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# SESSION Weekly

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**INSIDE: BONDING IT ALL TOGETHER, MEMBERS MAKING A MOVE, IDEAS TO BILLS, MORE**

This Week's Bill Introductions HF2563-HF3142

**STEVE SVIGGUM**  
SPEAKER



# Session Weekly

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

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### Welcome to *Session Weekly*

To our new subscribers and those who have been loyal readers of *Session Weekly* during its 23 years, welcome to the second year of the 84th session of the Minnesota Legislature.

Each week during session, we pride ourselves in bringing to you a nonpartisan look at the issues before the House. We also hope to educate you on the process, and give you a closer look at the people who will be spending a good share of their time at the State Capitol the next few months.

Several pages of the first issue of *Session Weekly* are dedicated to bill introductions. For those who are new to the magazine, you should know that our annual survey shows that bill intros are among the most read sections of the magazine — and for good reason. This is the beginning of the process of turning an idea into law. The language might be cumbersome, but these are the issues that may be talked about during session.

For instance, this week's bill introductions include one restricting the use of Social Security numbers and another mandating that legislators' and governor's compensation be forfeited if budget provisions aren't passed in a timely manner. Because it is a bonding year, many communities will find bills relating to local projects they may like to see accomplished.

If you just can't wait for the mail to bring your *Session Weekly*, it is also available Fridays online as a PDF file with links to help you learn more about the issues. If you are interested in being notified when the online version of *Session Weekly* is available, please e-mail [leeann.schutz@house.mn](mailto:leeann.schutz@house.mn) and we will add you to our update list.

We hope you find *Session Weekly* valuable. If you have comments or story ideas please call House Public Information Services at (651) 296-2146, (800) 657-3550 or (651) 296-9896 (TTY).

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**On the cover: House Speaker Steve Sviggum, center, watches as Blaine Olivero, right, a member of the Northfield Youth Choirs-Governors Choir, ceremonially gavels the House back into session March 1. Chief Clerk Al Mathiowetz, left, moves to his podium to begin the session.**

—Photo by: Tom Olmscheid

# Money wanted

## Governor offers nearly \$900 million bonding plan

By **MIKE COOK**

**I**t could be the bill that makes or breaks the 2006 session.

And it's the one that could decide if the session ends early or goes to the constitutional deadline.

"I think it would be fair to assume that when we have an agreement on the bonding bill — whenever that is — whether that's April 30 or May 10, the legislative session will be adjourned," [House Speaker Steve Sviggum](#) (R-Kenyon) said Feb. 7.

Traditionally, the second year of a biennium is focused on the bonding, or capital investment, bill for projects that are funded by selling state bonds.

However, that was not the case in the previous biennium.

A \$944.9 million measure was passed last year after members failed to agree on a proposal in 2004. Of that law, \$885.9 million was in general obligation bonds.

According to the [Department of Finance](#), "The state sells general obligation bonds into

the marketplace. The proceeds from the sale of the bonds are used to pay the cost of building the capital projects that are approved by the Legislature."

Assuming a capital investment bill is passed this year, this biennium will have more general obligation investment than any other.

[Gov. Tim Pawlenty](#) offered an \$897.2 million [capital budget](#) Jan. 17, including \$811 million in general obligation bonds. The remainder would come from user financing, trunk highway fund bonds and general funds. Sixty percent of his proposals are directed towards Greater Minnesota and 40 percent to the seven-county Twin Cities metropolitan area.

"By any but the most grotesque standards of some recent years, that's a big-size bonding bill," he said.

The \$983.6 million [bill](#) passed by the Legislature in 2002, the last traditional year a capital investment law was passed, contained \$881.1 million in general obligation funding. However, after vetoes by Gov. Jesse Ventura, the number was reduced to \$626.9 million

and \$551 million, respectively. The [2000 law](#) contained \$636.8 million overall and \$467.6 million in general obligation bonds.

Among Pawlenty's proposals are: \$270.1 million for higher education (\$142.5 million for the Minnesota State Colleges and Universities system and \$127.6 million for the University of Minnesota); \$209.3 million for environment and agriculture, including \$65.3 million for water management and pollution control; \$141 million for transportation, including \$60 million to complete funding for the Northstar commuter rail line; \$80.3 million for health and human services, including a 400-bed sex offender facility in Moose Lake; and \$70.4 million for criminal justice. View the request at <http://www.budget.state.mn.us/budget/capital/index.shtml>.

[Rep. Gene Pelowski, Jr.](#) (DFL-Winona) expressed concern that MnSCU requested \$110 million in asset preservation, for things like fixing leaky roofs or replacing outdated boilers, and the governor is requesting just \$20 million. "The governor's plan means 39 of 53 campuses will get no money," he said.

Overall, more than \$2 billion in requests were submitted from state agencies and local governments.

As the bill moves through the process, the project list and dollar amount could change.

Sviggum expects the final House bill to be similar to the governor's, while [Rep. Dan Dor-man](#) (R-Albert Lea), chair of the House Capital Investment Committee, wouldn't be surprised if it's closer to a halfway point between the final House and Senate bills. If the House and Senate bills differ in dollars or projects, a conference committee would be needed to work out any potential differences. The Senate bill is traditionally closer to the maximum permitted to stay within state guidelines, which indicate that no more than 3 percent of non-dedicated general fund revenues go toward debt repayment.

"This is to guide us and provide discipline to the process," said Finance Commissioner Peggy Ingison.

In November, the state's debt capacity indicated that a bonding bill could top out at \$965 million and still stay within guidelines. However, following the release of the economic forecast on Feb. 28, Ingison said the amount is now \$990 million.

According to Pawlenty, current fiscal year debt service payments will be \$352 million



PHOTO BY TOM OLMSCHIED

Cindy Swanson, a marine mammal trainer at Como Zoo, works with Neil, a 10-year-old polar bear, during a Feb. 6 training session. The zoo has put forth a \$10 million bonding request to make improvements. Gov. Tim Pawlenty has nothing in his proposal for Como Zoo, but \$13 million for new exhibits and facilities at the Minnesota Zoo in Apple Valley.

**First Reading continued on page 4**



PHOTO BY TOM OLSCHIED

Members of the House Capital Investment and Higher Education Finance committees listen to Matt Mescher, director of the University of Minnesota Center for Immunology, on one floor, top, as a class meets and students study on other floors of Hasselmo Hall. The committees toured facilities on the Minneapolis campus Feb. 21 to review the university's \$206.1 million bonding request.

for \$3.6 billion in outstanding bonds. Plus, another \$1 billion in previously authorized bonding has yet to be sold.

Many committees reviewed requests during the interim, and more will complete their recommendations early in the session. For example, the [House Jobs and Economic Opportunity Policy and Finance Committee](#) and the [Environment, Agriculture and Economic Development Budget Division](#) of the [Senate Finance Committee](#) heard more than 60 proposals Feb. 21-23. Each request is under consideration for the final committee bonding requests.

Dorman has requested all finance committees submit their recommendations to his committee by March 17.

"I want to try and get this thing out of here early so we get out and go home," he said. Sviggum expects the House bill to be ready sometime in late-March or early-April.

[Senate Majority Leader Dean Johnson](#) (DFL-Willmar) did not give a total number, but said at a Feb. 21 legislative forum that a good bonding bill has "geographic balance and program balance."

At the same forum, [Sen. Thomas Neuville](#) (R-Northfield) said he expects the final bill will be in the \$900 million to \$950 million range. He also expects it to pass both bodies early in session and then be in a conference committee until May so other bills can be finalized.

Sviggum said the bill would not be held up so other issues can be addressed.

Members of the respective capital investment committees have spent part of the interim touring the state from border to border. "We've seen more than 200 sites around


Minnesota looking at projects," Johnson said. Dorman said his committee, with a smaller budget, has seen around 100.

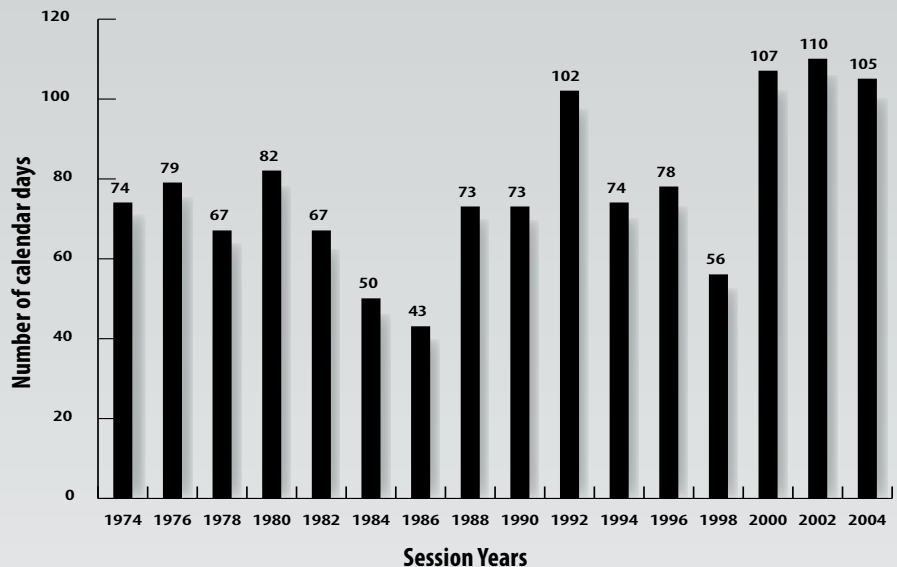
Some members say a hands-on experience is far more educational than just seeing a proposal on a sheet of paper.

"You get a feel for them," [Rep. Denny McNamara](#) (R-Hastings) said after touring the University of Minnesota's Minneapolis cam-

pus. "You don't get that in a hearing room."

In addition to seeing things he would not likely otherwise see, first-term [Rep. Neil Peterson](#) (R-Bloomington) said it was also an opportunity to learn from longer serving members. He often rode with [Reps. Phyllis Kahn](#) (DFL-Mpls) and [Alice Hausman](#) (DFL-St. Paul).

"I had the two deans, and I could just say, 'Tell me about this,'" Peterson said. 



Latest start dates: 1984-March 6, 1990-February 12, 1994-February 22.

## Why so short and so late?

Legislators will have to hit the ground running if they want to get a lot of work done in 2006 — they face one of the shortest and latest regular sessions in recent memory.

March 1 marked the latest regular-session start date for the Legislature since 1984, and only the second latest since 1973, when legislators began meeting in both years of the biennium. This session will also be the shortest in at least eight years — assuming the Legislature adjourns by its May 22 deadline.

### Odd vs. Even

Why is this year's session so short and so late? To answer that question, one must look at the differences between the first, or odd-numbered, year of a biennium, and the second, or even-numbered, year.

The most important bill passed during odd-numbered years is always the state budget. Indeed, the state cannot function unless a budget is passed — hence last July's historic eight-day partial government shutdown.

During the second year of the biennium, the focus is usually on capital investment commonly known as the omnibus bonding bill.

This year, for example, leaders of both House caucuses have expressed their desire to pass a bill that would fund nearly \$1 billion in capital investment projects. But sometimes, as in 2004, the House and Senate cannot agree on a bonding

package, and no bill is passed.

Historically, even-year sessions are significantly shorter and tend to start later than odd-year sessions. As a rule of thumb, odd-numbered sessions begin in early January and end in the second half of May, while even-numbered sessions typically begin in late January or early February and end in March or April.

The last three even-year sessions, however, have been exceptions to this rule, lasting much longer. The 2000, 2002 and 2004 sessions each lasted between 105-110 calendar days, compared to the state's even-year average of 77.5 days. In 2006, the Legislature will be able to remain in session a maximum of 83 calendar days.

Another factor appears to have influenced this year's start dates: the Feb. 28 release of the Minnesota Department of Finance's February economic forecast.

House Minority Leader Rep. Matt Entenza (DFL-St. Paul) wrote in an e-mail that legislators want to see what the budget outlook is before going to work on the bonding bill.

"It's simply more efficient to wait for the forecast than to start a month beforehand."

House Speaker Steve Sviggum (R-Kenyon) has publicly stated that he expects the Legislature to adjourn once the bonding bill is passed.

Only time will tell, however, if this year's session will be a sweet one as well as a short one.

(N. BUSSE)



**Editor's note: The following Highlights are coverage of selected bills heard in House committees held Feb. 27 - March 2.**

## CRIME

### Funeral disruptions

[Rep. Jim Abeler](#) (R-Anoka) said his city was shocked when a group of anti-gay demonstrators from Kansas made their appearance at an Anoka church during the funeral services of Cpl. Andrew Kemple, who was killed in Iraq Feb. 14.

"I never knew Andrew Kemple, but he represents all kinds of our boys. I think it's important work that you're doing today," he told the [House Governmental Operations and Veterans Affairs Committee](#) March 1.

Sponsored by [Rep. Marty Seifert](#) (R-Marshall), [HF2923](#) would make it a crime to "knowingly and willfully disrupt or attempt to disrupt" funeral and memorial services or their processions.

Approved by the committee, the bill now moves to the [House Public Safety Policy and Finance Committee](#).

The bill broadly defines "disruption" as protesting or picketing on the day of and within 300 feet of the location of the service, the procession, and the home or homes of the deceased. In addition, demonstrations within 300 feet of the homes or place of employment of the deceased's immediate family construed as intended to disrupt the surviving members' grieving process would also be criminalized. Such disruptors could be charged with a misdemeanor for a first violation and a gross misdemeanor for a repeat violation. The bill also gives members of the deceased's family the right to pursue compensation from violators.

Seifert said the bill had been filed after he heard of the Kansas group demonstrating at a military funeral in South Dakota, but prior to the Anoka demonstration.

Addressing the First Amendment concerns committee members might have about the bill, Seifert said there already exist certain situations when freedom of speech is limited.

"For example, you cannot campaign within 100 feet of a polling place on an election day, you can't scream 'Fire!' in a crowded movie theater," he said.

"My preference is that we wouldn't need a bill and that we wouldn't need a law," Seifert said. "The honorable and decent and dignified

thing is that you allow a family to mourn and not be yelling at them, whether it is a military funeral or whether it's just a funeral in general. It's certainly not something that reflects Minnesota values."

A companion bill, [SF2613](#), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), was scheduled to be heard March 2 by the [Senate Judiciary Committee](#).

## DEVELOPMENT

### New Duluth arena

It's not quite the same in size or cost of what the Minnesota Twins or Minnesota Vikings are hoping for, but to the city of Duluth it means just as much.

The House Jobs and Economic Opportunity Policy and Finance Committee listened to testimony March 2 on [HF2764](#), which would provide state funding for a new Duluth Entertainment Convention Center (DECC). The committee will consider the proposal in its bonding recommendations.

Rep. Mike Jaros (DFL-Duluth) said if the state agrees to contribute \$33.5 million of the total \$67 million cost, DECC and the University of Minnesota-Duluth would pay the remaining cost. A .75 percent increase on the food and beverage tax would also be imposed to fund the new center. Duluth voters approved the proposed increase Feb. 28.

### On the docket

#### March 6-7

No legislative business will take place because of precinct caucuses.

#### March 8

House convenes at noon.

#### March 9

House to convene at 11:30 a.m.

Joint session begins at noon to hear State of the State address by Gov. Tim Pawlenty.

After address, House to recess until 3 p.m.

For an up-to-date recorded message on committee meeting times and agendas call, (651) 296-9283 or go to [www.house.leg.state.mn.us/hinfo/hinfosched.asp](http://www.house.leg.state.mn.us/hinfo/hinfosched.asp). For general information about the Minnesota House of Representatives, call (651) 296-2146 or 1-800-657-3550, and (651) 296-9896 (TTY).

Duluth Mayor Herb W. Bergson said a new DECC would enhance the city's economic development. "We received strong support from top-to-bottom," said Bergson.

The center would facilitate hockey games, concerts, trade shows and conferences. Dan Russell, DECC executive director, said the convention center is "our economic bloodline." Bergson added that an improved convention would add to Duluth's economic vitality.

Rep. Andrew Westerberg (R-Blaine) had



PHOTO BY ANDREW VONBANK

**Larry Haws is applauded on the House floor March 1 after being introduced as the newest member of the House of Representatives. Haws won a Dec. 27 special election to replace former Rep. Joe Opatz.**

questions about naming the center and whether a sunset provision would be set for the tax hike. Bergson said the name of the center is unknown and that as other taxes expire in coming years, the proposed food and beverage tax would have less impact.

The new arena, which would be built in downtown Duluth along Lake Superior, could open as early as October 2008. It would include 6,630 seats for hockey and more than 8,200 for concerts.

A companion bill (SF2547), sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth), awaits action by the Senate Finance Committee.

## ★ EDUCATION

### Designated funding

Schools might be required to increase the percentage of their operating funds designated for classroom expenses.

[HF2874](#), sponsored by [Rep. Karen Klinzing](#) (R-Woodbury), would require school districts spend 70 percent of their operating funds on direct classroom expenses beginning in the 2006-07 school year. The initiative is also supported by Gov. Tim Pawlenty. It has no Senate companion.

A long line of school officials, parents and others testified before the [House Education Policy and Reform Committee](#) March 2. Approved 15-14 by the committee, the bill now goes to the House floor.

The bill was criticized by the school officials as part of a heavy-handed effort, originating in other states, to take operating control from local school districts, even though most are doing a good job.

However, parents who testified were more supportive of the measure, saying it brought needed accountability to the system.

Districts unable to meet the standard could, under the bill, apply to the education commissioner for a three-year waiver, and it exempts districts.

Gary Prest, superintendent of the Bloomington Public Schools, said that a November analysis by Standard and Poor's, one of the world's preeminent providers of credit ratings, found that "no minimum spending allocation is a silver bullet for raising student achievement."

He said Minnesota is already known for educational excellence. "We would ask that you don't do anything to denigrate that excellence."

Andy Chen, a Woodbury parent, supports the bill. He's frustrated that his district does not have a simpler way of accounting

for its spending. For example, his school district office gave him one number for its total spending and state officials gave him another.

Ward Eames, a Golden Valley businessman, said that issue — public transparency — is more important than Klinzing's issue.

Eames and other volunteers have drafted a simplified way for schools to do their financial statements so they are more understandable to the public. So far, about 50 Minnesota districts have tried his approach. He said that almost all of them spend more than 90 percent of their funds on direct educational expenses.

## ★ GOVERNMENT

### Eminent domain discussion

Eminent domain, quickly becoming one of the session's high profile issues, received its first official hearing on the Legislature's opening day, March 1.

[Rep. Jeff Johnson](#) (R-Plymouth), sponsor of [HF2846](#), told the House Civil Law and Elections Committee, which he chairs, that the bill is a work in progress. First introduced during the 2005 special session, Johnson's is now one of at least 10 bills on the subject that have been introduced this session. It has no companion.

Johnson said that as the bill continues through the process, he hopes the two principles will remain: it should be very difficult for governments to use the power of eminent domain for economic development (one private business to another); and that owners are given just compensation when their property is taken for a public purpose,

such as a school or roads.

Throughout the summer, the issue played to packed town hall meetings across the state held by various House committees. Wednesday's hearing was no different.

Nearly 20 testifiers, most representing local governments, spoke in opposition to the bill.

"I urge the committee to go slow on this before simply passing it on," said Jeff Jacobs, mayor of St. Louis Park. "I understand that there have been some abuses to eminent domain in the past ... but please, please don't legislate general solutions to a specific problem."

Several committee members also had concerns about the bill's language.

[Rep. Keith Ellison](#) (DFL-Mpls) proposed, and then withdrew, an amendment addressing the provision calling for governments to provide "clear and convincing evidence" in the taking of property under certain instances. "I think there are some good things about this bill, but this is simply one of the things that will grind development to a halt."

"I don't think the bill is quite there yet," said [Rep. Laura Brod](#) (R-New Prague). She would like to see the appraisal process addressed in the bill. In eminent domain cases, she said the private party is compensated for an appraisal, but it is not enough to cover the cost. "It seems a little crazy to me that a unit of government is paying \$15,000 for an appraisal, that they are only going to give the private property owner \$1,500 for that same appraisal."

With Ellison dissenting, the bill was approved by the committee and referred to the [House Public Safety Policy and Finance Committee](#) where it was scheduled to be heard March 3.

## Stepping Down

Caucus night, March 7, is the traditional beginning of the campaign season for the November general election. This year both the House and the Senate are up for election, as well as the major state offices.

### House members who have formally announced they will not be seeking re-election are:

Rep. Fran Bradley (R-Rochester)  
Rep. Jerry Dempsey (R-Red Wing)  
Rep. Barb Goodwin (DFL-Columbia Heights)  
Rep. Ruth Johnson (DFL-St. Peter)  
Rep. Scott Newman (R-Hutchinson)  
Rep. Andy Westerberg (R-Blaine)

### Eyes on senate seats:

Rep. Dan Larson (DFL-Bloomington) – has established a campaign committee.

Several House members have announced their intentions to run for a different office, while others have announced their retirement, clearing the way for new candidates to seek their seats. More announcements are expected.

Rep. Katie Sieben (DFL-Newport) – has formally announced plans to run.

### Four others are seeking party endorsement for a different office:

Attorney General:  
House Minority Leader Matt Entenza (DFL-St. Paul)  
Rep. Jeff Johnson (R-Plymouth)

Sixth Congressional District  
Rep. Jim Knoblach (R-St. Cloud)  
Rep. Phil Krinkie (R-Lino Lakes)



## ★ HEALTH

### Employee health insurance

Proposed solutions to provide better and more cost-efficient health insurance for employees across Minnesota are many. But the key question has always been which direction to go.

The [House Health Care Cost Containment Division](#) of the [House Health Policy and Finance Committee](#) held an informational hearing March 1 on several bills regarding health coverage for employees but took no action.

One bill, [HF2831](#), sponsored by committee chair [Rep. Jim Abeler](#) (R-Anoka), would make various changes to the Public Employees Insurance Program and Minnesota Employees Insurance Program including making life insurance as an offering optional for the Public Employees Insurance Program and having the Minnesota Employees Insurance Program administered by a board instead of the [Department of Employee Relations](#).

Lee F. Johansen, a negotiations specialist for Education Minnesota, proposed creating one statewide insurance pool for all school employees. Johansen said such a plan would stabilize insurance premiums and benefits for school districts and their employees. "We need a plan that is not only cost-effective but also meaningful," Johansen said.

[Reps. Duke Powell](#) (R-Burnsville) and [Mary Ellen Otremba](#) (DFL-Long Prairie) questioned such a plan. Otremba asked whether such a plan would be financially feasible for smaller schools, such as those in her district.

Another bill ([HF2832](#)), also sponsored by Abeler, would create a new health coverage reinsurance plan, which would give employers a safety net from the blow of large health insurance claims.

## ★ IMMIGRATION

### Authority cooperation

A bill to prohibit local governments from adopting ordinances that prevent their employees from cooperating with federal immigration officials received committee approval March 1.

The [House Local Government Committee](#) approved [HF2576](#) on a vote of 15-3. The bill, which has no Senate companion, was referred to the [House Civil Law and Elections Committee](#).

[Rep. Jim Knoblach](#) (R-St. Cloud), chief sponsor of the bill, said both Minneapolis and St. Paul have ordinances in place that prevent their law enforcement officers from

collecting and sharing information with the federal government on residents' immigration status.

Knoblach called the ordinances "sanctuary ordinances," and argued they are a violation of federal law. He added that his bill does not mandate that officers collect information; it merely gives them the right to do so.

Mark Cangemi, U.S. Immigration and Enforcement Agency special agent in charge, testified in support of the bill. He said immigration laws can be used as a tool to help prosecute criminals, and that federal officials are not necessarily concerned with prosecuting every immigrant who enters the country illegally.

"My interest and my marching orders, if you will, are to use this statute for criminal enforcement," Cangemi said.

Bill opponents included St. Paul Police Chief John Harrington and Minneapolis Police Chief William McManus, both of whom predicted the bill would have a "chilling effect" on immigrant communities by discouraging them from calling the police to report crime.

"When we start knocking on doors and people believe that we're going to start checking on their immigration status as a matter of course, they stop answering those doors," Harrington said.

McManus concurred, saying the effect of the bill would be to "drive immigrant communities underground."

Lonna Stevens, public policy and legislative coordinator for the Minnesota Coalition of Battered Women, called the bill a "deterrent" for victims of domestic abuse to come forward to report domestic violence. She said immigrant women often fear that informing the police would get them, their husbands or their families deported.

Some members argued that the bill had no purpose.

Responding to a comment by [Rep. Morrie Lanning](#) (R-Moorhead), who said that nothing in the bill would force police departments to change their current policies on illegal immigration, [Rep. Debra Hillstrom](#) (DFL-Brooklyn Center) asked, "Then what is the purpose of the bill?"

## ★ INSURANCE

### No-fault law

Legislators aren't sure who to blame.

During a Feb. 28 joint meeting of the [House Commerce and Financial Institutions Committee](#) and the [Senate Commerce Committee](#), members listened to testimony on no-fault auto insurance, but took no action. Lobbyists, doctors, nurses, researchers and a couple involved in an auto accident voiced their opinions on possible elimination or reform to the law.

Minnesotans owning a car, like citizens in eight other states, are required to carry insurance to cover their own medical expenses, wage losses and other automobile accident-related expenses. The state enacted the no-fault law in 1974.

Bob Johnson, president of the Insurance Federation of Minnesota, said the law is intended to eliminate litigation for minor accidents but has done the opposite. Johnson added that Minnesota's auto insurance system is costly due to expensive health care coverage and repealing the no-fault law would lower premiums for drivers. "With the law unchanged, costs will only go up," Johnson said.

Opponents of eliminating or reforming the status quo argue that it could shift costs to an already financially strapped health care system. Doctors and nurses said if no-fault is eliminated an increase of patients at their facilities would strain the quality of patient care; emergency departments are required to tend to all patients regardless of their insurance status.

Buck McAlpin, president of the Minnesota Ambulance Association, said money from the no-fault law is vital for the Emergency Medical Services (EMS) system. When no-fault insurance carriers are treated, their bills are more likely to be paid in full and on time.

[Rep. Paul Kohls](#) (R-Victoria) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park) sponsor [HF1399/SF1094](#), which proposes modifications to the no-fault law. The House bill awaits action by the [House Commerce and Financial Institutions Committee](#). The Senate bill failed in the [Senate Commerce Committee](#) last year.

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# Doing better

February forecast shows \$88 million surplus to start session



PHOTO BY TOM OLMSCHIED

The revised February forecast is released by the Department of Finance at a Feb. 28 news conference.

BY IRENE VOTH

**T**his week's financial forecast for the 2006-07 biennium released Feb. 28 might show only modest improvement to some, but for the state's public schools, it has the makings of very good news.

Finance Commissioner Peggy Ingison termed a \$181 million projected surplus in the state's general fund for the 2006-07 biennium a "relatively modest improvement" over the November forecast. She added the "really good news" is that \$93 million of that will comprise the final payback of the education accounting shift.

Enacted in 2001, the accounting shift allowed the state to temporarily withhold more than \$1 billion from school districts. Since the November 2004 forecast, nearly \$1.1 billion has been used to fund such buybacks. The final buyback will leave an \$88 million surplus.

Speaking at a Capitol press conference, Ingison said the February forecast's surplus is due to a \$57 million reduction in state spending and a \$124 million increase in state revenues. She also said the forecast assumes the general fund will receive \$400 million over the course of the biennium from the health impact fee on tobacco products enacted by

the Legislature last year.

This law is being challenged in court, and if ruled unconstitutional the general fund balance could be reduced by \$370 million. Ingison said the forecast continues to show the projected tobacco dollars "as a plus as in the past."

State Economist Tom Stinson said corporate tax receipts are projected to increase by \$161 million, and taxes on estates, mortgages, investment earnings and non-tax revenues will provide an additional \$116 million. However, tax revenue from individual income, sales and motor vehicle sales is down by \$151 million from November's estimates.

"We are still very concerned about slow job growth," Stinson said, explaining that the total amount being paid in wages in the state is increasing at a slower rate than the national average.

This statistic prompted state DFL leaders to take a dim view of the forecast.

Stating that Minnesota is "lagging far behind" comparable states in budget surplus and job growth, Rep. Loren Solberg (DFL-Grand Rapids) said any positive aspects in the forecast were "thin ice."

