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SESSION Weekly

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Session wrap-up 2005

INSIDE: SPECIAL SESSION, NEW LAWS, HISTORIC SHUTDOWN, GOING HOME AND MORE

Bill Introductions: HF2531-HF2562, SSHF1-SSHF141

Session

Weekly

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On the cover: Legislators, lobbyists and House staff congregate outside the House Chamber during a nearly one-hour blackout at the Capitol July 13.

—Photo by: Tom Olmscheid



A long journey

A session that began with optimism saw its share of successes, but gridlock led to the state's first-ever partial government shutdown

It was a year at the Capitol that will have pundits and political science pros asking, "How did they end up in partial government shutdown?"

The 84th session of the Minnesota Legislature convened Jan. 4. And although the November election brought to St. Paul an almost equally divided House (68 Republicans and 66 Democrats), the 26 new members were hopeful they could make a difference by working together across party lines. No one could have predicted that those early weeks of optimism would end up in a contentious special session that spiraled into the state's first partial government shutdown on July 1, furloughing more than 9,000 state employees.

On the first day of session, lawmakers said goodbye to a familiar figure in the House. After 63 years of service, the last 38 as chief clerk, Edward A. Burdick retired. Al Mathiowetz, who served as first assistant chief clerk since 1985, was

elected to replace Burdick.

As the weeks rolled by, there were successes — passage of an \$811.8 million capital investment bill, albeit a year late, as well as a crime bill that was called one of the toughest in the state's history.

But as the May 23 constitutional deadline for session adjournment drew closer, it became apparent that for the 11th time in 13 years, there would be a special session.

Gov. Tim Pawlenty called lawmakers back to business one minute after midnight on May 24. For the next 51 days, they struggled to finish the budget for the 2006-07 biennium.

Compromise did win out in the end and the motion to adjourn *sine die* came late in the evening of July 13 with the budget balanced.

The events of this historic special session are chronicled in the following pages.

L. SCHUTZ

Summoned to the Special

For the 11th time in 13 years, the Minnesota Legislature was called back into special session. Running from May 24-July 13, it wasn't the longest in our state's history, but it will be remembered, however, as the one that produced the first-ever government shutdown.

May 24

Gov. Tim Pawlenty ordered legislators back to work for a special session to begin one minute after the last body adjourned the regular session May 23. Emphasizing the importance of passing the K-12 education, health and human services and tax bills, Pawlenty encouraged cooperation between legislative leaders to wrap up the session. This was to be the 11th special session since 1993.



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty calls the special session.

May 25

With the beginning of special session, titles of the remaining conference committees were changed to "working groups."

Under the leadership of the House and Senate tax committee chairs Rep. Phil Krinkie (R-Lino Lakes) and Sen. Lawrence Pogemiller (DFL-Mpls), the Tax Working Group held its first meeting to begin comparing the differences in the House and Senate tax bills.

May 26

In the first of what was to be several attempts during the special session, Rep. Mark Olson (R-Big Lake) introduced a resolution (HCR1) to put the power of resolving the legislative differences into the hands of the House and Senate, rather than with the governor and legislative leadership.

"Since we have had four special sessions in five years, I believe it is time for a change," he said. "It is our duty; it's our job and it is one that we ought not delegate it to only a few members," he said.

Before the House could consider the resolution, a motion to suspend the rules had to be approved by two-thirds of the body. It was defeated 108-21. The Health and Human Services; Education; and Ag, Environment and Jobs and Economic Development working groups met briefly.

PROCLAMATION FOR SPECIAL SESSION 2005

Whereas, The Eighty-Fourth Legislature will adjourn from its 2005 session without enacting legislation essential to the health, well-being and safety of the citizens of Minnesota; and

Whereas, The unfinished matters of the Legislature include essential laws regarding agriculture, economic development, education, environment, health, human services, transportation, taxes, and the orderly functioning of state government; and

Whereas, After the time permitted by law for passage of such legislation during the 2005 regular session expires, an extraordinary occasion as envisioned by Article IV, Section 12 of the Minnesota Constitution is thereby created; and

Whereas, The people of Minnesota are best served by avoidance of a government shutdown and a prompt conclusion of legislative business.

Now Therefore, I, Tim Pawlenty, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session one minute after the last house of the Legislature adjourns its regular session on Monday, May 23, 2005, pursuant to Article IV, Section 12, at the State Capitol in St. Paul, Minnesota.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this twenty-third day of May in the year of our Lord two thousand and five, and of the State the one hundred forty-seventh.

TIM PAWLENTY
Governor
MARY KIFFMEYER
Secretary of State

May 27

The House met just long enough to have bills introduced, non-controversial motions heard and approve a motion to adjourn until May 31.

Pawlenty and House and Senate leadership met over the weekend hoping to finalize a state budget and set budget targets for the working groups.

The Tax Working Group met for about an hour, and the Education Working Group met briefly before adjourning out of respect for Army Chief Warrant Officer Matthew Lourey, the son of Sen. Becky Lourey (DFL-Kerrick). Matthew was killed in Iraq.

Let the body decide

While legislative leaders met throughout the special session in hopes of reaching a global budget agreement, the number of members wanting to let all representatives and senators have a say in the final product grew larger.



PHOTO BY TOM OLMSCHIED

Rep. Mark Olson

Leading the charge was Rep. Mark Olson (R-Big Lake), who unsuccessfully tried twice to have House rules suspended to take up a resolution (HCR1 or HCR2), proposing expenditure limits for the 2006-07 biennium for seven outstanding bills, and tried nine times to get the rules suspended to take up HCR5 that would let the entire House and Senate set spending targets in the seven areas. His other proposal, HCR6, would set a maximum amount for net state revenues. It fell short of the needed two-thirds votes on three occasions.

"When you believe strongly in something and there's good evidence to show it's the right thing to do, you need to pursue it," Olson said, noting that his ideas also showed that another avenue existed to end the session. "The net effect of this session is public backlash, public disappointment and public disgust that the process doesn't work because no decisions were made or were allowed to be made."

Among those supporting Olson each time was Rep. Paul Marquart (DFL-Dilworth).

"He first proposed a resolution on the Thursday of the first week [of special session]. Had we started then I truly believe we would have had something done by the time of government shutdown. The governor called us all down here and we all should have had a voice rather than allowing three or four leaders to decide. We should have pursued that on the House floor."

Marquart and Olson both were pleased to see the number of yes votes from both parties increase nearly every time to the point where they twice had a majority of members on their side, but not the needed two-thirds approval.

"That was a real joy," said Olson. "To be able to pull so many members from both sides of the aisle — liberal, conservative, Democrat, Republican — all kinds of members on board. I think that was the greatest thing about that."

Marquart said that when people ask him what he did to avoid a government shutdown, he could say he voted every time for the members to work together and get the job done.

(M. Cook)

Session

May 31

With members back from a Memorial Day holiday break, the special session continued to move along at a snail's pace.

The House and Senate each met for a short time, with nothing substantial accomplished.

Working groups in four areas (education; agriculture, environment and jobs and economic development; health and human services; and taxes) all met but failed to finalize any agreements.

June 1

It was day nine of the special session, and the working groups on taxes and health and human services met to continue negotiations.

June 2

Even though the House did not meet, this day must be counted as a "legislative day" because the Senate did convene.

Early childhood was the focus of the meeting of the Education Working Group.

The only major difference between the House and Senate proposals seemed to be if or how the effectiveness of pre-kindergarten programs could be assessed.

The Health and Human Services Working Group heard testimony about the Minnesota AIDS Project, a proposal to require the commerce commissioner to study language interpreter services for health care patients and a proposal for a dental access study for people with disabilities, but took no action on the provisions.

June 3

As the second week of special session concluded, the House met for less than nine minutes and no working groups got together.

After a roll call that took more than two minutes, 17 bills were introduced.

Caucus leaders in both bodies were invited to meet with the governor June 6 in hopes of working out an agreement on the funding for the 2006-07 biennium.

June 6

On a day legislative leaders were scheduled to meet with Pawlenty in hopes of moving the special session closer to a resolution, the Senate met for about five minutes and one working group met. The House did not meet.

Other than the introduction of 16 bills, the Senate floor session was uneventful.

Meanwhile the Education Working Group met for almost three hours with discussions focusing on language differences between the bills. The Taxes Working Group cancelled its meeting.

June 7

A resolution that would have set spending limits for seven outstanding bills was defeated by the full House.

Sponsored by Olson, HCR2 would allow the House to vote upon the final numbers for spending in the following areas: agriculture and rural development, education, environment and natural resources, health, jobs and economic opportunity, taxes and transportation.

The plan was defeated 80-41.

Olson said he intended to bring the resolution back every time members were on the floor during the special session.

It fared better than HCR1, previously offered by Olson. That resolution, proposing House and Senate expenditure limits for the 2006-07 biennium, only garnered 21 yes votes May 26.



PHOTO BY TOM OLMSCHIED

Rep. Rick Hansen, right, holds his 1-year-old son, Evan, as he talks with Rep. Jean Wagenius at the conclusion of the June 3 House floor session.

June 9

It was the same message but a different resolution. Olson introduced HCR 5, proposing House and Senate expenditure limits for the 2006-07 biennium for the outstanding finance bills. However, members voted 75-45 not to suspend the rules to take up the measure.

The working groups met to review and try to find agreement on policy issues.

June 13

As the special session began its third week, a motion by Rep. Mike Jaros (DFL-Duluth) to adjourn *sine die* was not voted upon because a motion to reconvene on June 16 was ruled to be a higher motion. Jaros said his motion would allow members to stay home until legislative leaders reached an agreement.

Rep. Tom Rukavina (DFL-Virginia) said most members were not involved in the decision making and shouldn't have to make round trips to the Capitol while leadership negotiated.

A motion by Olson to suspend the rules to take up HCR5 was defeated.

Working groups for education, health and human services, and taxes all met, but made little progress.

June 14

At a special meeting called to bridge the gap between education bills, House Speaker Steve Sviggum (R-Kenyon) called House and Senate proposals for education unrealistic, saying an offer by Pawlenty was the compromise solution.

The governor had offered \$633 million in state aid, \$97 million in aid shifts and \$139 million in local discretionary levies to raise property taxes for the 2006-07 biennium.

Not having a spending target was the working group's biggest obstacle to reaching agreement, said Rep. Barb Sykora (R-Excelsior), who co-chaired the Education Working Group with Sen. LeRoy A. Stumpf (DFL-Plummer).

In a compromise to Gov. Tim Pawlenty's proposed 75 cent health impact fee, Democrats said they would support a 55-cent increase, if the money raised was dedicated to health care. The DFL proposal was an attempt to break the stalemate in budget negotiations. Republican leadership, calling it only half of a proposal, quickly dismissed the offer, because it didn't include funding for K-12. Pawlenty threatened to take the proposal off the table if the two sides were no closer after a few days.



PHOTO BY TOM OLMSCHIED

Rep. Tony Sertich, from left, House Minority Leader Matt Entenza and Senate Majority Leader Dean Johnson meet the press outside Gov. Tim Pawlenty's office after presenting the governor their budget proposal.

June 15

Sviggum called a special meeting to find common ground on the health and human services bills. The oftentimes terse meeting adjourned without any compromises.

An offer from the governor and House called for a 15.5 percent increase in biennial funding, while a Senate proposal would increase the funding 18.4 percent. The two sides were \$229 million apart.

Rep. Fran Bradley (R-Rochester), who co-chaired the working group with Sen. Linda Berglin (DFL-Mpls), said health care spending threatened to consume the state budget and that reductions were needed.

Berglin countered that the Senate proposal already made more than \$200 million in cuts, while the governor made only \$100 million. Sviggum said the Senate actually cut only \$79 million and did not identify where the savings would come from.

June 16

The House met in session, but did little more than introduce bills. A perennial motion by Olson to suspend rules to hear HCR5 was again defeated. Supporters of the motion reiterated that all legislators should be involved in negotiations to complete the session, not just leadership.

"We're getting proficient at not getting our work done," Olson said. "For all the work to be done, I'm surprised at how fast the floor session is going."

Meanwhile, the Education Working Group discussed possible savings in a statewide health insurance pool for school district employees, but did not reach a conclusion.

A House-Senate working group on an omnibus agriculture, environment and jobs and economic development bill heard three fresh proposals on reforming the Legislative Commission on Minnesota Resources (LCMR). The working group did not officially vote on any of the measures.

June 20

Eight bills were introduced during the House floor session, and two attempts by Olson to suspend the rules were defeated.

Olson had offered his resolution to let the entire House set the budget numbers nearly every floor session during the special session. His second resolution, HCR6, would set a maximum amount for net state revenues.

The Senate met for about 10 minutes and did little more than introduce bills.

Working groups for education, health and human services, and taxes all met, but little progress was made.

June 23

The House and Senate both met in session, while a Ramsey District Court judge was asked to order continued state funding for essential services in case of a partial government shutdown.

As legislators expressed frustration that little was being accomplished and most members were not involved in budget talks, a budget resolution still proved elusive.

The latest attempt by Olson to suspend the rules so a House concurrent resolution could be adopted was again defeated.

Rep. Ron Abrams (R-Minnetonka) warned that if the Olson resolution prevailed and the House set targets, if the Senate disagreed a conference committee would still be needed to work out the differences.

Working groups for education, health and human services, and taxes all met during the day. No major progress was made.

June 27

The governor, House and Senate were still at a stalemate in budget negotiations, prompting so-called "lights on" bills to be introduced in both the House and Senate. Each would keep essential state services running in case of a shutdown. Both bodies adjourned without approving the bills.

Olson once again asked his colleagues to consider a resolution to suspend the rules, and once again, it was defeated.

With budget negotiations going nowhere, Gov. Tim Pawlenty proposed June 27 that a change of scenery might help the situation and proposed sequestering the chief negotiators at Camp Ripley until an agreement could be reached. Senate Majority Leader Dean Johnson suggested the governor's residence might be a more appropriate location. The Capitol press corps set up chairs outside the residence, which they dubbed Camp Impasse.

At 7 a.m. June 21, Republican House members began their 24/7 vigil in front of Senate Majority Leader Dean Johnson's office as a symbol of their readiness to put an end to the special session. Members kept a "Get the Job Done" blog documenting the time they spent standing watch. Their vigil lasted until midnight June 30 when the state government went into partial shutdown.

Here is an excerpt from the blog entry by Rep. Lloyd Cybart (R-Apple Valley) of his revision of "The Raven" by Edgar Allen Poe:

The Minnesota Raven

*Once upon a midnight dreary, while I pondered here at 2 a.m., weak and weary,
Over many a quaint and curious volume of unfinished bills and forgotten lore,
While I nodded, nearly napping, suddenly there came a tapping,
As of someone gently rapping, rapping at Sen. Johnson's chamber door.
'Tis Sen. Johnson,' I muttered, 'tapping at his chamber door;
To negotiate and end the special session, only this, and nothing more.'*



PHOTO BY TOM OLMSCHIED

For the camera, Rep. Michael Beard jokingly rests outside the office of Senate Majority Leader Dean Johnson during his 1 a.m. to 4 a.m. shift June 26. House Republicans were positioned outside Johnson's office around the clock to indicate a willingness to negotiate a budget deal and end the special session.

June 28

The House presented the Senate with its latest health budget offer during the Health and Human Services Working Group meeting. The proposal contained \$135 million in additional revenues, with \$100 million coming from a proposed 20-cent tobacco fee on packs of cigarettes.

More than half of the new revenue, \$74 million, would be used to partially restore MinnesotaCare eligibility to adults without children. The original House bill would have eliminated MinnesotaCare for adults without kids. The Senate said it did not want to change eligibility requirements for the program.

In the Education Working Group, offers and counteroffers flew fast and furious, but no formal decisions were made. The offers involved using various revenue sources to pay for proposed increases in state funding for education.

Republicans presented their latest revenue offer, which included a spending target of \$800 million, raising \$210 million annually from racino proceeds dedicated to education, using no accounting shifts to raise revenue and allowing \$43 million in voter-approved levies to increase property taxes.



Edward Stringer, who served as Supreme Court justice from 1994-2002, was appointed by Gov. Tim Pawlenty to decide which state services were critical enough to continue in the case of a partial government shutdown on July 1.

Photo courtesy of the State Court Administration



PHOTO BY TOM OLMSCHIED

As members talk around them, House Minority Leader Matt Entenza, from left, House Speaker Steve Sviggum and House Majority Leader Erik Paulsen meet prior to the June 30 floor session.

On June 29, two days before the lack of a budget agreement would send the state into its first ever shutdown, albeit partial, Rep. Anthony "Tony" Sertich (DFL-Chisholm) asked House members to suspend the rules so that a bill, sponsored by Rep. Lyndon Carlson (DFL-Crystal), could be considered that would keep the lights on. In the ensuing days, the fate of the request was the same; it was defeated, even after the shutdown began July 1. Before the Fourth of July weekend, Sertich pleaded for support of the bill that would let the more than 9,000 furloughed state employees "know they can go back to work on Tuesday" and that the lights would be back on to the services that had been turned off. The majority of the House Republicans, however, supported the governor who stated he would consider a so-called "lights on" bill once a framework for resolving the funding of education, health and human services and transportation had been laid out. Opponents to the bill said that passing a "lights on" bill would take the pressure off budget negotiations.



PHOTO BY ANDREW VONBANK

Rep. Anthony "Tony" Sertich tries to bolster support to suspend the House rules in order to take up a so-called "lights on" bill June 29.

June 29

In preparation for a partial government shutdown, House members voted to suspend the rules and consider SSHF100, sponsored by Rep. Chris DeLaForest (R-Andover). The bill would put nonunion employees on the same playing field as their union colleagues during a shutdown.

Earlier in the special session, a stopgap proposal was approved allowing state employees laid off by a shutdown to soften the financial blow by using up to two weeks accumulated vacation time. DeLaForest's bill would provide the same opportunity to about 1,200 non-union state staffers.

Rep. Barbara Goodwin (DFL-Columbia Heights) was the lone dissenting vote, saying the bill protects mid-level management.

With a partial government shutdown seeming inevitable, Rep. Anthony "Tony" Sertich (DFL-Chisholm) pleaded with his colleagues to at least pass a so-called "lights on" bill. The measure, SSHF99, sponsored by Rep. Lyndon Carlson (DFL-Crystal), called for temporary funding of state services. The vote to suspend the rules to consider the vote was not approved by two-thirds of the body, which is needed for passage.

June 30

The House remained on call, hoping for a last minute deal that would save the state from its first-ever government shutdown at midnight.

Members approved a motion by Rep. Dennis Ozment (R-Rosemount) to suspend House Rules to hear SSSF69, the omnibus environment, natural resources, agriculture and economic development bill that was passed by the Senate earlier in the day. Olson argued that the bill did not contain related subject matter and was therefore unconstitutional. Other members said it was irresponsible to pass a bill without first identifying revenue sources to fund its provisions.

The bill, which passed the House and was signed by the governor shortly thereafter, kept the state parks open. It also appropriated money for agricultural, environmental, natural resources and economic development purposes.

The House did not, however, generate enough votes to suspend rules to consider SSHF112, the so-called "lights on" bill. The result was a partial state shutdown that put nearly 10,000 state employees on furlough and limited some state services.

As the clock ticked off the minutes to July 1 and a partial government shutdown, the Senate passed a so-called "lights on" bill, sent it to the House and then promptly adjourned. With the Senate absent, the House had only two options: pass the bill as it was submitted, or allow the deadline to pass without a continuing resolution for funding. The bill was not passed. The main objection to the Senate bill was a provision to allow a two-year time limit to pass a final budget, during which time state agencies would continue to be funded at current levels.



PHOTO BY TOM OLMSCHIED

Speaker Pro Tempore Ron Abrams watches the June 30 Senate floor session on a television located in the speaker's desk, while piles of spreadsheets for the omnibus agriculture, environment and jobs and economic development budget bill await distribution to members.

July 1

Both the House and Senate met quickly in the morning and promptly recessed until later in the day when it was hoped some action could be taken on a resolution that would bring, at least temporarily an end to the shutdown.

A motion to suspend the rules so that SSHF99, sponsored by Carlson, could be taken up by the full House received the majority of votes (63-60); however, a two-thirds majority (90 votes) is needed to suspend the rules. The bill would provide for continued funding of state government. The governor announced that the current strategy of negotiating the state's budget for the biennium would change. "Our negotiations have focused on what we are going to spend our money on, instead of how much money we have to spend, and then how will it be allocated," he said.



PHOTO BY TOM OLMSCHIED

House Speaker Steve Sviggum glances at the clock as he talks with House Minority Leader Matt Entenza prior to the July 1 House floor session.

Taking it into their own hands

With leadership failing to agree on budget targets and talk of a partial government shutdown beginning to echo through the Capitol, some members decided not to sit by idly and hope party leaders and the governor would reach a compromise sooner rather than later.

Those members formed a so-called "rump group," which took on the challenge of developing its own budget numbers. The group consisted of House and Senate members from both parties, both veterans and freshmen.

The group later joined a group headed by Rep. Dennis Ozment (R-Rosemount) and Rep. Al Juhnke (DFL-Willmar).

"I really believe the message given by the group was heard by leaders and everyone else that we were intent on getting it done," said Rep. Dan Dorman (R-Albert Lea), a member of both groups. "The governor felt the pressure."

The groups proved so successful during the special session by allowing members from both bodies, on both sides of the aisle, to meet and discuss issues that Dorman said legislators will try to keep the momentum going.

"Unless members take action, we'll be here again next May," Dorman said.

(B. MARTIN)



A so-called "Bi-Partisan Compromise Budget Working Group," comprised of House and Senate members, meets July 6 to try to forge an agreement that would end the budget impasse.

July 2

The education and tax working groups met, without reaching a consensus. Sertich again unsuccessfully tried to suspend the rules to bring up Carlson's bill. It received just 64 votes.

July 3

Day of rest.

July 4

Two dozen members of the so-called "Bi-Partisan Compromise Budget Working Group" met for the first time to begin sharing ideas and offering proposals in hopes of ending the budget impasse.

July 5

Both the House and Senate met in session, but nothing was accomplished. Sertich's proposal to suspend rules to take up SSSF88 got 70 votes. The latest attempt by Olson to suspend the rules to take up a resolution proposing an amount for net state revenues for the 2006-07 biennium failed to gain the needed votes. It, too, received 70 yes votes. Meanwhile, Senate Majority Leader Dean Johnson (DFL-Willmar) said negotiations between legislative leaders and the governor were ongoing.

July 6

No floor sessions took place and the scheduled Tax Working Group meeting was cancelled.

Hundreds of the more than 9,000 state workers furloughed by the July 1 partial government shutdown rallied at the Capitol July 6. Union leaders argued to a special court appointed mediator July 5 that all their workers be ruled essential and allowed to return to their jobs.



PHOTO BY TOM OLMSCHIED

Merrideth Herried, a Department of Human Services employee, and her son, Matt, set up baked goods and a sign that reads "Laid Off - Help me feed my kids" in front of the Capitol July 5 to bring attention to the plight of laid off state employees.

July 7

Uneventful House and Senate floor sessions. Olson and Sertich again unsuccessfully tried to suspend House rules to take up SSHCR5 and SSHF121. Rep. Phil Krinkie (R-Lino Lakes) submits his resignation as House chair of the Tax Working Group, saying he can't support House leadership's positions on a racino and the 75-cent health impact fee. Legislative leaders convene in the evening and negotiate until about 3:45 a.m. the next day. Reports indicate that a compromise is closer. The Tax Working Group met, but no progress was reported.

July 8

"We've made pretty good strides the last couple of days and we'll give it another run this morning," Pawlenty says on his weekly radio show. He also indicates that the racino will have to come up another day because DFLers are steadfastly opposed.

House met briefly at 10 a.m. before recessing in hopes that legislative leaders could reach an agreement. The so-called "Bi-Partisan Compromise Budget Working Group" met at 11:30 a.m. to work on finalizing a budget framework proposal, in case leadership failed to finish its work.

After legislative leaders announced a resolution on a budget agreement, the House and Senate each passed a so-called "lights on" bill in the wee hours of the next morning that would reopen state agencies affected by the partial government shutdown. Pawlenty signed it shortly thereafter. It was expected that working groups would meet through the weekend.

Rep. Phil Krinkie (R-Lino Lakes), House Tax Committee chairman resigned July 7 from the Tax Working Group, explaining in a letter that he couldn't support two of the governor's revenue raising proposals, a cigarette fee and a racino. "Since I strongly disagree with both of these revenue sources and want to help bring the special session to an orderly conclusion, I believe I can no longer be effective as the chair," he wrote. Rep. Ron Abrams (R-Minnetonka), also a member of the Tax Working Group, took over the chairmanship along with Sen. Lawrence J. Pogemiller (DFL-Mpls).



PHOTO BY TOM OLMSCHIED

During the July 13 floor session, Rep. Mark Buesgens, left, and Rep. Phil Krinkie, right, unsuccessfully offered an amendment that would remove the 75-cent cigarette fee from the health and human services bill.

July 9

The education, health and human services and taxes working groups all met for a time with tired legislators making some progress in all areas.

An exchange between Sen. LeRoy Stumpf (DFL-Plummer) and Rep. Barb Sykora (R-Excelsior), the education working group co-chairs, at about 10:15 p.m. may have best summed legislative weariness.

After about eight hours of negotiations, Sykora asked if the Senate would like to review the latest House education offer and return. "I'd like to go to bed," Stumpf said. With that, a few cheers were heard from audience members.

