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SESSION Weekly

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INSIDE: SERVING THE HOUSE, END OF SESSION ANGST, PRESERVING THE COLORS, MORE

SURVEYING YOUR OPINION — SEE PAGE 24

This Week's Bill Introductions HF2515-HF2530

SESSION Weekly

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On the cover: Light reflects on the wet streets around the Capitol May 18. Rain fell as members met in conference committees well into the evening.

—Photo by: Tom Olmscheid

Special session suspense

Question arises during most years

By RUTH DUNN

It seems to be a question that blooms at the Capitol every May in recent years: Will there be a special session?

Like the last two budget-setting years, legislators may be keeping their upcoming schedules somewhat fluid, just in case Gov. Tim Pawlenty needs to call a special session.

When this publication went to press May 19, it was not known whether all legislative loose ends could be tied up by May 23, this year's constitutional deadline for the end of the session. While a pair of major omnibus bills — public safety and higher education — seem to be approaching the finish line, others appear to be a long way from that. For example, the K-12 education finance conference committee was about \$164 million apart between House and Senate bills and was still taking testimony from superintendents, teachers, parents and lobbyists this week. Conferees were also far apart on other bills, including the health and human services proposals. The tax conference committee did not begin its work until May 18.

Of course, other issues that many people are talking about, such as an expansion of gambling, transportation funding and an additional Hennepin County tax to help fund a Minnesota Twins ballpark, remain on the table.

Odds are in favor of a special session, judging from history. There have been several special sessions in recent years although many were short — just a day or so needed to tackle a major issue or two.

There are exceptions, like the 1971 special session that began May 25 and finally ended Oct. 30 (with a recess from July 31 to Oct. 12) with a focus on taxes, revenue and reapportionment.

Gov. Alexander Ramsey called the

state's first special session in 1862 to respond to the American Indians' armed resistance to encroaching white settlements. Since then, more than 40 special sessions have been needed.

The most recent began May 20, 2003, and continued for nine days. Legislators worked on taxes, budget appropriations and major bills not passed during the regular session,

according to information compiled by the nonpartisan Minnesota Legislative Reference Library.

"The only surprise is that anyone is surprised by the impending special session," said Rep. Dan Dorman (R-Albert Lea). "I think they should be renamed since they really aren't so special."

The Legislature is getting more and more like the NBA season, he says. "There is a long regular season that is interesting, but since most teams end up in the playoffs anyway, it is not all that meaningful."

While campaigning last fall, Rep. Steve Simon (DFL-St. Louis Park) and other newcomers heard a lot about the importance of legislators getting the job done and dissatisfaction with all that was not accomplished during the 2004 session.

"Four-and-a-half months is enough time to complete what needs to be done," said Simon. There may be exceptions some years when there are deeply felt or particularly political issues that might need more time to be resolved, he added. But generally, a more serious regard for the deadline is one of many things that might help avoid special sessions, he said.

Simon and other first-term legislators feel so strongly about trying to avoid a special session this year that they came up with a disincentive.

HF1102, sponsored by Rep. Larry Hosch (DFL-St. Joseph), would prohibit per diem payments to members for a special session that is called within 60 days of adjournment of a regular session because the Legislature failed to pass necessary legislation during the regular session.

Although the bill has yet to receive a hearing, Simon said that he and others will not accept per diem payments if a special session takes place.

"It shows something is at stake in the failure to abide by deadlines," he said. "It's important to show the public that if we go to special session



PHOTO BY TOM OLMSCHIED

Rep. Mary Murphy, left, and former Rep. Tom Pugh share a desk in the Senate Chamber during a special session on Sept. 28, 1989. The House had to meet in the Senate Chamber because the House Chamber was under renovation.

First Reading continued on page 4

Recent special sessions

Year	Length	Purpose
2003	Nine days beginning May 20, 2003	Enact legislation to provide for the financial management of state government. Other matters: taxes, budget and appropriations and major bills not passed during regular session
2002	One day on Sept. 19, 2002	Flood relief for Roseau, also considered sales tax on aggregate materials and charitable deducting
2001	18 days beginning June 11, 2001	Same as 2003
1998	Two days beginning April 20, 1998	Clarify intent to allow recovery for fraud along with issues relating to economic development and Early Childhood and Family Education
1997	Three special sessions	One day on June 26, 1997; One day on Aug. 19, 1997, and 22 days beginning Oct. 23, 1997; 1st special session: K-12 education appropriations, DWI and government data practices; 2nd special session: Flood relief, commissioners pay and minimum wage; 3rd special session: funding for baseball stadium
1995	Two days beginning May 23, 1995	K-12 education appropriations and other unfinished business
1994	One day on Aug. 31, 1994	Strengthening of sexual predator laws
1993	One day on May 27, 1993	Budget bills, health and human services finance, higher education finance, election campaign financial disclosure of contributions, state budget, contingency airplane replacement funding, sentencing for repeat domestic abusers

Compiled by the nonpartisan Minnesota Legislative Reference Library from House and Senate Journals, Minnesota legislative manuals and other sources. For more information go to: <http://www.leg.state.mn.us/lrl/histleg/spsses.asp>

we're willing to take a small hit."

Dorman agrees that changes could be made that might help avoid future special sessions. "I have long supported changing our rules in order to force us to set our budget no later than one month before the end of session."

The cost of special sessions varies but is generally estimated to be \$18,623 per day on the House side, according to House Controller Paul Schweizer.

During a special session, all 201 legislators can continue to receive their \$66 per diem for living expenses. In addition, those who live more than 50 miles from St. Paul are eligible to receive funds for lodging and for reimbursement of the cost of a weekly round-trip to their home.

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

Preserving the colors

Civil and Spanish-American war flags significant to Capitol collection



Flag Day 2005 marks the 100th anniversary of the transfer of the colors of the Minnesota Civil and Spanish-American war regiments from the old statehouse to the new Capitol building.

According to historical accounts, June 14, 1905, was an even grander affair than the laying of the Capitol cornerstone, with more than 1,000 veterans in attendance plus soldiers, mounted police, bands, drum corps and a choir of school-girls costumed as a "living flag."

"As the veterans of both the Civil and Spanish American wars prepared for the big day, the spirit and respect they felt for the old regimental flags permeated the city and trickled out into the countryside," wrote Neil B. Thompson in *Minnesota's State Capitol: The Art and Politics of a Public Building*. "Even the railroads helped by reducing the cost of a round-trip ticket to St. Paul to that of a one-way fare plus fifty cents."

The veterans carried the flags up Cedar Street and placed them in the same four glass cases in the Capitol Rotunda visitors view today.

"Throughout the day the ghost of Colonel William Colvill, leader of the intrepid charge of the First Minnesota Regiment that had saved the Union Army at the battle of Gettysburg, hovered over the entire affair," Thompson wrote. The 75-year-old Colvill had traveled to St. Paul in hopes of attending the event but died two days before it took place. His body lay in state outside the governor's suite throughout the ceremony.

A statue of Colvill on the second floor still stands guard over Capitol affairs and the 21 flags on display in the Rotunda.

The colonel might be dismayed to learn his beloved colors are in need of serious restoration.

The flags were last restored in 1963 by a commonly accepted treatment of using a monofilament thread to stabilize the silk. They are held in place between two nearly invisible layers of fine nylon netting, with several rows of stitching.

A textile conservator documented the condition of the flags in 2003 and found that the filament needs to be removed, according to Capitol Historic Site Manager Carolyn Kompelien.

The 1960s restoration served its purpose, she said, but the thread is becoming brittle and could damage the flags if it is not soon removed.

Restoration of the approximately 50 flags in the collection could cost \$1.4 million, Kompelien said, including special storage cases, frames, cataloguing, photography and all other work performed by the Minnesota Historical Society.

Minnesotans can make Colvill proud by supporting the flag project or other restoration efforts with a contribution to Friends of the Minnesota State Capitol, a nonprofit organization that was established to commemorate the centennial and ensure that Capitol preservation work will continue after the yearlong celebration comes to a close. For more information on the Friends, call (651) 203-7246.

(N. WOOD)



A procession of Civil and Spanish-American war veterans remove their battle flags from the old statehouse and carry them to the new Capitol on June 14, 1905.

Photo courtesy of the Minnesota Historical Society

Dear readers,

As we put this issue of *Session Weekly* to bed, it is not clear whether the Legislature will meet the May 23 constitutional deadline for adjournment.

If it appears there will be a special session, this will be your last regular *Session Weekly* for the 2005 legislative session. But you can look forward to a *Session Weekly* wrap up in your mailbox at the end of a special session, if one is held.

However, if legislative business were to be finished on time, *Session Weekly* staff will immediately get to work producing this session's final issue to be published May 27. It will give you a complete look at the action during the last days of this session.

Check out the *Session Daily* at <http://www.house.leg.state.mn.us/hinfo/sdaily.asp> for updates on any special session and conference committee action.

While you join us in special session suspense, please take a few minutes to fill out the survey on the back page of this magazine. When you have it completed, just tear off the page, fold, tape and mail it to us. If you choose, you can fax it to (651) 297-8135.

We appreciate your comments, which help us look critically at the services we offer. The staff of House Public Information Services looks forward to bringing you coverage of the House during the 2006 session.

Session Weekly Staff

★ AGRICULTURE

Arresting powers

**Vetoed
by
the
governor**
★ ★ ★

Gov. Tim Pawlenty vetoed a bill May 16 that would clarify that county agricultural societies are exempt from local zoning ordinances and modify current law that allows fairs to appoint individuals to serve as "special constables" for law enforcement services.

"I have vetoed Chapter 58 because this bill would expand the full powers of arrest to unlicensed special constables appointed by an agricultural society," the governor wrote in his veto message. "In the interest of public safety, the full powers of arrest should be reserved to appropriately trained and licensed peace officers."

County agricultural societies have been empowered, under Minnesota law, to organize, make rules and purchases, and have full jurisdiction over county fairgrounds since 1860.

The long-standing presumption has been that county fairgrounds are exempt from local zoning ordinances throughout the year, according to the nonpartisan House Research Department.

Proponents asked for the legislation because some city officials assert that under current law the exemption applies only during the fair.

The governor took no issue with the exemption provisions and suggests that the clarification be placed in the omnibus agriculture bill that a House-Senate conference committee is negotiating.

Rep. Bob Gunther (R-Fairmont) and Sen. Jim Vickerman (DFL-Tracy) sponsored the legislation.

HF1389/SF1146*/CH58

★ BUDGET

The inflation factor

Inflation was removed by the 2002 Legislature as a variable on the expenditure side of the ledger in state budget forecasts.