Adding that 75 percent of the general revenue should consist of income and sales


tax, Solberg said the forecast was "clearly only an inch deep" in terms of a positive outlook.

Citing the uncertain outcome of the health impact-fee lawsuit, House Minority Leader Matt Entenza (DFL-St. Paul) said, "We don't have a surplus."

In a press release, Entenza wrote that the good news in the forecast is the education shift buyback, but "the real news is that while the state budget may be improving, the budgets for most Minnesota families are not."

Meanwhile, House Speaker Steve Sviggum (R-Kenyon) said in a press release that the forecast is good news for Minnesota and proof that "the plan of management is working." He added that the final payback of the educational accounting shift is an indication "the turnaround is complete."

Responding to the fiscal forecast via a media conference call, Gov. Tim Pawlenty, who was attending a meeting of the National Governors Association, in Washington, D.C., said, "I can't think of a time when the state has been in better shape."

Citing his proposed \$897 million bonding bill, Pawlenty said the surplus makes "more room" for bonding but also added that the current bonding bill "is big enough." 



## 2005 Minnesota State Fair poll results

# More than 8,800 fairgoers sound off



During the 12-day run of the 2005 Minnesota State Fair, 8,822 fairgoers took a poll conducted by the nonpartisan House Public Information Services office. It is an informal, unscientific survey on a number of issues discussed in prior legislative sessions and that may again be topics of discussion during this session.

### 1. Should the governor call a special session this year for stadium issues?

Yes	25.6%	(2,244)
No	69.3%	(6,082)
Undecided/No Opinion	5.1%	(449)

### 2. Should a city or county be able to increase its local sales tax for whatever purpose without voter approval?

Yes	14.5%	(1,268)
No	81.1%	(7,113)
Undecided/No Opinion	4.5%	(392)

### 3. Should Minnesota dedicate up to one-half of 1 percent in state sales taxes to cleaning up polluted waters?

Yes	73.8%	(6,466)
No	16.4%	(1,436)
Undecided/No Opinion	9.8%	(854)

### 4. In general, do you support increasing the gas tax to fund road and bridge projects?

Yes	53.6%	(4,698)
No	38.8%	(3,397)
Undecided/No Opinion	7.6%	(662)

### 5. Should capital punishment be reinstated in Minnesota?

Yes	36.7%	(3,211)
No	56.5%	(4,947)
Undecided/No Opinion	6.8%	(595)

### 6. Should ticket scalping — reselling an event admission at more than face value — be legalized?

Yes	31.3%	(2,745)
No	57.5%	(5,038)
Undecided/No Opinion	11.1%	(975)



The House of Representatives State Fair Poll was once again a popular attraction for fairgoers.

### 7. Do you support a state-operated casino at Minneapolis-St. Paul International Airport with admittance limited to ticketed passengers at least 18 years old?

Yes	31.6%	(2,770)
No	62.8%	(5,503)
Undecided/No Opinion	5.5%	(485)

### 8. Should lawmakers approve the so-called "racino" at Canterbury Park if the state receives a portion of the profits?

Yes	44.8%	(3,913)
No	47.4%	(4,143)
Undecided/No Opinion	7.8%	(686)

### 9. Should the responsibilities for the non-curricular athletic and fine arts activities of high school students be transferred from school districts to local governments in order to allow school districts to focus on delivering academic services?

Yes	21.2%	(1,851)
No	63.4%	(5,523)
Undecided/No Opinion	15.3%	(1,337)

### 10. Would you be willing to pay a fee on electronics purchases that would be used to fund a statewide recycling system for electronics components?

Yes	58.9%	(5,142)
No	33.4%	(2,915)
Undecided/No Opinion	7.8%	(678)

### 11. When no legal directive is provided, should it be presumed under state law that a person wants a feeding tube inserted to sustain life?

Yes	22.5%	(1,957)
No	64.5%	(5,619)
Undecided/No Opinion	13.0%	(1,137)

### 12. Should House and Senate terms be staggered so that at least one-half the members of each body are up for election every two years?

Yes	68.0%	(5,926)
No	16.6%	(1,452)
Undecided/No Opinion	15.3%	(1,331)

### 13. What is your favorite state fair attraction?

Animal barns	12.9%	(1,064)
Food	36.6%	(3,023)
Grandstand shows	1.9%	(153)
Machinery Hill	4.2%	(345)
Midway	1.4%	(113)
People-watching	31.6%	(2,607)
This poll	11.5%	(950)

Note: All percentages are rounded to the nearest one-tenth. Totals are for those that actually voted on the question. The Minnesota House of Representatives' survey is informal and unscientific. It is simply a measurement of the opinions expressed by those who took the time to complete the poll while visiting our booth at the State Fair Aug. 25-Sept. 5. Our main purpose in conducting this opinion poll was to familiarize fairgoers with some of the issues that have recently been discussed by the Legislature and issues that may be debated during the 2006 legislative session.

# Never slowing down

Newest member has wealth of experience

By Mike Cook

Rep. Larry Haws (DFL-St. Cloud) figures that he knows 80 percent of the people when he walks through the downtown of his hometown.



Rep. Larry Haws

He probably should.

The newest House member has a long list of involvement in the area. It might be easier to ask Haws what he hasn't done.

An affable guy, Haws won a Dec. 27 special election to replace former Rep. Joe Opatz, whom he coached in wrestling.

That is one of four sports Haws has coached at the high school or collegiate level. He has coached national or state championship teams in cross country, soccer, track and wrestling, and still hopes to help coach one youth sports team each season, but not in a place he once coached.

"My claim to fame was I coached the reformatory wrestling team for three years," he said. "I said we weren't very good but we had a killer instinct."

Additionally, he spent 32 years in the St. Cloud Parks and Recreation Department, including 17 as director; spent the past seven years on the Stearns County Board of Commissioners; and hosted a talk radio show. Plus, he has served on more than two dozen boards and helps out weekly at a mission.

He says his past is an asset because what he's learned cannot be bought or blessed upon someone. "I know a lot of things that other people don't know because I've earned my experience," he said, before laughing and adding, "It's just an advantage of getting old."

Throughout his career, Haws has been a consensus builder.

"We created a parks system on community spirit," he said. "We raised \$8.3 million in a 32-year period with donations. At the end,

## DISTRICT 15B

2002 population: 36,675

Largest city: St. Cloud

Counties: Benton, Sherburne, Stearns

Top concerns: education, seniors and veterans

*"I know a lot of things that other people don't know because I've earned my experience. It's just an advantage of getting old."*

— Rep. Larry Haws

we had 75 organizations and 2,000 volunteers doing something nice for the parks system on a yearly basis. What it taught me was the power of synergetic explosions."

Haws, who views life as a vacation, serves on the House Governmental Operations and Veterans Affairs and Higher Education Finance committees.

"Veterans services is a major portion of the area I serve because we have a VA, and higher ed is good because we have wonderful college systems, private and public, and our Vo-Tech is really hot."

## BILL INTRODUCTIONS \*\*\*

MARCH 1 - 2, 2006

HOUSE FILES 2563 - 3142

### Wednesday, March 1

#### HF2563-Gunther (R)

##### Jobs & Economic Opportunity Policy & Finance

Workforce center capital budget requests required to be presented by the commissioner of employment and economic development.

#### HF2564-Erickson (R)

##### Health Policy & Finance

MinnesotaCare income definition clarified to exclude veterans' aid and attendance benefits from the definition of income for other household members.

#### HF2565-Brod (R)

##### Health Policy & Finance

Health impact fee sunset provision enacted.

#### HF2566-Welti (DFL)

##### Jobs & Economic Opportunity Policy & Finance

Leaves of absence authorized for employees to spend time with an immediate family member who has been mobilized for active military service.

#### HF2567-Welti (DFL)

##### Jobs & Economic Opportunity Policy & Finance

Leaves of absence authorized for employees to attend military send-off or homecoming ceremonies for immediate family members.

#### HF2568-Welti (DFL)

##### Jobs & Economic Opportunity Policy & Finance

Leave of absence; employers required to grant unpaid leave of absence for an employee to attend memorial services on Memorial Day and Veterans Day.

#### HF2569-Mullery (DFL)

##### Civil Law & Elections

Use of trust instruments to shield resources that could otherwise be used to pay for the cost of long-term care services regulated.

#### HF2570-Paulsen (R)

##### Governmental Operations & Veterans Affairs

Teacher retirement plan service credit provided for teachers on active military service.

#### HF2571-Dill (DFL)

##### Commerce & Financial Institutions

Petroleum tank fee collection time periods modified.

#### HF2572-Nelson, M. (DFL)

##### Health Policy & Finance

Food Code rule amendment required.

#### HF2573-Mullery (DFL)

##### Health Policy & Finance

Fair share health care act adopted, fund established, employer payments required and criminal penalties imposed.

#### HF2574-Howes (R)

##### Health Policy & Finance

Cass County hospital construction moratorium exemption provided.

#### HF2575-Mullery (DFL)

##### Civil Law & Elections

Voting rights notice required to certain felons upon termination of probation or supervised release.

#### HF2576-Knoblach (R)

##### Local Government

Local governments prohibited from adopting ordinances which prevent employees from cooperating with federal immigration authorities.



**HF2577-Mullery (DFL)**  
**Governmental Operations & Veterans Affairs**

Minneapolis Police Relief Association successor trust fund terms defined, salary limits and compensation of board members and officers adjusted and additional investment authority provided.

**HF2578-Mullery (DFL)**  
**Commerce & Financial Institutions**  
Consumer credit scores and history use prohibited by insurers underwriting automobile insurance policies.

**HF2579-Mullery (DFL)**  
**Taxes**  
Corporate franchise taxation throwback sales rule provided.

**HF2580-Knoblach (R)**  
**Higher Education Finance**  
St. Cloud State University Robert A. Wick Science Building funding provided, bonds issued and money appropriated.

**HF2581-Dill (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Gitchi Gummi State Trail funding provided, bonds issued and money appropriated.

**HF2582-Dill (DFL)**  
**Education Finance**  
Independent School District No. 707, Nett Lake, school construction loan authorized, bonds issued and money appropriated.

**HF2583-Dill (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Boundary Waters connection of the Mesabi Trail funding provided, bonds issued and money appropriated.

**HF2584-Dill (DFL)**  
**Transportation**  
Farm truck definition clarified to include vehicles owned by persons transporting wood products on behalf of farmers or loggers.

**HF2585-Holberg (R)**  
**Public Safety Policy & Finance**  
CIBRS (Comprehensive Incident-Based Reporting System) access authorized for the Department of Corrections' Fugitive Apprehension Unit.

**HF2586-Holberg (R)**  
**Civil Law & Elections**  
Eminent domain public use defined.

**HF2587-Lillie (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Maplewood; Bruentrup Farm restoration funding provided, bonds issued and money provided.

**HF2588-Dittrich (DFL)**  
**Governmental Operations & Veterans Affairs**  
Public Employees Retirement Association joint and survivor benefit authorized.

**HF2589-Simpson (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Otter Tail River restoration funding provided, bonds issued and money appropriated.

**HF2590-Simpson (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Perham resource recovery facility funding provided, bonds issued and money appropriated.

**HF2591-Hilty (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
St. Louis River Trail funding provided, bonds issued and money appropriated.

**HF2592-Hilty (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Askov wastewater treatment facility funding provided, bonds issued and money appropriated.

**HF2593-Hilty (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Wrenshall elevated water storage facility funding provided, bonds issued and money appropriated.

**HF2594-Hilty (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Carlton elevated water storage tower funding provided, bonds issued and money appropriated.

**HF2595-Hilty (DFL)**  
**Health Policy & Finance**  
Moose Lake sex offender treatment program service facilities expansion funding provided, bonds issued and money appropriated.

**HF2596-Eken (DFL)**  
**Health Policy & Finance**  
Long-term care provider rate adjustments provided, and foreign operating corporation's income tax treatment modified.

**HF2597-Emmer (R)**  
**Health Policy & Finance**  
Pharmacists authorized to refuse to dispense medication they find morally objectionable.

**HF2598-Hosch (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Richmond sewer facilities expansion funding provided, bonds issued and money appropriated.

**HF2599-Mullery (DFL)**  
**Environment & Natural Resources**  
Environmental justice act adopted.

**HF2600-Johnson, J. (R)**  
**Public Safety Policy & Finance**  
Sex offenders required to wear tracking and monitoring bracelets after release from prison and money appropriated.

**HF2601-Moe (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Paul Bunyan Trail funding provided, bonds issued and money appropriated.

**HF2602-Kahn (DFL)**  
**State Government Finance**  
Starbase Minnesota facility pre-design and design funding provided, bonds issued and money appropriated.

**HF2603-Kahn (DFL)**  
**Taxes**  
Cosmetic procedures subjected to sales tax.

**HF2604-Kahn (DFL)**  
**Higher Education Finance**  
Wisconsin resident tuition at the University of Minnesota required to be at least equal to that of Minnesota residents.

**HF2605-Kahn (DFL)**  
**Higher Education Finance**  
Wisconsin resident tuition at the University of Minnesota required to be at least equal to that of Minnesota residents.

**HF2606-Liebling (DFL)**  
**Taxes**  
Olmsted County ice arena construction materials and equipment sales tax exemption provided.

**HF2607-Hackbarth (R)**  
**Environment & Natural Resources**  
Anoka County exempted from certain land use reporting requirements.

**HF2608-Heidgerken (R)**  
**Civil Law & Elections**  
Voting systems for individuals with disabilities requirements modified.

**HF2609-Sailer (DFL)**  
**Public Safety Policy & Finance**  
Emergency training administration center funding provided, bonds issued and money appropriated.

**HF2610-Sailer (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Big Bog State Recreation Area development funding provided, bonds issued and money appropriated.

**HF2611-Abeler (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Mississippi West Regional Park funding provided, bonds issued and money appropriated.

**HF2612-Ellison (DFL)**  
**Civil Law & Elections**  
Pollution Control Agency disclosures clarified.

**HF2613-Newman (R)**  
**Higher Education Finance**  
Athletic scholarship repayment required under certain conditions.

**HF2614-Newman (R)**  
**Public Safety Policy & Finance**  
Predatory offender registration requirements established for certain predatory offenders who reside on Indian reservations.

**HF2615-Newman (R)**  
**Commerce & Financial Institutions**  
No-fault automobile insurance clarified relating to the meaning of "arising out of the maintenance or use of a motor vehicle."

**HF2616-Dempsey (R)**  
**Education Finance**  
Independent School District No. 256, Red Wing, levy authorized for building the community ice arena.

**HF2617-Davids (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative appropriations continued in effect until amended or eliminated by law.

**HF2618-Lieder (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Red Lake River Corridor improvements funding provided, bonds issued and money appropriated.

**HF2619-Davids (R)**  
**Environment & Natural Resources**  
Deer hunting license surcharge imposed to offset the cost of processing deer donated for charitable purposes and money appropriated.

**HF2620-Davids (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Bluffland Trail system Root River segment funding provided, bonds issued and money appropriated.

**HF2621-Rukavina (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Eveleth water treatment facility renovation funding provided, bonds issued and money appropriated.

**HF2622-Rukavina (DFL)**  
**Regulated Industries**  
Mountain Iron renewable energy industrial park funding provided, bonds issued and money appropriated.

**HF2623-Dorman (R)**  
**Capital Investment**  
Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.

**HF2624-Juhnke (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
New London Dam repair funding provided, bonds issued and money appropriated.

**HF2625-Gunther (R)**  
**Education Finance**  
Fairmont; Southern Minnesota Educational Campus funding provided, bonds issued and money appropriated.

**HF2626-Gunther (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Winnebago museum of Native American artifacts funding provided, bonds issued and money appropriated.

**HF2627-Penas (R)**  
**Environment & Natural Resources**  
Lost River State Forest private lease continuation provided.

**HF2628-Juhnke (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Glacial Lakes Trail and Lake Koronis Trail funding provided, bonds issued and money appropriated.

**HF2629-Dempsey (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative appropriations continued in effect until amended or eliminated by law.

**HF2630-Rukavina (DFL)**  
**Health Policy & Finance**  
Virginia Regional Medical Center helipad funding provided, bonds issued and money appropriated.

**HF2631-Rukavina (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
East Range Joint Powers Board wastewater collection and treatment system funding provided, bonds issued and money appropriated.

**HF2632-Lanning (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Wild Rice Watershed District flood hazard mitigation project funding provided, bonds issued and money appropriated.

**HF2633-Moe (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Bemidji regional events center funding provided, bonds issued and money appropriated.

**HF2634-Moe (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Bemidji; Paul Bunyan Train bridge over marked Trunk Highway 197 funding provided, bonds issued and money appropriated.

**HF2635-Moe (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Bemidji; Paul Bunyan Trail Land acquisition funding provided, bonds issued and money appropriated.

**HF2636-Moe (DFL)**  
**Higher Education Finance**  
Bemidji State University Sattgast Hall science facility funding provided, bonds issued and money appropriated.

**HF2637-Moe (DFL)**  
**Higher Education Finance**  
Minnesota State Colleges and Universities land purchase funding provided, bonds issued and money appropriated.

**HF2638-Moe (DFL)**  
**Higher Education Finance**  
Bemidji State University land acquisition funding provided, bonds issued and money appropriated.

**HF2639-Kahn (DFL)**  
**Governmental Operations & Veterans Affairs**  
Legislative appropriations continued until amended or eliminated by law.

**HF2640-Thissen (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Richfield athletic fields funding provided, bonds issued and money appropriated.

**HF2641-Larson (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Richfield arterial street construction funding provided, bonds issued and money appropriated.

**HF2642-Knoblach (R)**  
**Taxes**  
Education finance levies modified, operating capital levy reduced, marriage penalties reduced, K-12 tuition education credits authorized, credit phaseout modified and June accelerated tax payments reduced.

**HF2643-Magnus (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Lewis and Clark Rural Water System connections funding provided, bonds issued and money appropriated.

**HF2644-Scalze (DFL)**  
**Transportation Finance**  
Rice Street bridge over Highway 36 in Ramsey County funding provided, bonds issued and money appropriated.

**HF2645-Peterson, A. (DFL)**  
**Agriculture & Rural Development**  
Swift County rural development finance authority board membership increased.

**HF2646-Peterson, A. (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Dawson; community swimming pool funding provided, bonds issued and money appropriated.

**HF2647-Peterson, A. (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Minnesota River Trail funding provided, bonds issued and money appropriated.

**HF2648-Koenen (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Minnesota River Trail development funding provided, bonds issued and money appropriated.

**HF2649-Koenen (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Minnesota River Trail design funding provided, bonds issued and money appropriated.

**HF2650-Fritz (DFL)**  
**Education Finance**  
Minnesota state academies capital improvements funding provided, bonds issued and money appropriated.

**HF2651-Soderstrom (R)**  
**Environment & Natural Resources**  
Wildlife management area rules amended relating to docks and boat storage.

**HF2652-Magnus (R)**  
**Taxes**  
Luverne; sales and motor vehicle excise taxes authorized and funds usages specified.

**HF2653-Lanning (R)**  
**Higher Education Finance**  
Minnesota State University Moorhead and Minnesota Community and Technical College, Moorhead, capital improvements funding provided; bonds issued and money appropriated.

**HF2654-Huntley (DFL)**  
**Higher Education Finance**  
Labovitz School of Business and Economics in Duluth capital improvements funding provided, bonds issued and money appropriated.

**HF2655-Huntley (DFL)**  
**Health Policy & Finance**  
Body art procedures, technicians and establishments regulated.

**HF2656-Smith (R)**  
**Civil Law & Elections**  
Fourth Judicial District Family Court referee orders appeal provided directly to the Court of Appeals.

**HF2657-Urdahl (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Watkins; infrastructure reconstruction funding provided, bonds issued and money appropriated.

**HF2658-Urdahl (R)**  
**Governmental Operations & Veterans Affairs**  
Dassel; Lakeside Community Home pension benefits provided upon privatization.

**HF2659-Atkins (DFL)**  
**Commerce & Financial Institutions**  
Health care providers and health plan companies required to disclose the amount of outstanding medical bills to patients or their representatives without charge.

**HF2660-Nelson, M. (DFL)**  
**Higher Education Finance**  
Metropolitan State University and Minneapolis Community and Technical College regional law enforcement training center funding provided, bonds issued and money appropriated.

**HF2661-Nelson, M. (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
North Hennepin Community College capital improvements funding provided, bonds issued and money appropriated.

**HF2662-Lanning (R)**  
**Education Finance**  
Debt service equalization aid program equalizing factor increased.



**HF2663-Lanning (R)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Public Facilities Authority funding provided for maximum daily load grants relating to wastewater treatment, bonds issued and money appropriated.

**HF2664-Johnson, S. (DFL)****Agriculture, Environment & Natural Resources Finance**

St. Paul; National Great River Park improvements funding provided, bonds issued and money appropriated.

**HF2665-Johnson, S. (DFL)****Jobs & Economic Opportunity Policy & Finance**

St. Paul; Union Depot infrastructure improvements funding provided, bonds issued and money appropriated.

**HF2666-Hilty (DFL)****Governmental Operations & Veterans Affairs**

State contracts prohibited with tax -haven countries.

**HF2667-Dempsey (R)****Governmental Operations & Veterans Affairs**

Cannon Falls Hospital pension benefits provided upon privatization.

**HF2668-Bradley (R)****State Government Finance**

Rochester; National Volleyball Center phase II expansion funding provided, bonds issued and money appropriated.

**HF2669-Ozment (R)****Agriculture, Environment & Natural Resources Finance**

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

**HF2670-McNamara (R)****Agriculture, Environment & Natural Resources Finance**

State parks funding provided, bonds issued and money appropriated.

**HF2671-Grailing (DFL)****Taxes**

Volunteer income tax credit provided for parents volunteering at child's school or child care.

**HF2672-Davids (R)****Regulated Industries**

Alcoholic beverage on-sales after 1 a.m. permit fee portion refund authorized.

**HF2673-Kahn (DFL)****Public Safety Policy & Finance**

Organ donation; public safety officers required to notify designated organ procurement organization when a deceased organ donor is discovered.

**HF2674-Anderson, B. (R)****Public Safety Policy & Finance**

Firearm transferee permit standardized form made available to local law enforcement agencies.

**HF2675-Sailer (DFL)****Health Policy & Finance**

Nursing facilities grants provided for increased fuel and heating costs and tax treatment modified of foreign operating corporations income.

**HF2676-Slawik (DFL)****Agriculture, Environment & Natural Resources Finance**

Ramsey County; Lower Afton Trail construction funding provided, bonds issued and money appropriated.

**HF2677-Erickson (R)****Local Government**

Towns authorized to contract for roads without competitive bidding in certain circumstances.

**HF2678-Lesch (DFL)****Commerce & Financial Institutions**

Unemployment insurance one-week waiting period eliminated.

**HF2679-Sieben (DFL)****Taxes**

Local government aid city aid base modified for certain cities.

**HF2680-Erickson (R)****Education Policy & Reform**

Teacher training program for qualified professionals provided.

**HF2681-Ellison (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minneapolis; Heritage Park Development funding provided, bonds issued and money appropriated.

**HF2682-Dempsey (R)****Transportation Finance**

Port development assistance program funding provided, bonds issued and money appropriated.

**HF2683-Vandevor (R)****Taxes**

City annexation payments to towns provided.

**HF2684-Vandevor (R)****Transportation Finance**

I-35 and County State-Aid Highway 23 interchange construction funding provided, bonds issued and money appropriated.

**HF2685-Cornish (R)****Jobs & Economic Opportunity Policy & Finance**

Wells; city hall renovation grant provided, bonds issued and money appropriated.

**HF2686-Westrom (R)****Higher Education Finance**

University of Minnesota - Morris, West Central Research and Outreach Center funding provided, bonds issued and money appropriated.

**HF2687-Westrom (R)****Higher Education Finance**

University of Minnesota - Morris, West Central Research and Outreach Center funding provided, bonds issued and money appropriated.

**HF2688-Westrom (R)****Governmental Operations & Veterans Affairs**

War dog and handler plaque authorized on Capitol grounds.

**HF2689-Erickson (R)****Education Policy & Reform**

Board of Teaching directed to adopt rules to issue licenses to teach multiple science fields or levels.

**HF2690-Kahn (DFL)****Ways & Means**

Referendum on specified spending issues provided and constitutional amendment proposed.

**HF2691-Sieben (DFL)****Health Policy & Finance**

State health coverage offered to individuals and small employers at their own expense, and MinnesotaCare coverage offered at full cost.

**HF2692-Mullery (DFL)****Public Safety Policy & Finance**

Assault on animal control officers penalties increased.

**HF2693-Dill (DFL)****Agriculture, Environment & Natural Resources Finance**

International Wolf Center renovation funding provided, bonds issued and money appropriated.

**HF2694-Solberg (DFL)****Ways & Means**

State budget reports and recommendations required to be in compliance with generally accepted governmental accounting principles, and impact of inflation disclosure required.

**HF2695-Fritz (DFL)****Transportation Finance**

Faribault; local road improvements funding provided, bonds issued and money appropriated.

**HF2696-Fritz (DFL)****State Government Finance**

Faribault; National Guard and Army Reserve Armory land acquisition funding provided, bonds issued and money appropriated.

**HF2697-Bradley (R)****Transportation**

Firefighters authorized to use communication headsets while operating a fire truck during an emergency.

**HF2698-Erickson (R)****Governmental Operations & Veterans Affairs**

Legislative Coordinating Commission required to study issues relating to men.

**HF2699-Sailer (DFL)****Education Finance**

Independent School District No. 38, Red Lake, school construction funding provided, bonds issued and money appropriated.

**HF2700-Atkins (DFL)****Public Safety Policy & Finance**

Risk-level assessments required for predatory offenders who are not in custody, sharing of information with potential victims increased and money appropriated.

**HF2701-Smith (R)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Association administrative modifications provided.

**HF2702-Smith (R)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Associations privatizations augmentation rates provided to employees revised.

**HF2703-Koenen (DFL)****Jobs & Economic Opportunity Policy & Finance**

Bird Island; sewer separation funding provided, bonds issued and money appropriated.

**HF2704-Erickson (R)****Education Policy & Reform**

K-12 supervisory personnel and support staff required to provide four hours of direct classroom instruction in a subject matter in which they are qualified.

**HF2705-Howes (R)****Health Policy & Finance**

Health impact fee references changed to health impact tax, and tax repealed.