"How about you take a look at this and respond and then we'll go to bed," responded Sykora. Quickly realizing how that comment could be inappropriately taken, a red-faced Sykora said, "Excuse me, that didn't sound right." By then she, Stumpf and nearly everyone in the room was laughing out loud. The working group co-chairs then high-fived one another. Members recessed for about 20 minutes, then talked about a staff development revenue clarification before calling it a night at about 11:05 p.m.



PHOTO BY ANDREW VONBANK

After a grueling session of negotiations, Gov. Tim Pawlenty and legislative leaders announce a budget agreement to the media at about 2 a.m. July 9. Joining Pawlenty, from left, are House Speaker Steve Sviggum, Senate Majority Leader Dean Johnson, Senate Minority Leader Dick Day and House Minority Leader Matt Entenza.



PHOTO BY ANDREW VONBANK

With cameras ready to roll, members of the media, lobbyists, legislators and onlookers wait outside the governor's office July 8 for word of a budget agreement.

Lights out at the Capitol

In what some representatives laughingly referred to as bitter irony, the electricity went out in the Capitol July 13 as the House was hurrying to pass its remaining omnibus bills of the special session.

The nearly hour-long outage began at approximately 4 p.m. as the House was debating the second of four bills that, according to an agreement among leadership, were to be passed by 8 p.m.

"We're probably getting what we deserve," said House Speaker Steve Sviggum (R-Kenyon), noting that legislators had been talking about a so-called "lights on" bill for several weeks.

"It would have been so interesting if this would have happened last week," remarked Rep. Barb Sykora (R-Excelsior). The previous week was when the state experienced a partial government shutdown.

Power went out during a hearing of the health and human services bill. Rep. Fran Bradley (R-Rochester), the bill's sponsor, said he thought someone else was to blame. "I would like to say it was in the middle of the Eken amendment."

Indeed, Rep. Kent Eken (DFL-Twin Valley) was explaining his amendment when the lights went out. "It's just kind of eerie," Eken said. "People keep coming up and saying they didn't know I had this kind of power, but I'm not taking the credit for this — or the blame. I voted for the 'lights on' bill."

Rep. Tim Mahoney (DFL-St. Paul), a pipefitter by trade, referenced the value of the heating and cooling profession. "I'm not working unless they get the air conditioning turned back on," he joked.

(B. Martin)



PHOTO BY TOM OLMSCHEID

Rep. Karen Klinzing and Shawn M. Peterson, director of majority legislative services, talk in a beam of light shining on the right side of the front desk in the House Chamber during a July 13 blackout at the Capitol.

July 10

The health and human services and taxes working groups met for a few hours with some more progress. The Education Working Group worked for more than 12 hours before approving an agreement, including \$800 million in new spending, at about 2:10 a.m. the following morning.

July 11

Neither the health and human services nor tax working groups met the 5 p.m. deadline set by leadership, but both completed its work before the day was done.

July 12

Day of rest for members. Legislative and revisor's office staff put the final touches on the working group bills and their respective summaries and spreadsheets.

July 13

Members recessed shortly after being called to order. Upon their return, the health and human services, education, taxes and transportation bills were approved.

While the latter three passed with relative ease, much of the discussion about the health and human services bill focused on the 75-cent health impact fee.

The debate was interrupted when power went out in the Capitol, leaving members in a semi-darkened chamber for about an hour. On a 90-plus degree day the chamber quickly became muggy. Just as members were about to resume their work minus power, the lights came back on.

After much debate about adjourning *sine die* or taking up a pensions bill, which was not part of the global agreement, the bill was passed 112-14.

The House adjourned at 10:29 p.m., about 15 minutes before the Senate. Members are not scheduled to return until March 1, 2006, unless a rumored fall special session comes to fruition.



PHOTO BY TOM OLMSCHEID

House Speaker Steve Sviggum gavels the special session to a close at about 10:30 p.m. July 13. The Legislature is scheduled to reconvene March 1, 2006, unless the governor calls members back for another special session before that time.

Few phone calls, few e-mails

Historic shutdown produces little immediate reaction

By **BRETT MARTIN**

For the first time in state history, Minnesota experienced a partial government shutdown that resulted in an eight-day layoff of more than 9,000 state workers and suspended all but essential services of some state agencies.

As the shutdown headlined the local news and was featured in the media across the country, legislators found themselves under growing pressure to approve a budget.

Besides meeting with other politicians and talking to the press, some representatives had another group seeking answers — their constituents. Rep. Mary Murphy (DFL-Hermantown) said she was getting a few phone calls and e-mails a day leading up to the July 1 shutdown.

"They're from constituents who are scared. They're scared because this directly affects their lives and their families," Murphy said. "They're saying, 'Please don't shut down.'"

Looking for answers

Rep. Keith Ellison (DFL-Mpls) received

calls, mostly from state employees, concerning the shutdown. "They're saying that they're state employees and they're curious about what's going to happen to them," he said just days before the shutdown occurred. "I just keep reassuring them that we're going to fight for their values."

State employees understand what's at stake during the budget negotiations, he said. While his constituents may have been upset about the lack of progress being made by the Legislature, they weren't calling to berate him.

"I'm not really sensing anger," Ellison said. "There's actually a lot of encouragement to hang in there."

Ellison explained how the budget process works so callers could understand his own frustration. "I tell them that the Legislature is run by about three people and 95 percent of the legislators are not in the dialogue right now," he said. "We do a Civics 101."

His constituents followed the issues and knew how the legislative decisions would

impact them, which is why they expected him to fight for their interests. "They didn't send me to see 30,000 people dumped off MinnesotaCare," he said. "I couldn't face them if I did cave."

Two days before the shutdown, Rep. Joyce Peppin (R-Rogers) said that she had received just a few calls from constituents about the matter. When she attended parades in her district, people commented about the shutdown, mostly out of curiosity after constantly hearing about it in the news, she said. They wanted to know what the shutdown would mean and how they would be affected.

"I just tell people that we're hopeful that we'll get the job done," Peppin said.

Most people not impacted

Most representatives received surprisingly few shutdown-related calls and e-mails from constituents. "I was a little surprised that we're not getting inundated with calls," said Becky Girvan, constituent services coordinator for the Majority Caucus Legislative Services. The reason, members say, is because most people weren't directly affected.

Rep. Fran Bradley (R-Rochester) said it was unusual for him to get more than six phone calls and e-mails a day regarding the shutdown. "I have not seen extraordinary traffic," he said, although a handful of state employees did contact him.

"My prediction is this [the shutdown] will only impact a small number of people. Ninety percent of Minnesotans will not be affected," Bradley said. "There is an impact, I don't mean to diminish it, but I don't think most Minnesotans are going to feel it. More people will be affected by what comes out of the bills."

Just days before the shutdown, Rep. Larry Howes (R-Walker) said he had not received any calls or letters from constituents who would be affected. At that time, there was concern that the state parks would close, but since his district is full of resorts, they could have seen a boon in business.

"It's a double-edged sword," he said. The parks did not close thanks to a bill that was signed into law by the governor just hours before the shutdown.

"People know we're trying," Howes said June 28. "We're about ready to celebrate the



PHOTO BY TOM OLMSCHIED

During an announcement that there would be a partial government shutdown, House Speaker Steve Sviggum shows a copy of the budget tally sheet that he and Gov. Tim Pawlenty were working on before the Senate adjourned June 30.

Reaction continued on page 53

New Laws 2005

Presented here are stories on selected bills that were signed into law so far during the 84th regular session of the Minnesota Legislature.

Also contained in this issue of *Session Weekly* are longer, At Issue stories about the major bills signed into law during the May 24-July 13 special session.

For a complete review of all the new laws passed this year, please visit our New Laws 2005 Web page <http://www.house.mn/hinfo/Newlaws.asp>. There you will find user-friendly access to stories that explain, in depth, the new laws as well as a link to the actual bill text that was passed into law.

BANKING

Financial institutions regulations

The regulation of banks, credit unions and other financial institutions will change under a new law.

Rep. Rod Hamilton (R-Mountain Lake) and Sen. Dan Sparks (DFL-Austin) sponsored the legislation, which will regulate the investment authority of, and annual reporting for, certain financial institutions.

The law will clarify the type of property that may be acquired or improved by certain financial institutions without prior approval by the commerce commissioner and eliminate a requirement to submit a copy of annual audit reports to the commissioner. It also amends the requirements of safe deposit companies in the event a safe deposit box is opened after the death of the renter of the box.

Commercial, state and savings banks will be permitted to act as trustee or custodian of a Health Savings Account, under the law. Banks doing business in Minnesota will be permitted to choose to comply with federal customer identification standards in lieu of those in state statute to open a checking account.

The commerce commissioner will no longer be required to provide a notice to suspend the operation of a credit union to an advisory council that no longer exists. Also eliminated is a provision requiring the advisory council to attend the suspension hearing.

Advanced fees paid to a mortgage originator must be placed in an unaffiliated account, according to the law. The voluntary dissolution of a domestic fraternal benefit society upon application to the commerce commissioner will be allowed upon demonstrating that the society has satisfied or transferred its members' policy obligations.

Insurance companies will no longer need

approval to annually renew their licenses. Instead, the licenses will be considered renewed annually upon payment of all applicable fees.

Banks will be exempt from liability based on their disclosure of customer information to a banking industry anti-fraud database relating to forged or stolen checks.

The law will prohibit the deceptive use of the name, trade logo or tagline of a financial institution or its subsidiaries and affiliates. It will repeal a provision in statute that allowed for an advisory task force investigation of a credit union in lieu of immediate suspension of operations and repeal a provision that required a bank's board to prepare a written response to the findings and recommendations in its annual examination report.

These provisions are effective Aug. 1, 2005.

A person who has been convicted of a crime involving dishonesty, breach of trust, or money laundering would be prohibited from working as or for a residential mortgage originator without prior written consent from the commissioner. This provision is effective Jan. 1, 2006.

HF1824/SF1636*/CH118

CONSUMERS

Handgun bill signed into law again

A new law reenacts and makes retroactive provisions in the Citizens' Personal Protection Act.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Pat Pariseau (R-Farmington), the measure reenacts the so-called "concealed-carry" legislation. Passed in 2003, it liberalized the process to acquire a handgun permit. A district court judge later ruled the law unconstitutional because it was attached to an unrelated bill at the time of passage. That ruling was upheld by the Minnesota Court of Appeals and appealed to the Minnesota Supreme Court.

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

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

The earlier law called for a sign to be posted

at every entrance to the business and that the request be given verbally, as well. Now, either a verbal or written notice is sufficient.

Other new provisions include:

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

HF2428/SF2259*/CH83

Unclaimed property notification

Notification requirements to Minnesotans who have unclaimed property, such as uncashed checks, dormant bank accounts or utility deposits, will change under a new law.

When property is presumed abandoned after a period of time, it is reported and turned over to the Department of Commerce, which then attempts to notify the owner.

Previous law required notices of unclaimed property to be published in a newspaper. The new law, effective Aug. 1, 2005, allows the commerce commissioner to determine the most effective and efficient manner of providing the notice, such as in print, broadcast or electronic media.

Under former law, the right of the owner would be extinguished if the property is held by a cooperative and disbursed to a tax-exempt organization. The new law specifies that the right will be extinguished only if a notice that the property is available has been mailed to the last known address of the person. If the address is unknown, the notice will be published in an official cooperative publication.

Broader language is included in the law to avoid certain time limits on the right of an owner of abandoned property to recover it.

A new provision allows for a "default rule" for dealing with abandoned personal property not covered by any other law.

Rep. Lloyd Cybart (R-Apple Valley) and Sen. William V. Belanger Jr. (R-Bloomington) sponsored the bill.

HF1398/SF1360*/CH109



PHOTO BY TOM OLMSCHIED

Standing next to a t-shirt that reads, "Twins Ball Park ... Don't Go Home Without It," Don Hill holds his sign in support of a new outdoor Twins' ballpark as Rep. Sheldon Johnson passes by on his way to the July 8 House floor session.

★ DEVELOPMENT

Low-income area definition

A new law will change the definition of low-income areas, allowing for greater participation in a program that could bring digital technology to schools and communities.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park) and Sen. Linda Scheid (DFL-Brooklyn Park), the legislation is effective Aug. 1, 2005.

A low-income area was previously defined as any city in the seven-county Twin Cities metropolitan area where the average income is 80 percent below the U.S. median income for a family of four. The law extends that definition to include any city in the Twin Cities metropolitan area with two or more adjacent sections where the average family income is less than 80 percent of the median income in the Twin Cities metro area.

This would allow those cities to take advantage of the Urban Challenge grants program. Sponsored by 3Com Corporation, it

provides cities and school districts with grants of products and services to help them find ways to use information technology in their communities.

HF986*/SF514/CH142

★ EDUCATION

Prinsburg receives approval

Prinsburg School District 815 can use voter-approved levy referendum money to pay off a debt to a neighboring school district, under a new law.

Funds will also be used to provide special education services for school district residents who attend a private religious school in the district.

Prinsburg owes about \$280,000 to the neighboring MACCRAY School District for tuition of Prinsburg residents who attended the district through an informal arrangement a few years ago.

Prinsburg has no students and is one of only

two remaining common school districts in the state. Because of its unique situation, state approval was required for levy recertification and authority.

Rep. Al Juhnke (DFL-Willmar) and Senate Majority Leader Dean E. Johnson (DFL-Willmar) sponsored the legislation, most of which is effective March 8, 2005, and applies to taxes payable in 2005.

HF248*/SF485/CH8

★ ELECTIONS

Media has access to the polls

As part of their government "watchdog" role, journalists have traditionally been allowed limited access to polling places, as long as they didn't interfere with the election process.

However, that access was questioned in 2002, and an attorney general's opinion did little to clarify the issue. A new law hopes to provide better clarity.

Under the law, sponsored by Rep. Jeff

Johnson (R-Plymouth) and Sen. John Marty (DFL-Roseville), representatives of the media are allowed at a polling place for an unlimited amount of time during voting hours for observation purposes only. They were previously allowed up to 15 minutes of access. Media representatives are required to provide photo identification, along with recognized media credentials or a written verification from a local election official attesting to the representative's credentials.

While at the polling place, a media member may not get within 6 feet of a voter converse with a voter while in the polling place make a list of people voting or not voting or interfere with the voting process.

The law is effective May 28, 2005.

HF936/SF370*/CH113

Funding for new voting systems approved

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

A new law puts Minnesota on the road to compliance with the federal Help America Vote Act (HAVA) and provides the framework needed for distribution of almost \$38.3 million in federal grant money to make it possible.

Passed by Congress in 2002, HAVA requires state and local governments to reform election processes and systems to ensure equal treatment of, and accessibility for, all voters.

Sponsored by Rep. Laura Brod (R-New Prague) and Sen. Linda Higgins (DFL-Mpls), the law is effective June 4, 2005. Below are some of the provisions.

HF874*/SF290/CH162

Appropriations

The law allocates \$29 million for counties to purchase electronic assistive voting systems and to defray operating costs of the assistive voting equipment, up to \$600 per polling place per year. With any remaining money from this allocation, counties can purchase a precinct-count or central-count optical scan electronic voting system.

Other appropriations are:

- \$6 million to help counties that do not have sufficient remaining grant money after purchasing an electronic assistive voting system, to purchase new optical scan voting equipment that would verify votes, and allow for votes to be corrected before the voter's ballot is cast and counted;
- \$3 million is available to the Office of the Secretary of State to help defray any administrative costs associated with implementing this act, including training; and

- \$290,000 to the office for grants to counties and municipalities to improve access to polling places for individuals with disabilities.

Making a plan

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

A working group of local election officials is to be established in each county to create a local equipment plan and establish procedures. The plan must describe procedures for implementing the voting systems, define who is responsible for any capital or operating costs and outline how the federal money from the HAVA account will be spent.

The county board of commissioners must adopt the plan after a public hearing.

Combining resources

The new law also addresses cases where it might be more convenient and cost-effective for separate precincts to combine polling places. It also allows for this to happen for noncontiguous precincts located in one or more counties.

EMPLOYMENT



End put to dumping by employers

Changes to the state's unemployment law are designed to end "dumping," which occurs when employers use mergers, acquisitions or restructuring schemes to try to lower their unemployment experience ratings.

Sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm) and Sen. Ellen R. Anderson (DFL-St. Paul), the new law will change the unemployment law to curb state unemployment tax act (SUTA) avoidance and make Minnesota law consistent with the federal SUTA Dumping Prevention Act of 2004.

Minnesota, like other states, distributes unemployment insurance costs among employers through an unemployment experience rating based on the number of former employees who have received unemployment benefits.

Some employers try to "dump" their poor ratings by changing or merging companies or shifting employees between companies. The "dumping" compromises the rating system by shifting the cost of one employer's unemployment experience to other employers.

The law will require a corporation to report workers on a wage detail report if the corporation is the only member of a limited liability company that is disregarded for federal in-

come tax purposes. That provision takes effect Jan. 1, 2006.

A number of technical and housekeeping changes to Minnesota's unemployment insurance law, also included in the new law, are effective July 1, 2005.

HF898*/SF944/CH112

Migrant worker violations increased

Failure to pay migrant workers their required wages and benefits will cost employers more in penalties, under a new law.

The law will increase from \$250 to \$500 the penalty for employers who fail to comply with the terms of an employment statement provided to a migrant worker and with statutory requirements for the payment of migrant workers. The penalty will also apply to employers who fail to pay wages to migrant workers within the time period required by law, such as paychecks every two weeks.

Employers who fail to pay wages on time after employment is terminated will also face increased penalties. Current law requires a discharged employee who lives away from home to be paid within 24 hours, and makes employers who do not comply with this requirement liable for the employee's reasonable expenses for remaining away from home.

Under new law, if wages are not paid within two days of employment termination, the employer will have to pay the employee two times the average amount of his or her daily wage from the time of termination until payment has been made in full.

The timeframe for employers to provide benefits or wage supplements due to employees will be reduced. Formerly, employers would face a gross misdemeanor if they failed to provide the benefits within 60 days after they were due. The new law shortens the time period to 30 days.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Ellen R. Anderson (DFL-St. Paul), the legislation is effective Aug. 1, 2005.

HF1914/SF1984*/CH127

'Wage' is defined

The Minnesota Fair Labor Standards Act definition of wage will be modified to include compensation by electronic transfer to an employee's payroll account, under a new law, which will also regulate the payment of wages through the accounts.

Payroll debit cards allow an employee's net pay to be applied to a payroll account. The employee can then use the card to make purchases and withdraw cash at ATMs. An estimated 13 percent of workers do not have a bank account and often use check-cashing

stores, which charge an average of 2.5 percent to cash checks. Payroll accounts allow wages to be electronically transferred, eliminating the need for check cashing.

Employers offering electronic fund transfers of wages will be required to disclose to employees, in writing, all wage payment options and the terms, conditions, rights, liabilities and responsibilities under each option. The written disclosure will need to include certain information, such as fees that would apply.

Employers will only be allowed to initiate payment by transfer to a payroll card account by receiving an employee's signed, written consent.

The law requires that an employee must be able to withdraw, by a free transaction, wages transferred to the account on the employee's regular payday. Employers will be required to provide employees, upon request, one free transaction history each month.

The linking of payroll cards and accounts with credit, including loans against future pay and cash advances, will be prohibited. Employers will also be prohibited from using personal information generated by an employee's use or possession of the card or account for any purpose other than processing transactions and administering the account.

The law is effective June 3, 2005. The amendments made in the law will expire May 31, 2007.

The legislation was sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Dan Sparks (DFL-Austin).

HF2141/SF2093*/CH158

★ ENERGY

Law calls for wind energy tariffs

An omnibus energy law includes a wind energy tariff, and specifies conditions under which the Public Utilities Commission (PUC) can approve tariffs that would allow utilities to automatically recover certain transmission costs.

In order to receive permission from the PUC to construct a high-voltage transmission line, an applicant is required to show the relationship of the line to the regional energy needs in the state transmission plan, the benefits of enhanced regional reliability or lower costs to consumers. Applicants will also need to show that they are complying with the state's renewable energy objective.

The Legislative Electric Energy Task Force must convene a group of stakeholders representing utilities, consumer advocates and affected state agencies to determine if current state processes could be modified to increase

the efficiency and effectiveness of siting and routing of transmission lines. A second working group will need to make recommendations regarding alternative methods of compensation paid to landowners over whose land transmission lines are routed. Both reports are due to the Legislature by Jan. 15, 2006.

Public utilities, municipal power agencies, and generation and transmission cooperatives will be required to establish a community-based energy development tariff, under the law. The tariff will be used to promote wind projects throughout the state.

The PUC will be directed to take regional impacts on the electricity grid into account when evaluating need under the certificate of need process.

The law provides for a joint venture between the Virginia and Hibbing municipal utilities to retrofit coal-fired generation facilities to utilize biomass fuels. It also provides criteria and requires third-party oversight for harvesting woody biomass on state land, requires the preparation of annual fuel plans and the development of guidelines or best management practices for sustainably managed woody biomass at the municipal utilities' expense.

The law also provides for a statewide study to determine the impact on rates and reliability of increasing wind capacity in Minnesota to 20 percent of state retail electricity sales by the year 2020.

An account by the Commerce Department will be established and authorized to make a onetime assessment to all regulated utilities of \$300,000 to establish an e-filing system that will allow documents to be filed and retrieved via the Internet.

The law will allocate \$150,000 in fiscal year 2006 from available funds in the renewable development account to the Agricultural Utilization Research Institute for disbursement over three years as grants for a project that uses soy diesel generators as backup power for wind energy conversion systems.

These provisions are effective Aug. 1, 2005.

Authority to route and site high-voltage electric lines and large energy facilities will be transferred from the Environmental Quality Board to the PUC, effective July 1, 2005.

The law will allow the city of Alexandria to obtain authority to provide local service or interexchange service and enter into joint ventures to provide the niche services. That provision takes effect the day after the city's governing body and chief clerical officer certify local approval.

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

HF1344/SF1368*/CH97

★ ENVIRONMENT

Mapping state forest road easements

A new law creates a public process for the Department of Natural Resources (DNR) to record as prescriptive easements the state's interest in state forest roads that cross non-state land.

According to the nonpartisan House Research Department, a prescriptive easement "means the right to use another's property that is not inconsistent with the owner's rights and which is acquired by use over a specified time (many years typically)."

The DNR estimates there are approximately 13,000 parcels of non-state land crossed by, or contiguous to, state forest road segments.

Effective Aug. 1, 2005, the law will allow the DNR to adopt a state forest road map that lists all of the parcels and establish the procedures it must follow in doing so.

"When state forest road segments on non-state lands are blocked or closed by landowners, many hours of state time are expended to respond to the landowners," according to a DNR legislative summary. "If the road closure effort goes to court, it costs the DNR thousands of dollars to document road use and defend the right of the DNR to use the road."

The new law will give the DNR the ability to address landowner concerns in a consistent manner rather than having to respond to multiple legal proceedings, according to the summary.

The DNR will be required to conduct a public hearing before adopting the map. Property owners directly affected by the easements must receive a notice from the department at least 30 days before the hearing.

The new law provides 120 days after the map is adopted for anyone to appeal a decision to include or exclude recording a road on the map.

Opponents said the process could infringe upon property owners' rights and the due process afforded to them in protecting those rights.

Rep. Denny McNamara (R-Hastings) and Sen. John Marty (DFL-Roseville) sponsored the legislation.

HF1438/SF1326*/CH101

Great horned owl protection clarified

A new law clarifies the protected status of great horned owls in Minnesota.

Currently, great horned owls appear on Minnesota's unprotected birds list, along with such avian cousins as sparrows, blackbirds and pigeons.

Great horned owls are, however, protected under the federal Migratory Bird Treaty Act.

Effective Aug. 1, 2005, the new law will remove the great horned owl from the state's unprotected bird list.

The law was prompted by the concerns of Houston Nature Center Naturalist Karla Kinstler for the safety of an owl she handles named Alice.

Kinstler said that the classification is causing confusion among conservation officers. The uncertainty became apparent during a dispute over construction of Houston's city-funded nature facility, she said.

Because Alice was a symbol of the center, some opponents were threatening to shoot the owl. When Kinstler approached a local state conservation officer about the threats, he told her that he had no jurisdiction over the matter because the great horned owl is on the unprotected birds list.

There are occasions when great horned owls prey on farm animals and in those cases a farmer or landowner can apply for a depredation permit. The new law clarifies that a person who is authorized to take a great horned owl under a federal permit does not need a state permit, as well.

Rep. Ray Cox (R-Northfield) and Sen. Thomas M. Neuville (R-Northfield) sponsored the legislation.

HF419*/SF628/CH104

State timber management addressed

A new law should help the Department of Natural Resources manage timber sales more efficiently.

Effective July 1, 2005, the new law addresses public notice and input on the state timber management plan, rewards for state timber trespassing informants and sales procedures.

"Together, the changes will improve customer satisfaction and economic stability, while enhancing state revenues through cost-reduction measures," according to the department.

The new law will require the department to conduct annual public meetings in the forested areas of the state to discuss the way in which its timber sales and management plan will shake out for the upcoming fiscal year.

It does not change the fuelwood permit fee structure, as the House had initially recommended. Such a permit allows people to salvage or cut down up to 12 cords of fuelwood per year for personal use. The House would have required that the fee cover the department's cost in issuing that permit. The department estimated the average fuelwood permit fee would have increased from \$22 to \$24, but some lawmakers were opposed to leaving the permit fee up to the department's discretion.

