "Kids in child-care are going to be the same kids going to school, the same kids that will fill the seats here," she said.

Funding in the bill includes more than \$63 million for the Minnesota Housing Finance Agency, including \$7.4 million for programs to help the homeless and \$3.2 million for rental housing assistance for the mentally ill.

More than \$54.2 million would go to workforce services, including \$23.4 million for extended unemployment services for people with severe disabilities, nearly \$9.9 million for State Services for the Blind activities, \$2 million to help mentally ill people find and keep jobs, and \$350,000 to the Minnesota Employment Center for People who are Deaf or Hard-of-Hearing.

Included in the \$45.3 million allocated for the Minnesota Historical Society is \$1.49 million for the operation of seven historic sites: Oliver H. Kelley Farm, James J. Hill House, the Lower Sioux Agency, Fort



Ridgely, Historic Forestville, the Forest History Center and the Comstock House; \$120,000 for Capitol tours, while prohibiting the society from charging a fee for general tours; and \$50,000 for the Sesquicentennial Commission.

A total of \$45.1 million would go to the Department of Labor and Industry, including \$20.6 million for workers compensation.

The bill offers \$14.9 million for business and community development, including \$500,000 to start a revolving loan fund for cleanup of methamphetamine labs; a grant of \$300,000 each for WomenVenture, for women's business development programs, and to the Rural Policy and Development Center at Minnesota State University, Mankato for operations; \$200,000 each to the Metropolitan Economic Development Association for minority business development programs in the Twin Cities metropolitan area and to help small businesses access federal money through consulting and training. Another \$100,000 would go to the Minnesota Inventors Congress.

Another \$14.9 million would go to workforce partnerships, including \$1.75 million to programs at the Opportunities Industrialization Centers around the state to provide education and jobs training for disadvantaged people, and \$500,000 to Twin Cities RISE! to provide jobs training for disadvantaged people.

## ★ ENVIRONMENT

### When is a boathouse a houseboat?

The definition of a boathouse and a houseboat, and where and how each can be moored on public waters, is clarified in HF894, sponsored by Rep. Ray Cox (R-Northfield).

The House passed the measure 118-15 May 2. It now moves to the Senate, where Sen. Dennis R. Frederickson (R-New Ulm) is the sponsor.

Boathouses on public waters are prohibited under current law, except "in areas of historic use for such structures," as determined by the Department of Natural Resources commissioner, when approved by the local government unit and where the boathouse has been moored on public waters prior to Jan. 1, 1997.

The bill would alter the exceptions and clarify the definition of "boathouse."

"Due to problems with definitions in the statute and the rule, people have been trying to find innovative ways to build boathouses on public waters in areas and under circumstances where they are prohibited," according to the department.

Currently, the following definitions can be found in state law:

- Boathouse – "a floating structure that is moored by spuds, cables, ropes, anchors, or chains that may be intended for habitation and has walls, a roof, and either an open well for boats or a floor from wall to wall and does not include houseboats."
- Houseboat – "a motorboat that has either a pontoon or a flat-bottomed hull configuration, and a permanent enclosed superstructure housing, at a minimum, built-in sleeping, cooking, and toilet facilities."

Under the bill, the following definitions would apply to structures in or adjacent to public waters:

- Boathouse – "a structure or watercraft that is moored by spuds, cables, ropes, anchors, or chains that may be intended for habitation and has walls, a roof, and either an open well for boats or a floor from wall to wall and does not include watercraft that are designed and operated as motorboats."
- Motorboat – "a watercraft that is designed for and is capable of navigation on the water and that has an adequately sized external or internal mechanical propulsion system for the type of watercraft."

Another provision in the bill would allow the department to issue cease and desist orders for illegal activities that adversely affect groundwater. Current law grants it this authority over wetlands and public waters.

The bill also would add depleted quarries and sand and gravel pits to the public waters inventory when the water body exceeds 50 acres and the shoreland has been zoned for residential development.

An amendment successfully offered by Rep. Anthony "Tony" Sertich (DFL-Chisholm)

removed mine pits from these additions.

Sertich said there are abandoned mine pits on the Iron Range that are being converted to lakeshore property but the development is far from complete.

"We are just looking for a little less restriction so we can make sure we can get the abandoned mine pits in the shape we need them in before the DNR takes over and we have water issues," he said.

### Inspector installers

Sometimes the person who installs an individual sewage treatment system is the same person who inspects it to make sure it meets state and local standards.

HF731, sponsored by Rep. Ray Cox (R-Northfield), aims to modify Minnesota's sewage system inspection requirements to prevent any potential conflict of interest without preventing the installer and inspector from being the same person.

The House passed the measure 128-0 May 3. It now moves to the Senate, where Sen. Michael J. Jungbauer (R-East Bethel) is the sponsor.

"There's been a little issue with some counties where individual installers are also contracted to do the inspections," Cox explained.

"The bill brings forward language to prevent them from sort of doing the same thing at the same time for individuals," he said. "It doesn't prevent them from installing systems that they inspect at a later date."

Under the bill, "No system professional may use their position with government, either as an employee or a contractor, to solicit business for their private system enterprise."

### CHARTER SCHOOL DAY



PHOTO BY TOM OLMSCHIED

Students in the West African Drum and Dance group from the Wise Charter School in Minneapolis perform on the Capitol steps May 3 as part of Charter School Day.

## Riverbend Board eliminated

A bill on its way to the governor's desk would eliminate a formal board with oversight of development along a stretch of the Minnesota River, but proponents say protection efforts will not be diminished.

HF2042/SF1841\*, sponsored by Rep. Tony Cornish (R-Good Thunder) and Sen. John C. Hottinger (DFL-St. Peter), would eliminate the Project Riverbend Board.

The House passed the measure 128-0 May 3, after the Senate did the same 65-0 April 18.

The board, consisting of representatives from Renville, Redwood, Brown, Nicollet, Blue Earth, and Le Sueur counties, was created in 1980, Cornish said. It has not met since 1994.

Tina Rosenstein, Nicollet County environmental services director, told the House Environment and Natural Resources Committee that the board was established to set standards for development, similar to the state Wild and Scenic River designation, for a stretch of the Minnesota River from Franklin in Renville County to Le Sueur in Le Sueur County.

County ordinances will continue to protect that portion of the river, Rosenstein said, even without a formal arrangement.

## Protecting the paths

The Department of Natural Resources is seeking greater input into the process when townships and municipalities decide whether to give up public access rights to roads leading to public waters.

HF436, sponsored by Rep. Denny McNamara (R-Hastings), would require local authorities to consult with the department and increase the timeline for notifying the department, as required under state law, from 30 days to 60 days prior to the local road vacation public hearing.

The House passed the measure 125-9 May 2. It now moves to the Senate, where Sen. Dennis R. Frederickson (R-New Ulm) is the sponsor.

McNamara explained that the roads under the scope of the bill are typically undeveloped tracts of land between 10 feet and 33 feet in width that lead to public waters.

The bill was prompted by a situation in Lakeland, he said, where the city gave back a 30-foot wide easement to the neighboring property owners and no one was given the opportunity to explain that a lot of children were using it to go down to fish along the St. Croix River.

"This will protect some of these entry points to our public waters," McNamara said.

## ★ GAME & FISH

### Silencing the cormorants

The double-breasted cormorant population on Leech Lake is negatively impacting walleyes and threatening common terns, according to the area's aquaculture industry and natural resources officials.

HF42, passed by the House 121-1 May 3, would give federal, state, tribal and local peace officers a quiet, yet targeted method of cormorant population control.

Sponsored by Rep. Larry Howes (R-Walker), the bill would allow the use of silencers to muffle firearms discharged by peace officers for wildlife control purposes. It now moves to the Senate, where Sen. John Marty (DFL-Roseville) is the sponsor.

Silencers are already legal for peace officers to use in tactical emergency response operations against criminal activity.

"Right now, up on Little Pelican Island on Leech Lake, we have federal sharpshooters up there trying to limit the population of the cormorant and they're using BB guns," Howes said. "We need to give them a little help."

He presented some statistics: As little as six years ago there were about 260 nesting pairs of cormorants. Today, there are more than 5,000 nesting pairs. The cormorants number between 8,000 and 12,000 birds. Each bird eats an average of 1 pound of fish per day.

"That's an average of 10,000 pounds of fish per day," Howes said. "Leech Lake is failing."

The cormorant population has largely contributed to the fall of the walleye fishery on Leech Lake, said Rep. Frank Moe (DFL-Bemidji), whose district includes much of the lake. "Walleye fishing is extremely important in our area," he said, and the silencer option is part of a comprehensive Department of Natural Resources plan to improve the quality of the fishery.

The silencer bill is not directed solely toward cormorant control. It would give natural resources management agencies a more effective control method for other wildlife populations, proponents said during committee testimony.

## ★ GOVERNMENT

### Employee compensation plan

Unclassified employees of the State Board of Investment could find themselves under a new compensation plan under a bill passed 121-8 by the House May 2.

Rep. Neil W. Peterson (R-Bloomington), sponsor of HF1692, said the bill would

allow "unclassified employees who are not now covered by collective bargaining to be compensated under the terms of a compensation plan that (the board) would adopt."

The bill now goes to the Senate where Senate President James P. Metzen (DFL-South St. Paul) is the sponsor.

"The current plan does not pay competitively," Peterson said. The board is having trouble retaining employees because private sector companies can offer better compensation plans.

Once the board establishes a compensation plan, it must be submitted to the Department of Employee Relations for review within 14 days. Under the bill, the Legislature and the Legislative Coordinating Commission must also approve the plan.

Another provision exempts the executive director from the salary cap placed on commissioners that maximizes their compensation at 95 percent of the governor's salary.

"Why should (the salary) be more than other commissioners," Rep. Mark Buesgens (R-Jordan) asked on the House floor. Buesgens was one of eight members who voted against the bill.

Peterson said the executive director's role is similar to investment officers and retention has been a problem.

### Optional locations for meetings

County boards may soon have the option of holding a meeting at any location within the county, under a bill passed 134-0 by the House May 3.

Passed 60-0 by the Senate April 26, the bill now goes to the governor.

The bill states that a board, "may meet" on other days "and at other locations within the county." Rep. Jerry Dempsey (R-Red Wing), who sponsors HF2318/SF2112\* with Sen. Steve Murphy (DFL-Red Wing), said the bill came to him as a request from the counties.

Robert Davis, veterans service officer and legislative liaison for Goodhue County, testified in a House committee that Goodhue County now holds meetings at county fairs, but cannot make the meetings official because of current state law.

Current law states, "the board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and on other days it prescribes as necessary for the interests of the county."

### Noxious weed appeals

Counties would be permitted to reassign appeals duties related to laws controlling and eradicating noxious weeds to a county board

of adjustment, under a bill passed by the House 128-0 May 3.

The bill was passed 64-0 by the Senate April 18, and it now awaits action by the governor.

Rep. Rick Hansen (DFL-South St. Paul), who sponsors HF1084/SF1016\* with Sen. Pat Pariseau (R-Farmington), said the bill is “streamlining county government processes.”

Each county now has the ability to have a noxious weed appeal board, but counties have to solicit members to join a rarely used board, Hansen said. Counties could reduce their efforts in trying to find members by having an existing board handle the appeals that may come from the public, he added.

“At its option, the county board of commissioners, by resolution, may delegate the duties of the appeal committee to its board of adjustment,” according to the bill. “When carrying out the duties of the appeal committee, the zoning board of adjustment shall comply with all of the procedural requirements.”

## ★ HEALTH

### **Omnibus bill passed by House**

The omnibus health finance bill continued on its contentious journey after passage by the House April 29. The 74-59 vote followed more than five-and-a-half hours of floor debate and two-dozen proposed amendments.

The Senate passed its omnibus health and human services bill, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), 38-29 May 4. A conference committee is expected to work out the differences.

“This bill represents outstanding balance,” said Rep. Fran Bradley (R-Rochester), sponsor of HF1422.

“There’s very little good in this bill,” countered Rep. Barbara Goodwin (DFL-Columbia Heights). “This bill moves health care into welfare.”

She said the bill includes 76 new fees or fee increases, and eliminates funding for suicide prevention, the second leading cause of death for Minnesotans ages 10 to 24.

The \$7.3 billion bill, representing 27 percent of the state budget, attempts to curb the trend of increased health care spending. Highlights of the bill include changing the cost shift for intermediate care facilities for people with developmental disabilities from 80 percent state and 20 percent county to 95 percent state and 5 percent county and providing a 2 percent increase for long-term care providers in both years of the biennium.

Under the bill, two-thirds of the 2 percent

increase would need to be used for employee salaries, benefits and associated costs. Rep. Patti Fritz (DFL-Faribault) unsuccessfully offered an amendment that would require the money to go to non-administration staff.

Other provisions would encourage community-based options for mentally ill and elderly people and utilize changes in the Federal Medicare Modernization Act for a \$17 million savings in state prescription drug programs.

The most controversial aspect of the bill would restructure MinnesotaCare eligibility, eliminating health care coverage for more than 20,000 people. The bill would make a conforming change that would eliminate eligibility for adults without children, effective Oct. 1, 2005.

An amendment offered by Rep. Thomas Huntley (DFL-Duluth) would have restored that coverage, but was ruled out of order.

An amendment successfully offered by Rep. Phyllis Kahn (DFL-Mpls) calls for the health commissioner to develop a cervical cancer prevention plan that would include improved screening rates.

“This is our first chance to eliminate a cancer,” Kahn said.

Rep. Margaret Anderson Kelliher (DFL-Mpls) unsuccessfully offered an amendment to create the “Emergency Care for Sexual Assault Victims Act,” which would require emergency rooms to provide rape victims with information about emergency contraception.

## ★ HIGHER EDUCATION

### **Planning for the future**

Creating more access to success is the goal of new strategic positioning initiatives for the University of Minnesota.

“We need to better try to manage our future and manage the priorities of the university,” President Robert Bruininks told the House Higher Education Finance Committee May 4. “It’s all about strengthening the university for the long haul.” The committee took no action.

This was the first time in a decade the university has stepped back and thought in this way about its future, Bruininks said. Eventually, about 40 recommendations came from two working groups that addressed academic priorities and administrative issues, respectively. After about a year of work, the recommendations were released March 30.

“The reports cover a wide range of issues,” Bruininks said. “Some recommendations talk about realigning colleges and academic departments. They would reduce the total number of colleges on the Twin Cities campus

to create strengthened centers of leadership and more collaboration between and among fields that really have a reason and a purpose to work more effectively together.”

Among the proposed changes is integrating the Family Social Science Department and the School of Social Work with current academic units in the College of Education and Human Development to create a college to address issues of lifelong learning and human development. “Instead of having resources in three or four different colleges that address these issues we’d bring them together in one college with a great deal of academic strength,” Bruininks said.

Also, the university’s General College would become an academic support department within the College of Education and Human Development. “You do not need a college to educate a student at the University of Minnesota,” Bruininks said. “If that was true, we’d have \$70 million more in overhead and we’d have about 60 colleges.”

The committee is expected to have a hearing devoted to the proposed General College changes before the Legislature is scheduled to adjourn May 23.

Rep. Carlos Mariani (DFL-St. Paul) sought assurances that the changes would not mean less focus on providing for diversity. “I don’t want to insult your colleges, but in looking at the numbers I see some real big challenges.”

Bruininks countered, “There’s a deep and abiding commitment for the university to maintain its commitment to diversity in all forms and aspects. There are some exciting ideas and recommendations on the table to achieve those values and aspirations.”

## ★ RECREATION

### **For adults only**

Adults who swim in zero-depth entry public pools would not need lifeguard supervision, under a bill approved by the House 128-2 May 3. The Senate approved the bill 57-4 April 26. It now awaits the governor’s signature.

HF604/SF284\*, sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. David Gaither (R-Plymouth), would exempt zero-depth pools, when used by people 18 years of age or older, from lifeguard requirements.

The bill would bring these pools in sync with regulations for regular pools, which are currently exempt from the lifeguard requirement when used by adults.

A zero-depth entry pool has a slope that begins at grade level, and deepens in a uniform slope to a depth of 3 feet or more. The gradual slope makes it easier for some people to get in and out of the pool.

The bill would allow health clubs to hold aqua-aerobic classes for adults in zero-entry pools without being required to have a life-guard present.

License requirements for pools would not change under the legislation. It would have no fiscal impact, add no additional regulatory responsibilities to the state or local government and not affect the need for inspections.

## ★ RETIREMENT

### Plan changes

The House State Government Finance Committee approved a bill May 4 that would make several changes to state pensions and retirement plans.

Rep. Steve Smith (R-Mound) and Sen. Don Betzold (DFL-Fridley) sponsor HF2092/SF427\* that incorporates more than 30 bills dealing with pensions and retirement options for legislators; elected state officers; uniform judges; members of the Minnesota State Retirement System, Minneapolis Teachers Retirement Fund Association and Minneapolis Employees Retirement Fund; First Class City Teacher Plans; Minnesota State Colleges and Universities system Individual Retirement Account Plans; and others.

The bill, which now goes to the House Ways and Means Committee, was passed 56-1 by the Senate April 27.

According to a summary provided by the Legislative Commission on Pensions and Retirement, the bill would:

- change or add definitions of dependent child, constitutional officer, former legislator, member of the Legislature and salary while making technical changes to statutes;
- revise the Minnesota State Colleges and Universities system Individual Retirement Account plans to not offer all of the State Board of Investment Supplemental Fund investments options;
- extend supplemental retirement plan status to the local laborers pension fund, and increase the maximum employer contribution to trade union supplemental retirement plans from \$2,000 to \$5,000;
- make a financial statement requirement applicable to volunteer firefighter relief associations and report to the State Auditor's office;
- allow the volunteer firefighter plans for Aurora, Biwabik, Hoyt Lakes and Palo to consolidate to pay a smaller pension amount than general law requires, and allow the Maplewood and Oakdale firefighter plans to enter into an agreement to provide pension portability for six

firefighters with service in the two relief associations; and

- create a taskforce to study creating a state-wide volunteer firefighter retirement plan, including the possible investment in vehicles.

A successful amendment by Rep. Marty Seifert (R-Marshall) removed a \$40,000 appropriation for the taskforce study.

## ★ SAFETY

### Conceal bill gets another hearing

When HF2428, the so-called "conceal and carry" bill, was drafted, an important provision was left out. The House Civil Law and Elections Committee corrected the omission May 4 and made technical changes to the bill it previously passed April 27.

Sponsored by Rep. Larry Howes (R-Walker), the bill would reenact a 2003 law that liberalized the process to acquire a handgun permit. That law was ruled unconstitutional by a district court because it was attached to an unrelated bill at the time of passage. The Minnesota Court of Appeals upheld the ruling in mid-April. But language contained in the two rulings differed on a provision dealing with the availability of permits to violent felons.

As amended, the bill would deny violent felons from ever receiving a permit to carry a handgun. The bill's enactment date was also changed to the day following final enactment.

A companion bill (SF2259), sponsored by Sen. Pat Pariseau (R-Farmington), awaits action on the Senate Floor.

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

## ★ TRANSPORTATION

### Revived omnibus bill moves on

House Transportation Finance Committee Chair Rep. Mary Liz Holberg (R-Lakeville) said her committee's omnibus bill would take many twists and turns before it reaches the governor's desk. This past week she was proved prophetic.

Six days after HF2461, the committee's \$3.98 billion bill that would pay for Minnesota's transportation needs for the next two years and beyond, was rejected by the House Taxes Committee. The committee approved a revised version May 4 and sent it to the House Ways and Means Committee.

The motion to reconsider the bill came from House Taxes Committee Chair Rep. Phil Krinkie (R-Shoreview). "It is important that we at least do something to fund transportation."

DFL members protested the lack of public notice of the action, as the committee had been scheduled to take up its omnibus tax bill.

### DOUBLE DUTY



PHOTO BY TOM OLMSCHIED

Members of the Welfare Rights Committee drape their protest sign from the second floor of the Rotunda as sixth-graders from Murray County School in southwest Minnesota lay on the floor to get a better view of the dome during an April 29 Capitol tour.

"This is something no city would even get away with," said Rep. Paul Marquart (DFL-Dilworth).

Krinkie successfully offered one amendment to strip the increase in license tab fees from the bill. That would reduce the bill's funding capacity by approximately \$40 million, Holberg said, so that would increase debt service. The net effect would be to postpone some projects, she said.

"It increases tab fees by \$1.3 billion over the next 10 years. I consider that a significant tax increase," Krinkie said between votes. "While I wish there might be some other way to infuse some additional revenue to better maintain highways, I don't think that's the way to do it."

DFLers unsuccessfully offered several amendments May 4, including a proposal from Rep. Irv Anderson (DFL-Int'l Falls) to raise the gas tax by 3 cents a gallon to help fund transportation needs.

The vote April 28 was 16-12, with Reps. Jim Knoblach (R-St. Cloud), Ray Vandever (R-Forest Lake) and Krinkie joining DFLers against the bill.

Holberg never seemed worried. "You've got to fund the State Patrol and (the Department of Transportation)," she said. "It's a divisive issue. There's no perfect transportation bill."

Rep. Tom Rukavina (DFL-Virginia) agrees that it's a contentious issue. "It's got all that bonding up over time, let's not have our kids pay for our problems," he said. The bill features at least \$1.5 billion in future highway bonding projects through 2015.

The bill approved by the House Transportation Finance Committee included a clause to repeal a state law that prohibits service stations from selling gasoline below cost. However, the tax committee removed that clause.

The bill still calls for a constitutional amendment in which voters would be asked whether to dedicate Motor Vehicle Sales Tax proceeds to highways and transit. Now, some of that money goes to the General Fund.

Driver's license fees would increase \$3, under the bill, and a variety of special license plates would be available for veterans.

### Goodbye to temporary tags

A bill that would allow customers to get license plates straight from the dealer when purchasing a new or used vehicle was approved by the House May 3. The vote was 125-2.

HF1134/SF1056\*, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Mee Moua (DFL-St. Paul), was passed by the Senate 60-0 April 27. It now goes to the governor.

The bill would allow the Department of Public Safety to distribute license plates and

stickers to automobile dealerships. Dealers would then issue plates and stickers at the time of purchase. The information would be electronically transmitted to the state and a deputy registrar would review the transaction before issuing the registration.

Cost to customers in other states average \$20, but the cost has not been set here. Using the service would be optional.

Severson said he had heard of no organized opposition to the bill.

Rep. Gregory M. Davids (R-Preston) said the bill would be welcome. "This bill makes everyone's life a lot easier. It will help consumers in Minnesota."

## VETERANS



### Preserving disabled veterans land

The Disabled Veterans Rest Camp on Big Marine Lake in Washington County would be excluded from certain zoning controls, under a bill passed 134-0 by the House May 3.

Approved 60-0 April 26 by the Senate, HF34/SF467\* now goes to the governor for his signature.

"This shows our appreciation for the sacrifices that our disabled veterans have made for us," said Rep. Ray Vandever (R-Forest Lake), who sponsors the bill with Sen. Michele Bachmann (R-Stillwater).

The bill would also require the camp to continue developing and promoting camp features for veterans who are disabled, prohibit the taking of land from the park by eminent domain, require access to the park be unrestricted and would exclude the camp from property taxes effective for taxes levied in 2005, payable in 2006, and thereafter.

The Disabled American Veterans, in a written letter to a House committee, said there have been numerous attempts by the Washington County Park Commission and members of the Washington County Board of Commissioners to acquire the land and make it part of the Big Marine Park Reserve.

The proposal "ensures that (the camp) is going to be there for the next 100 years," said Donald Drigans, camp treasurer.

"We've been working with the veterans," and things are going fairly well on issues that need to be addressed, said Myra Peterson, chair of the Washington County Board.

Concerns have been raised about how the county would be able to purchase the land if the camp wanted to sell the land in the future, she said. According to the bill, "The camp, by terms of separate agreements, must offer Washington County the right of first refusal to purchase the rest camp property if a sale is

ever contemplated and provide an easement across the main Veterans Rest Camp Road in order to provide a connection of the north and south areas of the park."

### Commemorative plaque

A commemorative plaque to honor Minnesota veterans who served in the Persian Gulf War would be placed in the Court of Honor on the Capitol grounds, under a bill passed 128-0 by the House May 3.

HF1394, sponsored by Rep. Judy Soderstrom (R-Mora), says the plaque is "to recognize the valiant service to our nation by thousands of brave men and women who served honorably as members of the United States armed forces during the Persian Gulf War."

The plaque would have "no cost directly to the state, the money would be raised by the veterans organizations," Terrence Logan, director of the veterans benefits division of the Department of Veterans Affairs, told a House committee.

The bill states, "the plaque must be furnished by a person or organization other than the Department of Veterans Affairs and must be approved by the commissioner of veterans affairs and the Capitol Area Architectural and Planning Board."

According to the nonpartisan House Research department, included in the plaques honoring the following people or groups that are now part of the Court of Honor, the semi-circular granite wall in front of the Veterans Service Building, are: Gen. George Washington; veterans of the Civil War, Spanish-American War, World War I, World War II, 194th Tank Battalion Bataan Death March, Korean Conflict and Vietnam War; and POW/MIA and women veterans of all wars.

The bill now goes to the Senate where Sen. Carrie L. Ruud (R-Breezy Point) is the sponsor.

### Frequently called numbers (Area code 651)

Information Services, House Public	
175 State Office Building .....	296-2146
Chief Clerk of the House	
211 Capitol .....	296-2314
Index, House	
211 Capitol .....	296-6646
TTY, House .....	296-9896
Toll free .....	1-800-657-3550
Information, Senate	
231 Capitol .....	296-0504
TTY, Senate .....	296-0250
Toll free .....	1-888-234-1112
Secretary of the Senate	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
Index, Senate	
110 Capitol .....	296-5560

# How a Bill Becomes

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency, or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill can be introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Authors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator is the chief author whose name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to 34 co-authors from the House and four from the Senate. Their names also appear on the bill.

## General Register

**7** In the House, the General Register serves as a parking lot where bills await action by the full body. Bills chosen to appear on the Calendar for the Day or the Fiscal Calendar are drawn from the General Register.

In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action), or further committee action. And sometimes they recommend that a bill not pass. From here, the bill is placed on the Calendar.

## Calendar for the Day

**8** In the House, the Calendar for the Day is a list of bills the House Rules and Legislative Administration Committee has designated for the full House to vote on. Members can vote to amend the bill, and after amendments are dispensed with, the bill is given its *third reading* before the vote of the full body is taken. The House also has a Fiscal Calendar, on which the chair of the House Ways and Means Committee or House Taxes Committee can call up for consideration any tax or finance bill that has had a second reading. The bills are debated, amended, and passed in one day.

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its *third reading*, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Committee on Rules and Administration designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day.

A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.



# a Law in Minnesota

## Introduction

**4** The chief House author of the bill introduces it in the House; the chief Senate author introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Floor

**6** After the full House or Senate accepts the committee report, the bill has its *second reading* and is placed on the House agenda called the General Register or the Senate agenda called General Orders. (A committee can recommend that non-controversial bills bypass the General Register or General Orders and go onto the Consent Calendar, where bills usually pass without debate.) After this point, House and Senate procedures differ slightly.

## Conference

**9** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the conference committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Floor

**10** The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

## Governor

**11** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may "line-item veto" parts of a money bill, or "pocket veto" a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼





## Green the great outdoors

Environmental funding and policy package progresses

By NICOLE WOOD

Minnesota environmental agencies and commissions would be morphed into new entities and the state would spend nearly \$1 billion during fiscal years 2006-07 for environmental protection, natural resources management and outdoor recreation, under an omnibus bill passed 68-64 by the House May 5.

HF902, sponsored by Rep. Dennis Ozment (R-Rosemount), now moves to the Senate.

Spending in the bill accounts for the environmental targets under both Option A and Option B of the House budget resolution. The target is below the governor's budget recommendation by \$3 million in Option B (with a racino) and by \$14.4 million in Option A.

"We've had to make some very tough choices," Ozment said. "We tried to find where we could craft it in such a way that could gain support and continue to have Minnesotans be proud of the way that we're trying to protect our environment and natural resources."

General Fund spending in Article 1 of the bill would equal the \$285.88 million target set under Option B; however, total spending would reach \$999.09 million when other funding sources such as lottery proceeds, license and permit fees, and federal dollars are added to the mix.

### Department of Natural Resources

More than half of the overall package — \$609.41 million — would be directed toward the Department of Natural Resources for responsibilities such as wildlife, minerals and forestry management; state park operations; habitat improvement; game and fish law enforcement; and off-road vehicle trail development.

Off-highway vehicle policies in the bill would:

- allow conservation officers and other peace officers to issue civil citations for wetlands violations by off-highway vehicle riders, with penalties set at \$100 for the first offense, \$500 for the second and \$1,000 for subsequent offenses;

- direct the department to establish an off-highway vehicle safety and conservation grant program, based on an ambassador program in Wisconsin, to encourage vehicle clubs to participate in safety and environmental training; and
- classify state forests north of U.S. Highway 2 as managed rather than limited.

Legislation in 2003 required the department to take an inventory of all state forests and by 2007 change their designation from managed, meaning trails are open unless posted closed, to limited, meaning trails are closed unless posted open.

Unsuccessful amendments offered by Rep. Ray Cox (R-Northfield) would have placed a 96-decibel sound limit on all off-highway vehicles and deleted the provision allowing for managed state forest status north of U.S. Highway 2.

"We need to remember that the forests and public lands are used by a variety of people," Cox said.

"Managed" does not mean ATVs can go anywhere or destroy wetlands, said Rep. Maxine Penas (R-Badger) in support of a managed status for her region. "This is regional warfare at its best."

Under the bill, boaters who imbibe too much could lose more personal property if arrested. It would specify that boat trailers could be subject to seizure and forfeiture by the department because of a DWI arrest. Rep. Torrey Westrom (R-Elbow Lake) unsuccessfully offered an amendment that would have required the proceeds from the department's sale of the trailer to be put toward the defendant's fine.

### Department of Environmental Protection

Under the bill, the Pollution Control Agency and Office of Environmental Assistance would be merged into one department. The new entity, that would be known as the Department of Environmental Protection, would receive \$267.65 million for land, water, and air monitoring and clean-up; regulation

enforcement; solid waste management grants; environmental education; and recycling efforts.

### Minnesota Conservation Heritage Council

A number of environmental projects would be funded through a \$39.28 million appropriation to the Legislative Commission on Minnesota Resources, although the bill would eliminate the commission. It would establish the Minnesota Conservation Heritage Council in its place to make decisions on Environmental and Natural Resources Trust Fund spending.

The council would consist of 11 citizen experts appointed by the governor with the consent of the Senate.

Proponents said the change would take politics out of the process.

"It needs to be in the hands of the people that actually went out there and campaigned to get the Environmental Trust Fund established," Ozment said.

Opponents said other factors were driving the reform, including efforts by the executive branch to control the purse strings.

"You know what's really behind this? Three governors have tried to grab that money," said Rep. Ron Erhardt (R-Edina).

### Other spending

Smaller biennial budget amounts would include \$33.28 million for the Minnesota Zoological Board, \$31.39 million for the Board of Water and Soil Resources and \$14.9 million to the Metropolitan Council for regional parks.

The Minnesota Conservation Corps would receive \$1.68 million and the Science Museum of Minnesota appropriation would be set at \$1.5 million.

### Select fee increases, revenue raisers

The bill would increase three-year watercraft license fees and place the funds in a dedicated account for boating facilities and public access improvements on public waters.

Ski pass fees would be increased to support the department's cross-country ski trail grant-in-aid program.

The bill would require resident snowmobilers to purchase a \$15 sticker to ride on state

Continued on page 22

# Raising wages

## Minimum wage increase awaits gubernatorial action

By **BRETT MARTIN**

**P**ay raises for minimum wage earners might be just a couple of pen strokes away.

Awaiting action by Gov. Tim Pawlenty is a bill that would increase the state's minimum wage by \$1 an hour for large employers and 35 cents an hour for smaller employers.

The House passed the bill 84-50 May 2, but not before debating amendments that would change the amount of the increase and which companies would be impacted.

The Senate approved the amended bill 44-22 the following day.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen R. Anderson (DFL-St. Paul), HF48/SF3\* would impact approximately 50,000 Minnesotans who currently earn minimum wage.

"The win today is for some of the lowest paid people," Rukavina said.

As approved, the bill would require employers with annual gross sales of at least \$625,000 to increase the minimum wage from \$5.15 an hour to \$6.15 an hour beginning Aug. 1, 2005. Current definition defines a large employer as one with at least \$500,000 in annual sales. The \$5.15 hourly rate has been in place since Sept. 1, 1997.

Minimum wage for employers with annual gross sales of less than \$500,000 has been \$4.90 an hour since Jan. 1, 1998. That would increase to \$5.25 an hour, beginning Aug. 1, 2005, for companies with less than \$625,000 in annual sales.

Employers would be able to pay an employee under 20 years of age \$4.90 an hour for the first 90 consecutive days of employment. The hourly amount is now \$4.25.

The federal minimum wage for covered, nonexempt employees is \$5.15 an hour, according to the U.S. Department of Labor.

"This would have a huge economic boost to the state," Rukavina said.

Some Republicans argued that the minimum wage increase would force pay increases in other income brackets, which Rukavina welcomes.

"What's wrong with someone making \$7 an hour making \$7.50?" he asked. "It does have an effect, but I think that's a good thing."

Rep. Mark Olson (R-Big Lake) worried that increasing the minimum wage would hurt businesses, which would result in job losses and lead to more jobs being outsourced.

"I have grave concerns over what you're proposing," he said. "We cannot be short-sighted."

Rep. Dan Severson (R-Sauk Rapids) agreed, saying it would make Minnesota a less business-friendly state and would drive some small businesses, such as family-run restaurants, out of business.

"This is about denying jobs to our people," he said.

DFL members offered a different perspective. Rep. Frank Hornstein (DFL-Mpls) said a wide gap exists between basic necessities and what minimum wage earners can afford, and

the bill would help close that gap.

"You want to make sure kids are fed and the mortgage is paid," said Rep. Cy Thao (DFL-St. Paul). Both of his parents worked minimum wage jobs.

Rep. Margaret Anderson Kelliher (DFL-Mpls) said the increase would provide more financial freedom to workers.

"This minimum wage bill will attract more people to Minnesota who want to work," she said.

Rep. Marty Seifert (R-Marshall) offered an unsuccessful amendment to make it a "livable" wage by increasing the minimum pay to \$9.73 an hour.

"Let's do the whole enchilada," Seifert said. "You're only giving us half a taco."

He offered an amendment to change the \$500,000 gross sales limit that determines minimum wage pay rates to \$2 million. When that was defeated, he unsuccessfully offered another amendment to change it to \$1 million. A third amendment to change it to \$750,000 was orally amended to \$625,000 and approved.

An amendment by Rep. Tom Emmer

**Continued on page 22**



PHOTO BY SARAH STACKE

**Tony Gomez prepares a sandwich at the Subway in Hugo. A bill that would raise the state's minimum wage for the first time since Jan. 1, 1998, would affect entry-level positions in fast food and other establishments.**

## One-stop shopping

State services as a single enterprise being proposed

By PATTY JANOVEC

Imagine beginning a new small business and only going to one state agency for all your licenses or permits.

One-stop shopping for state government services is what Gov. Tim Pawlenty had in mind with the Drive to Excellence campaign, according to Administration Commissioner Dana Badgerow.

The campaign details recommendations, in part, on how agencies can combine business and technology services as a single enterprise to create efficiencies and better customer service.

"Citizen access to services ought to be simple and intuitive, and today it is a complex web, very difficult for a citizen to navigate," Badgerow told the House State Government Finance Committee April 27.

By fiscal year 2011, a cumulative cost reduction of \$570 million is expected, with \$160 million per year once the "Transformational Roadmap" projects are completed. A governor's executive order will implement the six project areas (information technology, purchasing, licensing, code consolidation, grant management and real property management) with additional changes to follow.

"The first six Drive to Excellence projects could yield as much as \$458 million in cost reductions over seven years, after an estimated investment of \$72 million," according to details in a report that focuses on shared functions among state agencies.

"We spend at least \$1 billion on goods and services ... there are 543 people scattered among all the executive branch agencies that are doing buying of some kind," said Badgerow, noting that compared to the private sector that ratio is high.

The campaign calls for the consolidation of purchases by a statewide system for better sourcing and discounts. The result is "more bang for the buck," in state dollars, according

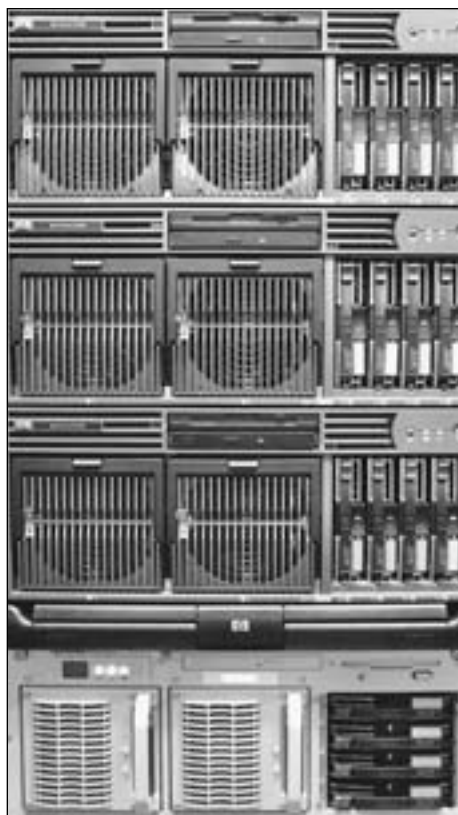


PHOTO BY ANDREW VONBANK

**Part of the governor's Drive to Excellence orders the creation of a new Office of Technology which would standardize information technology across the state.**

to a committee's overview report.

Internet technology "underpins everything we do in state government," Badgerow said. The second recommendation for change includes creating a shared technology organization for computer systems and telecommunication, consolidating data centers and creating a new purchasing process for state-wide licenses.

State agencies are operating more than 500 individual Web sites, according to campaign details. A governor's executive order mandates the creation of a new Office of Technology that would essentially be a standalone agency to "develop and implement policies, procedures, and standards ensuring the optimal leveraging of (Internet technology) across the state enterprise, and manage consistency and efficiency in IT activities including standardization of policies, procedures, data, and tools." It is expected that more uniformity would mean "more effective business processes, reduced costs, and improved customer service based on better use of technology."

The governor's recommendation includes making the "one-stop shop" approach into a customer-focused online licensing system for professional, occupational and business licensing.

"One million business and professional licensing transactions are handled each year by more than 40 agencies and 800 state employees, using over 60 licensing systems," according to the report.

Another focus for change includes the state grant management process. The report details, "the state currently pursues, distributes, and manages more than \$1.1 billion of incoming grant money from more than 500 grants. It also monitors the performance of

approximately 7,000 organizations that receive \$1.4 billion via 9,400 state grants."

With so many state agencies with their hands in the pot, the governor recommends creating a single grant management system to administer and meet the needs of 80 percent of state grant programs.

Pawlenty's recommendation also includes creating

### Estimated savings from the Drive to Excellence

(Initial estimated dollars in millions)

	2005	2006	2007	2008	2009	2010	2011	Total
Sourcing/Procurement	0	20	30	41	52	53	55	251
Information Technology	0	1	9	16	21	25	25	97
Licensing	0	11	15	15	15	14	14	84
Customer Service Innovation	0	0	0	1	2	2	2	7
Grant Management	0	1	1	4	6	7	7	26
Real Property		0	0	0	2	2	4	8
Subtotal								473

Source: Drive to Excellence Transformation Roadmap

Continued on page 22

# A taxing deliberation

Provisions call for taxpayer input into proposed levy increases

By **MATT WETZEL**

**T**he omnibus tax bill that would make military veterans happy, but make city officials cranky is under consideration by the House Taxes Committee.

Committee Chair Rep. Phil Krinkie (R-Shoreview) unveiled HF785 at the May 2 meeting. Public testimony was offered May 3 and amendments were debated May 5. Krinkie said a vote might occur late that night, after this edition of *Session Weekly* went to press.

## Taxpayer satisfaction survey

The bill proposes to freeze property tax levies for counties, cities, towns and special taxing districts for taxes payable in 2006.

It also provides for a survey form to be enclosed with each taxpayer's truth-in-taxation statement beginning with taxes payable in 2007, asking for a "yes" or "no" reaction to any proposed levy increase.

If more than 20 percent of property owners

are dissatisfied, a special election on the proposed levy would be triggered. If voters do not approve the new levy, the levy reverts to the previous year.

City officials said the legislation was unnecessary. "If it isn't broke, don't fix it," said Judy Johnson, Plymouth mayor and president of the League of Minnesota Cities.

"We have an open process based on public participation. We conduct city business in the light of public meetings," she said. "This is about local control. The state needs to allow me to do the job I was elected to do. We believe this is a solution looking for a problem."

Rep. Paul Marquart (DFL-Dilworth) unsuccessfully offered an amendment to delete the taxpayer satisfaction surveys. "It will likely increase property taxes," he said, referring to the potential cost of holding an election, and the need to possibly wait until the last week in January for cities to set their budgets. "With increased expenses, it will increase property

taxes. I think it's insulting and disingenuous to our residents."

He also pointed out that renters would not receive the notices, and they pay property taxes through the rent they pay.

"What are you afraid of?" countered Krinkie. "I can't understand why all of our legislators who do this (send out voter surveys) on a regular basis think it's not a good idea?"

"This is a unique opportunity for citizens to participate. Just ask the folks who are paying the taxes if they approve of the levy."

## Veterans

The bill proposes some tax breaks for veterans, both active and retired.

Veterans or surviving spouses who are totally or permanently disabled due to a service-related occurrence would get a \$200,000 valuation exclusion for their property when determining property taxes.

The state's tax form would be amended to allow taxpayers to voluntarily donate \$1 or more to a Minnesota Military Families Relief Account. Maximum grants of \$2,000 would be made as needed to National Guard or Reserve members ordered to federal active

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PHOTO BY TOM OLMSCHIED

Department of Revenue Commissioner Dan Salomone, *right*, listens as Larry Wilkie, director of the department's Corporate and Sales Tax Division, answers a question from a member of the House Taxes Committee during a May 3 hearing.

# A cut above the rest

'Ken the Barber' clips through party lines

By LAURA NOE

"Look what you have done to my hair! Stay cool," signed Gov. Tim Pawlenty, on his picture hanging in Ken Kirkpatrick's barber shop. Pawlenty is the fifth governor whose tresses have been trimmed by Kirkpatrick, who never got the chance to shave the head of former Gov. Jesse Ventura.

Governors, legislators and commissioners alike have been getting their hair cut in the basement of the State Office Building since 1932.

Kirkpatrick has owned Capitol Barbers for the past 33 years. Becoming a proprietor was always part of his plan to become a barber. "I knew I would right from the beginning. That's why I wanted to get into it."

It was just out of the military, while working construction, that Kirkpatrick decided to go into the profession.

"We were driving one day and passed a barber school and I went in and applied," he said. Nine months later he was cutting hair professionally. His first barber job, at age 23, was working for the North Star Inn in Minneapolis.

Some of his current customers have been with him for 30 years. Although his convenient location tends to lead people in, Kirkpatrick's joking demeanor and his skill draw people back.

His nickname, "Lawn Boy," comes from the speed of his work. "That was one of the better things they called me," laughs the man with an insatiable sense of humor.

So far, Kirkpatrick estimates he has performed around 325,000 haircuts. However, he only considers a modest couple of thousand people to be regulars. "Half of them are retired, so now they drive back in," he said.

Former Rep. Doug Ewald is a good example. He served the House from 1975-1982, but his loyalty to his barber has remained. He laughed when saying, "I keep coming back because I'm waiting for Ken to do it right!"

Though obviously not short on customers, Kirkpatrick welcomes new clients with open arms. "It happens all the time. We get new

people every day."

Scott Wiggins, assistant to the public safety commissioner, is relatively new because he's only been coming to Kirkpatrick for seven years.

"Friendly conversation," he said, is what makes him loyal.

That's exactly what Kirkpatrick loves most about his job. "It's like going on vacation. You have fun everyday. You got a 20 to 25 minute party with everybody that comes in."

In fact, Kirkpatrick can't think of anything he'd want to change, except to perhaps expand the shop. The Marquee, his shop in Maple-

Barbers is definitely touched by the political atmosphere of the House. Kirkpatrick gets dragged into debates all the time, "Whether I want to be or not," he said.

He's also not shy about encouraging debates between others.

"I usually start them," he chuckles. "If I knew there was somebody in here from the Department of Labor and somebody that was probably a Republican, I'd get it going. Then I'd walk out. That was my breakfast every morning."

In addition to being the number one barber at the Legislature, Kirkpatrick has been on the Board of Barber and Cosmetologist Examiners, which is responsible for regulating the practice of all barbers, cosmetologists, shops and schools, since 1980. He also served as president of the Barber Boards of America in 2002 and 2003.

Kirkpatrick just wishes it took up less time.



PHOTO BY TOM OLMSCHIED

**Ken Kirkpatrick of Capitol Barbers trims the beard of Gerald Melin at his State Office Building shop May 4. Melin is a retired Department of Transportation employee, where he was an engineering technician for 34 years.**

wood, is a full-service salon, including foot massages and body wraps.

Because Kirkpatrick has both a barber and cosmetology license, he would like to see something like that in the Capitol Complex. "If they'd give me the room," he said, "I would do it."

Those who expect a typical barbershop atmosphere should be warned that Capitol

"Because I'm here at the Capitol," he said, "I seem to get most of the calls."

Kirkpatrick plans on staying with Capitol Barbers until the end, and has already passed on his love for the profession to his two sons. Josh runs Kirkpatrick's shop in Maplewood,

**Continued on page 22**

# War and remembrance

Representatives have ties to end of WWII

By Ruth Dunn

**W**orld events that took place across the Atlantic Ocean 60 years ago this month are of special interest to three House members.

As World War II was coming to an end in May 1945, Rep. Bernard Lieder (DFL-Crookston) was a 20-year-old Army infantryman on the front line of the Allied invasion of Nazi Germany.

At the same time, the parents of Rep. Frank Hornstein (DFL-Mpls) were struggling to survive in concentration camps where 6 million Jewish people had already died.

Although not as directly involved, Rep. Lloyd Cybart (R-Apple Valley), a retired Air Force sergeant now married to a German woman, has an avid interest in military history and a deep appreciation of the sacrifices made by people like Lieder and Hornstein's parents.

All three recently attended a commemora-

tion to honor concentration camp survivors and the veterans who helped liberate them six decades ago.

## Liberating Army

Arriving in Europe in September 1944 as a replacement for troops killed in the beach landings in France, Lieder was in the front lines as the Allies moved toward Berlin.

His Army infantry unit would secure a town and prepare for a counterattack. His duties involved freeing inmates of worker camps that included Jews and other displaced people from Russia, Poland and France.

Lieder is humble about his role and explains that he wasn't involved in the liberation of big-name concentration camps like Dachau and Auschwitz.

But because he is bilingual, Lieder was brought in as a translator for many situations that he would not have otherwise been involved in as a private, including the interrogation of

**World War II**  
**Days of Remembrance**

**May 5: Yom HaShoah Holocaust Remembrance Day, commemorated since 1979**

**May 8, 1945: German surrender, Victory in Europe (V-E Day)**

**Aug. 15, 1945: Japanese surrender, Victory in Japan (V-J Day)**

German soldiers and communication with civilians and inmates of worker camps. (Lieder grew up speaking German in the close-knit German Lutheran town of Hanover, Minn.)

After the Germans surrendered, Lieder's unit was preparing to go to the South Pacific, but avoided that fate when the Japanese surrendered on Aug. 15, 1945. Instead, he stayed in Germany until March 1946 as part of the occupation forces.

"I was surprised how quickly the country recovered," said Lieder, who has returned to Germany as a visitor about 10 times since the war and organized donations for schools in a German town where he was once stationed. He's also befriended a former SS soldier who is now a Catholic priest.

Thoughts of his war experience are never far away. "I think about it every day," he admits.

## Family history

As a child, Hornstein didn't understand the significance of his family's history. His early memories were of his parents' foreign accents. When he realized that other children had grandparents and he didn't, he asked his parents why. He was told his grandparents died in the war. "I thought they were soldiers," he said.

By 1979, he had become so interested in the stories of his surviving relatives that he traveled to Israel and Germany to collect oral histories. He knew they were getting older and their powerful first-person accounts would otherwise be lost.

He's always been glad he has preserved those written memories to share with future generations, including his own three children.

During his search, he discovered what happened to all four grandparents who died in the camps, and that his parents, like most survivors, managed to live through a



Women and children survivors in the concentration camp in Mauthausen, Austria, speak to an American liberator through a barbed wire fence, May 5, 1945.

Photo courtesy United States Holocaust Memorial Museum, from the collection of Col. P. Robert Seibel ([www.ushmm.org](http://www.ushmm.org))

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### Cultivating rural Minnesota

With debate reflecting persistent differences among lawmakers over local feedlot permitting practices, the House passed an omnibus agriculture and rural development finance and policy package 104-27 May 5.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF1420 would dedicate approximately \$150 million toward the state's agricultural sector over the next fiscal biennium. It now moves to the Senate.

The net effect to the General Fund would be nearly \$86 million, in line with the House target. Total spending would reach \$150.39 million when all sources, such as the Agriculture and Remediation funds and federal dollars, are considered.

Under the bill, the Department of Agriculture would receive just under \$140 million. Of that amount, \$76.77 million is General Fund spending.

Ethanol producer payments in the bill would be disbursed at 13 cents per gallon, with \$34.01 million earmarked for those payments in fiscal years 2006-07.

Other earmarks for the department include: \$300,000 for increased groundwater monitoring for pesticides, \$220,000 for a contract with the University of Minnesota for livestock odor research, \$200,000 for training of local officials in livestock siting and land use planning and \$50,000 for a grant to Second Harvest Heartland for the purchase of milk for food banks.

A number of fee increases are forwarded under the bill, including apiary fees paid by beekeepers, nursery stock dealer fees and grain buyer and storage fees.

Many of the fees addressed in the bill haven't been increased since the 1980s, Ozment said.

The bill would also allocate \$7.62 million to the Animal Health Board, \$5.92 million of which is General Fund spending; \$3.2 million to the Agricultural Utilization Research Institute; and \$10,000 to the Minnesota Horticulture Society.

Policy issues in the bill would designate as private certain data collected by the Animal Health Board, encourage renewable fuel use in state vehicles with a so-called "SmartFleet" initiative" and grant food makers and sellers immunity from certain lawsuits stemming

from obesity claims.

Livestock siting provisions under HF1420 would place counties and townships on the same timeline for notifying the Pollution Control Agency and Agriculture Department of new or amended feedlot ordinances.

A township or county looking to adopt or revise feedlot ordinances would be required to prepare an economic impact statement at the request of any one member of its governing board.

An amendment offered by Rep. Frank Moe (DFL-Bemidji) that would have changed that requirement to a request from a majority of the governing board failed.

Under the bill, the Department of Commerce would be instructed to study the technical and economic benefits of using biodiesel fuel as a residential, commercial and industrial heating fuel.

Also, the bill would create an agricultural nutrient task force of lawmakers and public experts to examine fertilizer selection, application, storage and other soil nutrient issues. Rep. Rick Hansen (DFL-South St. Paul) successfully added another component to the study: ways of preventing anhydrous ammonia theft for manufacturing methamphetamine.

### Continued from page 17

duty, or surviving family members. That would be effective beginning with income tax returns for tax year 2005.

### Special taxes and fees, tax credits

The bill proposes some changes in sales and property taxes, and imposes some new fees.

For example, a dairy investment credit would be established against individual income or corporate franchise taxes owed to the state. The credit would amount to 10 percent of the first \$500,000 of investment, declining as the investment increases. The top eligible investment would be \$1 million, with a credit of \$75,000. Farmers can use their investment for items such as barns, fences, water and feed facilities, manure handling equipment and storage facilities. The credit is available for investments made after Dec. 31, 2004.

Owners of Canterbury Park would have to pay a franchise fee equal to 15 percent of gross revenues at their card club, effective after June 30, 2005.

Another provision calls for the retail sales tax on cigarettes to be replaced with a tax imposed at the wholesale level based on the average retail price of cigarettes.

The measure also would reduce the insurance premiums tax on life insurance to 1.5 percent, beginning Jan. 1, 2008.

### JOBZ program

The bill makes some changes to the state JOBZ program, which, according to the Department of Employment and Economic Development, "provides substantial tax relief to companies that start up or expand in targeted areas of Greater Minnesota — from the date they sign a subsidy agreement until the program expires on December 31, 2015."

Under the bill, the local government must consider several things before executing a business subsidy agreement with a business. They must examine:

- how wages compare with 110 percent of the statewide poverty rate for a family of four,
- how wages compare to a regional industry average,
- the number of jobs created,
- the industry's economic outlook, and
- how the business will diversify the regional economy.

In addition, the business must increase full-time employment by five jobs or 20 percent; whichever is greater, in the first year. Retailers are not eligible.

### Tax reform commission

A 15-member tax reform commission would be convened to examine the mix of state revenue between taxes and fees, the implications of demographic and economic changes on the revenue system and the fairness of the

current system.


The commission would make reports to the Legislature over a four-year period with the goal of long-term improvements.

The commission is to report its findings on corporate and business taxation by July 1, 2007; on general sales tax, motor vehicle sales tax and special excise taxes by July 1, 2008; on individual income tax by July 1, 2009; and on estate tax, insurance premiums tax, MinnesotaCare tax and all other taxes by July 1, 2010.

### Miscellaneous

The state's tax form would be amended to allow taxpayers to donate \$1, or more, to a public safety memorial and survivors account. The money would be used to build and maintain memorials and help families of peace officers killed on duty.

All the check-offs will be placed on a separate form, with the total amount transferred to the main tax form. Each check-off would be removed if they fail to garner at least \$100,000 in contributions from at least 8 percent of all returns over two years.

The bill also provides a statutory definition of "tax." A tax is any fee, charge of assessment imposed by a governmental entity, according to the bill. The definition excludes amounts that an individual pays in return for goods or services. 