<b>HF2706-Knoblach (R)</b> <b>Higher Education Finance</b> St. Cloud Technical College land purchase funding provided, bonds issued and money appropriated.	<b>HF2717-Jaros (DFL)</b> <b>Environment &amp; Natural Resources</b> Lake Superior watershed native fish and wildlife species and habitat protection provided.	<b>HF2729-Hansen (DFL)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Pilot Knob Historical Trail funding provided, bonds issued and money appropriated.	<b>HF2741-Poppe (DFL)</b> <b>Governmental Operations &amp; Veterans Affairs</b> National Guard and other veterans provided assistance in obtaining health screening and services related to depleted uranium exposure.
<b>HF2707-Poppe (DFL)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Shooting Star Trail funding provided, bonds issued and money appropriated.	<b>HF2718-Jaros (DFL)</b> <b>Taxes</b> Military pay and housing allowances excluded from household income relating to property tax refunds.	<b>HF2730-Erickson (R)</b> <b>Local Government</b> Special districts required to file information with the state auditor.	<b>HF2742-Haws (DFL)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Central Minnesota regional parks and trails projects funding provided, bonds issued and money appropriated.
<b>HF2708-Solberg (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> McGregor; wastewater treatment funding provided, bonds issued and money appropriated.	<b>HF2719-Erickson (R)</b> <b>Regulated Industries</b> Card club table limitations eliminated.	<b>HF2731-Powell (R)</b> <b>Health Policy &amp; Finance</b> EMT training programs required to meet an average yearly pass rate.	<b>HF2743-Mullery (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Minneapolis; Lowry Avenue corridor Phase II funding provided, bonds issued and money appropriated.
<b>HF2709-Solberg (DFL)</b> <b>Commerce &amp; Financial Institutions</b> Shamrock Township detached banking facility authorized.	<b>HF2720-Davids (R)</b> <b>Civil Law &amp; Elections</b> Eminent domain use prohibited in certain circumstances.	<b>HF2732-Nelson, P. (R)</b> <b>Local Government</b> Alternative annexation process provided.	<b>HF2744-Penas (R)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Lake Township wastewater treatment funding provided, bonds issued and money appropriated.
<b>HF2710-Greiling (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Roseville; John Rose Minnesota Oval renovation funding provided, bonds issued and money appropriated.	<b>HF2721-Davids (R)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Individual sewage treatment system pilot program extended.	<b>HF2733-Juhnke (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Dental clinic serving southwest and west central Minnesota funding provided, bonds issued and money appropriated.	<b>HF2745-Abeler (R)</b> <b>Health Policy &amp; Finance</b> Medical license provisions modified.
<b>HF2711-Smith (R)</b> <b>Governmental Operations &amp; Veterans Affairs</b> Minnesota State Colleges and Universities, State Arts Board and Minnesota Humanities Commission individual retirement account plans modified.	<b>HF2722-Solberg (DFL)</b> <b>Commerce &amp; Financial Institutions</b> Home-based adult foster care services insurance coverage regulated.	<b>HF2734-Juhnke (DFL)</b> <b>Transportation</b> Low-speed vehicles regulated.	<b>HF2746-Wilkin (R)</b> <b>Civil Law &amp; Elections</b> Certificate of custodianship provided for conveyance of real property.
<b>HF2712-Solberg (DFL)</b> <b>Public Safety Policy &amp; Finance</b> Grand Rapids; fire hall funding provided, bonds issued and money appropriated.	<b>HF2723-Howes (R)</b> <b>Taxes</b> Cass County; town of Sylvan gravel tax authorized.	<b>HF2735-Howes (R)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Walker Area Community Center funding provided, bonds issued and money appropriated.	<b>HF2747-Blaine (R)</b> <b>Governmental Operations &amp; Veterans Affairs</b> Randall Firemen's Relief Association increased surviving spouse benefit provided.
<b>HF2713-Powell (R)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Burnsville; water treatment facility funding provided, bonds issued and money appropriated.	<b>HF2724-Juhnke (DFL)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Grass Lake restoration funding provided, bonds issued and money appropriated.	<b>HF2736-Thissen (DFL)</b> <b>Governmental Operations &amp; Veterans Affairs</b> Retirement allocation requirements modified.	<b>HF2748-Peterson, N. (R)</b> <b>Local Government</b> Uniform Municipal Contracting law modified.
<b>HF2714-Cornish (R)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Minnesota Agricultural Interpretive Center funding provided, bonds issued and money appropriated.	<b>HF2725-Larson (DFL)</b> <b>Governmental Operations &amp; Veterans Affairs</b> National Guard and other veterans provided assistance in obtaining health screening and services related to depleted uranium exposure.	<b>HF2737-Meslow (R)</b> <b>Commerce &amp; Financial Institutions</b> Social Security number disclosure prohibited as a condition of receiving a product or service.	<b>HF2749-Erickson (R)</b> <b>Transportation Finance</b> Morrison County; park-and-ride lot funding provided, bonds issued and money appropriated.
<b>HF2715-Solberg (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Grand Rapids; research and technology center funding provided, bonds issued and money appropriated.	<b>HF2726-Erickson (R)</b> <b>Transportation Finance</b> Mille Lacs County; Trunk Highway 169 Soo Line multiuse recreational bridge state's match funding provided, bonds issued and money appropriated.	<b>HF2738-Meslow (R)</b> <b>Education Finance</b> School districts belonging to an intermediate school district authorized to levy for school safety activities.	<b>HF2750-Jaros (DFL)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Lake Superior Zoo improvements funding provided, bonds issued and money appropriated.
<b>HF2716-Cornish (R)</b> <b>Agriculture, Environment &amp; Natural Resources Finance</b> Blue Earth County; Rapidan Dam study funding provided, bonds issued and money appropriated.	<b>HF2727-Johnson, J. (R)</b> <b>Governmental Operations &amp; Veterans Affairs</b> Richfield Police Relief Association prior service credit transfer authorized and financial obligations specified.	<b>HF2739-Haws (DFL)</b> <b>Higher Education Finance</b> St. Cloud Technical College property acquisition funding provided, bonds issued and money appropriated.	<b>HF2751-Murphy (DFL)</b> <b>Jobs &amp; Economic Opportunity Policy &amp; Finance</b> Thomson; light industrial park funding provided, bonds issued and money appropriated.

**HF2752-Murphy (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Midway Township; sewer reconstruction funding provided, bonds issued and money appropriated.

**HF2753-Heidgerken (R)****Agriculture, Environment &  
Natural Resources Finance**

Glacial Lakes State Park and Sibley State Park camper cabins funding provided, bonds issued and money appropriated.

**HF2754-Sieben (DFL)****Transportation Finance**

Trunk Highway 10/61 corridor vista enhancement project funding provided, bonds issued and money appropriated.

**HF2755-Howes (R)****Agriculture, Environment &  
Natural Resources Finance**

Cuyuna Lakes Trail funding provided, bonds issued, and money appropriated.

**HF2756-Howes (R)****Health Policy & Finance**

Ah-Gwah-Ching Regional Treatment Center redevelopment funding provided, bonds issued and money appropriated.

**HF2757-Hilty (DFL)****Taxes**

Cloquet; sales tax authorized and funds use specified.

**HF2758-Huntley (DFL)****Health Policy & Finance**

Temporary nursing facility energy cost rate increase authorized, energy cost data required and money appropriated.

**HF2759-Davids (R)****Agriculture, Environment &  
Natural Resources Finance**

Blufflands Trail development funding provided, bonds issued and money appropriated.

**HF2760-Davids (R)****Taxes**

Chatfield and Preston tax increment financing districts authorized to capture the state general sales tax.

**HF2761-Emmer (R)****Agriculture, Environment &  
Natural Resources Finance**

Delano; flood hazard mitigation funding provided, bonds issued and money appropriated.

**HF2762-Fritz (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Blooming Prairie; street and sewer improvements funding provided, bonds issued and money appropriated.

**HF2763-Fritz (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Ellendale; sewer and water infrastructure funding provided, bonds issued and money appropriated.

**HF2764-Jaros (DFL)****Higher Education Finance**

Duluth Entertainment and Convention Center funding provided, bonds issued and money appropriated.

**HF2765-Huntley (DFL)****Education Finance**

Independent School District No. 709, Duluth, construction grant provided for Grant Magnet School; bonds issued and money appropriated.

**HF2766-Hilty (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Cloquet business park project funding provided, bonds issued and money appropriated.

**HF2767-Solberg (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Itasca County power plant funding provided, bonds issued and money appropriated.

**HF2768-Solberg (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Itasca County steel plant funding provided, bonds issued and money appropriated.

**HF2769-Dean (R)****Agriculture, Environment &  
Natural Resources Finance**

Gateway Trail development funding provided, bonds issued and money appropriated.

**HF2770-Fritz (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Faribault water reclamation plant funding provided, bonds issued and money appropriated.

**HF2771-Fritz (DFL)****Agriculture, Environment &  
Natural Resources Finance**

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

**HF2772-Fritz (DFL)****Public Safety Policy & Finance**

Minnesota Correctional Facility - Faribault; Phase II expansion funding provided, bonds issued and money appropriated.

**HF2773-Erickson (R)****Transportation**

Curt Eastlund Memorial Bridge designated.

**HF2774-Abeler (R)****Health Policy & Finance**

Chiropractors annual renewal of inactive acupuncture registration and acupuncture reinstatement fees provided.

**HF2775-Cornish (R)****Commerce & Financial Institutions**

Public safety peer counseling and debriefing provisions modified.

**HF2776-Abeler (R)****Higher Education Finance**

Minnesota State Colleges and Universities surplus property adjacent to a school district disposition provided.

**HF2777-Scalze (DFL)****Governmental Operations &  
Veterans Affairs**

Legislative appropriations continued in odd-numbered years unless amended or eliminated.

**HF2778-Gazelka (R)****Education Finance**

Schools mentoring schools program grants provided and money appropriated.

**HF2779-Gazelka (R)****Agriculture, Environment &  
Natural Resources Finance**

Cuyuna Lakes Trail development funding provided, bonds issued and money appropriated.

**HF2780-Mariani (DFL)****Regulated Industries**

Mercury emissions limited for coal-fired electric generating facilities, reporting requirements modified and reduction-rider modified.

**HF2781-Davids (R)****Health Policy & Finance**

National center for biofuels research at the University of Minnesota design funding provided, bonds issued and money appropriated.

**HF2782-Hilty (DFL)****Higher Education Finance**

Fond du Lac Tribal and Community College renovation funding provided, bonds issued and money appropriated.

**HF2783-Sertich (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Central Iron Range Sanitary Sewer District wastewater treatment facilities funding provided, bonds issued and money appropriated.

**HF2784-Rukavina (DFL)****Governmental Operations &  
Veterans Affairs**

State supplemental benefit increased for survivors of deceased active volunteer firefighters.

**HF2785-Rukavina (DFL)**

**Commerce & Financial Institutions**  
Vehicle forfeitures and fees for information releases provisions modified.

**HF2786-Rukavina (DFL)****Commerce & Financial Institutions**

Large employers required to report information on employee health insurance costs, assessments required and funds deposited into the Health Care Access Fund.

**HF2787-Rukavina (DFL)****Transportation Finance**

White; connecting road and recreational trail project funding provided, bonds issued and money appropriated.

**HF2788-Rukavina (DFL)****Commerce & Financial Institutions**

Volunteer firefighter duty unpaid leave required from employers.

**HF2789-Anderson, I. (DFL)****Agriculture, Environment &  
Natural Resources Finance**

Koochiching County clean air project funding provided, bonds issued and money appropriated.

**HF2790-Rukavina (DFL)****Environment & Natural Resources**

Disabled hunter provisions modified.

**HF2791-Rukavina (DFL)****Jobs & Economic  
Opportunity Policy & Finance**

Minnesota minerals 21st century fund transfer authorized and money appropriated.

**HF2792-Lieder (DFL)****Taxes**

Polk County Justice Center construction materials sales tax exemption provided.

**HF2793-Thissen (DFL)****Higher Education Finance**

Biomass energy facility funding provided, bonds issued and money appropriated.



**HF2794-Gazelka (R)**

**Commerce & Financial Institutions**  
Uninsured motorists remedies limited.

**HF2795-Bradley (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Rochester; bioscience development center funding provided, bonds issued and money appropriated.

**HF2796-Jaros (DFL)**

**Taxes**  
Income tax rates modified.

**HF2797-Jaros (DFL)**

**Commerce & Financial Institutions**  
Ojibwe and Dakota language place names required where appropriate and money appropriated.

**HF2798-Heidgerken (R)**  
**Higher Education Finance**

English pronunciation policy required as a condition of instructing students at public postsecondary institutions.

**HF2799-Abeler (R)**

**Governmental Operations & Veterans Affairs**  
Public Employees Retirement Association service credit purchase authorized.

**HF2800-Paulsen (R)**

**Agriculture, Environment & Natural Resources Finance**  
State wildlife management bonds issued and money appropriated.

**HF2801-Heidgerken (R)**  
**Education Policy & Reform**

Basic skills data reporting requirements by school superintendents to education commissioner eliminated.

**HF2802-Heidgerken (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Brooklyn and St. Martin wastewater system bonds issued and money appropriated.

**HF2803-Ruth (R)**

**Transportation Finance**  
Local bridges and local road improvement fund proceeds bonds issued and money appropriated.

**HF2804-Lanning (R)**

**Taxes**  
Marriage penalty relief conformity in standard deduction Working Families Tax Relief Act of 2004 provided.

**HF2805-Wilkin (R)**

**Commerce & Financial Institutions**  
Insurance regulation modernized, mutual holding company laws amended, interstate insurance product regulation compact enacted and other changes provided.

**HF2806-Abeler (R)**

**Health Policy & Finance**  
Licensed professional counselor reimbursement provided.

**HF2807-Abeler (R)**

**Health Policy & Finance**  
Variance or set-aside notification exception provided.

**HF2808-Abeler (R)**

**Taxes**  
K-12 education subtraction and credit modified to cover extracurricular activity fees.

**HF2809-Sviggum (R)**

**Transportation Finance**  
Goodhue Pioneer Trail bonds issued and money appropriated.

**HF2810-Powell (R)**

**Health Policy & Finance**  
Radiation therapy facility construction limitation expiration date removed.

**HF2811-Murphy (DFL)**

**Higher Education Finance**  
Lake Superior College bonds issued and money appropriated.

**HF2812-Cornish (R)**

**Public Safety Policy & Finance**  
Blood testing requirements for individuals whose bodily fluids contact peace officers established.

**HF2813-Welti (DFL)**

**Health Policy & Finance**  
Case-mix classification assessment frequency modified.

**HF2814-Liebling (DFL)**

**Civil Law & Elections**  
Debtor creditor attachment, garnishment or sale exemption for state earned income tax credits provided.

**HF2815-Johnson, R. (DFL)**

**Taxes**  
Charter school leased or rented property tax exemption provided.

**HF2816-Demmer (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Workforce center land and building development bonds issued and money appropriated.

**HF2817-Demmer (R)**

**Higher Education Finance**  
"Resident student" definition under state financial aid programs modified.

**HF2818-Demmer (R)**

**Public Safety Policy & Finance**  
Southeast Minnesota Regional Public Safety Training Center bonds issued and money appropriated.

**HF2819-Lanning (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Northern Connections pilot project money appropriated.

**HF2820-Sailer (DFL)**

**Local Government**  
Hubbard County; Rockwood Township eminent domain exercise to acquire certain trust fund land authorized.

**HF2821-Lillie (DFL)**

**Health Policy & Finance**  
MinnesotaCare premiums for military personnel and their families eliminated.

**HF2822-Bradley (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Rochester; bioscience development center bonds issued and money appropriated.

**HF2823-Latz (DFL)**

**Higher Education Finance**  
University of Minnesota supplemental funding provided and money appropriated.

**HF2824-Latz (DFL)**

**Higher Education Finance**  
University of Minnesota capital project bonds issued and money appropriated.

**HF2825-McNamara (R)**

**Health Policy & Finance**  
Hastings veterans supportive housing bonds issued and money appropriated.

**HF2826-Bradley (R)**

**Health Policy & Finance**  
Nursing facility medical assistance rate equalization requirement eliminated.

**HF2827-Kohls (R)**

**Regulated Industries**  
On-sale wine and beer license issuance for culinary or cooking classes authorized.

**HF2828-Eastlund (R)**

**Civil Law & Elections**  
Child support reduction upon emancipation of child established and support orders to specify support amounts provided.

**HF2829-Johnson, J. (R)**

**Public Safety Policy & Finance**  
Child pornography offense penalties increased and ranked on offense severity table.

**HF2830-Greiling (DFL)**

**Taxes**  
Retired pensioners income tax subtraction created.

**HF2831-Abeler (R)**

**Health Policy & Finance**  
Employer health coverage pooling programs reformed and recodified and money appropriated.

**HF2832-Abeler (R)**

**Health Policy & Finance**  
Business and political subdivision employee health coverage reinsurance pool created and money appropriated.

**HF2833-Seifert (R)**

**State Government Finance**  
Inclusion of full-time equivalent positions by state agencies in detailed budget required.

**HF2834-Welti (DFL)**

**Governmental Operations & Veterans Affairs**  
Employee energy savings suggestion incentives provided.

**HF2835-Cox (R)**

**Regulated Industries**  
Mercury emissions limits for coal-fired electric generating facilities imposed, emissions report requirements and reduction-rate rider modified.

**HF2836-Welti (DFL)**

**Environment & Natural Resources**  
Great River Ridge State Trail designated.

**HF2837-Hilstrom (DFL)**

**Public Safety Policy & Finance**  
Child pornography offender conditional release term imposed.

**HF2838-Abeler (R)**

**Education Finance**  
Debt service equalization aid and referendum equalization aid program equalizing factors increased and indexed.

**HF2839-Tingelstad (R)**

**Environment & Natural Resources**  
Straight-pipe sewage disposal system replacement or discontinued operation required.

**HF2840-Tingelstad (R)**

**Governmental Operations & Veterans Affairs**  
Continued effect of certain appropriations provided.

**HF2841-Tingelstad (R)****Education Policy & Reform**

Schoolsafetyemphasized,emergency/disaster preparedness planning encouraged, secondary school law enforcement teachers required to be licensed as a peace officer and school safety procedures and fire drills integrated.

**HF2842-Poppe (DFL)****Higher Education Finance**

RiverlandCommunityCollegebonds issued and money appropriated.

**HF2843-Kohls (R)****Commerce & Financial Institutions**

Identity theft victims assisted and penalties provided.

**HF2844-Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

Monson Lake State Park bonds issued and money appropriated.

**HF2845-Ruth (R)****Taxes**

Owatonna; local sales and use tax imposition authorized.

**HF2846-Johnson, J. (R)****Civil Law & Elections**

Eminent domain public use or purpose defined and modified, evidence for certain takings required, attorney fees provided and other changes provided.

**HF2847-Ozment (R)****Governmental Operations & Veterans Affairs**

Minneapolis Teachers Retirement Fund Association and Teachers Retirement Association merged, contribution rates adjusted, benefit increase provided, technical changes provided and money appropriated.

**HF2848-Huntley (DFL)****Health Policy & Finance**

Case management and other social services report required.

**HF2849-Lenczewski (DFL)****Transportation Finance**

Bloomington; Old Cedar Avenue Bridge maintenance for hikers and bikers bonds issued and money appropriated.

**HF2850-Lenczewski (DFL)****Taxes**

Alternative minimum tax exemption amounts and phaseout thresholds increased.

**HF2851-Lenczewski (DFL)****Taxes**

Alternative minimum taxable income modified.

**HF2852-Smith (R)****Governmental Operations & Veterans Affairs**

Surviving spouse of deceased judge retirement option provided.

**HF2853-Sieben (DFL)****Ways & Means**

Revenue forecast account for inflation provided.

**HF2854-Nornes (R)****Health Policy & Finance**

Hospital restricted construction or modification exception provided.

**HF2855-Poppe (DFL)****Jobs & Economic Opportunity Policy & Finance**

Child care employer cooperative program licensure provided.

**HF2856-Wilkin (R)****Commerce & Financial Institutions**

Senior citizens protected from financial exploitation and annuity transactions regulated.

**HF2857-Eastlund (R)****Taxes**

Disabled military veterans homestead property valuation exclusion provided.

**HF2858-Tingelstad (R)****Civil Law & Elections**

International marriage brokers regulated.

**HF2859-Tingelstad (R)****Civil Law & Elections**

Sex tourism facilitation prohibited and civil and criminal penalties provided.

**HF2860-Eastlund (R)****Civil Law & Elections**

Standard for removal of child's residence from the state modified, joint physical custody presumption created, parenting plans required and hearing requirement timelines modified.

**HF2861-Krinkie (R)****Transportation**

Driver's license written examination in any language but English prohibited.

**HF2862-Brod (R)****Civil Law & Elections**

State primary moved from September to August and conforming changes provided.

**HF2863-Sviggum (R)****Agriculture, Environment & Natural Resources Finance**

Kenyon; embankment removal project bonds issued and money appropriated.

**HF2864-Tingelstad (R)****Agriculture, Environment & Natural Resources Finance**

Metropolitan regional park acquisition and betterment bonds issued and money appropriated.

**HF2865-Lillie (DFL)****Agriculture, Environment & Natural Resources Finance**

Ramsey and Washington counties; Lake Links Trail appropriation limited.

**HF2866-Liebling (DFL)****Health Policy & Finance**

Health Care Access Fund purpose clarified, MinnesotaCare provider tax contingent reduction provided and health care access fund transfers eliminated.

**HF2867-Vandever (R)****Local Government**

Incorporation provided and annexation prohibited in certain circumstances.

**HF2868-Greiling (DFL)****Public Safety Policy & Finance**

Adult consultation prior to juvenile waiving guaranteed rights required.

**HF2869-Lesch (DFL)****Health Policy & Finance**

Clinical trial registration and civil penalties provided.

**HF2870-Sieben (DFL)****Transportation Finance**

Red Rock Corridor transitway bonds issued and money appropriated.

**HF2871-Sieben (DFL)****Transportation Finance**

High speed rail line between St. Paul and Chicago bonds issued and money appropriated.

**HF2872-Erickson (R)****Governmental Operations & Veterans Affairs**

Political subdivision defined relating to state auditor and provisions applied.

**HF2873-Lenczewski (DFL)****Ways & Means**

Inflation accounted for in revenue forecast.

**HF2874-Klinzing (R)****Education Finance**

School district operating expenditures directed towards classroom expenditures.

**HF2875-Scalze (DFL)****Taxes**

Property tax market value credit reimbursement cuts from 2006 restored.

**HF2876-Severson (R)****Commerce & Financial Institutions**

Property insurance restriction exception for second class cities clarified.

**HF2877-Emmer (R)****Health Policy & Finance**

State health program coverage of services eliminated for all except labor and delivery for undocumented, pregnant non-citizens.

**HF2878-Gazelka (R)****Health Policy & Finance**

Life insurance policy retention by Medical Assistance applicants authorized in certain instances.

**HF2879-Urdahl (R)****Taxes**

Dairy operation qualifying investment income and corporation franchise tax credit provided.

**HF2880-Urdahl (R)****Agriculture, Environment & Natural Resources Finance**

State park needs bonds issued and money appropriated.

**HF2881-Urdahl (R)****Education Finance**

Superintendent sharing financial incentive for school districts created.

**HF2882-Urdahl (R)****Transportation**

"Combat drug abuse" license plates authorized.

**HF2883-Dorman (R)****Taxes**

Agricultural land eligible for the homestead classification maximum market value increased.

**HF2884-Dorman (R)****Taxes**

Special agricultural classification eligibility extended.

**HF2885-Erickson (R)****Education Finance**

Library accessibility and improvement grants bonds issued and money appropriated.

**HF2886-Hosch (DFL)****Agriculture, Environment & Natural Resources Finance**

Avon air quality study of xylene money appropriated.

**HF2887-Hosch (DFL)****Health Policy & Finance**

MinnesotaCare income exclusions for certain medical expenses authorized.

**HF2888-Hosch (DFL)****Health Policy & Finance**

MinnesotaCare excess income spend down for persons with life-threatening medical conditions authorized.

**HF2889-Hosch (DFL)****Agriculture, Environment & Natural Resources Finance**

Glacial Lakes State Trail bonds issued and money appropriated.

**HF2890-Sykora (R)****Governmental Operations & Veterans Affairs**

Staggered terms of office for senators and staggered four-year terms of office for representatives provided, Legislature size reduced, and constitutional amendment proposed.

**HF2891-Gunther (R)****Transportation Finance**

Mankato district headquarters building trunk highway bonds issued and money appropriated.

**HF2892-Dorn (DFL)****Higher Education Finance**

Mankato academic building construction authorized.

**HF2893-Dorn (DFL)****Higher Education Finance**

Minnesota State University, Mankato; Trafton Hall bonds issued and money appropriated.

**HF2894-Urdahl (R)****Education Finance**

State aid destabilization of certain school district finances created.

**HF2895-Nelson, P. (R)****Civil Law & Elections**

Use, notice, hearing, appeal and procedure of eminent domain clarified, attorney fees authorized and technical changes provided.

**HF2896-Knoblach (R)****Environment & Natural Resources**

Total maximum daily load developments relating to the Clean Water Act provided and money appropriated.

**HF2897-Hackbarth (R)****Agriculture, Environment & Natural Resources Finance**

Northshore Trail bonds issued and money appropriated.

**HF2898-Juhnke (DFL)****Higher Education Finance**

Ridgewater College bonds issued and money appropriated.

**HF2899-Krinkie (R)****Taxes**

Bloomington directed to repay trunk highway fund bonds and metropolitan fiscal disparities law abolished.

**HF2900-Krinkie (R)****Taxes**

State general levy growth factor eliminated.

**HF2901-Heidgerken (R)****Civil Law & Elections**

Ski area operators and skiers responsibilities, rights and liabilities defined; and actions for injuries resulting from the inherent dangers of skiing prohibited.

**HF2902-Eastlund (R)****Civil Law & Elections**

Presumption in favor of joint physical custody established.

**HF2903-Seifert (R)****Taxes**

Agricultural homestead property classification tier structure basis on acreage rather than market value provided.

**HF2904-Seifert (R)****Health Policy & Finance**

Statewide hospitality fee exemption for schools provided.

**HF2905-Seifert (R)****Civil Law & Elections**

Contributions and solicitations during special legislative sessions prohibited in certain cases.

**HF2906-Seifert (R)****Transportation Finance**

Minnesota Valley Regional Rail Authority railroad track rehabilitation grant created, bonds issued and money appropriated.

**HF2907-Seifert (R)****Taxes**

Adoption income tax credit authorized and fund transfer provided.

**HF2908-Seifert (R)****Regulated Industries**

Allowable gambling expenses restrictions modified and technical changes provided.

**HF2909-Seifert (R)****Education Finance**

Independent School District No. 635, Milroy, fund transfer authorized.

**HF2910-Seifert (R)****Higher Education Finance**

Southwest Minnesota State University bonds issued and money appropriated.

**HF2911-Seifert (R)****Higher Education Finance**

Southwest Minnesota State University bonds issued and money appropriated.

**HF2912-Seifert (R)****Public Safety Policy & Finance**

Court collection of information from defendants for debt collection purposes required, penalties for false information established and Supreme Court directed to adopt rules.

**HF2913-Hansen (DFL)****Agriculture, Environment & Natural Resources Finance**

South St. Paul landfill reclamation and conversion to parkland bonds issued and money appropriated.

**HF2914-Dorman (R)****Taxes**

Local government aid formula for cities modified.

**HF2915-Gunther (R)****Transportation Finance**

Motor vehicle tax apportionment specified through constitutional amendment and referendum.

**HF2916-Smith (R)****Public Safety Policy & Finance**

Fire safety account established from fire premium and assessment revenue, fire insurance tax abolished and money appropriated.

**HF2917-Severson (R)****Civil Law & Elections**

Funeral, burial or memorial service disruption prohibited and penalties created.

**HF2918-Dill (DFL)****Higher Education Finance**

Vermillion Community College bonds issued and money appropriated.

**HF2919-Lanning (R)****Agriculture, Environment & Natural Resources Finance**

Oakport Township; flood hazard mitigation bonds issued and money appropriated.

**HF2920-Gazelka (R)****Health Policy & Finance**

Brainerd Regional Treatment Center methamphetamine treatment center for women development bonds issued and money appropriated.

**HF2921-Severson (R)****Governmental Operations & Veterans Affairs**

Leaves of absence for family members of seriously injured or killed member of the armed forces required, veterans programs provided and funded, military pension tax subtraction created, educational fairness required and money appropriated.

**HF2922-Olson (R)****Public Safety Policy & Finance**

Commitment law for felony sentence repealed.

**HF2923-Seifert (R)****Governmental Operations & Veterans Affairs**

Disruption of funeral, burial or memorial service prohibited and penalties created.

**HF2924-Johnson, R. (DFL)****Taxes**

Property tax bracket indexed for agricultural homestead property.

**HF2925-Johnson, R. (DFL)****Taxes**

Home care credit provided and money appropriated.

**HF2926-Dean (R)****Governmental Operations & Veterans Affairs**

Legislators prohibited from receiving compensation after May in odd-numbered years unless all major budget bills have been passed.

**HF2927-Abeler (R)****Jobs & Economic Opportunity Policy & Finance**

Sick leave benefits use modified, Internet-based caregiver support system established and money appropriated.

**HF2928-Dorman (R)****Jobs & Economic Opportunity Policy & Finance**

Albert Lea storm sewer lift station upgrades funding provided, bonds issued and money appropriated.

**HF2929-Lenczewski (DFL)****Taxes**

Alternative minimum taxable income modified and exemption amounts and phase-out thresholds increased.

**HF2930-Lenczewski (DFL)****Taxes**

Alternative minimum taxable income modified.

**HF2931-Dempsey (R)****Agriculture, Environment & Natural Resources Finance**

Goodhue Pioneer Trail funding provided, bonds issued and money appropriated.

**HF2932-Davids (R)****Taxes**

Military pension income tax deduction provided.

**HF2933-Bradley (R)****Health Policy & Finance**

Health case mix classification quarterly assessments required for reimbursement purposes.