HF145, sponsored by Rep. Loren Solberg (DFL-Grand Rapids), would put inflation back into the equation that produces November and February forecasts of state General Fund spending.

The House Ways and Means Committee reviewed the proposal May 17 and laid it over. The concept is also under discussion by a House-Senate conference committee on state government finance. Solberg hopes to forward the "expert" testimony from the hearing to

the conference committee. The experts he was referring to include a former representative and two former finance commissioners.

"This is a matter of clarity," said former Rep. David Bishop. "Clarity, in my judgment, ... requires recognizing facts, and inflation or deflation is generally a determinable factor that should be recognized."

"Otherwise, it is deception and I don't think any of us really want to be deceptive with the people that elect us."

Both Bishop and Solberg supported the 2002 change, which Solberg said he has learned, after listening to the advice of the Council of Economic Advisors and others, was a mistake.

"In 2002, when this occurred, both the Senate Majority (Leader) and the House Majority Leader were running for governor and at that time the governor thought he might be running for governor also and, frankly, nobody wanted to face up to the fact that you hadn't really balanced the budget in 2000 as it related to the following biennium," said former Finance Commissioner Jay Kiedrowski.

"Including inflation in revenue but excluding it in spending makes things look better than they are," wrote John Gunyou, another former finance commissioner. "As a result, we make politically popular promises we can't afford — like the decision to take over school funding at the same time taxes are permanently reduced."

The Congressional Budget Office continues



PHOTO BY TOM OLMSCHIED

Former Finance Commissioner Jay Kiedrowski answers a question about inflation and the state's budget forecast during the May 17 meeting of the House Ways and Means Committee. Former Rep. David Bishop, left, who chaired the committee when he was a member of the House, and Paul Anton, chief economist at the Wilder Research Center, were also part of the discussion.

to include inflation in all of its forecasts of the financial stability of the U.S. government, Kiedrowski said. "Frankly, Minnesota and its financial forecast is out of step, again, with the theory of finance and budgeting as well as with common practice of forecasting in both the public and private sectors."

A companion bill (SF2), sponsored by Sen. Richard J. Cohen (DFL-St. Paul), was included in a larger omnibus state appropriations bill (SF2266). That bill is in a conference committee with the House omnibus state government finance bill (HF1481).

★ BUSINESS

Language streamlined

A bill that would make technical changes to state statute regulating the formation and structure of certain corporations awaits action by the governor.

Rep. Tom Emmer (R-Delano) and Sen. Geoff Michel (R-Edina) are the sponsors of HF1043/SF767*, which deals with state statute as it relates to financial corporations and insurance companies.

The bill, passed by the House 133-0 May 16 and the Senate 65-0 April 21, defines the organizational structure of these institutions' governing bodies and lays out their powers, the role of the bylaws and how a certificate of incorporation should be filed with the secretary of state.

The bill is the result of a five-year effort and has the support of the Minnesota Bar Association and organizations that represent the banking and insurance industries, Emmer said on the House floor. "The measure creates separate language relating to these two industries and streamlines the corporate laws so that they are easier to reference," he said.

Extending the application period

Certain licensing requirements under the Minnesota Electrical Act could be modified for people who submit applications before Sept. 30, 2005.

HF1521/SF1355*, sponsored by Rep. Rod Hamilton (R-Mountain Lake) and Sen. Jim Vickerman (DFL-Tracy), passed the House 130-1 May 13 and the Senate 61-0 April 27. It now awaits the governor's signature.

Current law requires license applicants to have graduated from an approved four-year electrical course at an accredited college or university, or have at least three years of experience, subject to a credit of up to 2,000 hours for completing a two-year post-high school electrical course or other approved technical training.

The bill would exempt people from those requirements if they apply to take the power-limited technician exam by Sept. 30, 2005.

Hamilton said the bill would allow an additional 1,500 to 2,000 people to apply for the exam, administered by the Board of Electricity.

★ CHILDREN

No custody for certain offenders

The intent of HF561, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights), is to prevent convicted sex offenders, murderers and perpetrators of certain other serious crimes from being granted custody of non-biological children.

The House passed the bill 132-0 May 17. It now goes to the Senate where Sen. John Marty (DFL-Roseville) is its sponsor. A Senate family law bill (SF644), sponsored by Sen. Thomas M. Neuville (R-Northfield), also contains the provision. It awaits action by the full Senate.

Atkins said the bill addresses a recent incident in Dakota County where a man, who was a convicted sex offender, was granted custody of his ex-girlfriend's child. Three weeks later, he was charged with molesting the 9-year-old girl and pleaded guilty.

"This bill is about protecting kids from this happening again," he said.

★ CRIME

Public safety omnibus

The omnibus public safety bill (HF1/SF2273) moved to a faster track after a meeting between House and Senate leadership and Gov. Tim Pawlenty at which time the spending target was set at \$1.65 billion for the biennium, approximately a 16 percent increase for law enforcement, the courts and corrections. That amount is \$3.83 million more than the House proposal.

"What we've done is put two heel pieces of bread, now we're going to fill out the loaf," Rep. Steve Smith (R-Mound) said May 16 to members of the conference committee. Smith and Sen. Jane B. Ranum (DFL-Mpls) are the committee co-chairs.

The written agreement amongst leadership includes selected policy issues, said Smith. "Specifically the concept of life without release for some sex offenders will be included in the bill."

Also, cuts to agencies affected by the public safety bill are not allowed in other bills unless specifically negotiated by leadership, Smith said. The governor retains the right to line-item veto an appropriation. Also, the precur-

sor methamphetamine issue will be decided in the conference committee and submitted to the three principals, said Smith. "We're off and running. Now let's get to work and get the bill done this week."

They began to plow through a list of 44 items that Smith termed significant, but had not yet tackled the more controversial topics when this issue of *Session Weekly* went to press.

The Senate bill does not include the House provisions of special license plates and driver's licenses that would publicly identify sexual predators, the asexualization or chemical castration for some sex offenders, or a proposal to take DNA samples from all people arrested for felonies. Samples of those who are not convicted would be destroyed.

Both bills increase penalties for various crimes that would increase prison populations and ongoing corrections costs.

The House bill also includes tougher penalties for steroid sales, gas theft, repeat DWI offenses and animal fighting. The Senate bill would make it a felony to destroy, conceal or confiscate another person's government documents, like passports.

★ DEVELOPMENT

Design-build contracts

State construction projects could be contracted a different way, under a bill passed 125-8 by the House May 17.

Sponsored by Rep. Michael Beard (R-Shakopee) and Sen. Richard J. Cohen (DFL-St. Paul), HF1460/SF1335* now goes to the governor. It was passed 64-0 by the Senate April 21.

The bill "would modernize and update our ability for the state Department of Administration, the University of Minnesota and Minnesota State Colleges and Universities system to utilize construction manager at-risk or design build techniques in building major capital projects," said Beard.

The design-build process includes a single contract established with a single company to perform both the design and construction of a project.

"Forty-two other states already do what we are asking statutory authority to do," said Beard. "This is not primarily a money saving thing. It's a time and governmental utilization saving thing."

The design-build process, while not the cheapest, allows the owner and designer to become involved early in the process and derive the best value out of the project, Bob DeBruin, past president of the Society of American Institute of Architects of Minnesota, told a House committee.

Traditionally, state contracts have been a design-bid-build process, in which a contract with an architect is established to create the construction documents, and then the project is bid out.

The bill would also allow a construction manager at-risk, where the constructor has initial input during the design, thus making it faster than the traditional method of design-bid-build, added Debruin. Also, under the bill, job order contracting is permitted on projects up to \$250,000.

★ EDUCATION

K-12 education funding

Not only do the House and Senate omnibus K-12 education bills differ on the total amount of spending for schools, they also contrast on where that money should come from.

HF872, sponsored by Rep. Barb Sykora (R-Excelsior), would give authority to school boards to raise property taxes by about \$112 million in discretionary levies without voter approval. Under SF2267, sponsored by Sen. LeRoy A. Stumpf (DFL-Plummer), all aid for education would come from the state, thus avoiding local property tax increases.

This is just one of several funding and policy differences the 10-member conference committee will need to work out as it determines spending for K-12 education, which comprises about 40 percent of the state's General Fund.

Several testifiers spoke to the conference committee May 16, representing superinten-

dents, school boards, teachers and parents, all saying more or less the same thing — They want the state to add as much as possible to the per pupil basic aid paid to all school districts. This is the most fair and equal way to fund schools, they say. Per pupil aid is currently at \$4,601 and has not been increased for a couple of years.

"It's not often all education groups stand together with a shared message," said Vernae Hasbargen, director of legislative action for the Minnesota Rural Education Association. She said this year the unified message is, "The formula is the top priority."

The House proposal is to increase the per pupil basic aid formula by 3 percent for fiscal year 2006 and by 3.1 percent for fiscal year 2007 which would increase funding to schools by \$622 million over the biennium. The Senate bill would increase per pupil funding by 5 percent the first year and 4 percent the second year resulting in \$800 million more for schools.

In addition to a formula increase, all districts would also benefit from increased funding for special education, said Scott Croonquist, executive director of the Association of Metropolitan School Districts.

Another difference is the House proposal would provide \$18 per student for gifted/talented programming in fiscal year 2006 and \$15 per student in fiscal year 2007. The Senate bill does not include a similar proposal.

The House bill separates two major categorical aids from the funding formula so that future increases for each would be negotiated separately. The House proposes an 8 percent

increase for transportation sparsity, which is paid to less populated rural districts. The House would also freeze compensatory aid, which is paid to school districts, mainly urban, with high concentrations of poverty. The Senate bill makes no similar changes.

Coaching contracts

**Vetoed
by
the
governor**
★ ★ ★

One word prompted Gov. Tim Pawlenty to veto a bill May 16 that would give high school coaches whose contracts are not renewed the opportunity to respond at a school board meeting.

But because the bill states, "... any portion of that meeting at which educational data are discussed must be disclosed under section 13D.05, subdivision 2," it was vetoed, according to the governor's veto message.

The provision is not consistent with the Open Meeting Law, which requires a school district to close any portion of a meeting that would include discussion of educational data about a student, according to the message.

"The context of the bill suggests that the Legislature may have intended to use the word 'closed' rather than 'disclosed,'" said Pawlenty. "However, if that is the case, the provision is not necessary because existing law already mandates closure of any portion of a meeting in which educational data is discussed." The concern was that use of "disclosed" might create confusion about whether a meeting may be closed if student information is discussed.

"It is important that we protect the privacy of public school children. Accordingly, I am vetoing this bill to avoid any uncertainty in a school district's obligation to close a meeting to protect the privacy of students," added the governor.