# Members by Seniority

## 17th Term

Anderson, Irv (3A)\*  
Carlson, Lyndon (45B)  
Kahn, Phyllis (59B)

## 15th Term

Jaros, Mike (7B)\*  
Murphy, Mary (6B)

## 14th Term

Sviggum, Steve (28B)

## 13th Term

Clark, Karen (61A)

## 12th Term

Solberg, Loren (3B)

## 11th Term

Lieder, Bernard (1B)  
Ozment, Dennis (37B)

## 10th Term

Dorn, John (23B)  
Pelowski, Jr., Gene (31A)  
Rukavina, Tom (5A)  
Wagenius, Jean (62B)

## 9th Term

Abrams, Ron (43B)  
Hausman, Alice (66B)

## 8th Term

Davids, Gregory M. (31B)  
Erhardt, Ron (41A)  
Krinkie, Philip (53A)  
Mariani, Carlos (65B)  
Smith, Steve (33A)

## 7th Term

Dempsey, Jerry (28A)  
Greiling, Mindy (54A)  
Huntley, Thomas (7A)  
Olson, Mark (16B)  
Opatz, Joe (15B)

## 6th Term

Anderson, Bruce (19A)  
Bradley, Fran (29B)  
Entenza, Matt (64A)  
Gunther, Bob (24A)  
Knoblach, Jim (15A)  
Paulsen, Erik (42B)  
Sykora, Barb (33B)

## 5th Term

Erickson, Sondra (16A)  
Hackbarth, Tom (48A)\*  
Hilty, Bill (8A)  
Juhnke, Al (13B)  
Mullery, Joe (58A)  
Nornes, Bud (10A)  
Otremba, Mary Ellen (11B)  
Paymar, Michael (64B)  
Seifert, Marty (21A)  
Tingelstad, Kathy (49B)  
Vandever, Ray (52A)  
Westrom, Torrey (11A)

## 4th Term

Abeler, Jim (48B)  
Buesgens, Mark (35B)  
Dorman, Dan (27A)  
Holberg, Mary Liz (36A)  
Howes, Larry (4B)  
Kelliher, Margaret Anderson (60A)  
Larson, Dan (63B)  
Lenczewski, Ann (40B)  
Mahoney, Tim (67A)  
Slawik, Nora (55B)\*  
Westerberg, Andrew "Andy" (51A)  
Wilkin, Tim (38A)

## 3rd Term

Bernardy, Connie (51B)  
Blaine, Greg (12B)  
Davnie, Jim (62A)  
Eastlund, Rob (17A)  
Goodwin, Barbara (50A)  
Hilstrom, Debra (46B)  
Johnson, Jeff (43A)  
Johnson, Ruth (23A)\*  
Johnson, Sheldon (67B)  
Marquart, Paul (9B)  
Penas, Maxine (1A)  
Ruth, Connie (26A)  
Sertich, Anthony "Tony" (5B)  
Walker, Neva (61B)

## 2nd Term

Atkins, Joe (39B)  
Beard, Michael (35A)  
Brod, Laura (25A)  
Cornish, Tony (24B)  
Cox, Ray (25B)  
DeLaForest, Chris (49A)  
Demmer, Randy (29A)  
Dill, David (6A)  
Eken, Kent (2A)  
Ellison, Keith (58B)  
Finstad, Brad (21B)

Heidgerken, Bud (13A)  
Hoppe, Joe (34B)  
Hornstein, Frank (60B)  
Klinzing, Karen (56B)  
Koenen, Lyle (20B)  
Kohls, Paul (34A)  
Lanning, Morrie (9A)  
Latz, Ron (44B)  
Lesch, John (66A)  
Magnus, Doug (22A)  
McNamara, Denny (57B)  
Meslow, Doug (53B)  
Nelson, Michael (46A)  
Nelson, Peter (17B)  
Newman, Scott (18A)  
Peterson, Aaron (20A)  
Powell, Duke (40A)  
Samuelson, Char (50B)  
Severson, Dan (14A)  
Sieben, Katie (57A)  
Simpson, Dean (10B)  
Soderstrom, Judy (8B)  
Thao, Cy (65A)  
Thissen, Paul (63A)  
Urdahl, Dean (18B)  
Wardlow, Lynn (38B)  
Zellers, Kurt (32B)

## 1st Term

Charron, Mike (56A)  
Cybart, Lloyd (37A)  
Dean, Matt (52B)  
Dittrich, Denise (47A)  
Emmer, Tom (19B)  
Fritz, Patti (26B)  
Garofalo, Pat (36B)  
Gazelka, Paul (12A)  
Hamilton, Rod (22B)  
Hansen, Rick (39A)  
Hortman, Melissa (47B)  
Hosch, Larry (14B)  
Liebling, Tina (30A)  
Lillie, Leon (55A)  
Loeffler, Diane (59A)  
Moe, Frank (4A)  
Peppin, Joyce (32A)  
Peterson, Neil W. (41B)  
Peterson, Sandra (45A)  
Poppe, Jeanne (27B)  
Ruud, Maria (42A)  
Sailer, Brita (2B)  
Scalze, Bev (54B)  
Simon, Steve (44A)  
Welti, Andy (30B)

\* - non-consecutive term

## Environment continued from page 14

and grant-in-aid trails in order to defray trail grooming and maintenance costs.

Under the bill, municipalities, golf courses and landscape irrigators would pay a surcharge on water used during the summer months, if the amount is greater than January consumption levels. The surcharge would not apply to agricultural users. The increased fee could promote conservation, proponents said.


Also under the bill, a fee would be established to cover the department's costs for managing state-owned minerals. The minerals management fee would be set at 20 percent of mineral revenues generated. Currently, the money comes from the General Fund.

## Plan B

If the House fails to pass a gaming measure, Article 2 would become a reality in order to meet the General Fund spending target of \$274.48 million. "Uff Da, if we get Option A," said Rep. Al Juhnke (DFL-Willmar).

"These cuts are pretty ironic or tragic when all we hear is the talk about cleaning up our polluted waters," said Rep. Jean Wagenius (DFL-Mpls).

Under that scenario, funding would be reduced for the following agencies:

- Department of Natural Resources (-\$8.31 million); however, reductions to the Reinvest in Minnesota program forwarded in the Article 1 funding plan would be canceled out by \$691,000;
- Board of Water and Soil Resources (-\$1.41 million);
- Department of Environmental Protection (-\$1 million);
- Minnesota Conservation Corps (-\$700,000);
- Metropolitan Council parks (-\$600,000); and
- Science Museum of Minnesota (-\$70,000). 

## Wages continued from page 15

(R-Delano), which was withdrawn, would have repealed the state's minimum wage altogether.


Seven states don't have a minimum wage requirement, and the 14 states with a minimum wage standard higher than Minnesota also have higher unemployment, Emmer said.

"It's proven that it does not work," he said.

Rep. Bob Gunther (R-Fairmont) unsuccessfully offered an amendment to hold the minimum wage at \$5.25 an hour for waiters and waitresses, and \$6.15 an hour for

employees at companies with annual sales of more than \$1 million.

"This is fair," he said. "I want to see the minimum wage raised to \$6.15 an hour."

Gunther argued that tipped employees don't need the raise because they average more than \$17 an hour. 

## Drive continued from page 16


a shared structure for the management of property and the use of shared technology for managing real estate. The system would include details such as rent, repair, maintenance and ownership.

Fourteen "custodial" agencies now manage more than 5,000 buildings on nearly 6 million acres, 880 leases totaling more than 4 million square feet and the budgeting and legislative processes are based on incomplete data, according to the report.

The governor's reorganizational order involves making uniform "programs and services related to the construction and building code licenses and regulation are being consolidated in the Department of Labor and Industry." Currently, multiple agencies oversee the building codes causing staff time to be spent on similar data collecting functions rather than enforcement activity.

The result would be, according to the report, "more efficient, effective, and less costly regulation of the construction industry," which accounts for nearly 20 percent of the state's economy.

Additional areas expected to be addressed later include: customer service innovation projects, such as consolidated contact centers, improvements on how the state handles financial transactions and combining human resource functions into a shared service.

Staff positions are expected to be reduced by about 1,300 with most of the reduction coming from attrition, rather than the "restructuring, relocations or layoff," which would happen over a five-year period, Badgerow said. 


## Barber continued from page 18

and Kevin will be graduating from cosmetology school this year.

Kirkpatrick's other shops, including one in the Minneapolis-St. Paul International Airport, and one opening in Stillwater, keep him busy. When he gets a chance, though, he enjoys getting outdoors.

"I do all kinds of fishing, and I do a lot of hunting trips." From Minnesota to Colorado and Wyoming, you'll find Kirkpatrick fishing for walleye and hunting elk, deer and antelope.

Kirkpatrick is a reservoir not only of skill and experience, but political secrets as well. "I know most everything that's going to happen before it happens," he said, but he'll never tell.

Then again, there is one thing Kirkpatrick thinks people should know: "This job is the best-kept secret in the world!" 

## War continued from page 19

combination of street smarts and luck, said Hornstein. Both his parents spent time in forced labor camps — much like those that Lieder helped liberate — where the able-bodied tended to be sent first. His parents met after the war while on a train to a camp for displaced persons.

Hornstein's mother died in 1998, and his father, Stephen, now lives in St. Louis Park. Last year, Hornstein invited Lieder to his family's Passover Seder meal where the two older men immediately began talking about their war experiences.

"The vets who defeated Germany and liberated the camps are heroes," said Hornstein.

## A soldier's view

When he was young, Cybart knew a concentration camp survivor who lived down the street from his aunt in Michigan. The woman, who had a camp number tattooed on her arm, would talk about her experiences. "That made it real," said Cybart.


During a seven-year stint in Germany with the Air Force military police in the 1980s, he visited Dachau, a concentration camp near Munich. "It was a somber place and a horrifying part of history," he said.

Cybart has tremendous respect for the "Greatest Generation" of World War II and the sacrifices they made. Through his wife, who is from Zell, Germany, he's talked with many Germans and heard their war experiences.

Retired a few years ago after 20 years of active duty, Cybart first met Lieder when he was seeking sponsors for a bill involving veteran's benefits.

"I have the utmost respect for what he went through," said Cybart.

Cybart feels strongly about honoring veterans and the sacrifices they made for the country. He's organizing the Memorial Day commemoration in Apple Valley this year.

"If we don't honor these people we forget their sacrifices and I don't want that to be forgotten." 

If you have Internet access, visit the House's Web page at:  
<http://www.house.mn>

## Friday, April 29

### HF2488—Abrams (R)

#### Taxes

Streamlined sales tax agreements conforming changes provided relating to sales tax exemptions for drugs and medical devices.

### HF2489—Mariani (DFL)

#### Taxes

Major and intermediate airports clarified as not included in metropolitan fiscal disparities.

### HF2490—Krinkie (R)

#### Taxes

Pharmacy referrals by the state prohibited to pharmacies that are not collecting the MinnesotaCare tax on prescription drugs.

### HF2491—Davnie (DFL)

#### Taxes

Land included in a soils condition district authorized for inclusion in a redevelopment tax increment financing district.

### HF2492—Urdahl (R)

#### Education Policy & Reform

Uniform school lockdown plan; schools required to adopt, implement and practice a uniform lockdown plan.

### HF2493—Poppe (DFL)

#### Agriculture, Environment &

#### Natural Resources Finance

Mower County Soil and Conservation District grant authorized to create a flood control demonstration project in the Cedar River Watershed and money appropriated.

### HF2494—Klinzing (R)

#### Education Finance

School districts required to spend at least 65 percent of their total operating expenditures on direct classroom expenditures.

## Monday, May 2

### HF2495—Peterson, A. (DFL)

#### Local Government

Lac qui Parle County auditor, treasurer and recorder made appointive offices.

### HF2496—Peterson, A. (DFL)

#### Local Government

Lac qui Parle County auditor and treasurer offices combined and combined auditor-treasurer and county recorder made appointive offices.

## Tuesday, May 3

### HF2497—Hornstein (DFL)

#### Commerce & Financial Institutions

Currency exchanges; separate licensure required for industrial loan and thrift companies acting as currency exchanges.

## Wednesday, May 4

### HF2498—Abrams (R)

#### Taxes

Public finance and tax increment financing provisions modified, purchases authorized, international economic development zone provided, tax incentives established and money appropriated.

### HF2499—Lenczewski (DFL)

#### Public Safety Policy & Finance

Predatory offenders prohibited from attending meetings held to warn the public of the offenders' presence in a community.

### HF2500—Wilkin (R)

#### Commerce & Financial Institutions

Individual health insurance policy forms filing and use regulated to establish a minimum loss ratio guarantee.

## Thursday, May 5

### HF2501—Charron (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Child care services improvements provided.

### HF2502—Anderson, I. (DFL)

#### Public Safety Policy & Finance

A House resolution memorializing the President and Congress to prohibit the importation of pseudoephedrine from other countries into the United States.

### HF2503—Anderson, B. (R)

#### Transportation

I-94 designated as 88th Infantry (Blue Devils) Division Highway.

## FALLEN HEROES



PHOTO BY TOM OLMSCHIED

Memorials lay at the base of the Minnesota Vietnam Veterans Memorial on the 30th anniversary of the end of the Vietnam Conflict April 29. The names of 1,077 Minnesotans who died and 43 still missing in action are etched in the memorial's black granite, along with the inscription "We Were Young, We Died, Remember Us."

MINNESOTA HOUSE OF REPRESENTATIVES  
PUBLIC INFORMATION SERVICES  
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SPEAKER OF THE HOUSE: STEVE SVIGGUM  
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MINORITY LEADER: MATT ENTENZA

# MINNESOTA INDEX

## Minnesota exports

State exports in 2004, in billions .....	\$18.8
Billions of manufactured exports from Minnesota in 2004 (record high) .....	\$11.8
Percent increase from 2003 .....	12.5
Billions in services exported from state in 2004 .....	\$5.5
Billions in bulk agricultural commodities .....	\$1.5
Percent of manufactured state exports that went to the European Union in 2004 .....	37.1
Billions in export value .....	\$4.4
Growth rate between 2003 and 2004, as percent .....	14
State exports in 2004, as percent, that went to North American countries .....	28
Percent increase between 2003 and 2004 .....	15.2
State exports in 2004, as percent, that went to Asia-Pacific region .....	27.8
Percent increase between 2003 and 2004 .....	6.9
Foreign destinations Minnesota exported to in 2004 .....	200
State manufactured exports, as percent of 2004 total, which went to Canada .....	23.9
Percent growth from 2003 .....	11.6
Percent of state manufactured exports that went to Ireland in 2004 .....	11
Percent growth from 2003 .....	9
Manufactured goods as percent of state's 2004 total exports .....	63
State manufactured export growth, as percent, from 1998 to 2004 .....	22.2
U.S. average adjusted for inflation, as percent .....	2.5
Percent of 2004 U.S. manufactured imports coming from Minnesota .....	1.62
State rank .....	20
Value of computer and electronic products (largest state exporting industries in 2004), in billions .....	\$3.5
Percent increase from 2003 .....	5.3
Computer and electronic products as percent of total 2004 manufactured state exports .....	30
Percent decrease from 2000 .....	11
U.S. percent increase between 2000 and 2004 .....	9.5
Value of machinery exported from state in 2004, in billions .....	\$1.9
Percent increase from 2003 .....	26
Percent of Minnesota's private-sector employment that are export-supported jobs .....	6.5

**Sources:** *Minnesota Annual Export Statistics, April 2005, Minnesota Trade Office of the Department of Employment and Economic Development; other office publications; Minnesota: Exports, Jobs, and Foreign Investment, April 2005, International Trade Administration.*

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 22, NUMBER 19 • MAY 13, 2005

INSIDE: HOUSE MAKEUP COMES UP SHORT, FIRST VETO, LET'S GO FISHING, MORE

This Week's Bill Introductions HF2504-HF2514

# SESSION Weekly

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On the cover: Pam Bonham's fourth graders from Tanglen Elementary School in Minnetonka look up at the lit chandelier in the Capitol Rotunda May 11. The chandelier was lit as part of Statehood Day.

—Photo by: Tom Olmscheid



# Mirroring Minnesota

House makeup comes up short in reflecting gender, race

By **RUTH DUNN**

If the House had the same racial and gender composition as the state, more women and minorities would be serving as representatives.

Minnesota's racial composition is becoming more diverse with 13 percent of residents being of a race or ethnicity other than white. Yet the House remains overwhelmingly white, with just four of the 134 members coming from communities of color. In the Senate, 65 of the 67 members are white.

If the House had the same ethnicity ratio as the state, 117 members would be white but, based on the proportion of communities of color in Minnesota as of July 2003, five members would be black, four would be Hispanic, four would be Asian, two would be Native-American and another two would identify themselves as being of two or more races.

As for gender balance, the state's population was 50.4 percent female as of July 2004, according to State Demographer Tom Gillasp. Thirty-seven women now serve in the House, about 28 percent of the total membership.

Would discussion in committees and on the floor be different if legislators more closely reflected the racial ethnicity and gender composition of the state?

"It is a completely different debate on gaming without one Native American in the House," said Rep. Keith Ellison (DFL-Mpls), one of two black members. With more black legislators, Ellison believes his racial profiling bill would have done better. It didn't even get a hearing this session.

"If I was not there, some issues might not be brought up," said Rep. Cy Thao (DFL-St. Paul), who is of Hmong descent. "We are missing a lot of information unique to populations."

"We give a totally different perspective on

issues and process," said Rep. Kathy Tingelstad (R-Andover). Discussion on K-12 education and early childhood would be different if the House had more women who "are in the trenches and know what's happening in the schools," she said. Other issues would not even come up, she added, like the recent proposal to eliminate the Legislative Commission on the Economic Status of Women.

She believes women tend to be more bipartisan and build camaraderie across party lines. Women are also better at multi-tasking, she said.

"If women ran the House, we'd be done at 5 p.m. every day, run home and make supper," she said.

## Reaching out

"I'd like to see a broader composition of minorities, especially if they're Republican," said House Speaker Steve Sviggum (R-Kenyon).

He's worked to recruit minorities for the House. "I've been successful in getting candidates to run but not as successful in getting them elected."

All the current representatives of color are DFLers, but Republican leaders say that has more to do with demographics than anything else. Part of the challenge is that most minorities live in the urban core cities and those areas are solidly DFL, according to Rep. Marty Seifert (R-Marshall), majority whip.

"There is the feeling that inner cities are just Democratic territory with no chance to break in," he said.

Yet Seifert eyes potential Republican voters when he drives along University Avenue near the Capitol with its entrepreneurs and small business owners who have a strong work ethic and traditional family values — all issues that tap right into the Republican platform planks,

## Civics lesson

Ninth- and tenth-grade students in a civics class at Arlington High School, one of St. Paul's most racially diverse high schools, received a grant from the National Geographic Society to explore whether culture affects people's attitude toward government and/or participation in the political process.

They wanted to begin their research by determining if there is proportional representation on different levels in the House. But when they went to the Legislature's Web site, they could not find the information they needed.

There was demographic information about representatives' occupations, education, gender and age, but nothing about their race or ethnicity. "We were surprised the information was not there," said teacher Diana Morton. "We thought it was a reasonable request."

This prompted students to write to 16 representatives and state officials requesting that information on race and ethnicity be included on the Web site.

They had impact.

Beginning next year, biographical information sought from representatives will include the question of race/ethnicity and the data will be included on the Web site, according to Lee Ann Schutz, assistant director of nonpartisan House Public Information Services.

he said.

State organizations of both political parties say they're working to increase the number of minority candidates.

Outreach to minorities is a priority for the Republican Party of Minnesota, according to Michael Brodtkorb, communications director. "We're interested in all candidates who support Republican platform ideas." He predicts the next election will see more Republican candidates of color in certain districts across Minnesota.

"The Legislature needs to reflect the community," said Peggy Flannagan, director of community outreach for the Minnesota Democratic-Farmer-Labor Party.

"It starts with finding emerging leaders and helping them gain skills to run for office," she said. Because the traditional caucus and convention process can be intimidating to potential candidates of color, the party has to meet people halfway by going to their communities and their gathering places, she adds.

First Reading continued on page 4



**Racial makeup as of July 1, 2003,  
according to the Census Bureau  
estimate for Minnesota  
(most recent)**

87.2%	White
3.8%	Black
3.3%	Hispanic or Latino (equivalent terms)
3.3%	Asian
1.3%	2 or more races
1.1%	American Indian
0.04%	Native Hawaiian or Pacific Islander

From the office of the state demographer

Ellison is among members of the Black Democrats, formed not only to encourage candidates of color, but to impact other areas such as increasing diversity in the now predominately white House staff in the House.

**A woman's place**

There were no women in the House until 1922 when four women were elected following passage of the 19th amendment to the U.S. Constitution in 1920, giving women the right to vote. The number of female representatives remained in single digits for more than 50 years until three women were elected to the Senate and 10 to the House in 1977.

When Rep. Mary Murphy (DFL-Herman-town) was elected that year, it was still a

rarity for rural Minnesota to have female representatives. She's happy those numbers have increased. "We've never had so many rural women as we have now, representing a wide spectrum of women's views," she said.

"I get lots of 'nos,'" said Rep. Mindy Greiling (DFL-Roseville) who works to recruit women to run for office. She understands that a negative response may turn to a positive with patient coaxing. "Women tend to think they're not ready or prepared to run."

"Women ask more questions; they take a long time to recruit," she said. "But once women make the decision to run, they become solid, committed candidates."

"The biggest obstacle is that women think

**Continued on page 23**

## Centennial Rose

Perennial blooms commemorate milestone



With names like Pink Gnome, Firecracker and Golden Eye, the 11 rose varieties in a newly planted Centennial Rose Garden promise to commemorate the Capitol milestone in a splendor of shades.

The flower-shaped bed of roses will feature a creamy white specially hybridized rose that mirrors the building's Georgia marble.

Bailey Nurseries of Newport, another centenarian in business since 1905, is donating the rose garden to celebrate the Capitol Centennial as well its own birthday.

Peggy Anne Montgomery, the nursery's media relations representative, designed



**The Centennial Garden, shown here in the original design drawn Peggy Anne Montgomery, landscape architect and Bailey Nurseries media relations representative, features 11 varieties of roses.**

and planted the flower-shaped garden. Approximately 30-foot square, it is located on the south mall of the Capitol, between Rev. Dr. Martin Luther King Jr. Blvd. and the Veterans Service Building.

Montgomery, who is also a landscape architect, selected one perennial plant, purple salvia, as an accent and divider.

"That wonderful purple color is really nice to weave colors with," she said.

The garden was planted April 20. "It looks like little thorny sticks right now," she said, laughing, but explained that if the weather cooperates – warm and sunny days, please – the roses will bloom in time for the June 23 dedication ceremony.

Some 12 years in the making, the Centennial Rose was created by Bailey's rose breeder Ping Lim.

Hybridizing new roses requires crossing one preferable plant with another, the abridged version of which entails: take pollen from one plant and place it on the stigma of the other, wait for the rose hip to swell and ripen, open the hip and take the seeds, plant the seeds and see what happens.

Lim makes approximately 30,000 crossings per year resulting in about 300,000 seeds, Montgomery said. It's a fascinating process, she said, one that requires foresight, love and hard work.

It takes 10 to 12 years to bring a rose to market, she said.



**The Centennial Rose, created by rose breeder Ping Lim, is the garden's centerpiece.**

The roses in the garden, all Easy Elegance varieties, were developed without pesticides or herbicides, Montgomery said. "Being an organic gardener myself, I don't believe we have to pollute the Earth to make something beautiful."

**(N. Wood)**

Come to the Capitol for the Centennial Garden Dedication Ceremony  
Thursday, June 23, 4 p.m.  
Featuring First Lady Mary Pawlenty,  
Bailey Nurseries rose breeder  
Ping Lim and the unveiling of the  
Centennial Rose  
All 87 counties will receive five  
Centennial Rose bushes

Photo courtesy of Michelle Meyer/Bailey Nurseries.

## ★ AGRICULTURE

## Fairground turf tussle

County agricultural societies have been empowered under Minnesota law to organize, make rules and purchases, and have full jurisdiction over county fairgrounds since 1860.

The long-standing presumption has been that county fairgrounds are exempt from local zoning ordinances throughout the year, according to the nonpartisan House Research Department.

HF1389/SF1146\*, sponsored by Rep. Bob Gunther (R-Fairmont), aims to clarify the exemption.

The House passed the bill 130-2 May 9. Because the House amended the bill slightly, it now returns to the Senate, where that body first passed it 58-0 April 27. Sen. Jim Vickerman (DFL-Tracy) is the Senate sponsor.

Some city attorneys have said the exemption applies only during the fair, proponents said in committee testimony.

The bill would prevent cities from imposing fees on fairgrounds.

Rep. Paul Kohls (R-Victoria) said the city of Waconia is concerned about whether the bill would also apply to the streets adjacent to the Carver County fairgrounds.

The language is already in existing law, Gunther said. "I don't think we're expanding it at all."

## E20 gets green light

**Signed  
by  
the  
governor**  
★ ★ ★

Saying the state is on its way to becoming the Saudi Arabia of renewable fuels, Gov. Tim Pawlenty signed a new ethanol mandate into law May 10.

The new law establishes a "petroleum replacement goal" for Minnesota that by Dec. 31, 2015, at least 20 percent of the liquid fuel sold in the state be derived from renewable sources.

Most provisions are effective Aug. 1, 2005, unless otherwise noted.

Currently, the state requires that motor vehicle gasoline sold in Minnesota contain an "E10" blend, meaning 10 percent agriculturally derived ethanol by volume.

The new law raises that blend to 20/80 by Aug. 30, 2013, unless, by Dec. 31, 2010, the state is already using a 20 percent denatured ethanol blend in the gasoline supply or federal approval has not been granted for the E20 blend.

Under the new law, dealers and refiners

would be protected from lawsuits alleging damages from defective blended gasoline. The immunity would not apply to situations of "simple or willful negligence or fraud" or environmental or public health damages.

Effective May 11, 2005, the Agriculture Department, in consultation with other agencies and the renewable fuels, petroleum and auto manufacturing industries, is to implement strategies that promote the widespread use of renewable fuels. Items to address include installing more pumps, getting a green light from the federal government and working with large corporate fleets of vehicles.

The department, again in consultation with other agencies and stakeholders, is also directed to review the effects of E20 on the ethanol industry and Minnesota consumers.

Additionally, the Commerce Department is

required to report to the Legislature by Jan. 15, 2008, on the appropriate use of E20 gasoline in small engines and make recommendations on marketing tactics and ways to increase E20 availability.

Rep. Gregory M. Davids (R-Preston) and Sen. Dallas C. Sams (DFL-Staples) sponsored the legislation.

HF223/SF4\*/CH52

## ★ CONSUMERS

## Protecting hearing aid users

The House unanimously passed a bill May 9 that would establish and strengthen consumer protections and instill more trust in the hearing aid industry.

Sponsored by Rep. Karen Clark (DFL-Mpls), HF949 would extend the period in which a consumer could return a hearing aid to a dispenser from 30 days to 45 days. Consumers buy hearing aids from dispensers rather than directly from manufacturers.

Clark said she's not aware of any opposition to her bill by any groups.

The bill would make the notice of cancellation period effective upon mailing the hearing aids, not upon receipt by the dispenser. The cancellation fee would be changed from 10 percent of the purchase price to no more than \$250, under the bill.

With some new hearing aids costing up to \$12,000 for a pair, users can pay up to a \$1,200 charge for returning hearing aids, under current law.

The bill would require old hearing aids that were given to a dispenser for a trade-in discount be returned upon request if the new aids are returned. A copy of the audiogram administered by the dispenser to select the hearing aid would need to be provided to the consumer upon request.

The bill now goes to the Senate, where Sen. Dallas C. Sams (DFL-Staples) is the sponsor.

## Regulating travel contracts

Membership travel contracts could be modified to give consumers greater protection, under a bill passed unanimously by the House May 9.

Sponsored by Rep. Doug Meslow (R-White Bear Lake), HF1583 would close loopholes and make changes to laws enacted two years ago that regulate travel membership.

Changes would include moving the buyer's right to cancel the contract to the 10th day

## STATEHOOD WEEK



PHOTO BY ANDREW VONBANK

**Wini Froelich, a costumed interpreter with the Minnesota Historical Society portraying an 1857 territorial schoolteacher, waits for 21st century school children May 10 during Statehood Week. The interpreters teach school groups touring the State Capitol how Minnesota's boundaries were drawn prior to statehood on May 11, 1858.**

after the consummation of service, and prohibiting membership travel operators from offering a gift in Minnesota unless the gift is disclosed.

Oral disclosure requirements would also be modified under the bill. The disclosures would need to include information about any legal proceedings against the travel operator involving travel services, criminal offenses, consumer fraud, bankruptcy or unpaid court judgments.

The bill states that a membership travel operator would need to disclose when a third party travel agent is used to make travel arrangements, and whether the consumer could, on their own, buy the package directly from the third-party.

The bill now goes to the Senate, where Sen. Chris Gerlach (R-Apple Valley) is the sponsor.

## ★ CRIME

### No quotas

**Signed  
by  
the  
governor**  
★ ★ ★

Quotas for issuing traffic and vehicle inspection citations will further be prohibited, under a bill signed by Gov. Tim Pawlenty May 10.

Effective Aug. 1, 2005, the new law expands current statute, which applies only to the Minnesota State Patrol. It would prohibit law enforcement agencies, in addition to the state patrol, from requiring troopers, commercial vehicle inspectors or law enforcement representatives to issue a certain number of citations over any given period of time.

"This is a bill that doesn't have any opposition. It just reinforces the fact that commercial vehicle inspectors do not have quotas just like the state troopers don't," said Rep. Tom Rukavina (DFL-Virginia), the House sponsor.

Sen. David J. Tomassoni (DFL-Chisholm) is the Senate sponsor.

HF998/SF1486\*/CH46

## ★ EDUCATION

### Parent power

**Signed  
by  
the  
governor**  
★ ★ ★

Parents and guardians will have first right of placement in classrooms for their multiple-birth children, under a new law signed by Gov. Tim Pawlenty May 5.

Rep. Marty Seifert (R-Marshall), whose wife is a twin, said he sponsored the bill after parents came to him with stories about schools that would not follow their wishes for placement of their multiple-birth children.

"Research shows that multiples, especially in the elementary school years, often do better in school if they are together," said Seifert.

The law will benefit parents who want their twins, quadruplets and quintuplets and other multiple-birth children in the same classroom and also those who don't.

School staff may recommend classroom placement to parents and provide advice, but parents will have the final say.

Seifert said the bill includes an element of local control. If multiple-birth children are disruptive in a classroom, a principal could request that the school board determine a new placement for the children after the initial grading period.

Sen. Dennis R. Frederickson (R-New Ulm), the father of twins, is the Senate sponsor.

The law is effective with the 2005-06 school year.

HF130/SF180\*/CH33

## ★ EMPLOYMENT

### Teacher soldiers

**Signed  
by  
the  
governor**  
★ ★ ★

Teachers whose first three years of consecutive employment are interrupted for active military service will be able to return to teaching and pick up where they left off on their probationary period, under a law signed by Gov. Tim Pawlenty May 5.

New public school teachers have a probationary period of three consecutive years of teaching before they can be considered for tenure, according to Rep. Randy Demmer (R-Hayfield), the bill's House sponsor. The Senate sponsor is Sen. Sheila M. Kiscaden (IP-Rochester).

Under the law, eligible teachers will have to promptly resume teaching consistent with federal reemployment timelines for uniformed service personnel.

Teachers will not be able to count their military service as part of their consecutive teaching time, said Demmer.

Under the old law, probationary teachers who left their teaching jobs to serve in the military lost credit for the time they had taught and had to start over when they returned to their jobs.

The law applies to probationary teachers absent for active military service beginning on Sept. 10, 2001, or later.

HF1144/SF244\*/CH36

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

## Pay increases on the way

**Signed  
by  
the  
governor**  
★ ★ ★

The 50,000 Minnesotans who currently earn minimum wage are going to get a pay raise thanks to a bill that Gov. Tim Pawlenty signed into law May 10.

Effective Aug. 1, 2005, the law requires employers with annual gross sales of at least \$625,000 to increase the minimum wage from \$5.15 an hour to \$6.15 an hour. Employers with annual gross sales less than \$625,000 will need to increase the minimum wage from \$4.90 an hour to \$5.25 an hour. Employers will be able to pay employees under 20 years of age \$4.95 an hour for the first 90 consecutive days of employment.

According to the U.S. Department of Labor, the federal minimum wage for covered, nonexempt employees is \$5.15 an hour.

The state's last minimum wage increase for employees of larger companies was Sept. 1, 1997, and Jan. 1, 1998, for employees of smaller companies.

The legislation is sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Ellen R. Anderson (DFL-St. Paul).

HF48/SF3\*/CH44

## ★ ENERGY

### Renewable eligibility extended

**Signed  
by  
the  
governor**  
★ ★ ★

The wait is over for Minnesotans seeking an eligibility extension for wind incentive payments.

Gov. Tim Pawlenty signed a law May 5 that will extend until Dec. 31, 2005, the 18-month timeframe in which a wind facility must begin operating or lose its eligibility for state incentive payments. The law is effective May 6, 2005.

Those who take advantage of the extension or become eligible to build a wind facility after Jan. 1, 2005, will receive wind incentive payments of 1 cent per kilowatt-hour over a 10-year period. Owners of the wind facilities had originally sought payments of 1.5 cents per kilowatt-hour.

Facility owners requested the law, sponsored by Rep. Tony Cornish (R-Good Thunder) and Sen. Julie A. Rosen (R-Fairmont), after the federal Production Tax Credit, which investors can use against passive income to reduce tax liability, was unavailable for 10 out of the 18 months of eligibility. Without the credit, some people were unable to secure the financial backing they needed to go forward with their projects.

The Renewable Energy Production Incentive was created to support the development of wind energy.

HF218\*/SF817/CH40

## ★ ENVIRONMENT

### Tapping sales taxes for water

The state's ramped-up clean water efforts could be supported by a hybrid model of improved property fees and a constitutional amendment to tap a portion of sales taxes, under the latest funding mechanism for the so-called "Clean Water Legacy Act."

The House Agriculture, Environment and Natural Resources Finance Committee approved the measure May 10. It now moves to the House Taxes Committee.

HF826, sponsored by Rep. Dennis Ozment (R-Rosemount), aims to achieve and maintain water quality standards for the state's surface waters as required by the federal Clean Water Act.

The committee considered an array of funding sources this session, including a clean water fee on all service connections to sanitary sewer systems, bond proceeds and a deed and mortgage transfer fee.

The bill would impose a "State Clean Water Fee" on all improved property (in this case property containing a structure valued at more than \$5,000). The proposal would raise an estimated \$79.44 million per year to support clean water activities. Fees would vary by property type — e.g. residential, commercial and industrial — and would be graduated based on market value of the structures.

Under the proposal, the property tax state-

ment would be the collection mechanism and fees would be paid at the same time as property taxes. Counties would be allowed to keep a portion to cover collection costs.

The fee would "blink off," Ozment said, if Minnesotans vote to dedicate a portion of the state sales tax to clean water activities.

The bill would propose the following constitutional amendment to voters in the 2006 general election:

"Shall the Minnesota Constitution be amended to provide funding beginning July 1, 2007, to protect and restore the state's lakes, rivers, streams, wetlands, and groundwater by dedicating additional sales and use tax receipts equal to the state sales and use tax of one-eighth of one percent on taxable sales until the year 2016?"

Currently, the state sales tax rate is 6.5 percent. The bill would increase that rate to 6.625 percent after June 30, 2007.

A companion bill (SF762), sponsored by Sen. Dennis R. Frederickson (R-New Ulm), awaits action in the Senate Finance Committee. The Senate passed on May 6 an omnibus tax bill (SF2206), sponsored by Sen. Lawrence J. Pogemiller (DFL-Mpls), that would support clean water activities with General Fund dollars.

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



PHOTO BY TOM OLMSCHIED

Samples of water collected from impaired lakes and rivers around Minnesota are displayed for the House Agriculture, Environment and Natural Resources Finance Committee April 12 during public testimony on the Clean Water Legacy Act.

### Sourcing St. Paul water

**Signed  
by  
the  
governor  
★ ★ ★**

A new law signed by Gov. Tim Pawlenty May 5 will give the city of St. Paul a backup water supply plan in the event of an emergency such as a terrorist threat, drought or contamination.

Effective May 6, 2005, the law grants legislative approval for the Department of Natural Resources to issue the city's water board a consumptive use of groundwater permit to draw more than 2 million gallons per day average in a 30-day period.

The city primarily pulls water from the Mississippi River. Using backup wells would require obtaining the permit.

Under the new law, the permit is subject to a determination by the department that the water remaining in the basin from which the backup wells draw would be adequate to meet the basin's need for water.

Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Ellen R. Anderson (DFL-St. Paul) sponsored the legislation.

HF1327/SF1252\*/CH39

### Project Riverbend Board eliminated

**Signed  
by  
the  
governor  
★ ★ ★**

A new law signed by Gov. Tim Pawlenty May 10 will eliminate a formal board with oversight of development along a stretch of the Minnesota River.

Effective Aug. 1, 2005, the Project Riverbend Board is dismantled, but proponents say protection efforts will not be diminished.

The board, consisting of representatives from Renville, Redwood, Brown, Nicollet, Blue Earth and Le Sueur counties, was created in 1980. It has not met since 1994.

In testimony before the House Environment and Natural Resources Committee, Nicollet County Environmental Services Director Tina Rosenstein said the board was established to set standards for development, similar to the state Wild and Scenic River designation, for a stretch of the Minnesota River from Franklin in Renville County to Le Sueur in Le Sueur County.

County ordinances will continue to protect that portion of the river even without a formal arrangement, Rosenstein said.

Rep. Tony Cornish (R-Good Thunder) and Sen. John C. Hottinger (DFL-St. Peter) sponsored the legislation.

HF2042/SF1841\*/CH47

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

## ★ GAME & FISH

### **Give a hoot, change the statute**

Alice the great horned owl may have fewer sleepless days, under a bill that unanimously passed the House May 9.

HF419, sponsored by Rep. Ray Cox (R-Northfield), would remove the great horned owl from the state's unprotected bird list. It aims to clarify the protected status of great horned owls in Minnesota.

The measure now moves to the Senate, where Sen. Thomas M. Neuville (R-Northfield) is the sponsor.

Some bills provoke more interest than others, Cox said. "This is one you can all give a hoot about."

Currently, great horned owls appear on Minnesota's unprotected birds list, along with such avian cousins as sparrows, blackbirds and pigeons.

Great horned owls are, however, protected under the federal Migratory Bird Treaty Act.

Alice's handler, Houston Nature Center Naturalist Karla Kinstler, testified in committee that the classification is causing confusion even among conservation officers.

As the symbol of the new nature center, Alice received death threats from people opposed to its construction with tax dollars.

When Kinstler approached a local state conservation officer about the threats, he told her he had no jurisdiction over the matter because the great horned owl is on the unprotected birds list.

## ★ GOVERNMENT

### **Noxious weed appeals**

**Signed  
by  
the  
governor  
★ ★ ★**

Counties can reassign appeals duties related to laws controlling and eradicating noxious weeds to a county board of adjustment, under a new law signed by Gov. Tim Pawlenty May 10.

Rep. Rick Hansen (DFL-South St. Paul), who sponsors the law with Sen. Pat Pariseau (R-Farmington), said it would streamline county government processes. The law is effective May 11, 2005.

Each county now has the ability to have a noxious weeds appeal board, but counties have to solicit members to join a rarely used board, Hansen said. Counties can reduce their efforts in trying to find members by having an existing board handle the appeals that may come from the public, he added.

"At its option the county board of commissioners, by resolution, may delegate the duties of the appeal committee to its board of adjust-

ment," according to the law. "When carrying out the duties of the appeal committee, the zoning board of adjustments shall comply with all of the procedural requirements."

HF1084/SF1016\*/CH49

## ★ HEALTH

### **Provisions adopted in health bill**

Two meetings of the omnibus health and human services bill conference committee have resulted in agreements and the adoption of some provisions, mostly fee increases, but the controversial issues are yet to be debated.

The committee met May 9 and 10 to compare sections of the bills. It then approved some identical provisions, including increasing well-management fees, and modifying the definition of "eligible rural hospital" for the rural hospital grant program. The population limit for an eligible hospital's community was increased from 10,000 to 15,000. Additionally, the fee for issuing a certified vital record was increased from \$8 to \$9.

Other provisions adopted by the committee include increasing fees for drinking water connections, environmental laboratory certification and food manager certification. The establishment of a statewide hospitality fee, requiring school food services to be inspected twice a year, and making technical changes to current laws were other provisions adopted by the committee.

Some of the major differences, which still need to be worked out, include eliminating MinnesotaCare eligibility for adults without children, abortion notification data requirements and limiting family planning grants to exclude organizations that provide abortion services, which are only in the House bill (HF1422).

Items only found in the Senate version (SF1313) include a series of health care cost containment provisions and mental health and chemical health provisions, including amending the discharge planning process for offenders with serious and persistent mental illness.

Rep. Fran Bradley (R-Rochester) and Sen. Linda Berglin (DFL-Mpls) sponsor the respective bills.

## ★ HIGHER EDUCATION

### **Conference committee begins**

Members of the higher education conference committee have different opinions for funding the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system.

The Senate bill (SF2265), sponsored by Sen. Sandra L. Pappas (DFL-St. Paul), totals more than \$2.79 billion, \$58.5 million more than the House bill (HF1385), sponsored by Rep. Bud Nornes (R-Fergus Falls), and \$35.1 million more than the governor's proposal.

The Senate funds the university at slightly more than \$1.22 billion, and MnSCU at about \$561,000 less. In each case the House is lower, by \$34.1 million and \$23.29 million, respectively.

The House bill also provides more than \$12.7 million for both the university and MnSCU, if a racino bill becomes law.

The Senate is also \$915,000 higher in funding for the Higher Education Services Office at \$348.53 million, but the bodies agree on \$2.78 million for the Mayo Foundation to help increase the number of doctors trained to practice in rural areas.

After a review of policy provisions May 10, conferees adopted identical language in each bill. They plan to reconvene May 12 to further review differences and take testimony.

Among the dissimilarities is funding for the development of a "mission-driven post-secondary educational institution in the Rochester area that meets the needs of the region ... and that capitalizes on the unique opportunities for educational partnerships."

Both bodies allocate \$200,000 for implementation, but the House and governor offer \$3 million for development; the Senate provides \$2.3 million.

The Senate bill also prohibits all postsecondary schools, and its alumni associations, from giving or selling student contact information to credit card issuers; establishes loan repayment program for nurses agreeing to practice in nursing homes or to work as educators in the state; and prohibits MnSCU from raising tuition by more than 4 percent in each of the next two years.

The House bill appropriates money for the creation of Centers of Excellence in the MnSCU system, increases the amount of time a student is eligible for the state grant program from eight to nine semesters and reduces the expected student share of instruction costs.

## ★ HUMAN SERVICES

### **Hospital board expansion**

The Yellow Medicine County Hospital District Board could see its membership expanded, under a bill approved by the House 118-16 May 9.

Rep. Aaron Peterson (DFL-Madison) and Sen. Gary W. Kubly (DFL-Granite Falls) are sponsoring HF399/SF493\*, which would allow

the elected members of the hospital board to appoint three additional voting members who are not residents of the district, yet whose hospitals or clinics are used by county residents.

"The bill is designed to specifically apply to Canby Hospital and Clinic, and Sioux Valley Hospital and Clinic out of Sioux Falls," Peterson said. He also said a clinic in Minnesota, just across the border in Lyon County, would like to have representation on the board.

Under the bill, the terms of the appointed members must be designated by the board at the time of the appointment, but the terms cannot exceed three years. Appointed members could be reappointed for successive terms.

Appointed members would have the same privileges as board members, including eligibility to hold office, according to the bill. Appointed members could be removed from the board for good cause by a two-thirds majority vote of elected members.

The Senate passed the bill 49-17 April 21. It now awaits the governor's signature.

## ★ INDUSTRY

### Auctioneer numbers won't change

**Signed  
by  
the  
governor**  
★ ★ ★

Auctioneers can now get used to their license numbers and include them on printed materials without having to worry about them changing every year.

Gov. Tim Pawlenty signed into law May 5 legislation that modifies the numbering requirements for auctioneer licenses issued by county auditors.

Effective May 6, 2005, the law allows auctioneers to keep the same numbers and requires the license to contain a number that individually identifies the auctioneer holding the license.

Formerly, license numbers could change each time they were issued, presenting a problem for auctioneers who wanted to include their numbers in marketing materials.

The legislation was sponsored by Rep. Lyle Koenen (DFL-Clara City) and Sen. Gary W. Kubly (DFL-Granite Falls).

HF1621/SF453\*/CH32

### Golden nuggets

A new law signed by Gov. Tim Pawlenty May 5 will make some adjustments to the statutory provisions governing the first iron nugget production facility in the state.

A 2004 law exempted from certain environmental review the Hoyt Lakes Mesabi Nugget facility. The goal was to ensure a new process of producing high-quality iron nuggets from iron ore moved from demonstration to production in Minnesota ahead of nugget development efforts in Indiana.

Effective May 6, 2005, the new law makes a technical change to the statutory description of the hearth furnace used at the facility and extends its permit application timeframe to June 30, 2005.

The permit component of the new law is good news for mercury emissions, proponents said, because the company has discovered new, better technology to control the discharge of mercury in the process water. Though the discovery has extended the permitting process, the proprietary technology is designed to meet the federal Great Lakes Initiative mercury emissions standards.

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

HF1334\*/SF1342/CH37

## ★ INSURANCE

### Omnibus insurance bill passes

The omnibus insurance bill that would make a series of technical changes to insurance regulations was amended five times before being approved by the House 132-1 May 9.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF1809 would regulate insurance agency terminations, coverages, fees, forms, disclosures, reports, information security and premiums.

"This is really an exciting day for insurance," Wilkin said.

The Department of Commerce-requested bill would prohibit a homeowner's insurer from taking adverse underwriting action against a person whose home is vacant as a result of being called to active military service. Insurers typically do not like to insure vacant buildings.

Rep. Diane Loeffler (DFL-Mpls) successfully amended the bill to include homes of military personnel that are occupied by a caretaker.

The bill would also require an insurance discount for snowmobiles that have a certain auxiliary lighting system.

Other provisions would increase the fee for filing insurance forms and premium rates that insurance companies pay to the Department of Commerce from \$75 to \$90, and eliminate a \$250 filing fee for a worker's compensa-

tion large risk alternative rating option plan that meets a \$250,000 threshold in annual premiums from a single employer.

Under the bill, insurance companies would be required to implement a comprehensive security program to protect customer information, and the initial annual renewal licensing fee for data service organizations would be increased from \$50 to \$1,000.

Wilkin successfully amended his bill to delete sections dealing with premium finance refunds, adding MinnesotaCare to the list of acceptable waivers of coverage for small employer health insurance and clarifying standards for claim filing and handling.

A successful amendment offered by Rep. Loren Solberg (DFL-Grand Rapids) would allow a pilot project in Aitkin, Itasca, Koochiching and St. Louis counties. Under the provision, member-employers that have 50 or fewer employees would be able to provide the same health coverage under the same plan and with the same premium rates as provided by member-employers with more than 50 employees.

Rep. Thomas Huntley (DFL-Duluth) offered a successful amendment that would require a high deductible health plan, when used in connection with a health savings account, to provide enrollees access to the same discounted provider fees offered by the high deductible health plan.

An amendment successfully offered by Rep. Jim Davnie (DFL-Mpls) would require service cooperatives to permit school districts participating in a service cooperative health coverage pool to solicit bids and information from competing sources of health coverage.

The bill now heads to the Senate where Sen. Linda Scheid (DFL-Brooklyn Park) is the sponsor.

### Changing insurance regulations

The House approved miscellaneous changes in state insurance regulations 131-0 May 9.

The most significant change would allow expedited procedures for insurance companies to receive authority to offer new or revised insurance products or premium rates.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF1669 would also regulate certain fees, rate filings and policy renewals and alterations.

Wilkin had previously said the bill would help insurance jobs stay in Minnesota as other states try to recruit them.

The bill would require an insurance company to post its policy form on its Web site rather than issue a new policy every five years, provided the policy has been renewed continuously without any changes. It would also allow expedited form and rate filing.

Rep. Barbara Goodwin (DFL-Columbia Heights) successfully offered an amendment to delete a section of the bill dealing with the collection of private information on individuals.

That section would have provided that an authorization given to an insurance company to collect information on an applicant for coverage, reinstatement or a change in benefits would remain in effect for as long as the person remains continually insured. Currently, the authorization is valid for no more than 26 months.

The bill now goes to the Senate, where Sen. Linda Scheid (DFL-Brooklyn Park) is the sponsor.

## ★ LOCAL GOVERNMENT

### Buried electric lines

Local governments would be able to enter into agreements with private electric or communications companies to bury distribution lines, under a bill approved 133-1 by the House May 9.

Sponsor of HF732, Rep. Doug Meslow (R-White Bear Lake), said the bill "allows cities and townships to enter into agreements with residents to bury lines if every affected resident agrees to pay his or her fair share and if every affected resident agrees."

"Unlike a lot of the newer communities and newer subdivisions where everything is placed underground now, they see a beautiful street and sidewalk and at the end they still have some unsightly overhead cables," Mark Sather, White Bear Lake city manager, previously told a House committee.

A group of homeowners approached the city about burying some electric lines with cooperation of a local utility, said Sather, but a city attorney said current law might prohibit the city from being able to work with the utility company to bury the lines.

The bill was passed 60-0 by the Senate May 12. Also sponsored by Sen. Mady Reiter (R-Shoreview), it now goes to the governor.

### County boundary change

The Hennepin and Wright county boards would be able to initiate a specific change in county boundaries, under a bill passed 133-0 by the House May 9.

The change is needed so that the entire city of Rockford can be included in Wright County.

The boundary under dispute is an 8-square block area in the city that is located in Hennepin County and has experienced

problems with ambulance response times and public safety issues because of its location and designated sheriff's office, said Rep. Tom Emmer (R-Delano), the sponsor of HF1595.

Under the bill, "the two boards would vote by resolution," to work out the tax and service implications and then the issue would be voted on by the public, Emmer said.

The bill now goes to the Senate where Sen. Mark Ourada (R-Buffalo) is the sponsor.

### Elective to appointive positions

Polk and Lac qui Parle counties may have the ability to make the offices of county recorder and auditor-treasurer appointive, rather than elected, under a bill approved 92-38 by the House May 5.

Rep. Bud Heidgerken (R-Freeport), sponsor of HF2028, said 18 counties now have this authority.

Under the bill, the county board could make the positions appointive if approved by at least 80 percent of board members. The board must also notify the public of its intent by having a resolution published in the official publication of the county once a week in the two weeks prior to a public meeting.

The resolution could be implemented without submitting the question to the voters unless, within 30 days of the second publication, there is a petition signed by at least 10 percent of the county's registered voters requesting a referendum.

Among those against the bill was Rep. Torrey Westrom (R-Elbow Lake).

"For us to circumvent the voters in a referendum ... is not the right thing to do in taking away elected positions," he said. Members need to stop this bill right now if they are going to get serious about letting voters decide what elected positions they want to get rid of, he added.

The bill now goes to the Senate where Senate Majority Leader Dean E. Johnson (DFL-Willmar) is the sponsor.

### St. Cloud boundary adjustments

The city of St. Cloud is the only city in the state that lies within three counties. A bill to put the community within just one county passed 102-31 in the House May 9.

Sponsored by Rep. Joe Opatz (DFL-St. Cloud), HF1949 now goes to the Senate where Sen. Dave Kleis (R-St. Cloud) is the sponsor.

Under the bill, "the county boards for the counties of Stearns and Benton may initiate the process to change the boundary between the two counties to include within Stearns County that portion of the city of St. Cloud

that is currently in Benton County if each county board adopts a resolution in support of the change." The bill also says Stearns and Sherburne may initiate the process as well, with the portion of St. Cloud to be included in Stearns. Voter approval would then be needed, Opatz said.

Rep. Dan Severson (R-Sauk Rapids) successfully offered an amendment that would sunset the provision Jan. 1, 2007. "I believe that to keep it open-ended can create more heartburn," he said.

Severson, who voted against the bill, said he has resolutions from the Benton and Stearns county boards against the measure because repositioning the lines creates some economic hardships, particularly for Benton County with its low tax base. "Redrawing those lines tends to take some of that economic development out," he said.

Severson read a statement from a Stearns County commissioner that said, in part, "Boundary changes as proposed by Rep. Opatz would create winners and losers, when, in fact, all that is needed is a helping hand with cooperative efforts. Rep. Opatz's bill is bound to create an inexhaustible turf war."

Opatz said the general public is raising "significant" concerns over the problems being created by the city lying in three counties. "It's controversial in some quarters among elected officials, but I can assure you that by enlarge the voters see the need for addressing these issues. With this I think the conversation will move forward, and I think that's a good thing."

### Optional locations for meetings

County boards will have the option of holding a meeting at any location within the county, under a new law signed by Gov. Tim Pawlenty May 9.

The new law states that a board "may meet" on other days "and at other locations within the county." Rep. Jerry Dempsey (R-Red Wing), who sponsors the law with Sen. Steve Murphy (DFL-Red Wing), said the issue came to him as a request by the counties.

Robert Davis, veterans service officer and legislative liaison for Goodhue County, told a House committee that the Goodhue County Board now holds meetings at county fairs, but cannot make the meetings official because of current state law.

Current law states, "the board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and on other days it prescribes as necessary for the interests of the county."





## RECREATION



### Lifejackets a must

**Signed  
by  
the  
governor**  
★ ★ ★

A new law signed by Gov. Tim Pawlenty May 5 aims to bridge a disconnect between state and federal lifejacket requirements and keeping Minnesota youth safer while boating.

Effective May 6, 2005, children under 10 years of age are required to wear a lifejacket while boating on state waters. The requirement does not apply while the child is below deck or in an enclosed cabin.

Previously, state law required readily accessible flotation devices for everyone on board. It did not state that the lifejackets must be worn.

Federal law requires that children under the age of 13 (who are not in the cabin or below deck) must wear a personal flotation device on waters under federal jurisdiction. This includes Lake Superior; Canadian border waters; the Mississippi and St. Croix rivers; and Cass, Leech and Winnibigoshish lakes.

The new state law specifies that the first violation will result in a warning, until May 1, 2006; thereafter, the penalty is a petty misdemeanor.

The new law provides exemptions for commercial watercraft and boats that are anchored for swimming or diving.

The legislation is formally titled the Grant Allen Law, named after a 5-year-old boy who drowned when he fell from a boat on a Chisago County lake in 2003. He was not wearing a lifejacket.

Rep. Char Samuelson (R-New Brighton) and Sen. Satveer Chaudhary (DFL-Fridley) sponsored the legislation.

HF590/SF1116\*/CH31

### Lifeguards not needed

**Signed  
by  
the  
governor**  
★ ★ ★

Lifeguard supervision is no longer needed for adults who swim in zero-depth entry public pools.

Gov. Tim Pawlenty signed a law May 10 that exempts zero-depth pools, when used by people 18 years of age or older, from lifeguard requirements. The law is effective May 11, 2005.

Sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. David Gaither (R-Plymouth), the legislation gives zero-depth pools the same lifeguard exemption as regular pools.

A zero-depth entry pool has a slope that begins at grade level and deepens in a uniform slope to a depth of 3 feet or more. The gradual slope makes it easier for some people to get in and out of the pool.

The law allows health clubs to hold aqua-aerobic classes for adults in zero-entry pools without the presence of a lifeguard. License requirements and inspections for pools do not change under the legislation.

HF604/SF284\*/CH50

## SAFETY



### Bill aims to protect traffic cops

The shoulder of a road might become a little safer for Minnesota law enforcement officers, under a bill passed unanimously by the House May 9.

HF1164 was passed 66-0 by the Senate May 12. Sponsored by Rep. Paul Gazelka (R-Brainerd), and Sen. Sheila M. Kiscaden (IP-Rochester), it now goes to the governor.

"This bill is necessary to clarify ambiguity in the original Ted Foss Move-Over law that the courts have determined needs to be clarified," said Gazelka. Foss, a state trooper, was struck and killed when a semi-tractor trailer crashed into his squad car parked along the interstate as he was making a traffic stop in August 2001.

The bill amends current law that requires a car passing an emergency vehicle to move a lane away from the stopped emergency vehicle by extending that protection to any stopped emergency vehicle with its lights on, rather than only to emergency vehicles stopped on a street or highway that has two or more lanes in the same direction. Also, passing motorists must also slow to 10 mph below the posted speed.

Failure to follow the law would continue to be a misdemeanor, punishable by a \$100 to \$200 fine.

### Unsafe crib protection

A bill designed to prevent the injury, and possible death, of infants in unsafe cribs was passed by the House 126-2 May 6.

"Each year, 240 Minnesota infants sustain injuries in cribs," said Rep. Katie Sieben (DFL-Newport), sponsor of HF987. In the past 12 months, four babies have died in cribs, she said.

The bill would regulate baby cribs and prohibit the sale and commercial use, such as licensed day-care use, of unsafe cribs.

Licensed child-care providers would be required to maintain documentation of their

cribs, including the brand name and license number, under the bill. Each year, child-care providers would need to check this information against a U.S. Consumer Product Safety Commission Web site listing of unsafe cribs. Every month, day-care providers would be required to perform safety inspections of their cribs.

Other provisions in the bill would prohibit the sale of unsafe cribs by a commercial user. Lodging establishments would be prohibited from providing an unsafe crib to guests.

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

## TAXES



### Drafting error corrected

**Signed  
by  
the  
governor**  
★ ★ ★

Cities in Minnesota eligible for local government aid could receive retroactive payments, under a bill signed into law by Gov. Tim Pawlenty May 5.

Sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Mee Moua (DFL-St. Paul), the law takes effect retroactively, with local government aid payable in 2004.

During the 2003 special legislative session, a portion of the local government aid was eliminated, but grants to specific cities for specific needs were retained. However, a drafting error made it unclear how to calculate the city aid base.

Local government aid distribution in 2004 and 2005 was calculated with the assumption that the error would be corrected in the 2004 omnibus tax bill, but that bill was never passed. How much the cities get now depends on the state's 2003 formula.

HF47\*/SF1087/CH38

## TRANSPORTATION



### Liens can now expire

Security interests on passenger cars that have been satisfied will now expire seven years from the date of satisfaction and can be removed from state records, under a bill passed unanimously May 9 by the House.