**HF2934-Bradley (R)****Health Policy & Finance**

Integration plan for state-administered health care programs required.



**HF2935-Bradley (R)**  
**Health Policy & Finance**  
MinnesotaCare provider tax contingent reduction provided.

**HF2936-Knoblach (R)**  
**Higher Education Finance**  
St. Cloud State University; Wick Science Building addition funding provided, bonds issued and money appropriated.

**HF2937-Abeler (R)**  
**Health Policy & Finance**  
MinnesotaCare vision services coverage provided under limited benefit set.

**HF2938-Klinzing (R)**  
**Transportation Finance**  
I-94 and Radio Drive interchange funding provided, bonds issued and money appropriated.

**HF2939-Hansen (DFL)**  
**Environment & Natural Resources**  
Deer stand recalls notification required.

**HF2940-Otremba (DFL)**  
**Health Policy & Finance**  
MinnesotaCare gross income definition modified.

**HF2941-Otremba (DFL)**  
**Governmental Operations & Veterans Affairs**  
Minnesota State Correctional Facility - St. Cloud correctional state employees retirement plan coverages clarified and service credit purchase authorized.

**HF2942-Juhnke (DFL)**  
**Transportation Finance**  
Willmar airport repayment to state airports fund requirement prohibited, future funding from state airports reduction prohibited, and funds use for other airport improvements specified.

**HF2943-Sieben (DFL)**  
**Transportation Finance**  
Newport motor vehicle excise tax authorized.

**HF2944-Sieben (DFL)**  
**Governmental Operations & Veterans Affairs**  
Credit and debit card task force established relating to payment of taxes, licenses, permits and other fees.

**HF2945-Olson (R)**  
**Health Policy & Finance**  
Best practice guidelines, quality measurements requirement, performance reporting and quality improvement system requirements repealed for health care providers serving certain public programs.

**HF2946-Howes (R)**  
**Local Government**  
County office appointment and consolidation provided subject to notice, hearing and reverse referendum.

**HF2947-Juhnke (DFL)**  
**Environment & Natural Resources**  
Spearfishing season modified.

**HF2948-Juhnke (DFL)**  
**Public Safety Policy & Finance**  
Corrections contracts exceeding two years authorized relating to chemical dependency treatment programs.

**HF2949-Simpson (R)**  
**Public Safety Policy & Finance**  
Wadena County regional justice center funding provided, bonds issued and money appropriated.

**HF2950-Wagenius (DFL)**  
**Public Safety Policy & Finance**  
Hazardous substance release prevention, preparedness and response provided.

**HF2951-Ellison (DFL)**  
**Public Safety Policy & Finance**  
False information relating to police misconduct criminal provision repealed.

**HF2952-Westerberg (R)**  
**Public Safety Policy & Finance**  
Youth intervention programs funding provided and money appropriated.

**HF2953-Smith (R)**  
**Public Safety Policy & Finance**  
Courts funding provided to better address alcohol and drug-addicted offenders.

**HF2954-Smith (R)**  
**Public Safety Policy & Finance**  
Cell phone use by drivers under age 18 petty misdemeanor offense provided.

**HF2955-Howes (R)**  
**Tourism Division**  
Alternative shoreland management provided.

**HF2956-Solberg (DFL)**  
**Ways & Means**  
State budget compliance with accepted accounting principles required, emergency appropriation provided, inflation impact on state expenditures disclosed, continued appropriations provided, budget reserve increased and money appropriated.

**HF2957-Ruud (DFL)**  
**Education Finance**  
Special education federal funding urged by resolution to the president and Congress.

**HF2958-Greiling (DFL)**  
**Governmental Operations & Veterans Affairs**  
Lobbyist disclosure requirements increased, certain conference committee communications required to be open to the public, former legislators and employees prohibited from lobbying for two years and contributions limited.

**HF2959-Dorman (R)**  
**Capital Investment**  
Capital improvements bill providing funding for various public projects, issuing bonds and appropriating money.

**HF2960-Hilstrom (DFL)**  
**Commerce & Financial Institutions**  
Social Security number use restricted.

**HF2961-Dean (R)**  
**Governmental Operations & Veterans Affairs**  
Legislators' and governor's compensation forfeited upon failure to pass specified budget provisions in a timely manner.

**HF2962-Dorman (R)**  
**Taxes**  
Property tax 4d classification extended.

**HF2963-Liebling (DFL)**  
**Environment & Natural Resources**  
California low emission vehicle standards adopted and federal Clean Air Act updates provided.

**HF2964-Vandever (R)**  
**Civil Law & Elections**  
Communication or contact agreements clarified relating to family law.

**HF2965-Vandever (R)**  
**Local Government**  
Local government requirements for use of non-conforming lots limited.

**HF2966-Latz (DFL)**  
**Education Finance**  
Perpich Center for the Arts renovation funding provided, bonds issued and money appropriated.

**HF2967-Solberg (DFL)**  
**Environment & Natural Resources**  
Itasca County survey requirements modified, tax-forfeited land sale authorized and proceeds apportionment modified.

**HF2968-Abeler (R)**  
**Governmental Operations & Veterans Affairs**  
Public Employees Retirement Association service credit purchase authorized.

**HF2969-Kahn (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Hennepin County; emergency building stabilization at Fort Snelling Upper Bluff funding provided, bonds issued and money appropriated.

**HF2970-Liebling (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Manufactured home parks conditional use zoning requirement repealed.

**HF2971-Dorman (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Shell Rock River Watershed District storm water retention and flood mitigation grants provided, bonds issued and money appropriated.

**HF2972-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative Commission on Minnesota Resources renamed and modified to include citizens and money appropriated.

**HF2973-Eastlund (R)**  
**Public Safety Policy & Finance**  
Human Services campus security upgrades provided, bonds issued and money appropriated.

**HF2974-Eastlund (R)**  
**Public Safety Policy & Finance**  
Correctional facilities capital improvements funding provided, bonds issued and money appropriated.

**HF2975-Greiling (DFL)**  
**Health Policy & Finance**  
Mental health parity required in group disability income insurance policies.

**HF2976-Poppe (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Family child care licensure classification groups expanded.

**HF2977-Poppe (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Child care licensing provisions modified.

**HF2978-Solberg (DFL)**  
**Environment & Natural Resources**  
Sustainable forest incentive program land exchange authorized.

**HF2979-Hausman (DFL)**  
**Transportation Finance**  
Central Corridor transitway funding provided, bonds issued and money appropriated.

**HF2980-Welti (DFL)****Taxes**

Dover, Eyota, St. Charles Sanitary Sewer District sewer treatment facility construction materials sales tax exemption provided.

**HF2981-Soderstrom (R)****Public Safety Policy & Finance**

Minnesota sex offender treatment program at Moose Lake funding provided, bonds issued and money appropriated.

**HF2982-Simon (DFL)****Transportation Finance**

McLeod County railroad switching yard funding provided, bonds issued and money appropriated.

**HF2983-Vandever (R)****Regulated Industries**

Wireless telecommunications consumer protections provided.

**HF2984-Abeler (R)****Public Safety Policy & Finance**

Minnesota Correctional Facility - Lino Lakes; medical building improvements provided, bonds issued and money appropriated.

**HF2985-Smith (R)****Public Safety Policy & Finance**

Funeral and burial service disruption prohibited and penalties imposed.

**HF2986-Brod (R)****Public Safety Policy & Finance**

St. Peter Regional Treatment Center capital improvements funding provided, bonds issued and money appropriated.

**HF2987-Abrams (R)****Education Finance**

Minneapolis; MacPhail Center for Music funding provided, bonds issued and money appropriated.

**HF2988-Peterson, A. (DFL)****Education Finance**

Cooperative secondary facilities program eligibility expanded.

**HF2989-Poppe (DFL)****Jobs & Economic Opportunity Policy & Finance**

Austin flood damage rehabilitation funding provided, bonds issued and money appropriated.

**HF2990-Poppe (DFL)****Agriculture, Environment & Natural Resources Finance**

Austin flood mitigation grant provided, bonds issued and money appropriated.

**HF2991-Magnus (R)****Jobs & Economic Opportunity Policy & Finance**

Slayton regional event center funding provided, bonds issued and money appropriated.

**HF2992-Greiling (DFL)****Health Policy & Finance**

Prescriptions; notice required when a prescription drug is removed from the formulary due to the failure of the manufacturer to sign a rebate agreement.

**HF2993-Latz (DFL)****Education Policy & Reform**

Perpich Center for Arts Education authorized to participate in the alternative teacher professional pay system.

**HF2994-Dill (DFL)****Environment & Natural Resources**

Watercraft storage structure repair authorized on public waters.

**HF2995-Vandever (R)****Taxes**

Law enforcement and firefighter survivors income tax check-off provided, memorials maintenance provided and advisory council established.

**HF2996-Vandever (R)****Taxes**

Local option disaster relief abatements modified.

**HF2997-Ellison (DFL)****State Government Finance**

Blaine; National Sports Center track resurfacing funding provided, bonds issued and money appropriated.

**HF2998-Hoppe (R)****Jobs & Economic Opportunity Policy & Finance**

Firefighter labor arbitration provision sunset repealed.

**HF2999-Penas (R)****Transportation Finance**

Kittson County local road improvements funding provided, bonds issued and money appropriated.

**HF3000-Cox (R)****Agriculture, Environment & Natural Resources Finance**

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

**HF3001-Gunther (R)****Jobs & Economic Opportunity Policy & Finance**

Contamination cleanup grant program funds directed and commissioner's discretion clarified.

**HF3002-Emmer (R)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Family Investment Program and general assistance provisions modified.

**HF3003-Dorman (R)****Agriculture, Environment & Natural Resources Finance**

Albert Lea; North Edgewater Park contamination cleanup grant provided, bonds issued and money appropriated.

**HF3004-Smith (R)****Public Safety Policy & Finance**

State and local jail and prison inmates required to be housed in publicly owned and operated facilities, private contracting prohibited and Prairie Correctional Facility purchase authorized.

**HF3005-Smith (R)****Public Safety Policy & Finance**

Sex offender assessment reimbursement grant appropriation technical correction provided.

**HF3006-Smith (R)****Public Safety Policy & Finance**

Law enforcement officers required to record the country of citizenship and immigration status of felon arrestees and reporting required.

**HF3007-Smith (R)****Public Safety Policy & Finance**

Law enforcement officers required to record the country of citizenship and immigration status of felon arrestees and reporting required.

**HF3008-Smith (R)****Public Safety Policy & Finance**

Level III sex offenders required to wear GPS tracking devices and money appropriated.

**HF3009-Smith (R)****Public Safety Policy & Finance**

Domestic assault committed in the presence of a child enhanced penalties provided.

**HF3010-Smith (R)****Public Safety Policy & Finance**

Photographic evidence-based traffic citations prohibited.

**HF3011-Johnson, R. (DFL)****Public Safety Policy & Finance**

St. Peter Regional Treatment Center funding provided, bonds issued and money appropriated.

**HF3012-Ozment (R)****Environment & Natural Resources**

Temporary state park permits provided for towed vehicles.

**HF3013-Smith (R)****Transportation**

Motor vehicle existence of event recording device disclosure required.

**HF3014-Smith (R)****Civil Law & Elections**

Driver's license, permit and identification permits regulation provided and federal conformity provided.

**HF3015-Bradley (R)****Ways & Means**

Pharmacy and pharmacy-related costs human services funding provided and money appropriated.

**HF3016-Mullery (DFL)****Education Policy & Reform**

K-12 physical education standard elements clarified.

**HF3017-Howes (R)****Local Government**

Emergency medical services special taxing districts alternative establishment method provided, levy authority increased and sunset removed.

**HF3018-Wagenius (DFL)****Civil Law & Elections**

Absentee ballot voting provisions modified relating to public health circumstances.

**HF3019-Dorman (R)****Jobs & Economic****Opportunity Policy & Finance**

Albert Lea; Katherine Island bridge funding provided, bonds issued and money appropriated.

**HF3020-Solberg (DFL)****Taxes**

Electric utility generation facility personal property tax exemption modified.

**HF3021-Ellison (DFL)****Civil Law & Elections**

Voter challenges based on certain mailings by political parties prohibited.

**HF3022-Ellison (DFL)****Civil Law & Elections**

Voter challenges based on certain mailings by political parties prohibited.

**HF3023-Newman (R)****Education Finance**

Independent School District No. 424, Lester Prairie, fund transfers authorized.

**HF3024-Hilty (DFL)****Education Finance**

Independent School District No. 577, Willow River authorized to recertify its school levy for taxes payable in 2006.

**HF3025-Lesch (DFL)****Health Policy & Finance**

Fair Share health care fund established, large employers required to report health care costs and payments and subsidies established.

**HF3026-Pelowski (DFL)****Governmental Operations & Veterans Affairs**

Health screening benefit for eligible members of the armed forces provided and money appropriated.

**HF3027-Charron (R)****Local Government**

Nonconforming county land use provisions modified.

**HF3028-Kelliher (DFL)****Regulated Industries**

Liquor license restrictions technical provision modified relating to Metropolitan State University.

**HF3029-Powell (R)****Health Policy & Finance**

Essential community provider designation modified.

**HF3030-Samuelson (R)****Health Policy & Finance**

Health care providers prohibited from refusing to contract with government health plans and county-based purchasing organizations under certain circumstances.

**HF3031-Erickson (R)****Jobs & Economic Opportunity Policy & Finance**

Garrison, Kathio, West Mille Lacs Sanitary Sewer District wastewater treatment grant provided, bonds issued and money appropriated.

**HF3032-Emmer (R)****Health Policy and Finance**

Pharmacists prohibited from refusing to dispense a prescription drug or device except under certain circumstances.

**HF3033-Erickson (R)****Education Policy & Reform**

Pre-kindergarten through grade 12 academic reform created, teacher preparation reformed, state council established, grants provided and money appropriated.

**HF3034-Hornstein (DFL)****Health Policy & Finance**

Mental health fatality review team established and money appropriated.

**HF3035-Penas (R)****Environment & Natural Resources**

Roseau County tax-forfeited land sale authorized.

**HF3036-Solberg (DFL)****Agriculture, Environment & Natural Resources Finance**

Long Lake Conservation Center Marcum House renovation bonds issued and money appropriated.

**HF3037-Penas (R)****Agriculture, Environment & Natural Resources Finance**

Kittson County; St. Vincent dike improvement bonds issued and money appropriated.

**HF3038-Peterson, A. (DFL)****Agriculture, Environment & Natural Resources Finance**

Big Stone National Wildlife Refuge bike trail bonds issued and money appropriated.

**HF3039-Blaine (R)****Environment & Natural Resources**

Timber permit extension in event of adverse climatic conditions provided.

**HF3040-Fritz (DFL)****Education Policy & Reform**

Deaf student interpreter requirements modified.

**HF3041-Erickson (R)****Education Finance**

Debt service equalization aid program equalizing factors increased and indexed.

**HF3042-Erickson (R)****Education Finance**

Limited market value sales ratio adjustment calculation corrected.

**HF3043-Erickson (R)****Education Finance**

Debt service equalization aid equalizing factors increased and indexed and sales ratio calculation corrected.

**HF3044-Howes (R)****Environment & Natural Resources**

Fish spearing season extended.

**HF3045-Knoblach (R)****Jobs & Economic Opportunity Policy & Finance**

Non-public school exemption for timely wage payment requirements provided.

**HF3046-Haws (DFL)****Jobs & Economic Opportunity Policy & Finance**

St. Cloud Civic Center expansion and renovation bonds issued and money appropriated.

**HF3047-Haws (DFL)****Transportation Finance**

St. Cloud Regional Airport land acquisition bonds issued and money appropriated.

**HF3048-Lanning (R)****Transportation Finance**

Motor vehicle sales tax revenue dedicated to transportation and allocated between public transit assistance and highway user tax distribution fund and constitutional amendment proposed.

**HF3049-Davids (R)****Commerce & Financial Institutions**

Ambulance purchase and lease regulated and manufacturer's duty to repair, refund or replace defective ambulances established.

**HF3050-Nelson, P. (R)****Transportation**

Provisional driver's license motor vehicle operation requirements modified.

**HF3051-Lieder (DFL)****Jobs & Economic Opportunity Policy & Finance**

Polk County; 10-ton road construction bonds issued and money appropriated.

**HF3052-Ellison (DFL)****Jobs & Economic Opportunity Policy & Finance**

Legal non-licensed family child care providers technical provision modified.

**HF3053-Hornstein (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minneapolis parkway improvement bonds issued and money appropriated.

**HF3054-Latz (DFL)****Transportation Finance**

St. Louis Park intersection reconstruction bonds issued and money appropriated.

**HF3055-Davnie (DFL)****Commerce & Financial Institutions**

Pressure-treated lumber containing chromated copper arsenate structure removal from schools, parks and child care facilities required.

**HF3056-Blaine (R)****Environment & Natural Resources**

State Timber Act modified, land donor appraisal reimbursement and acquisition of land provided, state forest user fees established, forest resource management plan requirement eliminated, criminal penalties provided and money appropriated.

**HF3057-Beard (R)****Environment & Natural Resources**

Lower Minnesota River Watershed District acquisition, maintenance, operation, and improvement of dredge material site authorized, fees imposed and bonds issued.

**HF3058-Penas (R)****Jobs & Economic Opportunity Policy & Finance**

Iron Range Resources and Rehabilitation Board fund expenditure approval process clarified.

**HF3059-Penas (R)****Jobs & Economic Opportunity Policy & Finance**

Giants Ridge Recreation Area definition updated and Douglas J. Johnson economic protection trust fund technical reference corrected.

**HF3060-Howes (R)****Agriculture, Environment & Natural Resources Finance**

Forestland acquisition bonds issued and money appropriated.

**HF3061-Huntley (DFL)****Transportation Finance**

Northeast Minnesota rail initiative bonds issued and money appropriated.

**HF3062-Hamilton (R)****Agriculture, Environment & Natural Resources Finance**

Jackson County; trail connections bonds issued and money appropriated.

**HF3063-Buesgens (R)****Education Policy & Reform**

Structurally balanced school district budget requirements clarified.

**HF3064-Smith (R)****Public Safety Policy & Finance**

Minnesota Correctional Facility - Shakopee bonds issued and money appropriated.

**HF3065-Charron (R)****Public Safety Policy & Finance**

Minnesota Correctional Facility - Stillwater bonds issued and money appropriated.

**HF3066-Pelowski (DFL)****Agriculture & Rural Development**

Nursery stock retail sale consumer education provided and report required.

**HF3067-Davids (R)****Jobs & Economic Opportunity Policy & Finance**

Houston County Historical Society grant money appropriated.

**HF3068-Davids (R)****Jobs & Economic Opportunity Policy & Finance**

Houston County Historical Society grant bonds issued and money appropriated.



**HF3069-Smith (R)****Civil Law & Elections**

Eminent domain exercise for economic development prohibited, public use and other terms defined.

**HF3070-Hamilton (R)****Jobs & Economic Opportunity Policy & Finance**

Windom wastewater line project bonds issued and money appropriated.

**HF3071-Severson (R)****Environment & Natural Resources**

Watershed district manager elections provided.

**HF3072-Severson (R)****Governmental Operations & Veterans Affairs**

Policy statement supportive of military service established.

**HF3073-Thissen (DFL)****Civil Law & Elections**

Minnesota Common Interest Ownership Act technical and conforming changes provided, and certain probate, trust and mechanic's lien provisions modified.

**HF3074-Moe (DFL)****Public Safety Policy & Finance**

Disruption of funeral services, funeral ceremonies, graveside services and memorial services prohibited and penalties provided.

**HF3075-Peterson, A. (DFL)****Education Finance**

Lincoln County school project involving renewable energy bonds issued and money appropriated.

**HF3076-Emmer (R)****Civil Law & Elections**

Business corporations regulated, terms clarified and updated, limited liability companies regulated and references to limited liability companies provided.

**HF3077-Thissen (DFL)****Health Policy & Finance**

Human services commissioner presentation of detailed budget information for state-operated services required.

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**HF3078-Penas (R)****Governmental Operations & Veterans Affairs**

Iron Range Resources and Rehabilitation Board composition and member selection provided.

**HF3079-Abrams (R)****Local Government**

Liability on claims brought against a municipality participating in a joint venture or enterprise limited.

**HF3080-Haws (DFL)****Governmental Operations & Veterans Affairs**

County reimbursement required for housing state's short-term offenders.

**HF3081-Eken (DFL)****Environment & Natural Resources**

Otter Tail River canoe and boating route designated and funding provided, other routes and river accesses marked, bonds issued and money appropriated.

**HF3082-Lenczewski (DFL)****Taxes**

Working Families Tax Relief Act of 2004 marriage penalty relief conformity provided.

**HF3083-Lenczewski (DFL)****Taxes**

Working Families Tax Relief Act of 2004 marriage penalty relief conformity provided and tax relief made permanent.

**HF3084-Lenczewski (DFL)****Taxes**

Working Families Tax Relief Act of 2004 retroactive marriage penalty relief conformity provided.

**HF3085-Erickson (R)****Transportation**

Reconveying surplus transportation land requirements provided.

**HF3086-Powell (R)****Public Safety Policy & Finance**

Reporting of maltreatment of vulnerable adults data sharing with local medical examiner of reports of suspicious deaths required.

**HF3087-Eken (DFL)****Public Safety Policy & Finance**

Counties authorized to withdraw from regional jail systems.

**HF3088-Nelson, P. (R)****Public Safety Policy & Finance**

Limited disclosure of verbatim grand jury record authorized in the specified interests of justice.

**HF3089-Ruth (R)****Public Safety Policy & Finance**

Minnesota Correctional Facility - Faribault; Phase II expansion funding provided, bonds issued and money appropriated.

**HF3090-Westrom (R)****Regulated Industries**

Uniform regulatory treatment of telecommunications services for business customers provided.

**HF3091-Meslow (R)****Public Safety Policy & Finance**

Domestic abuse no contact order violations added to list of qualified domestic violence-related offenses.

**HF3092-Meslow (R)****Transportation Finance**

White Bear Lake; Lake Avenue Regional Trail funding provided, bonds issued and money appropriated.

**HF3093-Gunther (R)****Jobs & Economic Opportunity Policy & Finance**

Unemployment insurance law policy, housekeeping, and style changes provided; administrative rules incorporated into statute; and fraud penalties modified.

**HF3094-Powell (R)****Public Safety Policy & Finance**

State Patrol vehicles provided with automatic external defibrillators and money appropriated.

**HF3095-Hornstein (DFL)****Local Government**

Minneapolis Park and Recreation Board and city council authorized to impose a park dedication fee on new housing units.

**HF3096-Dill (DFL)****Agriculture, Environment & Natural Resources Finance**

Lake Superior safe harbors funding provided, bonds issued and money appropriated.

**HF3097-Walker (DFL)****Health Policy & Finance**

Fee-for-service health care delivery expanded under Medical Assistance, general assistance, and MinnesotaCare; and delivery of services to state health care program enrollees by prepaid health plans eliminated.

**HF3098-Kelliher (DFL)****Jobs & Economic Opportunity Policy & Finance**

Supportive housing funding provided, bonds issued and money appropriated.

**HF3099-Westerberg (R)****Regulated Industries**

Electronic horse race wagering authorized and card club provisions modified.

**HF3100-Beard (R)****Regulated Industries**

Card club provisions modified.

**HF3101-Buesgens (R)****Regulated Industries**

Gambling other than pari-mutuel betting authorized at licensed racetrack and constitutional amendment proposed.

**HF3102-Nornes (R)****Agriculture, Environment & Natural Resources Finance**

Otter Tail County surplus land conveyance authorized.

**HF3103-Nornes (R)****Health Policy & Finance**

Veterans Home Board projects funding provided, bonds issued and money appropriated.

**HF3104-Goodwin (DFL)****Health Policy & Finance**

Failure to dispense prescription drugs penalties provided.

**HF3105-Hackbarth (R)****Jobs & Economic Opportunity Policy & Finance**

East Bethel; zero-discharge wastewater treatment plant construction funding provided, bonds issued and money appropriated.

**HF3106-Walker (DFL)****Health Policy & Finance**

Universal health care system provided, preventive care focus required, comprehensive benefits and cost reduction provided and constitutional amendment proposed.

**HF3107-Samuelson (R)****Health Policy & Finance**

Ramsey County nursing facility rate increase determination provided.

**HF3108-Sailer (DFL)****Health Policy & Finance**

Renewable and conservation energy grants for nursing facilities provided and money appropriated.

**HF3109-Samuelson (R)****Jobs & Economic Opportunity Policy & Finance**

Ramsey County teen parents child care pilot project authorized.

**HF3110-Westrom (R)****Civil Law & Elections**

Voting system criteria established.

**HF3111-Dean (R)****Health Policy & Finance**

Interstate contracts for chemical health services provided.

**HF3112-Liebling (DFL)****Transportation Finance**

Rochester truck station grant provided, bonds issued and money appropriated.

**HF3113-Krinkie (R)****Civil Law & Elections**

Homeowner compensation increased in eminent domain actions, eminent domain use restricted and constitutional amendment proposed.

**HF3114-DeLaForest (R)**  
**Governmental Operations & Veterans Affairs**  
Labor agreements and compensation plans for various public employees ratified.

**HF3115-Welti (DFL)**  
**Transportation Finance**  
Airport fund transfer offset provided and fund transfer from the tax relief account to the general fund provided.

**HF3116-McNamara (R)**  
**Environment & Natural Resources**  
Game and fish provisions modified.

**HF3117-Larson (DFL)**  
**Public Safety Policy & Finance**  
Cell phones; moving violation committed while operating mobile phone fine doubled and affirmative defense provided for emergency use.

**HF3118-Samuelson (R)**  
**Taxes**  
Senior property tax deferral program qualifications modified.

**HF3119-Hoppe (R)**  
**Public Safety Policy & Finance**  
Regulated animal possession and ownership restrictions modified.

**HF3120-Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Unemployment and dislocated worker eligibility regulation provided.

**HF3121-Sykora (R)**  
**Education Finance**  
Charter school start-up paid for certain charter schools restored.

**HF3122-Johnson, R. (DFL)**  
**Taxes**  
North Mankato local sales tax authorized, bonds issued and funds use specified.

**HF3123-Tingelstad (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Post-adoption search services training requirements developed.

**HF3124-Tingelstad (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Adoption advisory task force established.

**HF3125-Severson (R)**  
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Leave for immediate family members of military personnel injured or killed in active service required.

**HF3126-Vandever (R)**  
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**HF3127-Abrams (R)**  
**Taxes**  
Motor vehicle lease sales tax revenue deposit modified.

**HF3128-Cornish (R)**  
**Regulated Industries**  
Renewable energy measure funding under energy conservation investment loan program authorized.

**HF3129-Hortman (DFL)**  
**Education Finance**  
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**HF3130-Bradley (R)**  
**Health Policy & Finance**  
ICF/MR plan to develop a plan for unspecified future services development required.

**HF3131-Sykora (R)**  
**Commerce & Financial Institutions**  
Health reinsurance program provision by service cooperatives and local government participation in programs authorized.

**HF3132-Bradley (R)**  
**Health Policy & Finance**  
Credentials verification service use by foreign medical school graduates authorized.

**HF3133-Gazelka (R)**  
**Governmental Operations & Veterans Affairs**  
Employment and Economic Development Department technical and housekeeping changes provided, department assistance provision to small businesses regarding federal funds required, fees imposed and revenue appropriated.

**HF3134-Wagenius (DFL)**  
**Regulated Industries**  
Energy project entitlement removed to facilitate energy sales contract entrance and technical changes provided.

**HF3135-Abrams (R)**  
**Local Government**  
Hennepin and Ramsey counties mortgage registry and deed tax imposition expiration date removed.

**HF3136-Abrams (R)**  
**Higher Education Finance**  
University of Minnesota and Minnesota State Colleges and Universities president search and selection process modified.

**HF3137-Ellison (DFL)**  
**Rules & Legislative Administration**  
United States; president memorialized by resolution to proclaim Juneteenth a national holiday.


**HF3138-Powell (R)**  
**Taxes**  
Burnsville tax increment financing district creation authorized, time deadlines extended and certain related authority repealed.