Rep. Dean Urdahl (R-Grove City) and Sen. Steve Dille (R-Dassel) are the bill sponsors.

HF68*/SF457/CH57

★ ELECTIONS

Voter accessibility

Voters who are disabled in any way might for the first time be able to vote independently and in private in federal and state 2006 elections, and in county, municipal and school district elections held after Dec. 31, 2007.

HF874, passed by the House 133-0 May 16, provides the legislation needed to distribute the grant money to counties to make this possible.

The measure, sponsored by Rep. Laura Brod (R-New Prague), now goes to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

The bill would provide \$38.5 million to



PHOTO BY TOM OLMSCHEID

Emma Kurus, 3, colors during the May 16 hearing of the K-12 education conference committee. Emma came to the committee with her father, Doobie, and sister, Jessica, because of their concerns about potential cuts to early childhood and family education programs.

help bring the state into compliance with the federal Help America Vote Act (HAVA) that was passed by Congress in 2002, and require state and local governments to reform election processes and systems to ensure equal treatment of, and accessibility for, all voters for elections.

Provisions in the bill include:

- \$25 million would be granted to counties to purchase electronic assistive voting systems;
- \$2.5 million for grants to counties to defray the operating costs of the assistive voting equipment;
- \$6 million to help counties purchase new optical scan voting equipment that would verify votes, and allow for votes to be corrected before the voter's ballot is cast and counted; and
- \$5 million to the Office of the Secretary of State for training of local election officials and education of the public.

Even though votes would be cast and counted electronically, the bill calls for the paper ballot to be preserved as an official record of the vote.

The measure also calls for a working group of local election officials to be established in each county to create a local equipment plan and establish procedures.

★ ENVIRONMENT

Water for the tomatoes

Bushel Boy Farms in Owatonna is seeking legislative assistance to establish a unique heating and cooling system modeled after technology used in the Netherlands.

HF1839/SF1738*, sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), would give the company the option of applying for annual water use permits to be issued for aquifer storage and recovery systems that return all once-through water to the source aquifer.

The House passed the measure 105-25 May 18, after it passed the Senate 64-0 May 12. The bill now returns to the Senate, as the House amended it slightly.

State law restricts certain one-time industrial water uses. Bushel Boy Farms is considering heating and cooling tomato greenhouses with a once-through system. The company hopes to save 35 percent to 45 percent in energy costs with this technology.

"This is good for our environment," Ruth said. "This is good for business."

Bushel Boy's natural gas and utility bills can easily top \$150,000 per month, Ruth said. "They are looking at maybe not even being

able to do business in Minnesota."

Rep. Rick Hansen (DFL-South St. Paul) successfully amended the bill to require permit approvals by the Health and Natural Resources departments and the Pollution Control Agency.

The 1989 Groundwater Protection Act prohibited this practice and the bill would set a precedent, he said. "I think we should move slowly on it."

The bill is not solely drafted toward Bushel Boy Farms and opponents criticized opening up the option of tapping aquifers for other industrial uses.

Cleaning up after dry cleaners

Minnesota dry cleaners are seeking flexibility from the Legislature to maintain a minimum balance in a state account that helps them with chemical clean up.

The Dry Cleaner Environmental Response and Reimbursement Account was established in 1995 to help the dry cleaning industry deal with past leaks or spills of dry cleaning chemicals that have resulted in contaminated land or water.

Annual registration fees paid by dry cleaning facilities and solvent fees collected by retailers of certain dry cleaning chemicals support the fund.

HF1470, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow the Pollution Control Agency (PCA) to adjust the fees, as necessary, to maintain a balance of \$650,000 in the account.

The House passed the measure 125-4 May 18. It now moves to the Senate, where Sen. Dallas C. Sams (DFL-Staples) is the sponsor. The fund balance fluctuates because there are fewer dry cleaners each year and the chemicals, which carry different fees, change over time, proponents said during committee testimony.

From 2001 to 2003, the PCA had the same authority the bill would grant and the flexibility worked well, they said.

"It's been a very good program for environmental cleanup of these dry cleaner sites," Hackbarth said.

The Senate passed an omnibus environment, agriculture and economic development bill (SF2276) May 2 that also contains the dry cleaner fund language. A House-Senate conference committee is negotiating that bill.

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

★ GAME & FISH

A bounty on its head

County officials in southwestern Minnesota are seeking a "coyote conflict management option."

HF868, sponsored by Rep. Aaron Peterson (DFL-Madison), would allow counties to offer a bounty for the taking of coyotes by all legal methods. The amount of the bounty would be left up to each county as would the bounty boundaries and the part of the animal a hunter must produce to claim the reward.

The House passed the measure 89-42 May 13. It now moves to the Senate, where Sen. Gary W. Kubly (DFL-Granite Falls) is the sponsor.

Coyotes are not protected under state law and it is legal to hunt or trap them. The bounty would provide a better incentive, proponents said.

Statewide bounties were eliminated in 1965, according to committee testimony from Ed Boggess, fish and wildlife division policy section manager with the Department of Natural Resources. It was an ineffective experiment in wildlife management, he said.

"Isn't there a company called the ACME Company that's already dealing with this issue?" asked Rep. Dean Urdahl (R-Grove City) in jest.

Stealth operations

A House-Senate conference committee has reached agreement on a bill that would allow wildlife control officers to use silencers to muffle firearms during operations that require stealth. The House re-passed the bill 121-11 May 19. The Senate must also adopt the report and re-pass the bill in identical form.

HF42*/SF149, sponsored by Rep. Larry Howes (R-Walker) and Sen. John Marty (DFL-Roseville), would allow until July 1, 2011, the use of silencers on firearms discharged by Department of Natural Resources (DNR) employees or individuals operating under a DNR contract for wildlife control purposes.

The language approved by the conference committee May 17 is narrower in scope than the version that previously passed the House.

Under the bill, the DNR would be required to establish and enforce a written policy governing transportation, possession and storage of the devices. The bill would limit the number of devices to no more than 10 and require the DNR to keep direct custody and control of the silencers when they are not in use.

Silencers are already legal for peace officers to use in tactical emergency response operations against criminal activity.

The bill was prompted by a situation on Little Pelican Island on Leech Lake where natural resources officials are currently attempting to thin the double-breasted cormorant population. The cormorants are threatening the lake's walleyes, according to the area's aquaculture industry.

Bob Meier, DNR legislative affairs director, said 900 cormorants were removed as of last week and the next phase of the operation will entail taking about 20 of the birds per week to perform a dietary study. Silencers would be helpful immediately for the study phase, he said, and again next spring when the full-scale population thinning efforts begin again.

★ GOVERNMENT

Claims against the state

The Joint House-Senate Subcommittee on Claims, consisting of three representatives and three senators, was established in 1976 to hear and decide claims against the state brought forward by people who cannot otherwise do so under Minnesota's tort law.

It meets annually to determine which petitions alleging personal injury or property damage will be funded. All state agencies are eligible to receive funding to cover the claims.

HF2371/SF2160*, sponsored by Rep. Bruce Anderson (R-Buffalo Township) and Sen. Wesley J. Skoglund (DFL-Mpls), would authorize the payment of \$45,142 to the Department of Corrections for various claims against the state.

The House Ways and Means Committee approved the measure May 17. It now moves to the House floor. The Senate passed the bill 59-0 May 12.

"I think this is the smallest claims bill I can remember," said Committee Chair Rep. Jim Knobloch (R-St. Cloud).

Most claims included in the bill stem from injuries suffered by inmates and people performing community service and sentence-to-service work.

The bill also would increase from \$250 to \$500 the amount the Corrections and Human Services departments can pay to reimburse an employee for property damage caused by patients or inmates in an attempt to escape an institution.

Rep. Jerry Dempsey (R-Red Wing) questioned why the state would not, instead, carry an insurance policy to cover the claims in the bill.

Senior Assistant Revisor Craig Lindeke, a subcommittee staff member, suggested that the claims process is probably cheaper, particularly given the size of this year's bill.

Employee compensation plan

**Signed
by
the
governor
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Unclassified employees of the State Board of Investment will be under a new compensation plan as of July 1, 2005, under a new law signed by Gov. Tim Pawlenty May 16.

According to House sponsor Rep. Neil W. Peterson (R-Bloomington), "unclassified employees who are not now covered by collective bargaining (will) be compensated under the terms of a compensation plan that (the board) would adopt."

Senate President James P. Metzen (DFL-South St. Paul) is the Senate sponsor.

"The current plan does not pay competitively in the private sector," Peterson said. The board is having trouble retaining employees because private sector companies can offer better compensation plans.

Once the board establishes a compensation plan, it must be submitted to the Department of Employee Relations for review within 14 days. Under the law, the Legislature and the Legislative Coordinating Commission must also approve the plan.

Another provision exempts the executive director from the salary cap placed on commissioners that maximizes their compensation at 95 percent of the governor's salary.

HF1692*/SF1598/CH55

Employee department changes

Technical changes to state law regarding the Department of Employee Relations were passed 133-0 by the House May 16.

"Last session we made some changes in the hiring process, and we need to change some language to have it make sense," said Rep. Randy Demmer (R-Hayfield), sponsor of HF973. It now goes to the Senate, where Sen. Claire A. Robling (R-Jordan) is the sponsor.

The phrase "in good standing" is stricken from current language referring to applicants who are former permanent or probationary employees of the job class under consideration for employment, and state entities would be allowed to search the employment database to fill temporary jobs, under the bill.

Another provision allows the department to notify employees electronically of insurance benefit changes, "including but not limited to, information necessary for open enrollment elections."

People who do not have access to a computer would still receive information by mail, said Demmer.

The bill would also remove Minnesota Humanities Commission employees from groups eligible to participate in the state employee group insurance plan.

State leased building

The House approved a bill 130-0 May 13 that would lease a state-owned building to a private tenant for the purpose of a day-care facility.

Sponsored by Rep. Joyce Peppin (R-Rogers), HF2133 designates the empty building at 168 Aurora Ave., less than two blocks west of the Capitol, to be leased for up to 10 years as a "child-care and after-school activity facility," she said.

"This building is currently slated for demolition for a small parking lot. The demolition could cost the state hundreds of thousands of dollars and is not a good use of taxpayer money," she added.

The Rev. Robert Battle of Berean Church, which is next to the vacant building, told a House committee that he wants to lease the building "to help with the added pressure on the State Capitol people ... to have a safe place for their children to go."

Concerns were raised in committee about the facility's faith emphasis; however, the bill states that any facility must be operated "in a nondiscriminatory manner."