Also under the new law, the reward for in-

formation leading to timber trespass convictions will be limited to the greater of \$100 or 10 percent of the single stumpage value of any timber unlawfully cut or removed. Previously, state law contained a tiered reward structure of \$25, \$50 or \$100 based on timber value. The new law leaves the offer of a reward up to the commissioner, rather than the previous language that said a reward "shall be paid."

Rep. Greg Blaine (R-Little Falls) and Sen. Thomas M. Bakk (DFL-Cook) sponsored the legislation.

HF823*/SF802/CH141

FAMILY



Birth certificates for stillborns

Parents of stillborn children will be able to receive a birth certificate, under a new law.

Under former law, parents of stillborns in Minnesota could only receive a death certificate.

The law, effective Aug. 1, 2005, is intended to help families deal with the grief of losing an infant.

Sponsored by Rep. Karen Klinzing (R-Woodbury) and Sen. Ellen R. Anderson (DFL-St. Paul), it requires those responsible for filing a fetal death report to advise parents that they can request a record of birth, inform them the record is optional and explain how to obtain a record if they want one.

The state registrar is required to prepare and file, within 30 days, a record of birth if one is requested.

The law makes birth certificates for stillborns retroactive. A stillbirth that occurred in Minnesota at any time is eligible for a birth certificate by the parents submitting a written request to the state registrar on or after Aug. 1, 2005.

HF947*/SF1029/CH60

Conservators investment leeway

Those assigned as court-appointed conservators of a protected parent, child or sibling will have more leeway in managing that person's estate, under a new law.

Sponsored by Rep. Randy Demmer (R-Hayfield) and Sen. David H. Senjem (R-Rochester), the law enables the court, at its discretion, to allow a transaction of beneficial interest to the conservator, as long as the conservator can prove that this transaction is in the best interest of the protected person.

During committee testimony, Larry Dobson spoke about his daughter, Emily Steffens, who had been in a car accident and suffered a traumatic brain injury, and is now under

the guardianship of her parents. As court-appointed guardians, settlement money had been allocated for her future needs, current living expenditures and some investments. Dobson wanted to use that portion as an investment in the family business for which his daughter is part owner. The new language would allow the court to consider that type of investment.

Effective July 1, 2005, the law includes all proceedings open or pending on that date.

HF2156/SF1969*/CH91

Spousal support collection to continue

Out of the thousands of divorce cases filed annually in the state, few have mandated spousal support and even fewer use a state service to collect the support.

Effective May 27, 2005, a new law clarifies state statute authorizing the Department of Human Services to continue collecting support payments in spousal maintenance-only cases, if mandated by the court.

In August 2004, the department had concluded the statute was ambiguous as to whether it should be providing the service. Letters were sent to parties in the approximately 1,700 cases being handled notifying them that the service would stop in June 2005.

Rep. Tina Liebling (DFL-Rochester), who sponsored the law with Sen. Becky Lourey (DFL-Kerrick), said spousal support is rarely awarded, but can be if there is a compelling reason. Parties who use the department to collect support payments are either older, disabled or have experienced domestic abuse.

A \$15 monthly fee paid by the spouses who pay the support covers the cost of the service.

HF1578/SF1479*/CH116

Child support/custody changes

For the first time in more than two decades, the state's child support and custody laws have received an overhaul. The legislation's sponsors herald the new provisions as more reflective of today's family circumstances.

While there is language relating to spousal maintenance, the new provisions focus primarily on how child support will be calculated using the parents' combined gross income and a presumption of joint, legal custody by the court if parents can't decide on their own parenting plan.

"We cannot continue to use a tool in Minnesota that was developed decades ago, that does not reflect the true family and societal circumstances of today," said Rep. Steve Smith (R-Mound) who sponsored the law with Sen. Thomas M. Neuville (R-Northfield). "Both

parents have an equal duty to provide for the needs of the child.”

The law does not allow for modification of custody or child support agreements that are in place prior to Jan 1, 2007.

A one-time, six-month review will be held to make sure that compliance of child-support and parenting time is in place.

HF1321/SF630*/CH164

Support calculation

The law lays out a guide to help courts determine child support based on the parents' combined income. It defines basic support as the dollar amount ordered for a child's housing, food, clothing, transportation and education costs and other expense relating to the child's care. It does not include monetary contributions for child-care expense and medical and dental expenses. This is a separate calculation.

Child support may be adjusted every two years based upon a change in the cost of living.

Health care coverage

A significant portion of the new law deals with how health care will be provided for a joint child.

A divorcing couple will need to decide which party must carry health care coverage for the child; the cost of premiums and how it will be allocated between the parties; the circumstances, if any, under which the obligation to provide health care coverage for the joint child shifts from one party to the other; and if appropriate health care coverage is not available for the joint child, whether a contribution for medical support is required.

In determining whether a party has appropriate health care coverage for the joint child, the court must evaluate the health plan using certain factors, including: accessibility to services, comprehensiveness of the policy, affordability and special medical needs of the child.

Child-care provisions

Unless otherwise agreed to by the parties and approved by the court, work-related or education-related child-care costs of joint children are to be divided between the parents, based on the proportionate share of the parties' combined monthly parental income for determining child support.

Fees help cover new costs

To help cover the costs of implementing the new law, \$860,000 is appropriated for fiscal year 2006 and \$450,000 in fiscal year 2007 from the General Fund to the human services commissioner. The state will be able to recoup

some of the money through some new fees, effective July 1, 2005, and modifications to ones already being charged. For example, a \$50 fee will be added on to the fee already charged to those filing for divorce.

Additionally, the law modifies numerous other fees relating to child support. For example, \$20 from each fee collected for modifications to child support agreements will go into the county's general fund to help pay for county child support enforcement efforts and \$35 will be credited to the state General Fund.

The bill also calls for an evaluation of the economic impact of the new guidelines to be completed through a private vendor. The human services commissioner is to report back to the Legislature by Jan. 20, 2006.

★ GAME & FISH

Silencers allowed for DNR officials

A new law allows wildlife control officers to muffle firearms during operations that require stealth.

Effective May 28, 2005, Department of Natural Resources (DNR) employees or individuals operating under a DNR contract for wildlife control purposes are allowed, until July 1, 2011, to use silencers on firearms.

Under the new law, the DNR is required to establish and enforce a written policy governing transportation, possession and storage of the devices. It limits the number of devices to no more than 10 and requires the DNR to keep direct custody and control of the silencers when they are not in use.

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

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

Six years ago there were about 260 nesting pairs of cormorants on the lake, according to Rep. Larry Howes (R-Walker), the House sponsor. Today, he said, there are more than 5,000 nesting pairs and each bird eats an average of one pound of fish per day.

Sen. John Marty (DFL-Roseville) is the Senate sponsor.

HF42*/SF149/CH102

New hunting/fishing rules in place

Limiting “palaces in the poplars” on public lands, quashing unsportsmanlike computer

conduct and improving the quality of walleye in Minnesota lakes are three of the goals of a new omnibus game and fish law.

Most provisions are effective Aug. 1, 2005, unless otherwise noted.

Under the new law, anglers will see the statewide walleye length limit changed from one over 24 inches to one over 20 inches. The new limit takes effect March 1, 2006. Another fishing-related provision clarifies the way fish length is measured — from the tip of the nose or jaw to the tip of the tail, whichever is longer — to account for species that have a lower jaw that extends beyond the nose.

Waterfowl hunting provisions in the new law place restrictions on leaving waterfowl decoys unattended for more than four consecutive hours to prevent hunters from “holding” prime spots.

Under the new law, motorized decoys are prohibited on all waters during the early part of the duck season; the prohibition is year-round on water bodies fully contained within wildlife management areas. Motorized devices designed to attract waterfowl may be restricted by DNR rule at other times. Currently, the motorized devices are restricted only on public waters early in the duck season and there is an exemption for goose hunting. This has led to some confusion, according to the DNR.

“The closure of certain areas during the season is to provide some areas where waterfowl hunters using traditional decoying techniques may be more able to successfully hunt, without having to compete with the more effective motorized decoys,” according to the DNR. “Research in Minnesota found that 4.7 times more mallards were taken when the decoys were turned ‘on’ than when they were turned ‘off.’”

The new law will allow the department to give first preference in hunting and fishing license lotteries to qualified members of the armed forces, including the National Guard, or veterans.

Effective June 4, 2005, a Minnesota resident who is currently serving or who has served at any time during the past 24 months will qualify.

They still will be required to purchase a hunting license but they will move to the front of the line in the special lotteries conducted by the department. The preference will not apply to the moose, elk or prairie chicken hunts, but antlerless deer, moose, bears or wild turkeys could be in the crosshairs.

Another provision, effective June 4, 2005, prohibits the use of computer-assisted remote hunting, such as over the Internet. A real-world example of this is a Texas ranch that has set up an unmanned rifle attached to video

cameras and wires that will pull the trigger at the click of a mouse.

Effective Aug. 1, 2006, the new law specifies "any unoccupied permanent stand or blind on public land is public and not the property of the person who constructed it." Proponents of this provision said they wanted to prevent hunter conflicts in the woods. Elaborate stands assert a false sense of ownership, they said.

A House-Senate conference committee removed House language that would have prohibited any permanent stand or blind on public land from having a permanent roof or a permanent wall.

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

HF847*/SF789/CH146

★ HEALTH

Billing, reporting changes

Reporting and billing requirements for health plan companies will change under a new law.

Effective Aug. 1, 2005, the law will eliminate the exemption for health maintenance organizations from insurance fraud prevention account assessments and eliminate certain health plan company annual report content requirements under the Minnesota comprehensive insurance plan.

Other provisions will clarify the definition of a clean claim for prompt payment requirements, restrict the authority of health plan companies or third party administrators to require health care providers to bill for interest on the late payment of claims, and regulate the filing of claims by health care providers and facilities.

Sponsored by Rep. Tim Wilkin (R-Eagan) and Sen. Brian LeClair (R-Woodbury), the legislation will also eliminate the requirement for third party payers of health claims to include with an annual certification of authority or licensure renewal documentation indicating compliance with the requirement that the third-party purchasers include the 2 percent Health Care Provider Tax in their payment to health care providers.

The law will repeal certain self-insurer identification and reporting requirements and a provision requiring health plans to maintain expanded provider networks.

HF2023/SF1998*/CH77

Student medication possession

When headaches, menstrual cramps or other pains strike, secondary students will be able to take pills like Tylenol® or Motrin® on their own.

A new law, effective Aug. 1, 2005, will allow older students to possess nonprescription pain relief drugs and use them according to label instructions without having to go to the nurse's office, as was previously required.

Parents or guardians will have to provide annual written authorization before their children will be able to take over-the-counter drugs on their own. The school district can revoke this privilege if a student abuses it.

Cold and allergy medications that contain ephedrine or pseudoephedrine, ingredients commonly used in the production of methamphetamine, are excluded from the provision.

Rep. Karen Klinzing (R-Woodbury) and Sen. Mady Reiter (R-Shoreview) sponsored the law.

HF615/SF232*/CH126

Pro athlete drug testing

Random drug testing of professional athletes in Minnesota for the presence of anabolic steroids or other drugs is now authorized in statute.

Rep. Larry Hosch (DFL-St. Joseph) and Sen. Ann H. Rest (DFL-New Hope) sponsored the legislation that amends Minnesota statutes governing drug and alcohol testing in the workplace.

Effective June 2, 2005, the new law permits employers of professional athletes to request or require random drug testing, subject to conditions in collective bargaining agreements.

The law does not put Minnesota athletes under different drug testing requirements than players on teams in other states because the same collective bargaining agreements covering drug testing apply to all professional athletes in their respective sports. The legislation simply makes Minnesota law consistent with the bargaining agreements already in place.

Under former law, employers could only require drug or alcohol testing for employees on a random selection basis if the employees were working in safety-sensitive positions, where drug or alcohol impairment would threaten a person's health or safety. The law still allows those employees to be randomly tested.

HF1103/SF1780*/CH133

★ HIGHER EDUCATION

Funding colleges, grants provided

A new law provides a 9.9 percent increase in University of Minnesota funding and 8.5 percent for the Minnesota State Colleges and Universities (MnSCU) system. Each took a nearly \$200 million cut in 2003.

Combined, the \$2.76 billion bill is close to splitting the differences between the original \$2.79 billion Senate proposal and nearly \$2.74 billion House plan.

Rep. Bud Nornes (R-Fergus Falls) and Sen. Sandra L. Pappas (DFL-St. Paul) sponsored the legislation.

The following is a look at some of the specific provisions in the new law, effective July 1, 2005, unless otherwise noted.

HF1385*/SF1174/CH107

University, MnSCU provisions

The law allocates \$1.21 billion to the university and just over \$1.2 billion to MnSCU. In terms of new funding, MnSCU will receive \$107.5 million and the university \$105.6 million.

Adjustments for enrollment and inflation are eliminated from the determination of instructional services base for the university and MnSCU, effective June 30, 2007.

The university appropriation includes \$13 million for competitive compensation to attract and retain top faculty members. The MnSCU appropriation includes \$12 million for "competitive compensation to faculty or staff for initiatives that promote excellence in student learning." The money also includes funding "to strengthen and expand the Minnesota online program, increase the capacity for training nurses and teachers, provide for the management education needs of farm and small business owners, and provide services and outreach to underserved populations."

Also included in the MnSCU funding is \$5 million each year for the creation of three to eight Centers of Excellence. The law specifies 10 criteria for selecting a center, including a strong existing program upon which the center will build, the capacity to build multi-state regional or national program recognition within five years and a strong partnership between a four-year and at least one two-year institution that maximizes the leverage of academic training capacities. An advisory committee, comprised of local, statewide and national leaders, must be created at each center. The committee is to report on center activities annually to the governor and Legislature. After three years of a center's existence, the report must include how the program is impacting the local economy.

MnSCU is permitted to offer applied doctoral degrees in audiology, business, education, nursing, physical therapy and psychology. Supporters said advanced degrees are needed in these fields to help meet the future needs of the state.

The process for selecting the university's Board of Regents is changed, under the law.

The Regent Candidate Advisory Council will now make recommendations to the governor, instead of the Legislature. The recommendation deadline is moved from March 15 to Jan. 15 of each odd-numbered year. In its selection process, the council must look at the needs of the board so that it represents diversity in experience, gender, geography, occupation and race. Term limits cannot be a consideration.

By Feb. 15, the governor must submit a slate of candidates to a 20-member joint legislative committee. The committee, whose makeup must include the chairs of the education and higher education committees or divisions, must meet by Feb. 28 to recommend the governor's choices to the full Legislature or reject them. If a candidate is rejected, the governor is to submit another name.

Students wanting to make recommendations to the governor for student representatives to the MnSCU Board of Trustees must do so by April 15 of the year in which its member's term expires. Previously, a recommendation had to be made by Jan. 2. The change coincides with the recommendation deadline for the Board of Trustees Advisory Council.

Mayo Medical Foundation

The foundation is to receive \$2.78 million, the same amount as the 2004-05 biennium.

This level provides \$1.06 million for the Mayo Family Practice and Graduate Residency Program, nearly \$1.03 million for the Mayo Medical School and \$692,000 for the St. Cloud Hospital-Mayo Family Practice Residency Program. The goal for these programs is to train physicians to practice primary care medicine in rural areas.

Higher Education Services Office

Overall funding for the office, which will be renamed the Minnesota Office of Higher Education, is \$349.31 million. Officials indicate the name change better reflects its role as the state agency responsible for financial aid, higher education policy, data collection, analysis and reporting.

Of its allocation, \$400,000 is designated to develop and implement an accountability reporting system for postsecondary institutions that will provide information, according to the office, "on the effectiveness of the higher education sector in meeting state goals." A report is

due to the Legislature by Jan. 15, 2006.

Further, the office is to study licensed or registered for-profit postsecondary institutions, and report back to the Legislature by Nov. 15, 2006. Among the issues to be addressed are: tuition, program offerings, student debt load, financial assistance and the impact of the tuition and fee maximums set in law to this sector and its students.

Upon finance commissioner approval and notice to legislative higher education committee chairs, the office is permitted to transfer state appropriations to the state grant, tuition reciprocity, child-care or work study appropriations.

The office is to collect monthly data from institutions disbursing state financial aid and report quarterly to the Legislature on financial aid expenses and balances. By Nov. 1 and Feb. 15 of each year, the office must provide updated state grant spending projections.

Negotiations are to begin with Wisconsin officials on updating the current tuition reciprocity agreement with a goal of having Wisconsin students pay at least as much as Minnesota students at a Minnesota institution. In 2004-05, Wisconsin students attending one of the four University of Minnesota campuses paid an average of \$1,627 less than Minnesota students. Officials are also directed to examine the feasibility of reinstating payments with South Dakota, which have not occurred since 1988. A report is due the Legislature by Jan. 15, 2006.

The office is to provide an annual reciprocity report to the Legislature. It is to include the number of students using the program, the reciprocity and resident tuition rates at each school and payment obligations for the states involved.

Furthermore, the office is to consider developing procedures and collection measures to monitor students from other states who attend school in Minnesota through reciprocity. Summary data would include graduates by institution, degrees granted annually, and employment and earnings in Minnesota following graduation.

A statutory grant program is to be established to provide outreach services to historically underserved students in grades six-12. One-year grants are to be awarded to programs that provide pre-college services such as academic counseling, mentoring, fostering and improving parental involvement, services for English as a second language students, financial aid counseling and assistance with high school course selection and information about college admission requirements. Applicants must match the grant dollar-for-dollar, and submit an annual report to the office detailing its program and student outcome goals.

A task force is to be convened to look at the statutory funding of public postsecondary education and report back to the Legislature and governor by Jan. 15, 2006.

The office must convene a group, including representatives of publishers, private and public postsecondary schools or systems and the Minnesota State Services for the Blind, to "develop a network to make available postsecondary instructional material in an electronic format or to identify other solutions, such as a national system, to address the specified format needs of postsecondary students with disabilities." Any network material must be made available to Minnesota institutions and postsecondary students with a disability that require a reading accommodation. A progress report is due to the Legislature by Jan. 15, 2006.

Another group is to develop recommendations and revise the regulation of private and out-of-state postsecondary institutions. Under the law, "the recommendations must address the provision of degrees, certificates, diplomas, and training offered by for-profit and nonprofit institutions in Minnesota and outside of Minnesota, in classrooms or online, and regulatory issues under federal law." Preliminary recommendations are due the Legislature by Nov. 15, 2005. Final recommendations are due Jan. 15, 2006.

State grant changes

Nearly \$136.4 million is allocated for state grants in fiscal year 2006 and nearly \$144.76 million in fiscal year 2007. If the appropriation is insufficient either year, the appropriation for the other year is available for use.

Although the overall numbers match the 2004-05 biennium, many students will see a slight increase in award amounts because of some other changes.

For students enrolled in four-year programs, the tuition and fee maximum will be \$9,208 for the first year and \$9,438 the second year, versus the previous \$8,983 each year. However, for students in two-year programs the numbers decrease from \$6,913 to \$6,567 and \$6,436, respectively. The living and miscellaneous expense allowance is increased from \$5,205 to \$5,350. All these numbers are used in determining a state grant award.

In the second year of the biennium, the higher education office is permitted to use any projected surplus in the state grant program to increase the living and miscellaneous allowance. Any increase does not carry forward to a subsequent biennium. This provision expires June 30, 2007.

The deadline for applying for a state grant is extended from 14 to 30 days after a term begins.



PHOTO BY TOM OLMSCHEID

Holding their balloons tightly, Kathleen Klinzing, 6, and her sister, Emma, 3, move between members' desks in the House Chamber when they accompanied their mother, Rep. Karen Klinzing to the floor session June 28.

The maximum child-care grant award is increased from \$2,200 to \$2,300 for each eligible child per academic year.

State statute is changed so that grant recipients must be current with child support obligations in conformance with Department of Human Services language.

The types of fees charged by institutions in calculating state grants are defined. According

to the law, "Fees do not include charges for tools, equipment, computers, or other similar materials where the student retains ownership. Fees include charges for these materials if the institution retains ownership. Fees do not include optional or punitive fees."

Students who withdraw from school for active military service will be eligible for an additional term of state and child-

care grant eligibility. This is retroactive to Dec. 31, 2002.

Certain protections are expanded to a disabled military veteran whose medical condition prevents continued attendance. They are still eligible to withdraw from a course with full credit of tuition and fees, but the right to enroll without penalty or redetermination of eligibility is increased from one to two years following release from active service or following completion of the medical treatment or sufficient recovery from their medical condition.

A low-income nursing education account is to be created in the General Fund with the dollars designated to establish a loan repayment program for licensed practical or registered nurses agreeing to practice in a Minnesota nursing home or work as a nurse educator in the state full-time for at least three years in either area. Recipients are to receive annual disbursements "equivalent to 15 percent of the average educational debt for indebted nursing school graduates" upon notification of qualifying practice. Failure to comply will result in the participant repaying 100 percent of any payments made plus interest.

Other policy issues

The United Family Medicine Residency Program is to receive \$360,000 each year to help support 18 resident physicians training to provide family care medicine in underserved parts of the state.

Qualifying deaf students will be able to attend a public postsecondary school for free, under the law. It requires the school to make up the difference of tuition and fees after subtracting all grants and scholarships a student has been awarded. To qualify, a student must receive either a federal Pell grant or state grant.

Resident senior citizens are permitted to attend a class in any state-supported higher education institution for free on a space-available basis. The law clarifies that a senior must pay any materials, personal property or service charges for the course. They must also pay an administrative fee to cover course costs. Additionally, a senior citizen enrolled in a contract training or professional continuing education program is not eligible for the free enrollment benefit.

A number of the changes made to the Minnesota College Savings Plan are primarily clarifying or are made to conform to federal law. For example, it adds attendance at a U.S. military academy to the exemptions in the definition of nonqualified distribution, clarifies that state residency is required to receive a grant and specifies that a parent or guardian claiming the plan beneficiary as a dependent for tax

purposes must be a Minnesota resident.

Fees are increased for private career schools seeking initial and renewal licensure. Application for a renewal must now be made 60 days before the expiration of the current license, instead of the previous 30 days.

A private career school that closes during a term is required to refund all tuition, and a student's outstanding obligations for the term are cancelled.

Effective May 27, 2005, a section of the law establishes an 11-member Rochester Higher Education Development Committee "to research and make recommendations to the governor and legislature on the creation of mission-driven postsecondary educational programs or institutions in the Rochester area that meet the educational needs of the region and the state and that capitalize on the unique opportunities for educational partnerships presented in the Rochester area." The committee is to specifically address the University of Minnesota. A report is due to the Legislature by Jan. 15, 2006. Funding for this initiative is \$3.2 million.

HUMAN SERVICES



'Positive Alternatives Act' enacted

The "Positive Alternatives Act" will award millions of dollars in grant money to programs that encourage and assist women in carrying their pregnancies to full term.

The law is intended to reduce the number of abortions by giving money to organizations that provide information, referrals and services to women to help them carry their pregnancies to term and care for their babies after birth.

Alternatives to abortion programs will support, encourage and assist women by offering services such as medical care, nutritional services, housing assistance, adoption services and assistance with education, employment and child care, under the law.

To qualify for a grant, organizations must be a private, nonprofit group, conduct the program under appropriate supervision, provide the services free of charge, provide counseling with accurate information and ensure that none of the money will be used to encourage or counsel a woman to have an abortion or directly refer women to an abortion provider. Organizations affiliated with groups that provide abortion services must demonstrate independence in order to be eligible.

Recipients must have a privacy policy in place to make sure the name, address, phone number or other information that could identify the woman seeking services is not made

public or shared with other organizations without the woman's written consent.

The health commissioner is responsible for administering and monitoring the grants. A \$2.5 million appropriation from the General Fund will be made available for the program for the fiscal year ending June 30, 2007. The base funding for fiscal years 2008 and 2009 is \$2.5 million per year.

Rep. Brad Finstad (R-New Ulm) and Sen. Dallas C. Sams (DFL-Staples) sponsored the law, effective July 1, 2005.

HF952/SF917*/CH124

Quarantine procedures detailed

Provisions for the isolation and quarantine of people infected or exposed to communicable diseases are modified, under a new law.

The legislation, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Becky Lourey (DFL-Kerrick), is designed to give increased protection to Minnesotans in the event of an emergency, such as a bio-terrorism attack or an outbreak of a disease like Severe Acute Respiratory Syndrome (SARS).

The law will remove the sunset date for certain sections of the Emergency Health Powers Act and establish new sunsets for other provisions. This provision took effect June 3, 2005. All other provisions of the law are effective Aug. 1, 2005.

A peace officer will be required to enforce an order for isolation and quarantine, and could use force to apprehend, hold, transport, quarantine or isolate a person subject to the order if the person flees or resists the officer, according to the law.

This section expires Aug. 1, 2009, as does the provision allowing the peace officer to act on an order by telephone, fax or electronic notification from the court, health commissioner, local health board agent or public safety commissioner.

The health commissioner, when using a directive to isolate or quarantine without first obtaining a written order, will be required to specify the known or estimated period of incubation or communicability.

The commissioner will also be required to initiate the process of applying for a written, ex parte order authorizing the isolation or quarantine of an individual immediately after the directive has been executed. Previous law gave the commissioner 24 hours to apply for the order.