**HF3139-Johnson, S. (DFL)**  
**Governmental Operations & Veterans Affairs**  
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**HF3140-Haws (DFL)**  
**Local Government**  
Financial statement publication requirements of counties modified.

**HF3141-Cornish (R)**  
**Commerce & Financial Institutions**  
Fuel pre-purchase by Department of Commerce in certain cases related to low-income home energy assistance program required.

**HF3142-Hoppe (R)**  
**Local Government**  
Hennepin County regional park district provisions modified.

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### Session 2006

Number of legislative days permitted in a biennium .....	120
Number available for this year .....	54
Legislative days used in 2004, the last bonding year .....	52
In 2002 .....	56
In 2000 .....	51
Days from when the Legislature adjourned its special session July 13, 2005 to the start of the 2006 session .....	230
Date by which members must have their work complete .....	May 22
Days between May 22 and Election Day .....	169
Days before constitutional deadline in which members adjourned in 2004 .....	1
In 2002 .....	2
New House members since the end of last session .....	1 (Larry Haws)
Republican House members .....	68
DFL House members .....	66
Bonding proposal submitted Jan. 17 by Gov. Tim Pawlenty (in millions) .....	\$897
Millions that are proposed in general obligation bonding .....	\$811
Respective requests in 2004, in millions .....	\$760, \$689
Percent of governor's proposal that is for projects in Greater Minnesota .....	60
Millions in 2005 bonding law passed by Legislature .....	\$944.9
Amount in general obligation bonds .....	\$885.9
Millions in total bonding law in 2004 .....	\$0
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Millions in 2000 .....	\$636.8
Millions in 1998 (largest in state history) .....	\$999
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House bills introduced in the interim and on the first day of session .....	515

**Sources:** House Public Information Services office, House Chief Clerk's Office, Legislative Reference Library, Office of the Governor Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)), Department of Finance.

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 23, NUMBER 2 • MARCH 10, 2006

**INSIDE: EMINENT DOMAIN, STATE OF INNOVATION, FRONTIER TRAILS TO HIGHWAYS, MORE**

This Week's Bill Introductions HF3143-HF3336



# Session Weekly

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

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On the cover: Gov. Tim Pawlenty addresses a joint convention of the Legislature to give his State of the State address.

— Photo by: Tom Olmscheid

# Taking aim at eminent domain

When is it OK for the government to take your land?

By Nick Busse

When a St. Cloud trucking firm told LeRoy Hanisch he would be evicted from his property to make way for their new corporate offices, he didn't believe it. "I said, 'We don't live in Russia; you can't do that,'" Hanisch said at a March 3 meeting of the [House Public Safety Policy and Finance Committee](#).

Two months later, Hanisch said, the St. Cloud Housing and Redevelopment Authority called to let him know he had 90 days to move his home, his business, his wife and their five children off of his property. The city, he learned, was going to use eminent domain to take his land.

"I spent an awful lot of my retirement money to keep my property and keep my business at the location it is, only because a big trucking firm decided they wanted to build their corporate offices there," Hanisch said.

"The system is broken."

Hanisch isn't the only one who thinks so. A growing number of activists and legislators say that eminent domain — the

intended to put limits on the use of eminent domain in Minnesota. It has no Senate companion.

---

***"I spent an awful lot of my retirement money to keep my property and keep my business at the location it is, only because a big trucking firm decided they wanted to build their corporate offices there,"***

---

— LeRoy Hanisch

Johnson's bill and others like it follow in the wake of a controversial U.S. Supreme Court decision in June 2005. In *Kelo v. New London*, the court ruled that taking private property away

from one owner and transferring it to another private owner for economic development is constitutional if the community as a whole benefits.

But the *Kelo* decision didn't give local governments carte blanche to take whatever homes and businesses they want — not necessarily. In its decision, the court recognized the "hardship that condemnations may entail," and emphasized that "nothing in [the court's] opinion precludes any State from placing further restrictions on its exercise of the takings power."

That touched off a national race to pass state laws restricting the use of eminent domain. In February, *USA Today* reported that more than 30 state legislatures were considering eminent domain reform legislation. Five states — Alabama, Delaware, Michigan, Ohio and Texas — have already enacted laws.

In Minnesota, no fewer than [seven House bills](#) and seven Senate bills have been introduced on the subject so far this session. Johnson's bill has rapidly emerged as the leader of the pack.

Among other things, the bill would prevent governments from using eminent domain for economic development purposes such as increasing tax revenues, creating jobs or other redevelopment initiatives. It also creates a strict definition of what constitutes a "blighted" property, so that governments may not arbitrarily use the term to condemn private properties.



PHOTO BY ANDREW VONBANK

**St. Cloud property owner LeRoy Hanisch testifies March 3 before the House Public Safety Policy and Finance Committee in support of a bill that would define and modify eminent domain public use or purpose and require evidence for certain takings.**

Despite warnings from his attorney about the odds of winning in court, Hanisch fought the city and the trucking company. He eventually won, but keeping his own property cost him dearly — to the tune of \$80,000.

right of government to take private property under certain conditions — is being abused, and they're calling for reform.

[HF2846](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth), is one among several bills

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

**Jim and Beverly Meide of Champlin are afraid their home and several apartment buildings around them will be taken by the city to be developed into a park, marina and condos along the Mississippi River.**

### First Reading continued from page 3

The core issue in eminent domain, and one that Johnson's bill attempts to address, is what constitutes a "public use." In the *Kelo* decision, the Supreme Court held that economic development benefits the community as a whole, and therefore satisfies the "public use" requirement.

Proponents of eminent domain reform, however, strongly disagree with that notion.

"If a home or business can be taken just because someone else can make more money, then no one's home, farm or small business is safe," says Lee McGrath, spokesman for Minnesotans for Eminent Domain Reform, a broad coalition opposed to the use of eminent domain for economic development. In an e-mail, McGrath wrote that it is

illegitimate for the government to force a property owner to "sacrifice his or her land for someone else's private profits."

He wrote that Johnson's bill would still allow condemning authorities to take property for utilities, mitigation of public health risks and "things the public owns," such as roads, parks and government buildings.

"As a matter of public policy, there are many ways for government to encourage economic growth that do not involve taking someone's property," McGrath wrote, mentioning economic development districts, tax incentives, bonding, infrastructure improvements, grants and loans as examples.

### Going too far?

While the image of ordinary, hardworking Americans getting kicked off their own land to make way for a new Wal-Mart or a fancy hotel pulls at many people's heartstrings, opponents of eminent domain reform say new restrictions might prevent communities from making

needed improvements.

League of Minnesota Cities General Counsel Tom Grundhoefer says Johnson's bill could put a stop to all kinds of uses of eminent

domain, not just the ones involving economic development. Moreover, Grundhoefer says forbidding governments from using eminent domain for economic development overlooks the rights of property owners who stand to benefit from that development.

"Part of the point we're making is, what

about the rights of those citizens to have their area, their neighborhood improved?" Grundhoefer says. "How does that compare to the one or two properties that might have to suffer a taking?"

St. Louis Park Mayor Jeff Jacobs agrees.

"This is not simply about private property rights," Jacobs told members of the [House Civil Law and Elections Committee](#) March 1. "It is about the rights of Minnesota communities to reinvent themselves, to redevelop their main streets and to retain and attract businesses that will come to their communities."

Jacobs said it is already difficult for cities to use eminent domain, and that the practice is used "very sparingly." He added that his city is currently trying to redevelop an environmentally blighted property that might not meet the criteria for blight as defined in Johnson's bill.

The bill's definition of blight is a common complaint among its critics. Grundhoefer says that in order to be condemned, a house "pretty much has to be all but falling down" under the proposed legislation.

[Rep. Keith Ellison](#) (DFL-Mpls) has also expressed misgivings about the bill's definition of blight. As a representative of an inner-city district, Ellison worries that the bill might inadvertently prevent urban communities from cleaning up troubled neighborhoods.

Johnson, whose bill has gone from one sentence up to 16 pages and then back down to five-and-a-half pages in length, admits that his bill is a "work in progress." But he says the current incarnation of the bill represents a "reasonable middle ground," and he dismisses any notions that it would stop municipalities from building roads and other public projects.

"That's ludicrous, and I think even the people who are saying that know it's ludicrous, but they're hoping it sticks," Johnson says.

Johnson admits the bill will make it more difficult and costly for governments to initiate eminent domain proceedings, no matter what the purpose is. But as far as he's concerned, that's a good thing.

"I think it will make some of them harder, and it should," he says. 🙏



## ★ AGRICULTURE

**Building a bio future**

Location, location, location dominated the discussion about a request for \$2.5 million to partially fund the creation of the National Center for Biofuels Research at the University of Minnesota.

Fund it, but build it on which campus?

"Research should be where the resources are, at Morris," said [Rep. Bud Heidgerken](#) (R-Freeport). His remarks followed a presentation by Dick Hemmingson, director of the university's Initiative for Renewable Energy and the Environment to the [House Agriculture and Rural Development Committee](#) March 8.

In striking "on the Twin Cities campus" from HF2781, sponsored by the committee chair, [Rep. Greg Davids](#) (R-Preston), the committee chose to pass the location decision to the [House Higher Education Finance Committee](#), which will consider the bill next. It has no Senate companion.

Hemmingson's presentation focused on the goals of the proposed center and the plan to locate it on the Twin Cities campus in order to involve a variety of departments, including the Institute of Technology, the Hubert H. Humphrey Institute of Public Affairs and the Carlson School of Management.

How to efficiently produce the "next generation" of biofuels and bioproducts from

the fibrous parts of crops such as corn is slated to be a primary objective of the center, Hemmingson said. He described the center's potential development of a technology called biocatalysis which can "drive out an even more robust and substantially higher-yielding set of sugars that would then be fermented to an increasing array of products" including ethanol.

While construction and operation of the center would require funds from state, federal and other sources, Hemmingson spoke of the university as "a world class, comprehensive, public and land grant research university" with all of the components necessary to not only conduct the necessary research but to realize the commercial aspects of the technology and products.

Hemmingson said that while the Morris and Crookston campuses would provide researchers easy access to the biomass resources, the variety of human resources needed to do the research itself and to "lead to the commercialization of these technologies are on the Twin Cities campus."

[Rep. Al Juhnke](#) (DFL-Willmar) was not convinced.

"I understand the collaborative aspect you're talking about, but in this day and age of communications and e-mail and ITV and all the other things, I guess I'm missing the reasoning why this building would have to be on the Twin Cities campus," he said.

## ★ BONDING

**Medtronic dollars**

Technical changes are being requested on nearly \$18 million in appropriations approved last year for a commercial and industrial project that includes an expansion of Medtronic, a medical technology company headquartered in Fridley.

Sponsored by [Rep. Dan Dorman](#) (R-Albert Lea), [HF2623](#) was approved 125-6 by the House March 9. It now goes to the Senate, where [Sen. Keith Langseth](#) (DFL-Glyndon) is the sponsor.

Instead of having the appropriation go to the city of Mounds View, the dollars are directed to Anoka and Ramsey counties dependent on roadwork and other infrastructure costs within their borders.

"This is just cleaning up some language that didn't work with the bondholders and numerous attorneys have had their hand at making sure it is right this time," said Tony Bennett, chair of Ramsey County Board of Commissioners. "Ramsey County will be the lead agency in getting the project done. That is why it's back here."

Bennett said expediency is needed. "It needs to be out of this body and out of the Senate and signed by the governor by March 15 so we don't hold up the project. We need to let some contracts and put some people to work."

Bennett said that Medtronic has expedited its expansion project, and its second phase is expected to begin this year instead three years from now.

## ★ CONSUMERS

**Cable competition**

Communities across Minnesota would have an easier time giving their local cable television provider a dose of competition.

Sponsored by [Rep. Michael Beard](#) (R-Shakopee), [HF1319](#) was held over March 8 by the [House Regulated Industries Committee](#) for further discussion.

A companion bill ([SF688](#)), sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins), awaits action by the [Senate Jobs, Energy and Community Development Committee](#).

Currently, according to proponents of the bill, only 35 cities in Minnesota, or 4 percent of the total, have competing cable companies.

They say that lack of competition can be blamed on state law, which bars cities

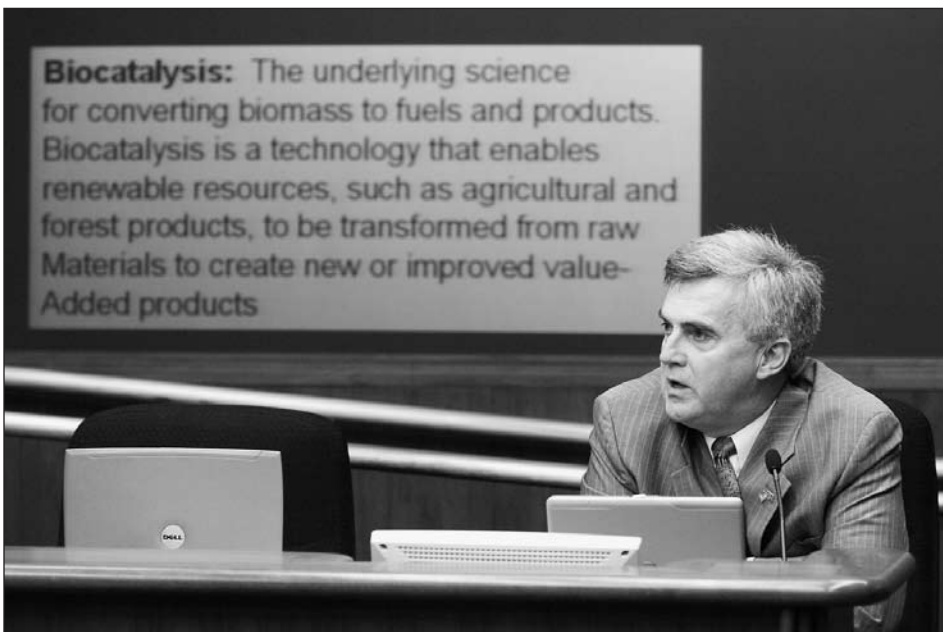


PHOTO BY TOM OLMSCHIED

**Dick Hemmingson, director of the University of Minnesota's Initiative for Renewable Energy and the Environment, testifies for the establishment of a National Center for Biofuels Research at the university during a March 8 hearing of the House Agriculture and Rural Development Committee.**

from negotiating deals less burdensome than the deal they have negotiated with their existing cable franchise.

That means that local governments must require that any new competitor serve the entire physical area served by the existing franchise. Many small companies are hesitant to make the large investment necessary to cover a whole city with fiber optic network before they land their first customer.

Under Beard's bill, municipalities could negotiate a deal covering only one part of the service area, which would greatly reduce their up-front investment.

Proponents say it would end the virtual stranglehold large cable companies have on the market, allowing them to raise their prices by 86 percent in the past 10 years.

In addition, it will create a level playing field that would allow small telecom businesses to compete for cable customers, and add jobs.

Not surprisingly, cable companies disagree.

Mike Martin, executive director for the Minnesota Cable Communication Association, said the bill would create an uneven playing field that puts large cable companies at a disadvantage. He said the Legislature should scrap the bill and instead develop a comprehensive policy to address telecom.

### Homeowners vs. home builders

While some homeowners feud with home builders over who should pay for poor construction jobs, legislators are trying to find a solution for both parties.

The [House Commerce and Financial Institutions Committee](#) listened to testimony March 2 on [HF1375](#), which would give contractors a "right to repair." Approved by the committee, it now goes to the [House Civil Law and Elections Committee](#).

The bill, sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids), requires homeowners to give contractors 30 days to inspect an issue and offer to fix a problem upon receiving written notice.

"We want to simplify this process," said Severson, who described the 30 days as a sanctuary period for both parties to find a solution other than litigation.

[Rep. Barb Goodwin](#) (DFL-Columbia Heights) said the bill would be a moot point unless an amendment was made to hold contractors liable for construction defects even after their business dissolves.

Currently, in cases where builders dissolve and reopen under a different name when a claim is made against them, it's impossible for consumers to seek action, Goodwin said. She cited the Minnesota Supreme Court's decision in *Camacho v. Todd and Leiser Homes* as stating that it was the Legislature's responsibility to protect homeowners against such dissolution. Goodwin's amendment was voted down 13-11.

Although [Rep. Ray Vandevor](#) (R-Forest Lake) agreed there was a problem, he said, "I think the whole warranty program offers a kind of false hope to people in Minnesota. But as Rep. Severson said, we should move this along. But I think this committee really needs to look at the home warranty program and what's backing it and what's backing the

claims so that it actually has some value to people."

A companion bill ([SF1287](#)), sponsored by [Sen. Linda Scheid](#) (DFL-Brooklyn Park), awaits action by the [Senate Judiciary Committee](#).

## ★ CRIME

### No private prisoners

Minnesota would not house any inmates in privately owned or operated prisons, under a bill before the [House Public Safety Policy and Finance Committee](#) March 8.

The committee held [HF3004](#), sponsored by [Rep. Steve Smith](#) (R-Mound), for further discussion. [SF2615](#), a companion bill, is sponsored by [Sen. Thomas Bakk](#) (DFL-Cook). It awaits action by the [Senate Crime Prevention and Public Safety Committee](#).

Smith's bill would bar the [Department of Corrections](#) from using private firms after Aug. 1, 2007. It would also require the corrections commissioner to enter into negotiations to buy the state's only privately owned or operated prison, the Prairie Correctional Facility in Appleton, from the Corrections Corporation of America.

While nobody spoke in opposition, proponents said the Legislature must take action on the bill soon.

"This is a critical time for your prison system," said Kerry Korpi, national director of research for the American Federation of State, County and Municipal Employees.

Korpi said Minnesota has one of the best prison systems in the nation, partly because it does not rely heavily on private prisons. However, she said, the facility in Appleton is expected to boost its inmate population from a few hundred prisoners to 1,700 by 2008.

If that happens, Minnesota would suddenly become one of the states most reliant on private prisons. She said private facilities have "mixed" safety records, fewer educational and substance abuse treatment programs, and generally lower wages.

One state that has found success by relying on public prisons is Illinois, said Buddy Maupin, a regional director for AFSCME's Illinois organization.

Maupin said that Illinois decided in 1990 to make state law its longstanding practice of using public prison facilities.

He also warned that private prison employees have the right to strike.

"Neither the governor nor the president of the United States has the statutory authority to get an injunction to stop such a strike," he said.



PHOTO BY ANDREW VONBANK

**Rep. Dan Severson, left, listens to testimony by forensic mold investigator Jack Rossbach on an amendment to HF1375 during the March 2 House Commerce and Financial Institutions Committee meeting. The bill would regulate construction defects in residential housing causes of action and provide notice and opportunity to repair.**

## Justice center funding

Leaders from a north-central Minnesota county say their county is too poor to pay for a new jail, so the state should pick up the \$16.6 million tab.

That's what members of the Wadena County Board of Commissioners told the [House Public Safety Policy and Finance Committee](#) March 8. The proposal will be considered in the committee's bonding recommendations.

[Rep. Dean Simpson](#) (R-New York Mills) and [Sen. Cal Larson](#) (R-Fergus Falls) are promoting [HF2949/SF2522](#) to fund the facility. The Senate version awaits action by the [Senate Finance Committee](#).

Wadena County officials, whose 22-bed jail is bursting at the seams, want to build a new facility with a 66-bed jail, two courtrooms and a law enforcement center.

[Rep. Doug Meslow](#) (R-White Bear Lake) pointed out that the state normally requires that local governments pay 50 percent of the cost of such a facility.

But the supervisors said they couldn't afford to pay any money.

"Due to our poor economy, we cannot put additional taxes on our citizens," said Commissioner Lane Waldahl.

Commissioner Mary Harrison said the county has no tourism or major industries, which means a paltry tax base. She said some locals would move if taxes increase.

According to their calculations, of the 87 counties in the state, Wadena officials would preside over the county with the 25th highest property tax burden, if they approved the facility.

However, [Rep. Scott Newman](#) (R-Hutchinson) said people in his district faced the same problem and found a way to build a new jail without such extensive state funding. He wondered how his constituents would react if he supported state funding for Wadena's entire proposed facility.

## EDUCATION

### Red Lake funding

The Red Lake School District is asking for \$55.3 million for building additions and renovations.

District officials presented their request to the [House Education Finance Committee](#) March 8.

The committee will consider including the proposal in its bonding recommendations.

The district plans to spend \$29.8 million to renovate and add classrooms at the high school, part of which dates to 1949; and the middle school, part of which dates to 1956. It

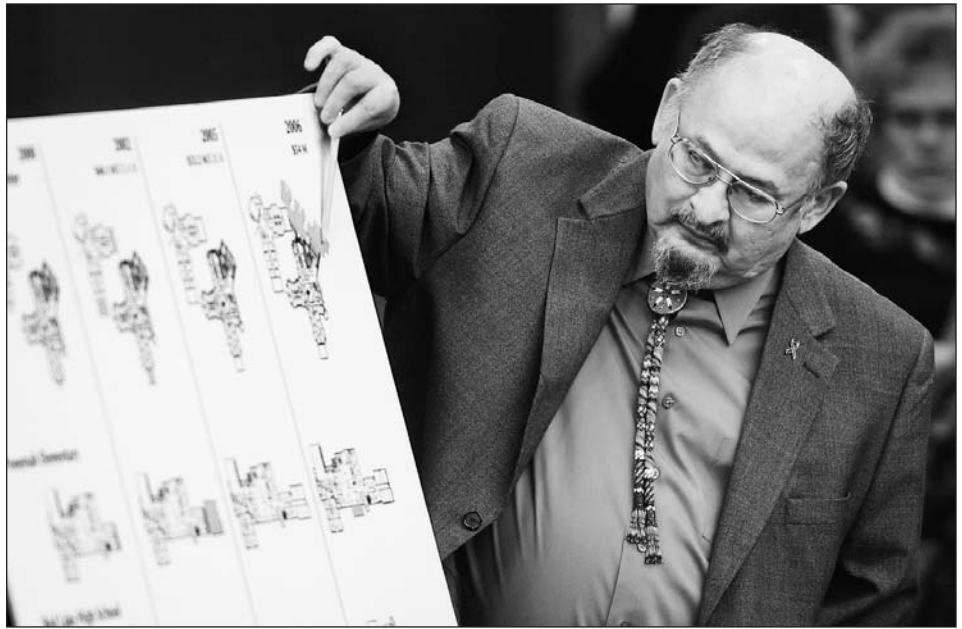


PHOTO BY TOM OLMSCHIED

**During a presentation to the House Education Finance Committee March 8, Red Lake Schools Superintendent Stuart Desjarlait points out improvements that would be made to one of Red Lake's schools with the \$55.3 million the district is seeking.**

would spend \$23.5 million to add classrooms at a newer local early childhood center. The remaining \$3 million would go toward new classrooms for an elementary school.

Sponsored by [Rep. Brita Sailer](#) (DFL-Park Rapids), [HF2699](#), which has no Senate companion, is the fourth request for state money Red Lake has made since 1999. School building construction is normally the responsibility of local school districts, but state officials allow exceptions for districts with small tax bases. The district received \$18 million in [last year's bonding law](#) "to design, construct, renovate, furnish, and equip a new middle school and the existing high school."

Superintendent Stuart Desjarlait said that the district needs to expand its infrastructure to accommodate expected growth in school population, as members of the local Native American community return to the community.

Committee Chair [Rep. Barb Sykora](#) (R-Excelsior) asked Desjarlait to promise that Red Lake officials would not return for funding soon, if the state grants the \$55.3 million request.

He promised, but added that the request would have been much smaller if legislators had granted it several years ago, before inflationary costs forced it up from \$40 million.

Gov. Tim Pawlenty has allocated \$10 million to the district in his capital investment proposal.

### Making schools safer

Schools may be required to create lockdown plans to respond to school shootings and other acts of violence involving K-12 students.

[HF2492](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), would require both public and private schools to develop and implement crisis response plans with local police and emergency responders.

The bill was approved by the [House Governmental Operations and Veterans Affairs Committee](#) March 8 and referred to the [House Education Policy and Reform Committee](#).

"We must become more prepared with how we deal with violence in our schools," Urdahl said, citing 24,764 acts of school violence reported to the [Minnesota Department of Education](#) during the 2004-05 school year, including assaults, harassment, threats and weapons-related acts.

Under the bill's provisions, the education commissioner would be required to develop a model crisis management plan. School districts and charter schools would be responsible for coming up with their own plans with local authorities, and required to conduct at least five lock-down drills, five fire drills and one tornado drill each school year.

The bill also establishes an advisory task force made up of law enforcement, school principals, counselors, state agencies and education organizations to be appointed by the commissioner. The task force would report to the Legislature on school safety issues and recommend legislation.



Bloomington Homeland Security Coordinator Dan Murphy said it is in everyone's best interests to take a "proactive stance" by training students, faculty and police how to respond to incidents of violence.

"In that moment of crisis, we will revert to how we have been trained. If we have no training to fall back on, we're going to perform unpredictably," Murphy said.

A companion bill, [SF2292](#), sponsored by [Sen. John Marty](#) (DFL-Roseville), awaits action in the [Senate Education Committee](#).

## ★ ENVIRONMENT

### More citizen involvement

A bill designed to reform the [Legislative Commission on Minnesota Resources](#) and encourage greater citizen involvement was approved March 2 by the [House Governmental Operations and Veterans Affairs Committee](#).

[HF2972](#) next goes to the [House Environment and Natural Resources Committee](#) for further review. Its Senate companion, [SF2814](#), sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action in the [Senate State and Local Government Operations Committee](#).

The bill, sponsored by [Rep. Kathy Tingelstad](#) (R-Andover), is based on recommendations from the Environment and Natural Resources Trust Fund Task Force. The task force, established in 2005 to review the process by which the state's environmental trust fund money is spent, released a [report](#) that calls for a number of changes to the LCMR, including:

- restructuring the commission to include seven citizens and 10 legislators;
- requiring a two-thirds majority vote for all funding decisions, thereby empowering the commission's citizen members;
- changing the commission's name to the Legislative and Citizen Commission on Minnesota Resources;
- setting up a fund for "emerging issues;" and
- encouraging regional block grants.

The regional grants became a subject of debate for the committee. [Rep. Diane Loeffler](#) (DFL-Mpls) expressed concern that distributing commission funds to regionally controlled entities might create accountability issues.

[Rep. Phyllis Kahn](#) (DFL-Mpls) answered that in her experience, regional grants work well because they "put smaller decisions where they belong" and end up being cost-effective.

## ★ HEALTH

### Covering drug costs

Signed  
by  
the  
governor  
★ ★ ★

A new law will provide for continuing coverage for Minnesotans who have had difficulty getting their prescriptions because of problems with a new federal prescription drug benefit.

A governor's executive order in January continued to cover the \$4.57 million in prescription drug costs, but now the state seeks federal reimbursement. The law is retroactive to Jan. 1.

"This is a continuation of our attempt to protect the people who are eligible for Medical Assistance and Medicare who, for one reason or another — and we are only talking about a few hundred people — come to get their prescriptions and discover that the eligibility documentation is not there," said [Rep. Fran Bradley](#) (R-Rochester), who sponsored the law with [Sen. Linda Berglin](#) (DFL-Mpls). Gov. Tim Pawlenty signed the law March 8.

In such cases, the pharmacist either covered the costs or the prescription was not filled.

"The real heroes in this situation were the pharmacists. Some of them just gave the drugs without being reimbursed and causing them huge cash flow problems," said [Rep. Thomas Huntley](#) (DFL-Duluth).

"In January when this Medicare Part D kicked in and we discovered these kind of issues in Minnesota and other places, the

governor issued an executive order that made us the payer of last resort and then empowered us to seek federal reimbursement when that was made available, and that did happen, but that was limited," Bradley said. "Then we had the [Legislative Advisory Commission](#) get together, and we allocated up to \$4 million to extend it to as late as March 8 and again empower the state to get reimbursements from the federal government if that (money) were made available."

That money was made available and that section is no longer necessary, but remains in the bill because the Senate felt it would be good to reaffirm that.

Bradley said "the real meat of this bill" is to make up to \$570,000 available so the state can be the payer of last resort from March 9 until April 15.

"We need to protect our constituents whether they are pharmacists or the people that are receiving the prescriptions," he said.

If the federal government does not allocate the necessary funds, [Rep. Ron Erhardt](#) (R-Edina) said the Legislature will have to revisit this issue later in the session to continue the funds.