The bill now goes to the Senate, where Sen. Mady Reiter (R-Shoreview) is the sponsor.

State employee appeals

A bill regarding state employees, requested by the Department of Employee Relations, was passed 131-0 by the House May 13.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF1748 would change appeals of state employees not under collective bargaining to the Bureau of Mediation Services from the Office of Administrative Hearings. Included in the topics the office now addresses are discharge, suspension without pay and demotion.

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

Under the bill, "within 10 days of an employee's written notice of appeal, the commissioner of the Bureau of Mediation Services shall provide both parties with a list of potential arbitrators. ... If an arbitrator finds, based on the hearing record, that the action appealed was not taken by the appointing authority for just cause, the employee shall be reinstated to the position, or an equal position in another division within the same agency, without loss of pay."

If there are sufficient grounds for the employer's action, but the hearing record established extenuating circumstances, "the arbitrator may reinstate the employee, with full, partial, or no pay, and may modify the appointing authority's action. The appointing authority shall bear the costs of the arbitrator hearings."

Another provision designates that correctional personnel reaching age 55 would no longer be required to make a written request to continue employment or take an annual physical.

Paul Larsen, deputy commissioner of employee relations, told a House committee there were concerns over age discrimination under the current requirements.

★ HEALTH

Accreditation organization added

The American Osteopathic Association, an accrediting agency for osteopathic medical colleges and health care facilities, could become a recognized accreditation organization for presumptive hospital licensure and inspection purposes.

HF681/SF718*, sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. Dallas C. Sams (DFL-Staples), would authorize inspection and accreditation by the association to qualify Minnesota hospitals for state licensure in lieu of regular Health Department inspections. Under current law, only the Joint Commission on Accreditation of Healthcare Organizations has presumptive licensure authority.

Westrom said there has been no opposition to the bill. It was passed by the House 133-0 May 18 and the Senate 64-0 March 7. It now awaits the governor's signature.

Progress continues on omnibus bill

The omnibus health and human services bill conference committee continued to adopt provisions for its omnibus bill during a series of meetings from May 13-18.

Most of the approved items were identical or similar provisions, with the controversial proposals still waiting to be discussed, including the methods for paying for the provisions.

One of the higher profile items adopted by the committee is requiring hospitals to provide education to parents on shaken baby syndrome by showing a video on the dangers of shaking infants and young children. The video would be available at cost to "interested individuals," such as child-care providers, who request it.

As requested by the House, there would not be a requirement that the patient's chart indicates whether the parent watched the video.

The rural pharmacy grant program was also adopted. It would require the health commissioner to award grants to eligible rural communities or health care providers to preserve access to prescription medications and pharmacists.



PHOTO BY ANDREW VONBANK

Sen. Linda Berglin and Rep. Fran Bradley discuss items in their respective omnibus health and human services bills during the May 16 conference committee. The sides have many differences in both funding and policy.

Provisions dealing with trauma were also approved, including the establishment of a statewide trauma system to reduce death and disabilities resulting from major trauma. The health commissioner would be responsible for creating criteria to ensure severely injured people would be promptly treated. The committee agreed on language that designates trauma hospitals, the trauma registry and establishing a trauma advisory council.

Some major differences between the bills that still need to be worked out include eliminating MinnesotaCare eligibility for adults without children, abortion notification data requirements, health care cost containment proposals, and mental health and chemical health provisions.

Rep. Fran Bradley (R-Rochester) and Sen. Linda Berglin (DFL-Mpls) sponsor the respective bills, HF1422 and SF1313.

Modifying medical education funding

Certain medical education funding application requirements could be changed under a bill that would eliminate the minimum trainee full-time equivalent requirement.

Passed by the House 133-0 May 18, it now goes to the governor. The Senate unanimously passed the bill May 12.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Sheila M. Kiscaden (IP-Rochester), HF1556/SF1378* would make changes to the Medical Research and Educa-

tion Cost grant application provisions and grant the health commissioner discretion in requesting application information from clinical medical education programs.

The legislation would also expand the requirement for the commissioner of human services to transfer money under the Medical Assistance prepayment demonstration project to the University of Minnesota Board of Regents for clinical graduate medical education.

Planning for emergencies

Seeking to create an "all hazard approach" to emergency planning and response, a bill (HF1555) would make changes to the Emergency Health Powers Act.

The House passed the bill 117-14 May 13. It now goes to the Senate, where Sen. Becky Lourey (DFL-Kerrick) is the sponsor.

Modifications to the act would include adding liability protections for volunteers and employees, removing language regarding public health emergencies, authorizing professionals from Canada and the District of Columbia to provide assistance during emergencies, requiring health care providers to notify individuals of their right to refuse treatment and removing the sunset date for certain sections.

The bill has traveled through six House committees.

"It's time to enact this," said Rep. Duke Powell (R-Burnsville), the bill's sponsor.

Powell successfully offered two amend-

ments that would provide additional liability protections and clarify that the bill would not limit the governor's authority over the National Guard.

Rep. Mark Olson (R-Big Lake) unsuccessfully offered an amendment that would include a sunset date and add language for the rationing of care in emergencies.

The Senate version of the bill does include a sunset date, and Powell said he would consider including a sunset date in the final version of the bill if a conference committee were needed.

Hospice care improvements passed

The Hospice Bill of Rights could undergo technical changes that would make it easier to understand, under a bill approved by the House 133-0 May 18.

HF675, sponsored by Rep. Char Samuelson (R-New Brighton), would require hospice providers to complete the National Hospice and Palliative Care Organization national data survey and submit it to Hospice Minnesota as a condition of licensure.

She successfully offered an amendment that would clarify recording requirements for hospice providers.

Death report requirements would also be modified, under the bill. When a patient is under the care of a licensed hospice provider and has not been seen by a physician within 180 days and the patient dies, a death report must be made to the Hennepin County medical examiner.

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

Quarantines approved

Minnesotans could have increased protection in the event of an emergency, such as a bio-terrorism attack or an outbreak of a disease like Severe Acute Respiratory Syndrome (SARS), under a bill approved by the House 108-23 May 13.

HF1507, sponsored by Rep. Jim Abeler (R-Anoka), would modify provisions for the isolation and quarantine of people infected or exposed to communicable diseases.

"It has to be something that can kill you," Abeler said.

If an emergency were declared, the health commissioner would be able to authorize vaccinations or the dispensing of drugs to protect the health and safety of the public. A peace officer could enforce an order for isolation or quarantine.

Abeler offered a successful amendment that he said strengthens the bill and provides additional protection for people who face quarantine.

"This is serious stuff," said Rep. Keith Ellison (DFL-Mpls). He noted that the bill would allow a peace officer to act upon a phone call, fax or e-mail notification to detain a person against his or her will.

Ellison successfully offered an amendment that would change the amount of force a peace officer could use to detain a person. He worried that the bill could allow the use of deadly force.

The bill originally would have allowed "all necessary and lawful means to apprehend, hold, transport, quarantine or isolate a person subject to the order if the person flees or forcibly resists the officer."

Force is rarely needed to quarantine people, Abeler said, pointing out that during the SARS outbreak in Toronto, 30,000 people were quarantined and only one required the use of force.

When issuing a directive to isolate or quarantine without first obtaining a written order, the commissioner would be required to specify the incubation or communicability period.

The bill now goes to the Senate, where Sen. Becky Lourey (DFL-Kerrick) is the sponsor.

HOUSING



Exempting manufactured homes

A proposed exemption for certain manufactured homes would allow farmers to provide housing for seasonal workers.

HF1585/SF1509*, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Gary W. Kubly (DFL-Granite Falls), would exempt a cluster of one to four manufactured homes from the definition of "manufactured home park" for purposes of state regulation, if certain conditions are met.

Passed by the House 132-0 May 17 and 61-0 by the Senate April 28, it awaits the governor's signature.

To be eligible for the exemption, manufactured homes would have to be located on a farm, used exclusively to house people performing agricultural labor, have indoor plumbing, meet state water and sanitation codes and have at least 80 square feet of floor space for each inhabitant.

The housing would also have to be properly installed on the site, have posted information about a shelter or evacuation plan in case of severe weather, and be maintained in a clean, orderly and sanitary condition.

"It helps the farmers out there, and it helps the workers out there," said Rep. Carlos Mariani (DFL-St. Paul).

If you have Internet access,
visit the House's Web page at:
<http://www.house.mn>

HUMAN SERVICES



"Positive Alternatives Act" passed

The so-called "Positive Alternatives Act," which would award \$2.5 million in grants to programs that encourage and assist women in carrying their pregnancies to full term, was passed by the House 85-48 May 17.

HF952/SF917*, sponsored by Rep. Brad Finstad (R-New Ulm) and Sen. Dallas C. Sams (DFL-Staples), would give money to organizations that provide information, referrals and services to women, free of charge, to help them carry their pregnancies to term and care for their babies after birth.

The health commissioner would be responsible for administering and monitoring the grants.

A successfully offered amendment by Rep. Mary Liz Holberg (R-Lakeville) would make the money available only to groups that do not provide, promote or refer to abortions.

Rep. Paul Thissen (DFL-Mpls) said the amendment would exclude some well-recognized service providers, such as Lutheran Social Services, from receiving grant money because they could refer a woman to a group that provides abortion services.

"I find that disappointing," Thissen said.

The Senate initially approved the bill 57-10 May 9, but did not concur with the amended version. A conference committee will attempt to work out the differences.

Funding service for blind

A bill that would establish a way to pay for an electronic information service for the blind awaits action by the governor.

Passed 133-0 by the House May 17 and 52-0 by the Senate the following day, the bill would provide funding for a service that allows visually impaired people to access the service by using the telephone, enabling them to listen to their choice of newspapers from around the country, including the *St. Paul Pioneer Press* and the *Duluth News Tribune*. The service is provided by the National Federation for the Blind, and has been paid for the past two years by a grant from the Minnesota Department of Education, but that grant has expired.

Sponsored by Rep. Jim Knoblach (R-St. Cloud) and Senate President James P. Metzen (DFL-South St. Paul), HF1214/SF1064* would also provide grants to television stations for "real-time" captioning of local news programs.

Both programs would be paid for by a surcharge on telephone bills. However, the bill does not specify how much the surcharge will be. That will be recommended to the Public

Utilities Commission annually by the commerce, employment and economic development and human services commissioners.

Knoblach said there is a surplus in the telecommunications access Minnesota fund, and that would be used to implement the programs.

Rep. Torrey Westrom (R-Elbow Lake) successfully offered an amendment that would clarify some provisions. For example, the bill suspends funding if there is a shortfall, and Westrom's amendment would just reduce the funding.