Individuals subject to isolation or quarantine who are not represented by counsel will be able to request the court appoint one at the expense of the Health Department or local public health board.

Counsel will be allowed to withdraw from representation and not pursue an appeal if the attorney feels there is insufficient basis for proceeding. The court could conduct a hearing by phone, interactive video or other electronic means to reduce the risk of spreading the disease.

The law provides employee protections by restricting employers from taking adverse action against an employee who has been in isolation or quarantine.

When a mayor, county board chair or legal successor to one of these officials declares a local emergency, the health commissioner will be able to authorize people to administer vaccinations or dispense drugs if it's necessary to protect the health and safety of the public. The authorization will need to be in writing and contain the categories of people included in the authorization, any training required, any supervision required and the duration of the authorization period.

The law waives criminal liability, administrative penalty, professional discipline and other administrative sanctions for authorized people for good faith performance.

HF1507*/SF1482/CH149

Practicing family, marriage therapy

Marriage and family therapy will be included in the definition of professional services, under a new law, and therapists will be allowed to practice services in combination.

The law will include marriage and family therapists in the list of professional services required to be furnished by a professional pursuant to a license.

The therapists join the ranks of other professions covered under the law, including dentistry, pharmacy, podiatric medicine, architecture and engineering.

Sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), the law is effective June 3, 2005.

HF1272*/SF1198/CH153

INSURANCE



No coercing allowed

Auto insurers will be prohibited from coercing or inducing insured clients into having their vehicle repaired at a particular repair shop, under a new law.

The legislation, sponsored by Rep. Paul Gazelka (R-Brainerd) and Sen. Dan Sparks (DFL-Austin), expands the unfair insurance claim settlement practice act relating to the requirement to use certain repair shops with

which the insurer has contracts. The law is similar to regulations the Legislature has previously enacted regarding auto glass shops.

Under the law, effective Aug. 1, 2005, insurers must use a script when talking to the insured that says, "Minnesota law gives you the right to choose a repair shop to fix your vehicle. Your policy will cover the reasonable costs of repairing your vehicle to its pre-accident condition no matter where you have repairs made. Have you selected a repair shop or would you like a referral?"

Once the insured has indicated that a repair shop has been selected, all efforts to influence the choice of a shop must stop. The insurer will be permitted to recommend a repair shop only if the insured does not indicate a preference. This new law does not apply to auto glass shops, which are still covered instead by the separate law previously enacted.

HF1528*/SF1380/CH140

★ LAW

Some rings protected in bankruptcy

If you exchanged rings at the time of marriage, those rings may be kept off the hands of creditors in bankruptcy proceedings.

A new law, sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Betsy Wergin (R-Princeton), protects from bankruptcy proceedings wedding rings in the possession of the debtor with a cumulative value of no more than \$1,225.

The intent is to "create a modest exemption" so that rings aren't taken as part of a settlement, said Olson.

The law, effective June 3, 2005, extends the current protection offered to debtors, which includes clothes and household furniture not to exceed \$4,500 in value.

HF473*/SF288/CH137

Public, private information clarified

From wireless directories to Social Security numbers, a new law makes certain information public and promises to keep other information private.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Wesley J. Skoglund (DFL-Mpls) sponsored the law, effective June 4, 2005, unless otherwise noted.

The following are some provisions in the law.

HF225*/SF361/CH163

Wireless directories

Minnesotans owning wireless phones won't be seeing their numbers in a directory without

their permission.

The new law prohibits a provider or agent from disclosing or selling a customer's wireless number for use in a wireless telephone directory without prior consent. That consent can't be tucked away in the fine print of a service contract. Consent would need to be obtained separately and the language needs to be "unambiguous." Furthermore, a customer cannot be charged for not wanting to be listed in a wireless directory.

Any "knowing" violation to this provision is punishable by a fine of up to \$500 for each violation, to a maximum of \$10,000 for a provider of which \$100 per violation will be paid to each victim of the violation.

Securing Social Security numbers

The new law also takes measures to secure Social Security numbers when used by private entities, the University of Minnesota, and the Minnesota State Colleges and Universities system.

One provision states that a Social Security number may not be printed on any materials that are mailed to an individual, unless it is required on the document as a matter of state or federal law. Also, individuals would not be required to submit their numbers over a Web site, unless a password or other identifying device is also required to access the site. This provision is effective July 1, 2007.

Opting to opt out

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

Previously, a registered owner's personal information could have been rented or sold to organizations for bulk mail solicitations. The new law allows this dissemination of information only if authorized by the registered owner.

Day care information

The new law permits parents looking into day-care options access to information about centers that was not previously considered public.

Basic information about the licensee has been available; such as date of licensure, licensed capacity, type of dwelling, name and relationship of other family members and the existence and status of complaints. Parents will now have access to information about the number of serious injuries to, or death

of, individuals in the licensed program that were reported to the human services commissioner, local social services agency or any other county welfare agency.

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

Meeting electronically

Under previous law, some state boards and councils had the option of meeting electronically and still being in compliance with the state's Open Meeting Law. The new law extends that option to the Agricultural and Economic Development Board, the Small Business Development Center Advisory Board, Minnesota Job Skills Partnership Board, the Governor's Workforce Development Council, the Urban Initiative Board and the Explore Minnesota Tourism Council.

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

Keeping it private

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

Among the information classified as private under the new law is the nonpublic financial or proprietary data retained by the State Board of Investment in connection with its venture capital, real estate and resource investments.

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

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

System information will be classified as confidential until a law enforcement agency notifies the system that an investigation has become inactive, or the information has not been updated for 120 days.

When one of these occurs, the information would be accessible to the subject of it through a participating agency or the BCA. Law enforcement personnel will need to be certified to access data in this system.



PHOTO BY TOM OLMSCHIED

House Speaker Steve Sviggum speaks from the House floor after being questioned about the progress on budget talks.

★ LOCAL GOVERNMENT

Buried electric lines can be assessed

Local governments can enter into agreements with private electric or communications companies to bury distribution lines, under a new law.

Sponsored by Rep. Doug Meslow (R-White Bear Lake) and Sen. Mady Reiter (R-Shoreview), the law allows a municipal council to “assess affected property owners for all or a portion of the cost agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility’s design and construction standards.”

The law, effective Aug. 1, 2005, stems from a group of homeowners in White Bear Lake who approached the city about burying some electric lines, but were told that current laws might prohibit the city from working with the utility company to bury the lines.

The law is expected to help older communities, built before it was common practice to bury cables.

If the affected property owners petition the municipality to bury a new or existing utility

distribution system within the public right-of-way that exceeds the electric utility, telecommunications carrier or cable system operator’s design and construction standards, or those set by law, tariff or franchise, the municipality may assess affected property owners for all or a portion of the agreed to costs.

HF732*/SF527/CH67

Amendment hearings a must

City councils must hold a public hearing and vote on a charter amendment proposed by a charter commission, under a new law.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls), the law states, “within one month of receiving a recommendation to amend the charter by ordinance, the city must publish a notice of a public hearing and the notice must contain the text of the proposed amendment.”

A city council must hold the hearing at least two weeks, but not more than a month, after the notice. Within a month of the hearing, the council must vote on the matter.

Current law does not require a city council to act on a commission’s recommendation.

The law is effective Aug. 1, 2005.

HF815/SF1945*/CH93

No rules against flag flying allowed

People wanting to fly the American or state flag outside their common interest property, such as a town home, can do so without fear of violating homeowner association’s covenants.

A new law, effective Aug. 1, 2005, makes unenforceable “any provision of any deed restriction, subdivision regulation, restrictive covenant, local ordinance, contract, rental agreement, or homeowners association document” that restricts the flying of the American or state flag.

Lynn Hauger, a veteran, wanted to fly an American flag outside his home, which is part of a homeowners’ association. However, he learned that there are many homeowner associations across the nation that don’t allow flags to be flown. He brought his concern to Rep. Joe Mullery (DFL-Mpls), who sponsored the legislation along with Sen. Don Betzold (DFL-Fridley).

The law does not prohibit an association from placing a size limitation on the flag to be flown, regulating where on the person’s property it can be displayed and whether it can be illuminated.

A residential property owner or tenant who is denied the right to install a flag in compliance with association regulations and

has to bring a lawsuit, may be entitled to recover reasonable attorney fees and expenses. However, if the flag is installed in violation of association restrictions or limitations, the party enforcing the restrictions is entitled to recover, from the party displaying the flag, reasonable attorney fees and expenses.

HF1473/SF1231*/CH168

Salary limits can be increased

Salary compensation limits for local government employees can be increased and adjusted annually, under a new law.

Sponsored by Rep. Ron Erhardt (R-Edina) and Sen. Steve Kelley (DFL-Hopkins), the law raises the limit of which an employee of a political subdivision can be paid from 95 to 110 percent of the governor's salary of \$120,303.

Also, beginning in 2006, the salary limit is annually adjusted and "equal to the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year," under the new law.

The law is effective Aug. 1, 2005.

Local government officials said that they submitted requests to the employee relations commissioner for an increase, but those requests were denied or not acted upon. Under the new law, if the commissioner grants or granted an increase, "the new limitation shall be adjusted beginning in August 2005 and in each subsequent calendar year in January."

Erhardt said placing caps on employees' salaries makes it hard to keep quality workers and Minnesota is the only state with salary caps on local government employees and can't compete nationally for workers.

HF995/SF953*/CH169

MILITARY



Health care options

Active duty soldiers and their dependents can voluntarily disenroll from the state's health care program, MinnesotaCare, under a new law.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Gary W. Kubly (DFL-Granite Falls), the law allows for the suspension of coverage and premium payments without having to reapply upon return. Previously, a lapse in coverage would result in a four-month waiting period before being eligible to reapply.

Michael W. Vogt, a specialist in the Minnesota National Guard, said that before he was deployed he contacted MinnesotaCare

to suspend his care, but was informed that there wasn't a process to do so. Instead, he remained on the plan and paid the premium even though he was covered under military health care, which created a convoluted set of issues once he was injured overseas.

The law, effective May 20, 2005, also provides that income and asset increases reported at the time of reenrollment be disregarded.

HF1761*/SF1726/CH59

RECREATION



Snowmobile traffic can be regulated

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

Rep. Larry Howes (R-Walker) and Sen. Tom Saxhaug (DFL-Grand Rapids) are the sponsors.

Howes said the issues addressed in the law, are similar to those regarding a street in his district. "(On) one side we have sidewalks, the other side is unimproved, we'd like to keep the snowmobiles on the unimproved side and off the sidewalks."

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

The law is effective Aug. 1, 2005.

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

HF1293/SF1296*/CH72

Some shooting ranges get protection

After several rounds at the Legislature, a measure that protects shooting ranges from encroaching developments without unnecessarily restricting local planning and zoning authorities is now law.

Effective May 28, 2005, the new law sets noise standards and directs the Department of Natural Resources to develop performance standards for shooting ranges. It is designed to protect those ranges that comply with the guidelines from nuisance lawsuits.

Under the new law, any development or structure approved after Oct. 1, 2005, within 750 feet of a shooting range's property line would not be allowed if that development would cause the range to fall out of compli-

ance with the performance standards.

Furthermore, a shooting range operating in full compliance could not be permanently closed unless a range activity is determined to be "a clear and immediate safety hazard."

Shooting range representatives have testified over the years that the law is necessary because many ranges are feeling the effects of so-called urban sprawl.

Opponents questioned whether the new law would create an impossible standard to meet if someone had a legitimate safety concern over range operations.

Rep. Tom Hackbarth (R-Cedar) and Sen. Satveer Chaudhary (DFL-Fridley) sponsored the legislation.

HF2006/SF1908*/CH105

Houseboat hot tub

A hot water pool, including a hot tub or whirlpool, intended for seated recreational use on a houseboat that is rented to the public will no longer have to meet the requirements for public pools, under a new law.

Effective June 2, 2005, the law is intended to help houseboat owners. When the boats are rented, the owner does not have control over what happens on board.

Under former law, a hot water pool on a rental houseboat was considered a public pool and subject to review and inspection under the Minnesota Pool Code.

The new law requires a notice to renters to be conspicuously posted near the pool that reads, "NOTICE: This spa is exempt from state and local sanitary requirements that prevent disease transmission. USE AT YOUR OWN RISK."

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

HF423*/SF520/CH130

Cave explorers beware

People who go rock climbing or cave exploring on private property, even with the landowner's permission, will be held more responsible if there is an accident, under a new law.

Effective Aug. 1, 2005, the law adds rock climbing and cave exploration to the list of activities where a landowner making property available for recreational activities, without charge, has less responsibility to prevent individuals from harming themselves.

Rep. Gregory M. Davids (R-Preston) and Sen. Mady Reiter (R-Shoreview) are the sponsors.

Davids sponsored a similar law one year prior, but Gov. Tim Pawlenty vetoed the measure in the wake of the April 27, 2004, deaths

of three teenagers from carbon monoxide poisoning in St. Paul caves near the Mississippi River. Pawlenty said at the time, "We've seen, first-hand, the dangers involved in cave exploration. This bill could decrease precautions to avoid tragedy in the future."

HF221*/SF196/CH148

★ SAFETY

Firefighter board is revived

The Board of Firefighter Training and Education will rise from the ashes, under a new law.

Created by the Legislature in 2000, the board was scheduled to end Dec. 31, 2003.

Since then the board has continued to meet, despite the sunset provision, according to the nonpartisan House Research Department.

Under the new law, the 2000 statute will be revived and reenacted. The bill also ratifies all board actions taken from Dec. 31, 2003, through May 27, 2005, the effective date of the new law.

The board establishes standards for educational programs for firefighting and fire service training instructors.

The board's membership includes representatives of volunteer and career firefighters, fire chiefs and citizens. The governor, who is to seek representation from all areas of the state, appoints most members.

Rep. Steve Smith (R-Mound) and Sen. Linda Higgins (DFL-Mpls) sponsored the law.

HF1109*/SF1578/CH110

Cribs inspections

New legislation is designed to prevent the injury and possible death of infants in unsafe baby cribs.

Approximately 240 Minnesota babies are injured annually as a result of unsafe cribs, with some of those injuries resulting in death. The law will prohibit the sale and commercial use, such as licensed day-care use, of unsafe cribs.

Licensed child-care providers will be required to maintain documentation of their cribs, including the brand name and model number, under the law. If the information is not available, the crib's usage will be prohibited.

Each year, the child-care providers must check this information against a U.S. Consumer Product Safety Commission Web site listing of unsafe cribs. Every month, day-care providers will be required to perform safety inspections of their cribs. If an inspection reveals an unsafe condition, the day-care provider must immediately remove the crib from

use and make it inaccessible to children.

The human services commissioner will be required to maintain a link from the licensing division Web site to that of the safety commission which provides crib safety information.

The commissioner will be allowed to issue a licensing action if a license holder does not comply with the new requirements.

Other provisions in the law will prohibit the sale of unsafe cribs by a commercial user, and lodging establishments will be prohibited from providing an unsafe crib to guests.

Sponsored by Rep. Katie Sieben (DFL-Newport) and Sen. Ellen R. Anderson (DFL-St. Paul), the law is effective Jan. 1, 2006.

HF987*/SF899/CH139

Emergency health powers modified

The Minnesota Emergency Health Powers Act will be modified to provide protections for volunteers and employees, and to create an "all hazard approach" to emergency planning and response.

The law also removes language regarding public health emergencies, authorizes professionals from Canada and the District of Columbia to provide assistance during emergencies, and removes the sunset date for some sections.

A "declared emergency" is defined as a national security or peacetime emergency declared by the governor. The governor will be required to immediately notify leaders of the House and Senate when declaring a peacetime emergency, and the Legislature will be able to terminate a peacetime emergency that extends more than 30 days.

A requirement that the governor call a special legislative session when declaring a peacetime emergency is eliminated, under the new law. It also clarifies that nothing in the law limits the governor's authority command over the National Guard.

The law will allow the governor to issue an emergency executive order, during a national security or peacetime emergency, requiring care to be given in temporary care facilities. This will be permitted if the number of ill or injured people exceeds the emergency hospital or medical transport capacity of one or more regional hospital systems.

Civil damages or administrative sanctions will be waived for responders acting during an emergency executive order period. It does not apply to cases of malfeasance in office or willful or wanton actions.

Individuals who volunteer to assist the state or a local political subdivision during an emergency or disaster and register with the state or subdivision will be considered its employees for the purposes of workers' compensation, tort defense and indemnification.

Health care providers will be required to notify individuals, before performing examinations, of their right to refuse the exam, testing, treatment or vaccinations. The individuals must also be notified of the consequences of refusal, such as isolation and quarantine. Formerly, the law only required providers to notify people "when feasible."

Sponsored by Rep. Duke Powell (R-Burnsville) and Sen. Becky Lourey (DFL-Kerrick), the legislation is effective Aug. 1, 2005, except for sunset provisions, which took effect June 4, 2005.

HF1555*/SF1483/CH150

Peace officer vehicle authorization

Peace officers with a Class D driver's license will be allowed to operate any vehicle or combination of vehicles while on duty, under a new law.

The legislation, sponsored by Rep. Ron Erhardt (R-Edina) and Sen. Steve Murphy (DFL-Red Wing), is effective June 3, 2005.

The new law is needed for emergency situations, supporters said. Peace officers might only have a Class D license — that allows people to operate a passenger car and a few other vehicles — but may come upon a heavy vehicle that's blocking the road and need to move it. The new law would allow them to move the vehicle and stay within the law. Previously they would have needed the proper licensure.

Heavier vehicles, such as trucks and buses, require a Class A, B or C license.

HF974*/SF1125/CH160

★ TRANSPORTATION

Aeronautics law revised

A new law makes several changes in the state's aeronautics law.

Sponsored by Rep. Michael Beard (R-Shakopee) and Sen. Ann H. Rest (DFL-New Hope), most of the law is effective Aug. 1, 2005.

Most notably, the new law regulates the repayment of state money used to buy airport land.

Other provisions include:

- if land bought by a city with state funds ceases to be used for aviation, the city using the land must pay the state back;
- classic or antique aircraft will no longer have to display special symbols;
- recreational aircraft can use registration certificates for identification instead of decals;
- civil air patrol aircraft will no longer have to display tax-exempt number plates; and
- registered aircraft will no longer have to display number plates.

HF915*/SF1037/CH41

Shoulder use expanded for buses

A new law permits more buses to use the shoulder of freeways while transporting passengers.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Steve Murphy (DFL-Red Wing), the law is effective May 11, 2005.

The law allows Metro Mobility buses and special transportation buses operated by the Metropolitan Council to use the shoulders of freeways in the Twin Cities metropolitan area. This privilege would also extend to public or private entities receiving financial assistance from the Metropolitan Council.

Previous law permitted transit buses to use the freeway shoulder in the seven-county Twin Cities metropolitan area when traffic speeds are less than 35 mph.

HF577/SF633*/CH51

No airbags in repair estimates

The cost of repairing or replacing an airbag will no longer be included in an estimate of repairs to a damaged vehicle, under a new law designed to make things easier on the car's owner.

The legislation, sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Linda Scheid (DFL-Brooklyn Park), is effective Aug. 1, 2005.

In a major traffic incident, an airbag deploys to keep passengers from hitting the dashboard. Repair or replacement of that airbag can cost \$3,000 to \$5,000, supporters said.

That can easily push the damage to 70 percent of the car's retail value, the point at which insurance companies usually declare the car a total loss and issue a check to the owner for the car. However, because the airbag was included in that assessment, the check might not be enough to pay off the car and/or buy another one.

HF1529/SF1379*/CH94

Scooter use now has rules

Effective Aug. 1, 2005, a new law will regulate motorized foot scooters, vehicles that became popular in the 1990s. Usually operated by children, they have handlebars, are powered by an electric or gasoline engine and either have wheels, not more than 10 inches in diameter, or an engine with a maximum speed of 15 mph.

Because the devices are relatively new, there is no legislation to cover them and there have been some issues with local authorities who don't know if they should cite the operator or confiscate a scooter when it is used inappropriately, said Rep. Michael Beard (R-Shakopee), who sponsored the law with Sen. Steve

Murphy (DFL-Red Wing).

The law makes operators of the scooters subject to the same rights and duties as bicyclists. Operators will be prohibited from driving the scooters on sidewalks and they may not carry passengers.

People under age 12 will not be able to operate the scooters and operators under age 18 will be required to wear helmets. Headlights and taillights will be required when operated at night. The scooters will have to be operated as close as possible to the right curb of the road unless the operator is passing or making a left turn. When turning, the operator must dismount at the right curb and cross on foot, subject to the same laws as a pedestrian.

Operators will be allowed to ride the scooters on bicycle paths, lanes or trails, unless specifically prohibited by local authorities.

HF912/SF808*/CH135

VETERANS



May is 'Hire a Veteran Month'

A new law designates May as "Hire a Veteran Month."

Sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Betsy L. Wergin (R-Princeton), the law is "in honor of the more than 48 million citizen soldiers who, as of Jan. 1, 2005, have served in the United States Armed Forces, of whom over 1.5 million have been wounded and over 1 million more have made the ultimate sacrifice by giving their lives for their country."

Effective April 15, 2005, the law is designed to help those whom Severson said, "have given so much to our country." The legislation was prompted by a piece of correspondence from an educational organization that detailed how schools could keep from rehiring teachers who were called to active duty and returned.

Under the law, the governor is to annually issue a proclamation honoring this observance, in order to urge all public and private employers to give fair and appropriate consideration to veterans in their hiring decisions.

HF1240/SF1254*/CH22

Veteran's restrictions repealed

Veterans receiving military retirement pay will be eligible for veterans preference in state and local government hiring, under a new law, just as other veterans have been for several decades.

Sponsored by Rep. Dan Severson (R-Sauk Rapids) and Sen. Michelle L. Fischbach (R-Paynesville), the law will repeal the veteran's preference restriction that says preference for state and local government employment

cannot be used for those who receive or are eligible for veteran's pension based exclusively on length of service.

In making the change legislators are telling soldiers looking for employment in the public sector, "we recognize your contribution to our country and to this state and we are willing to make an exception for your case and give you some extra credit," said Severson.

Veterans preference was originally enacted to help returning soldiers without retirement benefits find state employment, Severson said. Due to military downsizing, the restriction is no longer needed, he added.

The new law is effective Aug. 1, 2005.

HF685/SF1268*/CH95

Minnesota State Agencies

(Area code 651)

Administration.....	296-8261
Agriculture	297-2200
Toll-Free	1-800-967-2474
Commerce	296-4026
Corrections	642-0200
Education	582-8200
Employment and Economic Development	296-3711
Toll-Free	1-888-GET-JOBS
Employee Relations	297-1184
Job Information Hotline	296-2616
Explore Minnesota Tourism	296-5029
Toll-Free	1-800-657-3700
Finance	296-5900
Health	215-5800
Housing Finance	296-7608
Toll-Free	1-800-657-3769
Human Rights	296-5663
Toll-Free	1-800-657-3704
Human Services	297-3933
Labor and Industry	284-5000
Toll-Free	1-800-342-5354
Military Affairs	268-8925
Natural Resources	296-6157
Toll-Free	1-888-646-6367
Pollution Control Agency	296-6300
Toll-Free	1-800-657-3864
Public Safety	282-6565
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	282-6871
Div. of Homeland Security and Emergency Management	296-0466
Revenue Income Tax Helpline	296-3781
Transportation	296-3000
Toll-Free	1-800-657-3774
Veterans Affairs	296-2562

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

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Members as of Jan. 11, 2005

2005-06 Minnesota Senate Members

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

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

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Improving education

\$800 million in new money highlights law

By Mike Cook

At the start of the 2005 session, many education supporters said their top goal was to see an increase in the basic formula.

Mission accomplished — and more.

An omnibus education law includes \$800 million in new K-12 education funding, and policy issues that include teacher performance pay and levy changes. The law's total spending is nearly \$12.65 billion.

"This is the product of weeks of work, but it is really a good bill," Rep. Barb Sykora (R-Excelsior) said during the House debate. "Much of it was done in the global agreement, so through the global agreement we received the \$800 million, which was down a little from where we had hoped to be." Sykora sponsored the law, and co-chaired the Education Working Group with Sen. LeRoy A. Stumpf (DFL-Plummer).

Rep. Denise Dittrich (DFL-Champlin) said, "The 2005 education bill is one of the best education funding bills I've seen in the 10 years I have been involved in education funding. It provides adequate increases for all Minnesota schools. It provides equity provisions for our rural, suburban and urban regions of this state. This is legislation that we can all be extremely proud of and vote for."

Still, it doesn't go far enough for some.

Calling it "good enough for now," Rep. Mindy Greiling (DFL-Roseville) reminded members that education funding has been flat for three years and was reduced once. "If we were going to make up for that and make progress we would have to have over a billion dollars just to start flat before we added anything."

The following are some provisions in the law, retroactive to July 1, 2005.

2005 Special Session: HF141*/SF104/CH5

Funding

A 4 percent per-pupil formula funding increase is called for in each year of the biennium. The Senate initially sought 5 percent and 4 percent each year and the House

3 percent and 3.1 percent, respectively. Gov. Tim Pawlenty initially proposed 2 percent per year, but increased it to 4.5 percent per year in a May 20 global offer.

The basic state aid has been \$4,601 per pupil unit since the last increase went into effect for the 2002-03 school year. Under the law, the numbers increase to \$4,783 for the 2005-06 school year and \$4,974 for the 2006-07 school year. Excluding roll-ins and roll-outs, the basic formula increases are the largest in 17 years.