[HF3015/SF2653\\*/CH170](#)

## ★ HUMAN SERVICES

### Defining assisted living

The baby boomer generation, although still going strong, will eventually slow down.

### YES, MAN



PHOTO BY TOM OLMSCHIED

**Darian Morrison, a sixth grader and student council president at Nett Lake School, had a short answer of "Yes" when a member of the House Education Finance Committee asked if he felt the Head Start program had helped him with his later learning in grade school.**

And once they do, they may be looking for different living arrangements – such as assisted living.

Assisted living, which provides extra help in day-to-day living but not necessarily 24-hour skilled nursing care, is becoming increasingly popular across the country. According to Iris Freeman, a public policy consultant for the Alzheimer's Association, Minnesota had 150 assisted living facilities in 1996. Today there are nearly 1,050.

The [House Health Policy and Finance Committee](#) held an informational hearing March 8 on [HF3144](#), which would establish a definition of assisted living in Minnesota, but took no action. The bill, sponsored by [Rep. Fran Bradley](#) (R-Rochester), would provide a framework for assisted living that doesn't exist in Minnesota.

"There's no uniform understanding of assisted living," said Freeman. "We're taking a very sound approach."

Jon Lips, legal affairs director for Care Providers of Minnesota, said the two goals of the bill are to provide title protection for providers and set clear expectations for consumers. Individual providers wouldn't be forced to comply with the bill. Instead, they just wouldn't be labeled as assisted living providers.

The bill would streamline such things as the definition of assisted living, required health-related services, response systems for residents, supportive services and accountability. Lips and Freeman added that a standard brochure on assisted living available to the public would also be helpful.

"How do we write and agree on standards that are clear enough to make a difference to consumers and yet elastic enough to allow varied and unique and special approaches to programming?" said Freeman, offering the bill as a solution. "You can't answer big questions with small participation."

A companion bill ([SF2888](#)), sponsored by [Sen. Linda Berglin](#) (DFL-Mpls), awaits action by the [Senate Health and Family Security Committee](#).

## ★ IMMIGRATION

### Visitors' driver's licenses

To help the state do its part in moving the country to greater security in a post-Sept. 11 era, a bill changing into law current state practices regarding driver's licenses is moving to the House floor.

"I sincerely believe this bill is one step we can do as a state that will help move our state and our nation toward a system that will

strengthen our security," [Rep. Steve Smith](#) (R-Mound), sponsor of [HF3014](#), told the House Civil Law and Elections Committee March 8. The bill has no Senate companion.

Provisions in the bill have been part of the [Department of Public Safety's](#) rules since 2002 when legislation was first proposed, but never enacted. Smith is asking that it now be written into law.

Smith said that the driver's license has become a "gateway document" to many of society's rights and privileges. Since 2002, a status check has been placed at the bottom of visiting non-citizens' licenses indicating the date for which they are legal to stay in the United States.

He said the bill would also help authenticate a person's identity because it strengthens the requirement for documents necessary to receive a state driver's license.

"First time applicants must present a primary and secondary form of identification to verify both identity and residency," he said. Primary forms of identification could include a U.S. birth certificate and U.S. passport.

Pat McCormack, director of department's Driver and Vehicle Services Division, said that since driver's licenses are issued for four years, they most likely do not correspond to a person's visa expiration date. If the visa had expired, the driver's license would no longer be valid.

[Rep. Keith Ellison](#) (DFL-Mpls) said that trying to "authenticate identity is meritorious, makes some sense." He asked if it was possible to have the status check embedded in the license making it accessible to law enforcement, but not to those who do not need that information.

McCormack said it may be possible to put it on the card's magnetic strip, but not all law enforcement officers have the tools to access it.

## ★ INSURANCE

### Funds for fighting flames

If [Rep. Steve Smith](#) (R-Mound) has his way, firefighters across the state will have more funds to help put out fires.

The sponsor of [HF2916](#), Smith said Minnesota's fire safety funds need more money. For example, it costs \$32,000 to outfit a new firefighter with proper equipment and \$3,000 a year to train them, Smith said.

On March 8, the [House Commerce and Financial Institutions Committee](#) approved the bill, which would increase the surcharge on home and commercial policyholders of fire insurance. The extra revenue would establish a fire safety account in the state

treasury. The money would also help fund safety programming and fire services.

Mike Stockstead, the Minnesota Professional Fire Fighters president, said the money is needed. It's expected that the current account will accrue nearly \$8 million for 2005. But the new bill would bring in almost double that amount.

[Rep. Tom Rukavina](#) (DFL-Virginia) believes that fire departments need more money, but he questioned the new rates. Rukavina is concerned that homeowners and small businesses would feel the bulk of the rate increases. [Rep. Diane Loeffler](#) (DFL-Mpls) said she wanted to know if the burden would be the same for all current policyholders. Stockstead said it would be similar.

The bill would also create a fire advisory committee that would report to the Public Safety Board. [Rep. Barb Goodwin](#) (DFL-Columbia Heights) said she would like to see regular consumers on the committee, which is only comprised of fire experts.

"It's the consumers who are paying," said Goodwin. "I would like to see somebody other than industry specialists that have input in this."

The bill, which has no Senate companion, awaits a hearing in the [House Public Safety Policy and Finance Committee](#).

## ★ LOCAL GOVERNMENT

### 'Piggybacking' road projects

A bill could save townships money by allowing them to "piggyback" onto county road construction projects.

[HF2677](#), sponsored by [Rep. Sondra Erickson](#) (R-Princeton), was approved March 2 by the [House Local Government Committee](#) and referred to the [House Transportation Committee](#). Its Senate companion, [SF2602](#), sponsored by [Sen. Claire Robling](#) (R-Jordan), awaits action in the [Senate State and Local Government Operations Committee](#).

The bill would allow townships to contract for road construction without competitive bidding in certain circumstances. For example, when a county builds a road through or near a township in need of road construction or maintenance, that township could "piggyback" onto the county's project by agreeing to the vendor's same terms and conditions.

Currently, townships are forbidden by law to contract with vendors without first setting up a joint powers agreement or carrying out a competitive bid process. The bill would allow townships to save the costs associated with seeking out and hiring a vendor of their own.



“Most of these rural areas, you’re lucky if you can get one contractor to put out a bid anyhow,” said Kent Sulem, attorney with the Minnesota Association of Townships. “This just really does help save taxpayer dollars.”

## METRO AFFAIRS

### Increasing MAC oversight

A bill to increase legislative oversight of the Metropolitan Airports Commission (MAC) was approved by a House committee March 8.

[HF2553](#), sponsored by [Rep. Paul Thissen](#) (DFL-Mpls), was approved by the [House Local Government Committee](#) and referred to the [House Governmental Operations and Veterans Affairs Committee](#). It has no Senate companion.

The bill would extend the oversight responsibilities of the [Legislative Commission on Metropolitan Government](#), which currently oversees the Metropolitan Council, to include the MAC as well.

Thissen said the commission should oversee the MAC for the same reasons it oversees the council: to have a state entity formally charged with making sure the MAC’s policy decisions are consistent with those of the Legislature.

“It’s not approval; it’s not a veto power. It’s just having someone say, ‘This is our job,’” Thissen said. He cited a [2003 report](#) from the [Office of the Legislative Auditor](#) that recommended increased oversight of the MAC.

MAC Executive Director Jeffrey Hamiel said the bill is unnecessary because the MAC already reports directly to nine separate government bodies, including four House committees.

“We have a lot of oversight, we have a lot of governance, a great deal of scrutiny, we have numerous reports annually,” Hamiel said. “And what this will do is add to that list of reports and accountability and testimony — which we’re not opposed to, in spirit. But we find the workload of reporting to 10 agencies every year multiple times as being increasingly challenging.”

Hamiel also noted that the MAC does not receive state funding.

Thissen countered that the four House committees to which the MAC reports look only at specific issues related to the airport and do not look at the broader context of the MAC’s overall policies. He said legislative discussion of airport-related issues is often confined to “narrow slices.”

[Rep. Mike Charron](#) (R-Woodbury) said he did not support the bill because the MAC is a well-run organization and it already reports to the Legislature.

## RECREATION

### Reduced park fees

State Parks Director Courtland Nelson says he is convinced reducing admission fees will get more people to visit the state’s parks and perhaps become lifelong park users.

New fees are part of what he described as “a very aggressive marketing campaign” to get more people to visit the state’s parks.

[HF3012](#), sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), includes a \$2 reduction in the price of one-day vehicle permits for individuals and groups.

“We believe that we have a good opportunity to get a hold of new customers, to contact new user groups, and that we will use this as one of those incentives,” Nelson told the [House Environment and Natural Resources Committee](#) March 2.

“We had an expectation when the fee was raised in 2003 that our annual permit sales would rise,” Nelson said. Instead, annual permit sales have remained the same.

Another component of the bill, the institution of a \$20 annual motorcycle pass — \$5 less than a regular vehicle pass — “is to target a specific group of users our research shows is underutilizing the state park system,” Nelson said. Minnesota is home to more than 160,000 over-the-road motorcyclists who might consider the state’s parks a recreational option “if we approach them in a positive way,” he said.

The parks commissioner is working with members of this group to find a way to display the permit on something other than the bike itself.

“When you have spent \$20,000 or more on a motorcycle, you don’t want to take a piece of anything and stick it on your bike,” Nelson said.

The bill also drops the requirement that campers purchase a second vehicle permit when they tow a vehicle behind their recreational vehicle, and it grants free admission to the [Soudan Underground Mine State Park](#) in St. Louis County, since the park basically consists only of the mine, which charges a tour fee.

Approved by the committee, the bill, which has no Senate companion, now moves to the [House Agriculture, Environment and Natural Resources Finance Committee](#).

## TECHNOLOGY

### Funding waste recovery technologies

Waste used to be waste; now, it is a resource, and two bills considered March 2 by the

[House Agriculture, Environment and Natural Resources Finance Committee](#) would partially fund the recovery of varying amounts of that resource.

Sponsored by [Rep. Dean Simpson](#) (R-New York Mills), [HF2590](#) requests \$3 million to build an incinerator in Perham. The new construction would expand the city’s current capacity to burn municipal solid waste — the garbage collected by communities from its residents and businesses — and produce steam that is then sold to local industries.

Bob Louiseau, Perham city manager, said the city’s current facility, in operation since 2002, already collects and burns refuse from four counties. With the expansion, additional refuse could be burned, including all of what had been incinerated at Fergus Falls until that city’s facility shutdown Feb. 28. Collected from seven counties, a small amount of that refuse has already been contracted to the current incinerator in Perham as well as to an incinerator in Alexandria. The remaining is being transferred to landfills in Gwinner, N.D., and Elk River.

Termed an innovative project — the first of its kind to be built in the United States, according to Steve Nyhus, attorney for Koochiching County — [HF2789](#), sponsored by [Rep. Irv Anderson](#) (DFL-Int’l Falls), requests \$10 million as partial funding for a \$30 million plasma torch gasification facility to be constructed in International Falls and owned by Koochiching County.

Nyhus said the Renewable Energy Clean Air Project (RECAP) would produce synthetic gas, steam, electricity and vitrified slag, a non-leachable product that can be used to make insulation. The project is requesting matching funds from federal, state and local sources.

The facility would be fed with municipal solid waste from at least eight counties in northeast Minnesota and produce no waste of its own.

Both bills are slated to receive additional consideration as part of the committee’s bonding recommendations.

Two companion bills, [SF2354](#), sponsored by [Sen. Cal Larson](#) (R-Fergus Falls), and [SF2391](#), sponsored by [Sen. Tom Saxhaug](#) (DFL-Grand Rapids), await action by the [Senate Finance Committee](#).

## TRANSPORTATION

### Craning around changes

A [Department of Transportation](#) housekeeping bill with simple intentions became controversial over exemptions for department crane operators that were included and eventually removed March 8 by

the [House Transportation Committee](#).

[HF3203](#), sponsored by [Rep. Connie Ruth](#) (R-Owatonna), would include:

- maintaining a screening board set to expire June 30, 2006, to advise the transportation commissioner on county state-aid projects,
- establishing a minimum age of 18 for drivers of motor vehicles with a gross weight of 10,000 pounds or less, and not transporting hazardous material other than those that protect the health and safety of the operator or passengers, support the operations or maintenance of the motor vehicle, or that support the principle business other than transportation of a private motor carrier; and
- removing the requirement that aeronautics rules be mailed to all airports and air schools.

The requirement is expected to save the state about \$20,000 a year by just posting the information on the department's Web site, Ruth said.

A more controversial potential change would have allowed department employees to be exempt from certification requirements of crane operators. Beginning in June 2007 those include 1,000 hours of crane operation every five years on cranes with a lifting capacity of 5 tons or more.

State employees infrequently use larger cranes, said Erik Rudeen, project specialist in the department's Government Affairs division. Nor do employees generally log enough hours to meet the certification, he added.

Representing certified crane operators, Robert Leighton said the change equals the state saying, "Do as I do, not as I say." Crane accidents lead to deaths and serious injuries and the exemption shouldn't be taken lightly, he said.

A committee voice vote removed the section with the expectation that Ruth and others would work a more amenable approach.

Approved by the committee, the bill now moves to the [House Governmental Operations and Veterans Affairs Committee](#). It has no Senate companion.

### Reporting transparency or duplication

The state spends millions of dollars a year on transportation and [Rep. Steve Simon](#) (DFL-St. Louis Park) would like a better understanding on how the money is spent.

Sponsored by Simon, [HF2380](#) would require the transportation commissioner to issue a report by Jan. 15 of each year detailing major highway projects costing at least \$5 million slotted for the next 15 years, and those

equaling 100 percent of the total construction budget of a district in the year in which the report is made or any of the previous five years.

The bill was tabled March 8 by the [House Transportation Committee](#) until changes could be made by Simon and [Department of Transportation](#) representatives. A Senate companion, [SF2874](#), sponsored by [Sen. Ann Rest](#) (DFL-New Hope), awaits action by the [Senate Transportation Committee](#).

For each major project the bill would require:

[Rep. Mary Liz Holberg](#) (R-Lakeville) said she's "much more interested in paying for asphalt and cement," than the costs of duplicating information the department already has or distributes.

Simon said the information is scattered, making it very difficult for the public to obtain the information.

Betsy Parker, director of the department's [Government Affairs Division](#), said that although many of the bill's requirements are now available in various areas, the bill would require extracting material from a

diverse information database and collecting information from current publications such as the State Transportation Improvement Plan.

## VETERANS



### Veterans projects

More than \$42 million in bonding requests from the Minnesota [Veterans Homes Board](#) will be considered by a House committee for inclusion in its bonding recommendations.

Sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), [HF3103](#) seeks \$35.09 million for five projects. [HF2825](#), sponsored by [Rep. Denny McNamara](#) (R-Hastings), seeks \$6.95 million to construct 30 efficiency apartments for single adults at the Hastings Veterans Home. Neither has a Senate companion.

McNamara told the [House Health Policy and Finance Committee](#) March 3 that the facility would provide for a better transition area for veterans leaving the home.

The largest portion of the Nornes bill is \$20.1 million to construct a 45-unit assisted living facility and renovate another building for relocation of the domiciliary program at the Minneapolis Veterans Home.

"It would help provide services to older veterans and younger ones who leave military hospitals," said Steve Musser, executive director of the Minnesota Veterans Homes Board.

Nearly \$7.7 million is requested to construct a 21-bed special care unit at the veterans home in Fergus Falls. He said the unit would cater to veterans who suffer from Alzheimer's disease and dementia.

Other requests include \$4.85 million for the Silver Bay facility to renovate some space and construct an addition; \$2.26 million to equip a building at the Minneapolis home for an adult day care program; and \$175,000 to pre-design phase III of the master plan for skilled nursing care at the Minneapolis home.

[Gov. Tim Pawlenty](#) has recommended \$15 million in veterans bonding: \$6 million for asset preservation; \$5.3 million for a dining/kitchen renovation and capacity addition at the Minneapolis home; a \$2.5 million emergency power upgrade at the Minneapolis campus; and \$600,000 each for the Fergus Falls special care unit and to cover the remaining cost of a nursing care addition at the Laverne facility.

### LATE ACTION



PHOTO BY ANDREW VONBANK

**Merrilee Carlson, whose son, Sgt. Michael Carlson was killed in Iraq in 2005, testified before the House Public Safety Policy and Finance Committee March 3 in support of a bill that would regulate protests at funerals. She was also in the House Gallery March 9 as the bill was approved 133-0 by the House. Sponsored by Rep. Steve Smith (R-Mound), HF2985 now goes to the Senate where Sen. Don Betzold (DFL-Fridley) is the sponsor.**

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## State of innovation

Pawlenty emphasizes Minnesota's role as an innovator

By BAO ONG

**G**ov. Tim Pawlenty touted Minnesota as strong and prosperous as the 2006 legislative session begins on the heels of what he called the biggest financial turnaround in state history. But, in his State of the State address March 9, he also said focusing on innovation would be key to the state's future success.

When Pawlenty gave his first State of the State address in 2003, the state had a \$4.5 billion deficit. Today there is a nearly \$1 billion surplus. However, he said there is more to do.

Minnesota's performance pay for teachers and a program for seniors to buy affordable prescription drugs from Canada are just some of the innovations contributing to the state's triumph, Pawlenty said. "My goal as governor is to make Minnesota the best state in which to live, work and raise a family. But we can't succeed unless we prosper economically."

Pawlenty said technological innovation would lead the way to more economic success.

"Technology, today, gives almost everybody access to almost everything, everywhere, at any time. It gives people previously unimaginable freedom and choice. Government must do the same."

He offered Benson, Minn., as a model.

In the town of 3,300, the Chippewa Valley Ethanol Company produces 45 million gallons of ethanol. The governor signed an executive order earlier in the day requiring state employees to use ethanol while driving state vehicles.

Benson also started burning corn stalks and husks as biomass energy to replace natural gas and is building an energy plant that creates



PHOTO BY TOM OLMSCHIED

**Gov. Tim Pawlenty cited Benson, Minn., as a model of innovation during his State of the State address.**

electricity from turkey droppings. "With over 46 million turkeys, Minnesota has a lot of droppings," Pawlenty joked.

Although Pawlenty said technology was

vital to freedom, he said, "Freedom isn't free." Pawlenty called for a show of appreciation to fallen troops, including Sen. Becky Lourey's (DFL-Kerrick) son, Matthew, who died when his helicopter crashed in Iraq last May.

Supporting American troops is an issue both parties rallied around as members and guests on the House floor stood up. Next week Pawlenty will help send off to Iraq 2,600 Minnesotans stationed in Camp Shelby, Miss. The troops were reportedly watching the governor's speech over the Internet. Pawlenty also wants to pass an income tax exemption for military retirement and fund other assistance programs for military members and veterans.

Pawlenty said his priorities center around four issues this session. They are:

- Education- Pawlenty urged legislators to pass his early childhood education funding increase and to require that at least 70 percent of school funding be spent in classrooms. More resources would be placed on emphasizing academic rigor, especially for math and science. Pawlenty also asked for \$7 million in financial incentives for at least 10 school districts to implement Advanced Placement and

International Baccalaureate programs for the first time.

- Health care- The working poor don't tend to carry health insurance. Insurance compa-





PHOTO BY TOM OLMSCHIED

**Gov. Tim Pawlenty, center, talks with Rep. Barb Goodwin as he enters the House Chamber March 9 to present his State of the State address to a joint session of the Legislature.**

nies and health maintenance organizations (HMOs) should better market affordable plans, Pawlenty said. He added there should be a focus on chronic conditions like childhood obesity and diabetes, which would not only save lives, but reduce costs for health insurance carriers. Pawlenty also proposed a \$12 million program to help small health care providers make the switch to electronic medical records. "We need to help health care administration enter the 21st century," Pawlenty said. Preparing for a possible bird flu pandemic was also on his list.

- **Natural resources-** Besides recent reform efforts to the governance of the great outdoors and Environmental Trust Fund, Pawlenty asked for funding of a long-term, statewide strategic plan for conservation. Additionally, he wants a constitutional amendment dedicating funds for conservation and clean water. Pawlenty also has a proposal to reduce mercury emissions in the air and water — a threat to younger children — by 90 percent. Pawlenty said

Minnesota should have a goal that 25 percent of all types of energy used will come from renewable sources by 2025.

- **Jobs-** The best way to generate revenue is to keep job providers growing, Pawlenty said. He suggested imposing a property tax cap and readjusting the corporate tax "so we don't punish job creation and plant expansion in Minnesota."

The last legislative session saw a special session and partial state government shutdown. Pawlenty's remedy: pass a performance pay bill for politicians. If legislators don't finish their work on time, they receive no pay during a special session and possibly later.

Referring to those paying higher college tuition and property taxes, during a press conference following the governor's speech, Senate Majority Leader Dean Johnson (DFL-Willmar) said Pawlenty was picking "winners and losers in the state."

House Minority Leader Matt Entenza (DFL-St. Paul) said Pawlenty "put forth a

paltry laundry list." He held up a \$1 bill — as Pawlenty did during his first State of the State address in 2003 when a Northfield woman sent him a \$1 bill to pay off the deficit — and said, "The governor raised taxes by \$1 billion."

During his speech, Pawlenty also mentioned letting citizens vote on a constitutional amendment banning same-sex marriage and said he welcomes legal immigration measures.

A reference to last session, Pawlenty said legislators "shouldn't be afraid of rational and robust debates about these issues. This building was built for such debates and the foundation and the walls are strong." But Entenza said Pawlenty only wants to debate his issues.

Both Entenza and Johnson said they hope the governor will bring both parties together during the short session. Johnson added Minnesota is a good state to live in but can still improve. 🙏



# Frontier trails to multi-lane highways

Old days of sweat-equity now replaced with complicated funding formulas

By PATTY JANOVEC

**F**rom the good ol' days of horse-drawn wagons to today's sport utility vehicles, state roads are built with blood, sweat and money — lots of money.

The middle of the 19th century brought legislative and congressional changes so that counties could use property tax dollars to fund roads that were needed for military purposes. Those who could not pay property taxes outright had the option of working on roads for \$2 a day. But regardless, all males, ages 21-50, were required to spend two days a year helping build local roads.

The 1890s brought pressure from Minnesota's dairy farmers who needed better roads for their frequent trips to creameries, markets and to carry supplies, according to a 1953 highway study commission. And by 1917, there were about 200,000 motor vehicles in the state creating a demand for better roads needing to be constructed more quickly. The Legislature created the Office of Commissioner of Highways, and two years later approved a constitutional amendment integrating a system of rural roads and an improvement plan. This amendment created Minnesota's Trunk Highway System, now the fifth largest in the nation.

## Mapping out funding

Today, Minnesota has 135,490 miles of roads — some under state responsibility and some under local governments. Funding the cost of construction is no longer so rudimentary. In fact, it is very complicated — based on formulas, use and need.

The federal government pays a large share of the construction costs, especially for roads designated as state highways and those in the interstate highway system. From 2005-2009, Minnesota can expect about \$2.5 billion from the feds through the transportation act established Aug. 10, 2005, known as Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy For Users. The money is collected on a reimbursement basis in addition to earmarked monies totaling \$465 million.

But to get the roads built, the state carries a financial responsibility as well. Our state roads are constructed with money collected from motor fuel, motor vehicle sales and vehicle license taxes, which are funneled into the Highway Users Tax Distribution Fund. In 2005, \$13.2 billion was allocated from this fund for state road construction.



Photographer Hibbard Studio, photo courtesy of the Minnesota Historical Society

**Workers grade Superior Boulevard in Hennepin County in 1921.**

## Dividing the money

The state's highway funding dollars are constitutionally divided, by percentage, into four areas.

Three of the areas comprise 95 percent of the fund: the Trunk Highway Fund, the County-State Aid Highway Fund, and the Municipal State-Aid Street Fund. Within those total dollars, funding for each is broken up as follows:

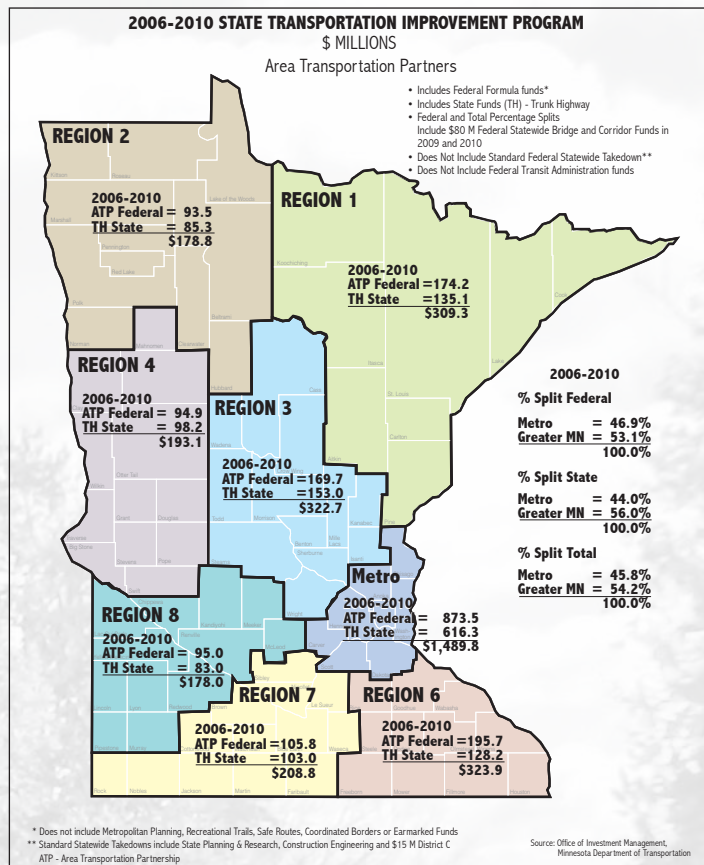
- 62 percent of Trunk Highway funds are constitutionally set for trunk highway purposes only. According to the nonpartisan House Research department, the money can be used for highway construction, including contracts, administration, engineering, research and purchase of right-of-way; State Patrol law enforcement; operations and maintenance

of buildings and storage sheds around the state; and debt service, including repayment of bonds and advances made by local units of government.

- The 29 percent designated for County State-Aid Highways is divided in several ways, with 10 percent equally divided among counties; 10 percent distributed according to the total registered motor vehicles per county; 30 percent distributed based on total lane-miles of state-aid highways per county; and 50 percent based on needs in order to bring county roads up to state standards.
- The remaining 9 percent is Municipal State-Aid Street funds allocated to cities with populations of more than 5,000 and the grandfathered city of Chisholm. Money is also distributed by formula, with 50 percent

***In the mid-1800s, all males in the state, ages 21-50, were required to spend two days a year helping build local roads.***





Map courtesy of the Minnesota Department of Transportation

### Map displays how much, and where, money will go for road projects through 2010

based on needs to meet state standards and 50 percent based on population. According to the nonpartisan House Research department, the formula results in 69 percent of the money going to the seven-county Twin Cities metropolitan area, which is approximately the same percentage of the area's share of municipal state-aid street mileage and vehicle miles traveled on the system.

- The other 5 percent of the Highway Users Tax Distribution Fund goes to a Flexible Fund. Currently, 30.5 percent is used for town roads, 16 percent for replacement and repair of town bridges and 53.5 percent for fixing county roads that might not make it onto the [Minnesota Department of Transportation](#) repair list. Determined by the Legislature, the percentages can only be changed every six years.

### Making it onto the project list

So how does citizen input come into play? How do I get the road in front of my house reexamined or added to the project list?

There are a number of ways to get involved, said Brad Larsen, federal relations manager with the [department's Office of Government Affairs](#).

A visit to the city or county engineer's office to research the local road plans is a good place to begin. Many times road plans have been established years in advance. Also, talk to the local MnDOT district staff — there are eight in the state — to see if the road of concern can move up higher on the priority list.

Each district determines which projects receive funding through a list of criteria. It also works with area transportation partnerships to determine the best division of state and federal

money. The partnerships are MnDOT's attempt to decentralize federal road funding decisions, and membership includes representatives from county, city and state levels.

### Project pressure points

The department's Metro District represents eight counties and 156 cities.

Planning Director Pat Bursaw said political pressure is "exerted here and there" on the project selection process. But choosing which roads to build still comes down to a list of criteria, including preservation, safety and congestion with major input from the Metropolitan Council.