Hospital board to expand

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governor**
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The governor has given his approval for expanding the Yellow Medicine County Hospital District Board by signing a new law May 16.

Sponsored by Rep. Aaron Peterson (DFL-Madison) and Sen. Gary W. Kubly (DFL-Granite Falls), the legislation will allow the elected members of the hospital board to appoint three additional voting members who are not residents of the district.

Under the new law, effective Aug. 1, 2005, the terms of the appointed members must be designated by the board at the time of the appointment, but cannot exceed three years. They can be reappointed for successive terms.

Appointed members will have the same privileges as board members and can be removed from office or the board for good cause by a two-thirds majority vote of elected members.

Peterson previously said the legislation is designed specifically for Canby Hospital and Clinic, and Sioux Valley Hospital and Clinic in Sioux Falls, S.D. A clinic in Minnesota would also like to have representation on the board, he said. Yellow Medicine County residents use all three facilities.

HF399/SF493*/CH54

Extending mental health services

A bill covering mental health services, civil commitment provisions and establishing a task force to study committed sexually dangerous or psychopathic people was approved by the House 133-0 May 18.

HF1816, sponsored by Rep. Tom Emmer (R-Delano), would allow individuals to continue providing integrated dual diagnosis treatment services and permit integrated treatment of dually diagnosed people in those programs to continue, pending the development of state standards for treatment providers.

Also under the bill, the human services

LET THERE BE LIGHT



PHOTO BY ANDREW VONBANK

Joel Christopherson, left, and Rick Norris install three original chandeliers in the State Capitol May 18. The original fixtures had been down for five months to be refurbished and updated as part of a 16-month project to restore the infrastructure and wiring in the Capitol.

commissioner would be allowed to authorize stays beyond 45 days for people admitted to treatment in state contracted acute care hospitals. Rural counties would be granted greater flexibility in providing mobile mental health crisis intervention services.

Other provisions in the bill would make changes in juvenile court procedures regarding a child's foster care placement when placement is made solely to access treatment for severe emotional disturbances. The county would be required to report to the court on the child's status in placement, and the report would need to include the child's mental health treatment plan or interagency intervention plan.

The bill requests the Minnesota Supreme Court to establish a task force to study the use of the court system as an alternative to the administrative process for reductions in custody and discharge from commitment of sexually dangerous people.

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

If you have Internet access, visit the
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Respectful terminology

**Signed
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governor**
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A new law signed May 16 by Gov. Tim Pawlenty changes terms in state law like "mental retardation," "mentally retarded" and "handicapped persons" to terminology more desirable to those with disabilities, such as "disabled persons."

The law, sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Sheila M. Kiscaden (IP-Rochester), is effective Aug. 1, 2005.

Opatz said the bill directs the Office of the Revisor of Statutes to replace certain words with more respectful terms.

The term "handicapped" originates from the European war when many of the decorated veterans were returning home as amputees and were forced to beg in streets. They would take their caps off to beg with, so they were notoriously known as the "handicappers," explained Cara Ruff, president of the Minnesota Association of Centers for Independent Living, to a House committee.

"I don't think anyone in this room, or any of our families, or any of our friends, certainly not our children, deserve to be referred to as a retard or an idiot, or as handicapped," Ruff said.

The changes, of which there are nearly 400 in state law, would fall in line with a national campaign called "The People First," that advocates for changes in descriptions of disabled persons, Opatz said in committee. "We shouldn't refer to someone by some characteristic. We don't say to someone who has cancer, that's a cancerous person, it's a person who happens to have the disease of cancer."

HF487*/SF525/CH56

INDUSTRY



Crane operator certification

Crane operators could be required to be certified through a nationally recognized and accredited certification program, under a bill passed by the House 109-23 May 18.

"Cranes are the most dangerous piece of equipment on a construction site," said Rep. Tim Mahoney (DFL-St. Paul). He is sponsoring HF759/SF1485* along with Sen. Dan Sparks (DFL-Austin). The Senate passed the bill 55-0 May 11. It now awaits action by the governor.

The legislation would require certification of operators of cranes with a lifting capacity of 5 tons or more on a construction site. The certification would need to be renewed every five years. No certification is currently required.

An employer or general contractor could be fined up to \$7,000 per violation, and if it

causes the death of an employee, a fine of up to \$25,000.

Exceptions to the bill would include people being trained by a certified crane operator, certain railroad employees, personal use on one's own land and emergency situations.

★ INSURANCE

No more dumping

Proposed changes in the state's unemployment law could stop "dumping," which occurs when employers use mergers, acquisitions or restructuring schemes to try to lower their unemployment experience ratings.

HF898, sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm), would change unemployment law to curb State Unemployment Tax Act (SUTA) avoidance and make Minnesota law consistent with the federal SUTA Dumping Prevention Act of 2004.

The House passed the bill 129-3 May 16. It now goes to the Senate, where Sen. Ellen R. Anderson (DFL-St. Paul) is the sponsor.

Minnesota, like other states, distributes unemployment insurance costs among employers through a tax. An unemployment experience rating that's based on the number of former employees who received unemployment benefits determines the tax amount. Some employers try to "dump" their poor ratings by changing or merging companies or shifting employees between companies.

Sertich's bill would close loopholes that allow companies to avoid their unemployment insurance obligations.

FAIR Plan options

A third option for handling insurance claims under the Minnesota FAIR Plan was approved by the House 130-0 May 13.

Under current law, the plan either has to pay a claim in full, even if the property is over-insured, or deny the claim and not pay anything. HF667/SF314*, sponsored by Rep. Paul Gazelka (R-Brainerd) and Sen. Linda Scheid (DFL-Brooklyn Park), would eliminate the all or nothing proposal.

The legislation would allow the plan the option of paying a portion of the claim. It would also exempt plan insurance policies from complying with the requirement that the full policy limit be paid in the case of a total loss and that a partial loss be fully paid.

The bill is intended to stop the problem of properties being over-insured, then the insured party being able to collect in full on a claim even though it's above fair market value.

Rep. Joe Mullery (DFL-Mpls) successfully offered an amendment to make sure the burden of proof of a claim would rest with the insurer, not with the homeowner. Because the bill was amended, it now returns to the Senate, where it passed 63-0 May 9.

The purpose of the FAIR Plan, which was created by the Legislature in 1968, is to provide limited property insurance when coverage is not available from the private market. It is intended to encourage the improvement of properties and help speed customers' return to the private market for property insurance coverage.

Changing regulations

Proposed changes in state regulation of health plan companies could eliminate the exemption of health maintenance organizations (HMOs) from insurance fraud prevention account assessments, under a bill passed by the House 130-3 May 17.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Brian LeClair (R-Woodbury), HF2023/SF1998* would eliminate certain health plan company annual report content requirements, clarify the definition of clean claim for prompt payment requirement purposes and restrict the authority of health companies or third party administrators to require health care providers to bill for interest on claims payments.

Other provisions in the bill would eliminate the requirement for third party purchasers to include with annual certification of authority or licensure renewal documentation that indicates compliance with certain restrictions on the transfer of certain expenses.

Some self-insurer identification requirements would be repealed, as would reporting requirements and a provision that regulates expanded provider networks.

Rep. Barbara Goodwin (DFL-Columbia Heights) unsuccessfully offered two amendments that would require a specified notification period for changes, limitations and restrictions of health benefits, and require hospitals and HMOs to disclose the salaries of their top executives.

"If we're really going to get at health care costs and how to control them, we have to get also at the administrative costs and some of the special packages that administrators of non-profit organizations are getting," Goodwin said, noting that public money flows into hospitals.

Wilkin disagreed with what he called "financial voyeurism," saying, "This is peering into the financial bedroom of your neighbor so you can see how much they're compensated."

The bill, passed 64-2 by the Senate May 12, now goes to the governor.

★ LOCAL GOVERNMENT

Alternative survey filings

An alternative filing process for markers and monuments in counties without full-time county surveyors was passed 132-0 by the House May 16.

Sponsored by Rep. Sondra Erickson (R-Princeton), HF478 would give six months for the filing of certificates by land surveyors, eliminate the authority of the county recorder to charge a fee for the filing of marker or monument certificates and require counties holding full-time county surveyor offices to transfer the certificates to the office of the county recorder if the surveyor office is to be closed.

In a House committee, Erickson said a problem in her district arose with filing and recording certificates establishing the location of corner markers, and that the problem could reappear as development occurs across the state. Her constituents were concerned with access to filings and notes, she added.

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

★ MILITARY

Pay differential clarifications

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governor**
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A new law clarifies the terms and conditions of pay differential for state employees who incur an earnings decrease as a result of being ordered to active duty in the National Guard or reserves.

Sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Steve Murphy (DFL-Red Wing), the law is effective May 6, 2005, and applies to state employees serving in active military service on or after May 29, 2003.

The law plans to rectify situations such as that of two St. Cloud women, who told a House committee they had to fight for their husband's pay differential when their spouse was deployed. The wives testified they have to file numerous papers each pay period during the month to get the pay differential they are already guaranteed by law.

Under the law, differential is calculated by taking, "the person's monthly total gross earnings as an active state employee, excluding any overtime pay received but including all other earnings, averaged over the last three full months of the person's active state employment prior to reporting to active military service."

HF2126*/SF1991/CH35

RECREATION

Twins stadium proposal

A second House committee gave its approval to a plan that would allow Hennepin County to increase its sales tax to help build a new ballpark for the Minnesota Twins.

Approved 12-7 by the House Local Government Committee May 17, it now goes to the House Taxes Committee.

Sponsored by Rep. Brad Finstad (R-New Ulm), HF2480 allows the team to contribute \$125 million towards the proposed 42,000-seat ballpark on the edge of downtown Minneapolis near the Target Center.

Hennepin County would contribute \$235 million for construction, with additional on- and off-site development costs at \$84 million. The county would raise its share through an additional 0.15 percent countywide sales tax or about 3 cents on every \$20. Voter approval would not be required for the tax to be imposed, if legislative approval is given.

The status quo in the state is that "we do vote on these kinds of sales taxes," said Rep. Frank Hornstein (DFL-Mpls) who unsuccessfully offered an amendment to add the referendum process to the bill.

Rep. Ann Lenczewski (DFL-Bloomington) suggested that if the Twins are a statewide asset that a proposed tax should be implemented throughout the state.

"Neither of those parties that negotiated the agreement would support a referendum," said Rep. Doug Magnus (R-Slayton). "We have a

simple plan with a broad based way to support it."

"In my opinion it's the best proposal we've seen," said Rep. Anthony "Tony" Sertich (DFL-Chisholm).