Linked to the basic aid formula are categorical aids for items such as compensatory aid for school districts with the highest concentration of low-income students, and transportation sparsity, which helps rural districts pay for transportation.

The law includes \$23.5 million in new money for special education, \$11 million for gifted and talented funding, \$7.5 million for telecommunications access aid, \$5.5 million for early childhood family education, \$4 million for Head Start, \$1.3 million for health and development screening, and \$1 million each for community education and the Minnesota Early Learning Foundation.

Early childhood family education revenue for districts is increased from \$96 to \$104 times 150 or the number of district residents under age 5. It was \$120 in fiscal years 2003 and 2004.

Levy/referendum changes

The law permits school districts to raise \$139 million for schools through increased local levies, which will require board and voter approval.

"This allows school boards to levy, at their discretion, up to \$46 per student for equity levy," Sykora said. "If they choose to levy, there would be some equalization (up to one-third) for that levy for those districts."

Districts above the 95th percentile in property tax wealth can only levy one-half that amount. "We went round and round on that issue for quite a while and the Senate would not yield on that one," Sykora said.

The law also makes changes to a number of other levies, including those affecting alternative teacher compensation, building lease, unemployment insurance, judgments and abatement adjustments.

For safety purposes, a school district is permitted to levy up to \$30,000 times the number of Carpenter school buses in its fleet as of Jan. 1, 2003, that have been determined to have potentially defective welds and are subject to limitations imposed by the Department of Public Safety. According to the nonpartisan House Research Department, there are approximately 40 Minnesota school districts that have a total of 115 buses with potential roof defects.

"There is new referendum authority, taking our referendum cap from 18 percent [of the basic formula allowance] to 26 percent," Sykora said. The law also adjusts the alternative maximum allowance for districts that were capped in 1994 by \$200 per pupil unit. The amount of the first tier of equalization aid for districts with low property wealth is increased from \$500 to \$600 per pupil unit for fiscal year 2007 and another \$100 in the following year and beyond.

Alternative teacher compensation

A \$86 million initiative pushed for by Pawlenty since he took office is included in the new law.

The so-called "QComp" — Quality Compensation for Teachers — is a merit-based alternative teacher compensation program to award teachers for student achievement, rather than just seniority and education credits beyond a bachelor's degree.

"Any district that wishes to apply has the opportunity to do that," Sykora said. "In the event they apply there would be a contract between the teachers' union and the board and administration that would give teachers a chance to advance within their schools, and within their profession the opportunity for professional development and best practices in the way we teach children, evaluations of performance and student achievement, which is another way to help judge performance. Sixty percent of a person's pay would be based on performance."

The law requires that districts or charter school sites wanting to participate must have a

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Hogs, Frogs and Jobs

Law kept state parks open in the nick of time

By NICOLE WOOD

A new law directs \$1.5 billion toward the state's agricultural, environmental and economic development efforts in fiscal years 2006-07.

Gov. Tim Pawlenty signed the legislation into law June 30, 2005, just in time to avoid shuttering state parks and campgrounds over the busy Fourth of July holiday, but not without a list of line-item vetoes.

Sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Thomas M. Bakk (DFL-Cook), the legislation has various effective dates.

It was the first major omnibus bill to be resolved during the 2005 special session, just before a partial state government shutdown.

Here are some highlights.

2005 Special Session: HF78/SF69*/CH1

Cultivating rural Minnesota

The new law dedicates \$151.28 million toward the state's agricultural sector over the next biennium. The net effect to the General Fund is nearly \$86 million, in line with the House target.

The Department of Agriculture will receive just under \$140 million. Of that, \$34.01 million is earmarked for ethanol producer payments for fiscal years 2006-07 at a disbursement rate of 13 cents per gallon.

Other allocations for the department include \$300,000 for monitoring pesticides in groundwater, \$220,000 for a contract with the University of Minnesota for livestock odor research and \$200,000 for training of local officials in livestock siting and land use planning.

A number of fee increases are forwarded under the new law, including apiary fees paid by beekeepers, nursery stock dealer fees and grain buyer and storage fees.

The new law also allocates \$8.22 million to the Animal Health Board and \$3.2 million to the Agricultural Utilization Research Institute.

Policy issues in the new law encourage renewable fuel use in state vehicles with a so-



PHOTO BY TOM OLMSCHIED

Reps. Larry Howes, left and Bob Gunther watch the voting board June 30 as members cast votes on the omnibus agriculture, environment and jobs and economic development budget bill.

called Smartfleet Initiative and require auto dealers who sell a new flexible fuel vehicle to inform the purchaser in writing that the vehicle can use E85 fuel.

Livestock siting provisions, under the new law, will place counties and townships on the same timeline for notifying the Pollution Control Agency and Agriculture Department of new or amended feedlot ordinances.

Under the new law, a township or county

looking to adopt or revise feedlot ordinances will be required to prepare an economic impact statement at the request of its governing board. The House had proposed allowing any one member of the governing board to put the statement in motion.

Topics for reports ordered in the law include the technical and economic benefits of using biodiesel fuel as a heating fuel; and agricultural fertilizer and soil nutrient issues, including ways of preventing anhydrous ammonia theft for manufacturing methamphetamine.

Managing the great outdoors

Under the new law, the state dedicates just over \$1 billion toward environmental protection and natural resources management over the next two years.

More than half of the overall package – \$614.19 million – is directed toward the Department of Natural Resources (DNR) for myriad responsibilities, such as wildlife, minerals and forestry management, state park operations, habitat improvement, game and fish law enforcement and off-road vehicle trail development.

The governor vetoed a \$325,000 pass-through grant for Let's Go Fishing, a Willmar-based nonprofit organization that provides free fishing and boating excursions to senior citizens.

Policy language in the new law:

- permits conservation officers and other peace officers to issue civil citations for wetlands violations by off-highway vehicle riders, with penalties set at \$100 for the first offense, \$500 for the second and \$1,000 for subsequent offenses;
- directs the department to establish an off-highway vehicle safety and conservation grant program to encourage vehicle clubs to participate in safety and environmental training;
- allows, under a DNR forest classification process, state forest land north of U.S. Highway 2 to remain classified as managed for the purposes of off-highway vehicle use. Legislation in 2003 required the department to take an inventory of all state forests and by 2007 change their designation from managed, meaning trails are open unless posted closed, to limited, meaning trails are closed unless posted open;

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Finding middle ground

\$9 billion health and human services package approved

By BRETT MARTIN

After more than two months of meetings, more than a dozen proposals and counterproposals and a partial government shutdown, the Health and Human Services Working Group was finally able to reach a compromise.

The \$9.03 billion package, representing about a quarter of the state's budget, came together when the House and Senate leaders and the governor agreed to a target in the early morning hours of July 9. Two days later, the working group finalized the bill, which passed the House 88-40 and the Senate 60-6 July 13. The governor signed the bill into law the next day.

"I tell you that what you have before you is, I think, an outstanding health and human services bill," said Rep. Fran Bradley (R-Rochester), who sponsored the law and co-chaired the working group with Sen. Linda Berglin (DFL-Mpls).

An advocate for containing health care costs, Bradley said the law offers a responsible slowing down in spending while still maintaining programs for the state's vulnerable population.

"The taxpayers of Minnesota spend more per capita, for example, on public assisted health care than any other state in the nation," he said. "To the taxpayers, thank you."

Bradley noted that some people wanted more than the 15.6 percent increase in funding over the last biennium, while others wanted to reign in spending. The law found the middle ground. "It strikes a reasonable balance in terms of how much is spent," he said. "This is a bill that I'm proud of as a team."

A budget target proved to be a sticking point during leadership negotiations. A May 20 offer by the governor and House called for a 15.5 percent increase in funding over the last biennium. A Senate proposal on June 9 asked for an 18.4 percent increase, putting the two sides \$229 million apart. By July 7, one week into the partial government shutdown, new proposals had the narrowed difference to \$35 million.

In the end, a 75-cent per pack fee on cigarettes was used to bridge the budget gap with \$401 million in expected revenues. The fee generated new controversy among members who did not want it included in the law.

Rep. Phil Krinkie (R-Lino Lakes) unsuccessfully offered an amendment to delete the section imposing the cigarette fee and make it a standalone bill.

"In my opinion, this is a tax issue, a tax item, and should not be included in the health and human services bill," he said. "I don't believe anyone in the state of Minnesota, outside of the governor's office, believes a health impact fee is not a tax increase."

Rep. Tom Rukavina (DFL-Virginia) also spoke passionately against the fee, calling it a regressive tax on the poorest Minnesotans. "It's not so much what's in the bill, it's who's paying for it," he said. "It's a shameful, shameful day when we have tax policy like this because someone made a bonehead pledge that they have to break." (A reference to the governor's no new taxes pledge.)

Bradley countered that the cigarette fee composes only a small percentage of the law's total money.

Some members said that although there are items they don't agree with, they support the overall law. "I think the good outweighs the bad," said Rep. Thomas Huntley (DFL-Duluth). "We got Minnesota back leading the nation in health access."

MinnesotaCare restored

One of the most contentious issues for the working group was the House proposal to eliminate MinnesotaCare coverage for some adults without children, potentially leaving more than 20,000 Minnesotans without health care coverage. The Senate was opposed to changing eligibility requirements.

On June 28, the House offered a proposal to partially restore MinnesotaCare coverage. In the end, eligibility requirements will not change for those previously covered. The law also includes a Senate provision to repeal the limited benefits coverage cap of \$5,000 for

certain adults under MinnesotaCare, which is expected to cost \$40 million for the biennium.

MinnesotaCare would be the only program allowed to draw money from the Health Care Access Fund.

Senate initiatives to eliminate co-payments from Medical Assistance and General Assistance Medical Care (GAMC) and to repeal the \$500 dental cap from MinnesotaCare, Medical Assistance and GAMC are expected to cost \$8.9 million and \$2.3 million, respectively.

Other changes to MinnesotaCare are expected to result in a savings. House provisions to charge co-payments of \$3 for non-preventive and \$6 for non-emergency visits to an emergency room should save \$2.4 million, and eliminating MinnesotaCare outreach grants should save \$1.5 million.

House provisions to eliminate coverage for undocumented pregnant women who have other health insurance should save \$832,000, while discontinuing coverage for sex change operations, erectile dysfunction drugs and circumcisions is expected to provide nearly \$1 million in savings.

A proposal by the governor for Medicare Modernization Act changes is expected to save \$21.4 million.

Other high profile items

Bradley wanted to focus expenditures on programs and services for people with disabilities and the state's most vulnerable. A House priority was to provide a 2 percent rate increase for long-term care providers, intermediate care facilities for people with mental disabilities and nursing homes.

The law earmarks \$76 million for a 2.26 percent increase in long-term care provider rates in both years of the biennium.

Previously, the state picked up 80 percent of the costs for people with developmental disabilities placed in intermediate care facilities, with counties footing 20 percent of costs. The law shifts more of that cost to the state, at a cost of \$10 million.

The so-called "Unborn Child Pain Prevention Act" is included in the law. It requires a physician or physician's agent to inform a woman if an anesthetic would eliminate or alleviate pain to an unborn child caused by an abortion.

Health & Human continued on page 54

Tax impact

No new taxes, but new fees, extensions and credits

By LEE ANN SCHUTZ

An omnibus tax law passed with little controversy in the House July 13, largely because the premier funding mechanism for the biennium — the 75-cent per pack cigarette health impact fee — was not included. Rather, it was in the health and human services law. However, a key opponent to the fee let his feelings be known when the bill was discussed on the House floor.

Rep. Phil Krinkie (R-Lino Lakes) had resigned his position as co-chair of the Tax Working Group July 7 in opposition to the fee. He said that while it is included in the tax spreadsheet, neither the House nor the Senate had been given the opportunity to vote on the measure. "This was an agreement of convenience" reached by leadership, he said. "I can't vote for a bill that has deceptions."

Rep. Ron Abrams (R-Minnetonka), a member of the Tax Working Group who took over as co-chair when Krinkie resigned, is not a fan of the law either. Abrams sponsored the final

legislation with Sen. Lawrence J. Pogemiller (DFL-Mpls).

"This is not a bill I would have put together, but all in all it is a bill that I will vote for and a bill I request the House of Representatives to support," he said on the House floor.

The new law includes about \$332 million in revenue increases from the repeal of scheduled reductions in liquor and car rental taxes, and upfront payments of sales taxes on car leases.

The House approved the law 123-6; the Senate 61-5.

2005 Special Session: HF138*/SF106/CH3

Family-friendly

The new law eliminates the "family cap" in the K-12 education credit by allowing parents to claim the credit for more than two children. The maximum credit per child will remain at \$1,000, but it can be applied to an unlimited number of children.

According to the nonpartisan House

Research Department, the credit phases out at the rate of \$1 for each \$4 of household income over \$33,500 for families claiming the credit for one child, and at the rate of \$2 for each \$4 of household income for families claiming the credit for two or more children.

Provisions for serving

Those serving in the military will benefit from several provisions in the new law. Most notable, compensation paid to active duty members of the National Guard or reserves will not be subject to state income tax. This will also apply to state residents who are members of the military in active service outside Minnesota.

Local option sales tax

A city or group of cities will be allowed to impose local sales taxes for projects without asking legislative approval, provided they receive local voter approval.

Previously, under a law enacted in 1997, local governments were prohibited from levying sales taxes without legislative approval. The new law requires political subdivisions that impose a local sales and use tax to inform residents of their duty to pay the tax via the local government's Web page and annually through their utility bills.

No taxes on tickets

In the past, a sales tax was not placed on tickets for arts events at the University of Minnesota. However, ticket prices for similar events at other non-profit or educational facilities included a sales tax. The new law makes the sales tax on tickets more consistent. Now a patron of an arts event at a state university or private, non-profit college or university will not have to pay a sales tax.

Home value

Property taxes are based on limited market value, which is calculated by each county assessor, according to uniform guidelines. At times this value is less than the actual value of the property if sold, and there has been an effort in recent years to phase out limited market value.

Under the new law, the schedule of the limited market value criteria has been extended for two years. For taxes payable in

Taxes continued on page 54



PHOTO BY TOM OLMSCHEID

Rep. Morrie Lanning, from left, Rep. Dean Simpson, Rep. Ron Abrams, Rep. Ann Lenczewski and Rep. Laura Brod listen July 11 as Rochester legislators tell the Tax Working Group of their communities' need for an increase in the local option sales tax.

Bare bones transportation

Basic funding, with no tax increases, approved in law

By **BRETT MARTIN**

Almost two months to the day after vetoing an omnibus transportation bill, Gov. Tim Pawlenty signed into law a \$3.9 billion transportation package that does not include the impetus for his original veto — a gas tax increase.

The law, sponsored by Rep. Mary Liz Holberg (R-Lakeville), chair of the House Transportation Finance Committee, is \$46 million above the governor's March budget for transportation, with \$40 million earmarked for metro transit and \$6 million for rural transit.

After passing the House 116-13 and the Senate 65-1 July 13, it was signed into law the next day. The basic funding law for the Transportation Department comes without increases in gas taxes, license tabs or any other taxes.

"We tried to constrain the bill to those items which were not controversial that both the Senate and the House had pretty much agreed to," Holberg said, noting that the legislation took an unconventional route by not traveling through a working group.

2005 Special Session: HF140*/SF105/CH6

Bare minimum

Rep. Alice Hausman (DFL-St. Paul) said the original transportation bill, passed by the House and Senate, would have solved decades-old transportation problems by raising new revenues and investing them in transit.

"If there is ever one bill that is a missed opportunity, it is in the area of transportation funding," Hausman said. "Across this state, whether you're a business community, citizen or labor group, everyone understands how desperately we needed this investment."

Several members said the funding is enough to keep the Transportation Department running, but does little else. "There are many in this body I feel, and perhaps in the administration, who are in self-denial about the transportation needs of this state," said Rep. Ron Erhardt (R-Edina). "Minnesotans expect and deserve a better transportation

system from their government than they are being offered."

That notion was also prevalent in the Senate. "This is the bare minimum we can do for transportation," said Sen. Steve Murphy (DFL-Red Wing), the Senate sponsor and chair of the Senate Transportation Committee.

Penalties and restrictions

In addition to appropriating money for transportation, the Metropolitan Council and public safety activities, the law increases penalties for excessive speeding.

Driving 20 mph or more over the posted speed limit will result in an additional surcharge of at least \$25. A person's driver's license will be immediately revoked for six months if the person drives in excess of 100 mph.

Speed limits have also been imposed on trains. In the city of Orr in St. Louis County, a train may not operate at a speed of more than 30 mph.

Teenagers 15 to 17 years of age, whether they

hold a driver's permit or provisional driver's license, will be prohibited from talking on a cell phone while driving. They will not be allowed to use a wireless phone, handheld or hands free, when the vehicle is in motion, except in cases of emergency.

The original bill called for an Aug. 1, 2005, effective date for the cell phone provision, but a successful amendment on the House floor moved the date to Jan. 1, 2006. Holberg said the change allows students to return to school and learn about the law before it takes effect.

For a \$20 service fee, an applicant can receive an expedited driver's license, driving instructional permit, Minnesota identification card or vehicle title transaction. When expedited service is requested, materials must be sent to the person within three days, excluding weekends and holidays.

Veteran recognition plates

The law makes technical changes to special license plates for distinguished veterans.

The plates will be available for veterans who received the Iraq Campaign Medal, the Afghanistan Campaign Medal or the Global War on Terrorism Expeditionary Medal. The plates will be inscribed with a facsimile of the

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PHOTO BY TOM OLMSCHIED

House Minority Leader Matt Entenza, from left, Senate Majority Leader Dean Johnson, House Speaker Steve Sviggum and House Majority Leader Erik Paulsen huddle during the final hour of the special session July 13.

'It's time to go home'

At the last minute, pensions bill passes

By Mike Cook

A bill that modifies retirement and pension provisions was the last measure approved during the special session after almost not getting heard at all. It was passed 112-14 by the House and 57-6 by the Senate.

As of July 20, the bill (2005 Special Session: HF44/SFnone) had yet to be signed by Gov. Tim Pawlenty.

The same rules for gubernatorial review apply at the end of a special session as they do in the second year of a biennial session. According to *Making Laws*, a nonpartisan House Research Department publication, "If the act passed during the last three days of a session, the governor has 14 calendar days (including Sundays) to review it after the day that the legislature adjourns sine die (not after the day the act is presented)." If the governor takes no action on a bill during this time, the bill is vetoed in what is commonly referred to as a "pocket veto."

Rep. Steve Smith (R-Mound), the bill's sponsor, said issues included in the bill relate to contribution rates for Public Employment Retirement Association members; Duluth, Minneapolis and St. Paul teacher funds; changes related to the Minnesota State Colleges and Universities system; a buyback provision and service credit for strike periods; and volunteer firefighter provisions. It deletes a reference for a task force study on the creation of a statewide lump-sum volunteer firefighter retirement plan. It also addresses local issues in Aurora, Biwabik, Bloomington, Eveleth, Hoyt Lakes, Hutchinson, Maplewood, Northfield and Oakdale.

Rep. Mary Murphy (DFL-Hermantown) expressed displeasure that the task force language was removed.

She noted that a task force would

"talk about all aspects of the pensions and see if there is a better way or an alternative proposal so that those volunteer fire departments in this state that are busy training and fighting fires and trying to recruit new members might have a tool in their toolbox to get that, and that would be increasing the amount of pensions their firefighters might receive."

"The bill does not contain provisions to merge the Minneapolis Teachers Fund with the statewide teachers retirement association,

nor does it include the giveaway to the pre-1969 teachers," Smith said.

Nor does the bill include a survivor benefit provision regarding a St. Louis Park police officer killed while serving in Iraq. Smith said the issue was addressed in the omnibus environment, agriculture and jobs and economic development law.

Rep. Margaret Anderson Kelliher (DFL-Mpls) expressed dismay that a provision was amended out of the final product regarding the Minneapolis Employees Retirement Fund that would, in part, permit the investment of fund assets with the State Board of Investment.

"Minnesota has some of the highest numbers of individual pension funds in the country. The bill was agreed upon by the city and the retirement fund. It also had the blessing of something called the Blue Ribbon Task Force on Pensions." She said this was non-controversial throughout the process.

Not part of the global agreement of bills to be brought up to end the special session, Rep. Mary Liz Holberg (R-Lakeville) said, at about 9:45 p.m., it should not be acted upon. "We had a global agreement, we've been here too long, and now a 215-page bill is put before us over an hour past what was to be our deadline to pass bills. It's time to go home." The agreement called for both bodies to complete their work by 8 p.m.

His voice rising, Rep. Dennis Ozment (R-Rosemount) countered that the bill's provisions are non-controversial. "I think it is only right that we allow for a little bit of time for us to deal with some public employee issues and try to benefit some of the people that have been working very hard across the state of Minnesota in trying to provide services while some of our actions have been on stalemate."

After reviewing the bill's contents, and hearing some criticism over what was deleted, Smith requested the bill be returned to him. However, after more persuasion, including an impassioned speech from Murphy, he decided to move forward with the bill.



PHOTO BY TOM OLMSCHIED

Paperwork piles up at the foot of the speaker's desk May 23, the final day of the regular session.

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HF—House File SF—Senate File R—Resolution CH—Chapter we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature liv—line item veto									
HF	Author	SF	Author	Bill Title					
				AGRICULTURE					
223	Davids	4*	Sams	Ethanol minimum content required in gasoline increased.	52	5/10			various
1389	Gunther	1146*	Vickerman	County agricultural society exemption from local zoning ordinances.	58		5/16		VETOED
466*	Otremba	1250	Koering	Warehouse storage, maintenance, operation, and safety laws modified.	92	5/25			8/1
				ARTS					
1275	Sykora	877*	Stumpf	Minnesota Humanities Commission established.	108		5/27		VETOED
				BANKING					
997*	Howes	985	Ruud	Burns Township detached banking facility authorized.	18	4/7			Day following local compliance
1824	Hamilton	1636*	Sparks	Financial institution, insurance, mortgage originator and real estate broker provisions.	118	5/27			various
				BONDING					
3*	Dorman	none		Omnibus bonding bill.	20	4/11			4/12
				BUDGET					
57*	Knoblach	350	Cohen	Deficiency funding provided for specified state agencies.	2	2/15			2/16
				BUSINESS					
933*	Loeffler	1437	Ortman	Motor Vehicle Retail Installment Sales Act recodified.	19	4/7			8/1
1650*	Ruth	1559	Bakk	Cosmetology regulatory oversight transfer provided.	27	4/22			8/1
1621	Koenen	453*	Kubly	Auctioneer license numbering requirements modified.	32	5/5			5/6
1521	Hamilton	1355*	Vickerman	Power limited technicians license exam application period extended.	62	5/23			5/24
1043	Emmer	767*	Michel	Corporation formation, structure, and operation regulations recodified.	69	5/23			8/1/2006
128*	Erickson	287	Wergin	Funeral provider attorney fee recovery.	71	5/23			8/1
605	Hoppe	664*	Pappas	Liquor license and sales provisions modifications.	131	6/2			various
				CHILDREN					
1889*	Wilkin	1710	Lourey	Child protection, child welfare, child care provisions implemented.	159	6/3			8/1
				CONSUMERS					
155	Hausman	206*	Anderson	Off-sale liquor license permitted within 0.5 mile of U of M Ag school.	3	2/24			2/25
298	Peterson, N.	75*	Belanger	Household goods movers charitable work exemptions.	12	3/19			3/22
1376	Hoppe	1535*	Dibble	Minneapolis on-sale liquor license authorized.	24	4/22			Upon city council approval
286	Hoppe	171*	Pappas	Omnibus liquor bill.	25	4/22			various
1583*	Meslow	794	Gerlach	Membership travel contracts regulated.	70	5/23			8/1
2428	Howes	2259*	Pariseau	Personal Protection Act of 2003 reenacted.	83	5/24			various
1532	Zellers	1815*	Larson	Commerce Department licensee requirements modified.	100	5/27			8/1
1398	Cybart	1360*	Belanger	Cooperative-held unclaimed property and related rights regulated.	109	5/27			8/1
2121*	Johnson, J.	2118	Gaither	Notification of persons whose personal information disclosed to unauthorized persons.	167	6/2			1/1/2006
				CRIME					
1*	Smith	609	Ranum	Omnibus public safety finance bill.	136	6/2			various
				DEVELOPMENT					
990	Emmer	692*	Ourada	Wright, Sherburne counties Miss. Rec. River Land Use Dist. land deleted.	30	4/26			4/27
986*	Nelson, M.	514	Scheid	Urban initiative program low income area definition modified.	142	6/1			8/1
				EDUCATION					
248*	Juhnke	485	Johnson, D.E.	Common School District No. 815, Prinsburg.	8	3/7			various
130	Seifert	180*	Frederickson	Parent discretion in classroom placement of multiples.	33	5/5			'05-'06 school year and later
1144	Demmer	244*	Kiscaden	Teachers probationary employment is interrupted by military service.	36	5/5			retroactive from 9/10/01
68*	Urdahl	457	Dille	Coaching contract nonrenewal timely notice and opportunity to respond.	57		5/16		VETOED
1922*	Charron	1768	LeClair	MN Computers for School authorized to acquire surplus property for the state.	65	5/23			8/1
1176*	Brod	586	Sams	Special education teacher license variance modified.	154	6/3			8/1 upon local approval
				ELECTIONS					
958	Ellison	518*	Rest	Hennepin County duplicate campaign finance filings eliminated.	11	3/14			8/1
1110	Hosch	879*	Fischbach	State primary eliminated in municipality or county if no nominee necessary.	48		5/10		VETOED
936	Johnson, J.	370*	Marty	News media access to polling places increased.	113	5/27			5/28
874*	Brod	290	Higgins	Electronic voting equipment required, state voting systems contract established.	162	6/3			6/4
				EMPLOYMENT					
48	Rukavina	3*	Anderson	Minimum wage increased.	44	5/10			8/1
1692*	Peterson, N.	1598	Metzen	State Board of Investment compensation plans regulated.	55	5/16			7/1
598	Peppin	1405*	Bakk	Industrial classification list rulemaking provisions modified.	86	5/24			8/1
1859	Wilkin	1716*	Bakk	Workers' Compensation Advisory Council recommendations adopted.	90	5/25			various