HF2035, sponsored by Rep. Peter Nelson (R-Lindstrom), would also allow the lien holder to notify the Department of Public Safety in the sixth year, but not later than 90 days ahead of the expiration of the seven-year period, that the lien will not be satisfied in time, and, upon request, it can be extended for another seven years.

"Sometimes customers will lose the card, the

document, showing the satisfaction of the lien being paid," Nelson said. "If the lien company goes out of business or is sold it is sometimes difficult, if not impossible, to obtain a new release on this lien. That requires that the owner of the vehicle must go and get a court order to be able to sell that vehicle. This allows for the cancellation of those liens after seven years."

The bill, which Nelson said was requested by the department's Driver and Vehicle Services Division, now goes to the Senate, where Sen. Michael J. Jungbauer (R-East Bethel) is the sponsor.

### Road test waiver

Veterans permitted to drive certain classes of vehicles by a branch of the military could get a licensing break in Minnesota, under a bill passed by the House 133-0 May 9.

HF1053/SF1095\*, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle L. Fischbach (R-Paynesville), was passed by the Senate 63-0 April 18, so it now moves to the governor.

The bill authorizes, but does not require, the commissioner of public safety to waive the requirement of military veterans to take a road test to qualify for a Minnesota driver's license under certain conditions, specifically if the person is already licensed by a branch of the United States Armed Forces for that vehicle class, or has been licensed in the past year.

Veterans would still be required to take the written test.

Depending on the class of license, taking the road test could cost veterans up to \$5,000, Severson said on the House floor. "It's a good message to send to our veterans."

### Truck weight limit

A law that allows recycling and garbage trucks to exceed certain seasonal weight limits was set to expire July 1, 2005, but Gov. Tim Pawlenty signed a bill May 5 that would indefinitely extend the sunset date.

Effective Aug. 1, 2005, the law, sponsored by Rep. Ron Erhardt (R-Edina) and Sen. William V. Belanger Jr. (R-Bloomington), allows vehicles collecting recycling and mixed solid waste to exceed seasonal weight limits if the axle weight does not exceed 14,000 pounds.

The Department of Transportation and Center for Transportation Studies at the University of Minnesota were to have finished a study on road wear and weight restrictions by July 1, but those studies aren't completed, so the law should remain in effect, Erhardt said.

Garbage companies favor the law, but city

## DEDICATED MEMBERS



PHOTO BY TOM OLMSCHEID

**Members of the Isaiah Group, a coalition of 82 faith-based organizations from Minneapolis, St. Paul and St. Cloud, circled with their cardboard bus while others strategize on the second floor hall in the east wing of the Capitol before moving to the front of the House Chamber where the omnibus transportation bill was being debated May 11. The group seeks to have a dedicated source of funding for public transportation.**

engineers and county representatives oppose it, fearing the continued use could further damage roads.

HF1189\*/SF1259/CH34

### Preserving disabled veterans land

The Disabled Veterans Rest Camp on Big Marine Lake in Washington County will be excluded from certain zoning controls, under a new law signed by Gov. Tim Pawlenty May 10.

"This shows our appreciation for the sacrifices that our disabled veterans have made for us," said Rep. Ray Vandeveer (R-Forest Lake), who sponsors the law with Sen. Michele Bachmann (R-Stillwater).

The law requires the camp to continue developing and promoting camp features for veterans who are disabled, prohibits the taking of land from the park by eminent domain, requires access to the park to not be restricted and excludes the camp from property taxes effective for taxes levied in 2005, payable in 2006, and thereafter.

Most provisions are effective the day following local approval.

The Disabled American Veterans, in a letter to a House committee, said there have been numerous attempts by the Washington County Park Commission and members of the Washington County Board of Commissioners to acquire the land and make it part of the Big Marine Park Reserve.

Concerns have been raised about how the county would be able to purchase the land if the camp wanted to sell the land in the future. According to the law, "The camp, by terms of separate agreements, must offer Washington County the right of first refusal to purchase the rest camp property if a sale is ever contemplated and provide an easement across the main Veterans Rest Camp Road in order to provide a connection of the north and south areas of the park."

HF34/SF467\*/CH43

### Adjournment date approaches

The Minnesota Constitution stipulates that the Legislature cannot meet in regular session after the first Monday following the third Saturday of May in any year.

This means that the 2005 Legislature must adjourn no later than May 23.

If its work is not completed on time, only the governor can call a special session.

However, he or she cannot specify issues to be acted upon once a special session is called.

If needed, this would be the third straight biennium that a special session would be required to pass budget bills for the following biennium.

A one-day special session in 2002 was needed to provide flood relief for Roseau. Also considered were charitable deductions and a sales tax exemption on the delivery of aggregate materials and concrete block.

### Frequently called numbers (Area code 651)

Information Services, House Public	
175 State Office Building .....	296-2146
Chief Clerk of the House	
211 Capitol.....	296-2314
Index, House	
211 Capitol.....	296-6646
TTY, House .....	296-9896
Toll free.....	1-800-657-3550
Information, Senate	
231 Capitol.....	296-0504
TTY, Senate .....	296-0250
Toll free.....	1-888-234-1112
Secretary of the Senate	
231 Capitol.....	296-2344
Voice mail/order bills .....	296-2343
Index, Senate	
110 Capitol.....	296-5560

# Primary numbers

## Governor vetoes first bill of the session

By **LEE ANN SCHUTZ**

The legislative session's first gubernatorial thumbs down went to a bill that would have negated the need for primary elections in cases where there are uncontested races.

The bill, sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Michelle L. Fischbach (R-Paynesville), passed the House 129-0 May 3 and the Senate 64-1 March 7.

In his May 10 veto message, Gov. Tim Pawlenty said he agreed with the intent of the bill, but his veto was based on a concern that the bill's language does not achieve its objective.

"As you know, election laws are very technical and their interpretation is often contentious. As governor, it is important that any election

bill signed into law achieves its intended results and that we do not interject confusion into the election process," he wrote.

Under current law, a state primary is held the first Tuesday after the second Monday in September in each even-numbered year when more than one person from each party has filed to run for the same elected position. The primary is used to select only one nominee from each of the major political parties to be on the general election ballot in November.

Pawlenty explained the need for a primary is not based on the number of people seeking an office, but whether the elective office requires the conducting of a primary to select nominees. In essence, the primary is needed to make the candidate officially the nominee.

"All partisan offices elected at the state general election require that nominees be selected by a primary. As a result, there are arguably no circumstances under which the statewide primary election would not be required to select the nominees and the objectives of the proposed law would not be achieved."

Also of concern to the governor is the lack of any language that would make the candidate the nominee when no primary is held.

The idea of limiting primaries may still have legs, however. Pawlenty suggested the Legislature consider altering existing provisions in the omnibus state government finance bill to address his concerns.

Hosch said he and Fischbach are considering how to move the bill forward. "I agree with the concerns with this bill," he said. "I believe they can be easily rectified by making some technical changes through the State Government Finance Conference Committee."

HF1110/SF879\*/CH48

## Total Vetoes by Minnesota Governors, 1977 - 2004

Governor	Years in office	Vetoes per year	Total vetoes
<b>Pawlenty, Tim</b>			
	2004	5	
	2003	3	
			8
<b>Ventura, Jesse</b>			
	2002	9	
	2001 Special	6	
	2001	10	
	2000	11	
	1999	18	
			54
<b>Carlson, Arne H.</b>			
	1998	15	
	1997	19	
	1996	26	
	1995	20	
	1994	25	
	1993 Special	1	

Governor	Years in office	Vetoes per year	Total vetoes
	1993	29	
	1992	16	
	1991	28	
			179
<b>Quie, Albert H.</b>			
	1982 Special 3	0	
	1982 Special 2	0	
	1982 Special	0	
	1982	10	
	1981 Special 3	1	
	1981 Special 2	0	
	1981 Special	0	
	1981	7	
	1980	8	
	1979 Special	0	
	1979	5	
			31

Governor	Years in office	Vetoes per year	Total vetoes
<b>Perpich, Rudy</b>			
	1990	3	
	1989 Special	0	
	1989	4	
	1988	3	
	1987 Special	0	
	1987	1	
	1986 Special	0	
	1986	1	
	1985 Special	0	
	1985	1	
	1984	5	
	1983	2	
	1978	0	
	1977	0	
			20

Compiled by: Minnesota Legislative Reference Library

NOTE: Governor's term increased from two years to four years beginning in 1963. Legislature began to meet annually beginning in 1973.

# Transportation clears House

Measure includes increase in gas tax, tab fees

By MATT WETZEL

An increase in license tab fees projected to raise \$740 million over the next decade for transportation needs, an annual tax on each car that could be as high as \$20, and a gas tax hike are provisions included in the omnibus transportation finance bill passed by the House 72-61 May 12.

Members met for more than four hours May 11 and another couple of hours the next morning before passing the nearly \$3.85 billion plan over the objections of the bill's sponsor, Rep. Mary Liz Holberg (R-Lakeville). "You're going to put MnDOT in the red, and many projects will be delayed. Vote no," she said. Amendments to the bill are expected to generate \$7.4 billion over the next decade for transportation needs.

The bill now goes to the Senate, where Sen. Steve Murphy (DFL-Red Wing) is the sponsor.

Much of Holberg's concern is directed at the most controversial portion of HF2461, an amendment successfully offered by Rep. Ron Erhardt (R-Edina) that would raise the gas tax by 10 cents a gallon — 5 cents this year and another 5 cents in mid-2007. The current 20-cent state gas tax was last increased in 1988.

Also part of Erhardt's amendment is a proposal allowing each county to impose an annual "wheelage" tax of up to \$20 per vehicle, to pay for roads and bridges in that county.

The amendment also proposes that 3.85 percent of sales tax receipts in the seven-county Twin Cities metropolitan area and Chisago County be dedicated to transit — 3.08 percent to the metropolitan area and the

remainder into a Greater Minnesota transit fund.

Voters would be asked in November 2006 if they want to change how the Motor Vehicle Sales Tax is allocated. Currently, 30 percent goes to fund state and local highways, 21 percent goes to the Metropolitan Council for transit and other needs, and much of the rest goes to the General Fund.

When fully implemented beginning July 1, 2011, 60 percent of the proceeds would be deposited in the highway user tax distribution fund; 38 percent would be deposited into the metro area transit fund and 2 percent would go to the Greater Minnesota transit fund.

Holberg submitted a successful amendment, increasing license tab fees an average of \$30 a year over the next 11 years for public transportation projects.

House Minority Leader Matt Entenza (DFL-St. Paul) was pleased with the final outcome. "Today we have the historic opportunity to make sure that Minnesota has a world-class roads-and-transit system.

"This compromise means that we will

finally be taking care of our transit needs in the Twin Cities metropolitan area," he said. "For too many years, we have been dead-locked."

"We're not getting it done," Erhardt said of the transportation problem. "The reason is we haven't been addressing the problem for many, many years. This is a big bite out of the apple that will help. Let's reach across the region, shake hands and get this bill done. Today we have an opportunity to vote for a bill that will be the largest transportation funding in history."

Holberg said, "I knew that this was going to be a tough bill to pass. I think I know where we're going now. Over the last two weeks I've begged lobbyists to accept a bill that will pass. I don't believe this bill will meet that criteria. We've got an interesting ride coming up ahead. Put your seatbelt on," she said.

## Other aspects of the bill:

- Class A, B, C and D driver's licenses would all increase \$3.
- Those who fail their written driver's tests twice would have to pay a \$10 fee for the third and subsequent tests. Those who fail their road test twice would have to pay a \$20 fee for the third and subsequent tests.
- New license plates with the message "Global War on Terrorism" would be made available. Qualified members of the National Guard and military reserves would be eligible for the plates, which would carry a \$5 surcharge. Eligible veterans would be able to request a personalized plate, for no fee.
- "Support Our Troops" license plates for the general public would be available for cars, pick-up trucks, recreational vehicles and motorcycles for a \$30 contribution to an account created by the bill. Money would be used for financial support to Minnesota soldiers on active duty and their immediate families.
- The speed limit on Interstate 35E in from West Seventh Street to downtown St. Paul would increase from 45 mph to 55 mph.



PHOTO BY TOM OLMSCHIED

Minnesotans could see a lot of road construction during the next two years if the House and the Senate can come to an agreement on their transportation bills. Both propose an increase in the gas tax.

## A major league proposal

### New ballpark plan for Twins clears first base

By PATTY JANOVEC

**"T**ake me out to the ball game ..." Sing some Hennepin County and Minnesota Twins officials to the tune of a new baseball stadium proposal that would increase the county sales tax sans voter approval.

Joining supporters in song was the majority of the House Governmental Operations and Veterans Affairs Committee, which approved the plan May 10.

Under the bill, the team would contribute \$125 million with an upfront cash contribution of \$40 million and the second cash payment of \$85 million to be received before completion of the 42,000-seat ballpark on the edge of downtown Minneapolis behind the Target Center. Hennepin County would contribute \$235 million for construction, with additional on- and off-site development costs at \$84 million. A Minnesota ballpark authority, governed by a five-member

commission, would oversee the stadium construction and operation.

"First and foremost no state General Fund dollars are used in this stadium proposal ... and it's an outdoor open air stadium the way, in my opinion, baseball should be played," said Rep. Brad Finstad (R-New Ulm), the sponsor of HF2480. "The team assumes responsibilities for cost overruns, so they are committed to the building of a state-of-the-art structure and committed to staying on task and on budget with this proposal."

The most contentious part of the proposal is the exclusion of the referendum process so that county voters wouldn't have a say in an additional 0.15 percent sales tax proposed to pay for the county share of the ballpark.

"Our deal with the county is no referendum," said Jerry Bell, president of Twins Sports Inc. "We have a number of reasons for that ... but the most critical, of course, is the time delay which would move the opening of

the ballpark from 2009 to 2010." Additional concerns include the risk of increased interest rates and higher construction costs due to inflation, Bell said.

"Almost anything that the county does would not pass a referendum in my estimation," said Hennepin County Commissioner Mike Opat. This is a complicated issue with high emotion on both sides with details negotiated and understood. The issue "lends itself to representatives doing their job," Opat added.

Rep. Mark Olson (R-Big Lake) predicted that a voter referendum would not pass. "I think the members of this institution ought to take note of that and consider what we're doing in light of what our current law requires."

Before a local sales tax proposal can take effect, legislative approval is needed.

Olson unsuccessfully offered an amendment that would have taken the referendum exclusion out of the bill, and put the question to voters in a special election or any regularly scheduled election in an attempt to address the time delay issue.

"Essentially there is a referendum on this issue and that's when Commissioner Opat is up for re-election and the rest of the county commissioners," said Finstad.

"The one thing I cannot justify is why we shouldn't have a referendum on the stadium, and yet should have a referendum on schools or libraries or courthouses, or anything like that," said Rep. Phyllis Kahn (DFL-Mpls).

"This amendment is probably worth the discussion and the debate, but at this time it would be nice to have that debate in the tax committee," said Finstad. The bill is expected to go to the House Taxes Committee, if approved by the House Local Government Committee.

A Senate companion (SF2297), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate State and Local Government Operations Committee.

Some have said that without a new facility the Twins might shop for a new city to call home. "For the state, from our vantage point, it seems to me there should be something here for longevity and keeping the Twins," said Olson.

An amendment successfully offered by Olson would keep the team's history in Minnesota. "The lease or use agreement must



PHOTO BY TOM OLMSCHIED

Fans in the "cheap seats" at the Hubert H. Humphrey Metrodome express their desire for a new Twins stadium during a recent game. Jerry Bell, president of Twins Sports Inc., said the Metrodome is far more suitable for watching football than baseball.

Continued on page 23

# House passes tax bill

Local sales tax option included in proposal

By MATT WETZEL

**A**fter more than 10 hours of debate and 27 amendments, most of which were rejected, the House now has an omnibus tax bill. HF785 was passed 80-54 and will now go to the Senate, which passed its own tax bill May 6. A conference committee is expected to work out the differences.

**"We have spent many hours in the (House) Taxes Committee assembling a bill that I think does a tremendous number of things for the taxpayers of the state of Minnesota," said Committee Chair Rep. Phil Krinkie (R-Shoreview), the bill's sponsor.**

One of the more controversial aspects of the bill proposes to freeze property tax levies in cities, towns and special taxing districts payable in 2006. Taxpayers would receive a survey form with their property tax statements beginning with taxes payable in 2007, asking their reaction to any proposed levy increase. If more than 20 percent of property owners are dissatisfied, a special election would be called. If the new levy were not approved, it would return to the previous year's level.

Local government aid to Minneapolis, St. Paul and Duluth would also be cut, under the bill. Duluth already has an additional 1 percent sales tax, and Minneapolis and St. Paul would be able to make up for lost dollars by imposing their own 0.5 percent local option sales tax, if approved by voters.

There were no provisions for local option sales taxes other than for the state's two largest cities included in the bill. But an amendment successfully offered by Rep. John Dorn (DFL-Mankato) would allow a city or a group of cities to impose a local sales tax of 0.5 percent without asking legislative approval; however, voter approval would be needed. The proceeds must be used for specific regional projects and the tax must end when the project is paid for.

The amendment also authorizes local sales taxes for Sartell, St. Cloud, Waite Park, and St. Joseph. St. Augusta will have one if voter approval is given at the next general elec-

tion.

There was no mention about what this might do to any potential countywide sales tax in Hennepin County, which would be used to pay for a new ballpark for the Minnesota Twins. The House Governmental Operations and Veterans Affairs Committee approved that bill (HF2480) May 10. It is next scheduled to be heard by the House Local Government Committee, and, if approved, would likely go to the House Taxes Committee.

Other parts of the bill include the creation of a 15-member reform commission to examine the fairness of the current tax system, with reports to the Legislature over a four-year period on different tax types.

The bill also aids current and former military personnel, and their families.

Veterans or surviving spouses who are totally or permanently disabled because of combat would receive a \$200,000 valuation exclusion for their property when determining property taxes.

There would be a new check-off on the state's tax form to allow taxpayers to donate \$1 to the Minnesota Military Families Relief Account. It would be established for National Guard or Reserve members ordered to federal active duty or surviving family members in need, effective beginning with income tax returns for tax year 2005.

The state's tax form would also be amended to allow taxpayers to direct a donation of \$1 or more to K-12 education, higher education,

transportation, health care, nursing home, clean water or a public safety memorial and survivors account. Money from the latter would be used to build and maintain memorials and help families of peace officers killed on duty.

All check-offs would be placed on a separate form, with the total amount transferred to the main tax form. Each check-off would be removed if it fails to gain at least \$100,000 in contributions from at least 8 percent of all returns over two years.

A controversial aspect of the bill was the change in the formula for calculating the rent credit, a refund that renters receive for their share of the property taxes they pay. DFLers have said the bill could cut the rent credit in half; thereby hurting many low-income residents who rely on it.

Rep. Jim Davnie (DFL-Mpls) unsuccessfully introduced an amendment to restore the credit. "I don't like cutting rent credit at all. HF785 will be even worse on seniors."

Rep. Karen Clark (DFL-Mpls) agreed. "This is not a luxury item for so many of these folks. If we don't change this bill, we're going to have 44,000 people lose the renter's credit."

Knobloch said that renters pay a property tax through the rent they pay, and they should get a refund based on what they pay. "We have gotten away from that in recent years," he said, adding that the credit has been more like a bonus than a property tax refund in recent years.

House Minority Leader Matt Entenza (DFL-St. Paul) was severely critical of the bill, including the cutting of rent credits and local government aid. "It does not make sense to have a tax bill that takes away from those working people in the state who ask for a little bit of tax fairness," he said.

Rep. Ron Abrams (R-Minnetonka), who chaired the tax committee the past three biennia, was not enamored with the final product. "There are many reasons to vote against this bill. To the members in the minority, you have only touched on a few. Like all bills, we hope it improves in the conference committee process."

"This is a good bill," said Rep. Marty Seifert (R-Marshall). "There are some tiny provisions that might be problems, but it's a good bill."



# Let's go fishing

Volunteers keep seniors on the water

By NICOLE WOOD

Senior angler Margherita Larmon is impressed with the walleyes in Minnesota lakes. But there was a time when she thought she would never fish again.

After her husband passed away eight years ago, Larmon moved from Watertown, N.Y., to Willmar to be closer to her son and family.

Relocating halfway across the country required her to give up her camper, boat and fishing rods.

"I thought that was part of my life that was gone, too," she told the Environment, Agriculture and Economic Development Budget Division of the Senate Finance Committee in March.

An invitation to join an outing with a Willmar-based nonprofit organization that provides free fishing and boating excursions to senior citizens put Larmon back on the water.

"You see the boats go by in early May and you just miss that part of your life," the 71-year-old said in a recent interview. "Until they started this Let's Go Fishing, there was just no way I could stay in touch with fishing."

Let's Go Fishing strives to reach those seniors who are no longer able to head out on their own for a day on the lake.

Founded in 2002 by Willmar businessman Joe Holm, the Let's Go Fishing mission is "to enrich the lives of senior citizens through fishing and boating activities that build relationships and create memories."

Like Larmon, many of the participants have lost a spouse and just need a fishing partner. Others have health concerns, a lack of income or equipment, mobility issues or any number of reasons that make solo trips difficult. Many live in nursing, veterans or community group homes. The only cost to program participants, if they wish to drop a line in the water, is a Minnesota fishing license.

"We're well taken care of, we're looked after, we have lifejackets so we're safe," said Larmon. "To think that the guides are willing to let us use their equipment and be on their boats and spend the time, that they would give up their

time and spend it with us."

The volunteer guides are put through a rigorous training program that includes a walk-through of boat and trailer operations, a primer in public access etiquette and inclement weather avoidance tactics, according to State and National Program Coordinator Michael O'Brien.

Besides Willmar, there are state chapters established in Little Falls, North Branch, Paynesville, Sauk Centre and Sleepy Eye. There is also a Colorado chapter.

Interest in the program has blossomed to the point where there are 25 communities on the waiting list, O'Brien said. And the calls keep coming in.

Thus, the program is seeking state support this session to establish a main office and expand the number of chapters statewide.

Willmar lawmakers Rep. Al Juhnke and Senate Majority Leader Dean E. Johnson are on board. Both DFLers were successful in getting some seed money for Let's Go Fishing into the omnibus environmental finance bills

The fishing opener in Minnesota is practically an official state holiday. Walleyes and northern pike are fair game, or fair fish as the case may be, and heaven forbid you would schedule a wedding or, egad, a House floor session for that special Saturday in May.

The opener is always two weeks before Memorial Day weekend.

This year the hallowed event is May 14.

both bodies have passed.

The House bill (HF902), sponsored by Rep. Dennis Ozment (R-Rosemount), would appropriate \$225,000 from the Game and Fish Fund to the Department of Natural Resources for a one-time grant to the program. The Senate has proposed \$325,000 in SF2276, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), and the difference likely will be reconciled in a House-Senate conference committee.

O'Brien said he's grateful for the work Juhnke and Johnson have done to bring Let's Go Fishing to the Legislature.

His fingers are crossed that the state will come through with funding, he said. "A lot of seniors are depending on this."

A significant portion of the state appropriation would create a revolving fund for startup loans to new chapters.

**Continued on page 23**



PHOTO BY TOM OLMSCHIED

**Minnesota is first in the nation in fishing license sales per capita, according to the Department of Natural Resources. The Legislature is considering funding for a program that aims to keep anglers and boaters on the water well into their senior years.**



# Paging through the process

**Each week, a unique crew of high school juniors is introduced to the high school page program at the Minnesota State Capitol. Some have traveled from across the state and others just a few miles for a glimpse of what keeps Minnesota ticking.**

**L**ora Evinger, a student at Visitation High School, Mendota Heights, who lives in Edina, is a member of the week 14 high school page team. Lora and the other pages spend their days in the State Office Building and the Capitol exploring all aspects of the legislative system. The agenda includes meeting their district representative, debating in a mock committee and, of course, working as a page when the House is in session.

"The whole process was a shock," Lora said. "I imagined it to be much quieter, and in reality, it was really loud and chaotic."

At the end of the day the pages cross Rice Street to the Kelly Inn, where they stay during the week. It's here Lora and her comrades have a chance to reflect on the day's activities. Asked if they discussed politics at night, Lora laughed and said, "Not really."



**Lora packs for a week at the Capitol.**

**Photos and story by  
Sarah Stacke**



**The pages have dinner at KFAN The Restaurant in Roseville.**



**A member of the Minnesota Historical Society meets the pages in the governor's office.**



Clay Sharkey, Lora Evinger and Micah Nystuen in a mock committee meeting.



Lora passes out amendments during session.



Lora waits on the page bench during session.

# In a different classroom

Page program teaches the teacher and the student

By RUTH DUNN

**H**e is a teacher, the Capitol is his classroom, and every week a new group of high school juniors comes from all over Minnesota to be Steve Alger's students.

"It's fantastic. I love this job," said Alger, who for the past four years has guided students through the House high school page program, now in its 30th year.

"These kids are the cream of the crop and eager to learn," said Alger, a retired social studies teacher and dean of students from Kenyon. "This is a teacher's dream come true."

Students in the program come to St. Paul to get an insider's view of state government in action — way beyond what students typically experience on field trips to the Capitol.

There may be as few as eight or as many as 12 students in the weeklong program. The groups are set up as a mix of girls and boys from urban and rural areas of the state. They are slightly nervous when they arrive on Monday to start the page program, but by Friday they're reluctant to leave. Some groups develop tight bonds, keep in touch through e-mail and meet again for reunions, said Alger.

Abigail Joynes of Golden Valley applied for the program based on a friend's recommendation that it was a fun experience. She especially enjoyed learning about the history of the Capitol and gaining a deeper understanding of the process of passing bills. "I also honed my debating skills," said Joynes.

While in St. Paul, the high school pages follow a jam-packed schedule. They attend committees and work as pages on the House floor. They learn about the media and lobbyists and meet with their representatives, the secretary of state and representatives of the attorney general's office. Students always want to meet the governor, whoever is in the office.

"By the time they leave, they have a good idea of most of what goes on here," said Alger.

A highlight of the week is the mock committee activity, which always gets high ratings in a feedback survey students take at the end of the week, according to Jake Jewell, second assistant sergeant-at-arms. It's a hands-on learning experience with students researching bills then meeting as a committee to discuss them and offer amendments.

"This type of hands-on experience is vital to understanding how government works," said Jewell, who handles scheduling and other administrative details for the program.

Another highlight is the opportunity students have to talk with House Speaker Steve Sviggum (R-Kenyon) about current issues.

"The more questions they ask, the more they're going to learn," said Alger, who encourages students to ask lots of questions. He also urges students to respectfully challenge the ideas and opinions expressed by people they meet during the week. "We have great discussions," he said.



Steve Alger, the High School Page Program coordinator, points out the House Majority Leader's desk while speaking to a group of pages on Monday, May 9.

PHOTO BY TOM OLMSCHIED

## You Should Know

Students can apply in the fall for the high school page program. For more information, go to:

<http://www.house.leg.state.mn.us/edprog/over2p.htm>

Every week is unique with a new group of students, and a different array of issues bubbling around the Capitol, and that's what Alger likes most about the job.

He is awed by the depth of knowledge and understanding of issues that students in the program have. "I'm not worried about future leadership, the future is in good hands," he adds.

Students can apply in the fall for the program. For more information, go to <http://www.house.leg.state.mn.us/edprog/over2p.htm>. Participants are reimbursed for the cost of their hotel room and receive a \$50 stipend for food.

## Retirement job

When he retired four years ago, Alger planned to fill his days with golfing but somebody had other plans for him. "Why don't you come work at the Capitol," suggested Sviggum, whose children had Alger as a teacher and coach.

"I'm not the couch potato-type. I like to be involved and active," he admits.

"He's an absolute natural for what he's doing now, being an educator and a people person," said Sviggum.

Travel is also a passion. When the session is over, Alger will guide a group to Italy and Greece. He's taken groups of students and adults to many places, including Russia, China and England. Upcoming trips may be to the Amazon River, Australia and Costa Rica.

Alger's wife, Karen, will join him on trips when she retires from teaching. The couple has two grown children and two grandkids. Being a grandfather is a new role for him and he loves it.

Call, visit, watch, or log on...

## Legislative information is available at your fingertips

Keeping track of what's happening at the Minnesota Legislature continues to get easier.

While the traditional methods such as visiting the Capitol and calling on the telephone are still useful ways to get the information you need, the newest technological methods on television and the Internet have made your choices better than ever.

### An award-winning Web site

Since the Legislature's World Wide Web site went online in 1996, more than 230 million hits have been received. The site receives nearly one million hits per week, on average, during the year and well more than one million hits per week during the busy legislative session.

The site was honored in 2001 with an Eagle E-Government Award as The Council of State Governments named it the Best Legislative Branch Site. Among the criteria used in judging was: site design; how the site makes state government more accessible; the use of technological innovation, including online transactions; and how the site streamlines the government process.

Accessing information using your fingertips and a mouse begins by directing your browser to <http://www.leg.mn>, the Legislature's main page.

The site layout is often updated to make it visually simple but also easy to navigate. Users can use drop-down menus and hyperlink text to get to the information.

A mere click of a mouse button takes a user to both the House and Senate main pages. Easy access is also provided to other areas, including: member information, committee information, and schedules; Minnesota Statutes; Session Laws and Rules; joint legislative departments and commissions; youth pages; general information; legislative district information; and employment opportunities.

On each member's page is a link to their e-mail address so a user can easily contact his or her elected official.

One of the more popular options is the bill tracker. From the House and Senate pages, users can read any bill and track its status through



Through the Legislature's Web site, the public can access information including bill descriptions and status, committee meeting schedules and agendas, and weekly publications of both the House and Senate.

Background photo courtesy NASA and AURA/STScI

the legislative process. For those not familiar with the legal language used to draft bills, easy-to-understand summaries are also available. Bills can be searched by number, keyword, or author.

Both the House and Senate sites offer Internet streaming video of floor sessions, select committee hearings, press conferences, and other special events. The service features unedited,

live and recorded coverage. For archived events an index is provided making it easy for users to find the specific bill or topic they wish to view, without having to weed through hours and hours of coverage. A Windows Media Player plug-in viewer is needed to watch the events unfold. A link to install that program is provided.

Information is available on the House Television Services Web site at <http://www.house.mn/hvtv/hvtvserv.htm>.

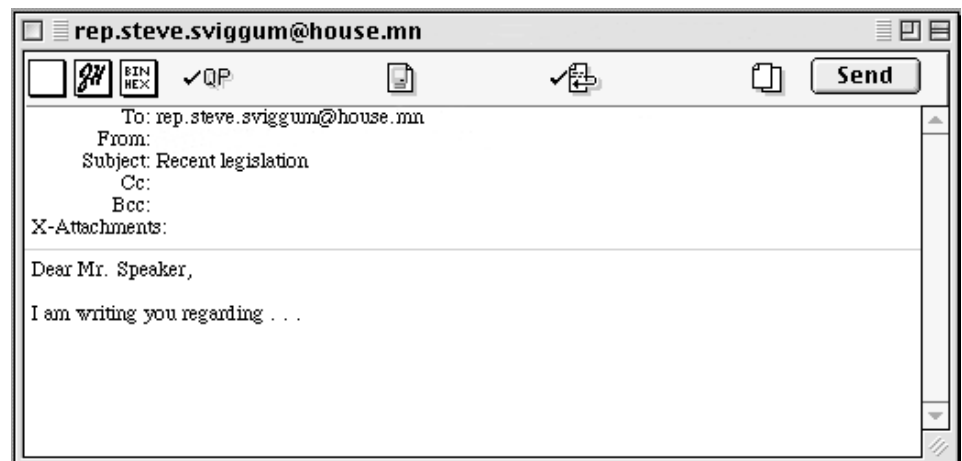
### Schedules delivered to you

House committee schedules are available on the Web site at <http://www.house.mn/hinfo/hinfosched.asp>. Senate schedules are online at <http://www.senate.mn/schedule>.

Constituents with e-mail service can receive daily committee schedules from both the House and Senate.

Updated daily, the schedules give specific information about which committees are meeting on a particular day, the time and location of the meeting, and general topic agendas.

To receive the House committee schedule, fill out the subscription form at <http://www.house.mn/hinfo/schedule/listserv.htm>. The Senate listserv can be accessed at <http://www.senate.mn/schedule/listserv.htm>.



E-mail is an increasingly common and efficient way for constituents to contact their legislators. Lawmakers regularly respond to signed messages, and they prefer that correspondents include their full names and addresses.



House Television Services provides coverage of action on the House floor and selected committee hearings on Channel 17 in the Twin Cities and local cable systems throughout the state.

### Come on down

Technology is a wonderful asset for governmental information, but the best way to find out what's happening at the Capitol is to witness it in person. A good place to begin your visit is at the House Public Information Services Office, located in Room 175 of the State Office Building, directly west of the Capitol.

The office has a series of informational and educational publications designed to make the legislative process understandable and accessible for all.

Office staff can quickly determine in which House and Senate district you live and provide you with the name, office number, phone number, and e-mail address of your representative and senator.

Committee schedules are available at the office, as are issues of the award-winning newsmagazine *Session Weekly*, a free publication covering weekly House activities during session. To have this thorough wrap-up mailed directly to your home or business, call or stop by House Information, or complete the subscription form on the House Web site at <http://www.house.mn/hinfo/subscribe.asp>. Likewise, *Senate Briefly*, which covers weekly Senate activities, is available online at <http://www.senate.mn/briefly/index.htm>.

Session Daily is the online companion to *Session Weekly*. Located at <http://www.house.mn/hinfo/sdaily.asp>, it offers news

from the House on a daily basis, so you can stay on top of the major events at the Capitol. Brief, informative updates about committee and floor action are posted before 8 a.m. Monday through Friday. Links to useful resources, such as bill introductions and reports or documents, are also offered. Each day's version is also archived by date and topic.

### Pick up the phone

A wealth of information is also available via the telephone. The House Public Information Services Office can answer general questions regarding the legislative process and who your legislators are. They can also direct you to other offices for additional information. Call the information office at (651) 296-2146 (voice), (651) 296-9896 (TTY), or 1-800-657-3550 (voice and TTY).

You don't need to leave home to obtain copies of House bills, either. Simply call the House Chief Clerk's Office at (651) 296-2314 and they'll mail you a copy. If you don't know who sponsored a bill or what a particular bill's House File number is, call House Index at (651) 296-6646. They can also give you the status of a bill.

If you have a concern about a pending bill or a policy issue, call your legislator.

A voice version of the House committee schedule is available at (651) 296-9283. For similar information in the Senate, call (651) 296-0504 or 1-888-234-1112.

### Tune in

Television coverage of the Legislature is available in the Twin Cities metropolitan area on KTCI-TV, Channel 17. Coverage also is included throughout Greater Minnesota on 31 cable providers' services. Check with your local cable system for availability. All broadcasts are closed-captioned and schedules are available from House Television Services. Call (651) 297-1338 or visit the House and Senate Broadcast Television Schedule page at <http://www.house.mn/hvtv/hvtv.asp>.

Live coverage of floor sessions and committee hearings is provided throughout the day, and taped coverage is played between live proceedings.

### Frequently used Web links

Legislature's main page:  
<http://www.leg.mn>

*Session Weekly* on the Web:  
<http://www.house.mn/hinfo/swmain.asp>

*Session Daily* on the Web:  
<http://www.house.mn/hinfo/sdaily.asp>

Maps and legislative district finders:  
<http://www.leg.mn/leg/districtfinder.htm>

To search the Legislative Web site:  
<http://search.state.mn.us/leg/>

North Star government information:  
<http://www.state.mn.us/>

Governor's office:  
<http://www.governor.state.mn.us>

Office of the Secretary of State:  
(Elections & Candidate Information)  
<http://www.sos.state.mn.us>

Legislative Reference Library:  
<http://www.leg.mn/lrl/lrl.asp>

Revisor's Office:  
<http://www.revisor.leg.state.mn.us/revisor.html>

Legislative Links to the World:  
<http://www.leg.mn/lrl/links/links.asp>

### Frequently called numbers

House Information:  
651-296-2146 voice; 651-296-9896 TTY  
1-800-657-3550 toll free voice and TTY

Senate Information:  
651-296-0504 voice; 651-296-0250 TTY  
1-888-234-1112 toll free voice  
1-888-234-1216 toll free TTY

Chief Clerk's Office: (copies of bills)  
651-296-2314

Office of Secretary of the Senate:  
651-296-2344

House Index: (bill status)  
651-296-6646

State Capitol Information Desk:  
651-296-3962  
651-296-2739

## Friday, May 6

### HF2504—Erhardt (R) Transportation

Motor vehicle fuel and registration tax rates increased, county state-aid fund distribution formula modified, wheelage taxes authorized, revenue deposits specified, bonds issued, money appropriated and constitutional amendment proposed.

### HF2505—Lenczewski (DFL) Taxes

Twins; Minnesota Twins renamed the Hennepin County Twins if local Hennepin County sales taxes are approved for financing a new baseball stadium.

## Monday, May 9

### HF2506—Peterson, A. (DFL) Commerce & Financial Institutions

Country of origin labeling act adopted providing requirements and prescribing penalties relating to meat sales and labeling.

### HF2507—Lenczewski (DFL) Regulated Industries

Bloomington Art Center on-sale liquor license authorized.

## Tuesday, May 10

### HF2508—Thissen (DFL) Governmental Operations & Veterans Affairs

Minneapolis Police Relief Association and Minneapolis Firefighters Relief Association pension benefits reductions limited.

### HF2509—Peterson, A. (DFL) Governmental Operations & Veterans Affairs

State vehicle purchase bidding preference granted to small businesses.

### HF2510—Severson (R) Taxes

Military pension income tax deduction provided.

## Wednesday, May 11

### HF2511—Kahn (DFL) State Government Finance

Casino operated by the state lottery authorized in the main terminal of the Minneapolis-St. Paul International Airport and money appropriated.

## Thursday, May 12

### HF2512—DeLaForest (R) Environment & Natural Resources

Natural resources programs worker displacement prohibition repealed.

### HF2513—Hansen (DFL) Transportation Finance

St. Paul and Inver Grove Heights; Robert Street corridor transitway study and design funding provided, bonds issued and money appropriated.

### HF2514—Atkins (DFL) Commerce & Financial Institutions

Uniform Securities Act of 2002 adopted and modified and criminal penalties prescribed.

## Continued from page 4

they have to be super-qualified and have a perfect resume,” said Tingelstad, who works to recruit female Republican candidates. Whereas men don’t give it a second thought, she adds.

Greiling believes that her goal of a House with at least 53 percent women won’t happen while she’s a member, but it will happen someday.

“It used to be that school boards were all men, now they’re mostly women. We’re not there yet with city councils, county boards and the Legislature, but we will be,” she predicts.

One of the challenges is that rural women don’t want to leave their families for several months to serve in the House, said Tingelstad. “There’s a group we don’t hear from, a whole missing generation of women in their 20s and 30s who have no voice here, no seat at the table.”

That can also be a problem for male legislators, said Seifert, a father of young children. Several young, energetic legislators who are fathers have left office in recent years, primarily because of the strain it placed on their families, he said.

Sviggum understands it can be a hardship for both mothers and fathers to serve, especially those who live far from St. Paul. As a father of three, he’s tried to make the House more family friendly in recent years. For example, committees don’t meet Monday mornings or Friday afternoons for most of the session to give parents more weekend time with their families.

“I want to help members feel they can serve in the Legislature without consequences to their family in a negative way,” he said.



## Continued from page 15

provide that the team and league will transfer to the state of Minnesota the Minnesota Twins’ heritage and records, including the name, logo, colors, history, playing records, trophies and memorabilia in the event of any dissolution or relocation of the Twins franchise.”

Rep. Neil W. Peterson (R-Bloomington) successfully offered an amendment that removed provisions dedicating \$4 million in county sales tax monies, if left over after paying off the stadium bonds, to youth activities, amateur sports, county libraries and

Minneapolis public libraries.

“I would suggest that if they really want the goodwill and cooperation of the communities, especially my community, that you do not make that specific,” Peterson added.



## Continued from page 17

“I think it’s a great way to use state dollars in a way that will be used over and over again,” Juhnke said.

The participants’ attitudes and outlooks on life change dramatically once they are back on the water, Juhnke said. “They have a zest for life when they return.”

Larmon and her fishing buddies eagerly

await another angling season.

“I am just one of the happy stories,” Larmon said. “In the senior citizen’s (center) we talk about it all winter long, but come the first of February, that is when we really get fish fever.”

Larmon is straightforward when asked about her secret to catching the big one: “We just use worms.

“Like I say, if my husband had known there were so many walleyes out here, we would have moved out here a long time ago.”



**For more information:**  
**Let’s Go Fishing of Minnesota**  
1025 19th Ave. SW  
Willmar, MN 56201  
Phone: (320) 235-8448  
Email: info@letsfishingofmn.com

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

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

# MINNESOTA INDEX

## Lobbying for dollars

Amount spent by local governments lobbying the Legislature in 2004, in millions.....	\$6.26
Millions spent in 2003.....	\$6.08
Millions spent in 1999.....	\$4.1
Local governments (cities, counties, school districts or metropolitan agencies) that directly employed or hired contract lobbyists in 2004.....	64
In 2003.....	61
Government units that relied entirely upon contract lobbyists to represent its interests.....	50
Units that hired contract lobbyists and used their own employees.....	9
Units that relied entirely on their employees to represent them.....	5
Amount these governments spent in 2004 on staff and contract lobbyists, in millions...	\$2.94
Percent increase from 2003.....	1.5
Percent of total paid by counties.....	38
Percent by cities.....	34.3
Percent by school districts.....	13.4
Percent of total dollars spent that went to contract lobbyists.....	63.3
Amount paid by Minneapolis in 2004 to lobbying staff or hired lobbyists.....	\$325,815
Amount paid by Hennepin County.....	\$285,669
Amount paid by St. Paul.....	\$144,043
Millions in dues that local governments paid to local government associations that also represented their interests before the Legislature.....	\$9.14
Millions in dues paid in 2003.....	\$9
Millions spent by those associations on lobbying in 2004.....	\$3.32
Percent increase from 2003.....	4.2
Millions spent in 1999.....	\$1.8
Percent of local governments that paid dues to three or more lobbying associations in 2004.....	7
Percent increase in association lobbying expenditures in past five years.....	71
Percent increase by the Coalition of Greater Minnesota Cities.....	319
Percent increase by the Association of Minnesota Counties.....	202
Percent increase by the Metro-Inter County Association.....	102
Percent increase by the Minnesota School Boards Association.....	55
Millions spent by Minnesota Chamber of Commerce in 2004 for lobbying.....	\$1.14
Amount spent by Education Minnesota.....	\$980,000
Lobbyists registered in Minnesota, as approximate, in January 2005.....	1,200
Estimated number of associations represented.....	1,100

**Sources:** *Handbook for Lobbyists and Lobbyist Principals*, Campaign Finance and Public Disclosure Board, other board publications; *2004 Local Government Lobbying Services*, Office of the State Auditor; *Session Weekly*, April 6, 2001, House Public Information Services Office.

## FOR MORE INFORMATION

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House Index Office  
(651) 296-6646

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

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

Teletypewriter for the hearing impaired.  
To ask questions or leave messages, call:  
TTY Line (651) 296-9896 or  
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Check your local listings to watch television  
coverage of House committees and floor  
sessions.

Senate Information  
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A NONPARTISAN PUBLICATION

★ ★ ★

# SESSION Weekly

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INSIDE: SERVING THE HOUSE, END OF SESSION ANGST, PRESERVING THE COLORS, MORE

SURVEYING YOUR OPINION — SEE PAGE 24

This Week's Bill Introductions HF2515-HF2530

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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On the cover: Light reflects on the wet streets around the Capitol May 18. Rain fell as members met in conference committees well into the evening.

—Photo by: Tom Olmscheid

# Special session suspense

Question arises during most years

By RUTH DUNN

It seems to be a question that blooms at the Capitol every May in recent years: Will there be a special session?

Like the last two budget-setting years, legislators may be keeping their upcoming schedules somewhat fluid, just in case Gov. Tim Pawlenty needs to call a special session.

When this publication went to press May 19, it was not known whether all legislative loose ends could be tied up by May 23, this year's constitutional deadline for the end of the session. While a pair of major omnibus bills — public safety and higher education — seem to be approaching the finish line, others appear to be a long way from that. For example, the K-12 education finance conference committee was about \$164 million apart between House and Senate bills and was still taking testimony from superintendents, teachers, parents and lobbyists this week. Conferees were also far apart on other bills, including the health and human services proposals. The tax conference committee did not begin its work until May 18.

Of course, other issues that many people are talking about, such as an expansion of gambling, transportation funding and an additional Hennepin County tax to help fund a Minnesota Twins ballpark, remain on the table.

Odds are in favor of a special session, judging from history. There have been several special sessions in recent years although many were short — just a day or so needed to tackle a major issue or two.

There are exceptions, like the 1971 special session that began May 25 and finally ended Oct. 30 (with a recess from July 31 to Oct. 12) with a focus on taxes, revenue and reapportionment.

Gov. Alexander Ramsey called the

state's first special session in 1862 to respond to the American Indians' armed resistance to encroaching white settlements. Since then, more than 40 special sessions have been needed.

The most recent began May 20, 2003, and continued for nine days. Legislators worked on taxes, budget appropriations and major bills not passed during the regular session,

according to information compiled by the nonpartisan Minnesota Legislative Reference Library.

"The only surprise is that anyone is surprised by the impending special session," said Rep. Dan Dorman (R-Albert Lea). "I think they should be renamed since they really aren't so special."

The Legislature is getting more and more like the NBA season, he says. "There is a long regular season that is interesting, but since most teams end up in the playoffs anyway, it is not all that meaningful."

While campaigning last fall, Rep. Steve Simon (DFL-St. Louis Park) and other newcomers heard a lot about the importance of legislators getting the job done and dissatisfaction with all that was not accomplished during the 2004 session.

"Four-and-a-half months is enough time to complete what needs to be done," said Simon. There may be exceptions some years when there are deeply felt or particularly political issues that might need more time to be resolved, he added. But generally, a more serious regard for the deadline is one of many things that might help avoid special sessions, he said.

Simon and other first-term legislators feel so strongly about trying to avoid a special session this year that they came up with a disincentive.

HF1102, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would prohibit per diem payments to members for a special session that is called within 60 days of adjournment of a regular session because the Legislature failed to pass necessary legislation during the regular session.

Although the bill has yet to receive a hearing, Simon said that he and others will not accept per diem payments if a special session takes place.

"It shows something is at stake in the failure to abide by deadlines," he said. "It's important to show the public that if we go to special session



PHOTO BY TOM OLMSCHIED

Rep. Mary Murphy, left, and former Rep. Tom Pugh share a desk in the Senate Chamber during a special session on Sept. 28, 1989. The House had to meet in the Senate Chamber because the House Chamber was under renovation.

First Reading continued on page 4

## Recent special sessions

Year	Length	Purpose
2003	Nine days beginning May 20, 2003	Enact legislation to provide for the financial management of state government. Other matters: taxes, budget and appropriations and major bills not passed during regular session
2002	One day on Sept. 19, 2002	Flood relief for Roseau, also considered sales tax on aggregate materials and charitable deducting
2001	18 days beginning June 11, 2001	Same as 2003
1998	Two days beginning April 20, 1998	Clarify intent to allow recovery for fraud along with issues relating to economic development and Early Childhood and Family Education
1997	Three special sessions	One day on June 26, 1997; One day on Aug. 19, 1997, and 22 days beginning Oct. 23, 1997; 1st special session: K-12 education appropriations, DWI and government data practices; 2nd special session: Flood relief, commissioners pay and minimum wage; 3rd special session: funding for baseball stadium
1995	Two days beginning May 23, 1995	K-12 education appropriations and other unfinished business
1994	One day on Aug. 31, 1994	Strengthening of sexual predator laws
1993	One day on May 27, 1993	Budget bills, health and human services finance, higher education finance, election campaign financial disclosure of contributions, state budget, contingency airplane replacement funding, sentencing for repeat domestic abusers

Compiled by the nonpartisan Minnesota Legislative Reference Library from House and Senate Journals, Minnesota legislative manuals and other sources. For more information go to: <http://www.leg.state.mn.us/lrl/histleg/spsses.asp>

we're willing to take a small hit."

Dorman agrees that changes could be made that might help avoid future special sessions. "I have long supported changing our rules in order to force us to set our budget no later than one month before the end of session."

The cost of special sessions varies but is generally estimated to be \$18,623 per day on the House side, according to House Controller Paul Schweizer.

During a special session, all 201 legislators can continue to receive their \$66 per diem for living expenses. In addition, those who live more than 50 miles from St. Paul are eligible to receive funds for lodging and for reimbursement of the cost of a weekly round-trip to their home.

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

## Preserving the colors

### Civil and Spanish-American war flags significant to Capitol collection



Flag Day 2005 marks the 100th anniversary of the transfer of the colors of the Minnesota Civil and Spanish-American war regiments from the old statehouse to the new Capitol building.

According to historical accounts, June 14, 1905, was an even grander affair than the laying of the Capitol cornerstone, with more than 1,000 veterans in attendance plus soldiers, mounted police, bands, drum corps and a choir of school-girls costumed as a "living flag."

"As the veterans of both the Civil and Spanish American wars prepared for the big day, the spirit and respect they felt for the old regimental flags permeated the city and trickled out into the countryside," wrote Neil B. Thompson in *Minnesota's State Capitol: The Art and Politics of a Public Building*. "Even the railroads helped by reducing the cost of a round-trip ticket to St. Paul to that of a one-way fare plus fifty cents."

The veterans carried the flags up Cedar Street and placed them in the same four glass cases in the Capitol Rotunda visitors view today.

"Throughout the day the ghost of Colonel William Colvill, leader of the intrepid charge of the First Minnesota Regiment that had saved the Union Army at the battle of Gettysburg, hovered over the entire affair," Thompson wrote. The 75-year-old Colvill had traveled to St. Paul in hopes of attending the event but died two days before it took place. His body lay in state outside the governor's suite throughout the ceremony.

A statue of Colvill on the second floor still stands guard over Capitol affairs and the 21 flags on display in the Rotunda.

The colonel might be dismayed to learn his beloved colors are in need of serious restoration.

The flags were last restored in 1963 by a commonly accepted treatment of using a monofilament thread to stabilize the silk. They are held in place between two nearly invisible layers of fine nylon netting, with several rows of stitching.

A textile conservator documented the condition of the flags in 2003 and found that the filament needs to be removed, according to Capitol Historic Site Manager Carolyn Kompelien.

The 1960s restoration served its purpose, she said, but the thread is becoming brittle and could damage the flags if it is not soon removed.

Restoration of the approximately 50 flags in the collection could cost \$1.4 million, Kompelien said, including special storage cases, frames, cataloguing, photography and all other work performed by the Minnesota Historical Society.

Minnesotans can make Colvill proud by supporting the flag project or other restoration efforts with a contribution to Friends of the Minnesota State Capitol, a nonprofit organization that was established to commemorate the centennial and ensure that Capitol preservation work will continue after the yearlong celebration comes to a close. For more information on the Friends, call (651) 203-7246.

(N. WOOD)



A procession of Civil and Spanish-American war veterans remove their battle flags from the old statehouse and carry them to the new Capitol on June 14, 1905.

Photo courtesy of the Minnesota Historical Society

**Dear readers,**

As we put this issue of *Session Weekly* to bed, it is not clear whether the Legislature will meet the May 23 constitutional deadline for adjournment.

If it appears there will be a special session, this will be your last regular *Session Weekly* for the 2005 legislative session. But you can look forward to a *Session Weekly* wrap up in your mailbox at the end of a special session, if one is held.

However, if legislative business were to be finished on time, *Session Weekly* staff will immediately get to work producing this session's final issue to be published May 27. It will give you a complete look at the action during the last days of this session.

Check out the *Session Daily* at <http://www.house.leg.state.mn.us/hinfo/sdaily.asp> for updates on any special session and conference committee action.

While you join us in special session suspense, please take a few minutes to fill out the survey on the back page of this magazine. When you have it completed, just tear off the page, fold, tape and mail it to us. If you choose, you can fax it to (651) 297-8135.

We appreciate your comments, which help us look critically at the services we offer. The staff of House Public Information Services looks forward to bringing you coverage of the House during the 2006 session.

*Session Weekly* Staff

★ **AGRICULTURE****Arresting powers**

**Vetoed  
by  
the  
governor**  
★ ★ ★

Gov. Tim Pawlenty vetoed a bill May 16 that would clarify that county agricultural societies are exempt from local zoning ordinances and modify current law that allows fairs to appoint individuals to serve as "special constables" for law enforcement services.

"I have vetoed Chapter 58 because this bill would expand the full powers of arrest to unlicensed special constables appointed by an agricultural society," the governor wrote in his veto message. "In the interest of public safety, the full powers of arrest should be reserved to appropriately trained and licensed peace officers."

County agricultural societies have been empowered, under Minnesota law, to organize, make rules and purchases, and have full jurisdiction over county fairgrounds since 1860.

The long-standing presumption has been that county fairgrounds are exempt from local zoning ordinances throughout the year, according to the nonpartisan House Research Department.

Proponents asked for the legislation because some city officials assert that under current law the exemption applies only during the fair.

The governor took no issue with the exemption provisions and suggests that the clarification be placed in the omnibus agriculture bill that a House-Senate conference committee is negotiating.

Rep. Bob Gunther (R-Fairmont) and Sen. Jim Vickerman (DFL-Tracy) sponsored the legislation.

HF1389/SF1146\*/CH58

★ **BUDGET****The inflation factor**

Inflation was removed by the 2002 Legislature as a variable on the expenditure side of the ledger in state budget forecasts.

HF145, sponsored by Rep. Loren Solberg (DFL-Grand Rapids), would put inflation back into the equation that produces November and February forecasts of state General Fund spending.

The House Ways and Means Committee reviewed the proposal May 17 and laid it over. The concept is also under discussion by a House-Senate conference committee on state government finance. Solberg hopes to forward the "expert" testimony from the hearing to

the conference committee. The experts he was referring to include a former representative and two former finance commissioners.

"This is a matter of clarity," said former Rep. David Bishop. "Clarity, in my judgment, ... requires recognizing facts, and inflation or deflation is generally a determinable factor that should be recognized."

"Otherwise, it is deception and I don't think any of us really want to be deceptive with the people that elect us."

Both Bishop and Solberg supported the 2002 change, which Solberg said he has learned, after listening to the advice of the Council of Economic Advisors and others, was a mistake.

"In 2002, when this occurred, both the Senate Majority (Leader) and the House Majority Leader were running for governor and at that time the governor thought he might be running for governor also and, frankly, nobody wanted to face up to the fact that you hadn't really balanced the budget in 2000 as it related to the following biennium," said former Finance Commissioner Jay Kiedrowski.

"Including inflation in revenue but excluding it in spending makes things look better than they are," wrote John Gunyou, another former finance commissioner. "As a result, we make politically popular promises we can't afford — like the decision to take over school funding at the same time taxes are permanently reduced."

The Congressional Budget Office continues



PHOTO BY TOM OLMSCHIED

**Former Finance Commissioner Jay Kiedrowski answers a question about inflation and the state's budget forecast during the May 17 meeting of the House Ways and Means Committee. Former Rep. David Bishop, left, who chaired the committee when he was a member of the House, and Paul Anton, chief economist at the Wilder Research Center, were also part of the discussion.**



to include inflation in all of its forecasts of the financial stability of the U.S. government, Kiedrowski said. "Frankly, Minnesota and its financial forecast is out of step, again, with the theory of finance and budgeting as well as with common practice of forecasting in both the public and private sectors."

A companion bill (SF2), sponsored by Sen. Richard J. Cohen (DFL-St. Paul), was included in a larger omnibus state appropriations bill (SF2266). That bill is in a conference committee with the House omnibus state government finance bill (HF1481).

## ★ BUSINESS

### Language streamlined

A bill that would make technical changes to state statute regulating the formation and structure of certain corporations awaits action by the governor.

Rep. Tom Emmer (R-Delano) and Sen. Geoff Michel (R-Edina) are the sponsors of HF1043/SF767\*, which deals with state statute as it relates to financial corporations and insurance companies.

The bill, passed by the House 133-0 May 16 and the Senate 65-0 April 21, defines the organizational structure of these institutions' governing bodies and lays out their powers, the role of the bylaws and how a certificate of incorporation should be filed with the secretary of state.