"It's not about whether or not you like baseball ... it's that the public has particularly been left out of the process," said Hornstein.

A Minnesota ballpark authority, governed by a five-member commission, would oversee the stadium construction and operation.

Several amendments were adopted, including a provision offered by Lenczewski that would require one of the authority members to be a resident of a county other than Hennepin.

Another by Lenczewski would require the authority to provide information on a Web site concerning all actions it takes. "At a minimum the website must contain a current version of the authority's bylaws, notices of upcoming meetings, minutes of the authority's meetings, and contact telephone and fax numbers for the public."

A Senate companion (SF2297), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate State and Local Government Operations Committee.

Snowmobile traffic rules

Local governments could, under certain conditions, allow two-way traffic of snowmobiles on the same side of the road at night.

Approved 133-0 by the House May 16, and 60-0 by the Senate April 27, it now goes to the governor.

Rep. Larry Howes (R-Walker), who sponsors HF1293/SF1296* with Sen. Tom Saxhaug (DFL-Grand Rapids), said the issues addressed in the bill relate to a street in his district. "(On) one side we have sidewalks the other side is unimproved. We'd like to keep the snowmobiles on the unimproved side and off the sidewalks."

Lights from snowmobiles could be confusing for drivers, said Rep. Jean Wagenius (DFL-Mpls). "It is the safety issue at night that I am concerned about."

The bill would be effective "only in certain circumstances when it is safer to have the snowmobile traffic at night ... and not be a hindrance to a driver of a car," said Howes.

Under the bill, "the road authority may allow two-way operation of snowmobiles on either side of the right-of-way of a street or highway under the road authority's jurisdiction, where the road authority determines that two-way operation will not endanger users of the street or highway or riders of the snowmobiles using the trail."

Legislation passed in 2004 allows two-way snowmobiling along major state highways with approval from the transportation commissioner.

SAFETY

Handgun bill goes to governor

A bill to reenact and make retroactive provisions in the Citizens' Personal Protection Act is now on its way to the governor.

The House passed the so-called "concealed carry" bill 86-47 May 18. The Senate approved the bill 44-21 May 13.

HF2428/SF2259*, sponsored by Rep. Larry Howes (R-Walker) and Sen. Pat Pariseau (R-Farmington), reenacts the 2003 legislation, which liberalized the process to acquire a handgun permit. The measure was ruled unconstitutional by District Court Judge John T. Finley because it was attached to an unrelated bill at the time of passage. That ruling was upheld by the Minnesota Court of Appeals and appealed to the Minnesota Supreme Court.

The bill requires county sheriffs to grant handgun permits to anyone meeting specified criteria. Before the law, sheriffs and police chiefs had wide discretion in granting permits to carry handguns and, according to bill supporters, this led to widespread discrimination with some sheriffs issuing a large number of permits and others none.

The bill modifies the notification requirement mandating that businesses tell customers if the area is a gun-free zone.



PHOTO BY TOM OLMSCHIED

Ben and Katie Waltz of Minneapolis hand House Local Government Committee Chair Rep. Mark Olson a jar labeled "Twins Stadium Fund" as their father, Chuck, testifies May 16 for a proposal to build a new ballpark for the Minnesota Twins.

Earlier legislation called for a sign to be posted at every entrance to the business and that the request be given verbally, as well. The new proposal says that either a verbal or written notice is sufficient.

The bill also includes new provisions, including:

- upon request, a permit holder must disclose to a peace officer whether the permit holder is carrying a gun;
- the commissioner of public safety will develop standards for firearms instructors and a certificate must be issued to anyone who has completed a firearms safety course;
- on the application, a person must not just list the state in which she or he resides (as in the previous legislation), but the township or city, and county; and
- the court must take possession of the permit of a person convicted of a felony.

While 10 amendments to the bill were introduced on the House floor, nine by Democrats and one by a Republican, none were adopted.

TAXES



Conference committee begins its work

Members of the House-Senate Taxes Conference Committee began their work May 18 to try to reconcile two very different omnibus tax bills.

HF785, sponsored by Rep. Phil Krinkie (R-Shoreview), includes cuts in the renter's credit and local government aid and a taxpayer satisfaction survey that could trigger a referendum on local property taxes.

The House bill also includes an amendment approved on the House floor, despite Krinkie's objection, which would allow a city or group of cities to impose sales taxes of 0.5 percent without asking legislative approval provided they receive local voter approval.

The Senate bill, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), includes an income tax rate increase for those in the highest income bracket from 7.85 percent to 8 percent. It also increases local government aid, but says nothing about taxpayer satisfaction surveys. It also includes several different local option sales taxes for local projects, and establishes an education reserve account of \$24.9 million beginning in fiscal year 2006, to be used for K-12 and higher education.

The Senate initially asked to skip the conference committee process. It passed its omnibus tax bill May 6, and requested the House adopt its version May 16 and send it to the governor, where it would likely be vetoed. "We won't have the thorough discussion we should have,"

said Rep. Alice Hausman (DFL-St. Paul).

The House voted to deny that request, then voted not to concur with the Senate bill.

TRANSPORTATION



Road test waiver

**Signed
by
the
governor

Veterans permitted to drive certain classes of vehicles by a branch of the military might get a licensing break, under legislation signed by Gov. Tim Pawlenty May 16.

The law, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle L. Fischbach (R-Paynesville), is effective May 17, 2005.

The new law will authorize, but not require, the commissioner of public safety to waive the requirement of military veterans to take a road test for a Minnesota driver's license under certain conditions; specifically, if the person is already licensed by a branch of the United States Armed Forces for that vehicle class, or has been licensed in the past year.

Veterans would still be required to take the written test. Depending on the class of license, not having to take the road test could save them \$5,000, according to Severson.

HF1053/SF1095*/CH53

Bridges could get new names

A bridge in northern Minnesota could be named after a longtime employee of the Minnesota Department of Transportation (MnDOT), under a bill awaiting the governor's signature.

The bridge is part of Trunk Highway 6 and crosses Lake Roosevelt near Outing in Cass County. It would be renamed "The Bradley Waage Memorial Bridge," under HF626/SF735*, sponsored by Rep. Frank Moe (DFL-Bemidji) and Sen. Carrie L. Ruud (R-Breezy Point). The House passed the bill 133-0 May 16 and the Senate 64-0 March 7.

Waage was an engineer for MnDOT, and had worked on the Cass County bridge, but died of a heart attack shortly after it was finished. His family asked for the bill, and Moe said they have agreed to pay all costs associated with the name change.

"Every time they cross the bridge, they call it, 'Brad's bridge,'" Moe said. The family also has a reunion near the bridge every July 4.

An amendment was successfully offered by Rep. Morrie Lanning (R-Moorhead) to rename the bridge on Trunk Highway 10 between Moorhead and Fargo, N.D. the Veterans

Memorial Bridge.

Lanning said veterans' groups in the area had asked him for the change, and have agreed to pay for all signage costs.

The cities of Fargo and Moorhead have approved the name changes, as has the North Dakota Legislative Assembly.

Transportation bill vetoed

Complete with his veto stamp, roadblock signs at the entrance to his office and signs that showed rising gas prices, Gov. Tim Pawlenty rejected the omnibus transportation bill (HF2461) May 19.

Any attempt to override the veto could be problematic because a veto override must be supported by two-thirds of the members in each body. The bill passed the House 72-61 and the Senate 36-31.

Pawlenty said he vetoed the bill because it includes a 10-cent-per-gallon gas tax increase. "It's unwise, and it's particularly unwise at this time," he said, noting that gas prices are hovering around \$2 per gallon. He would welcome a referendum that would ask for an increase in gas taxes.

He also said the bill takes \$650 million from the General Fund without making up for it somewhere else. "I would veto it on that basis alone," he said.

The governor was accompanied at the veto ceremony by Republicans who were against the bill, including House Transportation Finance Committee Chair Rep. Mary Liz Holberg (R-Lakeville), the bill's House sponsor.

"I begged the (transportation) advocates to support something that was workable and would pass. This bill is none of those things," she said.

The bill also has a proposed referendum in 2006, asking voters if they want to change how the Motor Vehicle Sales Tax is allocated. Now, about half of the money goes to transportation. This part of the bill remains intact despite the veto, and if the referendum succeeds, nearly all that money would eventually go to transportation. The state constitution gives the Legislature the sole authority to propose referendums.

Pawlenty said that was the start of a new bill, and he hoped legislators would work together to finish a transportation package before the end of the session.

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Call House Public Information
Services at (651) 296-2146
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Collegiate dollars

Conference committee agrees on higher education funding

By Mike Cook

Many college students will walk across the stage to collect diplomas throughout May. Meanwhile, underclassmen could feel the effects of an omnibus higher education finance bill approved May 18 by a conference committee.

The \$2.76 billion bill (HF1385) is close to splitting the differences between the \$2.79 billion Senate proposal and nearly \$2.74 billion House plan.

Rep. Bud Nornes (R-Fergus Falls), who co-chaired the committee with Sen. Sandra L. Pappas (DFL-St. Paul), said the report would likely be on the House floor May 20.

"I think we have a really good bill," Pappas said. "I think we have good policy, we've fixed some problems. We have a good amount of money to make up for some of the cuts from two years ago."

"I think everyone, in general, is OK with

what we're doing," Nornes said. "Maybe OK isn't as good as some people would like."

University of Minnesota, MnSCU

The University of Minnesota would receive nearly \$1.21 billion and the Minnesota State Colleges and Universities (MnSCU) system would receive just over \$1.2 billion. Both are at the governor's funding recommendation. MnSCU would receive \$107.5 million in new spending and the university \$105.6 million, much of that from enrollment adjustments. Beginning with the 2008-09 biennium, enrollment adjustments would no longer be used in determining the MnSCU or university funding base. However, a group would be established to look at a new funding model.

"I think this is going to go a long way towards being well under the double-digit (tuition increase) people have been talking about," Nornes said.

"I'm reserving judgment because I'm not convinced we're holding down tuitions," said Sen. David J. Tomassoni (DFL-Chisholm). "After 60 percent tuition increases in the last four years I don't know how we can expect students to take much more burden on." A Senate proposal to limit MnSCU tuition increases to 4 percent annually is not in the final report.

No university funding would go toward a genomics partnership with the Mayo Clinic. The House proposal allocated \$15 million for this. The funding decision now rests with the economic development conference committee.

Included in the MnSCU funding is \$10 million toward the creation of three to eight Centers of Excellence. Gov. Tim Pawlenty sought \$20 million, the House \$15 million and the Senate zero. Among the criteria for selecting a center — a four-year institution and at least one two-year college — would be "the capacity to build multi-state regional or national recognition of the program within five years."