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1309	Lanning	1371*	Skoe	Watershed district managers compensation increased.	103	5/27			8/1
898*	Sertich	944	Anderson	Unemployment insurance federal requirement conformity.	112	5/26			various
1748*	Hoppe	1530	Wergin	State employee grievance appeal procedures modified.	114	5/26			8/1
400*	Mahoney	546	Sparks	School food service workers unemployment insurance eligibility exception permanent.	115	5/26			12/31/2004
1914	Clark	1984*	Anderson	Penalty increased for failure to pay discharged employee within 24 hours.	127	6/1			8/1
742*	Simpson	1404	Bakk	Employment agency licensing requirement exemptions.	134	6/2			8/1
973*	Demmer	1208	Robling	State employment provisions modified.	144	6/1			8/1
2141	Wilkin	2093*	Sparks	Wage definition modified, payroll cards and payroll accounts regulated.	158	6/2			6/3
				ENERGY					
218*	Cornish	817	Rosen	Renewable energy production incentive eligibility extended.	40	5/5			5/6
1344	Westrom	1368*	Anderson	Energy provisions for transmission companies, wind energy, biomass, etc.	97	5/25			various
				ENVIRONMENT					
1334*	Dill	1342	Bakk	Iron nugget demonstration facility environmental review exemptions.	37	5/5			5/6
1327	Johnson, S.	1252*	Anderson	Consumptive use of groundwater provided.	39	5/5			5/6
1438	McNamara	1326*	Marty	Alternative recording method for DNR prescriptive easements.	101	5/27			8/1
419*	Cox	628	Neuville	Great horned owls protection status modified.	104	5/27			8/1
436*	McNamara	929	Frederickson	DNR approval before vacating certain roads adjacent to public waters.	117	5/27			various
894*	Cox	935	Frederickson	Public waters inventory authority.	138	6/3			various
823*	Blaine	802	Bakk	Forest road designations, timber sales modified.	141	6/3			7/1
2279*	Kohls	2085	Ortman	Cologne wetland replacement requirements exemption provided.	143	6/2			8/1
1470*	Hackbarth	1424	Sams	Dry cleaner environmental fees annual adjustment authorized.	157	6/3			7/1
814*	Cornish	896	Bakk	Public land sales and conveyances provided in specified counties.	161	6/3			various
				FAMILY					
947*	Klinzing	1029	Anderson	Optional record of birth resulting in stillbirth provided.	60	5/19			8/1
2110*	Smith	1920	Neuville	Custody and parenting time domestic abuse hearings safety focus provided.	76	5/24			5/25
2156*	Demmer	1969	Senjem	Conservators powers and duties modified.	91	5/25			5/26
1578	Liebling	1479*	Lourey	Human Services Department authorized to collect spousal maintenance.	116	5/26			5/27
1321	Smith	630*	Neuville	Marriage and child support fees increased, child support law reformed.	164	6/3			various
				GAMBLING					
1801	Hackbarth	1555*	Rest	Lawful gambling provisions modified and technical clarifications provided.	166	6/3			various
				GAME AND FISH					
42*	Howes	419	Wiger	Silencers authorized on firearms for wildlife control.	102	5/27			5/28
847*	Hoppe	789	Saxhaug	Game and fish regulations modified.	146	6/3			various
				GOVERNMENT					
871*	Seifert	548	Higgins	Day training, habilitation services providers in state coop. purchase agreements.	9	3/14			3/15
1036*	Seifert	1158	Senjem	Office of Administrative Hearings: MN Rules copies, hearings regulated.	16	3/31			8/1
1460	Beard	1335*	Cohen	Design-build relating to state construction contracts.	78	5/24			5/25
2371	Anderson, B.	2160*	Skoglund	Claims against the state settled.	128	6/3			7/1
2133*	Peppin	2076	Reiter	St. Paul; lease of state property at 168 Aurora Ave. as child-care facility.	145	6/3			6/4
1481*	Seifert	1285	Kiscaden	Omnibus state government finance bill.	156	6/3			various
				HEALTH					
925*	Gazelka	880	LeClair	Medicare related coverage federal conformity.	17	3/31			various
2023	Wilkin	1998*	LeClair	HMOs assessed for insurance fraud prevention account.	77	5/24			8/1
1556	Huntley	1378*	Kiscaden	Medical education funding provisions modified.	84	5/24			8/1
681	Westrom	718*	Sams	Hospital accrediting organization addition authorized for presumptive licensure purposes.	85	5/24			8/1
1619	Dean	1579*	Wergin	Health Care Administrative Simplification Act of 1994 modified.	106	5/26			various
615	Klinzing	232*	Reiter	Nonprescription pain relief usage and possession by secondary students authorized.	126	6/2			8/1
1103	Hosch	1780*	Rest	Drug testing of professional athletes authorized.	133	6/1			6/2
1161	Huntley	1204*	Kiscaden	Health occupations provisions modified.	147	6/3			various
1816*	Emmer	1857	Berglin	Mental health services coverage extended, civil commitment provisions modified.	165	6/3			various
				HIGHER EDUCATION					
1385*	Nornes	1174	Pappas	Omnibus higher education funding bill.	107	5/26			various
				HOUSING					
1585	Olson	1509*	Kubly	Manufactured home park seasonal agricultural operations exclusions provided.	79	5/24			5/25
367*	Kohls	391	Neuville	Defeasible estates provided, residential purchase agreement cancellations modified.	119	5/27			various

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369*	Thissen	393	Neuville	Minnesota Common Interest Ownership Act modified.	121	5/27			8/1
				HUMAN SERVICES					
1268	Walker	271*	Berglin	Death records data access modified.	23	4/22			8/1
1820*	Eastlund	1868	Nienow	Cambridge State Hospital cemetery named Garden of Remembrance.	29	4/26			8/1
399	Peterson, A.	493*	Kubly	Yellow Medicine County Hospital District board membership provided.	54	5/16			8/1
487*	Opatz	525	Kiscaden	Mentally retarded, mental retardation, physically handicapped terms changed.	56	5/16			8/1
1951*	Bradley	1569	Berglin	Long-term care provisions modified.	68	5/23			8/1
1214	Knoblauch	1064*	Metzen	Blind and disabled accessible electronic information service established.	81	5/24			5/25 wq
1875	Bradley	1720*	Lourey	Human services agency technical amendments provided.	98	5/25			8/1
675*	Samuelson	687	Higgins	Hospice care bill of rights modified.	122	5/26			various
952	Finstad	917*	Sams	Positive abortion alternatives grants provided.	124	5/23			7/1
2192*	Tingelstad	2042	Rest	Postadoption services data collection and best practice guidelines provided.	129	6/1			6/2
1507*	Abeler	1482	Lourey	Quarantine and isolation provisions modified.	149	6/2			various
1272*	Ruth	1198	Day	Marriage and family therapy included in definition of professional services.	153	6/2			6/3
2448*	Bradley	none		Human services programs forecast adjustments provided.	155	6/3			various
				INDUSTRY					
759	Mahoney	1485*	Sparks	Crane operators certification required and regulation provided.	87	5/24			7/1/2007
1988	Mahoney	1861*	Kelley	Biotechnology piping systems installation supervision procedures study.	96	5/25			8/1
				INSURANCE					
667	Gazelka	314*	Scheid	MN FAIR plan property and liability insurance coverage regulated.	66	5/23			5/24
1669*	Wilkin	1462	Scheid	Insurance fees, rate filings, policy renewals and alterations, and data collection.	74	5/24			various
1809*	Wilkin	1783	Scheid	Insurance agency terminations, coverages, fees, etc. regulated.	132	6/3			various
1528*	Gazelka	1380	Sparks	Claims practices regulated.	140	6/2			8/1/2006
				LAW					
378*	Nelson, P.	478	Betzold	Revisor's bill.	10	3/14			various
1295	Abrams	1210*	Rest	Foreign judgments life span and interest rate clarification.	14	3/24			8/1
368	Thissen	392*	Hottinger	Probate venue, trustee powers and omitted beneficiary provisions.	26	4/22			8/1
314	Lesch	379*	Cohen	Ramsey County; retired court commissioner authorized to perform judicial duties.	111	5/27			8/1
473*	Olson	288	Wergin	Creditor remedies exemptions modified to include wedding rings.	137	6/2			6/3
225*	Holberg	361	Skoglund	MN Government Data Practices Act technical changes provided.	163	6/3			various
				LOCAL GOVERNMENT					
357	Ruth	262*	Murphy	Local government filing and recording technical provisions modified.	4	3/7			8/1
547	Charron	532*	Marko	Washington Co. library board management provided by county board.	13	3/19			Day following local compliance
656	Samuelson	451*	Betzold	Anoka County law codification proposed.	28	4/26			4/27
2318	Dempsey	2112*	Murphy	County board meetings at locations other than the county seat.	42	5/9			8/1
2042	Cornish	1841*	Hottinger	Project Riverbend Board eliminated.	47	5/10			8/1
1084	Hansen	1016*	Pariseau	Noxious weeds control or eradication orders appeal duties.	49	5/10			5/11
1333*	Dempsey	1275	Murphy	Wabasha port authority commission authorized.	61	5/19			Day following local compliance
1994	Moe	1869*	Kiscaden	Shared hospital or ambulance service purchasing provision modified.	63	5/23			8/1
732*	Meslow	527	Reiter	Electric or utility special assessments exceeding standards.	67	5/23			8/1
2028*	Heidgerken	1929	Johnson, D.E.	Pope County recorder and auditor-treasurer offices provided by appointment.	75	5/24			various
647	Peterson, A.	663*	Kubly	Public officers contract interest exception relating to volunteer ambulance services.	80	5/24			8/1
815	Kahn	1945*	Higgins	City council required to vote on charter commission recommendations.	93	5/25			8/1
478*	Erickson	615	Wergin	Alternative filing of surveys provided if no county surveyor.	99	5/27			8/1
2187*	Abrams	1956	Berglin	Hennepin County Medical Center governance provided.	125	6/2			various
1473	Mullery	1231*	Betzold	Sign and flag display regulated.	168	6/2			8/1
995	Erhardt	953*	Kelley	Local government employees compensation limit increased and indexed.	169	6/2			8/1
				MILITARY					
2126*	Eastlund	1991	Murphy	Pay differential law for state employees ordered to active military service.	35	5/5			5/6 wq
1761*	Kahn	1726	Kubly	Active military personnel MinnesotaCare enrollment.	59	5/19			5/20
				RECREATION					
1104	Seifert	1031*	Koering	State Fair camping area regulations exception provided.	15	3/31			8/1
590	Samuelson	1116*	Chaudhary	Lifejackets required for children aboard watercraft.	31	5/5			5/6
604	Peterson, S.	284*	Gaither	Swimming pools; zero-depth pool use without a lifeguard.	50	5/10			5/11
1293	Howes	1296*	Saxhaug	Snowmobiles; two-way operation of snowmobiles.	72	5/23			8/1

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1320*	Hoppe	1267	Rest	Hennepin County regional park district provisions modified.	82	5/24			8/1		
2006	Hackbarth	1908*	Chaudhary	Shooting Range Protection Act adopted.	105	5/27			5/28		
423*	Dill	520	Bakk	Hot tubs on houseboats exempted from regulation as public pools.	130	6/1			6/2		
221*	Davids	196	Reiter	Recreational purpose land definition expanded.	148	6/3			8/1		
				SAFETY							
998	Rukavina	1486*	Tomassoni	Quotas prohibited for traffic and vehicle inspection citations.	46	5/9			8/1		
1109*	Smith	1578	Higgins	Firefighting training and education board revived and reenacted.	110	5/26			5/27		
987*	Sieben	899	Anderson	Cribs safety regulations provided.	139	6/1			1/1/2006		
1555*	Powell	1483	Lourey	MN Emergency Health Powers Act and authority of out-of-state license holders modified.	150	6/3			various		
974*	Erhardt	1125	Murphy	Peace officer operation of any vehicle or combination of vehicles authorized.	160	6/2			6/3		
				TAXES							
166	Abrams	218*	Rest	Charitable contribution income tax deductions relating to tsunami relief donations.	1	1/27			1/28		
47*	Abrams	1087	Moua	City aid base calculation corrected relating to state aids.	38	5/5			beginning w/ aids payable in 2004		
2228*	Abrams	1675	Pogemiller	Revenue commissioner general powers recodified and clarified.	151	6/2			various		
2498*	Abrams	2288	Pogemiller	Public finance and tax increment financing provisions modified.	152	6/2			various		
				TECHNOLOGY							
1839	Ruth	1738*	Day	Water use permit provisions modified.	89	5/25			8/1		
				TRANSPORTATION							
124	Magnus	225*	Vickerman	Pipestone County Legislative Route No. 268 turnback authorized.	5	3/7			Pending commissioner action		
254	Heidgerken	685*	Johnson, D.E.	Legislative Route No. 143 description amended.	6	3/7			3/8		
277	Eken	234*	Langseth	Becker County Legislative Route 224 turnback authorized.	7	3/7			Pending commissioner action		
1508	Howes	1466*	Murphy	Utility vehicle seasonal load restrictions clarified.	21	4/14			4/15		
1189*	Erhardt	1259	Belanger	Recycling and garbage truck weight restriction exemptions provided.	34	5/5			8/1		
915*	Beard	1037	Rest	Aeronautics transportation provisions clarified.	41	5/9			various		
1134	Severson	1056*	Moua	Motor vehicle dealer registration plates, stickers, vehicle transfers.	45	5/9			8/1		
577	Holberg	633*	Murphy	Transit bus usage of freeway or expressway shoulders.	51	5/10			5/11		
1053	Severson	1095*	Fischbach	Driver's license road test waiver authorized for licensed military personnel.	53	5/16			5/17		
1461*	Ruth	1506	Robling	Disabilities parking provisions modified and simplified.	64	5/23			8/1		
626	Moe	735*	Ruud	Cass County; Bradley Waage Memorial Bridge designated.	73	5/24			8/1		
2461*	Holberg	none		Omnibus transportation finance bill.	88		5/19		VETOED		
1529	Severson	1379*	Scheid	Air bag repair or replacement excluded from motor vehicle damage calculations.	94	5/25			8/1		
1164*	Gazelka	1388	Kiscaden	Slow down, provide one lane for parked emergency vehicles.	120	5/26			5/27		
951	Beard	629*	Higgins	Met Council requirement for adoption of separate airports or aviation system plan removed.	123	5/26			8/1		
912	Beard	808*	Murphy	Motorized foot scooters exempted from tax and registration fees.	135	6/3			various		
				VETERANS							
1240	Severson	1254*	Wergin	Hire a Veteran Month designation provided for month of May.	22	4/14			4/15		
34	Vandev eer	467*	Bachmann	Washington Co.; Disabled Veterans Rest Camp on Big Marine Lake.	43	5/10			various		
685	Severson	1268*	Fischbach	Veteran's preference credit use provision restriction eliminated.	95	5/25			8/1		
				SPECIAL SESSION LEGISLATION							
78	Ozment	69*	Bakk	Omnibus agriculture, environment and jobs and economic development bill.	1	6/30	liv		various		
111*	Knoblach	89	Rest	State government transitional financing provided through July 14.	2	7/9			retroactive from July 1		
138*	Abrams	106	Pogemiller	Omnibus tax bill.	3	7/13			various		
139*	Bradley	107	Berglin	Omnibus health and human services bill.	4	7/14			various		
141*	Sykora	104	Stumpf	Omnibus K-12 and early childhood education bill.	5	7/14			various		
140*	Holberg	105	Murphy	Omnibus transportation bill.	6	7/14			various		
44*	Smith	none		Retirement and pension provisions modified and money appropriated.	8			pending			
53	Meslow	15	Betzold	Revisor's Bill	7			pending			

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Every office tells a story

Personalities on display inside members' quarters

By RUTH DUNN

House members practically live at the State Office Building 24/7 during session each year, so it's not surprising that some have feathered their office nests in ways that reflect their interests, personalities, histories and districts.

"When people come to your office they want a sense of what it's like to be here and who you are," according to Rep. Ruth Johnson (DFL-St.

environment," she said. Others feel the same way and have replicated the idea. Ruud says the art inspires her and prompts her to reflect on why she's serving in the House. "It's all about the kids, our future."

His own artwork is sometimes displayed in the office of Rep. Cy Thao (DFL-St. Paul). Right now on display in his office are hand-sewn Hmong wall hangings along with paintings by other artists.

The office of Rep. Tony Cornish (R-Good Thunder) includes mounted deer, bear, fox and turkeys he's hunted along with a timberwolf killed by a logging truck. The important themes of his life come together in his office décor: his extended family, the outdoors and hunting, a law enforcement career and his conservative philosophy.

"If you believe in something you should exhibit it in your life," he said. His unique office not

only helps him feel comfortable and at ease, it's also a great ice breaker for people coming to talk with him about subjects that may be tense.

Sometimes pictures of family members or their handiwork help enliven offices.

"My office sends a daily message to others of what my priorities are," said Rep. Denise Ditrach (DFL-Champlin). Her space is filled with family photos including eye-catching close-ups of her three sons. "They are the primary force for everything I've done in

the past 10 years," she said.

There's an artificial pine tree in the corner of Rep. Larry Howes' (R-Walker) office that is decorated with strands of lights made from shotgun shells by his crafty daughter.

When Rep. Lloyd Cybart (R-Apple Valley) retired from a 20-year military career in the Air Force, his wife, Heike, had a glass case filled with his medals, ribbons and other memorabilia that is now proudly displayed in his office.

The districts they represent are never far from the minds of representatives who often have items in their offices that remind them of where they come from.

Historic photos of eight of the 12 cities in her district line the walls of Rep. Laura Brod's (R-New Prague) office. The photos feature the city's main streets, which fascinate Brod so much she wrote her master's thesis on the topic.

Rep. Judy Soderstrom (R-Mora) has gathered items that tell the story of every community in her district.

"It reminds me, as I look around, of those I represent," said Soderstrom, who describes her district as "a rural area with a lot of history." Ancient wooden skis and other souvenirs of the Mora Vasaloppet cross-country annual ski race decorate the walls of the office. She's also got a pie pan from Braham, the so-called Pie Capital of Minnesota, and fur-trapping artifacts from the North West Company Fur Post, a living history museum

Offices continued on page 54



PHOTO BY ANDREW VONBANK

Rep. Tony Cornish, a former DNR conservation officer, brings a bit of the outdoors inside his office.

Peter). How legislators set up their offices is a "way of telling people what you value."

Johnson's enjoyment of the arts is evident in her office, but what catches the most attention are panels of white lace hung on the walls. She loves lace and liked the idea of white on white in her office décor so she turned former curtains into wall hangings. In sharp contrast is a painting of a hog shed that was done by an artist from her district.

If you've got a kink in your neck or an ache in your back, stop by the office of Rep. Jim Abeler (R-Anoka), a chiropractor in his "other" life. He keeps the chiropractic table handy and offers free adjustments to bring others back into alignment.

A rotating exhibit of artwork from school children in her district brightens the office walls of Rep. Maria Ruud (DFL-Minnetonka). "I love it. It's uplifting and makes a cheerful



PHOTO BY ANDREW VONBANK

A rotating exhibit of art from school children in her district adorn the walls of Rep. Maria Ruud's office.

A true taste of Minnesota

Kids push for Honeycrisp to be state's official apple

By RUTH DUNN

Bite into a juicy Honeycrisp apple and you have a true taste of Minnesota. That's because the apple was developed in 1960 through the University of Minnesota's apple breeding program aimed at developing a hardy apple that would thrive in cold climates.

When a fourth grade class from Andersen Elementary School in Bayport discovered this fact, they began a push to add the apple to a list of state symbols that includes the pink and white lady's slipper, the loon, walleye and blueberry muffins.

"My class and I think that Minnesota should have a state fruit," wrote Madeline, one of the students, in a letter to Gov. Tim Pawlenty and her state legislators. "We think that the state fruit should be the Honeycrisp apple."

Twenty of the 50 states have a state fruit, wrote many students in their letters. "Even Wisconsin has a state fruit (cranberries) so we should too," wrote Jackie Ellingson.

"It snowballed!" said the students' teacher, Laurel Avery. The whole effort began with an assignment to write a persuasive letter. Avery, who seeks ways to make learning more relevant, thought, "Let's make it real." She remembered reading about another class that successfully promoted the Monarch butterfly as the official state butterfly in 2000. She urged the class to think of another item they could suggest for official designation.

The students' research showed that Minnesota has no official fruit or vegetable. They considered blueberries, raspberries and corn, but the obvious choice became Honeycrisp apples when they discovered

the apple is truly made in Minnesota.

They contacted their legislators, Rep. Mike Charron (R-Woodbury) and Sen. Brian LeClair (R-Woodbury), who were quickly won over to the cause and sponsored bills on the topic.

Students were on the floor when the bills were dropped in the hopper in both the House and the Senate. "It was a very exciting day," remembers Avery. She explained to students that bills don't automatically become laws so the children were not too disappointed when the bill was not passed during the regular

Hoping to be 'official'

Rep. Chris DeLaForest (R-Andover) sponsored HF336, which would have made English the official state language. He is optimistic the bill will make it out of the House Governmental Operations and Veterans Affairs Committee next year.

Another bill, HF1275/SF877*/CH108, sponsored by Rep. Barb Sykora (R-Excelsior) and Sen. LeRoy A. Stumpf (DFL-Plummer), would have created the position of state poet laureate (at no cost to the state). It was approved by a wide margin in the House and Senate, but vetoed by the governor. The bill would need a two-thirds vote in each body to override the veto.

session. Neither bill (HF2516 and SF2302) received a hearing in 2005. They await action by the House Governmental Operations and Veterans Affairs and Senate State and Local Government Operations committees, respectively.

"The kids did their homework, researched and came up with a good idea," said Charron. He's optimistic about the bill's chances during the 2006 session. "It's hard to be against an idea like this." He believes that adding the Honeycrisp apple to the state's official list would be a good way to promote a Minnesota product.

"I'm so proud of the kids and their teacher who got them actively involved in the process," said Charron.

He hopes the students can come and testify next year if the bill is heard in committee. If the bill progresses, he'd also like them to be in the gallery for the floor vote and attend the ceremony when the governor signs it into law.

Avery says the students want to be present for every possible step. Although they'll be in fifth grade next year with another teacher, it's all worked out for them to come to St. Paul and follow the bill's progress, if it does move forward.



A copy of the letter sent by Anderson Elementary fourth grader Adora, of Bayport, hoping to get the Honeycrisp apple made the state fruit.

New member reflections

Freshmen legislators proud of successes, bipartisanship

By BRETT MARTIN

With their first session now under their belts, the 26 new House members can look back upon a highly charged year of major legislation. They weighed in on a widely praised bonding law and the various funding laws for the 2006-07 biennium.

Like college freshmen who arrive on campus and have to figure out room numbers and processes while concentrating on their studies, freshmen House members came to the Capitol to work on legislation while learning firsthand how the political process works.

Freshmen members introduced 331 new bills this session, representing their districts' interests as well as reflecting their diverse backgrounds, experiences and interests.

Carrying out marching orders

With the House divided by a mere two votes, each member played a crucial role in passing or rejecting legislation this session.

"I feel I have had a chance to contribute," said Rep. Mike Charron (R-Woodbury). "Everybody's a player when it's a 68-66 split."

Because freshmen members carried such influence, they made a conscious effort to be bipartisan.

"The whole freshman class is focused on the issues, not politics," said Rep. Melissa Hortman (DFL-Brooklyn Park). "Those marching orders came from the voters."

"It was an effective message, and I think this class has delivered on

that," added Rep. Frank Moe (DFL-Bemidji).

Hortman said new members are willing to cross party lines since the major political parties are declining and more interest is given to smaller, bipartisan coalitions and caucuses, such as the urban and rural caucuses.



"I've grown so much more protective of the district that I represent. The paternalism I feel for my community is greater than at any time in my life."

Rep. Frank Moe
DFL-Bemidji



"The day I took the oath of office, my wife, our children and my parents were there to see it happen. The look of pride my parents had in their eyes that day is something I will remember the rest of my life."

Rep. Pat Garofalo
R-Farmington

The learning curve

One of the most difficult challenges new members face is learning the inner workings of state government.

"I think it went well for learning how the system works. I have a good foundation," said Rep. Tom Emmer (R-Delano), although he notes that the learning process is not yet over. "I can't believe you can be a full-fledged, fully-educated member within two years."

Members fortunate enough to return to the House after their first term have a better understanding of the process, which can help them advance their ideas, he said.