The bill is the result of a five-year effort and has the support of the Minnesota Bar Association and organizations that represent the banking and insurance industries, Emmer said on the House floor. "The measure creates separate language relating to these two industries and streamlines the corporate laws so that they are easier to reference," he said.

### Extending the application period

Certain licensing requirements under the Minnesota Electrical Act could be modified for people who submit applications before Sept. 30, 2005.

HF1521/SF1355\*, sponsored by Rep. Rod Hamilton (R-Mountain Lake) and Sen. Jim Vickerman (DFL-Tracy), passed the House 130-1 May 13 and the Senate 61-0 April 27. It now awaits the governor's signature.

Current law requires license applicants to have graduated from an approved four-year electrical course at an accredited college or university, or have at least three years of experience, subject to a credit of up to 2,000 hours for completing a two-year post-high school electrical course or other approved technical training.

The bill would exempt people from those requirements if they apply to take the power-limited technician exam by Sept. 30, 2005.

Hamilton said the bill would allow an additional 1,500 to 2,000 people to apply for the exam, administered by the Board of Electricity.

## ★ CHILDREN

### No custody for certain offenders

The intent of HF561, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), is to prevent convicted sex offenders, murderers and perpetrators of certain other serious crimes from being granted custody of non-biological children.

The House passed the bill 132-0 May 17. It now goes to the Senate where Sen. John Marty (DFL-Roseville) is its sponsor. A Senate family law bill (SF644), sponsored by Sen. Thomas M. Neuville (R-Northfield), also contains the provision. It awaits action by the full Senate.

Atkins said the bill addresses a recent incident in Dakota County where a man, who was a convicted sex offender, was granted custody of his ex-girlfriend's child. Three weeks later, he was charged with molesting the 9-year-old girl and pleaded guilty.

"This bill is about protecting kids from this happening again," he said.

## ★ CRIME

### Public safety omnibus

The omnibus public safety bill (HF1/SF2273) moved to a faster track after a meeting between House and Senate leadership and Gov. Tim Pawlenty at which time the spending target was set at \$1.65 billion for the biennium, approximately a 16 percent increase for law enforcement, the courts and corrections. That amount is \$3.83 million more than the House proposal.

"What we've done is put two heel pieces of bread, now we're going to fill out the loaf," Rep. Steve Smith (R-Mound) said May 16 to members of the conference committee. Smith and Sen. Jane B. Ranum (DFL-Mpls) are the committee co-chairs.

The written agreement amongst leadership includes selected policy issues, said Smith. "Specifically the concept of life without release for some sex offenders will be included in the bill."

Also, cuts to agencies affected by the public safety bill are not allowed in other bills unless specifically negotiated by leadership, Smith said. The governor retains the right to line-item veto an appropriation. Also, the precur-

sor methamphetamine issue will be decided in the conference committee and submitted to the three principals, said Smith. "We're off and running. Now let's get to work and get the bill done this week."

They began to plow through a list of 44 items that Smith termed significant, but had not yet tackled the more controversial topics when this issue of *Session Weekly* went to press.

The Senate bill does not include the House provisions of special license plates and driver's licenses that would publicly identify sexual predators, the asexualization or chemical castration for some sex offenders, or a proposal to take DNA samples from all people arrested for felonies. Samples of those who are not convicted would be destroyed.

Both bills increase penalties for various crimes that would increase prison populations and ongoing corrections costs.

The House bill also includes tougher penalties for steroid sales, gas theft, repeat DWI offenses and animal fighting. The Senate bill would make it a felony to destroy, conceal or confiscate another person's government documents, like passports.

## ★ DEVELOPMENT

### Design-build contracts

State construction projects could be contracted a different way, under a bill passed 125-8 by the House May 17.

Sponsored by Rep. Michael Beard (R-Shakopee) and Sen. Richard J. Cohen (DFL-St. Paul), HF1460/SF1335\* now goes to the governor. It was passed 64-0 by the Senate April 21.

The bill "would modernize and update our ability for the state Department of Administration, the University of Minnesota and Minnesota State Colleges and Universities system to utilize construction manager at-risk or design build techniques in building major capital projects," said Beard.

The design-build process includes a single contract established with a single company to perform both the design and construction of a project.

"Forty-two other states already do what we are asking statutory authority to do," said Beard. "This is not primarily a money saving thing. It's a time and governmental utilization saving thing."

The design-build process, while not the cheapest, allows the owner and designer to become involved early in the process and derive the best value out of the project, Bob DeBruin, past president of the Society of American Institute of Architects of Minnesota, told a House committee.

Traditionally, state contracts have been a design-bid-build process, in which a contract with an architect is established to create the construction documents, and then the project is bid out.

The bill would also allow a construction manager at-risk, where the constructor has initial input during the design, thus making it faster than the traditional method of design-bid-build, added Debruin. Also, under the bill, job order contracting is permitted on projects up to \$250,000.

## ★ EDUCATION

### K-12 education funding

Not only do the House and Senate omnibus K-12 education bills differ on the total amount of spending for schools, they also contrast on where that money should come from.

HF872, sponsored by Rep. Barb Sykora (R-Excelsior), would give authority to school boards to raise property taxes by about \$112 million in discretionary levies without voter approval. Under SF2267, sponsored by Sen. LeRoy A. Stumpf (DFL-Plummer), all aid for education would come from the state, thus avoiding local property tax increases.

This is just one of several funding and policy differences the 10-member conference committee will need to work out as it determines spending for K-12 education, which comprises about 40 percent of the state's General Fund.

Several testifiers spoke to the conference committee May 16, representing superinten-

dents, school boards, teachers and parents, all saying more or less the same thing — They want the state to add as much as possible to the per pupil basic aid paid to all school districts. This is the most fair and equal way to fund schools, they say. Per pupil aid is currently at \$4,601 and has not been increased for a couple of years.

"It's not often all education groups stand together with a shared message," said Vernae Hasbargen, director of legislative action for the Minnesota Rural Education Association. She said this year the unified message is, "The formula is the top priority."

The House proposal is to increase the per pupil basic aid formula by 3 percent for fiscal year 2006 and by 3.1 percent for fiscal year 2007 which would increase funding to schools by \$622 million over the biennium. The Senate bill would increase per pupil funding by 5 percent the first year and 4 percent the second year resulting in \$800 million more for schools.

In addition to a formula increase, all districts would also benefit from increased funding for special education, said Scott Croonquist, executive director of the Association of Metropolitan School Districts.

Another difference is the House proposal would provide \$18 per student for gifted/talented programming in fiscal year 2006 and \$15 per student in fiscal year 2007. The Senate bill does not include a similar proposal.

The House bill separates two major categorical aids from the funding formula so that future increases for each would be negotiated separately. The House proposes an 8 percent

increase for transportation sparsity, which is paid to less populated rural districts. The House would also freeze compensatory aid, which is paid to school districts, mainly urban, with high concentrations of poverty. The Senate bill makes no similar changes.

### Coaching contracts

**Vetoed  
by  
the  
governor**  
★ ★ ★

One word prompted Gov. Tim Pawlenty to veto a bill May 16 that would give high school coaches whose contracts are not renewed the opportunity to respond at a school board meeting.

But because the bill states, "... any portion of that meeting at which educational data are discussed must be disclosed under section 13D.05, subdivision 2," it was vetoed, according to the governor's veto message.

The provision is not consistent with the Open Meeting Law, which requires a school district to close any portion of a meeting that would include discussion of educational data about a student, according to the message.

"The context of the bill suggests that the Legislature may have intended to use the word 'closed' rather than 'disclosed,'" said Pawlenty. "However, if that is the case, the provision is not necessary because existing law already mandates closure of any portion of a meeting in which educational data is discussed." The concern was that use of "disclosed" might create confusion about whether a meeting may be closed if student information is discussed.

"It is important that we protect the privacy of public school children. Accordingly, I am vetoing this bill to avoid any uncertainty in a school district's obligation to close a meeting to protect the privacy of students," added the governor.

Rep. Dean Urdahl (R-Grove City) and Sen. Steve Dille (R-Dassel) are the bill sponsors.

HF68\*/SF457/CH57

## ★ ELECTIONS

### Voter accessibility

Voters who are disabled in any way might for the first time be able to vote independently and in private in federal and state 2006 elections, and in county, municipal and school district elections held after Dec. 31, 2007.

HF874, passed by the House 133-0 May 16, provides the legislation needed to distribute the grant money to counties to make this possible.

The measure, sponsored by Rep. Laura Brod (R-New Prague), now goes to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

The bill would provide \$38.5 million to



PHOTO BY TOM OLMSCHEID

**Emma Kurus, 3, colors during the May 16 hearing of the K-12 education conference committee. Emma came to the committee with her father, Doobie, and sister, Jessica, because of their concerns about potential cuts to early childhood and family education programs.**



help bring the state into compliance with the federal Help America Vote Act (HAVA) that was passed by Congress in 2002, and require state and local governments to reform election processes and systems to ensure equal treatment of, and accessibility for, all voters for elections.

Provisions in the bill include:

- \$25 million would be granted to counties to purchase electronic assistive voting systems;
- \$2.5 million for grants to counties to defray the operating costs of the assistive voting equipment;
- \$6 million to help counties purchase new optical scan voting equipment that would verify votes, and allow for votes to be corrected before the voter's ballot is cast and counted; and
- \$5 million to the Office of the Secretary of State for training of local election officials and education of the public.

Even though votes would be cast and counted electronically, the bill calls for the paper ballot to be preserved as an official record of the vote.

The measure also calls for a working group of local election officials to be established in each county to create a local equipment plan and establish procedures.

## ★ ENVIRONMENT

### Water for the tomatoes

Bushel Boy Farms in Owatonna is seeking legislative assistance to establish a unique heating and cooling system modeled after technology used in the Netherlands.

HF1839/SF1738\*, sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), would give the company the option of applying for annual water use permits to be issued for aquifer storage and recovery systems that return all once-through water to the source aquifer.

The House passed the measure 105-25 May 18, after it passed the Senate 64-0 May 12. The bill now returns to the Senate, as the House amended it slightly.

State law restricts certain one-time industrial water uses. Bushel Boy Farms is considering heating and cooling tomato greenhouses with a once-through system. The company hopes to save 35 percent to 45 percent in energy costs with this technology.

"This is good for our environment," Ruth said. "This is good for business."

Bushel Boy's natural gas and utility bills can easily top \$150,000 per month, Ruth said. "They are looking at maybe not even being

able to do business in Minnesota."

Rep. Rick Hansen (DFL-South St. Paul) successfully amended the bill to require permit approvals by the Health and Natural Resources departments and the Pollution Control Agency.

The 1989 Groundwater Protection Act prohibited this practice and the bill would set a precedent, he said. "I think we should move slowly on it."

The bill is not solely drafted toward Bushel Boy Farms and opponents criticized opening up the option of tapping aquifers for other industrial uses.

### Cleaning up after dry cleaners

Minnesota dry cleaners are seeking flexibility from the Legislature to maintain a minimum balance in a state account that helps them with chemical clean up.

The Dry Cleaner Environmental Response and Reimbursement Account was established in 1995 to help the dry cleaning industry deal with past leaks or spills of dry cleaning chemicals that have resulted in contaminated land or water.

Annual registration fees paid by dry cleaning facilities and solvent fees collected by retailers of certain dry cleaning chemicals support the fund.

HF1470, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow the Pollution Control Agency (PCA) to adjust the fees, as necessary, to maintain a balance of \$650,000 in the account.

The House passed the measure 125-4 May 18. It now moves to the Senate, where Sen. Dallas C. Sams (DFL-Staples) is the sponsor. The fund balance fluctuates because there are fewer dry cleaners each year and the chemicals, which carry different fees, change over time, proponents said during committee testimony.

From 2001 to 2003, the PCA had the same authority the bill would grant and the flexibility worked well, they said.

"It's been a very good program for environmental cleanup of these dry cleaner sites," Hackbarth said.

The Senate passed an omnibus environment, agriculture and economic development bill (SF2276) May 2 that also contains the dry cleaner fund language. A House-Senate conference committee is negotiating that bill.

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

## ★ GAME & FISH

### A bounty on its head

County officials in southwestern Minnesota are seeking a "coyote conflict management option."

HF868, sponsored by Rep. Aaron Peterson (DFL-Madison), would allow counties to offer a bounty for the taking of coyotes by all legal methods. The amount of the bounty would be left up to each county as would the bounty boundaries and the part of the animal a hunter must produce to claim the reward.

The House passed the measure 89-42 May 13. It now moves to the Senate, where Sen. Gary W. Kubly (DFL-Granite Falls) is the sponsor.

Coyotes are not protected under state law and it is legal to hunt or trap them. The bounty would provide a better incentive, proponents said.

Statewide bounties were eliminated in 1965, according to committee testimony from Ed Boggess, fish and wildlife division policy section manager with the Department of Natural Resources. It was an ineffective experiment in wildlife management, he said.

"Isn't there a company called the ACME Company that's already dealing with this issue?" asked Rep. Dean Urdahl (R-Grove City) in jest.

### Stealth operations

A House-Senate conference committee has reached agreement on a bill that would allow wildlife control officers to use silencers to muffle firearms during operations that require stealth. The House re-passed the bill 121-11 May 19. The Senate must also adopt the report and re-pass the bill in identical form.

HF42\*/SF149, sponsored by Rep. Larry Howes (R-Walker) and Sen. John Marty (DFL-Roseville), would allow until July 1, 2011, the use of silencers on firearms discharged by Department of Natural Resources (DNR) employees or individuals operating under a DNR contract for wildlife control purposes.

The language approved by the conference committee May 17 is narrower in scope than the version that previously passed the House.

Under the bill, the DNR would be required to establish and enforce a written policy governing transportation, possession and storage of the devices. The bill would limit the number of devices to no more than 10 and require the DNR to keep direct custody and control of the silencers when they are not in use.

Silencers are already legal for peace officers to use in tactical emergency response operations against criminal activity.

The bill was prompted by a situation on Little Pelican Island on Leech Lake where natural resources officials are currently attempting to thin the double-breasted cormorant population. The cormorants are threatening the lake's walleyes, according to the area's aquaculture industry.

Bob Meier, DNR legislative affairs director, said 900 cormorants were removed as of last week and the next phase of the operation will entail taking about 20 of the birds per week to perform a dietary study. Silencers would be helpful immediately for the study phase, he said, and again next spring when the full-scale population thinning efforts begin again.

## ★ GOVERNMENT

### Claims against the state

The Joint House-Senate Subcommittee on Claims, consisting of three representatives and three senators, was established in 1976 to hear and decide claims against the state brought forward by people who cannot otherwise do so under Minnesota's tort law.

It meets annually to determine which petitions alleging personal injury or property damage will be funded. All state agencies are eligible to receive funding to cover the claims.

HF2371/SF2160\*, sponsored by Rep. Bruce Anderson (R-Buffalo Township) and Sen. Wesley J. Skoglund (DFL-Mpls), would authorize the payment of \$45,142 to the Department of Corrections for various claims against the state.

The House Ways and Means Committee approved the measure May 17. It now moves to the House floor. The Senate passed the bill 59-0 May 12.

"I think this is the smallest claims bill I can remember," said Committee Chair Rep. Jim Knoblach (R-St. Cloud).

Most claims included in the bill stem from injuries suffered by inmates and people performing community service and sentence-to-service work.

The bill also would increase from \$250 to \$500 the amount the Corrections and Human Services departments can pay to reimburse an employee for property damage caused by patients or inmates in an attempt to escape an institution.

Rep. Jerry Dempsey (R-Red Wing) questioned why the state would not, instead, carry an insurance policy to cover the claims in the bill.

Senior Assistant Revisor Craig Lindeke, a subcommittee staff member, suggested that the claims process is probably cheaper, particularly given the size of this year's bill.

### Employee compensation plan

**Signed  
by  
the  
governor  
★ ★ ★**

Unclassified employees of the State Board of Investment will be under a new compensation plan as of July 1, 2005, under a new law signed by Gov. Tim Pawlenty May 16.

According to House sponsor Rep. Neil W. Peterson (R-Bloomington), "unclassified employees who are not now covered by collective bargaining (will) be compensated under the terms of a compensation plan that (the board) would adopt."

Senate President James P. Metzen (DFL-South St. Paul) is the Senate sponsor.

"The current plan does not pay competitively in the private sector," Peterson said. The board is having trouble retaining employees because private sector companies can offer better compensation plans.

Once the board establishes a compensation plan, it must be submitted to the Department of Employee Relations for review within 14 days. Under the law, the Legislature and the Legislative Coordinating Commission must also approve the plan.

Another provision exempts the executive director from the salary cap placed on commissioners that maximizes their compensation at 95 percent of the governor's salary.

HF1692\*/SF1598/CH55

### Employee department changes

Technical changes to state law regarding the Department of Employee Relations were passed 133-0 by the House May 16.

"Last session we made some changes in the hiring process, and we need to change some language to have it make sense," said Rep. Randy Demmer (R-Hayfield), sponsor of HF973. It now goes to the Senate, where Sen. Claire A. Robling (R-Jordan) is the sponsor.

The phrase "in good standing" is stricken from current language referring to applicants who are former permanent or probationary employees of the job class under consideration for employment, and state entities would be allowed to search the employment database to fill temporary jobs, under the bill.

Another provision allows the department to notify employees electronically of insurance benefit changes, "including but not limited to, information necessary for open enrollment elections."

People who do not have access to a computer would still receive information by mail, said Demmer.

The bill would also remove Minnesota Humanities Commission employees from groups eligible to participate in the state employee group insurance plan.

### State leased building

The House approved a bill 130-0 May 13 that would lease a state-owned building to a private tenant for the purpose of a day-care facility.

Sponsored by Rep. Joyce Peppin (R-Rogers), HF2133 designates the empty building at 168 Aurora Ave., less than two blocks west of the Capitol, to be leased for up to 10 years as a "child-care and after-school activity facility," she said.

"This building is currently slated for demolition for a small parking lot. The demolition could cost the state hundreds of thousands of dollars and is not a good use of taxpayer money," she added.

The Rev. Robert Battle of Berean Church, which is next to the vacant building, told a House committee that he wants to lease the building "to help with the added pressure on the State Capitol people ... to have a safe place for their children to go."

Concerns were raised in committee about the facility's faith emphasis; however, the bill states that any facility must be operated "in a nondiscriminatory manner."

The bill now goes to the Senate, where Sen. Mady Reiter (R-Shoreview) is the sponsor.

### State employee appeals

A bill regarding state employees, requested by the Department of Employee Relations, was passed 131-0 by the House May 13.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF1748 would change appeals of state employees not under collective bargaining to the Bureau of Mediation Services from the Office of Administrative Hearings. Included in the topics the office now addresses are discharge, suspension without pay and demotion.

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

Under the bill, "within 10 days of an employee's written notice of appeal, the commissioner of the Bureau of Mediation Services shall provide both parties with a list of potential arbitrators. ... If an arbitrator finds, based on the hearing record, that the action appealed was not taken by the appointing authority for just cause, the employee shall be reinstated to the position, or an equal position in another division within the same agency, without loss of pay."

If there are sufficient grounds for the employer's action, but the hearing record established extenuating circumstances, "the arbitrator may reinstate the employee, with full, partial, or no pay, and may modify the appointing authority's action. The appointing authority shall bear the costs of the arbitrator hearings."

Another provision designates that correctional personnel reaching age 55 would no longer be required to make a written request to continue employment or take an annual physical.

Paul Larsen, deputy commissioner of employee relations, told a House committee there were concerns over age discrimination under the current requirements.

## ★ HEALTH

### Accreditation organization added

The American Osteopathic Association, an accrediting agency for osteopathic medical colleges and health care facilities, could become a recognized accreditation organization for presumptive hospital licensure and inspection purposes.

HF681/SF718\*, sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Dallas C. Sams (DFL-Staples), would authorize inspection and accreditation by the association to qualify Minnesota hospitals for state licensure in lieu of regular Health Department inspections. Under current law, only the Joint Commission on Accreditation of Healthcare Organizations has presumptive licensure authority.

Westrom said there has been no opposition to the bill. It was passed by the House 133-0 May 18 and the Senate 64-0 March 7. It now awaits the governor's signature.

### Progress continues on omnibus bill

The omnibus health and human services bill conference committee continued to adopt provisions for its omnibus bill during a series of meetings from May 13-18.

Most of the approved items were identical or similar provisions, with the controversial proposals still waiting to be discussed, including the methods for paying for the provisions.

One of the higher profile items adopted by the committee is requiring hospitals to provide education to parents on shaken baby syndrome by showing a video on the dangers of shaking infants and young children. The video would be available at cost to "interested individuals," such as child-care providers, who request it.

As requested by the House, there would not be a requirement that the patient's chart indicates whether the parent watched the video.

The rural pharmacy grant program was also adopted. It would require the health commissioner to award grants to eligible rural communities or health care providers to preserve access to prescription medications and pharmacists.



PHOTO BY ANDREW VONBANK

**Sen. Linda Berglin and Rep. Fran Bradley discuss items in their respective omnibus health and human services bills during the May 16 conference committee. The sides have many differences in both funding and policy.**

Provisions dealing with trauma were also approved, including the establishment of a statewide trauma system to reduce death and disabilities resulting from major trauma. The health commissioner would be responsible for creating criteria to ensure severely injured people would be promptly treated. The committee agreed on language that designates trauma hospitals, the trauma registry and establishing a trauma advisory council.

Some major differences between the bills that still need to be worked out include eliminating MinnesotaCare eligibility for adults without children, abortion notification data requirements, health care cost containment proposals, and mental health and chemical health provisions.

Rep. Fran Bradley (R-Rochester) and Sen. Linda Berglin (DFL-Mpls) sponsor the respective bills, HF1422 and SF1313.

### Modifying medical education funding

Certain medical education funding application requirements could be changed under a bill that would eliminate the minimum trainee full-time equivalent requirement.

Passed by the House 133-0 May 18, it now goes to the governor. The Senate unanimously passed the bill May 12.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Sheila M. Kiscaden (IP-Rochester), HF1556/SF1378\* would make changes to the Medical Research and Educa-

tion Cost grant application provisions and grant the health commissioner discretion in requesting application information from clinical medical education programs.

The legislation would also expand the requirement for the commissioner of human services to transfer money under the Medical Assistance prepayment demonstration project to the University of Minnesota Board of Regents for clinical graduate medical education.

### Planning for emergencies

Seeking to create an "all hazard approach" to emergency planning and response, a bill (HF1555) would make changes to the Emergency Health Powers Act.

The House passed the bill 117-14 May 13. It now goes to the Senate, where Sen. Becky Lourey (DFL-Kerrick) is the sponsor.

Modifications to the act would include adding liability protections for volunteers and employees, removing language regarding public health emergencies, authorizing professionals from Canada and the District of Columbia to provide assistance during emergencies, requiring health care providers to notify individuals of their right to refuse treatment and removing the sunset date for certain sections.

The bill has traveled through six House committees.

"It's time to enact this," said Rep. Duke Powell (R-Burnsville), the bill's sponsor.

Powell successfully offered two amend-

ments that would provide additional liability protections and clarify that the bill would not limit the governor's authority over the National Guard.

Rep. Mark Olson (R-Big Lake) unsuccessfully offered an amendment that would include a sunset date and add language for the rationing of care in emergencies.

The Senate version of the bill does include a sunset date, and Powell said he would consider including a sunset date in the final version of the bill if a conference committee were needed.

### Hospice care improvements passed

The Hospice Bill of Rights could undergo technical changes that would make it easier to understand, under a bill approved by the House 133-0 May 18.

HF675, sponsored by Rep. Char Samuelson (R-New Brighton), would require hospice providers to complete the National Hospice and Palliative Care Organization national data survey and submit it to Hospice Minnesota as a condition of licensure.

She successfully offered an amendment that would clarify recording requirements for hospice providers.

Death report requirements would also be modified, under the bill. When a patient is under the care of a licensed hospice provider and has not been seen by a physician within 180 days and the patient dies, a death report must be made to the Hennepin County medical examiner.

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

### Quarantines approved

Minnesotans could have increased protection in the event of an emergency, such as a bio-terrorism attack or an outbreak of a disease like Severe Acute Respiratory Syndrome (SARS), under a bill approved by the House 108-23 May 13.

HF1507, sponsored by Rep. Jim Abeler (R-Anoka), would modify provisions for the isolation and quarantine of people infected or exposed to communicable diseases.

"It has to be something that can kill you," Abeler said.

If an emergency were declared, the health commissioner would be able to authorize vaccinations or the dispensing of drugs to protect the health and safety of the public. A peace officer could enforce an order for isolation or quarantine.

Abeler offered a successful amendment that he said strengthens the bill and provides additional protection for people who face quarantine.

"This is serious stuff," said Rep. Keith Ellison (DFL-Mpls). He noted that the bill would allow a peace officer to act upon a phone call, fax or e-mail notification to detain a person against his or her will.

Ellison successfully offered an amendment that would change the amount of force a peace officer could use to detain a person. He worried that the bill could allow the use of deadly force.

The bill originally would have allowed "all necessary and lawful means to apprehend, hold, transport, quarantine or isolate a person subject to the order if the person flees or forcibly resists the officer."

Force is rarely needed to quarantine people, Abeler said, pointing out that during the SARS outbreak in Toronto, 30,000 people were quarantined and only one required the use of force.

When issuing a directive to isolate or quarantine without first obtaining a written order, the commissioner would be required to specify the incubation or communicability period.

The bill now goes to the Senate, where Sen. Becky Lourey (DFL-Kerrick) is the sponsor.

## HOUSING



### Exempting manufactured homes

A proposed exemption for certain manufactured homes would allow farmers to provide housing for seasonal workers.

HF1585/SF1509\*, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Gary W. Kubly (DFL-Granite Falls), would exempt a cluster of one to four manufactured homes from the definition of "manufactured home park" for purposes of state regulation, if certain conditions are met.

Passed by the House 132-0 May 17 and 61-0 by the Senate April 28, it awaits the governor's signature.

To be eligible for the exemption, manufactured homes would have to be located on a farm, used exclusively to house people performing agricultural labor, have indoor plumbing, meet state water and sanitation codes and have at least 80 square feet of floor space for each inhabitant.

The housing would also have to be properly installed on the site, have posted information about a shelter or evacuation plan in case of severe weather, and be maintained in a clean, orderly and sanitary condition.

"It helps the farmers out there, and it helps the workers out there," said Rep. Carlos Mariani (DFL-St. Paul).

If you have Internet access,  
visit the House's Web page at:  
<http://www.house.mn>

## HUMAN SERVICES



### "Positive Alternatives Act" passed

The so-called "Positive Alternatives Act," which would award \$2.5 million in grants to programs that encourage and assist women in carrying their pregnancies to full term, was passed by the House 85-48 May 17.

HF952/SF917\*, sponsored by Rep. Brad Finstad (R-New Ulm) and Sen. Dallas C. Sams (DFL-Staples), would give money to organizations that provide information, referrals and services to women, free of charge, to help them carry their pregnancies to term and care for their babies after birth.

The health commissioner would be responsible for administering and monitoring the grants.

A successfully offered amendment by Rep. Mary Liz Holberg (R-Lakeville) would make the money available only to groups that do not provide, promote or refer to abortions.

Rep. Paul Thissen (DFL-Mpls) said the amendment would exclude some well-recognized service providers, such as Lutheran Social Services, from receiving grant money because they could refer a woman to a group that provides abortion services.

"I find that disappointing," Thissen said.

The Senate initially approved the bill 57-10 May 9, but did not concur with the amended version. A conference committee will attempt to work out the differences.

### Funding service for blind

A bill that would establish a way to pay for an electronic information service for the blind awaits action by the governor.

Passed 133-0 by the House May 17 and 52-0 by the Senate the following day, the bill would provide funding for a service that allows visually impaired people to access the service by using the telephone, enabling them to listen to their choice of newspapers from around the country, including the *St. Paul Pioneer Press* and the *Duluth News Tribune*. The service is provided by the National Federation for the Blind, and has been paid for the past two years by a grant from the Minnesota Department of Education, but that grant has expired.

Sponsored by Rep. Jim Knobloch (R-St. Cloud) and Senate President James P. Metzen (DFL-South St. Paul), HF1214/SF1064\* would also provide grants to television stations for "real-time" captioning of local news programs.

Both programs would be paid for by a surcharge on telephone bills. However, the bill does not specify how much the surcharge will be. That will be recommended to the Public

Utilities Commission annually by the commerce, employment and economic development and human services commissioners.

Knoblach said there is a surplus in the telecommunications access Minnesota fund, and that would be used to implement the programs.

Rep. Torrey Westrom (R-Elbow Lake) successfully offered an amendment that would clarify some provisions. For example, the bill suspends funding if there is a shortfall, and Westrom's amendment would just reduce the funding.

### Hospital board to expand

**Signed  
by  
the  
governor**  
★ ★ ★

The governor has given his approval for expanding the Yellow Medicine County Hospital District Board by signing a new law May 16.

Sponsored by Rep. Aaron Peterson (DFL-Madison) and Sen. Gary W. Kubly (DFL-Granite Falls), the legislation will allow the elected members of the hospital board to appoint three additional voting members who are not residents of the district.

Under the new law, effective Aug. 1, 2005, the terms of the appointed members must be designated by the board at the time of the appointment, but cannot exceed three years. They can be reappointed for successive terms.

Appointed members will have the same privileges as board members and can be removed from office or the board for good cause by a two-thirds majority vote of elected members.

Peterson previously said the legislation is designed specifically for Canby Hospital and Clinic, and Sioux Valley Hospital and Clinic in Sioux Falls, S.D. A clinic in Minnesota would also like to have representation on the board, he said. Yellow Medicine County residents use all three facilities.

HF399/SF493\*/CH54

### Extending mental health services

A bill covering mental health services, civil commitment provisions and establishing a task force to study committed sexually dangerous or psychopathic people was approved by the House 133-0 May 18.

HF1816, sponsored by Rep. Tom Emmer (R-Delano), would allow individuals to continue providing integrated dual diagnosis treatment services and permit integrated treatment of dually diagnosed people in those programs to continue, pending the development of state standards for treatment providers.

Also under the bill, the human services

### LET THERE BE LIGHT



PHOTO BY ANDREW VONBANK

**Joel Christopherson, left, and Rick Norris install three original chandeliers in the State Capitol May 18. The original fixtures had been down for five months to be refurbished and updated as part of a 16-month project to restore the infrastructure and wiring in the Capitol.**

commissioner would be allowed to authorize stays beyond 45 days for people admitted to treatment in state contracted acute care hospitals. Rural counties would be granted greater flexibility in providing mobile mental health crisis intervention services.

Other provisions in the bill would make changes in juvenile court procedures regarding a child's foster care placement when placement is made solely to access treatment for severe emotional disturbances. The county would be required to report to the court on the child's status in placement, and the report would need to include the child's mental health treatment plan or interagency intervention plan.

The bill requests the Minnesota Supreme Court to establish a task force to study the use of the court system as an alternative to the administrative process for reductions in custody and discharge from commitment of sexually dangerous people.

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

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

### Respectful terminology

**Signed  
by  
the  
governor**  
★ ★ ★

A new law signed May 16 by Gov. Tim Pawlenty changes terms in state law like "mental retardation," "mentally retarded" and "handicapped persons" to terminology more desirable to those with disabilities, such as "disabled persons."

The law, sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Sheila M. Kiscaden (IP-Rochester), is effective Aug. 1, 2005.

Opatz said the bill directs the Office of the Revisor of Statutes to replace certain words with more respectful terms.

The term "handicapped" originates from the European war when many of the decorated veterans were returning home as amputees and were forced to beg in streets. They would take their caps off to beg with, so they were notoriously known as the "handicappers," explained Cara Ruff, president of the Minnesota Association of Centers for Independent Living, to a House committee.

"I don't think anyone in this room, or any of our families, or any of our friends, certainly not our children, deserve to be referred to as a retard or an idiot, or as handicapped," Ruff said.

The changes, of which there are nearly 400 in state law, would fall in line with a national campaign called "The People First," that advocates for changes in descriptions of disabled persons, Opatz said in committee. "We shouldn't refer to someone by some characteristic. We don't say to someone who has cancer, that's a cancerous person, it's a person who happens to have the disease of cancer."

HF487\*/SF525/CH56

### ★ INDUSTRY

#### Crane operator certification

Crane operators could be required to be certified through a nationally recognized and accredited certification program, under a bill passed by the House 109-23 May 18.

"Cranes are the most dangerous piece of equipment on a construction site," said Rep. Tim Mahoney (DFL-St. Paul). He is sponsoring HF759/SF1485\* along with Sen. Dan Sparks (DFL-Austin). The Senate passed the bill 55-0 May 11. It now awaits action by the governor.

The legislation would require certification of operators of cranes with a lifting capacity of 5 tons or more on a construction site. The certification would need to be renewed every five years. No certification is currently required.

An employer or general contractor could be fined up to \$7,000 per violation, and if it

causes the death of an employee, a fine of up to \$25,000.

Exceptions to the bill would include people being trained by a certified crane operator, certain railroad employees, personal use on one's own land and emergency situations.

## ★ INSURANCE

### No more dumping

Proposed changes in the state's unemployment law could stop "dumping," which occurs when employers use mergers, acquisitions or restructuring schemes to try to lower their unemployment experience ratings.

HF898, sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm), would change unemployment law to curb State Unemployment Tax Act (SUTA) avoidance and make Minnesota law consistent with the federal SUTA Dumping Prevention Act of 2004.

The House passed the bill 129-3 May 16. It now goes to the Senate, where Sen. Ellen R. Anderson (DFL-St. Paul) is the sponsor.

Minnesota, like other states, distributes unemployment insurance costs among employers through a tax. An unemployment experience rating that's based on the number of former employees who received unemployment benefits determines the tax amount. Some employers try to "dump" their poor ratings by changing or merging companies or shifting employees between companies.

Sertich's bill would close loopholes that allow companies to avoid their unemployment insurance obligations.

### FAIR Plan options

A third option for handling insurance claims under the Minnesota FAIR Plan was approved by the House 130-0 May 13.

Under current law, the plan either has to pay a claim in full, even if the property is over-insured, or deny the claim and not pay anything. HF667/SF314\*, sponsored by Rep. Paul Gazelka (R-Brainerd) and Sen. Linda Scheid (DFL-Brooklyn Park), would eliminate the all or nothing proposal.

The legislation would allow the plan the option of paying a portion of the claim. It would also exempt plan insurance policies from complying with the requirement that the full policy limit be paid in the case of a total loss and that a partial loss be fully paid.

The bill is intended to stop the problem of properties being over-insured, then the insured party being able to collect in full on a claim even though it's above fair market value.

Rep. Joe Mullery (DFL-Mpls) successfully offered an amendment to make sure the burden of proof of a claim would rest with the insurer, not with the homeowner. Because the bill was amended, it now returns to the Senate, where it passed 63-0 May 9.

The purpose of the FAIR Plan, which was created by the Legislature in 1968, is to provide limited property insurance when coverage is not available from the private market. It is intended to encourage the improvement of properties and help speed customers' return to the private market for property insurance coverage.

### Changing regulations

Proposed changes in state regulation of health plan companies could eliminate the exemption of health maintenance organizations (HMOs) from insurance fraud prevention account assessments, under a bill passed by the House 130-3 May 17.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Brian LeClair (R-Woodbury), HF2023/SF1998\* would eliminate certain health plan company annual report content requirements, clarify the definition of clean claim for prompt payment requirement purposes and restrict the authority of health companies or third party administrators to require health care providers to bill for interest on claims payments.

Other provisions in the bill would eliminate the requirement for third party purchasers to include with annual certification of authority or licensure renewal documentation that indicates compliance with certain restrictions on the transfer of certain expenses.

Some self-insurer identification requirements would be repealed, as would reporting requirements and a provision that regulates expanded provider networks.

Rep. Barbara Goodwin (DFL-Columbia Heights) unsuccessfully offered two amendments that would require a specified notification period for changes, limitations and restrictions of health benefits, and require hospitals and HMOs to disclose the salaries of their top executives.

"If we're really going to get at health care costs and how to control them, we have to get also at the administrative costs and some of the special packages that administrators of non-profit organizations are getting," Goodwin said, noting that public money flows into hospitals.

Wilkin disagreed with what he called "financial voyeurism," saying, "This is peering into the financial bedroom of your neighbor so you can see how much they're compensated."

The bill, passed 64-2 by the Senate May 12, now goes to the governor.

## ★ LOCAL GOVERNMENT

### Alternative survey filings

An alternative filing process for markers and monuments in counties without full-time county surveyors was passed 132-0 by the House May 16.

Sponsored by Rep. Sondra Erickson (R-Princeton), HF478 would give six months for the filing of certificates by land surveyors, eliminate the authority of the county recorder to charge a fee for the filing of marker or monument certificates and require counties holding full-time county surveyor offices to transfer the certificates to the office of the county recorder if the surveyor office is to be closed.

In a House committee, Erickson said a problem in her district arose with filing and recording certificates establishing the location of corner markers, and that the problem could reappear as development occurs across the state. Her constituents were concerned with access to filings and notes, she added.

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

## ★ MILITARY

### Pay differential clarifications

**Signed  
by  
the  
governor**  
★ ★ ★

A new law clarifies the terms and conditions of pay differential for state employees who incur an earnings decrease as a result of being ordered to active duty in the National Guard or reserves.

Sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Steve Murphy (DFL-Red Wing), the law is effective May 6, 2005, and applies to state employees serving in active military service on or after May 29, 2003.

The law plans to rectify situations such as that of two St. Cloud women, who told a House committee they had to fight for their husband's pay differential when their spouse was deployed. The wives testified they have to file numerous papers each pay period during the month to get the pay differential they are already guaranteed by law.

Under the law, differential is calculated by taking, "the person's monthly total gross earnings as an active state employee, excluding any overtime pay received but including all other earnings, averaged over the last three full months of the person's active state employment prior to reporting to active military service."

HF2126\*/SF1991/CH35

## ★ RECREATION

### Twins stadium proposal

A second House committee gave its approval to a plan that would allow Hennepin County to increase its sales tax to help build a new ballpark for the Minnesota Twins.

Approved 12-7 by the House Local Government Committee May 17, it now goes to the House Taxes Committee.

Sponsored by Rep. Brad Finstad (R-New Ulm), HF2480 allows the team to contribute \$125 million towards the proposed 42,000-seat ballpark on the edge of downtown Minneapolis near the Target Center.

Hennepin County would contribute \$235 million for construction, with additional on- and off-site development costs at \$84 million. The county would raise its share through an additional 0.15 percent countywide sales tax or about 3 cents on every \$20. Voter approval would not be required for the tax to be imposed, if legislative approval is given.

The status quo in the state is that "we do vote on these kinds of sales taxes," said Rep. Frank Hornstein (DFL-Mpls) who unsuccessfully offered an amendment to add the referendum process to the bill.

Rep. Ann Lenczewski (DFL-Bloomington) suggested that if the Twins are a statewide asset that a proposed tax should be implemented throughout the state.

"Neither of those parties that negotiated the agreement would support a referendum," said Rep. Doug Magnus (R-Slayton). "We have a

simple plan with a broad based way to support it."

"In my opinion it's the best proposal we've seen," said Rep. Anthony "Tony" Sertich (DFL-Chisholm).

"It's not about whether or not you like baseball ... it's that the public has particularly been left out of the process," said Hornstein.

A Minnesota ballpark authority, governed by a five-member commission, would oversee the stadium construction and operation.

Several amendments were adopted, including a provision offered by Lenczewski that would require one of the authority members to be a resident of a county other than Hennepin.

Another by Lenczewski would require the authority to provide information on a Web site concerning all actions it takes. "At a minimum the website must contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings, and contact telephone and fax numbers for the public."

A Senate companion (SF2297), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate State and Local Government Operations Committee.

### Snowmobile traffic rules

Local governments could, under certain conditions, allow two-way traffic of snowmobiles on the same side of the road at night.

Approved 133-0 by the House May 16, and 60-0 by the Senate April 27, it now goes to the governor.

Rep. Larry Howes (R-Walker), who sponsors HF1293/SF1296\* with Sen. Tom Saxhaug (DFL-Grand Rapids), said the issues addressed in the bill relate to a street in his district. "(On) one side we have sidewalks the other side is unimproved. We'd like to keep the snowmobiles on the unimproved side and off the sidewalks."

Lights from snowmobiles could be confusing for drivers, said Rep. Jean Wagenius (DFL-Mpls). "It is the safety issue at night that I am concerned about."

The bill would be effective "only in certain circumstances when it is safer to have the snowmobile traffic at night ... and not be a hindrance to a driver of a car," said Howes.

Under the bill, "the road authority may allow two-way operation of snowmobiles on either side of the right-of-way of a street or highway under the road authority's jurisdiction, where the road authority determines that two-way operation will not endanger users of the street or highway or riders of the snowmobiles using the trail."

Legislation passed in 2004 allows two-way snowmobiling along major state highways with approval from the transportation commissioner.

## ★ SAFETY

### Handgun bill goes to governor

A bill to reenact and make retroactive provisions in the Citizens' Personal Protection Act is now on its way to the governor.

The House passed the so-called "concealed carry" bill 86-47 May 18. The Senate approved the bill 44-21 May 13.

HF2428/SF2259\*, sponsored by Rep. Larry Howes (R-Walker) and Sen. Pat Pariseau (R-Farmington), reenacts the 2003 legislation, which liberalized the process to acquire a handgun permit. The measure was ruled unconstitutional by District Court Judge John T. Finley because it was attached to an unrelated bill at the time of passage. That ruling was upheld by the Minnesota Court of Appeals and appealed to the Minnesota Supreme Court.

The bill requires county sheriffs to grant handgun permits to anyone meeting specified criteria. Before the law, sheriffs and police chiefs had wide discretion in granting permits to carry handguns and, according to bill supporters, this led to widespread discrimination with some sheriffs issuing a large number of permits and others none.

The bill modifies the notification requirement mandating that businesses tell customers if the area is a gun-free zone.



PHOTO BY TOM OLMSCHIED

**Ben and Katie Waltz of Minneapolis hand House Local Government Committee Chair Rep. Mark Olson a jar labeled "Twins Stadium Fund" as their father, Chuck, testifies May 16 for a proposal to build a new ballpark for the Minnesota Twins.**



Earlier legislation called for a sign to be posted at every entrance to the business and that the request be given verbally, as well. The new proposal says that either a verbal or written notice is sufficient.

The bill also includes new provisions, including:

- upon request, a permit holder must disclose to a peace officer whether the permit holder is carrying a gun;
- the commissioner of public safety will develop standards for firearms instructors and a certificate must be issued to anyone who has completed a firearms safety course;
- on the application, a person must not just list the state in which she or he resides (as in the previous legislation), but the township or city, and county; and
- the court must take possession of the permit of a person convicted of a felony.

While 10 amendments to the bill were introduced on the House floor, nine by Democrats and one by a Republican, none were adopted.

## TAXES



### Conference committee begins its work

Members of the House-Senate Taxes Conference Committee began their work May 18 to try to reconcile two very different omnibus tax bills.

HF785, sponsored by Rep. Phil Krinkie (R-Shoreview), includes cuts in the renter's credit and local government aid and a taxpayer satisfaction survey that could trigger a referendum on local property taxes.

The House bill also includes an amendment approved on the House floor, despite Krinkie's objection, which would allow a city or group of cities to impose sales taxes of 0.5 percent without asking legislative approval provided they receive local voter approval.

The Senate bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), includes an income tax rate increase for those in the highest income bracket from 7.85 percent to 8 percent. It also increases local government aid, but says nothing about taxpayer satisfaction surveys. It also includes several different local option sales taxes for local projects, and establishes an education reserve account of \$24.9 million beginning in fiscal year 2006, to be used for K-12 and higher education.

The Senate initially asked to skip the conference committee process. It passed its omnibus tax bill May 6, and requested the House adopt its version May 16 and send it to the governor, where it would likely be vetoed. "We won't have the thorough discussion we should have,"

said Rep. Alice Hausman (DFL-St. Paul).

The House voted to deny that request, then voted not to concur with the Senate bill.

## TRANSPORTATION



### Road test waiver

**Signed  
by  
the  
governor  
\*\*\***

Veterans permitted to drive certain classes of vehicles by a branch of the military might get a licensing break, under legislation signed by Gov. Tim Pawlenty May 16.

The law, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle L. Fischbach (R-Paynesville), is effective May 17, 2005.

The new law will authorize, but not require, the commissioner of public safety to waive the requirement of military veterans to take a road test for a Minnesota driver's license under certain conditions; specifically, if the person is already licensed by a branch of the United States Armed Forces for that vehicle class, or has been licensed in the past year.

Veterans would still be required to take the written test. Depending on the class of license, not having to take the road test could save them \$5,000, according to Severson.

HF1053/SF1095\*/CH53

### Bridges could get new names

A bridge in northern Minnesota could be named after a longtime employee of the Minnesota Department of Transportation (MnDOT), under a bill awaiting the governor's signature.

The bridge is part of Trunk Highway 6 and crosses Lake Roosevelt near Outing in Cass County. It would be renamed "The Bradley Waage Memorial Bridge," under HF626/SF735\*, sponsored by Rep. Frank Moe (DFL-Bemidji) and Sen. Carrie L. Ruud (R-Breezy Point). The House passed the bill 133-0 May 16 and the Senate 64-0 March 7.

Waage was an engineer for MnDOT, and had worked on the Cass County bridge, but died of a heart attack shortly after it was finished. His family asked for the bill, and Moe said they have agreed to pay all costs associated with the name change.

"Every time they cross the bridge, they call it, 'Brad's bridge,'" Moe said. The family also has a reunion near the bridge every July 4.

An amendment was successfully offered by Rep. Morrie Lanning (R-Moorhead) to rename the bridge on Trunk Highway 10 between Moorhead and Fargo, N.D. the Veterans

Memorial Bridge.

Lanning said veterans' groups in the area had asked him for the change, and have agreed to pay for all signage costs.

The cities of Fargo and Moorhead have approved the name changes, as has the North Dakota Legislative Assembly.

### Transportation bill vetoed

Complete with his veto stamp, roadblock signs at the entrance to his office and signs that showed rising gas prices, Gov. Tim Pawlenty rejected the omnibus transportation bill (HF2461) May 19.

Any attempt to override the veto could be problematic because a veto override must be supported by two-thirds of the members in each body. The bill passed the House 72-61 and the Senate 36-31.

Pawlenty said he vetoed the bill because it includes a 10-cent-per-gallon gas tax increase. "It's unwise, and it's particularly unwise at this time," he said, noting that gas prices are hovering around \$2 per gallon. He would welcome a referendum that would ask for an increase in gas taxes.

He also said the bill takes \$650 million from the General Fund without making up for it somewhere else. "I would veto it on that basis alone," he said.

The governor was accompanied at the veto ceremony by Republicans who were against the bill, including House Transportation Finance Committee Chair Rep. Mary Liz Holberg (R-Lakeville), the bill's House sponsor.

"I begged the (transportation) advocates to support something that was workable and would pass. This bill is none of those things," she said.

The bill also has a proposed referendum in 2006, asking voters if they want to change how the Motor Vehicle Sales Tax is allocated. Now, about half of the money goes to transportation. This part of the bill remains intact despite the veto, and if the referendum succeeds, nearly all that money would eventually go to transportation. The state constitution gives the Legislature the sole authority to propose referendums.

Pawlenty said that was the start of a new bill, and he hoped legislators would work together to finish a transportation package before the end of the session.

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## Collegiate dollars

### Conference committee agrees on higher education funding

By Mike Cook

Many college students will walk across the stage to collect diplomas throughout May. Meanwhile, underclassmen could feel the effects of an omnibus higher education finance bill approved May 18 by a conference committee.

The \$2.76 billion bill (HF1385) is close to splitting the differences between the \$2.79 billion Senate proposal and nearly \$2.74 billion House plan.

Rep. Bud Nornes (R-Fergus Falls), who co-chaired the committee with Sen. Sandra L. Pappas (DFL-St. Paul), said the report would likely be on the House floor May 20.

"I think we have a really good bill," Pappas said. "I think we have good policy, we've fixed some problems. We have a good amount of money to make up for some of the cuts from two years ago."

"I think everyone, in general, is OK with

what we're doing," Nornes said. "Maybe OK isn't as good as some people would like."

#### University of Minnesota, MnSCU

The University of Minnesota would receive nearly \$1.21 billion and the Minnesota State Colleges and Universities (MnSCU) system would receive just over \$1.2 billion. Both are at the governor's funding recommendation. MnSCU would receive \$107.5 million in new spending and the university \$105.6 million, much of that from enrollment adjustments. Beginning with the 2008-09 biennium, enrollment adjustments would no longer be used in determining the MnSCU or university funding base. However, a group would be established to look at a new funding model.

"I think this is going to go a long way towards being well under the double-digit (tuition increase) people have been talking about," Nornes said.

"I'm reserving judgment because I'm not convinced we're holding down tuitions," said Sen. David J. Tomassoni (DFL-Chisholm). "After 60 percent tuition increases in the last four years I don't know how we can expect students to take much more burden on." A Senate proposal to limit MnSCU tuition increases to 4 percent annually is not in the final report.

No university funding would go toward a genomics partnership with the Mayo Clinic. The House proposal allocated \$15 million for this. The funding decision now rests with the economic development conference committee.

Included in the MnSCU funding is \$10 million toward the creation of three to eight Centers of Excellence. Gov. Tim Pawlenty sought \$20 million, the House \$15 million and the Senate zero. Among the criteria for selecting a center — a four-year institution and at least one two-year college — would be "the capacity to build multi-state regional or national recognition of the program within five years."

MnSCU would also be permitted to offer applied doctoral degrees in audiology, business, education, nursing, physical therapy and psychology.

**Higher Education continued on page 17**



PHOTO BY ANDREW VONBANK

With the help of staff, the higher education conference committee completed its work May 18. Pictured, from left, are Senate Counsel John Fuller, Sen. Sandra L. Pappas, Rep. Bud Nornes, House Committee Administrator Mike Miller and Legislative Analyst Kathy Novak from the nonpartisan House Research Department. Nornes said he expects the bill to be on the House floor May 20.

### Mayo Medical Foundation, HESO

The Mayo Medical Foundation would continue to receive \$2.78 million to help increase the number of doctors trained to practice in rural areas.

Within funding for the Higher Education Services Office (HESO) is \$720,000 for the United Family Medicine Residency Program that also helps train doctors for practice in underserved areas of the state.

Overall funding for HESO, which would be renamed the Minnesota Office of Higher Education, is \$349.31 million, a \$594,000 reduction from the current base.

However, financial aid funding remains the same as the current base, but how the amount is divvied up would change. For example, the amount allocated for a child-care grant has been increased by \$382,000, as is the amount a grantee could receive. Students applying for state grants would have to be current with state-ordered child support payments.

The deadline for a student to apply for a state grant would be extended from 14 to 30 days after the start of the term, a student who withdraws from enrollment for active military service would be eligible for an additional semester of grant eligibility and the bill would increase the tuition maximum for four-year programs and decrease the two-year tuition maximum, figures used when calculating a student's state grant award.

In addition, tuition assistance would be provided to deaf students wanting to attend the university or a MnSCU institution so

they may attend for free. A deaf person must be eligible for either a federal Pell Grant or a state grant to receive assistance.

### Other provisions

- The \$3.2 million the House requested for implementation and development of expanded higher education offerings in Rochester made the final bill. A development committee would be formed to make recommendations "on the creation of mission-driven postsecondary educational programs or institutions in the Rochester area that meet the educational needs of the region and the state." A report is due the Legislature by Jan. 15, 2006.
- The process for selecting members to the university's Board of Regents would change. The Regent Candidate Advisory Council would become advisory to the governor and a joint legislative committee would be created to consider the governor's recommendation and forward a slate to a joint convention of the Legislature. If the committee does not recommend a gubernatorial nominee, the governor would submit a different nominee for the same vacancy.
- HESO would be required to begin negotiations with Wisconsin on updating the current tuition reciprocity agreement with a goal of having Wisconsin students pay at least as much as Minnesota students attending a Minnesota institution. For example, a Wisconsin undergraduate student now pays about \$1,100 less than a Minnesota student attending the university's Twin Cities campus. No result

is mandated. HESO would also examine reinstating payments with South Dakota while maintaining the tuition reciprocity agreement. No payments have occurred between the states since 1988.


- A group would be convened by HESO to look at providing alternative instructional materials in an electronic format to address the specialized format needs of postsecondary students with disabilities.

Not included in the bill is a provision that would allow students without lawful immigration status who have graduated from a state high school after at least three years of attendance to pay resident tuition rates. Pappas offered, then withdrew, an amendment for such at the final meeting.

According to HESO Director Susan Heegaard, Pawlenty "has indicated that he would not be able to support the higher education bill with this provision included at this time." She has not had an opportunity to speak with him at length about his reasoning, although she believes he first wants to see something passed at the federal level.

"If we're going to wait for the federal government to do something, we'll be here 10 years from now," said Sen. Richard Cohen (DFL-St. Paul).

"We need these students as we move forward as a state," said Rep. Ray Cox (R-Northfield). "We need to reach out and be as inclusive as we can."

Nornes said the proposal would get another hearing in 2006 with the intention of moving it to the floor. 

### TRANSPORTATION VETO



PHOTO BY TOM OLMSCHIED

With his veto stamp in hand, Gov. Tim Pawlenty rejects an omnibus transportation bill May 19. The bill would have generated \$7.4 billion for transportation needs over the next decade, but the governor objected to the proposed gas tax increases.

## Protecting information

Bill makes certain information public and some private

By **LEE ANN SCHUTZ**

**D**rivers using the new MnPASS, which allows use at a fee, of the so-called “sane lane” on Interstate 394, would be assured that information gathered from their credit cards used to pay the fee would remain non-public.

And to give further assurance to consumers, if the personal information retained by the state is breached, the person would be notified in “the most expedient time possible and without unreasonable delay.”

These are two provisions of HF225, sponsored by Rep. Mary Liz Holberg (R-Lakeville), which addresses many of the data practices-related House proposals. The bill was passed by the House 133-0 May 17, and now awaits action by the Senate, where Sen. Wesley J. Skoglund (DFL-Mpls) is the sponsor.

The bill would add the number of serious injuries to, or death of, individuals in the licensed program that were reported to the commissioner of human services.

Other facilities covered would include foster care and day care services for adults.

### Opting to opt out

When a person registers a vehicle, most provided information is considered public. However, under the bill, the individual may request, in writing, that his or her home address and name be classified as private data, if it is needed for the safety of the registered owner or his or her family. This provision could also apply to applicants of a driver’s license, instructional permit or a Minnesota identification card.

Current law states that the registered

still being in compliance with the state’s Open Meeting Law. The bill extends the option to the Agricultural and Economic Development Board, the Small Business Development Center Advisory Board, Minnesota Job Skills Partnership Board, the Governor’s Workforce Development Council, the Urban Initiative Board and the Explore Minnesota Tourism Council.

At least one member of the board would need to be at the regular meeting site, but the meeting could be held by telephone or other electronic means if interactive television is not available and if other specific requirements are met.

### Keeping it private

When a business does business with the government, many times information that would be private in the private sector becomes public.

Among the information that would be classified as private, under the bill, is the non-public financial or proprietary data retained by the State Board of Investment in connection with its venture capital, real estate and resource investments.

Additionally, some design information gathered during the early stages of planning for state construction projects could be classified as private.

### Sharing crime data

Law enforcement officials could more easily share case information once the Comprehensive Incident Based Reporting System is up and running. But the system, to be operated by the Bureau of Criminal Apprehension (BCA) and the Department of Public Safety, does create some data privacy issues.

System information would be classified as confidential for 10 days unless it is important to an active investigation, then that classification could be held for up to 120 days. Access to the information could only be achieved through certification from the BCA. Subjects of the data would have access to their information through a participating law enforcement agency or the BCA.

### Penalty for non-compliance

Government entities found in violation of the Data Practices Act could be subject to paying substantially higher damages, under the bill.

**Continued on page 21**



PHOTO BY ANDREW VONBANK

**Motorists using their new MNPASS to drive the Interstate 394 “sane lane” will have some assurance the information collected by the state will remain private under HF225.**

### Day-care information

The bill would permit parents looking into day-care options to access information about centers that is currently not considered public.

Under current law, basic information about the licensee is available; such as date of licensure, licensed capacity, type of dwelling, name and relationship of other family members and the existence and status of complaints.

owner’s personal information may be used, rented or sold to organizations for bulk mail solicitations. The bill would allow this dissemination of information only if authorized by the registered owner.