MnSCU would also be permitted to offer applied doctoral degrees in audiology, business, education, nursing, physical therapy and psychology.

Higher Education continued on page 17



PHOTO BY ANDREW VONBANK

With the help of staff, the higher education conference committee completed its work May 18. Pictured, from left, are Senate Counsel John Fuller, Sen. Sandra L. Pappas, Rep. Bud Nornes, House Committee Administrator Mike Miller and Legislative Analyst Kathy Novak from the nonpartisan House Research Department. Nornes said he expects the bill to be on the House floor May 20.

Mayo Medical Foundation, HESO

The Mayo Medical Foundation would continue to receive \$2.78 million to help increase the number of doctors trained to practice in rural areas.

Within funding for the Higher Education Services Office (HESO) is \$720,000 for the United Family Medicine Residency Program that also helps train doctors for practice in underserved areas of the state.

Overall funding for HESO, which would be renamed the Minnesota Office of Higher Education, is \$349.31 million, a \$594,000 reduction from the current base.

However, financial aid funding remains the same as the current base, but how the amount is divvied up would change. For example, the amount allocated for a child-care grant has been increased by \$382,000, as is the amount a grantee could receive. Students applying for state grants would have to be current with state-ordered child support payments.

The deadline for a student to apply for a state grant would be extended from 14 to 30 days after the start of the term, a student who withdraws from enrollment for active military service would be eligible for an additional semester of grant eligibility and the bill would increase the tuition maximum for four-year programs and decrease the two-year tuition maximum, figures used when calculating a student's state grant award.

In addition, tuition assistance would be provided to deaf students wanting to attend the university or a MnSCU institution so

they may attend for free. A deaf person must be eligible for either a federal Pell Grant or a state grant to receive assistance.

Other provisions

- The \$3.2 million the House requested for implementation and development of expanded higher education offerings in Rochester made the final bill. A development committee would be formed to make recommendations "on the creation of mission-driven postsecondary educational programs or institutions in the Rochester area that meet the educational needs of the region and the state." A report is due the Legislature by Jan. 15, 2006.
- The process for selecting members to the university's Board of Regents would change. The Regent Candidate Advisory Council would become advisory to the governor and a joint legislative committee would be created to consider the governor's recommendation and forward a slate to a joint convention of the Legislature. If the committee does not recommend a gubernatorial nominee, the governor would submit a different nominee for the same vacancy.
- HESO would be required to begin negotiations with Wisconsin on updating the current tuition reciprocity agreement with a goal of having Wisconsin students pay at least as much as Minnesota students attending a Minnesota institution. For example, a Wisconsin undergraduate student now pays about \$1,100 less than a Minnesota student attending the university's Twin Cities campus. No result

is mandated. HESO would also examine reinstating payments with South Dakota while maintaining the tuition reciprocity agreement. No payments have occurred between the states since 1988.

- A group would be convened by HESO to look at providing alternative instructional materials in an electronic format to address the specialized format needs of postsecondary students with disabilities.

Not included in the bill is a provision that would allow students without lawful immigration status who have graduated from a state high school after at least three years of attendance to pay resident tuition rates. Pappas offered, then withdrew, an amendment for such at the final meeting.

According to HESO Director Susan Heegaard, Pawlenty "has indicated that he would not be able to support the higher education bill with this provision included at this time." She has not had an opportunity to speak with him at length about his reasoning, although she believes he first wants to see something passed at the federal level.

"If we're going to wait for the federal government to do something, we'll be here 10 years from now," said Sen. Richard Cohen (DFL-St. Paul).

"We need these students as we move forward as a state," said Rep. Ray Cox (R-Northfield). "We need to reach out and be as inclusive as we can."

Nornes said the proposal would get another hearing in 2006 with the intention of moving it to the floor. 

TRANSPORTATION VETO



PHOTO BY TOM OLMSCHIED

With his veto stamp in hand, Gov. Tim Pawlenty rejects an omnibus transportation bill May 19. The bill would have generated \$7.4 billion for transportation needs over the next decade, but the governor objected to the proposed gas tax increases.

Protecting information

Bill makes certain information public and some private

By **LEE ANN SCHUTZ**

Drivers using the new MnPASS, which allows use at a fee, of the so-called “sane lane” on Interstate 394, would be assured that information gathered from their credit cards used to pay the fee would remain non-public.

And to give further assurance to consumers, if the personal information retained by the state is breached, the person would be notified in “the most expedient time possible and without unreasonable delay.”

These are two provisions of HF225, sponsored by Rep. Mary Liz Holberg (R-Lakeville), which addresses many of the data practices-related House proposals. The bill was passed by the House 133-0 May 17, and now awaits action by the Senate, where Sen. Wesley J. Skoglund (DFL-Mpls) is the sponsor.

The bill would add the number of serious injuries to, or death of, individuals in the licensed program that were reported to the commissioner of human services.

Other facilities covered would include foster care and day care services for adults.

Opting to opt out

When a person registers a vehicle, most provided information is considered public. However, under the bill, the individual may request, in writing, that his or her home address and name be classified as private data, if it is needed for the safety of the registered owner or his or her family. This provision could also apply to applicants of a driver’s license, instructional permit or a Minnesota identification card.

Current law states that the registered

still being in compliance with the state’s Open Meeting Law. The bill extends the option to the Agricultural and Economic Development Board, the Small Business Development Center Advisory Board, Minnesota Job Skills Partnership Board, the Governor’s Workforce Development Council, the Urban Initiative Board and the Explore Minnesota Tourism Council.

At least one member of the board would need to be at the regular meeting site, but the meeting could be held by telephone or other electronic means if interactive television is not available and if other specific requirements are met.

Keeping it private

When a business does business with the government, many times information that would be private in the private sector becomes public.

Among the information that would be classified as private, under the bill, is the non-public financial or proprietary data retained by the State Board of Investment in connection with its venture capital, real estate and resource investments.

Additionally, some design information gathered during the early stages of planning for state construction projects could be classified as private.

Sharing crime data

Law enforcement officials could more easily share case information once the Comprehensive Incident Based Reporting System is up and running. But the system, to be operated by the Bureau of Criminal Apprehension (BCA) and the Department of Public Safety, does create some data privacy issues.

System information would be classified as confidential for 10 days unless it is important to an active investigation, then that classification could be held for up to 120 days. Access to the information could only be achieved through certification from the BCA. Subjects of the data would have access to their information through a participating law enforcement agency or the BCA.

Penalty for non-compliance

Government entities found in violation of the Data Practices Act could be subject to paying substantially higher damages, under the bill.

Continued on page 21



PHOTO BY ANDREW VONBANK

Motorists using their new MNPASS to drive the Interstate 394 “sane lane” will have some assurance the information collected by the state will remain private under HF225.

Day-care information

The bill would permit parents looking into day-care options to access information about centers that is currently not considered public.

Under current law, basic information about the licensee is available; such as date of licensure, licensed capacity, type of dwelling, name and relationship of other family members and the existence and status of complaints.

owner’s personal information may be used, rented or sold to organizations for bulk mail solicitations. The bill would allow this dissemination of information only if authorized by the registered owner.

Meeting electronically

Some state boards and councils currently have the option of meeting electronically and



PHOTO BY TOM OLMSCHIED

The omnibus taxes conference committee began a side-by-side comparison of the House and Senate tax bills May 18.

End-of-session angst

Paper trail points early on to houses divided

By NICOLE WOOD

Set aside casinos, gun permits, gay marriage and a Twins stadium for a moment.

A key task for lawmakers to accomplish by the end of every odd-numbered legislative session is to establish the state's budget for the next two fiscal years.

But with little time remaining before this year's May 23 constitutional deadline, there is still speculation as to exactly how that will happen. In the end, reconciling House and Senate differences in omnibus budget bills and overall spending is part politics, part procedure.

Think globally, act bicamerally

The Minnesota Constitution requires bicameral agreement on budget bills, just as it does on every bill that becomes law.

A conference committee is the typical arrangement under which the House and Senate meet to negotiate the major finance and revenue bills and reach that elusive bicameral blessing.

The conference committee is king in end-of-session compromise.

A conference committee is technically two committees, one representing each body, meeting jointly. Conference committees consist of either six or 10 members, one-half representatives and one-half senators. Omnibus budget bill conference committees consist of the larger number.

The leaders of the majority caucus in each body appoint conferees. In the House, the Speaker calls the shots. In the Senate, conferees are named by the Subcommittee on Committees of the Committee on Rules

and Administration, which is chaired by the Senate majority leader.

A majority of the conferees from each body must approve a conference committee agreement, not just a majority of the committee members. The agreement, called a "report," requires either a thumbs up or a thumbs down in each house; it may not be amended. To complete the legislative process, each house must adopt the report and then repass the bill, as amended in conference.

According to the nonpartisan House Research Department publication, *Making Laws*, conference committees on the budget bills are complicated by an additional factor: compromise on individual sectors means compromise on overall spending.

"As a result, the budget conference committees usually must wait upon the leaders of the two houses and the governor to arrive at a new global agreement on the budget fundamentals that each party earlier decided independently; the amount of revenue to be available to the state and its allocation among broad categories of government activities."

Negotiations continued on page 21

Serving the House

Pages start at the bottom, but have big aspirations

By BRETT MARTIN

Sitting on a bench below the front desk during floor sessions are about 20 pages, eagerly waiting for a member to signal them for an errand or to be given amendments to hand out.

They can also be seen in committees, making sure representatives, staff and audience members have the proper bills, summaries and other paperwork. The rest of their workday is typically spent in the "Pages' Room" in the basement of the State Office Building, affectionately referred to as "The Dungeon."

From there, pages are asked by members to perform a variety of jobs, such as making copies, moving furniture, tallying surveys, stuffing envelopes and hauling bottled water.

While these pages don't have the most glamorous job in the House, they do have big aspirations.

Stepping up in the House

Mike Andrews, 25, enjoys working as a page, although he has bigger plans. He wants to pursue a career in the House, but not as a politician.

"I don't want my name on the marquee. I prefer to be behind the scenes," he said. "Let someone else worry about the campaigning every two years."

Andrews' aunt and uncle served on city councils and his great uncle served in the Legislature, passing his committee chair gavel to his great nephew. Andrews would like to work his way up to a legislative assistant, committee legislative assistant and then perhaps a caucus strategist or caucus researcher.

"I fully understand the pay-your-dues concept," he said.

Andrews likes the idea of researching bills to find out their implications and planning caucus strategies.