Moe said he too had a lot to learn.

"Frankly, I didn't know what to expect," he said. "Back in February, I felt like it was the second quarter and I'd just gotten the rules."



"I'm having the time of my life. The challenges are invigorating. I'm really soaking it up with a sense of delight."

Rep. Mike Charron
R-Woodbury

Moe said reaching across the aisle helped him get his bills heard.

"I had a willingness to work with Republicans, and they responded in kind," he said, pointing out that the bipartisan alliances he's formed with



"The average person doesn't care if we get done in June or July. They would rather see it get done correctly than have shoddy work done at the last minute."

Rep. Matt Dean
R-Dellwood

He also learned the ugly side of political debates and found it's sometimes better to not say anything than to be drawn into an argument.

"Early in the session, I took the bait and got into partisan bickering. I wish I wouldn't have done that," Moe said.

A coach and an educator, he found himself getting a firsthand lesson in government.

"These past five months have been the greatest learning experience of my life," Moe said. "You learn about people, public policy and yourself."

One concept that new members seemed to have grasped quickly is making their voices heard.

Hortman was one of five members who introduced bills to fund the Northstar commuter rail corridor project, which ended up in the bonding law.

"I'm thrilled that the Minnesota Northstar project got passed. I feel directly responsible for that," Hortman said. "We've made a lot more progress than they did last year, and I'm proud of that."

Indeed, Hortman and fellow freshman Rep. Denise Dittrich (DFL-Champlin) worked hard for the project, which helped them win their seats since their predecessors opposed the rail system.

Reaping rewards

Hortman worked in Washington, D.C., for former Sen. Al Gore and Sen. John Kerry, so she had a good understanding of the government process, but working for senators didn't prepare her for the excitement of serving in the Minnesota House.

"It was 10 times as wonderful as I thought it would be," she said.

"It's probably not the right thing to call it fun, but I'm having the time of my life. The challenges are invigorating," agreed Charron. "I'm really soaking it up with a sense of

but watch out on the next one."

The freshmen typically met once a month during session to get to know each other better, and some of them are planning a summer trip together to Coors Field in Denver to see a Colorado Rockies baseball game.

Emmer had the honor of filling in as House speaker during several floor sessions; a duty he performed like a seasoned leader.



"The whole freshman class is focused on the issues, not politics. Those marching orders came from the voters."

Rep. Melissa Hortman
DFL-Brooklyn Park

"That is amazing. It's an incredible experience," Emmer said. "It is not only an unbelievable experience, it's truly humbling. It can be an intimidating place to be."

Representing constituents in the State Capitol gives members such as Moe a feeling of pride for his district.

"What has happened more in this session is that I've grown so much more protective of the district that I represent," Moe said. "The paternalism I feel for my community is greater



"I most enjoyed those moments when we forged coalitions across geographic and political divides and worked together on solutions to issues big and small."

Rep. Diane Loeffler
DFL-Mpls

than at any time in my life."

If this year is any indication, the new members will provide plenty of excitement and ideas during the second half of their first terms. They enjoy serving the state, which Dean said makes this class special.

"We thought servility was still cool," Dean said. 🗽

delight."

He especially enjoys the camaraderie of House members. "The kind of characters here — you can't make this stuff up," he said. "You can have a good, spirited debate and then walk off, pat each other on the back and say, 'You got me on this one,

House veterans are impressed

As the newest House members came into their own this session, they faced scrutiny not only by their constituents, but also by veteran legislators.

The senior members liked what they saw. "This state is fortunate to have such great public servants," said Rep. Mike Jaros (DFL-Duluth), now serving his 15th nonconsecutive term. "A lot of them have had previous public service experience and have worked in different professions. I think we need that experience."

Jaros said that experience and the level of knowledge about issues that the freshmen class brought to the House distinguished them from previous classes.

Rep. Ron Abrams (R-Minnetonka), now in his 17th year of service, commended the Class of 2005 for bringing new ideas and perspectives to the Legislature.

"There are a number of outstanding freshmen here on both sides of the aisle," he said. "This is one of the strongest classes I've seen in a long time. They put aside partisan politics to a large extent."

House Minority Leader Matt Entenza (DFL-St. Paul), now in his sixth term, agrees.

"This new group of Republicans and Democrats had a big impact on the House," he said. "They are particularly articulate and had helped move forward significant legislation. I believe we passed a great bonding bill because of the new members."

House Speaker Steve Sviggum (R-Kenyon), first elected in 1978, was impressed that many freshmen jumped right into the process.

"They're certainly a good group that got involved in legislation right away. The message that their citizens gave them was to cooperate and get the job done. Some have followed through in that direction; some have not."

Many new members said they made a conscious effort to be nonpartisan, and Rep. Irv Anderson (DFL-Int'l Falls), who has been serving nonconsecutively since 1964, observed that to be true. "They are more bipartisan in their approach."

(B. MARTIN)

First-term members

Rep. Mike Charron	Rep. Leon Lillie
Rep. Lloyd Cybart	Rep. Diane Loeffler
Rep. Matt Dean	Rep. Frank Moe
Rep. Denise Dittrich	Rep. Joyce Peppin
Rep. Tom Emmer	Rep. Neil W. Peterson
Rep. Patti Fritz	Rep. Sandra Peterson
Rep. Pat Garofalo	Rep. Jeanne Poppe
Rep. Paul Gazelka	Rep. Maria Ruud
Rep. Rod Hamilton	Rep. Brita Sailer
Rep. Rick Hansen	Rep. Bev Scalze
Rep. Melissa Hortman	Rep. Steve Simon
Rep. Larry Hosch	Rep. Andy Welti
Rep. Tina Liebling	

A citizen's legislature

After adjournment, it's back to the 'real world'

By LAURA NOE

It could be said that the Legislature is akin to baseball. The legislators are the players, the session is the season and the interim is the off-season.

The difference? Minnesota legislators are only "part-time" lawmakers.

Session convenes in January or February and is scheduled to conclude in mid- to late-May. So what do legislators do once session has come to a close?

Laughing, while sipping coffee from her mug, Rep. Margaret Anderson Kelliher (DFL-Mpls) said, "The first priority is getting some sleep for more than a few hours uninterrupted."

Rep. Duke Powell (R-Burnsville) agrees that there needs to be a decompression period before jumping back into the real world.

"It's certainly not reality around here. It's like you're going 100 miles an hour for months at a time and then all of sudden you come to this sudden stop and it's over." To adjust, he takes time to get reacquainted with his family and visit his parents.

Then it's time to put their other hats on. From artists to commercial pilots, the majority of members are busy with other occupations after session.

For the past 25 years, Powell has been a paramedic for Hennepin County Medical Center.

Balancing his time between a paramedic and legislator has been relatively easy, Powell said. "When I'm here I'm on leave, so I don't have to worry about both jobs."

The legislative life is a little different for Rep. Paul Gazelka (R-Brainerd). He owns a small insurance business, and, as a first-term legislator, is learning the difficulties of balancing legislative duties and proprietorship.

During session, he tries to have Friday morning meetings with his five licensed insurance agents. Early in session, there are no regularly scheduled committee meetings or

floor sessions on Friday.

"That's not ideal," he admits, but with time restraints, there isn't much choice. Gazelka said his employees can't wait for him to return and be part of the team. He'll use part of the interim as an opportunity to focus on his business.

Sustaining a healthy marriage and family is also necessary, said Gazelka. His family, including five children, moved with him to St. Paul, but after session they plan to head north and spend time enjoying the lake they live on.

A log homebuilder, Rep. Mark Olson (R-Big Lake) also has difficulty juggling two separate, but connected lives.

"Since I've gotten here the time demands are high and not real manageable because you get a lot of unexpected things," he said. "My life is very much like Minnesota weather."

After taking a few years off from building homes, Olson is determined to get back into it. "I've got some logs and we're going to build some cabins."

Family first

On top of that, Olson was recently married, and has five stepchildren to consider. He said this summer they're looking forward to

canoeing, bicycling and camping trips.

Rep. Mary Ellen Otremba (DFL-Long Prairie) has multiple teaching licenses and spends the fall substitute teaching. This summer her youngest daughter, Elizabeth, will be her main job.

Elizabeth graduated from high school this year, and Otremba wants to spend every minute she can with her before college starts in the fall. "Family comes first," she said.

Even though they may want to get away from politics for a while, legislators also focus on staying in contact with their constituents and other legislative duties throughout the interim.

Three-quarter time job

Kelliher believes that calling representatives "part-time legislators" is misleading because it's more like a three-quarter time job. "It has enough during the non-session times that keep you busy and you need to stay on top of things."

When constituents contact her during the interim, there tends to be more casework involved. She uses the time to do research and plan for the next session.

"The interim provides an opportunity to really spend time thinking about policy and policy decisions, and do some exploring, which gets hard to do during the legislative session. It's really hard to slow down long enough to generate ideas or think about how to move an idea forward."

Getting to know you

Along with the nitty-gritty work, the interim is a time to join in on local festivities. Otremba's summer schedule is brimming with parades.

"I taught in a couple of communities that I have parades in," she said, "so in those communities it's like coming home."

Otremba also judges at 4-H fairs throughout her district. The food competition is a favorite of hers.

"Every single year and every single fair I go to I come home with at least one recipe," she said. A young girl once made a deep-dish pizza that Otremba was so impressed with that she made it every Sunday for years afterwards.



PHOTO BY TOM OLMSCHIED

Now that the Legislature has completed its work, members can return to their "real jobs." For Rep. Sheldon Johnson that is with Ramsey County Community Corrections.

Your House at 100

The Celebration Continues



Though the legislative session has come to a close, the State Capitol remains a fascinating building to explore, full of history, art and architecture at every turn.

The Minnesota Historical Society Capitol Historic Site offers tours and special events throughout the year.

Take a guided Saturday stroll on the Capitol mall, attend the Aug. 14 groundbreaking ceremony for the state's World War II memorial or hold out until October for a supernatural tour to meet the building's "Shadows and Spirits."

Restoration work will continue beyond the Capitol Centennial celebration.

The 2005 omnibus capital investment law directs \$2.37 million to the Capitol Area Architectural and Planning Board, of which \$1.2 million is to complete the schematic design for the phased renovation and restoration of all interior areas of the Capitol and \$1.17 million is to repair and restore the third floor public areas.

The law specifies that restoration of the dome will be addressed by private fundraising efforts.

One such private organization, Friends of the Minnesota State Capitol, was established this year to commemorate the centennial and ensure that Capitol preservation work will continue after the yearlong celebration comes to a close.

The goals of the organization are to raise both the restoration funds and the public's awareness of the building, according to Eric Ewald, the group's managing director. "The Friends of the Minnesota



PHOTO BY TOM OLMSCHIED

The statehouse through a springtime canopy.

State Capitol aim to help the people of the state of Minnesota continually celebrate the wonderful building.

"The governor has talked about public private partnerships for restoration efforts and we are happy to embrace that," Ewald said. "The open house in January 2005 was such a success we are envisioning other special events that would welcome Minnesotans to the Capitol and remind them they can come and visit anytime — it's truly their house."

To become a Friend of the Minnesota State Capitol, call (651) 203-7246 or visit the Web site (www.mncapitolfriends.org).

To learn more about upcoming events at the Capitol, call (651) 296-2881 or log on to the Minnesota Historical Society Capitol Historic Site Web page (www.mnhs.org/places/sites/msc).

(N. Wood)

Special thanks to Carolyn Kompelien and Jaymie Korman of the Minnesota Historical Society Capitol Historic Site for their assistance with the 2005 Capitol Centennial articles.

Education continued from page 32

transitional planning year. However, that can be waived if the commissioner determines a site or charter school is ready to implement an alternative pay system.

Once teachers and district or charter school officials decide to pursue an alternative pay system, a letter of intent is to be sent to the education commissioner. With the letter, the district and teachers must commit to using up to 2 percent of basic revenue for staff development purposes for the planning process.

Districts and charter schools would be eligible on a first-come, first-served basis. Districts will be eligible to receive up to \$260 per pupil. Total charter school funding is capped at \$522,000 in fiscal year 2006 and \$3.37 million one year later.

Get Ready, Get Credit

The law provides \$11.6 million for the program that allows high school students to earn college credit in high school by taking college level classes. Students completing a class will be encouraged to take a College Level

Examination Program test to receive immediate state higher education system credit. The state will pay for the test. Subjects in which students can earn credit include: composition, literature, mathematics, science, history, social sciences, foreign languages and business.

Also included is using the ACT Explore test in grade eight and the ACT Plan test two years later to, according to the Education Department, "determine student strengths and weaknesses and allow students, teachers, schools, and parents to determine college readiness earlier than the junior or senior year in high school." There would be no cost to students or their families.

Policy, other provisions

"We passed a number of policy issues, site-based learning, more accountability for charter schools, online learning will be fully funded and education administrative districts were approved," Sykora said.

A pilot project was also approved to allow five districts to allocate compensatory revenue on the basis of student performance measures,

instead of just for the number of students eligible for free and reduced lunches.

School boards, under the law, are required to adopt anti-bullying and intimidation policies. "This is the first step to curbing violence in our schools," said Rep. Barbara Goodwin (DFL-Columbia Heights).

The law includes a number of provisions on school nutrition programs, including an increase in the state aid lunch payment to school districts participating in the national school lunch program from 8 cents to 10 cents per lunch served, and an increase in the reimbursement rate for kindergarten milk from 9 cents to 14 cents for each half-pint served. It also authorizes fund transfers for a dozen local school districts.

Included in the law is \$325,000 from the game and fish fund to the Department of Natural Resources for a grant for Let's Go Fishing of Minnesota, which the governor line-item vetoed from the omnibus agriculture, environment and jobs and economic development law (2005 Special Session: HF78/SF69*/CH1).

Friday, May 20

HF2531—Loeffler (DFL)

Local Government

Hennepin County baseball stadium unsold seat payment requirement imposed.

HF2532—Davids (R)

Regulated Industries

Renewable energy provisions modified.

HF2533—Hausman (DFL)

Agriculture, Environment & Natural Resources Finance

State museum of natural history funding provided at the St. Paul campus of the University of Minnesota, bonds issued and money appropriated.

HF2534—Koenen (DFL)

Transportation

Recreational vehicle combination maximum allowable length increased to 65 feet.

HF2535—Koenen (DFL)

Taxes

Attorney fees, costs and disbursements awarded to prevailing appellant in a special assessment matter.

HF2536—Nelson, P. (R)

Transportation

Driver training; schools that charge a fee for driver training defined as commercial driving schools and certified high school driver training instructor prohibited from instructing non-students.

HF2537—McNamara (R)

Transportation Finance

Red Rock corridor transit way between Hastings and Minneapolis via St. Paul funding provided, bonds issued and money appropriated.

HF2538—McNamara (R)

Jobs & Economic Opportunity Policy & Finance

Hastings; river flats interpretive facility funding provided, bonds issued and money appropriated.

HF2539—Sailer (DFL)

Public Safety Policy & Finance

Gonvick emergency training administration center funding provided, bonds issued and money appropriated.

HF2540—Kohls (R)

Commerce & Financial Institutions

Title insurance definition provided.

HF2541—Penas (R)

Environment & Natural Resources

All-terrain vehicle regulations modified.

HF2542—Holberg (R)

Rules & Legislative Administration

Transportation, Metropolitan Council and public safety funding provided, bonds issued, money appropriated and constitutional amendment proposed.

HF2543—Magnus (R)

Rules & Legislative Administration

Gasoline and special fuels tax increase provided and constitutional amendment proposed.

Saturday, May 21

HF2544—Blaine (R)

Governmental Operations & Veterans Affairs

Current and past retirement coverage for certain St. Cloud correctional facility employee clarified.

HF2545—Wagenius (DFL)

Environment and Natural Resources

Sales and use tax increase by 0.25 percent authorized, proceeds dedicated to natural resource and clean water purposes and constitutional amendment proposed.

HF2546—Larson (DFL)

Governmental Operations & Veterans Affairs

Independent School District No. 271, Bloomington, service credit purchase for general employees authorized.

HF2547—Anderson, I. (DFL)

Governmental Operations & Veterans Affairs

Legislative adjournment deadline removed, number of legislative days modified and constitutional amendment proposed.

HF2548—Urdahl (R)

Taxes

Reduced property tax rate for certain land bordering public waters authorized.

HF2549—Mahoney (DFL)

Local Government

Political subdivision job evaluation training requirements modified.

HF2550—Erhardt (R)

Transportation

Revisor of Statutes directed to change term "tax" to "fee" in Minnesota Statutes where it refers to vehicle registration tax or motor fuels tax.

HF2551—Demmer (R)

Public Safety Policy & Finance

Rochester; regional public safety training center bonds issued and money appropriated.

Monday, May 23

HF2552—Tingelstad (R)

Governmental Operations & Veterans Affairs

Commuter rail lines planning, construction and operation provided.

HF2553—Thissen (DFL)

Local Government

Metropolitan Airports Commission included in the oversight responsibilities of the Legislative Commission on Metropolitan Government.

HF2554—Wilkin (R)

Commerce & Financial Institutions

Identity theft; consumer credit report information blocking procedure provided.

HF2555—Wilkin (R)

Commerce & Financial Institutions

Credit card offers and solicitations regulated and address corrections required.

HF2556—Wardlow (R)

Jobs & Economic Opportunity Policy & Finance

Dakota County affordable assisted living housing construction funding provided, bonds issued and money appropriated.

HF2557—Cybart (R)

Agriculture, Environment & Natural Resources Finance

Dakota County; Empire Wetlands Wildlife Area land acquisition funding provided, bonds issued and money appropriated.

HF2558—Powell (R)

Public Safety Policy & Finance

Dakota County; public safety support center funding provided, bonds issued and money appropriated.

HF2559—Cybart (R)

Transportation Finance

Dakota County; Cedar Avenue transit way funding provided, bonds issued and money appropriated.

HF2560—McNamara (R)

Jobs & Economic Opportunity Policy & Finance

Dakota County; contaminated site development funding provided for purposes of green space and affordable housing, bonds issued and money appropriated.

HF2561—Atkins (DFL)

Transportation Finance

Metropolitan Council regional travel demand study provided relating to Dakota and Washington counties, bonds issued and money appropriated.

HF2562—Ozment (R)

Agriculture, Environment & Natural Resources Finance

Goodhue and Dakota counties; Byllesby Dams safety improvements funding provided, bonds issued and money appropriated.

Special Session Bills

Thursday, May 26

SSH1—Buesgens (R)

Rules & Legislative Administration

Lottery gaming machines provided at racetrack, taxes imposed and blackjack and other card games authorized.

SSHF2—Sykora (R)**Rules & Legislative Administration**

Early childhood, adult, family and K-12 education funding provided and money appropriated.

SSHF3—Bradley (R)**Rules & Legislative Administration**

Omnibus health and human services bill.

SSHF4—Holberg (R)**Rules & Legislative Administration**

Motor vehicle sales tax proceeds dedicated to transportation and constitutional amendment proposed.

SSHF5—Ozment (R)**Rules & Legislative Administration**

Omnibus agricultural finance bill.

SSHF6—Ozment (R)**Rules & Legislative Administration**

Omnibus environment and natural resources finance bill.

SSHF7—Gunther (R)**Rules & Legislative Administration**

Omnibus jobs and economic development bill.

SSHF8—Severson (R)**Rules & Legislative Administration**

Marriage redefinition as union of only one man and one woman question placed on 2006 general election ballot and constitutional amendment proposed.

SSHF9—Olson (R)**Rules & Legislative Administration**

Annexations affecting precinct boundaries procedures modified.

SSHF10—Ozment (R)**Rules & Legislative Administration**

Heritage enhancement fund established, sales tax increased and portion dedicated to natural resource purposes, clean water fund established, councils created and constitutional amendment proposed.

SSHF11—Ozment (R)**Rules & Legislative Administration**

Clean Water Legacy Act adopted, money appropriated and constitutional amendment proposed.

SSHF12—Howes (R)**Rules & Legislative Administration**

Marriage recognized only between one man and one woman and constitutional amendment proposed.

SSHF13—Buesgens (R)**Rules & Legislative Administration**

General education access grants for students authorized.

SSHF14—Erhardt (R)**Rules & Legislative Administration**

Revisor directed to change term “tax” to “fee” in statutes where references to vehicle registration tax or motor fuels tax occur.

SSHF15—Latz (DFL)**Rules & Legislative Administration**

High-occupancy vehicle lanes usage expanded.

Friday, May 27**SSHF16—Hansen (DFL)****Rules & Legislative Administration**

Minnesota State Retirement System disability benefits application authorized.

SSHF17—Eken (DFL)**Rules & Legislative Administration**

Revisor instruction to change “tax” to “fee” in references to state or local taxes.

SSHF18—Atkins (DFL)**Rules & Legislative Administration**

Commercial electronic mail messages regulated.

SSHF19—Westerberg (R)**Rules & Legislative Administration**

Lottery gaming machines and non-lottery games authorized at a racetrack facility, fees imposed and money appropriated.

SSHF20—Westerberg (R)**Rules & Legislative Administration**

Football stadium agreement requirements provided.

SSHF21—Westerberg (R)**Rules & Legislative Administration**

Anoka County football stadium financing provided, stadium authority established and county taxes authorized.

SSHF22—Cox (R)**Rules & Legislative Administration**

Waste electronic products recovery and recycling provided and money appropriated.

SSHF23—Hilty (DFL)**Rules & Legislative Administration**

State salary supplements funding provided and money appropriated.

SSHF24—Carlson (DFL)**Rules & Legislative Administration**

Education basic formula allowance increased.

SSHF25—Carlson (DFL)**Rules & Legislative Administration**

Voluntary full-day kindergarten authorized and money appropriated.

SSHF26—Johnson, R. (DFL)**Rules & Legislative Administration**

Independent School District No. 508, St. Peter, authorized to use health and safety revenue for an energy recovery system.

SSHF27—Ellison (DFL)**Rules & Legislative Administration**

A House resolution memorializing the governor to proclaim June 9, 2005, as National Black Philanthropy Day.

Friday, June 3**SSHF28—Emmer (R)****Rules & Legislative Administration**

Campaign disclosure requirements modified, independent campaign expenditures by political party units limited, electioneering communications regulated, certain government contributions prohibited and work group established.

SSHF29—Emmer (R)**Rules & Legislative Administration**

Campaign finance regulated, annual notice of state employee's right to reduce union dues required, union accounting procedures modified and certain government contributions prohibited.

SSHF30—Latz (DFL)**Rules & Legislative Administration**

St. Louis Park police officer killed on active duty in Iraq spousal survivor benefits provided.

SSHF31—Eken (DFL)**Rules & Legislative Administration**

Long-term care provider inflation adjustments provided and income tax provisions modified.

SSHF32—Westerberg (R)**Rules & Legislative Administration**

Lottery gaming machine operation at gaming facility authorized, facility license regulations established, gaming transaction fee imposed and money appropriated.

SSHF33—Cox (R)**Rules & Legislative Administration**

Resident tuition regulated.

SSHF34—Slawik (DFL)**Rules & Legislative Administration**

Child-care assistance income eligibility provisions modified, provider rate differential established for accreditation, license fees temporarily suspended and parent fee schedule modified.

SSHF35—Peterson, A. (DFL)**Rules & Legislative Administration**

Renewable energy standard requirements for utilities established.

SSHF36—Blaine (R)**Rules & Legislative Administration**

Purple Heart Memorial Highway designated.

SSHF37—Greiling (DFL)**Rules & Legislative Administration**

Child-care assistance; early childhood family, community, adult basic and special education funding increased; child-care fees reduced and suspended; temporary income tax surtax imposed; grants provided and money appropriated.

SSHF38—Zellers (R)**Rules & Legislative Administration**

Maple Grove hospital construction authorized.

SSHF39—Zellers (R)**Rules & Legislative Administration**

Hospital construction moratorium exception provided.

SSHF40—Hansen (DFL)**Rules & Legislative Administration**

Farmland and natural areas fund created, cigarette fee imposed, council created and money appropriated.

SSHF41—Huntley (DFL)**Rules & Legislative Administration**

MinnesotaCare limited benefit set eliminated, alternative cost recovery and lien provisions repealed, fees reduced, state health plans authorized, health care cost containment fee on cigarette distributors imposed and money appropriated.

SSHF42—Rukavina (DFL)**Rules & Legislative Administration**

Income tax bracket added, cigarette tax increased, tax revenue dedication modified and floor stocks tax imposed.

SSHF43—Rukavina (DFL)**Rules & Legislative Administration**

Biomass sale contracting by county boards authorized.

SSHF44—Smith (R)**Rules & Legislative Administration**

Retirement and pension provisions modified and money appropriated.

Tuesday, June 7**SSHF45—Kahn (DFL)****Rules & Legislative Administration**

Political subdivisions pay equity reporting requirements modified.

SSHF46—Kahn (DFL)**Rules & Legislative Administration**

Referendum provided on specified spending issues and constitutional amendment proposed.

SSHF47—Kahn (DFL)**Rules & Legislative Administration**

Casino; state lottery authorized to lease and operate a casino at the Minneapolis-St. Paul International Airport and money appropriated.

SSHF48—Vandever (R)**Rules & Legislative Administration**

Education income tax credit modified.

SSHF49—Vandever (R)**Rules & Legislative Administration**

Alternative minimum tax for individuals and corporations abolished.

SSHF50—Vandever (R)**Rules & Legislative Administration**

County assessment responsibilities required to be made by resolution with super majority vote.