### Meeting electronically

Some state boards and councils currently have the option of meeting electronically and



PHOTO BY TOM OLMSCHEID

The omnibus taxes conference committee began a side-by-side comparison of the House and Senate tax bills May 18.

## End-of-session angst

Paper trail points early on to houses divided

By NICOLE WOOD

Set aside casinos, gun permits, gay marriage and a Twins stadium for a moment.

A key task for lawmakers to accomplish by the end of every odd-numbered legislative session is to establish the state's budget for the next two fiscal years.

But with little time remaining before this year's May 23 constitutional deadline, there is still speculation as to exactly how that will happen. In the end, reconciling House and Senate differences in omnibus budget bills and overall spending is part politics, part procedure.

### Think globally, act bicamerally

The Minnesota Constitution requires bicameral agreement on budget bills, just as it does on every bill that becomes law.

A conference committee is the typical arrangement under which the House and Senate meet to negotiate the major finance and revenue bills and reach that elusive bicameral blessing.

The conference committee is king in end-of-session compromise.

A conference committee is technically two committees, one representing each body, meeting jointly. Conference committees consist of either six or 10 members, one-half representatives and one-half senators. Omnibus budget bill conference committees consist of the larger number.

The leaders of the majority caucus in each body appoint conferees. In the House, the Speaker calls the shots. In the Senate, conferees are named by the Subcommittee on Committees of the Committee on Rules

and Administration, which is chaired by the Senate majority leader.

A majority of the conferees from each body must approve a conference committee agreement, not just a majority of the committee members. The agreement, called a "report," requires either a thumbs up or a thumbs down in each house; it may not be amended. To complete the legislative process, each house must adopt the report and then repass the bill, as amended in conference.

According to the nonpartisan House Research Department publication, *Making Laws*, conference committees on the budget bills are complicated by an additional factor: compromise on individual sectors means compromise on overall spending.

"As a result, the budget conference committees usually must wait upon the leaders of the two houses and the governor to arrive at a new global agreement on the budget fundamentals that each party earlier decided independently; the amount of revenue to be available to the state and its allocation among broad categories of government activities."

**Negotiations continued on page 21**

# Serving the House

Pages start at the bottom, but have big aspirations

By BRETT MARTIN

Sitting on a bench below the front desk during floor sessions are about 20 pages, eagerly waiting for a member to signal them for an errand or to be given amendments to hand out.

They can also be seen in committees, making sure representatives, staff and audience members have the proper bills, summaries and other paperwork. The rest of their workday is typically spent in the "Pages' Room" in the basement of the State Office Building, affectionately referred to as "The Dungeon."

From there, pages are asked by members to perform a variety of jobs, such as making copies, moving furniture, tallying surveys, stuffing envelopes and hauling bottled water.

While these pages don't have the most glamorous job in the House, they do have big aspirations.

## Stepping up in the House

Mike Andrews, 25, enjoys working as a page, although he has bigger plans. He wants to pursue a career in the House, but not as a politician.

"I don't want my name on the marquee. I prefer to be behind the scenes," he said. "Let someone else worry about the campaigning every two years."

Andrews' aunt and uncle served on city councils and his great uncle served in the Legislature, passing his committee chair gavel to his great nephew. Andrews would like to work his way up to a legislative assistant, committee legislative assistant and then perhaps a caucus strategist or caucus researcher.

"I fully understand the pay-your-dues concept," he said.

Andrews likes the idea of researching bills to find out their implications and planning caucus strategies.

"Karl Rove, here I come," he said.

A second-year page, Dan Listug, 24, has his eyes set on a similar career path. Although he hasn't planned out his entire future, he'd welcome the opportunity for full-time employment at the Capitol.

"You're on the bottom of the ladder as a page. You have to pay your dues to move up," Listug said. He already has his next job of choice in mind. "At the House, I think I would be well suited as a committee administrator."

Jennifer Berguam, 27, would also like to continue working at the House after her page position ends.

"I hope to come back next year in another position," Berguam said. She is even contemplating running for a state office in the future.

Although Jeff Bordenau, 25, is looking to go back to school to pursue a master's degree in psychology, he will not rule out a career in politics some day; maybe even a run for a House seat.

"I think these guys have the best job in the world. I would love to have a full-time job in the House," he said, adding that the page job is also good, while it lasts. "I'd recommend it to anyone looking for five months of work."

Their current positions as pages offer the perfect springboard into other House jobs. In fact, many House employees started their careers as pages.

"I honestly can tell you that there's no better way to get your foot in the door than being a page," said Andrew Carter, first assistant sergeant-at-arms, who supervises the pages.

## A résumé grabber

Not all pages want to continue working at the Capitol, but with "Sergeant Level One," the official title of the pages, on their résumés, they're sure to grab the attention of prospective employers.

Included in that group is Mary Peterson, 25. Encouraged by her sister LaRissa Pelto, a committee administrator for Rep. Dan Dorman (R-Albert Lea), to serve as a page, Peterson enjoys the position and has gained a greater appreciation of the legislative process, but she wants to become a pharmaceutical salesperson.

"I don't have the desire to become a politician," she said.

Nevertheless, she points out that by having the respected position of page on her résumé, it

Pages continued on page 21



PHOTO BY TOM OLMSCHIED

House page Dan Nelson passes out an amendment during a hearing of the House Ways and Means Committee May 10.


## Data practices continued from page 18

In addition to potentially covering reasonable attorney fees, an entity could be fined \$5,000 to \$100,000 for each violation.

In addition, if data is withheld, and the district court is brought in to force compliance, a civil penalty of up to \$3,000 could be imposed against the entity.

## Genetics and pesticides

Rep. Phyllis Kahn (DFL-Mpls) successfully offered an amendment asking that the administration commissioner review the law, rules and policies on how the state handles genetics information. She said that as DNA and genetic technology keeps advancing, how this information is handled will become an issue.

An amendment proposed by Rep. Mary Ellen Otremba (DFL-Long Prairie) was ruled out of order. It would have required information about pesticide application gathered by the Department of Agriculture to be made public, including what product was used and where it was spread. 

## Negotiations continued from page 19

### Negotiating the negotiations

None of this end-of-session angst should come as a surprise. There were clues along the way.

First, the finance committee structure in each body, as determined separately by House and Senate leadership before session started in January, reveals dissimilar account structures. For example, the Senate has an Environment, Agriculture and Economic Development Budget Division, while the House splits those areas of the state budget into two committees, one for Agriculture, Environment and Natural Resources Finance and another for Jobs and Economic Opportunity Policy and Finance.

Next, the House adopted a new set of Permanent Rules of the House Feb. 10. To those

rules, which also list the omnibus budget bills the body will consider, Rep. Mark Olson (R-Big Lake) successfully offered an amendment prohibiting major finance or revenue bills from being combined.

To the contrary, Senate rules prohibit major finance or revenue bills from being divided.

Furthermore, Senate Concurrent Resolution 4, adopted by the two bodies Feb. 28, provides more evidence that end-of-session negotiations will be complicated. Besides setting committee deadlines, it identifies the major appropriation and finance bills for the 2005 session.


Of the 15 bills documented under the resolution, six bills correspond between the two houses: bonding, state government, higher

education, transportation, public safety and claims.

But nine others clearly require an arrangement by House and Senate leadership before conference committees can be established.

Of those nine, the Senate bills are: early childhood education; K-12 education; health and human services; and environment, agriculture and economic development.

The House bills are: education; health; jobs and economic opportunity; agriculture and rural development; and environment and natural resources.

Basically, it comes down to this: A tidy end to a legislative session depends on House and Senate leadership first negotiating the negotiations. 

## Pages continued from page 20

will help her future career in sales. She has been able to use her current position to make contacts, including talking to a lobbyist who is trying to help her get a pharmaceutical sales job.

Regardless of which path pages take, their House experience will be applicable to their careers.

"It's been a learning experience," Listug said. "Whether I end up working for the House or the Senate or a Congressional office, I can take what I learned here and apply it."

If Bordenau decides on a psychology career, he can draw on his experience watching legislators with opposing views and ideologies debate each other and sometimes even work together.

### Point of order

A common theme among pages, regardless of their career goals and undergraduate degrees, is their avid interest in government.

"I've always been interested in state government and government in general," Berguam said. "Working here is an opportunity to learn about it firsthand."

Even with an educational background in politics, nothing can compare to seeing the Legislature in action, said Listug, a political science major.

"You can learn a lot from books, but you can learn a lot more in person," he said.

"As much as I thought I knew about politics in general, I didn't know anything until I got here," Andrews added. "This is the equivalent of having a backstage pass to your favorite band. This is the center of where things happen."

Andrews finds all House procedures interesting.

"I like being at the committees and on the floor and hearing the whole parliamentary thing, 'Point of order this, Point of order that,'" he said.

The inner workings of the Legislature have also proved eye-opening to some pages.

"My biggest surprise was the first day on the House floor, everybody was talking when somebody on the floor was talking," Berguam said.

She said one of the benefits of her job is the close friendships she's formed with the other pages. "Not many of us will probably be here next year, but the friendships will remain."

With so many job perks, it's no wonder that the competition is fierce for the coveted positions. Carter said he receives more than 200 annual inquiries and more than 100 résumés for the page jobs. Since only 25 pages were hired this year, down from 45 openings four years ago, the candidates are dueling for fewer positions and only the best ones are extended job offers.

"This is the best group we've had since I've been around," Carter said. 



## Friday, May 13

### HF2515—Jaros (DFL)

#### Transportation

American Indian place names on highway signs required to also provide meaning in English.

## Monday, May 16

### HF2516—Charron (R)

#### Governmental Operations & Veterans Affairs

Honeycrisp apple designated as the state fruit.

## Tuesday, May 17

### HF2517—Hansen (DFL)

#### Governmental Operations & Veterans Affairs

Minnesota State Retirement System disability benefits application authorized for a former Department of Natural Resources employee.

### HF2518—Hausman (DFL)

#### Agriculture, Environment & Natural Resources Finance

Como Zoo infrastructure redevelopment funding provided, bonds issued and money appropriated.

## Wednesday, May 18

### HF2519—Meslow (R)

#### Rules & Legislative Administration

Business corporation statute technical corrections provided.

### HF2520—Zellers (R)

#### Education Finance

Health and safety revenue school district requirements modified.

### HF2521—Welti (DFL)

#### Agriculture, Environment & Natural Resources Finance

Eyota Chesterwoods Trail bonds issued and money appropriated.

### HF2522—Welti (DFL)

#### Agriculture, Environment & Natural Resources Finance

Great River Ridge Trail bonds issued and money appropriated.

## Thursday, May 19

### HF2523—Ozment (R)

#### Governmental Operations & Veterans Affairs

Public Employees Retirement Association service credit purchases authorized for which Independent School District No. 271, Bloomington, failed to make member deductions.

### HF2524—Buesgens (R)

#### Regulated Industries

County off-sale liquor licenses regulations modified.

### HF2525—Mahoney (DFL)

#### Jobs & Economic Opportunity Policy & Finance

St. Paul; bioscience corridor funding provided, bonds issued and money appropriated.

### HF2526—Paymar (DFL)

#### Jobs & Economic Opportunity Policy & Finance

St. Paul; Ordway Center for the Performing Arts funding provided, bonds issued and money appropriated.

### HF2527—Thao (DFL)

#### Jobs & Economic Opportunity Policy & Finance

St. Paul; Pierce Butler Corridor land acquisition and contamination remediation grant provided, bonds issued and money appropriated.

### HF2528—Mariani (DFL)

#### Agriculture, Environment & Natural Resources Finance

St. Paul; Mississippi River park development funding provided, bonds issued and money appropriated.

### HF2529—Urdahl (R)

#### Civil Law & Elections

Driver's license verification checks fees limited.

### HF2530—Beard (R)

#### Public Safety Policy & Finance

Scott County public safety training facility funding provided, bonds issued and money appropriated.

# MINNESOTA

## I N D E X

## Capitol by the numbers

Year the current Minnesota State Capitol opened.....	1905
Year construction began.....	1896
Previous state capitols.....	2
Year the first Capitol opened.....	1853
Year it was destroyed by fire.....	1881
Year the second Capitol opened.....	1883
Year the current Capitol was deemed a National Historic Landmark.....	1972
Entries received to design the Capitol.....	41
Amount paid in 1893 to secure the site for the Capitol.....	\$285,225
Asking price for the site.....	\$480,000
Cost to construct the Capitol, in millions.....	\$4.46
Millions in today's dollars, as approximate.....	\$90
Allocated funds that were unexpended when the building was completed.....	\$41,371
Capitol width, length and height, in feet.....	229, 443, 223
Types of stone, as approximate, used in the Capitol halls, stairways and chambers.....	20
Workers killed in the Capitol's construction.....	6
Different styles of chairs, tables and desks in the Capitol when it opened,	
many designed by Capitol Architect Cass Gilbert.....	74
Estimated pieces of furniture when Capitol opened.....	1,600
Costs, in 1905, to construct chandelier that hangs in the Rotunda.....	\$1,250
Approximate weight of chandelier and its chain, in pounds.....	2,500
Feet that chandelier is suspended in the air.....	142
Chandelier circumference, in feet and inches.....	19-4
Amount allocated during construction for murals and framed paintings	
for the Capitol.....	\$231,500
Number of Civil War paintings in the governor's reception room.....	4
Number in the anteroom.....	2
Year the Quadriga (golden sculpture of four horses) was placed on the Capitol.....	1906
Years it was removed for restoration.....	1994-95
Karats of the gold leaf covering the Quadriga.....	23.5
Major renovations of the House Chamber since the Capitol opened.....	3
Millions appropriated for last renovation in 1989-90.....	\$2.2
Square yards of custom carpeting installed during renovation in the Chamber.....	1,054
Millions in 2005 bonding law for design of Capitol renovation and restoration.....	\$2.37
Of that, millions for repair and restoration of third floor public areas.....	\$1.17

**Sources:** *Minnesota's State Capitol: The Art and Politics of a Public Building*, Minnesota Historical Society; other society publications; House Public Information Services Office.

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\_\_\_\_ **Minnesota Index**      \_\_\_\_ **Member features**      \_\_\_\_ **Historical Features (Capitol Centennial)**
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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 22, NUMBER 21 • JULY 22, 2005

*Session wrap-up 2005*

INSIDE: SPECIAL SESSION, NEW LAWS, HISTORIC SHUTDOWN, GOING HOME AND MORE

Bill Introductions: HF2531-HF2562, SSHF1-SSHF141

# Session

Weekly

**Session Weekly** is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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On the cover: Legislators, lobbyists and House staff congregate outside the House Chamber during a nearly one-hour blackout at the Capitol July 13.

—Photo by: Tom Olmscheid



# A long journey

A session that began with optimism saw its share of successes, but gridlock led to the state's first-ever partial government shutdown

**I**t was a year at the Capitol that will have pundits and political science pros asking, "How did they end up in partial government shutdown?"

The 84th session of the Minnesota Legislature convened Jan. 4. And although the November election brought to St. Paul an almost equally divided House (68 Republicans and 66 Democrats), the 26 new members were hopeful they could make a difference by working together across party lines. No one could have predicted that those early weeks of optimism would end up in a contentious special session that spiraled into the state's first partial government shutdown on July 1, furloughing more than 9,000 state employees.

On the first day of session, lawmakers said goodbye to a familiar figure in the House. After 63 years of service, the last 38 as chief clerk, Edward A. Burdick retired. Al Mathiowetz, who served as first assistant chief clerk since 1985, was

elected to replace Burdick.

As the weeks rolled by, there were successes — passage of an \$811.8 million capital investment bill, albeit a year late, as well as a crime bill that was called one of the toughest in the state's history.

But as the May 23 constitutional deadline for session adjournment drew closer, it became apparent that for the 11th time in 13 years, there would be a special session.

Gov. Tim Pawlenty called lawmakers back to business one minute after midnight on May 24. For the next 51 days, they struggled to finish the budget for the 2006-07 biennium.

Compromise did win out in the end and the motion to adjourn *sine die* came late in the evening of July 13 with the budget balanced.

The events of this historic special session are chronicled in the following pages.

L. SCHUTZ

# Summoned to the Special

For the 11th time in 13 years, the Minnesota Legislature was called back into special session. Running from May 24-July 13, it wasn't the longest in our state's history, but it will be remembered, however, as the one that produced the first-ever government shutdown.

## May 24

Gov. Tim Pawlenty ordered legislators back to work for a special session to begin one minute after the last body adjourned the regular session May 23. Emphasizing the importance of passing the K-12 education, health and human services and tax bills, Pawlenty encouraged cooperation between legislative leaders to wrap up the session. This was to be the 11th special session since 1993.



PHOTO BY TOM OLMSCHIED

**Gov. Tim Pawlenty calls the special session.**

## May 25

With the beginning of special session, titles of the remaining conference committees were changed to "working groups."

Under the leadership of the House and Senate tax committee chairs Rep. Phil Krinkie (R-Lino Lakes) and Sen. Lawrence Pogemiller (DFL-Mpls), the Tax Working Group held its first meeting to begin comparing the differences in the House and Senate tax bills.

## May 26

In the first of what was to be several attempts during the special session, Rep. Mark Olson (R-Big Lake) introduced a resolution (HCR1) to put the power of resolving the legislative differences into the hands of the House and Senate, rather than with the governor and legislative leadership.

"Since we have had four special sessions in five years, I believe it is time for a change," he said. "It is our duty; it's our job and it is one that we ought not delegate it to only a few members," he said.

Before the House could consider the resolution, a motion to suspend the rules had to be approved by two-thirds of the body. It was defeated 108-21. The Health and Human Services; Education; and Ag, Environment and Jobs and Economic Development working groups met briefly.

### PROCLAMATION FOR SPECIAL SESSION 2005

Whereas, The Eighty-Fourth Legislature will adjourn from its 2005 session without enacting legislation essential to the health, well-being and safety of the citizens of Minnesota; and

Whereas, The unfinished matters of the Legislature include essential laws regarding agriculture, economic development, education, environment, health, human services, transportation, taxes, and the orderly functioning of state government; and

Whereas, After the time permitted by law for passage of such legislation during the 2005 regular session expires, an extraordinary occasion as envisioned by Article IV, Section 12 of the Minnesota Constitution is thereby created; and

Whereas, The people of Minnesota are best served by avoidance of a government shutdown and a prompt conclusion of legislative business.

Now Therefore, I, Tim Pawlenty, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session one minute after the last house of the Legislature adjourns its regular session on Monday, May 23, 2005, pursuant to Article IV, Section 12, at the State Capitol in St. Paul, Minnesota.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this twenty-third day of May in the year of our Lord two thousand and five, and of the State the one hundred forty-seventh.

TIM PAWLENTY  
Governor  
MARY KIFFMEYER  
Secretary of State

## May 27

The House met just long enough to have bills introduced, non-controversial motions heard and approve a motion to adjourn until May 31.

Pawlenty and House and Senate leadership met over the weekend hoping to finalize a state budget and set budget targets for the working groups.

The Tax Working Group met for about an hour, and the Education Working Group met briefly before adjourning out of respect for Army Chief Warrant Officer Matthew Lourey, the son of Sen. Becky Lourey (DFL-Kerrick). Matthew was killed in Iraq.

## Let the body decide

While legislative leaders met throughout the special session in hopes of reaching a global budget agreement, the number of members wanting to let all representatives and senators have a say in the final product grew larger.



PHOTO BY TOM OLMSCHIED

**Rep. Mark Olson**

Leading the charge was Rep. Mark Olson (R-Big Lake), who unsuccessfully tried twice to have House rules suspended to take up a resolution (HCR1 or HCR2), proposing expenditure limits for the 2006-07 biennium for seven outstanding bills, and tried nine times to get the rules suspended to take up HCR5 that would let the entire House and Senate set spending targets in the seven areas. His other proposal, HCR6, would set a maximum amount for net state revenues. It fell short of the needed two-thirds votes on three occasions.

"When you believe strongly in something and there's good evidence to show it's the right thing to do, you need to pursue it," Olson said, noting that his ideas also showed that another avenue existed to end the session. "The net effect of this session is public backlash, public disappointment and public disgust that the process doesn't work because no decisions were made or were allowed to be made."

Among those supporting Olson each time was Rep. Paul Marquart (DFL-Dilworth).

"He first proposed a resolution on the Thursday of the first week [of special session]. Had we started then I truly believe we would have had something done by the time of government shutdown. The governor called us all down here and we all should have had a voice rather than allowing three or four leaders to decide. We should have pursued that on the House floor."

Marquart and Olson both were pleased to see the number of yes votes from both parties increase nearly every time to the point where they twice had a majority of members on their side, but not the needed two-thirds approval.

"That was a real joy," said Olson. "To be able to pull so many members from both sides of the aisle — liberal, conservative, Democrat, Republican — all kinds of members on board. I think that was the greatest thing about that."

Marquart said that when people ask him what he did to avoid a government shutdown, he could say he voted every time for the members to work together and get the job done.

(M. Cook)



# Session

## May 31

With members back from a Memorial Day holiday break, the special session continued to move along at a snail's pace.

The House and Senate each met for a short time, with nothing substantial accomplished.

Working groups in four areas (education; agriculture, environment and jobs and economic development; health and human services; and taxes) all met but failed to finalize any agreements.

## June 1

It was day nine of the special session, and the working groups on taxes and health and human services met to continue negotiations.

## June 2

Even though the House did not meet, this day must be counted as a "legislative day" because the Senate did convene.

Early childhood was the focus of the meeting of the Education Working Group.

The only major difference between the House and Senate proposals seemed to be if or how the effectiveness of pre-kindergarten programs could be assessed.

The Health and Human Services Working Group heard testimony about the Minnesota AIDS Project, a proposal to require the commerce commissioner to study language interpreter services for health care patients and a proposal for a dental access study for people with disabilities, but took no action on the provisions.

## June 3

As the second week of special session concluded, the House met for less than nine minutes and no working groups got together.

After a roll call that took more than two minutes, 17 bills were introduced.

Caucus leaders in both bodies were invited to meet with the governor June 6 in hopes of working out an agreement on the funding for the 2006-07 biennium.

## June 6

On a day legislative leaders were scheduled to meet with Pawlenty in hopes of moving the special session closer to a resolution, the Senate met for about five minutes and one working group met. The House did not meet.

Other than the introduction of 16 bills, the Senate floor session was uneventful.

Meanwhile the Education Working Group met for almost three hours with discussions focusing on language differences between the bills. The Taxes Working Group cancelled its meeting.

## June 7

A resolution that would have set spending limits for seven outstanding bills was defeated by the full House.

Sponsored by Olson, HCR2 would allow the House to vote upon the final numbers for spending in the following areas: agriculture and rural development, education, environment and natural resources, health, jobs and economic opportunity, taxes and transportation.

The plan was defeated 80-41.

Olson said he intended to bring the resolution back every time members were on the floor during the special session.

It fared better than HCR1, previously offered by Olson. That resolution, proposing House and Senate expenditure limits for the 2006-07 biennium, only garnered 21 yes votes May 26.



PHOTO BY TOM OLMSCHIED

**Rep. Rick Hansen, right, holds his 1-year-old son, Evan, as he talks with Rep. Jean Wagenius at the conclusion of the June 3 House floor session.**

## June 9

It was the same message but a different resolution. Olson introduced HCR 5, proposing House and Senate expenditure limits for the 2006-07 biennium for the outstanding finance bills. However, members voted 75-45 not to suspend the rules to take up the measure.

The working groups met to review and try to find agreement on policy issues.

## June 13

As the special session began its third week, a motion by Rep. Mike Jaros (DFL-Duluth) to adjourn *sine die* was not voted upon because a motion to reconvene on June 16 was ruled to be a higher motion. Jaros said his motion would allow members to stay home until legislative leaders reached an agreement.

Rep. Tom Rukavina (DFL-Virginia) said most members were not involved in the decision making and shouldn't have to make round trips to the Capitol while leadership negotiated.

A motion by Olson to suspend the rules to take up HCR5 was defeated.

Working groups for education, health and human services, and taxes all met, but made little progress.

## June 14

At a special meeting called to bridge the gap between education bills, House Speaker Steve Sviggum (R-Kenyon) called House and Senate proposals for education unrealistic, saying an offer by Pawlenty was the compromise solution.

The governor had offered \$633 million in state aid, \$97 million in aid shifts and \$139 million in local discretionary levies to raise property taxes for the 2006-07 biennium.

Not having a spending target was the working group's biggest obstacle to reaching agreement, said Rep. Barb Sykora (R-Excelsior), who co-chaired the Education Working Group with Sen. LeRoy A. Stumpf (DFL-Plummer).

In a compromise to Gov. Tim Pawlenty's proposed 75 cent health impact fee, Democrats said they would support a 55-cent increase, if the money raised was dedicated to health care. The DFL proposal was an attempt to break the stalemate in budget negotiations. Republican leadership, calling it only half of a proposal, quickly dismissed the offer, because it didn't include funding for K-12. Pawlenty threatened to take the proposal off the table if the two sides were no closer after a few days.



PHOTO BY TOM OLMSCHIED

**Rep. Tony Sertich, from left, House Minority Leader Matt Entenza and Senate Majority Leader Dean Johnson meet the press outside Gov. Tim Pawlenty's office after presenting the governor their budget proposal.**

## June 15

Sviggum called a special meeting to find common ground on the health and human services bills. The oftentimes terse meeting adjourned without any compromises.

An offer from the governor and House called for a 15.5 percent increase in biennial funding, while a Senate proposal would increase the funding 18.4 percent. The two sides were \$229 million apart.

Rep. Fran Bradley (R-Rochester), who co-chaired the working group with Sen. Linda Berglin (DFL-Mpls), said health care spending threatened to consume the state budget and that reductions were needed.

Berglin countered that the Senate proposal already made more than \$200 million in cuts, while the governor made only \$100 million. Sviggum said the Senate actually cut only \$79 million and did not identify where the savings would come from.

## June 16

The House met in session, but did little more than introduce bills. A perennial motion by Olson to suspend rules to hear HCR5 was again defeated. Supporters of the motion reiterated that all legislators should be involved in negotiations to complete the session, not just leadership.

"We're getting proficient at not getting our work done," Olson said. "For all the work to be done, I'm surprised at how fast the floor session is going."

Meanwhile, the Education Working Group discussed possible savings in a statewide health insurance pool for school district employees, but did not reach a conclusion.

A House-Senate working group on an omnibus agriculture, environment and jobs and economic development bill heard three fresh proposals on reforming the Legislative Commission on Minnesota Resources (LCMR). The working group did not officially vote on any of the measures.

## June 20

Eight bills were introduced during the House floor session, and two attempts by Olson to suspend the rules were defeated.

Olson had offered his resolution to let the entire House set the budget numbers nearly every floor session during the special session. His second resolution, HCR6, would set a maximum amount for net state revenues.

The Senate met for about 10 minutes and did little more than introduce bills.

Working groups for education, health and human services, and taxes all met, but little progress was made.

## June 23

The House and Senate both met in session, while a Ramsey District Court judge was asked to order continued state funding for essential services in case of a partial government shutdown.

As legislators expressed frustration that little was being accomplished and most members were not involved in budget talks, a budget resolution still proved elusive.

The latest attempt by Olson to suspend the rules so a House concurrent resolution could be adopted was again defeated.

Rep. Ron Abrams (R-Minnetonka) warned that if the Olson resolution prevailed and the House set targets, if the Senate disagreed a conference committee would still be needed to work out the differences.

Working groups for education, health and human services, and taxes all met during the day. No major progress was made.

## June 27

The governor, House and Senate were still at a stalemate in budget negotiations, prompting so-called "lights on" bills to be introduced in both the House and Senate. Each would keep essential state services running in case of a shutdown. Both bodies adjourned without approving the bills.

Olson once again asked his colleagues to consider a resolution to suspend the rules, and once again, it was defeated.

With budget negotiations going nowhere, Gov. Tim Pawlenty proposed June 27 that a change of scenery might help the situation and proposed sequestering the chief negotiators at Camp Ripley until an agreement could be reached. Senate Majority Leader Dean Johnson suggested the governor's residence might be a more appropriate location. The Capitol press corps set up chairs outside the residence, which they dubbed Camp Impasse.

At 7 a.m. June 21, Republican House members began their 24/7 vigil in front of Senate Majority Leader Dean Johnson's office as a symbol of their readiness to put an end to the special session. Members kept a "Get the Job Done" blog documenting the time they spent standing watch. Their vigil lasted until midnight June 30 when the state government went into partial shutdown.

Here is an excerpt from the blog entry by Rep. Lloyd Cybart (R-Apple Valley) of his revision of "The Raven" by Edgar Allen Poe:

### The Minnesota Raven

*Once upon a midnight dreary, while I pondered here at 2 a.m., weak and weary,  
Over many a quaint and curious volume of unfinished bills and forgotten lore,  
While I nodded, nearly napping, suddenly there came a tapping,  
As of someone gently rapping, rapping at Sen. Johnson's chamber door.  
'Tis Sen. Johnson,' I muttered, 'tapping at his chamber door;  
To negotiate and end the special session, only this, and nothing more.'*



PHOTO BY TOM OLMSCHIED

**For the camera, Rep. Michael Beard jokingly rests outside the office of Senate Majority Leader Dean Johnson during his 1 a.m. to 4 a.m. shift June 26. House Republicans were positioned outside Johnson's office around the clock to indicate a willingness to negotiate a budget deal and end the special session.**

## June 28

The House presented the Senate with its latest health budget offer during the Health and Human Services Working Group meeting. The proposal contained \$135 million in additional revenues, with \$100 million coming from a proposed 20-cent tobacco fee on packs of cigarettes.

More than half of the new revenue, \$74 million, would be used to partially restore MinnesotaCare eligibility to adults without children. The original House bill would have eliminated MinnesotaCare for adults without kids. The Senate said it did not want to change eligibility requirements for the program.

In the Education Working Group, offers and counteroffers flew fast and furious, but no formal decisions were made. The offers involved using various revenue sources to pay for proposed increases in state funding for education.

Republicans presented their latest revenue offer, which included a spending target of \$800 million, raising \$210 million annually from racino proceeds dedicated to education, using no accounting shifts to raise revenue and allowing \$43 million in voter-approved levies to increase property taxes.



Edward Stringer, who served as Supreme Court justice from 1994-2002, was appointed by Gov. Tim Pawlenty to decide which state services were critical enough to continue in the case of a partial government shutdown on July 1.

Photo courtesy of the State Court Administration



PHOTO BY TOM OLSCHIED

As members talk around them, House Minority Leader Matt Entenza, from left, House Speaker Steve Sviggum and House Majority Leader Erik Paulsen meet prior to the June 30 floor session.

On June 29, two days before the lack of a budget agreement would send the state into its first ever shutdown, albeit partial, Rep. Anthony "Tony" Sertich (DFL-Chisholm) asked House members to suspend the rules so that a bill, sponsored by Rep. Lyndon Carlson (DFL-Crystal), could be considered that would keep the lights on. In the ensuing days, the fate of the request was the same; it was defeated, even after the shutdown began July 1. Before the Fourth of July weekend, Sertich pleaded for support of the bill that would let the more than 9,000 furloughed state employees "know they can go back to work on Tuesday" and that the lights would be back on to the services that had been turned off. The majority of the House Republicans, however, supported the governor who stated he would consider a so-called "lights on" bill once a framework for resolving the funding of education, health and human services and transportation had been laid out. Opponents to the bill said that passing a "lights on" bill would take the pressure off budget negotiations.



PHOTO BY ANDREW VONBANK

Rep. Anthony "Tony" Sertich tries to bolster support to suspend the House rules in order to take up a so-called "lights on" bill June 29.

## June 29

In preparation for a partial government shutdown, House members voted to suspend the rules and consider SSHF100, sponsored by Rep. Chris DeLaForest (R-Andover). The bill would put nonunion employees on the same playing field as their union colleagues during a shutdown.

Earlier in the special session, a stopgap proposal was approved allowing state employees laid off by a shutdown to soften the financial blow by using up to two weeks accumulated vacation time. DeLaForest's bill would provide the same opportunity to about 1,200 non-union state staffers.

Rep. Barbara Goodwin (DFL-Columbia Heights) was the lone dissenting vote, saying the bill protects mid-level management.

With a partial government shutdown seeming inevitable, Rep. Anthony "Tony" Sertich (DFL-Chisholm) pleaded with his colleagues to at least pass a so-called "lights on" bill. The measure, SSHF99, sponsored by Rep. Lyndon Carlson (DFL-Crystal), called for temporary funding of state services. The vote to suspend the rules to consider the vote was not approved by two-thirds of the body, which is needed for passage.

## June 30

The House remained on call, hoping for a last minute deal that would save the state from its first-ever government shutdown at midnight.

Members approved a motion by Rep. Dennis Ozment (R-Rosemount) to suspend House Rules to hear SSSF69, the omnibus environment, natural resources, agriculture and economic development bill that was passed by the Senate earlier in the day. Olson argued that the bill did not contain related subject matter and was therefore unconstitutional. Other members said it was irresponsible to pass a bill without first identifying revenue sources to fund its provisions.

The bill, which passed the House and was signed by the governor shortly thereafter, kept the state parks open. It also appropriated money for agricultural, environmental, natural resources and economic development purposes.

The House did not, however, generate enough votes to suspend rules to consider SSHF112, the so-called "lights on" bill. The result was a partial state shutdown that put nearly 10,000 state employees on furlough and limited some state services.

As the clock ticked off the minutes to July 1 and a partial government shutdown, the Senate passed a so-called "lights on" bill, sent it to the House and then promptly adjourned. With the Senate absent, the House had only two options: pass the bill as it was submitted, or allow the deadline to pass without a continuing resolution for funding. The bill was not passed. The main objection to the Senate bill was a provision to allow a two-year time limit to pass a final budget, during which time state agencies would continue to be funded at current levels.



PHOTO BY TOM OLMSCHIED

**Speaker Pro Tempore Ron Abrams watches the June 30 Senate floor session on a television located in the speaker's desk, while piles of spreadsheets for the omnibus agriculture, environment and jobs and economic development budget bill await distribution to members.**

## July 1

Both the House and Senate met quickly in the morning and promptly recessed until later in the day when it was hoped some action could be taken on a resolution that would bring, at least temporarily an end to the shutdown.

A motion to suspend the rules so that SSHF99, sponsored by Carlson, could be taken up by the full House received the majority of votes (63-60); however, a two-thirds majority (90 votes) is needed to suspend the rules. The bill would provide for continued funding of state government. The governor announced that the current strategy of negotiating the state's budget for the biennium would change. "Our negotiations have focused on what we are going to spend our money on, instead of how much money we have to spend, and then how will it be allocated," he said.



PHOTO BY TOM OLMSCHIED

**House Speaker Steve Sviggum glances at the clock as he talks with House Minority Leader Matt Entenza prior to the July 1 House floor session.**

## Taking it into their own hands

With leadership failing to agree on budget targets and talk of a partial government shutdown beginning to echo through the Capitol, some members decided not to sit by idly and hope party leaders and the governor would reach a compromise sooner rather than later.

Those members formed a so-called "rump group," which took on the challenge of developing its own budget numbers. The group consisted of House and Senate members from both parties, both veterans and freshmen.

The group later joined a group headed by Rep. Dennis Ozment (R-Rosemount) and Rep. Al Juhnke (DFL-Willmar).

"I really believe the message given by the group was heard by leaders and everyone else that we were intent on getting it done," said Rep. Dan Dorman (R-Albert Lea), a member of both groups. "The governor felt the pressure."

The groups proved so successful during the special session by allowing members from both bodies, on both sides of the aisle, to meet and discuss issues that Dorman said legislators will try to keep the momentum going.

"Unless members take action, we'll be here again next May," Dorman said.

(B. MARTIN)



**A so-called "Bi-Partisan Compromise Budget Working Group," comprised of House and Senate members, meets July 6 to try to forge an agreement that would end the budget impasse.**

## July 2

The education and tax working groups met, without reaching a consensus. Sertich again unsuccessfully tried to suspend the rules to bring up Carlson's bill. It received just 64 votes.

## July 3

Day of rest.

## July 4

Two dozen members of the so-called "Bi-Partisan Compromise Budget Working Group" met for the first time to begin sharing ideas and offering proposals in hopes of ending the budget impasse.

## July 5

Both the House and Senate met in session, but nothing was accomplished. Sertich's proposal to suspend rules to take up SSSF88 got 70 votes. The latest attempt by Olson to suspend the rules to take up a resolution proposing an amount for net state revenues for the 2006-07 biennium failed to gain the needed votes. It, too, received 70 yes votes. Meanwhile, Senate Majority Leader Dean Johnson (DFL-Willmar) said negotiations between legislative leaders and the governor were ongoing.

## July 6

No floor sessions took place and the scheduled Tax Working Group meeting was cancelled.

Hundreds of the more than 9,000 state workers furloughed by the July 1 partial government shutdown rallied at the Capitol July 6. Union leaders argued to a special court appointed mediator July 5 that all their workers be ruled essential and allowed to return to their jobs.



PHOTO BY TOM OLMSCHIED

**Merrideth Herried, a Department of Human Services employee, and her son, Matt, set up baked goods and a sign that reads "Laid Off - Help me feed my kids" in front of the Capitol July 5 to bring attention to the plight of laid off state employees.**

## July 7

Uneventful House and Senate floor sessions. Olson and Sertich again unsuccessfully tried to suspend House rules to take up SSHCR5 and SSHF121. Rep Phil Krinkie (R-Lino Lakes) submits his resignation as House chair of the Tax Working Group, saying he can't support House leadership's positions on a racino and the 75-cent health impact fee. Legislative leaders convene in the evening and negotiate until about 3:45 a.m. the next day. Reports indicate that a compromise is closer. The Tax Working Group met, but no progress was reported.

## July 8

"We've made pretty good strides the last couple of days and we'll give it another run this morning," Pawlenty says on his weekly radio show. He also indicates that the racino will have to come up another day because DFLers are steadfastly opposed.

House met briefly at 10 a.m. before recessing in hopes that legislative leaders could reach an agreement. The so-called "Bi-Partisan Compromise Budget Working Group" met at 11:30 a.m. to work on finalizing a budget framework proposal, in case leadership failed to finish its work.

After legislative leaders announced a resolution on a budget agreement, the House and Senate each passed a so-called "lights on" bill in the wee hours of the next morning that would reopen state agencies affected by the partial government shutdown. Pawlenty signed it shortly thereafter. It was expected that working groups would meet through the weekend.

## July 9

The education, health and human services and taxes working groups all met for a time with tired legislators making some progress in all areas.

An exchange between Sen. LeRoy Stumpf (DFL-Plummer) and Rep. Barb Sykora (R-Excelsior), the education working group co-chairs, at about 10:15 p.m. may have best summed legislative weariness.

After about eight hours of negotiations, Sykora asked if the Senate would like to review the latest House education offer and return. "I'd like to go to bed," Stumpf said. With that, a few cheers were heard from audience members.

"How about you take a look at this and respond and then we'll go to bed," responded Sykora. Quickly realizing how that comment could be inappropriately taken, a red-faced Sykora said, "Excuse me, that didn't sound right." By then she, Stumpf and nearly everyone in the room was laughing out loud. The working group co-chairs then high-fived one another. Members recessed for about 20 minutes, then talked about a staff development revenue clarification before calling it a night at about 11:05 p.m.

Rep. Phil Krinkie (R-Lino Lakes), House Tax Committee chairman resigned July 7 from the Tax Working Group, explaining in a letter that he couldn't support two of the governor's revenue raising proposals, a cigarette fee and a racino. "Since I strongly disagree with both of these revenue sources and want to help bring the special session to an orderly conclusion, I believe I can no longer be effective as the chair," he wrote. Rep. Ron Abrams (R-Minnetonka), also a member of the Tax Working Group, took over the chairmanship along with Sen. Lawrence J. Pogemiller (DFL-Mpls).



PHOTO BY TOM OLMSCHIED

**During the July 13 floor session, Rep. Mark Buesgens, left, and Rep. Phil Krinkie, right, unsuccessfully offered an amendment that would remove the 75-cent cigarette fee from the health and human services bill.**



PHOTO BY ANDREW VONBANK

**After a grueling session of negotiations, Gov. Tim Pawlenty and legislative leaders announce a budget agreement to the media at about 2 a.m. July 9. Joining Pawlenty, from left, are House Speaker Steve Sviggum, Senate Majority Leader Dean Johnson, Senate Minority Leader Dick Day and House Minority Leader Matt Entenza.**



PHOTO BY ANDREW VONBANK

**With cameras ready to roll, members of the media, lobbyists, legislators and onlookers wait outside the governor's office July 8 for word of a budget agreement.**

### Lights out at the Capitol

In what some representatives laughingly referred to as bitter irony, the electricity went out in the Capitol July 13 as the House was hurrying to pass its remaining omnibus bills of the special session.

The nearly hour-long outage began at approximately 4 p.m. as the House was debating the second of four bills that, according to an agreement among leadership, were to be passed by 8 p.m.

"We're probably getting what we deserve," said House Speaker Steve Sviggum (R-Kenyon), noting that legislators had been talking about a so-called "lights on" bill for several weeks.

"It would have been so interesting if this would have happened last week," remarked Rep. Barb Sykora (R-Excelsior). The previous week was when the state experienced a partial government shutdown.

Power went out during a hearing of the health and human services bill. Rep. Fran Bradley (R-Rochester), the bill's sponsor, said he thought someone else was to blame. "I would like to say it was in the middle of the Eken amendment."

Indeed, Rep. Kent Eken (DFL-Twin Valley) was explaining his amendment when the lights went out. "It's just kind of eerie," Eken said. "People keep coming up and saying they didn't know I had this kind of power, but I'm not taking the credit for this — or the blame. I voted for the 'lights on' bill."

Rep. Tim Mahoney (DFL-St. Paul), a pipefitter by trade, referenced the value of the heating and cooling profession. "I'm not working unless they get the air conditioning turned back on," he joked.

(B. Martin)



PHOTO BY TOM OLMSCHEID

**Rep. Karen Klinzing and Shawn M. Peterson, director of majority legislative services, talk in a beam of light shining on the right side of the front desk in the House Chamber during a July 13 blackout at the Capitol.**

### July 10

The health and human services and taxes working groups met for a few hours with some more progress. The Education Working Group worked for more than 12 hours before approving an agreement, including \$800 million in new spending, at about 2:10 a.m. the following morning.

### July 11

Neither the health and human services nor tax working groups met the 5 p.m. deadline set by leadership, but both completed its work before the day was done.

### July 12

Day of rest for members. Legislative and revisor's office staff put the final touches on the working group bills and their respective summaries and spreadsheets.

### July 13

Members recessed shortly after being called to order. Upon their return, the health and human services, education, taxes and transportation bills were approved.

While the latter three passed with relative ease, much of the discussion about the health and human services bill focused on the 75-cent health impact fee.

The debate was interrupted when power went out in the Capitol, leaving members in a semi-darkened chamber for about an hour. On a 90-plus degree day the chamber quickly became muggy. Just as members were about to resume their work minus power, the lights came back on.

After much debate about adjourning *sine die* or taking up a pensions bill, which was not part of the global agreement, the bill was passed 112-14.

The House adjourned at 10:29 p.m., about 15 minutes before the Senate. Members are not scheduled to return until March 1, 2006, unless a rumored fall special session comes to fruition.



PHOTO BY TOM OLMSCHEID

**House Speaker Steve Sviggum gavels the special session to a close at about 10:30 p.m. July 13. The Legislature is scheduled to reconvene March 1, 2006, unless the governor calls members back for another special session before that time.**



# Few phone calls, few e-mails

Historic shutdown produces little immediate reaction

By BRETT MARTIN

For the first time in state history, Minnesota experienced a partial government shutdown that resulted in an eight-day layoff of more than 9,000 state workers and suspended all but essential services of some state agencies.

As the shutdown headlined the local news and was featured in the media across the country, legislators found themselves under growing pressure to approve a budget.

Besides meeting with other politicians and talking to the press, some representatives had another group seeking answers — their constituents. Rep. Mary Murphy (DFL-Hermantown) said she was getting a few phone calls and e-mails a day leading up to the July 1 shutdown.

"They're from constituents who are scared. They're scared because this directly affects their lives and their families," Murphy said. "They're saying, 'Please don't shut down.'"

## Looking for answers

Rep. Keith Ellison (DFL-Mpls) received

calls, mostly from state employees, concerning the shutdown. "They're saying that they're state employees and they're curious about what's going to happen to them," he said just days before the shutdown occurred. "I just keep reassuring them that we're going to fight for their values."

State employees understand what's at stake during the budget negotiations, he said. While his constituents may have been upset about the lack of progress being made by the Legislature, they weren't calling to berate him.

"I'm not really sensing anger," Ellison said. "There's actually a lot of encouragement to hang in there."

Ellison explained how the budget process works so callers could understand his own frustration. "I tell them that the Legislature is run by about three people and 95 percent of the legislators are not in the dialogue right now," he said. "We do a Civics 101."

His constituents followed the issues and knew how the legislative decisions would

impact them, which is why they expected him to fight for their interests. "They didn't send me to see 30,000 people dumped off MinnesotaCare," he said. "I couldn't face them if I did cave."

Two days before the shutdown, Rep. Joyce Peppin (R-Rogers) said that she had received just a few calls from constituents about the matter. When she attended parades in her district, people commented about the shutdown, mostly out of curiosity after constantly hearing about it in the news, she said. They wanted to know what the shutdown would mean and how they would be affected.

"I just tell people that we're hopeful that we'll get the job done," Peppin said.

## Most people not impacted

Most representatives received surprisingly few shutdown-related calls and e-mails from constituents. "I was a little surprised that we're not getting inundated with calls," said Becky Girvan, constituent services coordinator for the Majority Caucus Legislative Services. The reason, members say, is because most people weren't directly affected.

Rep. Fran Bradley (R-Rochester) said it was unusual for him to get more than six phone calls and e-mails a day regarding the shutdown. "I have not seen extraordinary traffic," he said, although a handful of state employees did contact him.

"My prediction is this [the shutdown] will only impact a small number of people. Ninety percent of Minnesotans will not be affected," Bradley said. "There is an impact, I don't mean to diminish it, but I don't think most Minnesotans are going to feel it. More people will be affected by what comes out of the bills."

Just days before the shutdown, Rep. Larry Howes (R-Walker) said he had not received any calls or letters from constituents who would be affected. At that time, there was concern that the state parks would close, but since his district is full of resorts, they could have seen a boon in business.

"It's a double-edged sword," he said. The parks did not close thanks to a bill that was signed into law by the governor just hours before the shutdown.

"People know we're trying," Howes said June 28. "We're about ready to celebrate the



PHOTO BY TOM OLMSCHIED

During an announcement that there would be a partial government shutdown, House Speaker Steve Sviggum shows a copy of the budget tally sheet that he and Gov. Tim Pawlenty were working on before the Senate adjourned June 30.

Reaction continued on page 53

## New Laws 2005

Presented here are stories on selected bills that were signed into law so far during the 84th regular session of the Minnesota Legislature.

Also contained in this issue of *Session Weekly* are longer, At Issue stories about the major bills signed into law during the May 24-July 13 special session.

For a complete review of all the new laws passed this year, please visit our New Laws 2005 Web page <http://www.house.mn/hinfo/Newlaws.asp>. There you will find user-friendly access to stories that explain, in depth, the new laws as well as a link to the actual bill text that was passed into law.

## BANKING



### Financial institutions regulations

The regulation of banks, credit unions and other financial institutions will change under a new law.

Rep. Rod Hamilton (R-Mountain Lake) and Sen. Dan Sparks (DFL-Austin) sponsored the legislation, which will regulate the investment authority of, and annual reporting for, certain financial institutions.

The law will clarify the type of property that may be acquired or improved by certain financial institutions without prior approval by the commerce commissioner and eliminate a requirement to submit a copy of annual audit reports to the commissioner. It also amends the requirements of safe deposit companies in the event a safe deposit box is opened after the death of the renter of the box.

Commercial, state and savings banks will be permitted to act as trustee or custodian of a Health Savings Account, under the law. Banks doing business in Minnesota will be permitted to choose to comply with federal customer identification standards in lieu of those in state statute to open a checking account.

The commerce commissioner will no longer be required to provide a notice to suspend the operation of a credit union to an advisory council that no longer exists. Also eliminated is a provision requiring the advisory council to attend the suspension hearing.

Advanced fees paid to a mortgage originator must be placed in an unaffiliated account, according to the law. The voluntary dissolution of a domestic fraternal benefit society upon application to the commerce commissioner will be allowed upon demonstrating that the society has satisfied or transferred its members' policy obligations.

Insurance companies will no longer need

approval to annually renew their licenses. Instead, the licenses will be considered renewed annually upon payment of all applicable fees.

Banks will be exempt from liability based on their disclosure of customer information to a banking industry anti-fraud database relating to forged or stolen checks.

The law will prohibit the deceptive use of the name, trade logo or tagline of a financial institution or its subsidiaries and affiliates. It will repeal a provision in statute that allowed for an advisory task force investigation of a credit union in lieu of immediate suspension of operations and repeal a provision that required a bank's board to prepare a written response to the findings and recommendations in its annual examination report.

These provisions are effective Aug. 1, 2005.

A person who has been convicted of a crime involving dishonesty, breach of trust, or money laundering would be prohibited from working as or for a residential mortgage originator without prior written consent from the commissioner. This provision is effective Jan. 1, 2006.

HF1824/SF1636\*/CH118

## CONSUMERS



### Handgun bill signed into law again

A new law reenacts and makes retroactive provisions in the Citizens' Personal Protection Act.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Pat Pariseau (R-Farmington), the measure reenacts the so-called "concealed-carry" legislation. Passed in 2003, it liberalized the process to acquire a handgun permit. A district court judge later ruled the law unconstitutional because it was attached to an unrelated bill at the time of passage. That ruling was upheld by the Minnesota Court of Appeals and appealed to the Minnesota Supreme Court.

Under the law, county sheriffs are required to grant handgun permits to anyone meeting specified criteria. Before the law, sheriffs and police chiefs had wide discretion in granting permits to carry handguns and, according to law supporters, this led to widespread discrimination with some sheriffs issuing a large number of permits and others none.

The law also modifies the notification requirement mandating that businesses tell customers if the area is a gun-free zone.

The earlier law called for a sign to be posted

at every entrance to the business and that the request be given verbally, as well. Now, either a verbal or written notice is sufficient.

Other new provisions include:

- upon request, a permit holder must disclose to a peace officer whether the permit holder is carrying a gun;
- the public safety commissioner will develop standards for firearms instructors and a certificate must be issued to anyone who has completed a firearms safety course;
- on the permit application, a person must not just list the state in which she or he resides (as in the previous legislation), but the township or city, and county; and
- if a convicted felon carries a permit, the court must take possession of the permit upon conviction.

HF2428/SF2259\*/CH83

### Unclaimed property notification

Notification requirements to Minnesotans who have unclaimed property, such as uncashed checks, dormant bank accounts or utility deposits, will change under a new law.

When property is presumed abandoned after a period of time, it is reported and turned over to the Department of Commerce, which then attempts to notify the owner.

Previous law required notices of unclaimed property to be published in a newspaper. The new law, effective Aug. 1, 2005, allows the commerce commissioner to determine the most effective and efficient manner of providing the notice, such as in print, broadcast or electronic media.

Under former law, the right of the owner would be extinguished if the property is held by a cooperative and disbursed to a tax-exempt organization. The new law specifies that the right will be extinguished only if a notice that the property is available has been mailed to the last known address of the person. If the address is unknown, the notice will be published in an official cooperative publication.

Broader language is included in the law to avoid certain time limits on the right of an owner of abandoned property to recover it.

A new provision allows for a "default rule" for dealing with abandoned personal property not covered by any other law.

Rep. Lloyd Cybart (R-Apple Valley) and Sen. William V. Belanger Jr. (R-Bloomington) sponsored the bill.

HF1398/SF1360\*/CH109



PHOTO BY TOM OLMSCHIED

Standing next to a t-shirt that reads, "Twins Ball Park ... Don't Go Home Without It," Don Hill holds his sign in support of a new outdoor Twins' ballpark as Rep. Sheldon Johnson passes by on his way to the July 8 House floor session.

## ★ DEVELOPMENT

### Low-income area definition

A new law will change the definition of low-income areas, allowing for greater participation in a program that could bring digital technology to schools and communities.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park) and Sen. Linda Scheid (DFL-Brooklyn Park), the legislation is effective Aug. 1, 2005.

A low-income area was previously defined as any city in the seven-county Twin Cities metropolitan area where the average income is 80 percent below the U.S. median income for a family of four. The law extends that definition to include any city in the Twin Cities metropolitan area with two or more adjacent sections where the average family income is less than 80 percent of the median income in the Twin Cities metro area.

This would allow those cities to take advantage of the Urban Challenge grants program. Sponsored by 3Com Corporation, it

provides cities and school districts with grants of products and services to help them find ways to use information technology in their communities.

HF986\*/SF514/CH142

## ★ EDUCATION

### Prinsburg receives approval

Prinsburg School District 815 can use voter-approved levy referendum money to pay off a debt to a neighboring school district, under a new law.

Funds will also be used to provide special education services for school district residents who attend a private religious school in the district.

Prinsburg owes about \$280,000 to the neighboring MACCRAY School District for tuition of Prinsburg residents who attended the district through an informal arrangement a few years ago.

Prinsburg has no students and is one of only

two remaining common school districts in the state. Because of its unique situation, state approval was required for levy recertification and authority.

Rep. Al Juhnke (DFL-Willmar) and Senate Majority Leader Dean E. Johnson (DFL-Willmar) sponsored the legislation, most of which is effective March 8, 2005, and applies to taxes payable in 2005.

HF248\*/SF485/CH8

## ★ ELECTIONS

### Media has access to the polls

As part of their government "watchdog" role, journalists have traditionally been allowed limited access to polling places, as long as they didn't interfere with the election process.

However, that access was questioned in 2002, and an attorney general's opinion did little to clarify the issue. A new law hopes to provide better clarity.

Under the law, sponsored by Rep. Jeff

Johnson (R-Plymouth) and Sen. John Marty (DFL-Roseville), representatives of the media are allowed at a polling place for an unlimited amount of time during voting hours for observation purposes only. They were previously allowed up to 15 minutes of access. Media representatives are required to provide photo identification, along with recognized media credentials or a written verification from a local election official attesting to the representative's credentials.

While at the polling place, a media member may not get within 6 feet of a voter converse with a voter while in the polling place make a list of people voting or not voting or interfere with the voting process.

The law is effective May 28, 2005.

HF936/SF370\*/CH113

### **Funding for new voting systems approved**

Voters who are disabled in any way might, for the first time, be able to vote independently and privately in federal and state 2006 elections, and in county, municipal and school district elections held after Dec. 31, 2007.

A new law puts Minnesota on the road to compliance with the federal Help America Vote Act (HAVA) and provides the framework needed for distribution of almost \$38.3 million in federal grant money to make it possible.

Passed by Congress in 2002, HAVA requires state and local governments to reform election processes and systems to ensure equal treatment of, and accessibility for, all voters.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. Linda Higgins (DFL-Mpls), the law is effective June 4, 2005. Below are some of the provisions.

HF874\*/SF290/CH162

### **Appropriations**

The law allocates \$29 million for counties to purchase electronic assistive voting systems and to defray operating costs of the assistive voting equipment, up to \$600 per polling place per year. With any remaining money from this allocation, counties can purchase a precinct-count or central-count optical scan electronic voting system.

Other appropriations are:

- \$6 million to help counties that do not have sufficient remaining grant money after purchasing an electronic assistive voting system, to purchase new optical scan voting equipment that would verify votes, and allow for votes to be corrected before the voter's ballot is cast and counted;
- \$3 million is available to the Office of the Secretary of State to help defray any administrative costs associated with implementing this act, including training; and

- \$290,000 to the office for grants to counties and municipalities to improve access to polling places for individuals with disabilities.

### **Making a plan**

Even though votes would be cast and counted electronically, the law calls for the paper ballot to be preserved as an official record of the vote.

A working group of local election officials is to be established in each county to create a local equipment plan and establish procedures. The plan must describe procedures for implementing the voting systems, define who is responsible for any capital or operating costs and outline how the federal money from the HAVA account will be spent.

The county board of commissioners must adopt the plan after a public hearing.