District 7 is based in Mankato. Transportation District Engineer Jim Swanson said his district's criteria for funding a road include the volume of traffic, the condition and the overall safety of the road.

Proposed projects are determined and information is publicly published. District officials hold public information meetings throughout the district about 12 times a year. "It's a very open process and people are always glad about that," Swanson said.

It can be hard speaking to residents, Swanson said, because his district is frequently short of dollars to address all the road needs. Swanson tells residents that "We will continue to seal the cracks," and overlay the road, but there just is not money to rebuild.

"Nothing's easy when it comes to transportation," said Larsen. "The more resident concerns you have to meet, the more complex the process becomes because there is always a funding issue."

### Looking to the future

Over the next 20 years, a \$1 billion funding gap per year for state highways is looming, based on federal funding projections, Larsen said. Local funding gaps are also nearing that amount. With the deficit, increased construction costs and a continued population growth, Larsen said the bottom line is that not everyone will be happy because not all projects can be funded.

Swanson said unless voters approve the Motor Vehicle Sales Tax constitutional amendment on the 2006 ballot, there are "a lot of things we won't be doing."

The amendment passed by the 2005 Legislature would allocate all the money to transportation and the General Fund by 2012. Although the governor vetoed the measure, putting a constitutional amendment question to voters does not require gubernatorial approval.

Currently, the money is divided among several areas including the Highway User Tax Distribution Fund, the Metropolitan Council and MnDOT.



Photographer Charles Lincoln Merryman, photo courtesy of the Minnesota Historical Society

Street paving in Kerkhoven, Minn., in 1925.

## Choosing to fill

House committee approves pharmacists' right of refusal

By BAO ONG

The House has another balancing act on its hands — trying to find a solution to the clash between patient demands and pharmacists refusing to prescribe them certain drugs.

[Rep. Tom Emmer](#) (R-Delano) believes he has the right answer.

He is the sponsor of [HF3032](#), approved by the [House Health Policy and Finance Committee](#) March 8. Under his proposal, pharmacists are prohibited from denying prescribed drugs or devices to patients except in certain instances. The bill was sent to the full House.

"This is a balancing of the liberty of pharmacists versus the right and necessity of the patient to get their legally prescribed medication," said Emmer. The proposal is a compromise on his original bill, [HF2597](#), and has received more all-around support, Emmer added.

Under the bill, pharmacists would not be required to fill prescriptions if they have an objection — ethical, moral or religious — to a prescribed drug or device.

Michael Barrett, a Long Prairie Memorial Hospital and Home pharmacist, disagrees with requiring pharmacists to fill all prescription requests. He said the number of people pursuing pharmaceutical careers would decline if they were made to feel like "second-class citizens" who couldn't hold onto their values and beliefs.

"Can we at the same time think of legislating that all Muslim and Jewish butchers must carry pork?" said Barrett. "I don't think this is the place for government to get into."

Abortion, always a contentious issue, came up almost from the outset.

[Rep. Barb Goodwin](#) (DFL-Columbia Heights) said the bill could be futile for patients seeking birth control, especially in cases of rape or incest. Goodwin

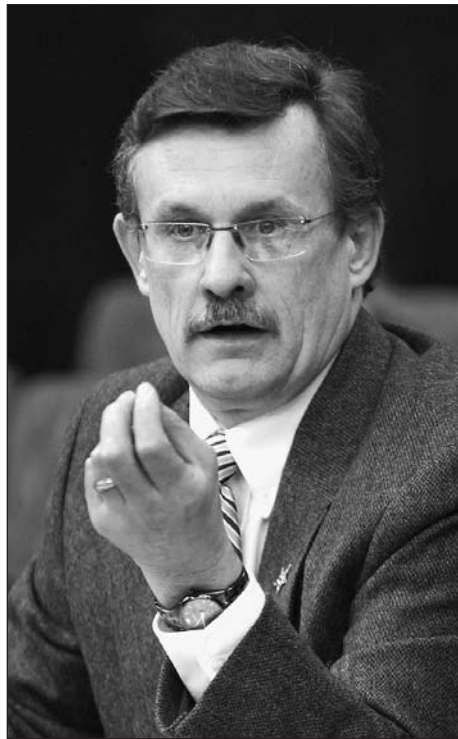


PHOTO BY ANDREW VONBANK

**Michael Barrett, a pharmacist with Long Prairie Memorial Hospital and Home, testifies March 8 before the House Health Policy and Finance Committee in support of a bill that would allow pharmacists to refuse to dispense a drug or device on ethical, moral or religious grounds.**

and Barrett disagreed on whether using certain birth control methods, such as the morning-after pill, would constitute an abortion.

[Rep. Mary Ellen Otremba](#) (DFL-Long Prairie) said under current law, pharmacists can already refuse prescriptions for abortion issues. But Barrett said the threshold of pregnancy is not clearly

defined in Minnesota.

Meanwhile, [Rep. Cy Thao](#) (DFL-St. Paul) questioned whether there was even a need for

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***"It's a balanced approach that addresses the needs of the patient and the needs of the pharmacist, personally and professionally,"***

— Todd Sorenson, president-elect of the Minnesota Pharmacists Association

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the bill. He said patients denied prescriptions today already go to other pharmacies or sources.


Todd Sorenson, president-elect of the Minnesota Pharmacists Association, said the bill would be a proactive step. "It's a balanced approach that addresses the needs of the patient and the needs of the pharmacist, personally and professionally," said Sorenson. "This issue, for the pharmacists association, is not about abortion. It's about balancing values and balancing access."

Others, like Erin Matson, believe the doctor-patient relationship should determine if a prescription is in order. "It is the duty of pharmacists to fill prescriptions," said Matson, president of the Minnesota National Organization for Women. "It is the duty of this committee to rise above militant, unscientific personal beliefs about birth control."

Another clause would allow pharmacists to deny patients prescriptions if the drug or device was out of stock. But the pharmacist would have to offer alternatives, such as locating another pharmacy with the prescription in stock. [Rep. Tim Wilkin](#) (R-Eagan) said this could still be an issue for Catholic hospitals, which may not want any part in aiding an abortion.

Both Republicans and Democrats said the words "timely" and "reasonable" used to describe how pharmacists would help patients if their prescriptions are denied — could be troublesome.

Under the bill, pharmacists can also refuse to provide prescriptions if they determine a drug or device would cause medical problems for a patient or if payment is not received.

A companion bill, [SF2647](#), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), awaits action by the [Senate Health and Family Security Committee](#). 



# Preserving the past

Ford Building reflects avenue's history as 'car row'

By LEE ANN SCHUTZ

The Ford Building stands quiet along University Avenue with little evidence of the important role it once played in providing jobs in St. Paul

It had only been 10 years after the Ford Motor Company began producing cars that plans were announced in 1913 for assembly plants in Minneapolis and St. Paul. Construction of these facilities cemented a community partnership with the car company that lasts even to today.

The Minneapolis building still stands at 419 N. Fifth Street. While it is larger in scale, it is the St. Paul building that may hold more historical significance, and its future is now in the hands of state lawmakers.

One of 18 built across the United States of the same design and the same detailing by Ford, the St. Paul building is eligible for placement on the [National Register of Historic Places](#).

"It has tremendous historic significance," said Brian McMahon, executive director of University UNITED, a coalition of community organizations and business people focusing on redevelopment along University Avenue. He is also a member of a working group making recommendations to the state on the future of the building.

He said the building meets all the criteria necessary to help the revitalization of the area, and it reflects the history of the avenue.

McMahon has put in a labor of love compiling the building's history and collecting old photos that tell its story.

In an historical overview to the Legislature, McMahon writes of how this building set the tone for University Avenue, making it "car row," where, in the days before Interstate 94, every car manufacturer had a

dealership. "It is a very important artifact of the history of the corridor."

Over the years, the building has served several uses. The state took ownership in 1952, housing some state agencies and boards there. It was mothballed three years ago for safety



Photo courtesy of University UNITED

**The Ford Building is one of 18 of similar design built by the Ford Motor Company in the U.S. Because of its historical significance, it is eligible for placement on the National Register of Historic Places.**

reasons, and the cost to repair the structure left some encouraging demolition.

In 2005, the Legislature put a stop, at least temporarily, to any talk of demolishing the building, and charged a task force with recommending future uses for the building.

Instead of demolition, the task force recommends that the building should be maintained at its current status until

plans can be developed for its use.

The [Department of Administration](#) pays about \$25,000 a year for minimal

maintenance of the building. But to address some deterioration of the exterior brickwork, the department spent \$79,000 for repairs last year.

Jim Rhodes, the department's legislative director, outlined the details, which call for the building to be evaluated in the context of state government and neighborhood and regional objectives, including historic preservation and sustainable community goals. The working group recommends the building be remodeled for offices, possible leased space for a coffee shop or restaurant, and a one-stop shop for government services.

If a proposal to restore the State Capitol receives the necessary funding, the Ford Building could provide temporary offices for senators and staff who would need to be relocated during the work. It would be a good location, especially since it is already connected to the Capitol Complex tunnel system, Rhodes said.

[Rep. Phyllis Kahn](#) (DFL-Mpls), a member of the working group, agrees.

"I strongly support the recommendation out of my concern for historic preservation, and the fact that we believe that a very good use of the building will be as swing space to house entities when their current space is being renovated. There are Ford buildings similar to this one all over the country and not one has been torn down."

The report acknowledges the financial challenges to retaining older buildings, but says they should be viewed as civic assets.

Costs to renovate the building are projected to be \$9.3 million.

The task force report is expected to be heard by the [House State Government Finance Committee](#).

## Wednesday, March 8

### HF3143-Lesch (DFL)

#### **Jobs & Economic Opportunity Policy & Finance**

Large employer health cost payments required.

### HF3144-Bradley (R)

#### **Health Policy & Finance**

Assisted living services requirements established, procedures specified and home care provider categories modified.

### HF3145-Vandever (R)

#### **Commerce & Financial Institutions**

Licensed mortgage originators and servicers required to know Minnesota lending laws and ethical lending practices.

### HF3146-Mahoney (DFL)

#### **Jobs & Economic Opportunity Policy & Finance**

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

### HF3147-Otremba (DFL)

#### **Transportation Finance**

Staples; highway overpass funding provided, bonds issued and money appropriated.

### HF3148-Penas (R)

#### **Agriculture, Environment & Natural Resources Finance**

Kittson County; flood mitigation funding provided, bonds issued and money appropriated.

### HF3149-Penas (R)

#### **Jobs & Economic Opportunity Policy & Finance**

Hallock; economic development grant provided and money appropriated.

### HF3150-Penas (R)

#### **Jobs & Economic Opportunity Policy & Finance**

JOBZ zone eligibility provided for qualified businesses.

### HF3151-Klinzing (R)

#### **Education Finance**

Summit Academy OIC 100 hard hats program funding provided and money appropriated.

### HF3152-Charron (R)

#### **Local Government**

Washington County tax-forfeited land sale authorized.

### HF3153-Finstad (R)

#### **Health Policy & Finance**

Nursing facility quarterly resident assessments required, case mix indexes for nursing facility reimbursement modified and rate adjustments provided.

### HF3154-Blaine (R)

#### **Agriculture, Environment & Natural Resources Finance**

Morrison County; Highway 10 Soo Line Recreational Trail park-and-ride lot funding provided, bonds issued and money appropriated.

### HF3155-Blaine (R)

#### **Agriculture, Environment & Natural Resources Finance**

Morrison County; Soo Line Recreational Trail at Bowlus trail's head warming house funding provided, bonds issued and money appropriated.

### HF3156-Blaine (R)

#### **Agriculture, Environment & Natural Resources Finance**

Little Falls Zoo improvements funding provided, bonds issued and money appropriated.

### HF3157-Blaine (R)

#### **Jobs & Economic Opportunity Policy & Finance**

Royalton; wastewater treatment holding pond funding provided, bonds issued and money appropriated.

### HF3158-Sykora (R)

#### **Civil Law & Elections**

Supervised visitation advisory committee established, marriage dissolution fees adjusted to fund parenting time centers and money appropriated.

### HF3159-Ellison (DFL)

#### **Agriculture & Rural Development**

Pesticide application notice required.

### HF3160-Ellison (DFL)

#### **Rules & Legislative Administration**

Congress urged by resolution to reauthorize the Voting Rights Act of 1965.

### HF3161-Bradley (R)

#### **Health Policy & Finance**

Human services rate adjustments clarified.

### HF3162-Finstad (R)

#### **Health Policy & Finance**

Home and community-based waived services program county funding new allocation methodology delayed.

### HF3163-Dorman (R)

#### **Agriculture, Environment & Natural Resources Finance**

Austin, Albert Lea, and Shell Rock Watershed District flood mitigation grants provided; bonds issued and money appropriated.

### HF3164-Beard (R)

#### **Civil Law & Elections**

Food and beverage public officials' gift ban modified.

### HF3165-Ozment (R)

#### **Agriculture, Environment & Natural Resources Finance**

Minnesota Zoological Garden funding provided, bonds issued and money appropriated.

### HF3166-Davids (R)

#### **Commerce & Financial Institutions**

Interstate Insurance Product Regulation Compact enacted.

### HF3167-Davids (R)

#### **Taxes**

Property tax payment required before recording deeds or other conveyances on certain types of property.

### HF3168-Davids (R)

#### **Regulated Industries**

Soy-based transformer fluid tax refund provided for electric utilities and money appropriated.

### HF3169-Seifert (R)

#### **Local Government**

Local government units prohibited from imposing fees related to students at postsecondary institutions.

### HF3170-Seifert (R)

#### **Civil Law & Elections**

Fairness in Restitution for Victims and Judgment Creditors Act adopted allowing certain recoveries.

### HF3171-Klinzing (R)

#### **Health Policy & Finance**

Parents authorized to obtain a clean certified copy of a deceased child's birth record under certain circumstances.

### HF3172-Penas (R)

#### **Jobs & Economic Opportunity Policy & Finance**

Affirmative-business enterprise employment provided.

### HF3173-Cox (R)

#### **Transportation Finance**

Motor vehicle sales tax revenues reallocated.

### HF3174-Seifert (R)

#### **Governmental Operations & Veterans Affairs**

Recipients of state grants and appropriations required to disclose salaries of certain employees.

### HF3175-Liebling (DFL)

#### **Education Finance**

School districts authorized to include energy efficiency improvement projects in alternative facilities plans.

### HF3176-Smith (R)

#### **Agriculture, Environment & Natural Resources Finance**

Minnehaha Creek Watershed District funding provided, bonds issued and money appropriated.

### HF3177-Olson (R)

#### **Health Policy & Finance**

County liability for reimbursement of cost-of-care treatment reduced.

### HF3178-Emmer (R)

#### **Education Policy & Reform**

Teachers charged with felonies subject to suspension without pay.

### HF3179-Buesgens (R)

#### **Education Policy & Reform**

General education revenue, education excellence, special programs, nutrition and accounting, self-sufficiency and lifelong learning provided; and money appropriated.

### HF3180-Hortman (DFL)

#### **Environment & Natural Resources**

Fluorescent and high intensity discharge lamps proper disposal, labeling and notices required.

### HF3181-Peterson, N. (R)

#### **Higher Education Finance**

Normandale Community College funding provided, bonds issued and money appropriated.

### HF3182-Jaros (DFL)

#### **Public Safety Policy & Finance**

Cell phone use prohibited while operating a motor vehicle.

### HF3183-Hortman (DFL)

#### **Environment & Natural Resources**

Fluorescent lamps containing mercury; disclosure required regarding disposal of lamps containing mercury.

### HF3184-Pelowski (DFL)

#### **Taxes**

Winona sales tax additional revenue use authorized.

### HF3185-Mahoney (DFL)

#### **Commerce & Financial Institutions**

Bioprocess piping and equipment data classified as nonpublic, and bioprocess piping included in the definition of high pressure piping.

### HF3186-Jaros (DFL)

#### **Taxes**

Duluth Heritage Sports Center construction materials sales tax exemption provided.

### HF3187-Peppin (R)

#### **Governmental Operations & Veterans Affairs**

Per diem payments to legislators prohibited during certain special sessions.

### HF3188-Jaros (DFL)

#### **Local Government**

Iron Range; new local government system meeting requested.

**HF3189-DeLaForest (R)****Taxes**

Capital equipment upfront sales tax exemption provided.

**HF3190-Dill (DFL)**

**Environment & Natural Resources**  
St. Louis County; tax-forfeited land sale authorized and prior authorized public sale terms modified.

**HF3191-Thissen (DFL)****Local Government**

Metropolitan Airports Commission included in the oversight responsibilities of the Legislative Commission on Metropolitan Government.

**HF3192-Erickson (R)****Education Policy & Reform**

Qualified teachers granted licensure in additional subject areas.

**HF3193-Entenza (DFL)****Governmental Operations & Veterans Affairs**

State employees compensated for time they were not able to work due to the 2005 partial government shutdown.

**HF3194-Westerberg (R)****Regulated Industries**

Lawful gambling clarifying, conforming and technical changes provided; and expenditure restriction requirements modified.

**HF3195-Hilstrom (DFL)****Civil Law & Elections**

Sexual harassment claims statute of limitations suspended while employer investigations are pending.

**HF3196-Wagenius (DFL)****Governmental Operations & Veterans Affairs**

Legislative Water Commission established.

**HF3197-Smith (R)****Public Safety Policy & Finance**

Domestic fatality review team pilot project in the fourth judicial district extended.

**HF3198-Smith (R)****Public Safety Policy & Finance**

Crime and drug abuse prevention media campaign funding provided and money appropriated.

**HF3199-Hackbarth (R)****Environment & Natural Resources**

Horse trail pass provided and money appropriated.

**HF3200-Hackbarth (R)****Environment & Natural Resources**

Natural resources contract, grant, licensing, invasive species, state trail descriptions, water use surcharge and water aeration safety provisions modified.

**HF3201-Beard (R)****Transportation**

Salvage certificate of title modified, vehicle dismantle or destruction notice required and definition of "motorized foot scooter" modified.

**HF3202-Westerberg (R)****Transportation**

State land conveyed and state highway system routes removed.

**HF3203-Ruth (R)****Transportation**

County state-aid highway fund screening board established, crane operator certification requirements clarified, hazardous material transport minimum age provided and postal rule distribution provision repealed.

**HF3204-Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Runaway and Homeless Youth Act and out-of-school youth program pilot project established, report required and money appropriated.

**HF3205-Clark (DFL)****Public Safety Policy & Finance**

Registered predatory offender attendance of chemical abuse treatment groups including members of the same gender as their victims prohibited.

**HF3206-Soderstrom (R)****Jobs & Economic Opportunity Policy & Finance**

Mora; recreational trail design bonds issued and money appropriated.

**HF3207-Davnie (DFL)****Transportation Finance**

Motor vehicle rental tax and fee exemptions provided.

**HF3208-Urdahl (R)****Health Policy & Finance**

Day training and habilitation provider rate reimbursement increased.

**HF3209-Loeffler (DFL)****Education Finance**

Voluntary full-day kindergarten and pre-kindergarten school readiness services for certain 4-year-old students authorized.

**HF3210-Loeffler (DFL)****Education Finance**

Extended time program eligibility for 4-year-old students provided.

**HF3211-Erickson (R)****Regulated Industries**

Horse racing breeders' fund apportionments modified.

**HF3212-Vandever (R)****Health Policy & Finance**

Licensed residential program requirements modified.

**HF3213-Vandever (R)****Health Policy & Finance**

Expanded health care practices for health care professionals authorized.

**HF3214-Beard (R)****Transportation**

Department of Transportation towing authority within metropolitan district granted.

**HF3215-Erickson (R)****Regulated Industries**

Video lottery terminals established; state lottery director duties and powers expanded; use of video lottery revenues clarified; lawful gambling taxes modified and conforming changes provided.

**HF3216-Olson (R)****Agriculture, Environment & Natural Resources Finance**

Great River Woodland Trail bonds issued and money appropriated.

**HF3217-Hansen (DFL)****Jobs & Economic Opportunity Policy & Finance**

Paid organ donation leave for certain public employees provided.

**HF3218-Samuelson (R)****Health Policy & Finance**

Tanning facilities regulated.

**HF3219-McNamara (R)****Transportation**

Gold Star Family license plates created for family members of military personnel who have died in active military service, and motor vehicle registration fee exemption provided.

**HF3220-Larson (DFL)****Governmental Operations & Veterans Affairs**

Persian Gulf War, Operation Enduring Freedom and Operation Iraqi Freedom veteran health protected.

**HF3221-Goodwin (DFL)****Transportation**

Comparison of state employee performance cost with privatization contract cost required before entering into privatization transportation contract, privatization cost savings minimum specified and report required.

**HF3222-Abeler (R)****Health Policy & Finance**

Human services federal fund replacement money appropriated.

**HF3223-Dorman (R)****Education Policy & Reform**

Increased school district heating and transportation fuel cost grant money appropriated.

**HF3224-Otremba (DFL)**

**Environment & Natural Resources**  
Snowmobile state trail sticker requirement for landowners exemption provided.

**HF3225-Tingelstad (R)****Rules & Legislative Administration**

President and Congress memorialized by resolution to rename the Rochester Veterans Outpatient Clinic the Corporal Chuck Lindberg Clinic.

**HF3226-Charron (R)****Jobs & Economic Opportunity Policy & Finance**

Film production tax credit provided and money appropriated.

**HF3227-Kelliher (DFL)****Taxes**

Household income definition in relation to property tax refunds modified.

**HF3228-Kelliher (DFL)****Regulated Industries**

Liquor advertisement within a school zone prohibited.

**HF3229-Otremba (DFL)****Health Policy & Finance**

Nursing home payment rates modified.

**HF3230-Meslow (R)****Education Finance**

School district technology funding increased and money appropriated.

**HF3231-Sykora (R)****Education Finance**

Operating capital levy reduced and operating capital equalizing factor restored.

**HF3232-Charron (R)****Education Finance**

Cost factor and wage rate difference in school districts examination required.

**HF3233-Anderson, B. (R)****Agriculture, Environment & Natural Resources Finance**

Wright County; regional park bonds issued and money appropriated.

**HF3234-Hortman (DFL)****Civil Law & Elections**

Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

**HF3235-Peppin (R)****Public Safety Policy & Finance**

Vulnerable adult criminal neglect penalties created.

**HF3236-Hortman (DFL)****Education Finance**

Reestablishing funding for hazardous transportation

**HF3237-Peppin (R)****Education Policy & Reform**

Independent School District No. 728, Elk River, election to form two school districts authorized.



**HF3238-Holberg (R)**  
**Civil Law & Elections**

Telephone records unlawful conduct crime established and criminal penalties imposed.

**HF3239-Simon (DFL)**  
**Governmental Operations & Veterans Affairs**

Mediation for state legislators required when major budget bills have not been enacted.

**HF3240-Brod (R)**  
**Civil Law & Elections**

Liquefied petroleum gas actions against certain sales and deliveries limited.

**HF3241-Erickson (R)**  
**Governmental Operations & Veterans Affairs**

Final passage of bill or conference report on the day it is received by a body prohibited and certain exceptions provided.

**HF3242-Nelson, P. (R)**  
**Regulated Industries**

Hydrogen sale sales tax exemption relating to internal combustion engines or fuel cells provided.

**HF3243-Wardlow (R)**  
**Governmental Operations & Veterans Affairs**

Protections for persons ordered into active military service provided.

**HF3244-Tingelstad (R)**  
**Public Safety Policy & Finance**

Trafficking data analysis and usage by public safety commissioner required; policy establishment to assist trafficking victims required; human trafficking task force and trafficking coordinator position created and penalties enhanced.

**HF3245-Haws (DFL)**  
**Education Policy & Reform**

Teacher hire and dismissal requirements for school board members clarified.

**HF3246-Simon (DFL)**  
**Public Safety Policy & Finance**

Attorney general money appropriated.

**HF3247-Howes (R)**  
**Education Finance**

Safe schools revenue minimum for small school districts established.

**HF3248-Wardlow (R)**  
**Governmental Operations & Veterans Affairs**

State park admission fees for military personnel on leave waived.

**HF3249-Wardlow (R)**  
**Governmental Operations & Veterans Affairs**

Lifetime state park entrance permits for certain veterans of the global war on terror provided and money appropriated.

**HF3250-Wardlow (R)**  
**Education Policy & Reform**

Rigorous course of study definition clarified.

**HF3251-Hausman (DFL)**  
**Transportation Finance**

St. Paul Union Depot bonds issued and money appropriated.

**HF3252-Seifert (R)**  
**Higher Education Finance**

Postsecondary courses offered in secondary schools agreement requirements clarified.

**HF3253-Hackbarth (R)**  
**Regulated Industries**

Bar bingo and pull-tab game requirements modified.

**HF3254-Hackbarth (R)**  
**Regulated Industries**

Sports-themed tipboard game pilot project authorized.

**HF3255-Wilkin (R)**  
**Health Policy & Finance**

Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act established.

**HF3256-Davids (R)**  
**Jobs & Economic Opportunity Policy & Finance**

Bioscience development in Greater Minnesota bonds issued and money appropriated.

**HF3257-Mariani (DFL)**  
**Education Finance**

Pre-kindergarten program funding restored in certain cases.

**HF3258-Brod (R)**  
**Health Policy & Finance**

Reporting on notification required before an abortion is performed on a minor or certain other women required and civil penalties provided.

**HF3259-Slawik (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**

Child care assistance eligibility requirements modified, sliding fee child care schedule established, reimbursement rates for child care providers modified, provider rate differential established and money appropriated.

**HF3260-Sertich (DFL)**  
**Education Policy & Reform**

Health and physical education requirements provided.

**HF3261-Hilstrom (DFL)**  
**Regulated Industries**

Customer call records regulated, sale of telecommunications customer call information prohibited without consent, duty to secure call information prescribed and criminal and civil penalties imposed.

**HF3262-Erickson (R)**  
**Governmental Operations & Veterans Affairs**

Length of time a conference committee report must be on members' desks before it is voted upon increased.

**HF3263-Kohls (R)**  
**Local Government**

Carver County recorder, auditor and treasurer offices combined and referendum provided.

## Thursday, March 9

**HF3264-Abeler (R)**  
**Health Policy & Finance**

Controlled substances reporting program established.

**HF3265-Ellison (DFL)**  
**Transportation**

Cities of the first class authorized to allow advertising on trash and recycling receptacles placed in rights-of-way of streets and highways.

**HF3266-Hornstein (DFL)**  
**Education Finance**

Elementary and secondary class sizes reduced through voluntary incentive-based funding program and money appropriated.

**HF3267-Atkins (DFL)**  
**Transportation Finance**

Inver Grove Heights; Heritage Village Park development funding provided, bonds issued and money appropriated.

**HF3268-Abrams (R)**  
**Governmental Operations & Veterans Affairs**

Minnesota Biomedical Sciences Research Facilities Authority and project funding program established, fund application process provided for the University of Minnesota and bonds issued.

**HF3269-Ozment (R)**  
**Environment & Natural Resources**

Natural and cultural resource funding provided through dedicated sales tax portion; arts and humanities fund, heritage enhancement fund and other funds and councils established; and constitutional amendment proposed.

**HF3270-Davids (R)**  
**Higher Education Finance**

University of Minnesota Veterinary Diagnostic Laboratory building addition funding provided, bonds issued and money appropriated.

**HF3271-Atkins (DFL)**  
**Commerce & Financial Institutions**

Barbers and barbering schools regulation modified.

**HF3272-Hoppe (R)**  
**Agriculture, Environment & Natural Resources Finance**

Metropolitan greenways program and natural area protection funding provided, bonds issued and money appropriated.

**HF3273-Davids (R)**  
**Agriculture & Rural Development**

Soy-based transformer fluid conversion allowance program established and money appropriated.

**HF3274-Simpson (R)**  
**Local Government**

Commercial advertising regulation limited.

**HF3275-Brod (R)**  
**Regulated Industries**

New Prague Gold Club liquor license authorized.

**HF3276-Nelson, P. (R)**  
**Transportation**

Impounded vehicle contents retrieval regulation and notices provided.

**HF3277-Nelson, P. (R)**  
**Jobs & Economic Opportunity Policy & Finance**

Askov; wastewater treatment facility funding provided, bonds issued and money appropriated.

