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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

# 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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## CONTENTS

### HIGHLIGHTS

Agriculture • 5	Employment • 6	Humanities • 9
Arts • 5	Environment • 7	Industry • 9
Bonding • 5	Family • 8	Law • 10
Business • 6	Game & Fish • 8	Local Government • 10
Consumers • 6	Government • 8	Safety • 10
Education • 6	Health • 9	

### BILL INTRODUCTIONS (HF2470-HF2487) • 23

### FEATURES

First Reading: Focus on the students • 3
Capitol Centennial: Incandescent beauty • 4
Feature: Capitol draws retirees back to work • 12
At Issue: Gambling proposals linked • 14
At Issue: Conceal and carry gets another round • 15
At Issue: Health omnibus bill covers range of topics • 16
At Issue: Curbing health care costs • 17
At Issue: Higher education, higher budget • 18
At Issue: Looking through the gender lens • 19
At Issue: Gas pricing could get more competitive • 20

### DEPARTMENTS/RESOURCES

What's On the Web • 11	Governor's Desk • 22
Frequently Called Numbers • 11	Minnesota Index: Minnesota Education • 24
Constitutional Officers • 23	For more information • 24

**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



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.**

### 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.

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**

**First Reading continued from page 3**

“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

**First Reading continued on page 21**

## **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 OLMSCHEID

**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 MaryLiz 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

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

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 superceded 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)

**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

# 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 Restad watches the action on the House floor April door of the chamber on session days.**



**Arlen and Arlene Restad married 52 years, are retirees who work as House pages during the legislative sessions.**

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,



PHOTO ILLUSTRATION BY TOM OLMSCHEID

**Lawmakers are considering a new proposal that would put two new casinos at or near Canterbury Park in Shakopee.**

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?"

# 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.



**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.**



**PHOTOS BY ANDREW VONBANK**  
**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.**

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. 

# 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 OLMSCHEID

**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 OLMSCHIED

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.

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# MINNESOTA INDEX

## Minnesota Education

Number of elementary and secondary schools in Minnesota in 2003 .....	2,503
School districts in 2003.....	417
Number of students in 2003 .....	846,891
Decrease from 2001.....	7,449
Number of teachers in 2003.....	52,808
Decrease from 2001.....	649
Average teacher salary in 2003.....	\$44,745
Increase from 2002.....	\$2,570
Minnesota adults, as percent in 2004, who have a high school diploma.....	88
National average.....	80.4
Minnesota adults with a bachelor's degree, as percent in 2004.....	27.4
National average.....	24.4
Average ACT score for Minnesota students in 2004 .....	22.2
National average.....	20.9
Percent of third grade students scoring proficient or above on the	
Minnesota Comprehensive Assessments in reading in 2003, 2002.....	76.3, 66.8
Grade 5 students, in 2003 and 2002.....	80.6, 74.8
Percent of third grade students scoring proficient or above in math in 2003, 2002.....	74.5, 65.1
Grade 5 students, in 2003 and 2002.....	76.8, 70.3
Year Minnesota State High School League was established.....	1916
Students, as approximate, that participate in league-sponsored activities.....	200,000
Average high school student grade point average (on 4.0 scale) .....	2.68
Average grade point average of student-athletes .....	2.84
Average grade point average for students involved in fine arts .....	2.98
Percent of Minnesota 12th grade males, females in 2004 who agreed or	
strongly agreed to the statement "I feel safe at school" .....	93, 95
Percentages in 2001 (each).....	94
Percentages for ninth grade boys, girls in 2004 .....	89, 91
Percentages in 2001 .....	87, 90
Percentages of sixth grade boys, girls in 2004 .....	89, 92
Percentages in 2001 .....	93, 90
Percent of Minnesota 12th grade males, females in 2004 who agreed or	
strongly agreed that "student use of alcohol or drugs is a problem at this school" .....	61, 69
Percentages in 2001 .....	60, 68

**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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