### **Combining resources**

The new law also addresses cases where it might be more convenient and cost-effective for separate precincts to combine polling places. It also allows for this to happen for noncontiguous precincts located in one or more counties.

## **EMPLOYMENT**



### **End put to dumping by employers**

Changes to the state's unemployment law are designed to end "dumping," which occurs when employers use mergers, acquisitions or restructuring schemes to try to lower their unemployment experience ratings.

Sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm) and Sen. Ellen R. Anderson (DFL-St. Paul), the new law will change the unemployment law to curb state unemployment tax act (SUTA) avoidance and make Minnesota law consistent with the federal SUTA Dumping Prevention Act of 2004.

Minnesota, like other states, distributes unemployment insurance costs among employers through an unemployment experience rating based on the number of former employees who have received unemployment benefits.

Some employers try to "dump" their poor ratings by changing or merging companies or shifting employees between companies. The "dumping" compromises the rating system by shifting the cost of one employer's unemployment experience to other employers.

The law will require a corporation to report workers on a wage detail report if the corporation is the only member of a limited liability company that is disregarded for federal in-

come tax purposes. That provision takes effect Jan. 1, 2006.

A number of technical and housekeeping changes to Minnesota's unemployment insurance law, also included in the new law, are effective July 1, 2005.

HF898\*/SF944/CH112

### **Migrant worker violations increased**

Failure to pay migrant workers their required wages and benefits will cost employers more in penalties, under a new law.

The law will increase from \$250 to \$500 the penalty for employers who fail to comply with the terms of an employment statement provided to a migrant worker and with statutory requirements for the payment of migrant workers. The penalty will also apply to employers who fail to pay wages to migrant workers within the time period required by law, such as paychecks every two weeks.

Employers who fail to pay wages on time after employment is terminated will also face increased penalties. Current law requires a discharged employee who lives away from home to be paid within 24 hours, and makes employers who do not comply with this requirement liable for the employee's reasonable expenses for remaining away from home.

Under new law, if wages are not paid within two days of employment termination, the employer will have to pay the employee two times the average amount of his or her daily wage from the time of termination until payment has been made in full.

The timeframe for employers to provide benefits or wage supplements due to employees will be reduced. Formerly, employers would face a gross misdemeanor if they failed to provide the benefits within 60 days after they were due. The new law shortens the time period to 30 days.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Ellen R. Anderson (DFL-St. Paul), the legislation is effective Aug. 1, 2005.

HF1914/SF1984\*/CH127

### **'Wage' is defined**

The Minnesota Fair Labor Standards Act definition of wage will be modified to include compensation by electronic transfer to an employee's payroll account, under a new law, which will also regulate the payment of wages through the accounts.

Payroll debit cards allow an employee's net pay to be applied to a payroll account. The employee can then use the card to make purchases and withdraw cash at ATMs. An estimated 13 percent of workers do not have a bank account and often use check-cashing

stores, which charge an average of 2.5 percent to cash checks. Payroll accounts allow wages to be electronically transferred, eliminating the need for check cashing.

Employers offering electronic fund transfers of wages will be required to disclose to employees, in writing, all wage payment options and the terms, conditions, rights, liabilities and responsibilities under each option. The written disclosure will need to include certain information, such as fees that would apply.

Employers will only be allowed to initiate payment by transfer to a payroll card account by receiving an employee's signed, written consent.

The law requires that an employee must be able to withdraw, by a free transaction, wages transferred to the account on the employee's regular payday. Employers will be required to provide employees, upon request, one free transaction history each month.

The linking of payroll cards and accounts with credit, including loans against future pay and cash advances, will be prohibited. Employers will also be prohibited from using personal information generated by an employee's use or possession of the card or account for any purpose other than processing transactions and administering the account.

The law is effective June 3, 2005. The amendments made in the law will expire May 31, 2007.

The legislation was sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Dan Sparks (DFL-Austin).

HF2141/SF2093\*/CH158

## ★ ENERGY

### **Law calls for wind energy tariffs**

An omnibus energy law includes a wind energy tariff, and specifies conditions under which the Public Utilities Commission (PUC) can approve tariffs that would allow utilities to automatically recover certain transmission costs.

In order to receive permission from the PUC to construct a high-voltage transmission line, an applicant is required to show the relationship of the line to the regional energy needs in the state transmission plan, the benefits of enhanced regional reliability or lower costs to consumers. Applicants will also need to show that they are complying with the state's renewable energy objective.

The Legislative Electric Energy Task Force must convene a group of stakeholders representing utilities, consumer advocates and affected state agencies to determine if current state processes could be modified to increase

the efficiency and effectiveness of siting and routing of transmission lines. A second working group will need to make recommendations regarding alternative methods of compensation paid to landowners over whose land transmission lines are routed. Both reports are due to the Legislature by Jan. 15, 2006.

Public utilities, municipal power agencies, and generation and transmission cooperatives will be required to establish a community-based energy development tariff, under the law. The tariff will be used to promote wind projects throughout the state.

The PUC will be directed to take regional impacts on the electricity grid into account when evaluating need under the certificate of need process.

The law provides for a joint venture between the Virginia and Hibbing municipal utilities to retrofit coal-fired generation facilities to utilize biomass fuels. It also provides criteria and requires third-party oversight for harvesting woody biomass on state land, requires the preparation of annual fuel plans and the development of guidelines or best management practices for sustainably managed woody biomass at the municipal utilities' expense.

The law also provides for a statewide study to determine the impact on rates and reliability of increasing wind capacity in Minnesota to 20 percent of state retail electricity sales by the year 2020.

An account by the Commerce Department will be established and authorized to make a onetime assessment to all regulated utilities of \$300,000 to establish an e-filing system that will allow documents to be filed and retrieved via the Internet.

The law will allocate \$150,000 in fiscal year 2006 from available funds in the renewable development account to the Agricultural Utilization Research Institute for disbursement over three years as grants for a project that uses soy diesel generators as backup power for wind energy conversion systems.

These provisions are effective Aug. 1, 2005.

Authority to route and site high-voltage electric lines and large energy facilities will be transferred from the Environmental Quality Board to the PUC, effective July 1, 2005.

The law will allow the city of Alexandria to obtain authority to provide local service or interexchange service and enter into joint ventures to provide the niche services. That provision takes effect the day after the city's governing body and chief clerical officer certify local approval.

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

HF1344/SF1368\*/CH97

## ★ ENVIRONMENT

### **Mapping state forest road easements**

A new law creates a public process for the Department of Natural Resources (DNR) to record as prescriptive easements the state's interest in state forest roads that cross non-state land.

According to the nonpartisan House Research Department, a prescriptive easement "means the right to use another's property that is not inconsistent with the owner's rights and which is acquired by use over a specified time (many years typically)."

The DNR estimates there are approximately 13,000 parcels of non-state land crossed by, or contiguous to, state forest road segments.

Effective Aug. 1, 2005, the law will allow the DNR to adopt a state forest road map that lists all of the parcels and establish the procedures it must follow in doing so.

"When state forest road segments on non-state lands are blocked or closed by landowners, many hours of state time are expended to respond to the landowners," according to a DNR legislative summary. "If the road closure effort goes to court, it costs the DNR thousands of dollars to document road use and defend the right of the DNR to use the road."

The new law will give the DNR the ability to address landowner concerns in a consistent manner rather than having to respond to multiple legal proceedings, according to the summary.

The DNR will be required to conduct a public hearing before adopting the map. Property owners directly affected by the easements must receive a notice from the department at least 30 days before the hearing.

The new law provides 120 days after the map is adopted for anyone to appeal a decision to include or exclude recording a road on the map.

Opponents said the process could infringe upon property owners' rights and the due process afforded to them in protecting those rights.

Rep. Denny McNamara (R-Hastings) and Sen. John Marty (DFL-Roseville) sponsored the legislation.

HF1438/SF1326\*/CH101

### **Great horned owl protection clarified**

A new law clarifies the protected status of great horned owls in Minnesota.

Currently, great horned owls appear on Minnesota's unprotected birds list, along with such avian cousins as sparrows, blackbirds and pigeons.

Great horned owls are, however, protected under the federal Migratory Bird Treaty Act.

Effective Aug. 1, 2005, the new law will remove the great horned owl from the state's unprotected bird list.

The law was prompted by the concerns of Houston Nature Center Naturalist Karla Kinstler for the safety of an owl she handles named Alice.

Kinstler said that the classification is causing confusion among conservation officers. The uncertainty became apparent during a dispute over construction of Houston's city-funded nature facility, she said.

Because Alice was a symbol of the center, some opponents were threatening to shoot the owl. When Kinstler approached a local state conservation officer about the threats, he told her that he had no jurisdiction over the matter because the great horned owl is on the unprotected birds list.

There are occasions when great horned owls prey on farm animals and in those cases a farmer or landowner can apply for a depredation permit. The new law clarifies that a person who is authorized to take a great horned owl under a federal permit does not need a state permit, as well.

Rep. Ray Cox (R-Northfield) and Sen. Thomas M. Neuville (R-Northfield) sponsored the legislation.

HF419\*/SF628/CH104

### **State timber management addressed**

A new law should help the Department of Natural Resources manage timber sales more efficiently.

Effective July 1, 2005, the new law addresses public notice and input on the state timber management plan, rewards for state timber trespassing informants and sales procedures.

"Together, the changes will improve customer satisfaction and economic stability, while enhancing state revenues through cost-reduction measures," according to the department.

The new law will require the department to conduct annual public meetings in the forested areas of the state to discuss the way in which its timber sales and management plan will shake out for the upcoming fiscal year.

It does not change the fuelwood permit fee structure, as the House had initially recommended. Such a permit allows people to salvage or cut down up to 12 cords of fuelwood per year for personal use. The House would have required that the fee cover the department's cost in issuing that permit. The department estimated the average fuelwood permit fee would have increased from \$22 to \$24, but some lawmakers were opposed to leaving the permit fee up to the department's discretion.

Also under the new law, the reward for in-

formation leading to timber trespass convictions will be limited to the greater of \$100 or 10 percent of the single stumpage value of any timber unlawfully cut or removed. Previously, state law contained a tiered reward structure of \$25, \$50 or \$100 based on timber value. The new law leaves the offer of a reward up to the commissioner, rather than the previous language that said a reward "shall be paid."

Rep. Greg Blaine (R-Little Falls) and Sen. Thomas M. Bakk (DFL-Cook) sponsored the legislation.

HF823\*/SF802/CH141

## **FAMILY**



### **Birth certificates for stillborns**

Parents of stillborn children will be able to receive a birth certificate, under a new law.

Under former law, parents of stillborns in Minnesota could only receive a death certificate.

The law, effective Aug. 1, 2005, is intended to help families deal with the grief of losing an infant.

Sponsored by Rep. Karen Klinzing (R-Woodbury) and Sen. Ellen R. Anderson (DFL-St. Paul), it requires those responsible for filing a fetal death report to advise parents that they can request a record of birth, inform them the record is optional and explain how to obtain a record if they want one.

The state registrar is required to prepare and file, within 30 days, a record of birth if one is requested.

The law makes birth certificates for stillborns retroactive. A stillbirth that occurred in Minnesota at any time is eligible for a birth certificate by the parents submitting a written request to the state registrar on or after Aug. 1, 2005.

HF947\*/SF1029/CH60

### **Conservators investment leeway**

Those assigned as court-appointed conservators of a protected parent, child or sibling will have more leeway in managing that person's estate, under a new law.

Sponsored by Rep. Randy Demmer (R-Hayfield) and Sen. David H. Senjem (R-Rochester), the law enables the court, at its discretion, to allow a transaction of beneficial interest to the conservator, as long as the conservator can prove that this transaction is in the best interest of the protected person.

During committee testimony, Larry Dobson spoke about his daughter, Emily Steffens, who had been in a car accident and suffered a traumatic brain injury, and is now under

the guardianship of her parents. As court-appointed guardians, settlement money had been allocated for her future needs, current living expenditures and some investments. Dobson wanted to use that portion as an investment in the family business for which his daughter is part owner. The new language would allow the court to consider that type of investment.

Effective July 1, 2005, the law includes all proceedings open or pending on that date.

HF2156/SF1969\*/CH91

### **Spousal support collection to continue**

Out of the thousands of divorce cases filed annually in the state, few have mandated spousal support and even fewer use a state service to collect the support.

Effective May 27, 2005, a new law clarifies state statute authorizing the Department of Human Services to continue collecting support payments in spousal maintenance-only cases, if mandated by the court.

In August 2004, the department had concluded the statute was ambiguous as to whether it should be providing the service. Letters were sent to parties in the approximately 1,700 cases being handled notifying them that the service would stop in June 2005.

Rep. Tina Liebling (DFL-Rochester), who sponsored the law with Sen. Becky Lourey (DFL-Kerrick), said spousal support is rarely awarded, but can be if there is a compelling reason. Parties who use the department to collect support payments are either older, disabled or have experienced domestic abuse.

A \$15 monthly fee paid by the spouses who pay the support covers the cost of the service.

HF1578/SF1479\*/CH116

### **Child support/custody changes**

For the first time in more than two decades, the state's child support and custody laws have received an overhaul. The legislation's sponsors herald the new provisions as more reflective of today's family circumstances.

While there is language relating to spousal maintenance, the new provisions focus primarily on how child support will be calculated using the parents' combined gross income and a presumption of joint, legal custody by the court if parents can't decide on their own parenting plan.

"We cannot continue to use a tool in Minnesota that was developed decades ago, that does not reflect the true family and societal circumstances of today," said Rep. Steve Smith (R-Mound) who sponsored the law with Sen. Thomas M. Neuville (R-Northfield). "Both

parents have an equal duty to provide for the needs of the child.”

The law does not allow for modification of custody or child support agreements that are in place prior to Jan 1, 2007.

A one-time, six-month review will be held to make sure that compliance of child-support and parenting time is in place.

HF1321/SF630\*/CH164

### Support calculation

The law lays out a guide to help courts determine child support based on the parents' combined income. It defines basic support as the dollar amount ordered for a child's housing, food, clothing, transportation and education costs and other expense relating to the child's care. It does not include monetary contributions for child-care expense and medical and dental expenses. This is a separate calculation.

Child support may be adjusted every two years based upon a change in the cost of living.

### Health care coverage

A significant portion of the new law deals with how health care will be provided for a joint child.

A divorcing couple will need to decide which party must carry health care coverage for the child; the cost of premiums and how it will be allocated between the parties; the circumstances, if any, under which the obligation to provide health care coverage for the joint child shifts from one party to the other; and if appropriate health care coverage is not available for the joint child, whether a contribution for medical support is required.

In determining whether a party has appropriate health care coverage for the joint child, the court must evaluate the health plan using certain factors, including: accessibility to services, comprehensiveness of the policy, affordability and special medical needs of the child.

### Child-care provisions

Unless otherwise agreed to by the parties and approved by the court, work-related or education-related child-care costs of joint children are to be divided between the parents, based on the proportionate share of the parties' combined monthly parental income for determining child support.

### Fees help cover new costs

To help cover the costs of implementing the new law, \$860,000 is appropriated for fiscal year 2006 and \$450,000 in fiscal year 2007 from the General Fund to the human services commissioner. The state will be able to recoup

some of the money through some new fees, effective July 1, 2005, and modifications to ones already being charged. For example, a \$50 fee will be added on to the fee already charged to those filing for divorce.

Additionally, the law modifies numerous other fees relating to child support. For example, \$20 from each fee collected for modifications to child support agreements will go into the county's general fund to help pay for county child support enforcement efforts and \$35 will be credited to the state General Fund.

The bill also calls for an evaluation of the economic impact of the new guidelines to be completed through a private vendor. The human services commissioner is to report back to the Legislature by Jan. 20, 2006.

## ★ GAME & FISH

### Silencers allowed for DNR officials

A new law allows wildlife control officers to muffle firearms during operations that require stealth.

Effective May 28, 2005, Department of Natural Resources (DNR) employees or individuals operating under a DNR contract for wildlife control purposes are allowed, until July 1, 2011, to use silencers on firearms.

Under the new law, the DNR is required to establish and enforce a written policy governing transportation, possession and storage of the devices. It limits the number of devices to no more than 10 and requires the DNR to keep direct custody and control of the silencers when they are not in use.

Silencers are already legal for peace officers to use in tactical emergency response operations against criminal activity.

The law was prompted by a situation on Little Pelican Island on Leech Lake where natural resources officials are attempting to thin the double-breasted cormorant population. The cormorants are threatening the lake's walleyes, according to the area's aquaculture industry.

Six years ago there were about 260 nesting pairs of cormorants on the lake, according to Rep. Larry Howes (R-Walker), the House sponsor. Today, he said, there are more than 5,000 nesting pairs and each bird eats an average of one pound of fish per day.

Sen. John Marty (DFL-Roseville) is the Senate sponsor.

HF42\*/SF149/CH102

### New hunting/fishing rules in place

Limiting “palaces in the poplars” on public lands, quashing unsportsmanlike computer

conduct and improving the quality of walleye in Minnesota lakes are three of the goals of a new omnibus game and fish law.

Most provisions are effective Aug. 1, 2005, unless otherwise noted.

Under the new law, anglers will see the statewide walleye length limit changed from one over 24 inches to one over 20 inches. The new limit takes effect March 1, 2006. Another fishing-related provision clarifies the way fish length is measured — from the tip of the nose or jaw to the tip of the tail, whichever is longer — to account for species that have a lower jaw that extends beyond the nose.

Waterfowl hunting provisions in the new law place restrictions on leaving waterfowl decoys unattended for more than four consecutive hours to prevent hunters from “holding” prime spots.

Under the new law, motorized decoys are prohibited on all waters during the early part of the duck season; the prohibition is year-round on water bodies fully contained within wildlife management areas. Motorized devices designed to attract waterfowl may be restricted by DNR rule at other times. Currently, the motorized devices are restricted only on public waters early in the duck season and there is an exemption for goose hunting. This has led to some confusion, according to the DNR.

“The closure of certain areas during the season is to provide some areas where waterfowl hunters using traditional decoying techniques may be more able to successfully hunt, without having to compete with the more effective motorized decoys,” according to the DNR. “Research in Minnesota found that 4.7 times more mallards were taken when the decoys were turned ‘on’ than when they were turned ‘off.’”

The new law will allow the department to give first preference in hunting and fishing license lotteries to qualified members of the armed forces, including the National Guard, or veterans.

Effective June 4, 2005, a Minnesota resident who is currently serving or who has served at any time during the past 24 months will qualify.

They still will be required to purchase a hunting license but they will move to the front of the line in the special lotteries conducted by the department. The preference will not apply to the moose, elk or prairie chicken hunts, but antlerless deer, moose, bears or wild turkeys could be in the crosshairs.

Another provision, effective June 4, 2005, prohibits the use of computer-assisted remote hunting, such as over the Internet. A real-world example of this is a Texas ranch that has set up an unmanned rifle attached to video



cameras and wires that will pull the trigger at the click of a mouse.

Effective Aug. 1, 2006, the new law specifies "any unoccupied permanent stand or blind on public land is public and not the property of the person who constructed it." Proponents of this provision said they wanted to prevent hunter conflicts in the woods. Elaborate stands assert a false sense of ownership, they said.

A House-Senate conference committee removed House language that would have prohibited any permanent stand or blind on public land from having a permanent roof or a permanent wall.

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

HF847\*/SF789/CH146

## ★ HEALTH

### Billing, reporting changes

Reporting and billing requirements for health plan companies will change under a new law.

Effective Aug. 1, 2005, the law will eliminate the exemption for health maintenance organizations from insurance fraud prevention account assessments and eliminate certain health plan company annual report content requirements under the Minnesota comprehensive insurance plan.

Other provisions will clarify the definition of a clean claim for prompt payment requirements, restrict the authority of health plan companies or third party administrators to require health care providers to bill for interest on the late payment of claims, and regulate the filing of claims by health care providers and facilities.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Brian LeClair (R-Woodbury), the legislation will also eliminate the requirement for third party payers of health claims to include with an annual certification of authority or licensure renewal documentation indicating compliance with the requirement that the third-party purchasers include the 2 percent Health Care Provider Tax in their payment to health care providers.

The law will repeal certain self-insurer identification and reporting requirements and a provision requiring health plans to maintain expanded provider networks.

HF2023/SF1998\*/CH77

### Student medication possession

When headaches, menstrual cramps or other pains strike, secondary students will be able to take pills like Tylenol® or Motrin® on their own.

A new law, effective Aug. 1, 2005, will allow older students to possess nonprescription pain relief drugs and use them according to label instructions without having to go to the nurse's office, as was previously required.

Parents or guardians will have to provide annual written authorization before their children will be able to take over-the-counter drugs on their own. The school district can revoke this privilege if a student abuses it.

Cold and allergy medications that contain ephedrine or pseudoephedrine, ingredients commonly used in the production of methamphetamine, are excluded from the provision.

Rep. Karen Klinzing (R-Woodbury) and Sen. Mady Reiter (R-Shoreview) sponsored the law.

HF615/SF232\*/CH126

### Pro athlete drug testing

Random drug testing of professional athletes in Minnesota for the presence of anabolic steroids or other drugs is now authorized in statute.

Rep. Larry Hosch (DFL-St. Joseph) and Sen. Ann H. Rest (DFL-New Hope) sponsored the legislation that amends Minnesota statutes governing drug and alcohol testing in the workplace.

Effective June 2, 2005, the new law permits employers of professional athletes to request or require random drug testing, subject to conditions in collective bargaining agreements.

The law does not put Minnesota athletes under different drug testing requirements than players on teams in other states because the same collective bargaining agreements covering drug testing apply to all professional athletes in their respective sports. The legislation simply makes Minnesota law consistent with the bargaining agreements already in place.

Under former law, employers could only require drug or alcohol testing for employees on a random selection basis if the employees were working in safety-sensitive positions, where drug or alcohol impairment would threaten a person's health or safety. The law still allows those employees to be randomly tested.

HF1103/SF1780\*/CH133

## ★ HIGHER EDUCATION

### Funding colleges, grants provided

A new law provides a 9.9 percent increase in University of Minnesota funding and 8.5 percent for the Minnesota State Colleges and Universities (MnSCU) system. Each took a nearly \$200 million cut in 2003.

Combined, the \$2.76 billion bill is close to splitting the differences between the original \$2.79 billion Senate proposal and nearly \$2.74 billion House plan.

Rep. Bud Nornes (R-Fergus Falls) and Sen. Sandra L. Pappas (DFL-St. Paul) sponsored the legislation.

The following is a look at some of the specific provisions in the new law, effective July 1, 2005, unless otherwise noted.

HF1385\*/SF1174/CH107

### University, MnSCU provisions

The law allocates \$1.21 billion to the university and just over \$1.2 billion to MnSCU. In terms of new funding, MnSCU will receive \$107.5 million and the university \$105.6 million.

Adjustments for enrollment and inflation are eliminated from the determination of instructional services base for the university and MnSCU, effective June 30, 2007.

The university appropriation includes \$13 million for competitive compensation to attract and retain top faculty members. The MnSCU appropriation includes \$12 million for "competitive compensation to faculty or staff for initiatives that promote excellence in student learning." The money also includes funding "to strengthen and expand the Minnesota online program, increase the capacity for training nurses and teachers, provide for the management education needs of farm and small business owners, and provide services and outreach to underserved populations."

Also included in the MnSCU funding is \$5 million each year for the creation of three to eight Centers of Excellence. The law specifies 10 criteria for selecting a center, including a strong existing program upon which the center will build, the capacity to build multi-state regional or national program recognition within five years and a strong partnership between a four-year and at least one two-year institution that maximizes the leverage of academic training capacities. An advisory committee, comprised of local, statewide and national leaders, must be created at each center. The committee is to report on center activities annually to the governor and Legislature. After three years of a center's existence, the report must include how the program is impacting the local economy.

MnSCU is permitted to offer applied doctoral degrees in audiology, business, education, nursing, physical therapy and psychology. Supporters said advanced degrees are needed in these fields to help meet the future needs of the state.

The process for selecting the university's Board of Regents is changed, under the law.

The Regent Candidate Advisory Council will now make recommendations to the governor, instead of the Legislature. The recommendation deadline is moved from March 15 to Jan. 15 of each odd-numbered year. In its selection process, the council must look at the needs of the board so that it represents diversity in experience, gender, geography, occupation and race. Term limits cannot be a consideration.

By Feb. 15, the governor must submit a slate of candidates to a 20-member joint legislative committee. The committee, whose makeup must include the chairs of the education and higher education committees or divisions, must meet by Feb. 28 to recommend the governor's choices to the full Legislature or reject them. If a candidate is rejected, the governor is to submit another name.

Students wanting to make recommendations to the governor for student representatives to the MnSCU Board of Trustees must do so by April 15 of the year in which its member's term expires. Previously, a recommendation had to be made by Jan. 2. The change coincides with the recommendation deadline for the Board of Trustees Advisory Council.

### **Mayo Medical Foundation**

The foundation is to receive \$2.78 million, the same amount as the 2004-05 biennium.

This level provides \$1.06 million for the Mayo Family Practice and Graduate Residency Program, nearly \$1.03 million for the Mayo Medical School and \$692,000 for the St. Cloud Hospital-Mayo Family Practice Residency Program. The goal for these programs is to train physicians to practice primary care medicine in rural areas.

### **Higher Education Services Office**

Overall funding for the office, which will be renamed the Minnesota Office of Higher Education, is \$349.31 million. Officials indicate the name change better reflects its role as the state agency responsible for financial aid, higher education policy, data collection, analysis and reporting.

Of its allocation, \$400,000 is designated to develop and implement an accountability reporting system for postsecondary institutions that will provide information, according to the office, "on the effectiveness of the higher education sector in meeting state goals." A report is

due to the Legislature by Jan. 15, 2006.

Further, the office is to study licensed or registered for-profit postsecondary institutions, and report back to the Legislature by Nov. 15, 2006. Among the issues to be addressed are: tuition, program offerings, student debt load, financial assistance and the impact of the tuition and fee maximums set in law to this sector and its students.

Upon finance commissioner approval and notice to legislative higher education committee chairs, the office is permitted to transfer state appropriations to the state grant, tuition reciprocity, child-care or work study appropriations.

The office is to collect monthly data from institutions disbursing state financial aid and report quarterly to the Legislature on financial aid expenses and balances. By Nov. 1 and Feb. 15 of each year, the office must provide updated state grant spending projections.

Negotiations are to begin with Wisconsin officials on updating the current tuition reciprocity agreement with a goal of having Wisconsin students pay at least as much as Minnesota students at a Minnesota institution. In 2004-05, Wisconsin students attending one of the four University of Minnesota campuses paid an average of \$1,627 less than Minnesota students. Officials are also directed to examine the feasibility of reinstating payments with South Dakota, which have not occurred since 1988. A report is due the Legislature by Jan. 15, 2006.

The office is to provide an annual reciprocity report to the Legislature. It is to include the number of students using the program, the reciprocity and resident tuition rates at each school and payment obligations for the states involved.

Furthermore, the office is to consider developing procedures and collection measures to monitor students from other states who attend school in Minnesota through reciprocity. Summary data would include graduates by institution, degrees granted annually, and employment and earnings in Minnesota following graduation.

A statutory grant program is to be established to provide outreach services to historically underserved students in grades six-12. One-year grants are to be awarded to programs that provide pre-college services such as academic counseling, mentoring, fostering and improving parental involvement, services for English as a second language students, financial aid counseling and assistance with high school course selection and information about college admission requirements. Applicants must match the grant dollar-for-dollar, and submit an annual report to the office detailing its program and student outcome goals.

A task force is to be convened to look at the statutory funding of public postsecondary education and report back to the Legislature and governor by Jan. 15, 2006.

The office must convene a group, including representatives of publishers, private and public postsecondary schools or systems and the Minnesota State Services for the Blind, to "develop a network to make available postsecondary instructional material in an electronic format or to identify other solutions, such as a national system, to address the specified format needs of postsecondary students with disabilities." Any network material must be made available to Minnesota institutions and postsecondary students with a disability that require a reading accommodation. A progress report is due to the Legislature by Jan. 15, 2006.

Another group is to develop recommendations and revise the regulation of private and out-of-state postsecondary institutions. Under the law, "the recommendations must address the provision of degrees, certificates, diplomas, and training offered by for-profit and nonprofit institutions in Minnesota and outside of Minnesota, in classrooms or online, and regulatory issues under federal law." Preliminary recommendations are due the Legislature by Nov. 15, 2005. Final recommendations are due Jan. 15, 2006.

### **State grant changes**

Nearly \$136.4 million is allocated for state grants in fiscal year 2006 and nearly \$144.76 million in fiscal year 2007. If the appropriation is insufficient either year, the appropriation for the other year is available for use.

Although the overall numbers match the 2004-05 biennium, many students will see a slight increase in award amounts because of some other changes.

For students enrolled in four-year programs, the tuition and fee maximum will be \$9,208 for the first year and \$9,438 the second year, versus the previous \$8,983 each year. However, for students in two-year programs the numbers decrease from \$6,913 to \$6,567 and \$6,436, respectively. The living and miscellaneous expense allowance is increased from \$5,205 to \$5,350. All these numbers are used in determining a state grant award.

In the second year of the biennium, the higher education office is permitted to use any projected surplus in the state grant program to increase the living and miscellaneous allowance. Any increase does not carry forward to a subsequent biennium. This provision expires June 30, 2007.

The deadline for applying for a state grant is extended from 14 to 30 days after a term begins.



PHOTO BY TOM OLMSCHIED

**Holding their balloons tightly, Kathleen Klinzing, 6, and her sister, Emma, 3, move between members' desks in the House Chamber when they accompanied their mother, Rep. Karen Klinzing to the floor session June 28.**

The maximum child-care grant award is increased from \$2,200 to \$2,300 for each eligible child per academic year.

State statute is changed so that grant recipients must be current with child support obligations in conformance with Department of Human Services language.

The types of fees charged by institutions in calculating state grants are defined. According

to the law, "Fees do not include charges for tools, equipment, computers, or other similar materials where the student retains ownership. Fees include charges for these materials if the institution retains ownership. Fees do not include optional or punitive fees."

Students who withdraw from school for active military service will be eligible for an additional term of state and child-

care grant eligibility. This is retroactive to Dec. 31, 2002.

Certain protections are expanded to a disabled military veteran whose medical condition prevents continued attendance. They are still eligible to withdraw from a course with full credit of tuition and fees, but the right to enroll without penalty or redetermination of eligibility is increased from one to two years following release from active service or following completion of the medical treatment or sufficient recovery from their medical condition.

A low-income nursing education account is to be created in the General Fund with the dollars designated to establish a loan repayment program for licensed practical or registered nurses agreeing to practice in a Minnesota nursing home or work as a nurse educator in the state full-time for at least three years in either area. Recipients are to receive annual disbursements "equivalent to 15 percent of the average educational debt for indebted nursing school graduates" upon notification of qualifying practice. Failure to comply will result in the participant repaying 100 percent of any payments made plus interest.

#### **Other policy issues**

The United Family Medicine Residency Program is to receive \$360,000 each year to help support 18 resident physicians training to provide family care medicine in underserved parts of the state.

Qualifying deaf students will be able to attend a public postsecondary school for free, under the law. It requires the school to make up the difference of tuition and fees after subtracting all grants and scholarships a student has been awarded. To qualify, a student must receive either a federal Pell grant or state grant.

Resident senior citizens are permitted to attend a class in any state-supported higher education institution for free on a space-available basis. The law clarifies that a senior must pay any materials, personal property or service charges for the course. They must also pay an administrative fee to cover course costs. Additionally, a senior citizen enrolled in a contract training or professional continuing education program is not eligible for the free enrollment benefit.

A number of the changes made to the Minnesota College Savings Plan are primarily clarifying or are made to conform to federal law. For example, it adds attendance at a U.S. military academy to the exemptions in the definition of nonqualified distribution, clarifies that state residency is required to receive a grant and specifies that a parent or guardian claiming the plan beneficiary as a dependent for tax

purposes must be a Minnesota resident.

Fees are increased for private career schools seeking initial and renewal licensure. Application for a renewal must now be made 60 days before the expiration of the current license, instead of the previous 30 days.

A private career school that closes during a term is required to refund all tuition, and a student's outstanding obligations for the term are cancelled.

Effective May 27, 2005, a section of the law establishes an 11-member Rochester Higher Education Development Committee "to research and make recommendations to the governor and legislature on the creation of mission-driven postsecondary educational programs or institutions in the Rochester area that meet the educational needs of the region and the state and that capitalize on the unique opportunities for educational partnerships presented in the Rochester area." The committee is to specifically address the University of Minnesota. A report is due to the Legislature by Jan. 15, 2006. Funding for this initiative is \$3.2 million.

## HUMAN SERVICES



### 'Positive Alternatives Act' enacted

The "Positive Alternatives Act" will award millions of dollars in grant money to programs that encourage and assist women in carrying their pregnancies to full term.

The law is intended to reduce the number of abortions by giving money to organizations that provide information, referrals and services to women to help them carry their pregnancies to term and care for their babies after birth.

Alternatives to abortion programs will support, encourage and assist women by offering services such as medical care, nutritional services, housing assistance, adoption services and assistance with education, employment and child care, under the law.

To qualify for a grant, organizations must be a private, nonprofit group, conduct the program under appropriate supervision, provide the services free of charge, provide counseling with accurate information and ensure that none of the money will be used to encourage or counsel a woman to have an abortion or directly refer women to an abortion provider. Organizations affiliated with groups that provide abortion services must demonstrate independence in order to be eligible.

Recipients must have a privacy policy in place to make sure the name, address, phone number or other information that could identify the woman seeking services is not made

public or shared with other organizations without the woman's written consent.

The health commissioner is responsible for administering and monitoring the grants. A \$2.5 million appropriation from the General Fund will be made available for the program for the fiscal year ending June 30, 2007. The base funding for fiscal years 2008 and 2009 is \$2.5 million per year.

Rep. Brad Finstad (R-New Ulm) and Sen. Dallas C. Sams (DFL-Staples) sponsored the law, effective July 1, 2005.

HF952/SF917\*/CH124

### Quarantine procedures detailed

Provisions for the isolation and quarantine of people infected or exposed to communicable diseases are modified, under a new law.

The legislation, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Becky Lourey (DFL-Kerrick), is designed to give increased protection to Minnesotans in the event of an emergency, such as a bio-terrorism attack or an outbreak of a disease like Severe Acute Respiratory Syndrome (SARS).

The law will remove the sunset date for certain sections of the Emergency Health Powers Act and establish new sunsets for other provisions. This provision took effect June 3, 2005. All other provisions of the law are effective Aug. 1, 2005.

A peace officer will be required to enforce an order for isolation and quarantine, and could use force to apprehend, hold, transport, quarantine or isolate a person subject to the order if the person flees or resists the officer, according to the law.

This section expires Aug. 1, 2009, as does the provision allowing the peace officer to act on an order by telephone, fax or electronic notification from the court, health commissioner, local health board agent or public safety commissioner.

The health commissioner, when using a directive to isolate or quarantine without first obtaining a written order, will be required to specify the known or estimated period of incubation or communicability.

The commissioner will also be required to initiate the process of applying for a written, ex parte order authorizing the isolation or quarantine of an individual immediately after the directive has been executed. Previous law gave the commissioner 24 hours to apply for the order.

Individuals subject to isolation or quarantine who are not represented by counsel will be able to request the court appoint one at the expense of the Health Department or local public health board.

Counsel will be allowed to withdraw from representation and not pursue an appeal if the attorney feels there is insufficient basis for proceeding. The court could conduct a hearing by phone, interactive video or other electronic means to reduce the risk of spreading the disease.

The law provides employee protections by restricting employers from taking adverse action against an employee who has been in isolation or quarantine.

When a mayor, county board chair or legal successor to one of these officials declares a local emergency, the health commissioner will be able to authorize people to administer vaccinations or dispense drugs if it's necessary to protect the health and safety of the public. The authorization will need to be in writing and contain the categories of people included in the authorization, any training required, any supervision required and the duration of the authorization period.

The law waives criminal liability, administrative penalty, professional discipline and other administrative sanctions for authorized people for good faith performance.

HF1507\*/SF1482/CH149

### Practicing family, marriage therapy

Marriage and family therapy will be included in the definition of professional services, under a new law, and therapists will be allowed to practice services in combination.

The law will include marriage and family therapists in the list of professional services required to be furnished by a professional pursuant to a license.

The therapists join the ranks of other professions covered under the law, including dentistry, pharmacy, podiatric medicine, architecture and engineering.

Sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), the law is effective June 3, 2005.

HF1272\*/SF1198/CH153

## INSURANCE



### No coercing allowed

Auto insurers will be prohibited from coercing or inducing insured clients into having their vehicle repaired at a particular repair shop, under a new law.

The legislation, sponsored by Rep. Paul Gazelka (R-Brainerd) and Sen. Dan Sparks (DFL-Austin), expands the unfair insurance claim settlement practice act relating to the requirement to use certain repair shops with

which the insurer has contracts. The law is similar to regulations the Legislature has previously enacted regarding auto glass shops.

Under the law, effective Aug. 1, 2005, insurers must use a script when talking to the insured that says, "Minnesota law gives you the right to choose a repair shop to fix your vehicle. Your policy will cover the reasonable costs of repairing your vehicle to its pre-accident condition no matter where you have repairs made. Have you selected a repair shop or would you like a referral?"

Once the insured has indicated that a repair shop has been selected, all efforts to influence the choice of a shop must stop. The insurer will be permitted to recommend a repair shop only if the insured does not indicate a preference. This new law does not apply to auto glass shops, which are still covered instead by the separate law previously enacted.

HF1528\*/SF1380/CH140

## ★ LAW

### **Some rings protected in bankruptcy**

If you exchanged rings at the time of marriage, those rings may be kept off the hands of creditors in bankruptcy proceedings.

A new law, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Betsy Wergin (R-Princeton), protects from bankruptcy proceedings wedding rings in the possession of the debtor with a cumulative value of no more than \$1,225.

The intent is to "create a modest exemption" so that rings aren't taken as part of a settlement, said Olson.

The law, effective June 3, 2005, extends the current protection offered to debtors, which includes clothes and household furniture not to exceed \$4,500 in value.

HF473\*/SF288/CH137

### **Public, private information clarified**

From wireless directories to Social Security numbers, a new law makes certain information public and promises to keep other information private.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Wesley J. Skoglund (DFL-Mpls) sponsored the law, effective June 4, 2005, unless otherwise noted.

The following are some provisions in the law.

HF225\*/SF361/CH163

### **Wireless directories**

Minnesotans owning wireless phones won't be seeing their numbers in a directory without

their permission.

The new law prohibits a provider or agent from disclosing or selling a customer's wireless number for use in a wireless telephone directory without prior consent. That consent can't be tucked away in the fine print of a service contract. Consent would need to be obtained separately and the language needs to be "unambiguous." Furthermore, a customer cannot be charged for not wanting to be listed in a wireless directory.

Any "knowing" violation to this provision is punishable by a fine of up to \$500 for each violation, to a maximum of \$10,000 for a provider of which \$100 per violation will be paid to each victim of the violation.

### **Securing Social Security numbers**

The new law also takes measures to secure Social Security numbers when used by private entities, the University of Minnesota, and the Minnesota State Colleges and Universities system.

One provision states that a Social Security number may not be printed on any materials that are mailed to an individual, unless it is required on the document as a matter of state or federal law. Also, individuals would not be required to submit their numbers over a Web site, unless a password or other identifying device is also required to access the site. This provision is effective July 1, 2007.

### **Opting to opt out**

When a person registers a vehicle, most information provided is considered public. Now, the individual may request, in writing, that his or her home address and name be classified as private data, if it is needed for the safety of the registered owner or their family. This provision could also apply to applicants of a driver's license, instructional permit or a Minnesota identification card.

Previously, a registered owner's personal information could have been rented or sold to organizations for bulk mail solicitations. The new law allows this dissemination of information only if authorized by the registered owner.

### **Day care information**

The new law permits parents looking into day-care options access to information about centers that was not previously considered public.

Basic information about the licensee has been available; such as date of licensure, licensed capacity, type of dwelling, name and relationship of other family members and the existence and status of complaints. Parents will now have access to information about the number of serious injuries to, or death

of, individuals in the licensed program that were reported to the human services commissioner, local social services agency or any other county welfare agency.

Other facilities covered include foster care and day care services for adults.

### **Meeting electronically**

Under previous law, some state boards and councils had the option of meeting electronically and still being in compliance with the state's Open Meeting Law. The new law extends that option to the Agricultural and Economic Development Board, the Small Business Development Center Advisory Board, Minnesota Job Skills Partnership Board, the Governor's Workforce Development Council, the Urban Initiative Board and the Explore Minnesota Tourism Council.

At least one member of the board must be at the regular meeting site, but the meeting can be held by telephone or other electronic means if interactive television is not available and if other specific requirements are met.

### **Keeping it private**

When a company does business with the government, many times the information that would be private in the private sector becomes public.

Among the information classified as private under the new law is the nonpublic financial or proprietary data retained by the State Board of Investment in connection with its venture capital, real estate and resource investments.

Additionally, some design information gathered during the early stages of planning for state construction projects could be classified as private.

Law enforcement officials could more easily share case information once the Comprehensive Incident Based Reporting System is up and running. But the system, to be operated by the Bureau of Criminal Apprehension and the Department of Public Safety, does create some data privacy issues.

System information will be classified as confidential until a law enforcement agency notifies the system that an investigation has become inactive, or the information has not been updated for 120 days.

When one of these occurs, the information would be accessible to the subject of it through a participating agency or the BCA. Law enforcement personnel will need to be certified to access data in this system.



PHOTO BY TOM OLMSCHIED

House Speaker Steve Sviggum speaks from the House floor after being questioned about the progress on budget talks.

## ★ LOCAL GOVERNMENT

### Buried electric lines can be assessed

Local governments can enter into agreements with private electric or communications companies to bury distribution lines, under a new law.

Sponsored by Rep. Doug Meslow (R-White Bear Lake) and Sen. Mady Reiter (R-Shoreview), the law allows a municipal council to “assess affected property owners for all or a portion of the cost agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility’s design and construction standards.”

The law, effective Aug. 1, 2005, stems from a group of homeowners in White Bear Lake who approached the city about burying some electric lines, but were told that current laws might prohibit the city from working with the utility company to bury the lines.

The law is expected to help older communities, built before it was common practice to bury cables.

If the affected property owners petition the municipality to bury a new or existing utility

distribution system within the public right-of-way that exceeds the electric utility, telecommunications carrier or cable system operator’s design and construction standards, or those set by law, tariff or franchise, the municipality may assess affected property owners for all or a portion of the agreed to costs.

HF732\*/SF527/CH67

### Amendment hearings a must

City councils must hold a public hearing and vote on a charter amendment proposed by a charter commission, under a new law.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law states, “within one month of receiving a recommendation to amend the charter by ordinance, the city must publish a notice of a public hearing and the notice must contain the text of the proposed amendment.”

A city council must hold the hearing at least two weeks, but not more than a month, after the notice. Within a month of the hearing, the council must vote on the matter.

Current law does not require a city council to act on a commission’s recommendation.

The law is effective Aug. 1, 2005.

HF815/SF1945\*/CH93

### No rules against flag flying allowed

People wanting to fly the American or state flag outside their common interest property, such as a town home, can do so without fear of violating homeowner association’s covenants.

A new law, effective Aug. 1, 2005, makes unenforceable “any provision of any deed restriction, subdivision regulation, restrictive covenant, local ordinance, contract, rental agreement, or homeowners association document” that restricts the flying of the American or state flag.

Lynn Hauger, a veteran, wanted to fly an American flag outside his home, which is part of a homeowners’ association. However, he learned that there are many homeowner associations across the nation that don’t allow flags to be flown. He brought his concern to Rep. Joe Mullery (DFL-Mpls), who sponsored the legislation along with Sen. Don Betzold (DFL-Fridley).

The law does not prohibit an association from placing a size limitation on the flag to be flown, regulating where on the person’s property it can be displayed and whether it can be illuminated.

A residential property owner or tenant who is denied the right to install a flag in compliance with association regulations and

has to bring a lawsuit, may be entitled to recover reasonable attorney fees and expenses. However, if the flag is installed in violation of association restrictions or limitations, the party enforcing the restrictions is entitled to recover, from the party displaying the flag, reasonable attorney fees and expenses.

HF1473/SF1231\*/CH168

### **Salary limits can be increased**

Salary compensation limits for local government employees can be increased and adjusted annually, under a new law.

Sponsored by Rep. Ron Erhardt (R-Edina) and Sen. Steve Kelley (DFL-Hopkins), the law raises the limit of which an employee of a political subdivision can be paid from 95 to 110 percent of the governor's salary of \$120,303.

Also, beginning in 2006, the salary limit is annually adjusted and "equal to the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year," under the new law.

The law is effective Aug. 1, 2005.

Local government officials said that they submitted requests to the employee relations commissioner for an increase, but those requests were denied or not acted upon. Under the new law, if the commissioner grants or granted an increase, "the new limitation shall be adjusted beginning in August 2005 and in each subsequent calendar year in January."

Erhardt said placing caps on employees' salaries makes it hard to keep quality workers and Minnesota is the only state with salary caps on local government employees and can't compete nationally for workers.

HF995/SF953\*/CH169

## **MILITARY**



### **Health care options**

Active duty soldiers and their dependents can voluntarily disenroll from the state's health care program, MinnesotaCare, under a new law.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Gary W. Kubly (DFL-Granite Falls), the law allows for the suspension of coverage and premium payments without having to reapply upon return. Previously, a lapse in coverage would result in a four-month waiting period before being eligible to reapply.

Michael W. Vogt, a specialist in the Minnesota National Guard, said that before he was deployed he contacted MinnesotaCare

to suspend his care, but was informed that there wasn't a process to do so. Instead, he remained on the plan and paid the premium even though he was covered under military health care, which created a convoluted set of issues once he was injured overseas.

The law, effective May 20, 2005, also provides that income and asset increases reported at the time of reenrollment be disregarded.

HF1761\*/SF1726/CH59

## **RECREATION**



### **Snowmobile traffic can be regulated**

Local governments, under certain conditions, can allow two-way traffic of snowmobiles on the same side of the road at night, under a new law.

Rep. Larry Howes (R-Walker) and Sen. Tom Saxhaug (DFL-Grand Rapids) are the sponsors.

Howes said the issues addressed in the law, are similar to those regarding a street in his district. "(On) one side we have sidewalks, the other side is unimproved, we'd like to keep the snowmobiles on the unimproved side and off the sidewalks."

Under the law, "the road authority may allow two-way operation of snowmobiles on either side of the right-of-way of a street or highway under the road authority's jurisdiction, where the road authority determines that two-way operation will not endanger users of the street or highway or riders of the snowmobiles using the trail."

The law is effective Aug. 1, 2005.

Legislation passed in 2004 allows two-way snowmobiling along major state highways with approval from the transportation commissioner.

HF1293/SF1296\*/CH72

### **Some shooting ranges get protection**

After several rounds at the Legislature, a measure that protects shooting ranges from encroaching developments without unnecessarily restricting local planning and zoning authorities is now law.

Effective May 28, 2005, the new law sets noise standards and directs the Department of Natural Resources to develop performance standards for shooting ranges. It is designed to protect those ranges that comply with the guidelines from nuisance lawsuits.

Under the new law, any development or structure approved after Oct. 1, 2005, within 750 feet of a shooting range's property line would not be allowed if that development would cause the range to fall out of compli-

ance with the performance standards.

Furthermore, a shooting range operating in full compliance could not be permanently closed unless a range activity is determined to be "a clear and immediate safety hazard."

Shooting range representatives have testified over the years that the law is necessary because many ranges are feeling the effects of so-called urban sprawl.

Opponents questioned whether the new law would create an impossible standard to meet if someone had a legitimate safety concern over range operations.

Rep. Tom Hackbarth (R-Cedar) and Sen. Satveer Chaudhary (DFL-Fridley) sponsored the legislation.

HF2006/SF1908\*/CH105

### **Houseboat hot tub**

A hot water pool, including a hot tub or whirlpool, intended for seated recreational use on a houseboat that is rented to the public will no longer have to meet the requirements for public pools, under a new law.

Effective June 2, 2005, the law is intended to help houseboat owners. When the boats are rented, the owner does not have control over what happens on board.

Under former law, a hot water pool on a rental houseboat was considered a public pool and subject to review and inspection under the Minnesota Pool Code.

The new law requires a notice to renters to be conspicuously posted near the pool that reads, "NOTICE: This spa is exempt from state and local sanitary requirements that prevent disease transmission. USE AT YOUR OWN RISK."

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

HF423\*/SF520/CH130

### **Cave explorers beware**

People who go rock climbing or cave exploring on private property, even with the landowner's permission, will be held more responsible if there is an accident, under a new law.

Effective Aug. 1, 2005, the law adds rock climbing and cave exploration to the list of activities where a landowner making property available for recreational activities, without charge, has less responsibility to prevent individuals from harming themselves.

Rep. Gregory M. Davids (R-Preston) and Sen. Mady Reiter (R-Shoreview) are the sponsors.

Davids sponsored a similar law one year prior, but Gov. Tim Pawlenty vetoed the measure in the wake of the April 27, 2004, deaths



of three teenagers from carbon monoxide poisoning in St. Paul caves near the Mississippi River. Pawlenty said at the time, "We've seen, first-hand, the dangers involved in cave exploration. This bill could decrease precautions to avoid tragedy in the future."

HF221\*/SF196/CH148

## ★ SAFETY

### **Firefighter board is revived**

The Board of Firefighter Training and Education will rise from the ashes, under a new law.

Created by the Legislature in 2000, the board was scheduled to end Dec. 31, 2003.

Since then the board has continued to meet, despite the sunset provision, according to the nonpartisan House Research Department.

Under the new law, the 2000 statute will be revived and reenacted. The bill also ratifies all board actions taken from Dec. 31, 2003, through May 27, 2005, the effective date of the new law.

The board establishes standards for educational programs for firefighting and fire service training instructors.

The board's membership includes representatives of volunteer and career firefighters, fire chiefs and citizens. The governor, who is to seek representation from all areas of the state, appoints most members.

Rep. Steve Smith (R-Mound) and Sen. Linda Higgins (DFL-Mpls) sponsored the law.

HF1109\*/SF1578/CH110

### **Cribs inspections**

New legislation is designed to prevent the injury and possible death of infants in unsafe baby cribs.

Approximately 240 Minnesota babies are injured annually as a result of unsafe cribs, with some of those injuries resulting in death. The law will prohibit the sale and commercial use, such as licensed day-care use, of unsafe cribs.

Licensed child-care providers will be required to maintain documentation of their cribs, including the brand name and model number, under the law. If the information is not available, the crib's usage will be prohibited.

Each year, the child-care providers must check this information against a U.S. Consumer Product Safety Commission Web site listing of unsafe cribs. Every month, day-care providers will be required to perform safety inspections of their cribs. If an inspection reveals an unsafe condition, the day-care provider must immediately remove the crib from

use and make it inaccessible to children.

The human services commissioner will be required to maintain a link from the licensing division Web site to that of the safety commission which provides crib safety information.

The commissioner will be allowed to issue a licensing action if a license holder does not comply with the new requirements.

Other provisions in the law will prohibit the sale of unsafe cribs by a commercial user, and lodging establishments will be prohibited from providing an unsafe crib to guests.

Sponsored by Rep. Katie Sieben (DFL-Newport) and Sen. Ellen R. Anderson (DFL-St. Paul), the law is effective Jan. 1, 2006.

HF987\*/SF899/CH139

### **Emergency health powers modified**

The Minnesota Emergency Health Powers Act will be modified to provide protections for volunteers and employees, and to create an "all hazard approach" to emergency planning and response.

The law also removes language regarding public health emergencies, authorizes professionals from Canada and the District of Columbia to provide assistance during emergencies, and removes the sunset date for some sections.

A "declared emergency" is defined as a national security or peacetime emergency declared by the governor. The governor will be required to immediately notify leaders of the House and Senate when declaring a peacetime emergency, and the Legislature will be able to terminate a peacetime emergency that extends more than 30 days.

A requirement that the governor call a special legislative session when declaring a peacetime emergency is eliminated, under the new law. It also clarifies that nothing in the law limits the governor's authority command over the National Guard.

The law will allow the governor to issue an emergency executive order, during a national security or peacetime emergency, requiring care to be given in temporary care facilities. This will be permitted if the number of ill or injured people exceeds the emergency hospital or medical transport capacity of one or more regional hospital systems.

Civil damages or administrative sanctions will be waived for responders acting during an emergency executive order period. It does not apply to cases of malfeasance in office or willful or wanton actions.

Individuals who volunteer to assist the state or a local political subdivision during an emergency or disaster and register with the state or subdivision will be considered its employees for the purposes of workers' compensation, tort defense and indemnification.

Health care providers will be required to notify individuals, before performing examinations, of their right to refuse the exam, testing, treatment or vaccinations. The individuals must also be notified of the consequences of refusal, such as isolation and quarantine. Formerly, the law only required providers to notify people "when feasible."

Sponsored by Rep. Duke Powell (R-Burnsville) and Sen. Becky Lourey (DFL-Kerrick), the legislation is effective Aug. 1, 2005, except for sunset provisions, which took effect June 4, 2005.

HF1555\*/SF1483/CH150

### **Peace officer vehicle authorization**

Peace officers with a Class D driver's license will be allowed to operate any vehicle or combination of vehicles while on duty, under a new law.

The legislation, sponsored by Rep. Ron Erhardt (R-Edina) and Sen. Steve Murphy (DFL-Red Wing), is effective June 3, 2005.

The new law is needed for emergency situations, supporters said. Peace officers might only have a Class D license — that allows people to operate a passenger car and a few other vehicles — but may come upon a heavy vehicle that's blocking the road and need to move it. The new law would allow them to move the vehicle and stay within the law. Previously they would have needed the proper licensure.

Heavier vehicles, such as trucks and buses, require a Class A, B or C license.

HF974\*/SF1125/CH160

## ★ TRANSPORTATION

### **Aeronautics law revised**

A new law makes several changes in the state's aeronautics law.

Sponsored by Rep. Michael Beard (R-Shakopee) and Sen. Ann H. Rest (DFL-New Hope), most of the law is effective Aug. 1, 2005.

Most notably, the new law regulates the repayment of state money used to buy airport land.

Other provisions include:

- if land bought by a city with state funds ceases to be used for aviation, the city using the land must pay the state back;
- classic or antique aircraft will no longer have to display special symbols;
- recreational aircraft can use registration certificates for identification instead of decals;
- civil air patrol aircraft will no longer have to display tax-exempt number plates; and
- registered aircraft will no longer have to display number plates.

HF915\*/SF1037/CH41

### Shoulder use expanded for buses

A new law permits more buses to use the shoulder of freeways while transporting passengers.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Steve Murphy (DFL-Red Wing), the law is effective May 11, 2005.

The law allows Metro Mobility buses and special transportation buses operated by the Metropolitan Council to use the shoulders of freeways in the Twin Cities metropolitan area. This privilege would also extend to public or private entities receiving financial assistance from the Metropolitan Council.

Previous law permitted transit buses to use the freeway shoulder in the seven-county Twin Cities metropolitan area when traffic speeds are less than 35 mph.

HF577/SF633\*/CH51

### No airbags in repair estimates

The cost of repairing or replacing an airbag will no longer be included in an estimate of repairs to a damaged vehicle, under a new law designed to make things easier on the car's owner.

The legislation, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Linda Scheid (DFL-Brooklyn Park), is effective Aug. 1, 2005.

In a major traffic incident, an airbag deploys to keep passengers from hitting the dashboard. Repair or replacement of that airbag can cost \$3,000 to \$5,000, supporters said.

That can easily push the damage to 70 percent of the car's retail value, the point at which insurance companies usually declare the car a total loss and issue a check to the owner for the car. However, because the airbag was included in that assessment, the check might not be enough to pay off the car and/or buy another one.

HF1529/SF1379\*/CH94

### Scooter use now has rules

Effective Aug. 1, 2005, a new law will regulate motorized foot scooters, vehicles that became popular in the 1990s. Usually operated by children, they have handlebars, are powered by an electric or gasoline engine and either have wheels, not more than 10 inches in diameter, or an engine with a maximum speed of 15 mph.

Because the devices are relatively new, there is no legislation to cover them and there have been some issues with local authorities who don't know if they should cite the operator or confiscate a scooter when it is used inappropriately, said Rep. Michael Beard (R-Shakopee), who sponsored the law with Sen. Steve

Murphy (DFL-Red Wing).