SSHF51—Vandever (R)**Rules & Legislative Administration**

I-35E interchanges construction funding provided, bonds issued and money appropriated.

SSHF52—Vandever (R)**Rules & Legislative Administration**

Welfare and health care benefits one-year residency requirement imposed and constitutional amendment proposed.

SSHF53—Meslow (R)**Rules & Legislative Administration**

Revisor's bill correcting miscellaneous oversights, inconsistencies and technical errors.

SSHF54—Lenczewski (DFL)**Rules & Legislative Administration**

Cigarette cost mitigation fee imposed and funds transfer provided.

SSHF55—Lenczewski (DFL)**Rules & Legislative Administration**

Cigarette tax increased, revenue dedicated and floor stocks tax imposed.

SSHF56—Peterson, S. (DFL)**Rules & Legislative Administration**

High-occupancy vehicle lanes regulated.

SSHF57—Kahn (DFL)**Rules & Legislative Administration**

Minnesota Twins community ownership process provided.

Thursday, June 9**SSHF58—Seifert (R)****Rules & Legislative Administration**

Political contributions and solicitations prohibited during special legislative sessions.

SSHF59—Juhnke (DFL)**Rules & Legislative Administration**

High-occupancy vehicle lane usage authorized without toll in off-peak hours.

SSHF60—Kahn (DFL)**Rules & Legislative Administration**

Poet laureate appointment provided.

SSHF61—Slawik (DFL)**Rules & Legislative Administration**

Early education program funding increased and money appropriated.

SSHF62—Finstad (R)**Rules & Legislative Administration**

Major league baseball ballpark financing and construction provided, Minnesota Ballpark Authority established, community ownership option provided and Hennepin county sales tax authorized.

SSHF63—Seifert (R)**Rules & Legislative Administration**

Stop Special Session Act of 2005 adopted modifying the definition of fiscal year to begin on May 21.

SSHF64—Solberg (DFL)**Rules & Legislative Administration**

Public Employees Retirement Association repayment of a refund authorized.

SSHF65—Lieder (DFL)**Rules & Legislative Administration**

County state-aid highway funds distribution modified, passenger automobile tax rates and depreciation schedule modified, motor fuel taxes increased, motor vehicle sales tax dedicated, highway bonds issued and money appropriated.

SSHF66—Mahoney (DFL)**Rules & Legislative Administration**

University of Minnesota football stadium construction provided, bonds issued and money appropriated.

SSHF67—Krinkie (R)**Rules & Legislative Administration**

Professional sports facilities state policy provided, major league baseball stadium financing and construction provided, Minnesota Ballpark Authority established, Hennepin County sales tax authorized and revenue dedicated to public bodies.

SSHF68—Marquart (DFL)**Rules & Legislative Administration**

City local government aid formula modified.

SSHF69—Lenczewski (DFL)**Rules & Legislative Administration**

Cigarette health impact fee imposed, health impact special fund established and floor stocks fee provided.

Monday, June 13**SSHF70—Smith (R)****Rules & Legislative Administration**

Family law provisions modified requiring notification when custodial parent resides with certain convicted persons; and modifying paternity presumptions, child custody and adoption provisions and marital property judgments.

SSHF71—Holberg (R)**Rules & Legislative Administration**

Transportation, public safety and public transit funding provided; motor vehicle and dealers records and fees provisions modified and money appropriated.

SSHF72—Brod (R)**Rules & Legislative Administration**

Electronic voting system certification deadline suspended.

SSHF73—Anderson, B. (R)**Rules & Legislative Administration**

I-94 designated as 88th Infantry (Blue Devils) Division Highway.

SSHF74—Anderson, B. (R)**Rules & Legislative Administration**

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

SSHF75—Erhardt (R)**Rules & Legislative Administration**

Transportation policy provisions modified.

SSHF76—Latz (DFL)**Rules & Legislative Administration**

Large employer fair share health care fund established, payments required, assets regulated, rule-making authorized and penalties provided.

Thursday, June 16**SSHF77—Hackbarth (R)****Rules & Legislative Administration**

Heritage enhancement fund and council established, portion of sales tax dedicated for game and fish purposes and constitutional amendment proposed.

SSHF78—Tingelstad (R)**Rules & Legislative Administration**

Minnesota future resources fund established and cigarette fee imposed to fund natural resources acceleration.

SSHF79—Erhardt (R)**Rules & Legislative Administration**

County transportation funding provisions modified, automobile taxes modified, motor fuel taxes increased, highway bonds issued, previous constitutional amendment proposal modified and money appropriated.

SSHF80—Kahn (DFL)**Rules & Legislative Administration**

Minnesota Twins community ownership process provided.

SSHF81—Dean (R)**Rules & Legislative Administration**

Human services licensing and background studies, and state-operated services data and records provisions modified; abuse prevention plans expanded; and family childcare and childcare center provisions modified.

SSHF82—Poppe (DFL)**Rules & Legislative Administration**

Childcare licensure provided as an employer care cooperative program.

SSHF83—Hansen (DFL)**Rules & Legislative Administration**

Legislative auditor authorized to retain certain audit fees.

SSHF84—Davnie (DFL)**Rules & Legislative Administration**

Educational expectations established, excellence rewarded and money appropriated.

SSHF85—Larson (DFL)**Rules & Legislative Administration**

Metropolitan Airports Commission meetings prohibited from being held within an airport security screening perimeter.

SSHF86—Urdahl (R)**Rules & Legislative Administration**

Trout stream naming rights auctions authorized.

SSHF87—Ozment (R)**Rules & Legislative Administration**

State park and recreation area operations funding provided and money appropriated.

Monday, June 20
SSHF88—Anderson, B. (R)**Rules & Legislative Administration**

Special motorcycle license plates authorized for veterans of the Global War on Terrorism.

SSHF89—Johnson, R. (DFL)**Rules & Legislative Administration**

Charter school finance study on the effect of property tax payments required.

SSHF90—Johnson, S. (DFL)**Rules & Legislative Administration**

St. Paul; Bruce Vento Nature Sanctuary interpretive center construction funding provided, bonds issued and money appropriated.

SSHF91—Vanderveer (R)**Rules & Legislative Administration**

Interstate 35 and County State Aid Highway 23 interchange construction funding provided, bonds issued and money appropriated.

SSHF92—Abrams (R)**Rules & Legislative Administration**

University of Minnesota football stadium state support process provided and money appropriated.

SSHF93—Solberg (DFL)**Rules & Legislative Administration**

State government budget balance structure provided; education, environment, agriculture, economic development, transportation, and health and human services funding provided; fees limited and fixed; and money appropriated.

SSHF94—Lenczewski (DFL)**Rules & Legislative Administration**

Income tax provisions modified; federal conformity provided; state contracts with certain vendors prohibited; cigarette, liquor and vehicle taxes provided; other tax provisions modified; and money appropriated.

SSHF95—Seifert (R)**Rules & Legislative Administration**

Term limits provided for legislators and constitutional amendment proposed.

Thursday, June 23
SSHF96—Dean (R)**Rules & Legislative Administration**

Bus rapid transit system study required in the transportation corridor between Stillwater and St. Paul through Woodbury, conducted by the Transportation Department and the Metropolitan Council.

SSHF97—Sykora (R)**Rules & Legislative Administration**

School tuition organization contribution income tax credit authorized.

SSHF98—Sykora (R)**Rules & Legislative Administration**

A House resolution memorializing the United States secretary of state to refer the Devils Lake outlet to the International Joint Commission.

Monday, June 27
SSHF99—Carlson (DFL)**Rules & Legislative Administration**

State government temporary continued operation funding provided and money appropriated.

SSHF100—DeLaForest (R)**Rules & Legislative Administration**

Unrepresented and managerial state employees governing plans amendments ratified.

SSHF101—Larson (DFL)**Rules & Legislative Administration**

Motor fuel taxes increased, percentage of motor vehicle sales tax dedicated to transportation adjusted and money appropriated.

SSHF102—Larson (DFL)**Rules & Legislative Administration**

Motor vehicle sales tax percentages dedicated to transportation adjusted and state road construction appropriations reduced.

SSHF103—Westrom (R)**Rules & Legislative Administration**

Police and fire fund pension eligibility for survivor benefits extended to include pension fund members in active military service.

Tuesday, June 28
SSHF104—Mullery (DFL)**Rules & Legislative Administration**

Foreign operating corporation definition modified relating to corporate franchise tax.

SSHF105—Dean (R)**Rules & Legislative Administration**

Legislator salary or per diem compensation payments prohibited during periods of government shutdown.

SSHF106—Holberg (R)**Rules & Legislative Administration**

Transportation, Metropolitan Council and public safety funding provided and money appropriated.

SSHF107—Olson (R)**Rules & Legislative Administration**

State government financing, operation and taxation provisions modified and money appropriated.

Wednesday, June 29
SSHF108—Hoppe (R)**Rules & Legislative Administration**

Minneapolis additional deputy registrar of motor vehicle and driver's license agent authorized and Carver County auditor appointed as a deputy motor vehicle registrar and driver's license agent.

SSHF109—Thissen (DFL)**Rules & Legislative Administration**

Limited driver's license authorized for persons under suspension for unpaid judgment arising from motor vehicle operation.

SSHF110—Hornstein (DFL)**Rules & Legislative Administration**

Metropolitan area sales tax imposed for infrastructure debt service and transit operations.

SSHF111—Knoblach (R)**Rules & Legislative Administration**

State government transitional financing provided through July 6, 2005, under certain circumstances.

SSHF112—Knoblach (R)**Rules & Legislative Administration**

State government temporary operation funding provided and money appropriated.

SSHF113—Lenczewski (DFL)**Rules & Legislative Administration**

Income tax marriage penalty relief federal conformity provided and top income tax rate temporarily increased.

SSHF114—Paulsen (R)**Rules & Legislative Administration**

State governmental operations funding provided for early childhood and K-12 education; agriculture, environment and natural resources; health and human services; and transportation; tax provisions modified and money appropriated.

Thursday, June 30

SSHF115—Peppin (R)
Rules & Legislative Administration
Gasoline sales below cost regulated.

SSHF116—Hackbarth (R)
Rules & Legislative Administration
Game and fish preservation fund established, sales tax portion dedicated to natural resources purposes and constitutional amendment proposed.

SSHF117—Davids (R)
Rules & Legislative Administration
Eminent domain use restricted.

SSHF118—Thissen (DFL)
Rules & Legislative Administration
Eminent domain compensation provided for loss of going concern.

SSHF119—Erhardt (R)
Rules & Legislative Administration
Transportation, Metropolitan Council and public safety funding provided; motor fuel tax increased; trunk highway bonds issued; other vehicle and traffic provisions modified; and money appropriated.

Friday, July 1

SSHF120—Kahn (DFL)
Rules & Legislative Administration
Minnesota Conservation Heritage Council established, funding provided for natural resources land acquisition, cigarette fee imposed and constitutional amendment proposed.

SSHF121—Nelson, P. (R)
Rules & Legislative Administration
Legislator compensation payments prohibited during a period of government shutdown.

SSHF122—Hortman (DFL)
Rules & Legislative Administration
Highway user debt service fee imposed on gasoline and special fuel, sales tax imposed for metropolitan transit purposes, trunk highway bonds issued and money appropriated.

SSHF123—Smith (R)
Rules & Legislative Administration
Eminent domain acquisition prohibited for private economic development purposes.

SSHF124—Cox (R)
Rules & Legislative Administration
Tobacco use health impact fee and floor stocks fee imposed and health impact fund established.

SSHF125—Buesgens (R)
Rules & Legislative Administration
Lottery gaming machines provided, taxes imposed, blackjack and other card games authorized, Clean Water Legacy Act established, other tax and retirement provisions modified, salary supplements provided and money appropriated.

Saturday, July 2

SSHF126—Sertich (DFL)
Rules & Legislative Administration
State government temporary continued operation funding provided and money appropriated.

Thursday, July 7

SSHF127—Erickson (R)
Rules & Legislative Administration
Maple Grove hospital construction moratorium exception provided.

SSHF128—Sertich (DFL)
Rules & Legislative Administration
State government continued temporary operation funding provided and money appropriated.

SSHF129—Erhardt (R)
Rules & Legislative Administration
Individual income tax liability surcharge imposed.

SSHF130—Bernardy (DFL)
Rules & Legislative Administration
School district transition revenue formula modified.

Friday, July 8

SSHF131—Bernardy (DFL)
Rules & Legislative Administration
Education supplemental compensatory revenue calculation provided.

Wednesday, July 13

SSHF132—Johnson, J. (R)
Rules & Legislative Administration
Eminent domain land acquisition prohibited in certain circumstances.

SSHF133—Davids (R)
Rules & Legislative Administration
Legislative appropriations continued in effect until amended or eliminated by law.

SSHF134—Emmer (R)
Rules & Legislative Administration
Wagering losses income tax deduction disallowed.

SSHF135—Kahn (DFL)
Rules & Legislative Administration
Legislative appropriations continued in effect until amended or eliminated by law.

SSHF136—Vandevor (R)
Rules & Legislative Administration
Local government requirements for use of certain nonconforming lots limited.

SSHF137—Eastlund (R)
Rules & Legislative Administration
Nonpartisan legislative offices provided and state elections campaign fund allocation modified.

SSHF138—Abrams (R)
Omnibus tax bill, including income, sales and use, property, fuel, tobacco, liquor, corporate franchise, health care revenue and insurance tax modifications; and appropriating money.

SSHF139—Bradley (R)
Omnibus health and human services bill providing policy and funding, establishing the tobacco health impact fee; and appropriating money.

SSHF140—Holberg (R)
Omnibus transportation funding bill, including highway funding, Metropolitan Council, public transit, public safety and related motor vehicle provisions modifications; and appropriating money.

SSHF141—Sykora (R)
Omnibus K-12 and early childhood education appropriations bill, including general education, facilities and related provisions modifications; and appropriating money.

Frequently called numbers

(Area code 651)

Information Services, House Public
175 State Office Building 296-2146
Chief Clerk of the House
211 Capitol 296-2314
Index, House
211 Capitol 296-6646

TTY, House 296-9896
Toll free 1-800-657-3550
Information, Senate
231 Capitol 296-0504
TTY, Senate 296-0250
Toll free 1-888-234-1112

Secretary of the Senate
231 Capitol 296-2344
Voice mail/order bills 296-2343
Index, Senate
110 Capitol 296-5560

Reaction continued from page 12

Fourth of July and celebrate the freedom for our government to have dialogue and disagree and get the best deal we can.”

Rep. Tim Wilkin (R-Eagan) suggested that although no one wanted a shutdown, if one had to occur, it happened at the most opportune time. “People have other things on their agendas right now: vacations, trips, summertime.”

When people contacted Wilkin, he explained what each side was offering in their initial proposals, which illustrated just how far apart the parties were in terms of money.

“That’s worth a thousand words,” Wilkin said.

Perhaps one of the reasons there was not more contact from voters is because not only were essential services kept operational, but once people did voice their concerns about specific issues, they were acted upon.

“The calls really started coming in when the state parks were going to close,” Girvan said. The parks ended up staying open.

Once the shutdown occurred, calls came in from people who needed a permit from the Transportation Department to move heavy equipment, Girvan said. As a result, those services were reclassified as essential and people could get the permits.



PHOTO BY TOM OLMSCHIED

House Minority Leader Matt Entenza reacts to Gov. Tim Pawlenty's June 30 announcement that there will be a partial government shutdown after legislative leaders failed to reach a budget compromise.

If voters are truly unhappy with their legislators' performances, it should be evident in next year's elections.

“It will be a campaign issue. That’s one of the reasons we are where we are. We are so ideologically tied down,” Ellison said. “There will be repercussions at the voting booth next year.”

Other legislators, including Murphy, say it’s too early to speculate on how the shutdown will impact elections. If the shutdown results in better legislation, there won’t be a lasting negative affect, she said.

“If we negotiate long enough to make the right decisions that don’t affect property taxes so much, it will be fine because people will be smiling when school starts again in the fall,” Murphy said. “People are supportive of good decisions.”

Howes said the shutdown might be an issue for incumbents next year, depending on what happens between now and then.

“A year from now, if the economy is rolling along, and I think it will be, this will just be part of history,” he said.

One year can be a long time in politics and voters may forget about the shutdown as new issues take their place. “It’s hard to say what will happen in an election that’s 15 months away,” Wilkin said. “We don’t know what other issue might eclipse this.”

Hogs, Frogs & Jobs continued from page 33

- increases cross country ski pass fees and watercraft license fees, among others ; and
- specifies that boat trailers could be subject to seizure and forfeiture by the department because of a DWI arrest.

Under the new law, the Pollution Control Agency and Office of Environmental Assistance are merged into one department. The new entity will be known as the Department of Environmental Protection.

The new law allocates \$268.04 million to the department for land, water, and air monitoring, regulation enforcement, environmental education and recycling efforts.

A number of environmental projects are funded through a \$33.56 million appropriation for projects approved by the Legislative Commission on Minnesota Resources (LCMR). An advisory task force will be formed to examine the current process for recommending expenditures from the Environment and Natural Resources Trust Fund, a duty currently assigned to the LCMR.

Pawlenty vetoed just over \$4 million in LCMR-approved projects as well as the commission’s operational funding for fiscal year 2007.

Smaller biennial budget amounts in the new law include \$34.05 million for the Minnesota Zoological Board, \$31.79 million for the Board of Water and Soil Resources and \$15.74 million to the Metropolitan Council for regional parks.

The Minnesota Conservation Corps would receive \$1.68 million and the Science Museum of Minnesota appropriation would be set at \$1.5 million.

Jobs and housing

The jobs and economic development portion of the new law forwards \$382.24 million in overall spending, after all line-item vetoes are calculated.

Policy provisions will adjust certain license and inspection fees, including marriage licenses, and create a commission to plan the celebration for Minnesota’s 150th anniversary of statehood.

The larger agency appropriations include:

- \$120.72 million for the Department of Employment and Economic Development for business and community development and workforce services, among other activities;
- \$70.47 million for the Minnesota Housing Finance Agency, including \$4 million for

an initiative to end homelessness;

- \$46.45 million to the Minnesota Historical Society, including an allocation for historical site operations and \$120,000 to offset the revenue loss for not charging fees for State Capitol tours;
- \$45.84 million to the Department of Labor and Industry, including \$20.74 million for the workers compensation division;
- \$44.13 million for the Department of Commerce; and
- \$18.4 million to Explore Minnesota tourism.

The governor’s veto pen slashed \$1 million to provide training to American Indians on personal financial management and to become small businesspersons, \$366,000 for a learn-to-earn summer youth employment grant and \$125,000 for cold hardy grape research, among other programs.

“The vetoed appropriations ... either do not support our highest priority core economic development and job training programs or duplicate the efforts of existing economic development programs, or are programs that receive funding from other sources,” he wrote in his veto message.

Health & Human continued from page 34

Teen Challenge, which Bradley called "the most effective treatment program in Minnesota," will receive \$1.8 million, the amount originally proposed by the House.

Dentists and rural pharmacists will be added to the health professional loan forgiveness program.

A 5 percent reduction in hospital rates should save \$58 million, and the elimination of suicide prevention grants should result in savings of nearly \$2 million.

At no cost

The working group approved some items without designating any accompanying money, including a requirement to collect residency information on applicants of certain

human services programs and nursing facility rate changes for long term care facilities located in Renville, Otter Tail, Anoka and Aitkin counties.

A Senate discharge plan for offenders with serious and persistent mental illness was not funded, nor was a collaborative services study between schools and mental health providers.

A compulsive gambling grant program was established, but the money will come from lottery funds.

Several proposals by both sides were dropped during negotiations as the parties focused their efforts, and money, on other priorities. The House had sought a study by the human services commissioner on access to dental services by people with disabilities. In return, the Senate wanted a study on childhood obesity. Neither was included in the law.

Other House proposals that were dropped include requiring the human services commissioner to report to the Legislature on criteria and rate negotiations for nursing facilities that provide specialized care, and to develop a report on health care financing and a proposed report on the number of applicants to specified programs who had not lived in Minnesota for the previous 12 months.

Senate proposals that didn't make the final cut include modifying the definition of gross individual or gross family income for self-employed farmers under the MinnesotaCare program and modifying the MinnesotaCare option for small employers.

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Taxes continued from page 35

2006 and 2007, the increase in value is limited to 15 percent or 25 percent of the difference between the current value and the previous year's limited value. The last year that limited market value will be available is in the assessment year 2008 for taxes payable in 2009.

Also under the new law, owners of property that has been contaminated by mold or lead could see a property tax reduction to help with mitigation costs.

Homeowners will be allowed a one-year val-

uation reduction equal to the cost of repairing damage due to mold contamination. The cost of repairing the damage must be at least \$20,000 to qualify for the valuation reduction.


If a city has authorized a valuation reduction in property because of lead contamination, the owner may receive a one-year valuation reduction equal to the cost of mitigating the lead hazards. This would apply only to projects with at least \$3,000 in costs beginning after July 1, 2005 and completed before July 1, 2010.

While more restrictive than before, the new law also reinstitutes class 4d property for

qualifying low-income rental housing.

Money for municipalities

The state will be distributing about \$48 million in local government aid to cities.

The new law also provides an additional \$6 per capital to cities with a population of less than 5,000. When a city reaches the 5,000-population threshold, that aid would be eliminated and the city would then begin to receive a portion of municipal street aid instead. 

Transportation continued from page 36

medal and bear certain inscriptions. Medal of Honor recipients and former prisoners of war will also be able to receive special plates with designated markings.


Firefighters will be able to receive special license plates for motorcycles that indicate they

are firefighters. Previously, the special plates were only available for cars and trucks.

The law also changes the names of a highway and a bridge to honor certain veterans.

A portion of Trunk Highway 371 from Little Falls to Cass Lake, except for the Brainerd bypass, will be designated the "Purple Heart Memorial Highway." The bridge over the St.

Louis River that is marked Trunk Highway 23 will be named the "Biauswah Bridge in Honor of Native American Veterans."

The transportation commissioner is charged with adopting suitable highway markings and signs to mark the highway and bridge. 

Offices continued from page 42

near Pine City.


"I think you feel at home in your office when you decorate it," said Soderstrom.

A warm-colored quilt with farm scenes dominates the office of Rep. Mary Ellen

Otremba (DFL-Long Prairie) to reflect her rural district.

Still others have more unique things that reflect who they are or were.

An archeological dig in the office of Rep. Gene Pelowski, Jr. (DFL-Winona), a history

teacher, would reveal many interesting artifacts. There's an inflatable sarcophagus, lots of memorabilia from his golf pro days and several license plates with college insignias that resulted from a law he sponsored in the 1990s. 

To our readers:

With this issue, we put to bed *Session Weekly* for another year. And when the Legislature reconvenes on Wednesday, March 1, 2006, we look forward to again providing nonpartisan information about the legislative process in this award-winning weekly publication.

If you are not a subscriber to *Session Weekly*, you can do so by calling us at (651) 296-2146 or by going online to <http://www.house.leg.state.mn.us/hinfo/subscribesw.asp>.

If you are a subscriber and have not filled out our readership survey, which was printed in the May 20 *Session Weekly*, you may do so by going to www.house.leg.state.mn.us/survey/session-weekly84.asp.

Don't forget to visit the House of Representatives booth during the Minnesota State Fair Aug. 25-Sept. 5. It is located in the Education Building on Cosgrove Street just north of Dan Patch

Avenue. Besides visiting with lawmakers, fair-goers can let their opinions be known on a number of state issues by taking the annual House of Representatives State Fair Poll.

If you have any questions about *Session Weekly*, or suggestions for improving our coverage, please call us at (651) 296-0337.

Until next year,
Session Weekly staff

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Unofficial list as of 2/10/05

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ST. PAUL, MN 55155-1298

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MAJORITY LEADER: ERIK PAULSEN
MINORITY LEADER: MATT ENTENZA

MINNESOTA INDEX

2005 regular, special sessions

Number of special sessions since 1993	11
Years since 1993 without a special session	4
Calendar days used in 2005 special session	51
Number of legislative days	23
Days of partial state government shutdown	8
Number of House bills introduced in special session	141
Senate bills	107
Number passed	8
Number signed by Gov. Tim Pawlenty, as of July 20	6
Number of omnibus fiscal bills signed into law	5
Number of bills line-item vetoed in the special session	1
Pages in the longest finance law (health and human services) approved in special session	448
House Journal pages in the special session	326
Pages on last day	196
Time of special session House adjournment on July 13	10:29 p.m.
Approximate minutes later that the Senate adjourned	15
Time that global agreement between legislative leaders said all bills must be passed by on July 13	8 p.m.
Number of legislative days in the 2005 regular session	66
Maximum number of legislative days permitted in a biennium	120
Number of House bills introduced in the regular session	2,562
In 2003	1,658
In 2001	2,565
Number of Senate bills introduced in the regular session	2,340
In 2003	1,568
In 2001	2,407
Number of 2005 regular session bills signed into law	164
Number of bills in the regular session vetoed by the governor	5
House members paid per diem in the special session, as of July 15	44
Total paid in per diem, as of July 15	\$24,958
Days after expense occurs that members must submit claim for payment	90
Days between the end of the special session and beginning of next session on March 1, 2006	230

Sources: House Journal, House Budget and Accounting Office, House Public Information Services, Legislative Reference Library.

FOR MORE INFORMATION

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