"Karl Rove, here I come," he said.

A second-year page, Dan Listug, 24, has his eyes set on a similar career path. Although he hasn't planned out his entire future, he'd welcome the opportunity for full-time employment at the Capitol.

"You're on the bottom of the ladder as a page. You have to pay your dues to move up," Listug said. He already has his next job of choice in mind. "At the House, I think I would be well suited as a committee administrator."

Jennifer Berguam, 27, would also like to continue working at the House after her page position ends.

"I hope to come back next year in another position," Berguam said. She is even contemplating running for a state office in the future.

Although Jeff Bordenau, 25, is looking to go back to school to pursue a master's degree in psychology, he will not rule out a career in politics some day; maybe even a run for a House seat.

"I think these guys have the best job in the world. I would love to have a full-time job in the House," he said, adding that the page job is also good, while it lasts. "I'd recommend it to anyone looking for five months of work."

Their current positions as pages offer the perfect springboard into other House jobs. In fact, many House employees started their careers as pages.

"I honestly can tell you that there's no better way to get your foot in the door than being a page," said Andrew Carter, first assistant sergeant-at-arms, who supervises the pages.

A résumé grabber

Not all pages want to continue working at the Capitol, but with "Sergeant Level One," the official title of the pages, on their résumés, they're sure to grab the attention of prospective employers.

Included in that group is Mary Peterson, 25. Encouraged by her sister LaRissa Pelto, a committee administrator for Rep. Dan Dorman (R-Albert Lea), to serve as a page, Peterson enjoys the position and has gained a greater appreciation of the legislative process, but she wants to become a pharmaceutical salesperson.

"I don't have the desire to become a politician," she said.

Nevertheless, she points out that by having the respected position of page on her résumé, it

Pages continued on page 21



PHOTO BY TOM OLMSCHIED

House page Dan Nelson passes out an amendment during a hearing of the House Ways and Means Committee May 10.

Data practices continued from page 18

In addition to potentially covering reasonable attorney fees, an entity could be fined \$5,000 to \$100,000 for each violation.

In addition, if data is withheld, and the district court is brought in to force compliance, a civil penalty of up to \$3,000 could be imposed against the entity.

Genetics and pesticides

Rep. Phyllis Kahn (DFL-Mpls) successfully offered an amendment asking that the administration commissioner review the law, rules and policies on how the state handles genetics information. She said that as DNA and genetic technology keeps advancing, how this information is handled will become an issue.

An amendment proposed by Rep. Mary Ellen Otremba (DFL-Long Prairie) was ruled out of order. It would have required information about pesticide application gathered by the Department of Agriculture to be made public, including what product was used and where it was spread. 

Negotiations continued from page 19

Negotiating the negotiations

None of this end-of-session angst should come as a surprise. There were clues along the way.

First, the finance committee structure in each body, as determined separately by House and Senate leadership before session started in January, reveals dissimilar account structures. For example, the Senate has an Environment, Agriculture and Economic Development Budget Division, while the House splits those areas of the state budget into two committees, one for Agriculture, Environment and Natural Resources Finance and another for Jobs and Economic Opportunity Policy and Finance.

Next, the House adopted a new set of Permanent Rules of the House Feb. 10. To those

rules, which also list the omnibus budget bills the body will consider, Rep. Mark Olson (R-Big Lake) successfully offered an amendment prohibiting major finance or revenue bills from being combined.

To the contrary, Senate rules prohibit major finance or revenue bills from being divided.

Furthermore, Senate Concurrent Resolution 4, adopted by the two bodies Feb. 28, provides more evidence that end-of-session negotiations will be complicated. Besides setting committee deadlines, it identifies the major appropriation and finance bills for the 2005 session.

Of the 15 bills documented under the resolution, six bills correspond between the two houses: bonding, state government, higher

education, transportation, public safety and claims.

But nine others clearly require an arrangement by House and Senate leadership before conference committees can be established.

Of those nine, the Senate bills are: early childhood education; K-12 education; health and human services; and environment, agriculture and economic development.

The House bills are: education; health; jobs and economic opportunity; agriculture and rural development; and environment and natural resources.

Basically, it comes down to this: A tidy end to a legislative session depends on House and Senate leadership first negotiating the negotiations. 

Pages continued from page 20

will help her future career in sales. She has been able to use her current position to make contacts, including talking to a lobbyist who is trying to help her get a pharmaceutical sales job.

Regardless of which path pages take, their House experience will be applicable to their careers.

"It's been a learning experience," Listug said. "Whether I end up working for the House or the Senate or a Congressional office, I can take what I learned here and apply it."

If Bordenau decides on a psychology career, he can draw on his experience watching legislators with opposing views and ideologies debate each other and sometimes even work together.

Point of order

A common theme among pages, regardless of their career goals and undergraduate degrees, is their avid interest in government.

"I've always been interested in state government and government in general," Berguam said. "Working here is an opportunity to learn about it firsthand."

Even with an educational background in politics, nothing can compare to seeing the Legislature in action, said Listug, a political science major.

"You can learn a lot from books, but you can learn a lot more in person," he said.

"As much as I thought I knew about politics in general, I didn't know anything until I got here," Andrews added. "This is the equivalent of having a backstage pass to your favorite band. This is the center of where things happen."

Andrews finds all House procedures interesting.

"I like being at the committees and on the floor and hearing the whole parliamentary thing, 'Point of order this, Point of order that,'" he said.

The inner workings of the Legislature have also proved eye-opening to some pages.

"My biggest surprise was the first day on the House floor, everybody was talking when somebody on the floor was talking," Berguam said.

She said one of the benefits of her job is the close friendships she's formed with the other pages. "Not many of us will probably be here next year, but the friendships will remain."

With so many job perks, it's no wonder that the competition is fierce for the coveted positions. Carter said he receives more than 200 annual inquiries and more than 100 résumés for the page jobs. Since only 25 pages were hired this year, down from 45 openings four years ago, the candidates are dueling for fewer positions and only the best ones are extended job offers.

"This is the best group we've had since I've been around," Carter said. 

Friday, May 13

HF2515—Jaros (DFL)

Transportation

American Indian place names on highway signs required to also provide meaning in English.

Monday, May 16

HF2516—Charron (R)

Governmental Operations & Veterans Affairs

Honeycrisp apple designated as the state fruit.

Tuesday, May 17

HF2517—Hansen (DFL)

Governmental Operations & Veterans Affairs

Minnesota State Retirement System disability benefits application authorized for a former Department of Natural Resources employee.

HF2518—Hausman (DFL)

Agriculture, Environment & Natural Resources Finance

Como Zoo infrastructure redevelopment funding provided, bonds issued and money appropriated.

Wednesday, May 18

HF2519—Meslow (R)

Rules & Legislative Administration

Business corporation statute technical corrections provided.

HF2520—Zellers (R)

Education Finance

Health and safety revenue school district requirements modified.

HF2521—Welti (DFL)

Agriculture, Environment & Natural Resources Finance

Eyota Chesterwoods Trail bonds issued and money appropriated.

HF2522—Welti (DFL)

Agriculture, Environment & Natural Resources Finance

Great River Ridge Trail bonds issued and money appropriated.

Thursday, May 19

HF2523—Ozment (R)

Governmental Operations & Veterans Affairs

Public Employees Retirement Association service credit purchases authorized for which Independent School District No. 271, Bloomington, failed to make member deductions.

HF2524—Buesgens (R)

Regulated Industries

County off-sale liquor licenses regulations modified.

HF2525—Mahoney (DFL)

Jobs & Economic Opportunity Policy & Finance

St. Paul; bioscience corridor funding provided, bonds issued and money appropriated.

HF2526—Paymar (DFL)

Jobs & Economic Opportunity Policy & Finance

St. Paul; Ordway Center for the Performing Arts funding provided, bonds issued and money appropriated.

HF2527—Thao (DFL)

Jobs & Economic Opportunity Policy & Finance

St. Paul; Pierce Butler Corridor land acquisition and contamination remediation grant provided, bonds issued and money appropriated.

HF2528—Mariani (DFL)

Agriculture, Environment & Natural Resources Finance

St. Paul; Mississippi River park development funding provided, bonds issued and money appropriated.

HF2529—Urdahl (R)

Civil Law & Elections

Driver's license verification checks fees limited.

HF2530—Beard (R)

Public Safety Policy & Finance

Scott County public safety training facility funding provided, bonds issued and money appropriated.

MINNESOTA

I N D E X

Capitol by the numbers

Year the current Minnesota State Capitol opened.....	1905
Year construction began.....	1896
Previous state capitols.....	2
Year the first Capitol opened.....	1853
Year it was destroyed by fire.....	1881
Year the second Capitol opened.....	1883
Year the current Capitol was deemed a National Historic Landmark.....	1972
Entries received to design the Capitol.....	41
Amount paid in 1893 to secure the site for the Capitol.....	\$285,225
Asking price for the site.....	\$480,000
Cost to construct the Capitol, in millions.....	\$4.46
Millions in today's dollars, as approximate.....	\$90
Allocated funds that were unexpended when the building was completed.....	\$41,371
Capitol width, length and height, in feet.....	229, 443, 223
Types of stone, as approximate, used in the Capitol halls, stairways and chambers.....	20
Workers killed in the Capitol's construction.....	6
Different styles of chairs, tables and desks in the Capitol when it opened,	
many designed by Capitol Architect Cass Gilbert.....	74
Estimated pieces of furniture when Capitol opened.....	1,600
Costs, in 1905, to construct chandelier that hangs in the Rotunda.....	\$1,250
Approximate weight of chandelier and its chain, in pounds.....	2,500
Feet that chandelier is suspended in the air.....	142
Chandelier circumference, in feet and inches.....	19-4
Amount allocated during construction for murals and framed paintings	
for the Capitol.....	\$231,500
Number of Civil War paintings in the governor's reception room.....	4
Number in the anteroom.....	2
Year the Quadriga (golden sculpture of four horses) was placed on the Capitol.....	1906
Years it was removed for restoration.....	1994-95
Karats of the gold leaf covering the Quadriga.....	23.5
Major renovations of the House Chamber since the Capitol opened.....	3
Millions appropriated for last renovation in 1989-90.....	\$2.2
Square yards of custom carpeting installed during renovation in the Chamber.....	1,054
Millions in 2005 bonding law for design of Capitol renovation and restoration.....	\$2.37
Of that, millions for repair and restoration of third floor public areas.....	\$1.17

Sources: *Minnesota's State Capitol: The Art and Politics of a Public Building*, Minnesota Historical Society; other society publications; House Public Information Services Office.

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