The law makes operators of the scooters subject to the same rights and duties as bicyclists. Operators will be prohibited from driving the scooters on sidewalks and they may not carry passengers.

People under age 12 will not be able to operate the scooters and operators under age 18 will be required to wear helmets. Headlights and taillights will be required when operated at night. The scooters will have to be operated as close as possible to the right curb of the road unless the operator is passing or making a left turn. When turning, the operator must dismount at the right curb and cross on foot, subject to the same laws as a pedestrian.

Operators will be allowed to ride the scooters on bicycle paths, lanes or trails, unless specifically prohibited by local authorities.

HF912/SF808\*/CH135

## VETERANS



### May is 'Hire a Veteran Month'

A new law designates May as "Hire a Veteran Month."

Sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Betsy L. Wergin (R-Princeton), the law is "in honor of the more than 48 million citizen soldiers who, as of Jan. 1, 2005, have served in the United States Armed Forces, of whom over 1.5 million have been wounded and over 1 million more have made the ultimate sacrifice by giving their lives for their country."

Effective April 15, 2005, the law is designed to help those whom Severson said, "have given so much to our country." The legislation was prompted by a piece of correspondence from an educational organization that detailed how schools could keep from rehiring teachers who were called to active duty and returned.

Under the law, the governor is to annually issue a proclamation honoring this observance, in order to urge all public and private employers to give fair and appropriate consideration to veterans in their hiring decisions.

HF1240/SF1254\*/CH22

### Veteran's restrictions repealed

Veterans receiving military retirement pay will be eligible for veterans preference in state and local government hiring, under a new law, just as other veterans have been for several decades.

Sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle L. Fischbach (R-Paynesville), the law will repeal the veteran's preference restriction that says preference for state and local government employment

cannot be used for those who receive or are eligible for veteran's pension based exclusively on length of service.

In making the change legislators are telling soldiers looking for employment in the public sector, "we recognize your contribution to our country and to this state and we are willing to make an exception for your case and give you some extra credit," said Severson.

Veterans preference was originally enacted to help returning soldiers without retirement benefits find state employment, Severson said. Due to military downsizing, the restriction is no longer needed, he added.

The new law is effective Aug. 1, 2005.

HF685/SF1268\*/CH95

## Minnesota State Agencies

(Area code 651)

Administration.....	296-8261
Agriculture .....	297-2200
Toll-Free .....	1-800-967-2474
Commerce .....	296-4026
Corrections .....	642-0200
Education .....	582-8200
Employment and Economic Development .....	296-3711
Toll-Free .....	1-888-GET-JOBS
Employee Relations .....	297-1184
Job Information Hotline .....	296-2616
Explore Minnesota Tourism .....	296-5029
Toll-Free .....	1-800-657-3700
Finance .....	296-5900
Health .....	215-5800
Housing Finance .....	296-7608
Toll-Free .....	1-800-657-3769
Human Rights .....	296-5663
Toll-Free .....	1-800-657-3704
Human Services .....	297-3933
Labor and Industry .....	284-5000
Toll-Free .....	1-800-342-5354
Military Affairs .....	268-8925
Natural Resources .....	296-6157
Toll-Free .....	1-888-646-6367
Pollution Control Agency .....	296-6300
Toll-Free .....	1-800-657-3864
Public Safety .....	282-6565
Driver and Vehicle Services .....	296-6911
Fire Marshal .....	215-0500
Alcohol and Gambling Enforcement Division .....	296-6979
State Patrol .....	282-6871
Div. of Homeland Security and Emergency Management .....	296-0466
Revenue Income Tax Helpline .....	296-3781
Transportation .....	296-3000
Toll-Free .....	1-800-657-3774
Veterans Affairs .....	296-2562

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# 2005-06 Minnesota House of Representatives Members

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

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Members as of Jan. 11, 2005

# 2005-06 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL) .....	120 Cap.	5537	54 Marty, John (DFL) .....	323 Cap.	5645
52 Bachmann, Michele (R) .....	141 SOB	4351	38 McGinn, Mike (R) .....	G-19 SOB	7-8073
6 Bakk, Thomas (DFL) .....	226 Cap.	8881	39 Metzzen, James (DFL) .....	322 Cap.	4370
40 Belanger, William (R) .....	113 SOB	5975	41 Michel, Geoff (R) .....	133 SOB	6238
61 Berglin, Linda (DFL) .....	309 Cap.	4261	67 Moua, Mee (DFL) .....	235 Cap.	5285
51 Betzold, Don (DFL) .....	111 Cap.	2556	28 Murphy, Steve (DFL) .....	306 Cap.	4264
50 Chaudhary, Satveer (DFL) .....	317 Cap.	4334	25 Neuville, Thomas (R) .....	123 SOB	1279
64 Cohen, Richard (DFL) .....	121 Cap.	5931	17 Nienow, Sean (R) .....	105 SOB	5419
26 Day, Dick (R) .....	147 SOB	9457	33 Olson, Gen (R) .....	119 SOB	1282
60 Dibble, D. Scott (DFL) .....	111 Cap.	4191	34 Ortman, Julianne (R) .....	G-21 SOB	4837
18 Dille, Steve (R) .....	103 SOB	4131	19 Ourada, Mark (R) .....	145 SOB	5981
14 Fischbach, Michelle (R) .....	G-15 SOB	2084	65 Pappas, Sandra (DFL) .....	120 Cap.	1802
47 Foley, Leo (DFL) .....	G-24 Cap.	4154	36 Pariseau, Pat (R) .....	117 SOB	5252
21 Frederickson, Dennis (R) .....	139 SOB	8138	59 Pogemiller, Lawrence (DFL) .....	235 Cap.	7809
43 Gaither, David (R) .....	107 SOB	4314	63 Ranum, Jane (DFL) .....	120 Cap.	7-8061
37 Gerlach, Chris (R) .....	149 SOB	4120	53 Reiter, Mady (R) .....	132D SOB	1253
42 Hann, David (R) .....	G-27 SOB	1749	45 Rest, Ann (DFL) .....	205 Cap.	2889
58 Higgins, Linda (DFL) .....	328 Cap.	9246	35 Robling, Claire (R) .....	143 SOB	4123
23 Hottinger, John (DFL) .....	317 Cap.	6153	24 Rosen, Julie (R) .....	G-23 SOB	5713
13 Johnson, Dean (DFL) .....	208 Cap.	3826	4 Ruud, Carrie (R) .....	109 SOB	4913
49 Johnson, Debbie (R) .....	135 SOB	3219	11 Sams, Dallas (DFL) .....	328 Cap.	7-8063
48 Jungbauer, Michael (R) .....	115 SOB	3733	3 Saxhaug, Tom (DFL) .....	124 Cap.	4136
44 Kelley, Steve (DFL) .....	205 Cap.	7-8065	46 Scheid, Linda (DFL) .....	303 Cap.	8869
31 Kierlin, Bob (R) .....	127 SOB	5649	29 Senjem, David (R) .....	G-17 SOB	3903
30 Kiscaden, Sheila (IP) .....	325 Cap.	4848	2 Skoe, Rod (DFL) .....	124 Cap.	4196
15 Kleis, Dave (R) .....	G-25 SOB	6455	62 Skoglund, Wesley (DFL) .....	124 Cap.	4274
12 Koering, Paul (R) .....	131 SOB	4875	7 Solon, Yvonne Prettner (DFL) .....	303 Cap.	4188
20 Kubly, Gary (DFL) .....	306 Cap.	5094	27 Sparks, Dan (DFL) .....	G-24 Cap.	9248
9 Langseth, Keith (DFL) .....	122 Cap.	3205	1 Stumpf, LeRoy (DFL) .....	G-24 Cap.	8660
10 Larson, Cal (R) .....	153 SOB	5655	5 Tomassoni, David (DFL) .....	321 Cap.	8017
56 LeClair, Brian (R) .....	129 SOB	4166	22 Vickerman, Jim (DFL) .....	226 Cap.	5650
32 Limmer, Warren (R) .....	121 SOB	2159	16 Wergin, Betsy (R) .....	125 SOB	8075
8 Lourey, Becky (DFL) .....	G-24 Cap.	0293	55 Wiger, Charles (DFL) .....	301 Cap.	6820
57 Marko, Sharon (DFL) .....	G-24 Cap.	7-8060			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Linda Higgins-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Greg Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Sandra Peterson-(DFL) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Diane Loeffler-(DFL) B Rep. Keith Ellison-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Frank Moe-(DFL) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Stevie Dille-(R)	<b>32</b> A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Mark Ourada-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(DFL)	<b>47</b> A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
<b>6</b> A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	<b>20</b> A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	<b>34</b> A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	<b>48</b> A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	<b>62</b> A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettner Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Ranum-(DFL)
<b>8</b> A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	<b>22</b> A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	<b>36</b> A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	<b>50</b> A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	<b>64</b> A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
<b>9</b> A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	<b>23</b> A Rep. Ruth Johnson-(DFL) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	<b>37</b> A Rep. Lloyd Cybart-(R) B Rep. Dennis Ozment-(R) Sen. Chris Gerlach-(R)	<b>51</b> A Rep. Andrew "Andy" Westerberg-(R) B Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	<b>65</b> A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
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<b>13</b> A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	<b>27</b> A Rep. Dan Dorman-(R) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	<b>41</b> A Rep. Ron Erhardt-(R) B Rep. Neil W. Peterson-(R) Sen. Geoff Michel-(R)	<b>55</b> A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
<b>14</b> A Rep. Daniel Severson-(R) B Rep. Larry Hosch-(DFL) Sen. Michelle L. Fischbach-(R)	<b>28</b> A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	<b>42</b> A Rep. Maria Ruud-(DFL) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	<b>56</b> A Rep. Mike Charron-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

# Improving education

## \$800 million in new money highlights law

By Mike Cook

**A**t the start of the 2005 session, many education supporters said their top goal was to see an increase in the basic formula.

Mission accomplished — and more.

An omnibus education law includes \$800 million in new K-12 education funding, and policy issues that include teacher performance pay and levy changes. The law's total spending is nearly \$12.65 billion.

"This is the product of weeks of work, but it is really a good bill," Rep. Barb Sykora (R-Excelsior) said during the House debate. "Much of it was done in the global agreement, so through the global agreement we received the \$800 million, which was down a little from where we had hoped to be." Sykora sponsored the law, and co-chaired the Education Working Group with Sen. LeRoy A. Stumpf (DFL-Plummer).

Rep. Denise Dittrich (DFL-Champlin) said, "The 2005 education bill is one of the best education funding bills I've seen in the 10 years I have been involved in education funding. It provides adequate increases for all Minnesota schools. It provides equity provisions for our rural, suburban and urban regions of this state. This is legislation that we can all be extremely proud of and vote for."

Still, it doesn't go far enough for some.

Calling it "good enough for now," Rep. Mindy Greiling (DFL-Roseville) reminded members that education funding has been flat for three years and was reduced once. "If we were going to make up for that and make progress we would have to have over a billion dollars just to start flat before we added anything."

The following are some provisions in the law, retroactive to July 1, 2005.

2005 Special Session: HF141\*/SF104/CH5

### Funding

A 4 percent per-pupil formula funding increase is called for in each year of the biennium. The Senate initially sought 5 percent and 4 percent each year and the House

3 percent and 3.1 percent, respectively. Gov. Tim Pawlenty initially proposed 2 percent per year, but increased it to 4.5 percent per year in a May 20 global offer.

The basic state aid has been \$4,601 per pupil unit since the last increase went into effect for the 2002-03 school year. Under the law, the numbers increase to \$4,783 for the 2005-06 school year and \$4,974 for the 2006-07 school year. Excluding roll-ins and roll-outs, the basic formula increases are the largest in 17 years.

Linked to the basic aid formula are categorical aids for items such as compensatory aid for school districts with the highest concentration of low-income students, and transportation sparsity, which helps rural districts pay for transportation.

The law includes \$23.5 million in new money for special education, \$11 million for gifted and talented funding, \$7.5 million for telecommunications access aid, \$5.5 million for early childhood family education, \$4 million for Head Start, \$1.3 million for health and development screening, and \$1 million each for community education and the Minnesota Early Learning Foundation.

Early childhood family education revenue for districts is increased from \$96 to \$104 times 150 or the number of district residents under age 5. It was \$120 in fiscal years 2003 and 2004.

### Levy/referendum changes

The law permits school districts to raise \$139 million for schools through increased local levies, which will require board and voter approval.

"This allows school boards to levy, at their discretion, up to \$46 per student for equity levy," Sykora said. "If they choose to levy, there would be some equalization (up to one-third) for that levy for those districts."

Districts above the 95th percentile in property tax wealth can only levy one-half that amount. "We went round and round on that issue for quite a while and the Senate would not yield on that one," Sykora said.

The law also makes changes to a number of other levies, including those affecting alternative teacher compensation, building lease, unemployment insurance, judgments and abatement adjustments.

For safety purposes, a school district is permitted to levy up to \$30,000 times the number of Carpenter school buses in its fleet as of Jan. 1, 2003, that have been determined to have potentially defective welds and are subject to limitations imposed by the Department of Public Safety. According to the nonpartisan House Research Department, there are approximately 40 Minnesota school districts that have a total of 115 buses with potential roof defects.

"There is new referendum authority, taking our referendum cap from 18 percent [of the basic formula allowance] to 26 percent," Sykora said. The law also adjusts the alternative maximum allowance for districts that were capped in 1994 by \$200 per pupil unit. The amount of the first tier of equalization aid for districts with low property wealth is increased from \$500 to \$600 per pupil unit for fiscal year 2007 and another \$100 in the following year and beyond.

### Alternative teacher compensation

A \$86 million initiative pushed for by Pawlenty since he took office is included in the new law.

The so-called "QComp" — Quality Compensation for Teachers — is a merit-based alternative teacher compensation program to award teachers for student achievement, rather than just seniority and education credits beyond a bachelor's degree.

"Any district that wishes to apply has the opportunity to do that," Sykora said. "In the event they apply there would be a contract between the teachers' union and the board and administration that would give teachers a chance to advance within their schools, and within their profession the opportunity for professional development and best practices in the way we teach children, evaluations of performance and student achievement, which is another way to help judge performance. Sixty percent of a person's pay would be based on performance."

The law requires that districts or charter school sites wanting to participate must have a

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# Hogs, Frogs and Jobs

## Law kept state parks open in the nick of time

By NICOLE WOOD

A new law directs \$1.5 billion toward the state's agricultural, environmental and economic development efforts in fiscal years 2006-07.

Gov. Tim Pawlenty signed the legislation into law June 30, 2005, just in time to avoid shuttering state parks and campgrounds over the busy Fourth of July holiday, but not without a list of line-item vetoes.

Sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Thomas M. Bakk (DFL-Cook), the legislation has various effective dates.

It was the first major omnibus bill to be resolved during the 2005 special session, just before a partial state government shutdown.

Here are some highlights.

2005 Special Session: HF78/SF69\*/CH1

### Cultivating rural Minnesota

The new law dedicates \$151.28 million toward the state's agricultural sector over the next biennium. The net effect to the General Fund is nearly \$86 million, in line with the House target.

The Department of Agriculture will receive just under \$140 million. Of that, \$34.01 million is earmarked for ethanol producer payments for fiscal years 2006-07 at a disbursement rate of 13 cents per gallon.

Other allocations for the department include \$300,000 for monitoring pesticides in groundwater, \$220,000 for a contract with the University of Minnesota for livestock odor research and \$200,000 for training of local officials in livestock siting and land use planning.

A number of fee increases are forwarded under the new law, including apiary fees paid by beekeepers, nursery stock dealer fees and grain buyer and storage fees.

The new law also allocates \$8.22 million to the Animal Health Board and \$3.2 million to the Agricultural Utilization Research Institute.

Policy issues in the new law encourage renewable fuel use in state vehicles with a so-



PHOTO BY TOM OLMSCHIED

**Reps. Larry Howes, left and Bob Gunther watch the voting board June 30 as members cast votes on the omnibus agriculture, environment and jobs and economic development budget bill.**

called Smartfleet Initiative and require auto dealers who sell a new flexible fuel vehicle to inform the purchaser in writing that the vehicle can use E85 fuel.

Livestock siting provisions, under the new law, will place counties and townships on the same timeline for notifying the Pollution Control Agency and Agriculture Department of new or amended feedlot ordinances.

Under the new law, a township or county

looking to adopt or revise feedlot ordinances will be required to prepare an economic impact statement at the request of its governing board. The House had proposed allowing any one member of the governing board to put the statement in motion.

Topics for reports ordered in the law include the technical and economic benefits of using biodiesel fuel as a heating fuel; and agricultural fertilizer and soil nutrient issues, including ways of preventing anhydrous ammonia theft for manufacturing methamphetamine.

### Managing the great outdoors

Under the new law, the state dedicates just over \$1 billion toward environmental protection and natural resources management over the next two years.

More than half of the overall package – \$614.19 million – is directed toward the Department of Natural Resources (DNR) for myriad responsibilities, such as wildlife, minerals and forestry management, state park operations, habitat improvement, game and fish law enforcement and off-road vehicle trail development.

The governor vetoed a \$325,000 pass-through grant for Let's Go Fishing, a Willmar-based nonprofit organization that provides free fishing and boating excursions to senior citizens.

Policy language in the new law:

- permits conservation officers and other peace officers to issue civil citations for wetlands violations by off-highway vehicle riders, with penalties set at \$100 for the first offense, \$500 for the second and \$1,000 for subsequent offenses;
- directs the department to establish an off-highway vehicle safety and conservation grant program to encourage vehicle clubs to participate in safety and environmental training;
- allows, under a DNR forest classification process, state forest land north of U.S. Highway 2 to remain classified as managed for the purposes of off-highway vehicle use. Legislation in 2003 required the department to take an inventory of all state forests and by 2007 change their designation from managed, meaning trails are open unless posted closed, to limited, meaning trails are closed unless posted open;

**Continued on page 53**

## Finding middle ground

### \$9 billion health and human services package approved

By BRETT MARTIN

After more than two months of meetings, more than a dozen proposals and counterproposals and a partial government shutdown, the Health and Human Services Working Group was finally able to reach a compromise.

The \$9.03 billion package, representing about a quarter of the state's budget, came together when the House and Senate leaders and the governor agreed to a target in the early morning hours of July 9. Two days later, the working group finalized the bill, which passed the House 88-40 and the Senate 60-6 July 13. The governor signed the bill into law the next day.

"I tell you that what you have before you is, I think, an outstanding health and human services bill," said Rep. Fran Bradley (R-Rochester), who sponsored the law and co-chaired the working group with Sen. Linda Berglin (DFL-Mpls).

An advocate for containing health care costs, Bradley said the law offers a responsible slowing down in spending while still maintaining programs for the state's vulnerable population.

"The taxpayers of Minnesota spend more per capita, for example, on public assisted health care than any other state in the nation," he said. "To the taxpayers, thank you."

Bradley noted that some people wanted more than the 15.6 percent increase in funding over the last biennium, while others wanted to reign in spending. The law found the middle ground. "It strikes a reasonable balance in terms of how much is spent," he said. "This is a bill that I'm proud of as a team."

A budget target proved to be a sticking point during leadership negotiations. A May 20 offer by the governor and House called for a 15.5 percent increase in funding over the last biennium. A Senate proposal on June 9 asked for an 18.4 percent increase, putting the two sides \$229 million apart. By July 7, one week into the partial government shutdown, new proposals had the narrowed difference to \$35 million.

In the end, a 75-cent per pack fee on cigarettes was used to bridge the budget gap with \$401 million in expected revenues. The fee generated new controversy among members who did not want it included in the law.

Rep. Phil Krinkie (R-Lino Lakes) unsuccessfully offered an amendment to delete the section imposing the cigarette fee and make it a standalone bill.

"In my opinion, this is a tax issue, a tax item, and should not be included in the health and human services bill," he said. "I don't believe anyone in the state of Minnesota, outside of the governor's office, believes a health impact fee is not a tax increase."

Rep. Tom Rukavina (DFL-Virginia) also spoke passionately against the fee, calling it a regressive tax on the poorest Minnesotans. "It's not so much what's in the bill, it's who's paying for it," he said. "It's a shameful, shameful day when we have tax policy like this because someone made a bonehead pledge that they have to break." (A reference to the governor's no new taxes pledge.)

Bradley countered that the cigarette fee composes only a small percentage of the law's total money.

Some members said that although there are items they don't agree with, they support the overall law. "I think the good outweighs the bad," said Rep. Thomas Huntley (DFL-Duluth). "We got Minnesota back leading the nation in health access."

#### MinnesotaCare restored

One of the most contentious issues for the working group was the House proposal to eliminate MinnesotaCare coverage for some adults without children, potentially leaving more than 20,000 Minnesotans without health care coverage. The Senate was opposed to changing eligibility requirements.

On June 28, the House offered a proposal to partially restore MinnesotaCare coverage. In the end, eligibility requirements will not change for those previously covered. The law also includes a Senate provision to repeal the limited benefits coverage cap of \$5,000 for

certain adults under MinnesotaCare, which is expected to cost \$40 million for the biennium.

MinnesotaCare would be the only program allowed to draw money from the Health Care Access Fund.

Senate initiatives to eliminate co-payments from Medical Assistance and General Assistance Medical Care (GAMC) and to repeal the \$500 dental cap from MinnesotaCare, Medical Assistance and GAMC are expected to cost \$8.9 million and \$2.3 million, respectively.

Other changes to MinnesotaCare are expected to result in a savings. House provisions to charge co-payments of \$3 for non-preventive and \$6 for non-emergency visits to an emergency room should save \$2.4 million, and eliminating MinnesotaCare outreach grants should save \$1.5 million.

House provisions to eliminate coverage for undocumented pregnant women who have other health insurance should save \$832,000, while discontinuing coverage for sex change operations, erectile dysfunction drugs and circumcisions is expected to provide nearly \$1 million in savings.

A proposal by the governor for Medicare Modernization Act changes is expected to save \$21.4 million.

#### Other high profile items

Bradley wanted to focus expenditures on programs and services for people with disabilities and the state's most vulnerable. A House priority was to provide a 2 percent rate increase for long-term care providers, intermediate care facilities for people with mental disabilities and nursing homes.

The law earmarks \$76 million for a 2.26 percent increase in long-term care provider rates in both years of the biennium.

Previously, the state picked up 80 percent of the costs for people with developmental disabilities placed in intermediate care facilities, with counties footing 20 percent of costs. The law shifts more of that cost to the state, at a cost of \$10 million.

The so-called "Unborn Child Pain Prevention Act" is included in the law. It requires a physician or physician's agent to inform a woman if an anesthetic would eliminate or alleviate pain to an unborn child caused by an abortion.

Health & Human continued on page 54

## Tax impact

No new taxes, but new fees, extensions and credits

By LEE ANN SCHUTZ

An omnibus tax law passed with little controversy in the House July 13, largely because the premier funding mechanism for the biennium — the 75-cent per pack cigarette health impact fee — was not included. Rather, it was in the health and human services law. However, a key opponent to the fee let his feelings be known when the bill was discussed on the House floor.

Rep. Phil Krinkie (R-Lino Lakes) had resigned his position as co-chair of the Tax Working Group July 7 in opposition to the fee. He said that while it is included in the tax spreadsheet, neither the House nor the Senate had been given the opportunity to vote on the measure. "This was an agreement of convenience" reached by leadership, he said. "I can't vote for a bill that has deceptions."

Rep. Ron Abrams (R-Minnetonka), a member of the Tax Working Group who took over as co-chair when Krinkie resigned, is not a fan of the law either. Abrams sponsored the final

legislation with Sen. Lawrence J. Pogemiller (DFL-Mpls).

"This is not a bill I would have put together, but all in all it is a bill that I will vote for and a bill I request the House of Representatives to support," he said on the House floor.

The new law includes about \$332 million in revenue increases from the repeal of scheduled reductions in liquor and car rental taxes, and upfront payments of sales taxes on car leases.

The House approved the law 123-6; the Senate 61-5.

2005 Special Session: HF138\*/SF106/CH3

### Family-friendly

The new law eliminates the "family cap" in the K-12 education credit by allowing parents to claim the credit for more than two children. The maximum credit per child will remain at \$1,000, but it can be applied to an unlimited number of children.

According to the nonpartisan House

Research Department, the credit phases out at the rate of \$1 for each \$4 of household income over \$33,500 for families claiming the credit for one child, and at the rate of \$2 for each \$4 of household income for families claiming the credit for two or more children.

### Provisions for serving

Those serving in the military will benefit from several provisions in the new law. Most notable, compensation paid to active duty members of the National Guard or reserves will not be subject to state income tax. This will also apply to state residents who are members of the military in active service outside Minnesota.

### Local option sales tax

A city or group of cities will be allowed to impose local sales taxes for projects without asking legislative approval, provided they receive local voter approval.

Previously, under a law enacted in 1997, local governments were prohibited from levying sales taxes without legislative approval. The new law requires political subdivisions that impose a local sales and use tax to inform residents of their duty to pay the tax via the local government's Web page and annually through their utility bills.

### No taxes on tickets

In the past, a sales tax was not placed on tickets for arts events at the University of Minnesota. However, ticket prices for similar events at other non-profit or educational facilities included a sales tax. The new law makes the sales tax on tickets more consistent. Now a patron of an arts event at a state university or private, non-profit college or university will not have to pay a sales tax.

### Home value

Property taxes are based on limited market value, which is calculated by each county assessor, according to uniform guidelines. At times this value is less than the actual value of the property if sold, and there has been an effort in recent years to phase out limited market value.

Under the new law, the schedule of the limited market value criteria has been extended for two years. For taxes payable in

Taxes continued on page 54



PHOTO BY TOM OLMSCHEID

Rep. Morrie Lanning, from left, Rep. Dean Simpson, Rep. Ron Abrams, Rep. Ann Lenczewski and Rep. Laura Brod listen July 11 as Rochester legislators tell the Tax Working Group of their communities' need for an increase in the local option sales tax.

## Bare bones transportation

Basic funding, with no tax increases, approved in law

By **BRETT MARTIN**

**A**lmost two months to the day after vetoing an omnibus transportation bill, Gov. Tim Pawlenty signed into law a \$3.9 billion transportation package that does not include the impetus for his original veto — a gas tax increase.

The law, sponsored by Rep. Mary Liz Holberg (R-Lakeville), chair of the House Transportation Finance Committee, is \$46 million above the governor's March budget for transportation, with \$40 million earmarked for metro transit and \$6 million for rural transit.

After passing the House 116-13 and the Senate 65-1 July 13, it was signed into law the next day. The basic funding law for the Transportation Department comes without increases in gas taxes, license tabs or any other taxes.

"We tried to constrain the bill to those items which were not controversial that both the Senate and the House had pretty much agreed to," Holberg said, noting that the legislation took an unconventional route by not traveling through a working group.

2005 Special Session: HF140\*/SF105/CH6

### Bare minimum

Rep. Alice Hausman (DFL-St. Paul) said the original transportation bill, passed by the House and Senate, would have solved decades-old transportation problems by raising new revenues and investing them in transit.

"If there is ever one bill that is a missed opportunity, it is in the area of transportation funding," Hausman said. "Across this state, whether you're a business community, citizen or labor group, everyone understands how desperately we needed this investment."

Several members said the funding is enough to keep the Transportation Department running, but does little else. "There are many in this body I feel, and perhaps in the administration, who are in self-denial about the transportation needs of this state," said Rep. Ron Erhardt (R-Edina). "Minnesotans expect and deserve a better transportation

system from their government than they are being offered."

That notion was also prevalent in the Senate. "This is the bare minimum we can do for transportation," said Sen. Steve Murphy (DFL-Red Wing), the Senate sponsor and chair of the Senate Transportation Committee.

### Penalties and restrictions

In addition to appropriating money for transportation, the Metropolitan Council and public safety activities, the law increases penalties for excessive speeding.

Driving 20 mph or more over the posted speed limit will result in an additional surcharge of at least \$25. A person's driver's license will be immediately revoked for six months if the person drives in excess of 100 mph.

Speed limits have also been imposed on trains. In the city of Orr in St. Louis County, a train may not operate at a speed of more than 30 mph.

Teenagers 15 to 17 years of age, whether they

hold a driver's permit or provisional driver's license, will be prohibited from talking on a cell phone while driving. They will not be allowed to use a wireless phone, handheld or hands free, when the vehicle is in motion, except in cases of emergency.

The original bill called for an Aug. 1, 2005, effective date for the cell phone provision, but a successful amendment on the House floor moved the date to Jan. 1, 2006. Holberg said the change allows students to return to school and learn about the law before it takes effect.

For a \$20 service fee, an applicant can receive an expedited driver's license, driving instructional permit, Minnesota identification card or vehicle title transaction. When expedited service is requested, materials must be sent to the person within three days, excluding weekends and holidays.

### Veteran recognition plates

The law makes technical changes to special license plates for distinguished veterans.

The plates will be available for veterans who received the Iraq Campaign Medal, the Afghanistan Campaign Medal or the Global War on Terrorism Expeditionary Medal. The plates will be inscribed with a facsimile of the

Continued on page 54



PHOTO BY TOM OLMSCHIED

House Minority Leader Matt Entenza, from left, Senate Majority Leader Dean Johnson, House Speaker Steve Sviggum and House Majority Leader Erik Paulsen huddle during the final hour of the special session July 13.

## 'It's time to go home'

At the last minute, pensions bill passes

By Mike Cook

A bill that modifies retirement and pension provisions was the last measure approved during the special session after almost not getting heard at all. It was passed 112-14 by the House and 57-6 by the Senate.

As of July 20, the bill (2005 Special Session: HF44/SFnone) had yet to be signed by Gov. Tim Pawlenty.

The same rules for gubernatorial review apply at the end of a special session as they do in the second year of a biennial session. According to *Making Laws*, a nonpartisan House Research Department publication, "If the act passed during the last three days of a session, the governor has 14 calendar days (including Sundays) to review it after the day that the legislature adjourns sine die (not after the day the act is presented)." If the governor takes no action on a bill during this time, the bill is vetoed in what is commonly referred to as a "pocket veto."

Rep. Steve Smith (R-Mound), the bill's sponsor, said issues included in the bill relate to contribution rates for Public Employment Retirement Association members; Duluth, Minneapolis and St. Paul teacher funds; changes related to the Minnesota State Colleges and Universities system; a buyback provision and service credit for strike periods; and volunteer firefighter provisions. It deletes a reference for a task force study on the creation of a statewide lump-sum volunteer firefighter retirement plan. It also addresses local issues in Aurora, Biwabik, Bloomington, Eveleth, Hoyt Lakes, Hutchinson, Maplewood, Northfield and Oakdale.

Rep. Mary Murphy (DFL-Hermantown) expressed displeasure that the task force language was removed.

She noted that a task force would

"talk about all aspects of the pensions and see if there is a better way or an alternative proposal so that those volunteer fire departments in this state that are busy training and fighting fires and trying to recruit new members might have a tool in their toolbox to get that, and that would be increasing the amount of pensions their firefighters might receive."

"The bill does not contain provisions to merge the Minneapolis Teachers Fund with the statewide teachers retirement association,

nor does it include the giveaway to the pre-1969 teachers," Smith said.

Nor does the bill include a survivor benefit provision regarding a St. Louis Park police officer killed while serving in Iraq. Smith said the issue was addressed in the omnibus environment, agriculture and jobs and economic development law.

Rep. Margaret Anderson Kelliher (DFL-Mpls) expressed dismay that a provision was amended out of the final product regarding the Minneapolis Employees Retirement Fund that would, in part, permit the investment of fund assets with the State Board of Investment.

"Minnesota has some of the highest numbers of individual pension funds in the country. The bill was agreed upon by the city and the retirement fund. It also had the blessing of something called the Blue Ribbon Task Force on Pensions." She said this was non-controversial throughout the process.

Not part of the global agreement of bills to be brought up to end the special session, Rep. Mary Liz Holberg (R-Lakeville) said, at about 9:45 p.m., it should not be acted upon. "We had a global agreement, we've been here too long, and now a 215-page bill is put before us over an hour past what was to be our deadline to pass bills. It's time to go home." The agreement called for both bodies to complete their work by 8 p.m.

His voice rising, Rep. Dennis Ozment (R-Rosemount) countered that the bill's provisions are non-controversial. "I think it is only right that we allow for a little bit of time for us to deal with some public employee issues and try to benefit some of the people that have been working very hard across the state of Minnesota in trying to provide services while some of our actions have been on stalemate."

After reviewing the bill's contents, and hearing some criticism over what was deleted, Smith requested the bill be returned to him. However, after more persuasion, including an impassioned speech from Murphy, he decided to move forward with the bill.



PHOTO BY TOM OLMSCHIED

Paperwork piles up at the foot of the speaker's desk May 23, the final day of the regular session.

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we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature									
HF	Author	SF	Author	Bill Title					
				<b>AGRICULTURE</b>					
223	Davids	4*	Sams	Ethanol minimum content required in gasoline increased.	52	5/10			various
1389	Gunther	1146*	Vickerman	County agricultural society exemption from local zoning ordinances.	58		5/16		VETOED
466*	Otremba	1250	Koering	Warehouse storage, maintenance, operation, and safety laws modified.	92	5/25			8/1
				<b>ARTS</b>					
1275	Sykora	877*	Stumpf	Minnesota Humanities Commission established.	108		5/27		VETOED
				<b>BANKING</b>					
997*	Howes	985	Ruud	Burns Township detached banking facility authorized.	18	4/7			Day following local compliance
1824	Hamilton	1636*	Sparks	Financial institution, insurance, mortgage originator and real estate broker provisions.	118	5/27			various
				<b>BONDING</b>					
3*	Dorman	none		Omnibus bonding bill.	20	4/11			4/12
				<b>BUDGET</b>					
57*	Knoblach	350	Cohen	Deficiency funding provided for specified state agencies.	2	2/15			2/16
				<b>BUSINESS</b>					
933*	Loeffler	1437	Ortman	Motor Vehicle Retail Installment Sales Act recodified.	19	4/7			8/1
1650*	Ruth	1559	Bakk	Cosmetology regulatory oversight transfer provided.	27	4/22			8/1
1621	Koenen	453*	Kubly	Auctioneer license numbering requirements modified.	32	5/5			5/6
1521	Hamilton	1355*	Vickerman	Power limited technicians license exam application period extended.	62	5/23			5/24
1043	Emmer	767*	Michel	Corporation formation, structure, and operation regulations recodified.	69	5/23			8/1/2006
128*	Erickson	287	Wergin	Funeral provider attorney fee recovery.	71	5/23			8/1
605	Hoppe	664*	Pappas	Liquor license and sales provisions modifications.	131	6/2			various
				<b>CHILDREN</b>					
1889*	Wilkin	1710	Lourey	Child protection, child welfare, child care provisions implemented.	159	6/3			8/1
				<b>CONSUMERS</b>					
155	Hausman	206*	Anderson	Off-sale liquor license permitted within 0.5 mile of U of M Ag school.	3	2/24			2/25
298	Peterson, N.	75*	Belanger	Household goods movers charitable work exemptions.	12	3/19			3/22
1376	Hoppe	1535*	Dibble	Minneapolis on-sale liquor license authorized.	24	4/22			Upon city council approval
286	Hoppe	171*	Pappas	Omnibus liquor bill.	25	4/22			various
1583*	Meslow	794	Gerlach	Membership travel contracts regulated.	70	5/23			8/1
2428	Howes	2259*	Pariseau	Personal Protection Act of 2003 reenacted.	83	5/24			various
1532	Zellers	1815*	Larson	Commerce Department licensee requirements modified.	100	5/27			8/1
1398	Cybart	1360*	Belanger	Cooperative-held unclaimed property and related rights regulated.	109	5/27			8/1
2121*	Johnson, J.	2118	Gaither	Notification of persons whose personal information disclosed to unauthorized persons.	167	6/2			1/1/2006
				<b>CRIME</b>					
1*	Smith	609	Ranum	Omnibus public safety finance bill.	136	6/2			various
				<b>DEVELOPMENT</b>					
990	Emmer	692*	Ourada	Wright, Sherburne counties Miss. Rec. River Land Use Dist. land deleted.	30	4/26			4/27
986*	Nelson, M.	514	Scheid	Urban initiative program low income area definition modified.	142	6/1			8/1
				<b>EDUCATION</b>					
248*	Juhnke	485	Johnson, D.E.	Common School District No. 815, Prinsburg.	8	3/7			various
130	Seifert	180*	Frederickson	Parent discretion in classroom placement of multiples.	33	5/5			'05-'06 school year and later
1144	Demmer	244*	Kiscaden	Teachers probationary employment is interrupted by military service.	36	5/5			retroactive from 9/10/01
68*	Urdahl	457	Dille	Coaching contract nonrenewal timely notice and opportunity to respond.	57		5/16		VETOED
1922*	Charron	1768	LeClair	MN Computers for School authorized to acquire surplus property for the state.	65	5/23			8/1
1176*	Brod	586	Sams	Special education teacher license variance modified.	154	6/3			8/1 upon local approval
				<b>ELECTIONS</b>					
958	Ellison	518*	Rest	Hennepin County duplicate campaign finance filings eliminated.	11	3/14			8/1
1110	Hosch	879*	Fischbach	State primary eliminated in municipality or county if no nominee necessary.	48		5/10		VETOED
936	Johnson, J.	370*	Marty	News media access to polling places increased.	113	5/27			5/28
874*	Brod	290	Higgins	Electronic voting equipment required, state voting systems contract established.	162	6/3			6/4
				<b>EMPLOYMENT</b>					
48	Rukavina	3*	Anderson	Minimum wage increased.	44	5/10			8/1
1692*	Peterson, N.	1598	Metzen	State Board of Investment compensation plans regulated.	55	5/16			7/1
598	Peppin	1405*	Bakk	Industrial classification list rulemaking provisions modified.	86	5/24			8/1
1859	Wilkin	1716*	Bakk	Workers' Compensation Advisory Council recommendations adopted.	90	5/25			various

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1309	Lanning	1371*	Skoe	Watershed district managers compensation increased.	103	5/27			8/1
898*	Sertich	944	Anderson	Unemployment insurance federal requirement conformity.	112	5/26			various
1748*	Hoppe	1530	Wergin	State employee grievance appeal procedures modified.	114	5/26			8/1
400*	Mahoney	546	Sparks	School food service workers unemployment insurance eligibility exception permanent.	115	5/26			12/31/2004
1914	Clark	1984*	Anderson	Penalty increased for failure to pay discharged employee within 24 hours.	127	6/1			8/1
742*	Simpson	1404	Bakk	Employment agency licensing requirement exemptions.	134	6/2			8/1
973*	Demmer	1208	Robling	State employment provisions modified.	144	6/1			8/1
2141	Wilkin	2093*	Sparks	Wage definition modified, payroll cards and payroll accounts regulated.	158	6/2			6/3
				<b>ENERGY</b>					
218*	Cornish	817	Rosen	Renewable energy production incentive eligibility extended.	40	5/5			5/6
1344	Westrom	1368*	Anderson	Energy provisions for transmission companies, wind energy, biomass, etc.	97	5/25			various
				<b>ENVIRONMENT</b>					
1334*	Dill	1342	Bakk	Iron nugget demonstration facility environmental review exemptions.	37	5/5			5/6
1327	Johnson, S.	1252*	Anderson	Consumptive use of groundwater provided.	39	5/5			5/6
1438	McNamara	1326*	Marty	Alternative recording method for DNR prescriptive easements.	101	5/27			8/1
419*	Cox	628	Neuville	Great horned owls protection status modified.	104	5/27			8/1
436*	McNamara	929	Frederickson	DNR approval before vacating certain roads adjacent to public waters.	117	5/27			various
894*	Cox	935	Frederickson	Public waters inventory authority.	138	6/3			various
823*	Blaine	802	Bakk	Forest road designations, timber sales modified.	141	6/3			7/1
2279*	Kohls	2085	Ortman	Cologne wetland replacement requirements exemption provided.	143	6/2			8/1
1470*	Hackbarth	1424	Sams	Dry cleaner environmental fees annual adjustment authorized.	157	6/3			7/1
814*	Cornish	896	Bakk	Public land sales and conveyances provided in specified counties.	161	6/3			various
				<b>FAMILY</b>					
947*	Klinzing	1029	Anderson	Optional record of birth resulting in stillbirth provided.	60	5/19			8/1
2110*	Smith	1920	Neuville	Custody and parenting time domestic abuse hearings safety focus provided.	76	5/24			5/25
2156*	Demmer	1969	Senjem	Conservators powers and duties modified.	91	5/25			5/26
1578	Liebling	1479*	Lourey	Human Services Department authorized to collect spousal maintenance.	116	5/26			5/27
1321	Smith	630*	Neuville	Marriage and child support fees increased, child support law reformed.	164	6/3			various
				<b>GAMBLING</b>					
1801	Hackbarth	1555*	Rest	Lawful gambling provisions modified and technical clarifications provided.	166	6/3			various
				<b>GAME AND FISH</b>					
42*	Howes	419	Wiger	Silencers authorized on firearms for wildlife control.	102	5/27			5/28
847*	Hoppe	789	Saxhaug	Game and fish regulations modified.	146	6/3			various
				<b>GOVERNMENT</b>					
871*	Seifert	548	Higgins	Day training, habilitation services providers in state coop. purchase agreements.	9	3/14			3/15
1036*	Seifert	1158	Senjem	Office of Administrative Hearings: MN Rules copies, hearings regulated.	16	3/31			8/1
1460	Beard	1335*	Cohen	Design-build relating to state construction contracts.	78	5/24			5/25
2371	Anderson, B.	2160*	Skoglund	Claims against the state settled.	128	6/3			7/1
2133*	Peppin	2076	Reiter	St. Paul; lease of state property at 168 Aurora Ave. as child-care facility.	145	6/3			6/4
1481*	Seifert	1285	Kiscaden	Omnibus state government finance bill.	156	6/3			various
				<b>HEALTH</b>					
925*	Gazelka	880	LeClair	Medicare related coverage federal conformity.	17	3/31			various
2023	Wilkin	1998*	LeClair	HMOs assessed for insurance fraud prevention account.	77	5/24			8/1
1556	Huntley	1378*	Kiscaden	Medical education funding provisions modified.	84	5/24			8/1
681	Westrom	718*	Sams	Hospital accrediting organization addition authorized for presumptive licensure purposes.	85	5/24			8/1
1619	Dean	1579*	Wergin	Health Care Administrative Simplification Act of 1994 modified.	106	5/26			various
615	Klinzing	232*	Reiter	Nonprescription pain relief usage and possession by secondary students authorized.	126	6/2			8/1
1103	Hosch	1780*	Rest	Drug testing of professional athletes authorized.	133	6/1			6/2
1161	Huntley	1204*	Kiscaden	Health occupations provisions modified.	147	6/3			various
1816*	Emmer	1857	Berglin	Mental health services coverage extended, civil commitment provisions modified.	165	6/3			various
				<b>HIGHER EDUCATION</b>					
1385*	Nornes	1174	Pappas	Omnibus higher education funding bill.	107	5/26			various
				<b>HOUSING</b>					
1585	Olson	1509*	Kubly	Manufactured home park seasonal agricultural operations exclusions provided.	79	5/24			5/25
367*	Kohls	391	Neuville	Defeasible estates provided, residential purchase agreement cancellations modified.	119	5/27			various

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369*	Thissen	393	Neuville	Minnesota Common Interest Ownership Act modified.	121	5/27			8/1
				<b>HUMAN SERVICES</b>					
1268	Walker	271*	Berglin	Death records data access modified.	23	4/22			8/1
1820*	Eastlund	1868	Nienow	Cambridge State Hospital cemetery named Garden of Remembrance.	29	4/26			8/1
399	Peterson, A.	493*	Kubly	Yellow Medicine County Hospital District board membership provided.	54	5/16			8/1
487*	Opatz	525	Kiscaden	Mentally retarded, mental retardation, physically handicapped terms changed.	56	5/16			8/1
1951*	Bradley	1569	Berglin	Long-term care provisions modified.	68	5/23			8/1
1214	Knoblauch	1064*	Metzen	Blind and disabled accessible electronic information service established.	81	5/24			5/25 wq
1875	Bradley	1720*	Lourey	Human services agency technical amendments provided.	98	5/25			8/1
675*	Samuelson	687	Higgins	Hospice care bill of rights modified.	122	5/26			various
952	Finstad	917*	Sams	Positive abortion alternatives grants provided.	124	5/23			7/1
2192*	Tingelstad	2042	Rest	Postadoption services data collection and best practice guidelines provided.	129	6/1			6/2
1507*	Abeler	1482	Lourey	Quarantine and isolation provisions modified.	149	6/2			various
1272*	Ruth	1198	Day	Marriage and family therapy included in definition of professional services.	153	6/2			6/3
2448*	Bradley	none		Human services programs forecast adjustments provided.	155	6/3			various
				<b>INDUSTRY</b>					
759	Mahoney	1485*	Sparks	Crane operators certification required and regulation provided.	87	5/24			7/1/2007
1988	Mahoney	1861*	Kelley	Biotechnology piping systems installation supervision procedures study.	96	5/25			8/1
				<b>INSURANCE</b>					
667	Gazelka	314*	Scheid	MN FAIR plan property and liability insurance coverage regulated.	66	5/23			5/24
1669*	Wilkin	1462	Scheid	Insurance fees, rate filings, policy renewals and alterations, and data collection.	74	5/24			various
1809*	Wilkin	1783	Scheid	Insurance agency terminations, coverages, fees, etc. regulated.	132	6/3			various
1528*	Gazelka	1380	Sparks	Claims practices regulated.	140	6/2			8/1/2006
				<b>LAW</b>					
378*	Nelson, P.	478	Betzold	Revisor's bill.	10	3/14			various
1295	Abrams	1210*	Rest	Foreign judgments life span and interest rate clarification.	14	3/24			8/1
368	Thissen	392*	Hottinger	Probate venue, trustee powers and omitted beneficiary provisions.	26	4/22			8/1
314	Lesch	379*	Cohen	Ramsey County; retired court commissioner authorized to perform judicial duties.	111	5/27			8/1
473*	Olson	288	Wergin	Creditor remedies exemptions modified to include wedding rings.	137	6/2			6/3
225*	Holberg	361	Skoglund	MN Government Data Practices Act technical changes provided.	163	6/3			various
				<b>LOCAL GOVERNMENT</b>					
357	Ruth	262*	Murphy	Local government filing and recording technical provisions modified.	4	3/7			8/1
547	Charron	532*	Marko	Washington Co. library board management provided by county board.	13	3/19			Day following local compliance
656	Samuelson	451*	Betzold	Anoka County law codification proposed.	28	4/26			4/27
2318	Dempsey	2112*	Murphy	County board meetings at locations other than the county seat.	42	5/9			8/1
2042	Cornish	1841*	Hottinger	Project Riverbend Board eliminated.	47	5/10			8/1
1084	Hansen	1016*	Pariseau	Noxious weeds control or eradication orders appeal duties.	49	5/10			5/11
1333*	Dempsey	1275	Murphy	Wabasha port authority commission authorized.	61	5/19			Day following local compliance
1994	Moe	1869*	Kiscaden	Shared hospital or ambulance service purchasing provision modified.	63	5/23			8/1
732*	Meslow	527	Reiter	Electric or utility special assessments exceeding standards.	67	5/23			8/1
2028*	Heidgerken	1929	Johnson, D.E.	Pope County recorder and auditor-treasurer offices provided by appointment.	75	5/24			various
647	Peterson, A.	663*	Kubly	Public officers contract interest exception relating to volunteer ambulance services.	80	5/24			8/1
815	Kahn	1945*	Higgins	City council required to vote on charter commission recommendations.	93	5/25			8/1
478*	Erickson	615	Wergin	Alternative filing of surveys provided if no county surveyor.	99	5/27			8/1
2187*	Abrams	1956	Berglin	Hennepin County Medical Center governance provided.	125	6/2			various
1473	Mullery	1231*	Betzold	Sign and flag display regulated.	168	6/2			8/1
995	Erhardt	953*	Kelley	Local government employees compensation limit increased and indexed.	169	6/2			8/1
				<b>MILITARY</b>					
2126*	Eastlund	1991	Murphy	Pay differential law for state employees ordered to active military service.	35	5/5			5/6 wq
1761*	Kahn	1726	Kubly	Active military personnel MinnesotaCare enrollment.	59	5/19			5/20
				<b>RECREATION</b>					
1104	Seifert	1031*	Koering	State Fair camping area regulations exception provided.	15	3/31			8/1
590	Samuelson	1116*	Chaudhary	Lifejackets required for children aboard watercraft.	31	5/5			5/6
604	Peterson, S.	284*	Gaither	Swimming pools; zero-depth pool use without a lifeguard.	50	5/10			5/11
1293	Howes	1296*	Saxhaug	Snowmobiles; two-way operation of snowmobiles.	72	5/23			8/1

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

HF	Author	SF	Author	Bill Title	CH	GO	GO	AW	Effective Date	Other
1320*	Hoppe	1267	Rest	Hennepin County regional park district provisions modified.	82	5/24			8/1	
2006	Hackbarth	1908*	Chaudhary	Shooting Range Protection Act adopted.	105	5/27			5/28	
423*	Dill	520	Bakk	Hot tubs on houseboats exempted from regulation as public pools.	130	6/1			6/2	
221*	Davids	196	Reiter	Recreational purpose land definition expanded.	148	6/3			8/1	
				<b>SAFETY</b>						
998	Rukavina	1486*	Tomassoni	Quotas prohibited for traffic and vehicle inspection citations.	46	5/9			8/1	
1109*	Smith	1578	Higgins	Firefighting training and education board revived and reenacted.	110	5/26			5/27	
987*	Sieben	899	Anderson	Cribs safety regulations provided.	139	6/1			1/1/2006	
1555*	Powell	1483	Lourey	MN Emergency Health Powers Act and authority of out-of-state license holders modified.	150	6/3			various	
974*	Erhardt	1125	Murphy	Peace officer operation of any vehicle or combination of vehicles authorized.	160	6/2			6/3	
				<b>TAXES</b>						
166	Abrams	218*	Rest	Charitable contribution income tax deductions relating to tsunami relief donations.	1	1/27			1/28	
47*	Abrams	1087	Moua	City aid base calculation corrected relating to state aids.	38	5/5			beginning w/ aids payable in 2004	
2228*	Abrams	1675	Pogemiller	Revenue commissioner general powers recodified and clarified.	151	6/2			various	
2498*	Abrams	2288	Pogemiller	Public finance and tax increment financing provisions modified.	152	6/2			various	
				<b>TECHNOLOGY</b>						
1839	Ruth	1738*	Day	Water use permit provisions modified.	89	5/25			8/1	
				<b>TRANSPORTATION</b>						
124	Magnus	225*	Vickerman	Pipestone County Legislative Route No. 268 turnback authorized.	5	3/7			Pending commissioner action	
254	Heidgerken	685*	Johnson, D.E.	Legislative Route No. 143 description amended.	6	3/7			3/8	
277	Eken	234*	Langseth	Becker County Legislative Route 224 turnback authorized.	7	3/7			Pending commissioner action	
1508	Howes	1466*	Murphy	Utility vehicle seasonal load restrictions clarified.	21	4/14			4/15	
1189*	Erhardt	1259	Belanger	Recycling and garbage truck weight restriction exemptions provided.	34	5/5			8/1	
915*	Beard	1037	Rest	Aeronautics transportation provisions clarified.	41	5/9			various	
1134	Severson	1056*	Moua	Motor vehicle dealer registration plates, stickers, vehicle transfers.	45	5/9			8/1	
577	Holberg	633*	Murphy	Transit bus usage of freeway or expressway shoulders.	51	5/10			5/11	
1053	Severson	1095*	Fischbach	Driver's license road test waiver authorized for licensed military personnel.	53	5/16			5/17	
1461*	Ruth	1506	Robling	Disabilities parking provisions modified and simplified.	64	5/23			8/1	
626	Moe	735*	Ruud	Cass County; Bradley Waage Memorial Bridge designated.	73	5/24			8/1	
2461*	Holberg	none		Omnibus transportation finance bill.	88		5/19		VETOED	
1529	Severson	1379*	Scheid	Air bag repair or replacement excluded from motor vehicle damage calculations.	94	5/25			8/1	
1164*	Gazelka	1388	Kiscaden	Slow down, provide one lane for parked emergency vehicles.	120	5/26			5/27	
951	Beard	629*	Higgins	Met Council requirement for adoption of separate airports or aviation system plan removed.	123	5/26			8/1	
912	Beard	808*	Murphy	Motorized foot scooters exempted from tax and registration fees.	135	6/3			various	
				<b>VETERANS</b>						
1240	Severson	1254*	Wergin	Hire a Veteran Month designation provided for month of May.	22	4/14			4/15	
34	Vandever	467*	Bachmann	Washington Co.; Disabled Veterans Rest Camp on Big Marine Lake.	43	5/10			various	
685	Severson	1268*	Fischbach	Veteran's preference credit use provision restriction eliminated.	95	5/25			8/1	
				<b>SPECIAL SESSION LEGISLATION</b>						
78	Ozment	69*	Bakk	Omnibus agriculture, environment and jobs and economic development bill.	1	6/30	liv		various	
111*	Knoblach	89	Rest	State government transitional financing provided through July 14.	2	7/9			retroactive from July 1	
138*	Abrams	106	Pogemiller	Omnibus tax bill.	3	7/13			various	
139*	Bradley	107	Berglin	Omnibus health and human services bill.	4	7/14			various	
141*	Sykora	104	Stumpf	Omnibus K-12 and early childhood education bill.	5	7/14			various	
140*	Holberg	105	Murphy	Omnibus transportation bill.	6	7/14			various	
44*	Smith	none		Retirement and pension provisions modified and money appropriated.	8			pending		
53	Meslow	15	Betzold	Revisor's Bill	7			pending		

July 22, 2005

# Every office tells a story

Personalities on display inside members' quarters

By RUTH DUNN

House members practically live at the State Office Building 24/7 during session each year, so it's not surprising that some have feathered their office nests in ways that reflect their interests, personalities, histories and districts.

"When people come to your office they want a sense of what it's like to be here and who you are," according to Rep. Ruth Johnson (DFL-St.

environment," she said. Others feel the same way and have replicated the idea. Ruud says the art inspires her and prompts her to reflect on why she's serving in the House. "It's all about the kids, our future."

His own artwork is sometimes displayed in the office of Rep. Cy Thao (DFL-St. Paul). Right now on display in his office are hand-sewn Hmong wall hangings along with paintings by other artists.

The office of Rep. Tony Cornish (R-Good Thunder) includes mounted deer, bear, fox and turkeys he's hunted along with a timberwolf killed by a logging truck. The important themes of his life come together in his office décor: his extended family, the outdoors and hunting, a law enforcement career and his conservative philosophy.

"If you believe in something you should exhibit it in your life," he said. His unique office not

only helps him feel comfortable and at ease, it's also a great ice breaker for people coming to talk with him about subjects that may be tense.

Sometimes pictures of family members or their handiwork help enliven offices.

"My office sends a daily message to others of what my priorities are," said Rep. Denise Ditrach (DFL-Champlin). Her space is filled with family photos including eye-catching close-ups of her three sons. "They are the primary force for everything I've done in

the past 10 years," she said.

There's an artificial pine tree in the corner of Rep. Larry Howes' (R-Walker) office that is decorated with strands of lights made from shotgun shells by his crafty daughter.

When Rep. Lloyd Cybart (R-Apple Valley) retired from a 20-year military career in the Air Force, his wife, Heike, had a glass case filled with his medals, ribbons and other memorabilia that is now proudly displayed in his office.

The districts they represent are never far from the minds of representatives who often have items in their offices that remind them of where they come from.

Historic photos of eight of the 12 cities in her district line the walls of Rep. Laura Brod's (R-New Prague) office. The photos feature the city's main streets, which fascinate Brod so much she wrote her master's thesis on the topic.

Rep. Judy Soderstrom (R-Mora) has gathered items that tell the story of every community in her district.

"It reminds me, as I look around, of those I represent," said Soderstrom, who describes her district as "a rural area with a lot of history." Ancient wooden skis and other souvenirs of the Mora Vasaloppet cross-country annual ski race decorate the walls of the office. She's also got a pie pan from Braham, the so-called Pie Capital of Minnesota, and fur-trapping artifacts from the North West Company Fur Post, a living history museum

Offices continued on page 54



PHOTO BY ANDREW VONBANK

**Rep. Tony Cornish, a former DNR conservation officer, brings a bit of the outdoors inside his office.**

Peter). How legislators set up their offices is a "way of telling people what you value."

Johnson's enjoyment of the arts is evident in her office, but what catches the most attention are panels of white lace hung on the walls. She loves lace and liked the idea of white on white in her office décor so she turned former curtains into wall hangings. In sharp contrast is a painting of a hog shed that was done by an artist from her district.

If you've got a kink in your neck or an ache in your back, stop by the office of Rep. Jim Abeler (R-Anoka), a chiropractor in his "other" life. He keeps the chiropractic table handy and offers free adjustments to bring others back into alignment.

A rotating exhibit of artwork from school children in her district brightens the office walls of Rep. Maria Ruud (DFL-Minnetonka). "I love it. It's uplifting and makes a cheerful



PHOTO BY ANDREW VONBANK

**A rotating exhibit of art from school children in her district adorn the walls of Rep. Maria Ruud's office.**

# A true taste of Minnesota

## Kids push for Honeycrisp to be state's official apple

By Ruth Dunn

**B**ite into a juicy Honeycrisp apple and you have a true taste of Minnesota. That's because the apple was developed in 1960 through the University of Minnesota's apple breeding program aimed at developing a hardy apple that would thrive in cold climates.

When a fourth grade class from Andersen Elementary School in Bayport discovered this fact, they began a push to add the apple to a list of state symbols that includes the pink and white lady's slipper, the loon, walleye and blueberry muffins.

"My class and I think that Minnesota should have a state fruit," wrote Madeline, one of the students, in a letter to Gov. Tim Pawlenty and her state legislators. "We think that the state fruit should be the Honeycrisp apple."

Twenty of the 50 states have a state fruit, wrote many students in their letters. "Even Wisconsin has a state fruit (cranberries) so we should too," wrote Jackie Ellingson.

"It snowballed!" said the students' teacher, Laurel Avery. The whole effort began with an assignment to write a persuasive letter. Avery, who seeks ways to make learning more relevant, thought, "Let's make it real." She remembered reading about another class that successfully promoted the Monarch butterfly as the official state butterfly in 2000. She urged the class to think of another item they could suggest for official designation.

The students' research showed that Minnesota has no official fruit or vegetable. They considered blueberries, raspberries and corn, but the obvious choice became Honeycrisp apples when they discovered

the apple is truly made in Minnesota.

They contacted their legislators, Rep. Mike Charron (R-Woodbury) and Sen. Brian LeClair (R-Woodbury), who were quickly won over to the cause and sponsored bills on the topic.

Students were on the floor when the bills were dropped in the hopper in both the House and the Senate. "It was a very exciting day," remembers Avery. She explained to students that bills don't automatically become laws so the children were not too disappointed when the bill was not passed during the regular

### Hoping to be 'official'

Rep. Chris DeLaForest (R-Andover) sponsored HF336, which would have made English the official state language. He is optimistic the bill will make it out of the House Governmental Operations and Veterans Affairs Committee next year.

Another bill, HF1275/SF877\*/CH108, sponsored by Rep. Barb Sykora (R-Excelsior) and Sen. LeRoy A. Stumpf (DFL-Plummer), would have created the position of state poet laureate (at no cost to the state). It was approved by a wide margin in the House and Senate, but vetoed by the governor. The bill would need a two-thirds vote in each body to override the veto.

session. Neither bill (HF2516 and SF2302) received a hearing in 2005. They await action by the House Governmental Operations and Veterans Affairs and Senate State and Local Government Operations committees, respectively.

"The kids did their homework, researched and came up with a good idea," said Charron. He's optimistic about the bill's chances during the 2006 session. "It's hard to be against an idea like this." He believes that adding the Honeycrisp apple to the state's official list would be a good way to promote a Minnesota product.

"I'm so proud of the kids and their teacher who got them actively involved in the process," said Charron.

He hopes the students can come and testify next year if the bill is heard in committee. If the bill progresses, he'd also like them to be in the gallery for the floor vote and attend the ceremony when the governor signs it into law.

Avery says the students want to be present for every possible step. Although they'll be in fifth grade next year with another teacher, it's all worked out for them to come to St. Paul and follow the bill's progress, if it does move forward.



A copy of the letter sent by Anderson Elementary fourth grader Adora, of Bayport, hoping to get the Honeycrisp apple made the state fruit.

# New member reflections

Freshmen legislators proud of successes, bipartisanship

By BRETT MARTIN

**W**ith their first session now under their belts, the 26 new House members can look back upon a highly charged year of major legislation. They weighed in on a widely praised bonding law and the various funding laws for the 2006-07 biennium.

Like college freshmen who arrive on campus and have to figure out room numbers and processes while concentrating on their studies, freshmen House members came to the Capitol to work on legislation while learning firsthand how the political process works.

Freshmen members introduced 331 new bills this session, representing their districts' interests as well as reflecting their diverse backgrounds, experiences and interests.

## Carrying out marching orders

With the House divided by a mere two votes, each member played a crucial role in passing or rejecting legislation this session.

"I feel I have had a chance to contribute," said Rep. Mike Charron (R-Woodbury). "Everybody's a player when it's a 68-66 split."

Because freshmen members carried such influence, they made a conscious effort to be bipartisan.

"The whole freshman class is focused on the issues, not politics," said Rep. Melissa Hortman (DFL-Brooklyn Park). "Those marching orders came from the voters."

"It was an effective message, and I think this class has delivered on

that," added Rep. Frank Moe (DFL-Bemidji).

Hortman said new members are willing to cross party lines since the major political parties are declining and more interest is given to smaller, bipartisan coalitions and caucuses, such as the urban and rural caucuses.



*"I've grown so much more protective of the district that I represent. The paternalism I feel for my community is greater than at any time in my life."*

Rep. Frank Moe  
DFL-Bemidji



*"The day I took the oath of office, my wife, our children and my parents were there to see it happen. The look of pride my parents had in their eyes that day is something I will remember the rest of my life."*

Rep. Pat Garofalo  
R-Farmington

## The learning curve

One of the most difficult challenges new members face is learning the inner workings of state government.

"I think it went well for learning how the system works. I have a good foundation," said Rep. Tom Emmer (R-Delano), although he notes that the learning process is not yet over. "I can't believe you can be a full-fledged, fully-educated member within two years."

Members fortunate enough to return to the House after their first term have a better understanding of the process, which can help them advance their ideas, he said.

Moe said he too had a lot to learn.

"Frankly, I didn't know what to expect," he said. "Back in February, I felt like it was the second quarter and I'd just gotten the rules."



*"I'm having the time of my life. The challenges are invigorating. I'm really soaking it up with a sense of delight."*

Rep. Mike Charron  
R-Woodbury

Moe said reaching across the aisle helped him get his bills heard.

"I had a willingness to work with Republicans, and they responded in kind," he said, pointing out that the bipartisan alliances he's formed with



*"The average person doesn't care if we get done in June or July. They would rather see it get done correctly than have shoddy work done at the last minute."*

Rep. Matt Dean  
R-Dellwood

He also learned the ugly side of political debates and found it's sometimes better to not say anything than to be drawn into an argument.

"Early in the session, I took the bait and got into partisan bickering. I wish I wouldn't have done that," Moe said.

A coach and an educator, he found himself getting a firsthand lesson in government.

"These past five months have been the greatest learning experience of my life," Moe said. "You learn about people, public policy and yourself."

One concept that new members seemed to have grasped quickly is making their voices heard.

Hortman was one of five members who introduced bills to fund the Northstar commuter rail corridor project, which ended up in the bonding law.

"I'm thrilled that the Minnesota Northstar project got passed. I feel directly responsible for that," Hortman said. "We've made a lot more progress than they did last year, and I'm proud of that."

Indeed, Hortman and fellow freshman Rep. Denise Dittrich (DFL-Champlin) worked hard for the project, which helped them win their seats since their predecessors opposed the rail system.

### Reaping rewards

Hortman worked in Washington, D.C., for former Sen. Al Gore and Sen. John Kerry, so she had a good understanding of the government process, but working for senators didn't prepare her for the excitement of serving in the Minnesota House.

"It was 10 times as wonderful as I thought it would be," she said.

"It's probably not the right thing to call it fun, but I'm having the time of my life. The challenges are invigorating," agreed Charron. "I'm really soaking it up with a sense of

but watch out on the next one."

The freshmen typically met once a month during session to get to know each other better, and some of them are planning a summer trip together to Coors Field in Denver to see a Colorado Rockies baseball game.

Emmer had the honor of filling in as House speaker during several floor sessions; a duty he performed like a seasoned leader.



*"The whole freshman class is focused on the issues, not politics. Those marching orders came from the voters."*

Rep. Melissa Hortman  
DFL-Brooklyn Park

"That is amazing. It's an incredible experience," Emmer said. "It is not only an unbelievable experience, it's truly humbling. It can be an intimidating place to be."

Representing constituents in the State Capitol gives members such as Moe a feeling of pride for his district.

"What has happened more in this session is that I've grown so much more protective of the district that I represent," Moe said. "The paternalism I feel for my community is greater



*"I most enjoyed those moments when we forged coalitions across geographic and political divides and worked together on solutions to issues big and small."*

Rep. Diane Loeffler  
DFL-Mpls

than at any time in my life."

If this year is any indication, the new members will provide plenty of excitement and ideas during the second half of their first terms. They enjoy serving the state, which Dean said makes this class special.

"We thought servility was still cool," Dean said. 🗽

delight."

He especially enjoys the camaraderie of House members. "The kind of characters here — you can't make this stuff up," he said. "You can have a good, spirited debate and then walk off, pat each other on the back and say, 'You got me on this one,

### House veterans are impressed

As the newest House members came into their own this session, they faced scrutiny not only by their constituents, but also by veteran legislators.

The senior members liked what they saw.

"This state is fortunate to have such great public servants," said Rep. Mike Jaros (DFL-Duluth), now serving his 15th nonconsecutive term. "A lot of them have had previous public service experience and have worked in different professions. I think we need that experience."

Jaros said that experience and the level of knowledge about issues that the freshmen class brought to the House distinguished them from previous classes.

Rep. Ron Abrams (R-Minnetonka), now in his 17th year of service, commended the Class of 2005 for bringing new ideas and perspectives to the Legislature.

"There are a number of outstanding freshmen here on both sides of the aisle," he said. "This is one of the strongest classes I've seen in a long time. They put aside partisan politics to a large extent."

House Minority Leader Matt Entenza (DFL-St. Paul), now in his sixth term, agrees.

"This new group of Republicans and Democrats had a big impact on the House," he said. "They are particularly articulate and had helped move forward significant legislation. I believe we passed a great bonding bill because of the new members."

House Speaker Steve Sviggum (R-Kenyon), first elected in 1978, was impressed that many freshmen jumped right into the process.

"They're certainly a good group that got involved in legislation right away. The message that their citizens gave them was to cooperate and get the job done. Some have followed through in that direction; some have not."

Many new members said they made a conscious effort to be nonpartisan, and Rep. Irv Anderson (DFL-Int'l Falls), who has been serving nonconsecutively since 1964, observed that to be true. "They are more bipartisan in their approach."

(B. MARTIN)

### First-term members

Rep. Mike Charron	Rep. Leon Lillie
Rep. Lloyd Cybart	Rep. Diane Loeffler
Rep. Matt Dean	Rep. Frank Moe
Rep. Denise Dittrich	Rep. Joyce Peppin
Rep. Tom Emmer	Rep. Neil W. Peterson
Rep. Patti Fritz	Rep. Sandra Peterson
Rep. Pat Garofalo	Rep. Jeanne Poppe
Rep. Paul Gazelka	Rep. Maria Ruud
Rep. Rod Hamilton	Rep. Brita Sailer
Rep. Rick Hansen	Rep. Bev Scalze
Rep. Melissa Hortman	Rep. Steve Simon
Rep. Larry Hosch	Rep. Andy Welti
Rep. Tina Liebling	

# A citizen's legislature

After adjournment, it's back to the 'real world'

By LAURA NOE

It could be said that the Legislature is akin to baseball. The legislators are the players, the session is the season and the interim is the off-season.

The difference? Minnesota legislators are only "part-time" lawmakers.

Session convenes in January or February and is scheduled to conclude in mid- to late-May. So what do legislators do once session has come to a close?

Laughing, while sipping coffee from her mug, Rep. Margaret Anderson Kelliher (DFL-Mpls) said, "The first priority is getting some sleep for more than a few hours uninterrupted."

Rep. Duke Powell (R-Burnsville) agrees that there needs to be a decompression period before jumping back into the real world.

"It's certainly not reality around here. It's like you're going 100 miles an hour for months at a time and then all of sudden you come to this sudden stop and it's over." To adjust, he takes time to get reacquainted with his family and visit his parents.

Then it's time to put their other hats on. From artists to commercial pilots, the majority of members are busy with other occupations after session.

For the past 25 years, Powell has been a paramedic for Hennepin County Medical Center.

Balancing his time between a paramedic and legislator has been relatively easy, Powell said. "When I'm here I'm on leave, so I don't have to worry about both jobs."

The legislative life is a little different for Rep. Paul Gazelka (R-Brainerd). He owns a small insurance business, and, as a first-term legislator, is learning the difficulties of balancing legislative duties and proprietorship.

During session, he tries to have Friday morning meetings with his five licensed insurance agents. Early in session, there are no regularly scheduled committee meetings or

floor sessions on Friday.

"That's not ideal," he admits, but with time restraints, there isn't much choice. Gazelka said his employees can't wait for him to return and be part of the team. He'll use part of the interim as an opportunity to focus on his business.

Sustaining a healthy marriage and family is also necessary, said Gazelka. His family, including five children, moved with him to St. Paul, but after session they plan to head north and spend time enjoying the lake they live on.

A log homebuilder, Rep. Mark Olson (R-Big Lake) also has difficulty juggling two separate, but connected lives.

"Since I've gotten here the time demands are high and not real manageable because you get a lot of unexpected things," he said. "My life is very much like Minnesota weather."

After taking a few years off from building homes, Olson is determined to get back into it. "I've got some logs and we're going to build some cabins."

## Family first

On top of that, Olson was recently married, and has five stepchildren to consider. He said this summer they're looking forward to

canoeing, bicycling and camping trips.

Rep. Mary Ellen Otremba (DFL-Long Prairie) has multiple teaching licenses and spends the fall substitute teaching. This summer her youngest daughter, Elizabeth, will be her main job.

Elizabeth graduated from high school this year, and Otremba wants to spend every minute she can with her before college starts in the fall. "Family comes first," she said.

Even though they may want to get away from politics for a while, legislators also focus on staying in contact with their constituents and other legislative duties throughout the interim.

## Three-quarter time job

Kelliher believes that calling representatives "part-time legislators" is misleading because it's more like a three-quarter time job. "It has enough during the non-session times that keep you busy and you need to stay on top of things."

When constituents contact her during the interim, there tends to be more casework involved. She uses the time to do research and plan for the next session.

"The interim provides an opportunity to really spend time thinking about policy and policy decisions, and do some exploring, which gets hard to do during the legislative session. It's really hard to slow down long enough to generate ideas or think about how to move an idea forward."

## Getting to know you

Along with the nitty-gritty work, the interim is a time to join in on local festivities. Otremba's summer schedule is brimming with parades.

"I taught in a couple of communities that I have parades in," she said, "so in those communities it's like coming home."

Otremba also judges at 4-H fairs throughout her district. The food competition is a favorite of hers.

"Every single year and every single fair I go to I come home with at least one recipe," she said. A young girl once made a deep-dish pizza that Otremba was so impressed with that she made it every Sunday for years afterwards.



PHOTO BY TOM OLMSCHIED

Now that the Legislature has completed its work, members can return to their "real jobs." For Rep. Sheldon Johnson that is with Ramsey County Community Corrections.







## Your House at 100

The Celebration Continues

Though the legislative session has come to a close, the State Capitol remains a fascinating building to explore, full of history, art and architecture at every turn.

The Minnesota Historical Society Capitol Historic Site offers tours and special events throughout the year.

Take a guided Saturday stroll on the Capitol mall, attend the Aug. 14 groundbreaking ceremony for the state's World War II memorial or hold out until October for a supernatural tour to meet the building's "Shadows and Spirits."

Restoration work will continue beyond the Capitol Centennial celebration.

The 2005 omnibus capital investment law directs \$2.37 million to the Capitol Area Architectural and Planning Board, of which \$1.2 million is to complete the schematic design for the phased renovation and restoration of all interior areas of the Capitol and \$1.17 million is to repair and restore the third floor public areas.

The law specifies that restoration of the dome will be addressed by private fundraising efforts.

One such private organization, Friends of the Minnesota State Capitol, was established this year to commemorate the centennial and ensure that Capitol preservation work will continue after the yearlong celebration comes to a close.

The goals of the organization are to raise both the restoration funds and the public's awareness of the building, according to Eric Ewald, the group's managing director. "The Friends of the Minnesota



PHOTO BY TOM OLMSCHIED

The statehouse through a springtime canopy.

State Capitol aim to help the people of the state of Minnesota continually celebrate the wonderful building.

"The governor has talked about public private partnerships for restoration efforts and we are happy to embrace that," Ewald said. "The open house in January 2005 was such a success we are envisioning other special events that would welcome Minnesotans to the Capitol and remind them they can come and visit anytime — it's truly their house."

To become a Friend of the Minnesota State Capitol, call (651) 203-7246 or visit the Web site ([www.mncapitolfriends.org](http://www.mncapitolfriends.org)).

To learn more about upcoming events at the Capitol, call (651) 296-2881 or log on to the Minnesota Historical Society Capitol Historic Site Web page ([www.mnhs.org/places/sites/msc](http://www.mnhs.org/places/sites/msc)).

(N. Wood)

Special thanks to Carolyn Kompelien and Jaymie Korman of the Minnesota Historical Society Capitol Historic Site for their assistance with the 2005 Capitol Centennial articles.

### Education continued from page 32

transitional planning year. However, that can be waived if the commissioner determines a site or charter school is ready to implement an alternative pay system.

Once teachers and district or charter school officials decide to pursue an alternative pay system, a letter of intent is to be sent to the education commissioner. With the letter, the district and teachers must commit to using up to 2 percent of basic revenue for staff development purposes for the planning process.

Districts and charter schools would be eligible on a first-come, first-served basis. Districts will be eligible to receive up to \$260 per pupil. Total charter school funding is capped at \$522,000 in fiscal year 2006 and \$3.37 million one year later.

### Get Ready, Get Credit

The law provides \$11.6 million for the program that allows high school students to earn college credit in high school by taking college level classes. Students completing a class will be encouraged to take a College Level

Examination Program test to receive immediate state higher education system credit. The state will pay for the test. Subjects in which students can earn credit include: composition, literature, mathematics, science, history, social sciences, foreign languages and business.

Also included is using the ACT Explore test in grade eight and the ACT Plan test two years later to, according to the Education Department, "determine student strengths and weaknesses and allow students, teachers, schools, and parents to determine college readiness earlier than the junior or senior year in high school." There would be no cost to students or their families.

### Policy, other provisions

"We passed a number of policy issues, site-based learning, more accountability for charter schools, online learning will be fully funded and education administrative districts were approved," Sykora said.

A pilot project was also approved to allow five districts to allocate compensatory revenue on the basis of student performance measures,

instead of just for the number of students eligible for free and reduced lunches.

School boards, under the law, are required to adopt anti-bullying and intimidation policies. "This is the first step to curbing violence in our schools," said Rep. Barbara Goodwin (DFL-Columbia Heights).

The law includes a number of provisions on school nutrition programs, including an increase in the state aid lunch payment to school districts participating in the national school lunch program from 8 cents to 10 cents per lunch served, and an increase in the reimbursement rate for kindergarten milk from 9 cents to 14 cents for each half-pint served. It also authorizes fund transfers for a dozen local school districts.

Included in the law is \$325,000 from the game and fish fund to the Department of Natural Resources for a grant for Let's Go Fishing of Minnesota, which the governor line-item vetoed from the omnibus agriculture, environment and jobs and economic development law (2005 Special Session: HF78/SF69\*/CH1).

## Friday, May 20

### HF2531—Loeffler (DFL) Local Government

Hennepin County baseball stadium unsold seat payment requirement imposed.

### HF2532—Davids (R) Regulated Industries

Renewable energy provisions modified.

### HF2533—Hausman (DFL) Agriculture, Environment & Natural Resources Finance

State museum of natural history funding provided at the St. Paul campus of the University of Minnesota, bonds issued and money appropriated.

### HF2534—Koenen (DFL) Transportation

Recreational vehicle combination maximum allowable length increased to 65 feet.

### HF2535—Koenen (DFL) Taxes

Attorney fees, costs and disbursements awarded to prevailing appellant in a special assessment matter.

### HF2536—Nelson, P. (R) Transportation

Driver training; schools that charge a fee for driver training defined as commercial driving schools and certified high school driver training instructor prohibited from instructing non-students.

### HF2537—McNamara (R) Transportation Finance

Red Rock corridor transit way between Hastings and Minneapolis via St. Paul funding provided, bonds issued and money appropriated.

### HF2538—McNamara (R) Jobs & Economic Opportunity Policy & Finance

Hastings; river flats interpretive facility funding provided, bonds issued and money appropriated.

### HF2539—Sailer (DFL) Public Safety Policy & Finance

Gonvick emergency training administration center funding provided, bonds issued and money appropriated.

### HF2540—Kohls (R) Commerce & Financial Institutions

Title insurance definition provided.

### HF2541—Penas (R) Environment & Natural Resources

All-terrain vehicle regulations modified.

### HF2542—Holberg (R) Rules & Legislative Administration

Transportation, Metropolitan Council and public safety funding provided, bonds issued, money appropriated and constitutional amendment proposed.

### HF2543—Magnus (R) Rules & Legislative Administration

Gasoline and special fuels tax increase provided and constitutional amendment proposed.

## Saturday, May 21

### HF2544—Blaine (R) Governmental Operations & Veterans Affairs

Current and past retirement coverage for certain St. Cloud correctional facility employee clarified.

### HF2545—Wagenius (DFL) Environment and Natural Resources

Sales and use tax increase by 0.25 percent authorized, proceeds dedicated to natural resource and clean water purposes and constitutional amendment proposed.

### HF2546—Larson (DFL) Governmental Operations & Veterans Affairs

Independent School District No. 271, Bloomington, service credit purchase for general employees authorized.

### HF2547—Anderson, I. (DFL) Governmental Operations & Veterans Affairs

Legislative adjournment deadline removed, number of legislative days modified and constitutional amendment proposed.

### HF2548—Urdahl (R) Taxes

Reduced property tax rate for certain land bordering public waters authorized.

### HF2549—Mahoney (DFL) Local Government

Political subdivision job evaluation training requirements modified.

### HF2550—Erhardt (R) Transportation

Revisor of Statutes directed to change term "tax" to "fee" in Minnesota Statutes where it refers to vehicle registration tax or motor fuels tax.

### HF2551—Demmer (R) Public Safety Policy & Finance

Rochester; regional public safety training center bonds issued and money appropriated.

## Monday, May 23

### HF2552—Tingelstad (R) Governmental Operations & Veterans Affairs

Commuter rail lines planning, construction and operation provided.

### HF2553—Thissen (DFL) Local Government

Metropolitan Airports Commission included in the oversight responsibilities of the Legislative Commission on Metropolitan Government.

### HF2554—Wilkin (R) Commerce & Financial Institutions

Identity theft; consumer credit report information blocking procedure provided.

### HF2555—Wilkin (R) Commerce & Financial Institutions

Credit card offers and solicitations regulated and address corrections required.

### HF2556—Wardlow (R) Jobs & Economic Opportunity Policy & Finance

Dakota County affordable assisted living housing construction funding provided, bonds issued and money appropriated.

### HF2557—Cybart (R) Agriculture, Environment & Natural Resources Finance

Dakota County; Empire Wetlands Wildlife Area land acquisition funding provided, bonds issued and money appropriated.

### HF2558—Powell (R) Public Safety Policy & Finance

Dakota County; public safety support center funding provided, bonds issued and money appropriated.

### HF2559—Cybart (R) Transportation Finance

Dakota County; Cedar Avenue transit way funding provided, bonds issued and money appropriated.

### HF2560—McNamara (R) Jobs & Economic Opportunity Policy & Finance

Dakota County; contaminated site development funding provided for purposes of green space and affordable housing, bonds issued and money appropriated.

### HF2561—Atkins (DFL) Transportation Finance

Metropolitan Council regional travel demand study provided relating to Dakota and Washington counties, bonds issued and money appropriated.

### HF2562—Ozment (R) Agriculture, Environment & Natural Resources Finance

Goodhue and Dakota counties; Byllesby Dams safety improvements funding provided, bonds issued and money appropriated.

## Special Session Bills

## Thursday, May 26

### SSH1—Buesgens (R) Rules & Legislative Administration

Lottery gaming machines provided at racetrack, taxes imposed and blackjack and other card games authorized.

**SSHF2—Sykora (R)****Rules & Legislative Administration**

Early childhood, adult, family and K-12 education funding provided and money appropriated.

**SSHF3—Bradley (R)****Rules & Legislative Administration**

Omnibus health and human services bill.

**SSHF4—Holberg (R)****Rules & Legislative Administration**

Motor vehicle sales tax proceeds dedicated to transportation and constitutional amendment proposed.

**SSHF5—Ozment (R)****Rules & Legislative Administration**

Omnibus agricultural finance bill.

**SSHF6—Ozment (R)****Rules & Legislative Administration**

Omnibus environment and natural resources finance bill.

**SSHF7—Gunther (R)****Rules & Legislative Administration**

Omnibus jobs and economic development bill.

**SSHF8—Severson (R)****Rules & Legislative Administration**

Marriage redefinition as union of only one man and one woman question placed on 2006 general election ballot and constitutional amendment proposed.

**SSHF9—Olson (R)****Rules & Legislative Administration**

Annexations affecting precinct boundaries procedures modified.

**SSHF10—Ozment (R)****Rules & Legislative Administration**

Heritage enhancement fund established, sales tax increased and portion dedicated to natural resource purposes, clean water fund established, councils created and constitutional amendment proposed.

**SSHF11—Ozment (R)****Rules & Legislative Administration**

Clean Water Legacy Act adopted, money appropriated and constitutional amendment proposed.

**SSHF12—Howes (R)****Rules & Legislative Administration**

Marriage recognized only between one man and one woman and constitutional amendment proposed.

**SSHF13—Buesgens (R)****Rules & Legislative Administration**

General education access grants for students authorized.

**SSHF14—Erhardt (R)****Rules & Legislative Administration**

Revisor directed to change term “tax” to “fee” in statutes where references to vehicle registration tax or motor fuels tax occur.

**SSHF15—Latz (DFL)****Rules & Legislative Administration**

High-occupancy vehicle lanes usage expanded.

**Friday, May 27****SSHF16—Hansen (DFL)****Rules & Legislative Administration**

Minnesota State Retirement System disability benefits application authorized.

**SSHF17—Eken (DFL)****Rules & Legislative Administration**

Revisor instruction to change “tax” to “fee” in references to state or local taxes.

**SSHF18—Atkins (DFL)****Rules & Legislative Administration**

Commercial electronic mail messages regulated.

**SSHF19—Westerberg (R)****Rules & Legislative Administration**

Lottery gaming machines and non-lottery games authorized at a racetrack facility, fees imposed and money appropriated.

**SSHF20—Westerberg (R)****Rules & Legislative Administration**

Football stadium agreement requirements provided.

**SSHF21—Westerberg (R)****Rules & Legislative Administration**

Anoka County football stadium financing provided, stadium authority established and county taxes authorized.

**SSHF22—Cox (R)****Rules & Legislative Administration**

Waste electronic products recovery and recycling provided and money appropriated.

**SSHF23—Hilty (DFL)****Rules & Legislative Administration**

State salary supplements funding provided and money appropriated.

**SSHF24—Carlson (DFL)****Rules & Legislative Administration**

Education basic formula allowance increased.

**SSHF25—Carlson (DFL)****Rules & Legislative Administration**

Voluntary full-day kindergarten authorized and money appropriated.

**SSHF26—Johnson, R. (DFL)****Rules & Legislative Administration**

Independent School District No. 508, St. Peter, authorized to use health and safety revenue for an energy recovery system.

**SSHF27—Ellison (DFL)****Rules & Legislative Administration**

A House resolution memorializing the governor to proclaim June 9, 2005, as National Black Philanthropy Day.

**Friday, June 3****SSHF28—Emmer (R)****Rules & Legislative Administration**

Campaign disclosure requirements modified, independent campaign expenditures by political party units limited, electioneering communications regulated, certain government contributions prohibited and work group established.

**SSHF29—Emmer (R)****Rules & Legislative Administration**

Campaign finance regulated, annual notice of state employee's right to reduce union dues required, union accounting procedures modified and certain government contributions prohibited.

**SSHF30—Latz (DFL)****Rules & Legislative Administration**

St. Louis Park police officer killed on active duty in Iraq spousal survivor benefits provided.

**SSHF31—Eken (DFL)****Rules & Legislative Administration**

Long-term care provider inflation adjustments provided and income tax provisions modified.

**SSHF32—Westerberg (R)****Rules & Legislative Administration**

Lottery gaming machine operation at gaming facility authorized, facility license regulations established, gaming transaction fee imposed and money appropriated.

**SSHF33—Cox (R)****Rules & Legislative Administration**

Resident tuition regulated.

**SSHF34—Slawik (DFL)****Rules & Legislative Administration**

Child-care assistance income eligibility provisions modified, provider rate differential established for accreditation, license fees temporarily suspended and parent fee schedule modified.

**SSHF35—Peterson, A. (DFL)****Rules & Legislative Administration**

Renewable energy standard requirements for utilities established.

**SSHF36—Blaine (R)****Rules & Legislative Administration**

Purple Heart Memorial Highway designated.

**SSHF37—Greiling (DFL)****Rules & Legislative Administration**

Child-care assistance; early childhood family, community, adult basic and special education funding increased; child-care fees reduced and suspended; temporary income tax surtax imposed; grants provided and money appropriated.

**SSHF38—Zellers (R)****Rules & Legislative Administration**

Maple Grove hospital construction authorized.

**SSHF39—Zellers (R)****Rules & Legislative Administration**

Hospital construction moratorium exception provided.

**SSHF40—Hansen (DFL)****Rules & Legislative Administration**

Farmland and natural areas fund created, cigarette fee imposed, council created and money appropriated.

**SSHF41—Huntley (DFL)****Rules & Legislative Administration**

MinnesotaCare limited benefit set eliminated, alternative cost recovery and lien provisions repealed, fees reduced, state health plans authorized, health care cost containment fee on cigarette distributors imposed and money appropriated.

**SSHF42—Rukavina (DFL)****Rules & Legislative Administration**

Income tax bracket added, cigarette tax increased, tax revenue dedication modified and floor stocks tax imposed.

**SSHF43—Rukavina (DFL)****Rules & Legislative Administration**

Biomass sale contracting by county boards authorized.

**SSHF44—Smith (R)****Rules & Legislative Administration**

Retirement and pension provisions modified and money appropriated.

## Tuesday, June 7

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**SSHF45—Kahn (DFL)****Rules & Legislative Administration**

Political subdivisions pay equity reporting requirements modified.

**SSHF46—Kahn (DFL)****Rules & Legislative Administration**

Referendum provided on specified spending issues and constitutional amendment proposed.

**SSHF47—Kahn (DFL)****Rules & Legislative Administration**

Casino; state lottery authorized to lease and operate a casino at the Minneapolis-St. Paul International Airport and money appropriated.

**SSHF48—Vandever (R)****Rules & Legislative Administration**

Education income tax credit modified.

**SSHF49—Vandever (R)****Rules & Legislative Administration**

Alternative minimum tax for individuals and corporations abolished.

**SSHF50—Vandever (R)****Rules & Legislative Administration**

County assessment responsibilities required to be made by resolution with super majority vote.

**SSHF51—Vandever (R)****Rules & Legislative Administration**

I-35E interchanges construction funding provided, bonds issued and money appropriated.

**SSHF52—Vandever (R)****Rules & Legislative Administration**

Welfare and health care benefits one-year residency requirement imposed and constitutional amendment proposed.

**SSHF53—Meslow (R)****Rules & Legislative Administration**

Revisor's bill correcting miscellaneous oversights, inconsistencies and technical errors.

**SSHF54—Lenczewski (DFL)****Rules & Legislative Administration**

Cigarette cost mitigation fee imposed and funds transfer provided.

**SSHF55—Lenczewski (DFL)****Rules & Legislative Administration**

Cigarette tax increased, revenue dedicated and floor stocks tax imposed.

**SSHF56—Peterson, S. (DFL)****Rules & Legislative Administration**

High-occupancy vehicle lanes regulated.

**SSHF57—Kahn (DFL)****Rules & Legislative Administration**

Minnesota Twins community ownership process provided.

## Thursday, June 9

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**SSHF58—Seifert (R)****Rules & Legislative Administration**

Political contributions and solicitations prohibited during special legislative sessions.

**SSHF59—Juhnke (DFL)****Rules & Legislative Administration**

High-occupancy vehicle lane usage authorized without toll in off-peak hours.

**SSHF60—Kahn (DFL)****Rules & Legislative Administration**

Poet laureate appointment provided.

**SSHF61—Slawik (DFL)****Rules & Legislative Administration**

Early education program funding increased and money appropriated.

**SSHF62—Finstad (R)****Rules & Legislative Administration**

Major league baseball ballpark financing and construction provided, Minnesota Ballpark Authority established, community ownership option provided and Hennepin county sales tax authorized.

**SSHF63—Seifert (R)****Rules & Legislative Administration**

Stop Special Session Act of 2005 adopted modifying the definition of fiscal year to begin on May 21.

**SSHF64—Solberg (DFL)****Rules & Legislative Administration**

Public Employees Retirement Association repayment of a refund authorized.

**SSHF65—Lieder (DFL)****Rules & Legislative Administration**

County state-aid highway funds distribution modified, passenger automobile tax rates and depreciation schedule modified, motor fuel taxes increased, motor vehicle sales tax dedicated, highway bonds issued and money appropriated.

**SSHF66—Mahoney (DFL)****Rules & Legislative Administration**

University of Minnesota football stadium construction provided, bonds issued and money appropriated.

**SSHF67—Krinkie (R)****Rules & Legislative Administration**

Professional sports facilities state policy provided, major league baseball stadium financing and construction provided, Minnesota Ballpark Authority established, Hennepin County sales tax authorized and revenue dedicated to public bodies.

**SSHF68—Marquart (DFL)****Rules & Legislative Administration**

City local government aid formula modified.

**SSHF69—Lenczewski (DFL)****Rules & Legislative Administration**

Cigarette health impact fee imposed, health impact special fund established and floor stocks fee provided.

## Monday, June 13

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**SSHF70—Smith (R)****Rules & Legislative Administration**

Family law provisions modified requiring notification when custodial parent resides with certain convicted persons; and modifying paternity presumptions, child custody and adoption provisions and marital property judgments.

**SSHF71—Holberg (R)****Rules & Legislative Administration**

Transportation, public safety and public transit funding provided; motor vehicle and dealers records and fees provisions modified and money appropriated.

**SSHF72—Brod (R)****Rules & Legislative Administration**

Electronic voting system certification deadline suspended.

**SSHF73—Anderson, B. (R)****Rules & Legislative Administration**

I-94 designated as 88th Infantry (Blue Devils) Division Highway.

**SSHF74—Anderson, B. (R)****Rules & Legislative Administration**

Special license plates authorized for veterans of global war on terrorism.

**SSHF75—Erhardt (R)****Rules & Legislative Administration**

Transportation policy provisions modified.

**SSHF76—Latz (DFL)****Rules & Legislative Administration**

Large employer fair share health care fund established, payments required, assets regulated, rule-making authorized and penalties provided.

## Thursday, June 16

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**SSHF77—Hackbarth (R)****Rules & Legislative Administration**

Heritage enhancement fund and council established, portion of sales tax dedicated for game and fish purposes and constitutional amendment proposed.

**SSHF78—Tingelstad (R)****Rules & Legislative Administration**

Minnesota future resources fund established and cigarette fee imposed to fund natural resources acceleration.

**SSHF79—Erhardt (R)****Rules & Legislative Administration**

County transportation funding provisions modified, automobile taxes modified, motor fuel taxes increased, highway bonds issued, previous constitutional amendment proposal modified and money appropriated.

**SSHF80—Kahn (DFL)****Rules & Legislative Administration**

Minnesota Twins community ownership process provided.

**SSHF81—Dean (R)****Rules & Legislative Administration**

Human services licensing and background studies, and state-operated services data and records provisions modified; abuse prevention plans expanded; and family childcare and childcare center provisions modified.

**SSHF82—Poppe (DFL)****Rules & Legislative Administration**

Childcare licensure provided as an employer care cooperative program.

**SSHF83—Hansen (DFL)****Rules & Legislative Administration**

Legislative auditor authorized to retain certain audit fees.

**SSHF84—Davnie (DFL)****Rules & Legislative Administration**

Educational expectations established, excellence rewarded and money appropriated.

**SSHF85—Larson (DFL)****Rules & Legislative Administration**

Metropolitan Airports Commission meetings prohibited from being held within an airport security screening perimeter.

**SSHF86—Urdahl (R)****Rules & Legislative Administration**

Trout stream naming rights auctions authorized.

**SSHF87—Ozment (R)****Rules & Legislative Administration**

State park and recreation area operations funding provided and money appropriated.

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**Monday, June 20**
**SSHF88—Anderson, B. (R)****Rules & Legislative Administration**

Special motorcycle license plates authorized for veterans of the Global War on Terrorism.

**SSHF89—Johnson, R. (DFL)****Rules & Legislative Administration**

Charter school finance study on the effect of property tax payments required.

**SSHF90—Johnson, S. (DFL)****Rules & Legislative Administration**

St. Paul; Bruce Vento Nature Sanctuary interpretive center construction funding provided, bonds issued and money appropriated.

**SSHF91—Vanderveer (R)****Rules & Legislative Administration**

Interstate 35 and County State Aid Highway 23 interchange construction funding provided, bonds issued and money appropriated.

**SSHF92—Abrams (R)****Rules & Legislative Administration**

University of Minnesota football stadium state support process provided and money appropriated.

**SSHF93—Solberg (DFL)****Rules & Legislative Administration**

State government budget balance structure provided; education, environment, agriculture, economic development, transportation, and health and human services funding provided; fees limited and fixed; and money appropriated.

**SSHF94—Lenczewski (DFL)****Rules & Legislative Administration**

Income tax provisions modified; federal conformity provided; state contracts with certain vendors prohibited; cigarette, liquor and vehicle taxes provided; other tax provisions modified; and money appropriated.

**SSHF95—Seifert (R)****Rules & Legislative Administration**

Term limits provided for legislators and constitutional amendment proposed.

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**Thursday, June 23**
**SSHF96—Dean (R)****Rules & Legislative Administration**

Bus rapid transit system study required in the transportation corridor between Stillwater and St. Paul through Woodbury, conducted by the Transportation Department and the Metropolitan Council.

**SSHF97—Sykora (R)****Rules & Legislative Administration**

School tuition organization contribution income tax credit authorized.

**SSHF98—Sykora (R)****Rules & Legislative Administration**

A House resolution memorializing the United States secretary of state to refer the Devils Lake outlet to the International Joint Commission.

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**Monday, June 27**
**SSHF99—Carlson (DFL)****Rules & Legislative Administration**

State government temporary continued operation funding provided and money appropriated.

**SSHF100—DeLaForest (R)****Rules & Legislative Administration**

Unrepresented and managerial state employees governing plans amendments ratified.

**SSHF101—Larson (DFL)****Rules & Legislative Administration**

Motor fuel taxes increased, percentage of motor vehicle sales tax dedicated to transportation adjusted and money appropriated.

**SSHF102—Larson (DFL)****Rules & Legislative Administration**

Motor vehicle sales tax percentages dedicated to transportation adjusted and state road construction appropriations reduced.

**SSHF103—Westrom (R)****Rules & Legislative Administration**

Police and fire fund pension eligibility for survivor benefits extended to include pension fund members in active military service.

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**Tuesday, June 28**
**SSHF104—Mullery (DFL)****Rules & Legislative Administration**

Foreign operating corporation definition modified relating to corporate franchise tax.

**SSHF105—Dean (R)****Rules & Legislative Administration**

Legislator salary or per diem compensation payments prohibited during periods of government shutdown.

**SSHF106—Holberg (R)****Rules & Legislative Administration**

Transportation, Metropolitan Council and public safety funding provided and money appropriated.

**SSHF107—Olson (R)****Rules & Legislative Administration**

State government financing, operation and taxation provisions modified and money appropriated.

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**Wednesday, June 29**
**SSHF108—Hoppe (R)****Rules & Legislative Administration**

Minneapolis additional deputy registrar of motor vehicle and driver's license agent authorized and Carver County auditor appointed as a deputy motor vehicle registrar and driver's license agent.

**SSHF109—Thissen (DFL)****Rules & Legislative Administration**

Limited driver's license authorized for persons under suspension for unpaid judgment arising from motor vehicle operation.

**SSHF110—Hornstein (DFL)****Rules & Legislative Administration**

Metropolitan area sales tax imposed for infrastructure debt service and transit operations.

**SSHF111—Knoblach (R)****Rules & Legislative Administration**

State government transitional financing provided through July 6, 2005, under certain circumstances.

**SSHF112—Knoblach (R)****Rules & Legislative Administration**

State government temporary operation funding provided and money appropriated.

**SSHF113—Lenczewski (DFL)****Rules & Legislative Administration**

Income tax marriage penalty relief federal conformity provided and top income tax rate temporarily increased.

**SSHF114—Paulsen (R)****Rules & Legislative Administration**

State governmental operations funding provided for early childhood and K-12 education; agriculture, environment and natural resources; health and human services; and transportation; tax provisions modified and money appropriated.

## Thursday, June 30

**SSHF115—Peppin (R)**  
**Rules & Legislative Administration**  
Gasoline sales below cost regulated.

**SSHF116—Hackbarth (R)**  
**Rules & Legislative Administration**  
Game and fish preservation fund established, sales tax portion dedicated to natural resources purposes and constitutional amendment proposed.

**SSHF117—Davids (R)**  
**Rules & Legislative Administration**  
Eminent domain use restricted.

**SSHF118—Thissen (DFL)**  
**Rules & Legislative Administration**  
Eminent domain compensation provided for loss of going concern.

**SSHF119—Erhardt (R)**  
**Rules & Legislative Administration**  
Transportation, Metropolitan Council and public safety funding provided; motor fuel tax increased; trunk highway bonds issued; other vehicle and traffic provisions modified; and money appropriated.

## Friday, July 1

**SSHF120—Kahn (DFL)**  
**Rules & Legislative Administration**  
Minnesota Conservation Heritage Council established, funding provided for natural resources land acquisition, cigarette fee imposed and constitutional amendment proposed.

**SSHF121—Nelson, P. (R)**  
**Rules & Legislative Administration**  
Legislator compensation payments prohibited during a period of government shutdown.

**SSHF122—Hortman (DFL)**  
**Rules & Legislative Administration**  
Highway user debt service fee imposed on gasoline and special fuel, sales tax imposed for metropolitan transit purposes, trunk highway bonds issued and money appropriated.

**SSHF123—Smith (R)**  
**Rules & Legislative Administration**  
Eminent domain acquisition prohibited for private economic development purposes.

**SSHF124—Cox (R)**  
**Rules & Legislative Administration**  
Tobacco use health impact fee and floor stocks fee imposed and health impact fund established.

**SSHF125—Buesgens (R)**  
**Rules & Legislative Administration**  
Lottery gaming machines provided, taxes imposed, blackjack and other card games authorized, Clean Water Legacy Act established, other tax and retirement provisions modified, salary supplements provided and money appropriated.

## Saturday, July 2

**SSHF126—Sertich (DFL)**  
**Rules & Legislative Administration**  
State government temporary continued operation funding provided and money appropriated.

## Thursday, July 7

**SSHF127—Erickson (R)**  
**Rules & Legislative Administration**  
Maple Grove hospital construction moratorium exception provided.

**SSHF128—Sertich (DFL)**  
**Rules & Legislative Administration**  
State government continued temporary operation funding provided and money appropriated.

**SSHF129—Erhardt (R)**  
**Rules & Legislative Administration**  
Individual income tax liability surcharge imposed.

**SSHF130—Bernardy (DFL)**  
**Rules & Legislative Administration**  
School district transition revenue formula modified.

## Friday, July 8

**SSHF131—Bernardy (DFL)**  
**Rules & Legislative Administration**  
Education supplemental compensatory revenue calculation provided.

## Wednesday, July 13

**SSHF132—Johnson, J. (R)**  
**Rules & Legislative Administration**  
Eminent domain land acquisition prohibited in certain circumstances.

**SSHF133—Davids (R)**  
**Rules & Legislative Administration**  
Legislative appropriations continued in effect until amended or eliminated by law.

**SSHF134—Emmer (R)**  
**Rules & Legislative Administration**  
Wagering losses income tax deduction disallowed.

**SSHF135—Kahn (DFL)**  
**Rules & Legislative Administration**  
Legislative appropriations continued in effect until amended or eliminated by law.

**SSHF136—Vandever (R)**  
**Rules & Legislative Administration**  
Local government requirements for use of certain nonconforming lots limited.

**SSHF137—Eastlund (R)**  
**Rules & Legislative Administration**  
Nonpartisan legislative offices provided and state elections campaign fund allocation modified.

**SSHF138—Abrams (R)**  
Omnibus tax bill, including income, sales and use, property, fuel, tobacco, liquor, corporate franchise, health care revenue and insurance tax modifications; and appropriating money.

**SSHF139—Bradley (R)**  
Omnibus health and human services bill providing policy and funding, establishing the tobacco health impact fee; and appropriating money.

**SSHF140—Holberg (R)**  
Omnibus transportation funding bill, including highway funding, Metropolitan Council, public transit, public safety and related motor vehicle provisions modifications; and appropriating money.

**SSHF141—Sykora (R)**  
Omnibus K-12 and early childhood education appropriations bill, including general education, facilities and related provisions modifications; and appropriating money.

## Frequently called numbers

(Area code 651)

Information Services, House Public  
175 State Office Building ..... 296-2146  
Chief Clerk of the House  
211 Capitol ..... 296-2314  
Index, House  
211 Capitol ..... 296-6646

TTY, House ..... 296-9896  
Toll free ..... 1-800-657-3550  
Information, Senate  
231 Capitol ..... 296-0504  
TTY, Senate ..... 296-0250  
Toll free ..... 1-888-234-1112

Secretary of the Senate  
231 Capitol ..... 296-2344  
Voice mail/order bills ..... 296-2343  
Index, Senate  
110 Capitol ..... 296-5560

## Reaction continued from page 12

Fourth of July and celebrate the freedom for our government to have dialogue and disagree and get the best deal we can.”

Rep. Tim Wilkin (R-Eagan) suggested that although no one wanted a shutdown, if one had to occur, it happened at the most opportune time. “People have other things on their agendas right now: vacations, trips, summertime.”

When people contacted Wilkin, he explained what each side was offering in their initial proposals, which illustrated just how far apart the parties were in terms of money.

“That’s worth a thousand words,” Wilkin said.

Perhaps one of the reasons there was not more contact from voters is because not only were essential services kept operational, but once people did voice their concerns about specific issues, they were acted upon.

“The calls really started coming in when the state parks were going to close,” Girvan said. The parks ended up staying open.

Once the shutdown occurred, calls came in from people who needed a permit from the Transportation Department to move heavy equipment, Girvan said. As a result, those services were reclassified as essential and people could get the permits.



PHOTO BY TOM OLMSCHIED

**House Minority Leader Matt Entenza reacts to Gov. Tim Pawlenty's June 30 announcement that there will be a partial government shutdown after legislative leaders failed to reach a budget compromise.**

If voters are truly unhappy with their legislators' performances, it should be evident in next year's elections.

“It will be a campaign issue. That’s one of the reasons we are where we are. We are so ideologically tied down,” Ellison said. “There will be repercussions at the voting booth next year.”

Other legislators, including Murphy, say it’s too early to speculate on how the shutdown will impact elections. If the shutdown results in better legislation, there won’t be a lasting negative affect, she said.

“If we negotiate long enough to make the right decisions that don’t affect property taxes so much, it will be fine because people will be smiling when school starts again in the fall,” Murphy said. “People are supportive of good decisions.”

Howes said the shutdown might be an issue for incumbents next year, depending on what happens between now and then.

“A year from now, if the economy is rolling along, and I think it will be, this will just be part of history,” he said.

One year can be a long time in politics and voters may forget about the shutdown as new issues take their place. “It’s hard to say what will happen in an election that’s 15 months away,” Wilkin said. “We don’t know what other issue might eclipse this.”

## Hogs, Frogs & Jobs continued from page 33

- increases cross country ski pass fees and watercraft license fees, among others ; and
- specifies that boat trailers could be subject to seizure and forfeiture by the department because of a DWI arrest.

Under the new law, the Pollution Control Agency and Office of Environmental Assistance are merged into one department. The new entity will be known as the Department of Environmental Protection.

The new law allocates \$268.04 million to the department for land, water, and air monitoring, regulation enforcement, environmental education and recycling efforts.

A number of environmental projects are funded through a \$33.56 million appropriation for projects approved by the Legislative Commission on Minnesota Resources (LCMR). An advisory task force will be formed to examine the current process for recommending expenditures from the Environment and Natural Resources Trust Fund, a duty currently assigned to the LCMR.

Pawlenty vetoed just over \$4 million in LCMR-approved projects as well as the commission’s operational funding for fiscal year 2007.

Smaller biennial budget amounts in the new law include \$34.05 million for the Minnesota Zoological Board, \$31.79 million for the Board of Water and Soil Resources and \$15.74 million to the Metropolitan Council for regional parks.

The Minnesota Conservation Corps would receive \$1.68 million and the Science Museum of Minnesota appropriation would be set at \$1.5 million.

### Jobs and housing

The jobs and economic development portion of the new law forwards \$382.24 million in overall spending, after all line-item vetoes are calculated.

Policy provisions will adjust certain license and inspection fees, including marriage licenses, and create a commission to plan the celebration for Minnesota’s 150th anniversary of statehood.

The larger agency appropriations include:

- \$120.72 million for the Department of Employment and Economic Development for business and community development and workforce services, among other activities;
- \$70.47 million for the Minnesota Housing Finance Agency, including \$4 million for

an initiative to end homelessness;

- \$46.45 million to the Minnesota Historical Society, including an allocation for historical site operations and \$120,000 to offset the revenue loss for not charging fees for State Capitol tours;
- \$45.84 million to the Department of Labor and Industry, including \$20.74 million for the workers compensation division;
- \$44.13 million for the Department of Commerce; and
- \$18.4 million to Explore Minnesota tourism.

The governor’s veto pen slashed \$1 million to provide training to American Indians on personal financial management and to become small businesspersons, \$366,000 for a learn-to-earn summer youth employment grant and \$125,000 for cold hardy grape research, among other programs.

“The vetoed appropriations ... either do not support our highest priority core economic development and job training programs or duplicate the efforts of existing economic development programs, or are programs that receive funding from other sources,” he wrote in his veto message.



## Health & Human continued from page 34

Teen Challenge, which Bradley called "the most effective treatment program in Minnesota," will receive \$1.8 million, the amount originally proposed by the House.

Dentists and rural pharmacists will be added to the health professional loan forgiveness program.

A 5 percent reduction in hospital rates should save \$58 million, and the elimination of suicide prevention grants should result in savings of nearly \$2 million.

### At no cost

The working group approved some items without designating any accompanying money, including a requirement to collect residency information on applicants of certain

human services programs and nursing facility rate changes for long term care facilities located in Renville, Otter Tail, Anoka and Aitkin counties.

A Senate discharge plan for offenders with serious and persistent mental illness was not funded, nor was a collaborative services study between schools and mental health providers.

A compulsive gambling grant program was established, but the money will come from lottery funds.

Several proposals by both sides were dropped during negotiations as the parties focused their efforts, and money, on other priorities. The House had sought a study by the human services commissioner on access to dental services by people with disabilities. In return, the Senate wanted a study on childhood obesity. Neither was included in the law.

Other House proposals that were dropped include requiring the human services commissioner to report to the Legislature on criteria and rate negotiations for nursing facilities that provide specialized care, and to develop a report on health care financing and a proposed report on the number of applicants to specified programs who had not lived in Minnesota for the previous 12 months.

Senate proposals that didn't make the final cut include modifying the definition of gross individual or gross family income for self-employed farmers under the MinnesotaCare program and modifying the MinnesotaCare option for small employers.

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## Taxes continued from page 35

2006 and 2007, the increase in value is limited to 15 percent or 25 percent of the difference between the current value and the previous year's limited value. The last year that limited market value will be available is in the assessment year 2008 for taxes payable in 2009.

Also under the new law, owners of property that has been contaminated by mold or lead could see a property tax reduction to help with mitigation costs.

Homeowners will be allowed a one-year val-

uation reduction equal to the cost of repairing damage due to mold contamination. The cost of repairing the damage must be at least \$20,000 to qualify for the valuation reduction.


If a city has authorized a valuation reduction in property because of lead contamination, the owner may receive a one-year valuation reduction equal to the cost of mitigating the lead hazards. This would apply only to projects with at least \$3,000 in costs beginning after July 1, 2005 and completed before July 1, 2010.

While more restrictive than before, the new law also reinstitutes class 4d property for

qualifying low-income rental housing.

### Money for municipalities

The state will be distributing about \$48 million in local government aid to cities.

The new law also provides an additional \$6 per capital to cities with a population of less than 5,000. When a city reaches the 5,000-population threshold, that aid would be eliminated and the city would then begin to receive a portion of municipal street aid instead. 

## Transportation continued from page 36

medal and bear certain inscriptions. Medal of Honor recipients and former prisoners of war will also be able to receive special plates with designated markings.


Firefighters will be able to receive special license plates for motorcycles that indicate they

are firefighters. Previously, the special plates were only available for cars and trucks.

The law also changes the names of a highway and a bridge to honor certain veterans.

A portion of Trunk Highway 371 from Little Falls to Cass Lake, except for the Brainerd bypass, will be designated the "Purple Heart Memorial Highway." The bridge over the St.

Louis River that is marked Trunk Highway 23 will be named the "Biauswah Bridge in Honor of Native American Veterans."

The transportation commissioner is charged with adopting suitable highway markings and signs to mark the highway and bridge. 

## Offices continued from page 42

near Pine City.


"I think you feel at home in your office when you decorate it," said Soderstrom.

A warm-colored quilt with farm scenes dominates the office of Rep. Mary Ellen

Otremba (DFL-Long Prairie) to reflect her rural district.

Still others have more unique things that reflect who they are or were.

An archeological dig in the office of Rep. Gene Pelowski, Jr. (DFL-Winona), a history

teacher, would reveal many interesting artifacts. There's an inflatable sarcophagus, lots of memorabilia from his golf pro days and several license plates with college insignias that resulted from a law he sponsored in the 1990s. 

## To our readers:

With this issue, we put to bed *Session Weekly* for another year. And when the Legislature reconvenes on Wednesday, March 1, 2006, we look forward to again providing nonpartisan information about the legislative process in this award-winning weekly publication.

If you are not a subscriber to *Session Weekly*, you can do so by calling us at (651) 296-2146 or by going online to <http://www.house.leg.state.mn.us/hinfo/subscribesw.asp>.

If you are a subscriber and have not filled out our readership survey, which was printed in the May 20 *Session Weekly*, you may do so by going to [www.house.leg.state.mn.us/survey/session-weekly84.asp](http://www.house.leg.state.mn.us/survey/session-weekly84.asp).

Don't forget to visit the House of Representatives booth during the Minnesota State Fair Aug. 25-Sept. 5. It is located in the Education Building on Cosgrove Street just north of Dan Patch

Avenue. Besides visiting with lawmakers, fair-goers can let their opinions be known on a number of state issues by taking the annual House of Representatives State Fair Poll.

If you have any questions about *Session Weekly*, or suggestions for improving our coverage, please call us at (651) 296-0337.

Until next year,  
*Session Weekly* staff

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Sources: House Journal, House Budget and Accounting Office, House Public Information Services, Legislative Reference Library.

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