**HF3278-Lanning (R)**  
**Public Safety Policy & Finance**

Procedures modified for community notification for out-of-state sex offenders.

**HF3279-Powell (R)**  
**Health Policy & Finance**

Psychiatric consultation definition modified to include psychologists.

**HF3280-Demmer (R)**  
**Education Policy & Reform**

School boards authorized to unilaterally contract for district services.

**HF3281-Carlson (DFL)**  
**Commerce & Financial Institutions**

Dependent health coverage time limit for students extended to compensate for time spent in active military service in the reserves or National Guard.

**HF3282-Davids (R)**  
**Civil Law & Elections**

Liens for storage charges on certain motor vehicles regulated.

**HF3283-Abeler (R)**  
**Health Policy & Finance**

Qualified long-term care insurance regulatory changes provided and long-term care partnership program requirements modified.

**HF3284-Wardlow (R)**  
**Local Government**

Towns prohibited from assessing certain fees in an annexation proceeding.

**HF3285-Holberg (R)****Local Government**

Metropolitan Council review of school district capital improvement programs requirement repealed.

**HF3286-Westerberg (R)****Environment & Natural Resources**

All-terrain vehicle permits authorized for use on public trails when vehicle is used to transport disabled passengers.

**HF3287-Beard (R)****Transportation**

State airports fund reimbursement accelerated.

**HF3288-Holberg (R)****Public Safety Policy & Finance**

Statewide Radio Board membership expanded to include Metropolitan Council chair or designee.

**HF3289-Abeler (R)****Local Government**

Ramsey; port authority powers granted.

**HF3290-Vandever (R)****Health Policy & Finance**

Health impact fee repealed.

**HF3291-Vandever (R)****State Government Finance**

Minnesota Peace Officers Memorial repairs provided, bonds issued and money appropriated.

**HF3292-Vandever (R)****Taxes**

Delinquent property tax interest rate modified.

**HF3293-Vandever (R)****Civil Law & Elections**

Eminent domain; definition of public use provided.

**HF3294-Greiling (DFL)****Jobs & Economic Opportunity Policy & Finance**

Mandatory retirement prohibited.

**HF3295-Westerberg (R)****Education Finance**

Hazardous pupil transportation levy reestablished.

**HF3296-Greiling (DFL)****Education Finance**

Independent School District No. 623, Roseville, fund transfer authorized.

**HF3297-Hortman (DFL)****Education Policy & Reform**

Public residential high school established for science, math and technology.

**HF3298-Anderson, B. (R)****Public Safety Policy & Finance**

Drug paraphernalia crime modified, possession of certain items associated with controlled substances prohibited and criminal penalties imposed.

**HF3299-Powell (R)****Public Safety Policy & Finance**

Secondary public safety answering points added to 911 emergency communication system.

**HF3300-Peterson, N. (R)****Local Government**

Municipal and county planning and zoning provisions modified, and interim ordinance standards provided.

**HF3301-Huntley (DFL)****Health Policy & Finance**

Family planning special projects grants reduction repealed.

**HF3302-Brod (R)****Local Government**

Municipal and county planning and zoning provisions modified.

**HF3303-Huntley (DFL)****Health Policy & Finance**

Pharmacy and pharmacy-related costs funding provided and money appropriated.

**HF3304-Soderstrom (R)****Education Finance**

Debt service equalization aid and referendum equalization aid program factors increased and indexed.

**HF3305-Magnus (R)****Agriculture, Environment & Natural Resources Finance**

Minnesota River Basic Area II flood-water retention systems funding provided, bonds issued and money appropriated.

**HF3306-Soderstrom (R)****Public Safety Policy & Finance**

Equal protection provided for male and female victims of domestic abuse.

**HF3307-Erickson (R)****Education Policy & Reform**

Teaching standards of effective practice expanded to include technology and information literacy standards.

**HF3308-Smith (R)****Public Safety Policy & Finance**

Immigration, human trafficking, drivers' license and identification, and sanctuary cities regulation and enforcement provided; and money appropriated.

**HF3309-Nelson, P. (R)****Environment & Natural Resources**

Chisago County tax-forfeited land sale authorized.

**HF3310-Cornish (R)****Governmental Operations & Veterans Affairs**

Advance deposits and payments authorized for boat slip rental.

**HF3311-Gazelka (R)****Taxes**

Pequot Lakes; sales tax authorized to pay city share of Trunk Highway 371 improvements and local bonds issued.

**HF3312-Holberg (R)****Transportation**

Commercial driver's license revocation provision federal conformity provided, and definitions and driver's license content modified.

**HF3313-Howes (R)****Jobs & Economic Opportunity Policy & Finance**

Wastewater infrastructure funding provided, bonds issued and money appropriated.

**HF3314-Samuelson (R)****Health Policy & Finance**

Temporary energy assistance grants provided for nursing facilities.

**HF3315-Samuelson (R)****Health Policy & Finance**

Nursing facilities authorized to receive reimbursement for sprinkler system projects or compliance with Life Safety Code Standards.

**HF3316-Ellison (DFL)****Health Policy & Finance**

Lead poisoning child screening provided.

**HF3317-Ellison (DFL)****Health Policy & Finance**

Elevated blood lead level prevention program established and money appropriated.

**HF3318-Nelson, P. (R)****Transportation Finance**

Rush Line Corridor parking lots funding provided, bonds issued and money appropriated.

**HF3319-Holberg (R)****Jobs & Economic Opportunity Policy & Finance**

Employee right to access personnel records notification required.

**HF3320-Paymar (DFL)****Public Safety Policy & Finance**

Ramsey County; safe harbor for sexually exploited youth pilot project established and money appropriated.

**HF3321-Erickson (R)****Public Safety Policy & Finance**

Mille Lacs band police powers amended.

**HF3322-Hoppe (R)****Regulated Industries**

Municipal on-sale liquor sales restrictions clarified.

**HF3323-Cox (R)****Education Finance**

General education basic formula allowance increased and money appropriated.

**HF3324-Gazelka (R)****Taxes**

Baxter, Brainerd and Nisswa sales tax authorized, bonds issued and revenue use specified.

**HF3325-Erickson (R)****Governmental Operations & Veterans Affairs**

English designated as the official state language.

**HF3326-Erickson (R)****Education Policy & Reform**

Qualified teachers granted licensure in additional subject areas.

**HF3327-Gunther (R)****Public Safety Policy & Finance**

Criminal background checks authorized for organizations providing mentoring services.

**HF3328-Haws (DFL)****Higher Education Finance**

National Hockey Center renovation funding provided, bonds issued and money appropriated.

**HF3329-Haws (DFL)****Public Safety Policy & Finance**

County booking fee increase authorized.

**HF3330-Emmer (R)****Public Safety Policy & Finance**

Attorney general's power of investigation modified.

**HF3331-Bernardy (DFL)****Jobs & Economic Opportunity Policy & Finance**

Mounds View; previous capital improvements appropriations modified to provide grants to Ramsey and Anoka counties.

**HF3332-Greiling (DFL)****Education Policy & Reform**

School performance report cards required to indicate the cut scores and corresponding percentages of items students must answer correctly at set performance levels.

**HF3333-Jaros (DFL)****Taxes**

Duluth food and beverage tax increase authorized.

**HF3334-Erickson (R)****Education Policy & Reform**

Teacher preparation program report card established for colleges and universities.

**HF3335-Nornes (R)****Ways and Means**

Fergus Falls interfund loans retirement funding provided and money appropriated.

**HF3336-Lanning (R)****Public Safety Policy & Finance**

Alcohol without liquid devices prohibited.

# 2006 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R) .....	509	1729	53A Krinkie, Philip (R) .....	365	2907
43B Abrams, Ron (R) .....	585	9934	9A Lanning, Morrie (R) .....	593	5515
19A Anderson, Bruce (R) .....	437	5063	63B Larson, Dan (DFL) .....	287	7158
3A Anderson, Irv (DFL) .....	321	4936	44B Latz, Ron (DFL) .....	225	7026
39B Atkins, Joe (DFL) .....	217	4192	40B Lenczewski, Ann (DFL) .....	237	4218
35A Beard, Michael (R) .....	577	8872	66A Lesch, John (DFL) .....	223	4224
51B Bernardy, Connie (DFL) .....	233	5510	30A Liebling, Tina (DFL) .....	393	0573
12B Blaine, Greg (R) .....	545	4247	1B Lieder, Bernie (DFL) .....	323	5091
29B Bradley, Fran (R) .....	563	9249	55A Lillie, Leon (DFL) .....	353	1188
25A Brod, Laura (R) .....	581	4229	59A Loeffler, Diane (DFL) .....	307	4219
35B Buesgens, Mark (R) .....	445	5185	22A Magnus, Doug (R) .....	515	5505
45B Carlson, Lyndon (DFL) .....	283	4255	67A Mahoney, Tim (DFL) .....	289	4277
56A Charron, Mike (R) .....	571	4244	65B Mariani, Carlos (DFL) .....	203	9714
61A Clark, Karen (DFL) .....	303	0294	9B Marquart, Paul (DFL) .....	345	6829
24B Cornish, Tony (R) .....	487	4240	57B McNamara, Denny (R) .....	431	3135
25B Cox, Ray (R) .....	413	7065	53B Meslow, Doug (R) .....	531	5363
37A Cybart, Lloyd (R) .....	539	5506	4A Moe, Frank (DFL) .....	369	5516
31B Davids, Gregory M. (R) .....	477	9278	58A Mullery, Joe (DFL) .....	367	4262
62A Davnie, Jim (DFL) .....	309	0173	6B Murphy, Mary (DFL) .....	343	2676
52B Dean, Matt (R) .....	417	3018	46A Nelson, Michael (DFL) .....	317	3751
49A DeLaForest, Chris (R) .....	503	4231	17B Nelson, Peter (R) .....	433	5377
29A Demmer, Randy (R) .....	597	9236	18A Newman, Scott (R) .....	569	1534
28A Dempsey, Jerry (R) .....	575	8635	10A Nornes, Bud (R) .....	471	4946
6A Dill, David (DFL) .....	315	2190	16B Olson, Mark (R) .....	501	4237
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
15B Haws, Larry (DFL) .....	277	6612	57A Sieben, Katie (DFL) .....	215	4342
13A Heidgerken, Bud (R) .....	507	4317	44A Simon, Steve (DFL) .....	313	9889
46B Hilstrom, Debra (DFL) .....	375	3709	10B Simpson, Dean (R) .....	525	4293
8A Hilty, Bill (DFL) .....	207	4308	55B Slawik, Nora (DFL) .....	357	7807
36A Holberg, Mary Liz (R) .....	443	6926	33A Smith, Steve (R) .....	543	9188
34B Hoppe, Joe (R) .....	537	5066	8B Soderstrom, Judy (R) .....	439	0518
60B Hornstein, Frank (DFL) .....	227	9281	3B Solberg, Loren (DFL) .....	349	2365
47B Hortman, Melissa (DFL) .....	377	4280	28B Sviggum, Steve (R) .....	463	2273
14B Hosch, Larry (DFL) .....	211	4373	33B Sykora, Barb (R) .....	485	4315
4B Howes, Larry (R) .....	451	2451	65A Thao, Cy (DFL) .....	359	5158
7A Huntley, Thomas (DFL) .....	335	2228	63A Thissen, Paul (DFL) .....	301	5375
7B Jaros, Mike (DFL) .....	291	4246	49B Tingelstad, Kathy (R) .....	403	5369
43A Johnson, Jeff (R) .....	401	5511	18B Urdahl, Dean (R) .....	521	4344
23A Johnson, Ruth (DFL) .....	389	8634	52A Vandever, Ray (R) .....	583	4124
67B Johnson, Sheldon (DFL) .....	243	4201	62B Wagenius, Jean (DFL) .....	251	4200
13B Juhnke, Al (DFL) .....	281	6206	61B Walker, Neva (DFL) .....	209	7152
59B Kahn, Phyllis (DFL) .....	255	4257	38B Wardlow, Lynn (R) .....	491	4128
60A Kelliher, Margaret Anderson (DFL) .....	261	0171	30B Welti, Andy (DFL) .....	387	4378
56B Klinzing, Karen (R) .....	567	1147	51A Westerberg, Andrew "Andy" (R) .....	549	4226
15A Knoblach, Jim (R) .....	453	6316	11A Westrom, Torrey (R) .....	533	4929
20B Koenen, Lyle (DFL) .....	337	4346	38A Wilkin, Tim (R) .....	551	3533
34A Kohls, Paul (R) .....	421	4282	32B Zellers, Kurt (R) .....	557	5502

\*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155  
mem. as of Jan. 24, 2006

# 2006 Minnesota Senate Members

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

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

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Larry Haws-(DFL) Sen. Tarryl Clark-(DFL)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. Terri Bonoff-(DFL)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
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Sources: **[Substance Abuse Treatment](#)**, Office of the Legislative Auditor, February 2006; **[Sentencing Practices, Controlled Substance Offenses: Offenders Sentenced in 2004](#)**, Minnesota Sentencing Guidelines Commission, October 2005.

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 23, NUMBER 3 • March 17, 2006

INSIDE: HORSING AROUND, A MATTER OF LIFE AND DEATH, WHERE THE ACTION IS, MORE

This Week's Bill Introductions HF3337-HF3657

# Session Weekly

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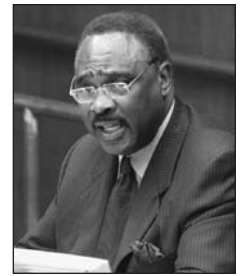
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On the cover: Bob Lockman portrays a member of the First Minnesota Volunteer Infantry as he makes his way up the snow-covered front steps of the Capitol March 13 to participate in History Matters Day.

—Photo by: Tom Olmscheid



# By a cough and a sneeze

## State cattle ranchers see their livelihood threatened

By IRENE VOTH

Last July, shortly after several of Roger Skime's cows tested positive for bovine TB, his entire herd — 1,070 head of angus and Tarentaise-cross beef cattle — was loaded onto trucks and taken to a slaughter plant. Since then, the Roseau County rancher has learned a lot about bovine TB and the steps necessary to eradicate it. And he's not alone.

Four other Minnesota ranchers whose herds tested positive for the disease have also lost their herds.

"Bovine TB has been absolutely devastating" to those ranchers and continues to threaten the livelihood of cattle producers across the state, Don Schiefelbein told the [House Agriculture and Rural Development Committee](#) March 8. Schiefelbein is Feeder Council chairman of the Minnesota State Cattlemen's Association.

The presence of bovine TB in Minnesota has resulted in the [United States Department of Agriculture's](#) decision to downgrade the state's TB-status to "modified accredited advanced." The new status requires the state's cattle producers to comply with state and federal TB-testing requirements if shipping cattle interstate.

Kevin Varner, incident commander for the Minnesota TB response organization, said the new status has negatively affected the state's beef producers, especially when seeking to market breeding stock.

"It's even hard for these producers to sell hay," Varner said, explaining that people in the cattle industry avoid anything associated with bovine TB.

### Closing in on the disease

Caused by the bacteria *mycobacterium bovis*, bovine TB is a respiratory disease of cattle to which deer are also susceptible. It is spread among animals through coughing, sneezing and possibly sharing contaminated feed, water or mineral blocks. It can spread to humans through the consumption of unpasteurized milk from an infected dairy cow or the consumption of undercooked beef or venison

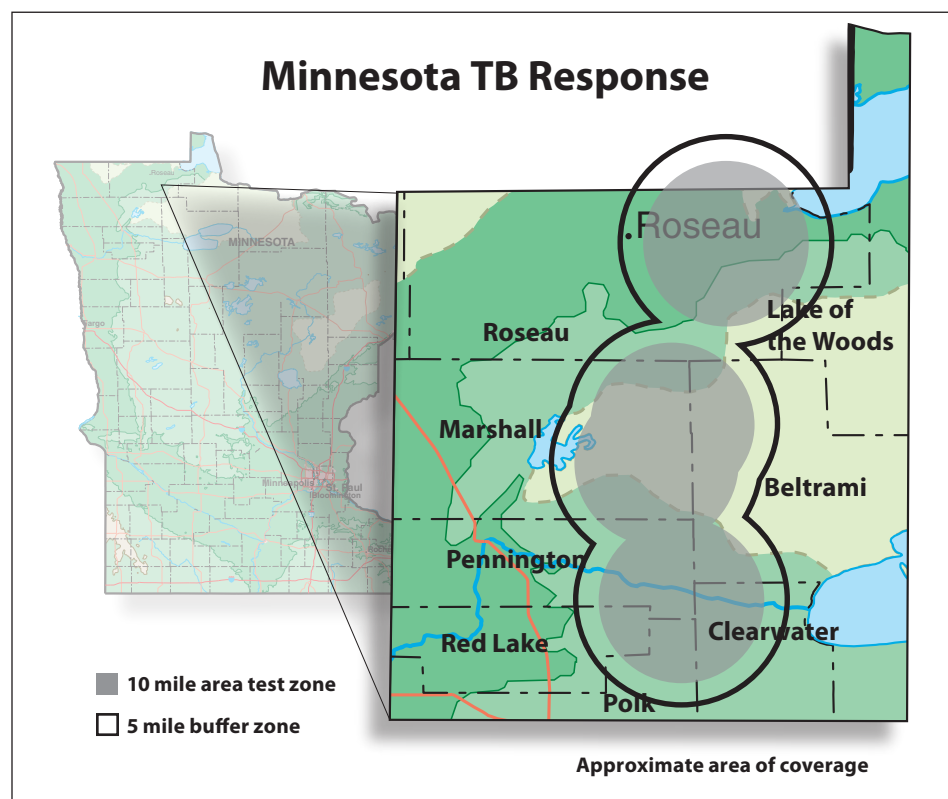
from infected animals, although the bacteria is not present in the muscle tissue but in the organs, including the lymph nodes. It is also possible that hunters could come into contact with the bacteria and become infected while dressing out an infected deer.

"The [Board of Animal Health](#) and the

conducting hunter-harvest surveillance of deer in the affected areas. But Schiefelbein said more must be done.

The cattlemen's association is calling for mandatory testing of cattle as well as the issuance of shooting permits so cattle producers can eliminate any deer that might come close enough to transfer bovine TB to their herds. The association insists that these measures be put in place within a 10-mile radius of the five depopulated herds.

Currently, ranchers on infected sites and on adjacent properties are permitted to shoot any deer present, and ranchers within a 15-mile



Measures recommended by the Minnesota State Cattlemen's Association would legally mandate that cattle producers within the 10-mile area test zone of the five infected herds have their herds tested for bovine TB. They would also allow cattle producers to eliminate deer that might come close enough to transfer the disease to their herds.

[Department of Natural Resources](#) have been absolutely wonderful to work with," Schiefelbein said. These departments and the USDA's Incident Command System have been successful at "closing the web" of disease transfer among herds by tracking the buying and selling of animals from infected ranches, testing all herds implicated and depopulating those that returned positive test results, and

radius of the infected site are encouraged have their entire herds tested for bovine TB. Testing within a 10-mile radius is required by the USDA for reinstatement of the TB-free status, but ranchers are not required by law to have their animals tested.

First Reading continued on page 4





PHOTO BY TOM OLMSCHIED

**Mike Doncarlos, right, Department of Natural Resources wildlife program manager, spoke on a report on the state of bovine tuberculosis in the state during a March 8 hearing of the House Agriculture and Rural Development Committee. Others testifying were, from left, Dr. Bill Hartmann, executive director of the Board of Animal Health, Heidi Kassenborg, assistant director of the Board of Animal Health, and Don Schiefelbein, feeder council chairman with the Minnesota State Cattlemen's Association.**

### Tracking its spread

In his report to the committee, Dr. Bill Hartmann, executive director of the Minnesota Board of Animal Health, detailed how the disease was tracked and also how the infected herds were dealt with, beginning in January 2005 with the slaughter plant in Green Bay, Wis., where suspicious lesions were discovered on the carcass of a cow. That cow was traced back to the Skime ranch, and the TB-response organization immediately acted to find out where the disease may have come from and where it may have already been transferred to.

The five ranchers whose herds included cattle that reacted positively to the TB test received a negotiated price for each animal. The infected animals were tested further at a veterinary diagnostic lab in the Twin Cities, after which their carcasses were destroyed. The rest of the herds were slaughtered and inspected for evidence of the disease so that no questionable meat entered the food market. Altogether, nearly 4,000 cattle were terminated, and the five ranchers asked to disinfect corrals, feeders and other farm structures and equipment with which infected animals could have had contact.

Mike Doncarlos, DNR wildlife program manager, said that because the DNR has a role in re-establishing the state's TB-Free status, it also acted immediately upon being notified of the bovine TB in Roseau County.

"We decided to immediately set up to do hunter-harvest surveillance in the fall with a pretty high statistical threshold. We wanted to sample enough deer to have a pretty high degree of confidence that we would detect TB in deer if it was out there," he said.

Organ samples were taken at deer registration stations within a 15-mile radius of the four sites known to be infected prior to opening weekend of the 2005 firearms season. Of 475 deer tested, only one showed signs of the disease, and that deer had been harvested in the immediate area of the first depopulated herd. Subsequent harvesting and testing continue in that area, and in the 60 additional deer taken thus far, only one more infected animal has been discovered. Doncarlos added that hunter-harvest surveillance will again take place this fall within a 15-mile radius of all five sites and will be repeated each fall until the state's TB-Free status is reinstated.

Varner said it is unlikely that the ongoing deer sampling results will at any time point to a "self-sustaining" disease among Minnesota's deer population — a situation that would result in a five-year wait before the TB-Free status could be reinstated.

"This is more a case of one or two deer being in the wrong place at the wrong time," he said, adding that because Minnesota's deer do not congregate in large numbers and individual deer generally spend their entire lives within an area of only several miles' radius, they are not likely to either spread the disease among themselves or transfer it from one cattle herd to another.

According to the Board of Animal Health, Minnesota has been working to eradicate bovine TB since 1917. Prior to July 2005, there had been no incidence of the disease among Minnesota's cattle since 1971. 🐾

### Costly fight for Michigan

Unlike Minnesota, where the deer population has not been found to have self-sustaining bovine TB, Michigan has spent more than \$100 million battling the disease since 1996.

"Michigan has a unique strain — it's a very virulent strain that has evolved over time," said Bridget Patrick, Bovine TB Eradication Project Coordinator for the Michigan Department of Community Health. Minnesota's strain, she said, is known to be prevalent in Mexico.

Last fall the U.S. Department of Agriculture reinstated Michigan's TB-Free status in the Upper Peninsula because there has been no evidence of the disease in that area for five years.

While the 2005 Michigan hunter-harvest survey shows the disease prevalence in the Northern Lower Peninsula to be 1.2 percent — 0.5 percent lower than in 2004, four additional cattle herds became infected in that area during the last year.

Patrick said that along with the cost of fighting bovine TB, the losses to Michigan's livestock industry have been estimated at \$156 million over the past 10 years. In addition, travel and tourism in the state suffers an estimated annual loss of \$25 million.

"It's an expensive disease," Patrick said.

Mike Doncarlos, Minnesota Department of Natural Resources wildlife program manager, said factors that likely contributed to Michigan's situation include a much larger deer population, as well as widespread deer feeding and deer "baiting" — the practice of luring deer with feed in order to more easily harvest them.

Doncarlos said deer baiting is illegal in Minnesota, and deer feeding is being discouraged.

(I. Voth)

### HISTORY LESSON



PHOTO BY TOM OLMSCHIED

**John Guthmann plays the fife and Jim Moffet the drum, as members of the First Minnesota Volunteer Infantry play outside the Capitol March 13 as part of History Matters Day at the Capitol.**

**Editor's note: The following Highlights are coverage of selected bills heard in House committees and House floor action March 9 - 16.**

## ★ AGRICULTURE

### Dairy tax credit

With nearly 100 dairy farmers present and a cooler full of Grip'n Go milk available to all, a bill to grant a one-time income tax credit to dairy farmers of up to \$50,000 for expenses incurred while expanding or improving their dairy operations was passed March 15 by the [House Agriculture and Rural Development Committee](#).

HF2879 now moves to the [House Taxes Committee](#).

"It is estimated that 2,200 farms, or about 40 percent of dairy farmers, will take advantage of this opportunity the first year," said [Rep. Dean Urdahl](#) (R-Grove City), sponsor of the credit plan.

The result of three years of bipartisan efforts initiated by [Gov. Tim Pawlenty](#), Urdahl said the credit is necessary to stimulate Minnesota's dairy industry and will encourage the state's dairy farmers to compete with those of other states. He also said the credit will benefit all dairy farmers, regardless of the size of their operations.

Among those testifying in support of the bill were representatives of the Land Stewardship Project, the Minnesota Milk Producers Association, the Farmers Union, the Minnesota Association of Cooperatives and the Minnesota Department of Agriculture. No one spoke in opposition.

Its companion bill, [SF2862](#), sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action by the [Senate Taxes Committee](#).

## ★ CONSUMERS

### Health impact fee on alcohol

State alcohol taxes could rise about 10 cents per drink to help offset billions of dollars in alcohol-related costs to society.

The [House Public Safety Policy and Finance Committee](#) tabled HF1014 March 9, which is sponsored by Rep. Karen Clark (DFL-Mpls). The companion bill (SF606) is sponsored by Sen. John Marty (DFL-Roseville).

According to the nonpartisan House Research Department, "The collected fees are credited to a fund that defrays the costs of legislative initiatives aimed at reducing impaired driving offenses and preventing crime, injury, and loss of life through chemical dependency prevention, screening, and treatment, through increased law enforcement, prosecution, and incarceration

## Committees:

### Where the action is — for now

As of Thursday, 3657 bills have been introduced this biennium in the House. By the time session ends, only a small percentage will have received a hearing in committee.

But if a bill has any hope of becoming law, it has to first be heard in a committee.

At the beginning of session, deadlines are set for most of the committees to complete their work on bills. The deadlines do not apply to the House committees on Capital Investment, Ways and Means, Taxes or Rules and Legislative Administration; or the Senate committees on Capital Investment, Finance, Taxes and Rules and Administration.

By the first deadline (this year it is March 28), House committees must finish acting on House bills and Senate committees must finish action on Senate bills. There are a few exceptions, mostly relating to pensions and major appropriation bills.

A second deadline follows. This year, it is April 4. By then, committees must act on bills that met the first deadline in the other body. Committees must act favorably on omnibus finance bills by the third deadline, April 11 this year.

But there are ways to get around the deadlines.

A committee can bring a bill forward after the deadlines, but it must be referred to the respective rules committee to determine its fate. Another route would be for a bill to be recalled from committee by a floor motion, or it could be attached as an amendment to a bill on a related subject.

This year's shorter session has committees meeting outside normally scheduled times to try and push through as many bills as possible.

The best way to keep up with the ever-changing legislative agendas is to follow the committee schedule on the House Web site.

The main House page ([www.house.mn](http://www.house.mn)) offers a drop down box titled "Schedules" that directs users to House, Senate and television schedules and the order of business for any House floor session.

View the entire House schedule by clicking on the "Upcoming Meetings" link or select an individual date from the calendar on the House main page.

Each committee maintains a schedule page as well. These links can be found at <http://www.house.leg.state.mn.us/comm/commemlist.asp>.

— L. SCHUTZ

*\* Some information taken from "Making Laws" published by the Research Department of the Minnesota House of Representatives.*



PHOTO BY TOM OLMSCHIED

**Ken Goblirsch, a dairy farmer who milks 37 cows near Sleepy Eye, testifies before the House Agriculture and Rural Development Committee in support of a bill that would provide an income and corporate franchise tax credit for qualifying investment in dairy operations.**

efforts, through new prostitution assessment and treatment plans, and through increased penalties on repeat misdemeanor crimes.”

Howard Epstein, a planner for Dakota County Public Health, said that alcohol-related accidents, including vehicular accidents and drowning, cause suffering for many Minnesota families.

“What we often don’t read a lot about is the tremendous economic impact of these incidents,” he said. “Families suffer economic loss, insurance companies pay for alcohol-related problems and all of us pay more in local and state taxes to cover the growing cost of alcohol-related problems.”

Epstein said the bill would generate \$224 million additional revenue annually, allowing Minnesota to recoup some of the \$4.5 billion Minnesotans lose annually to alcohol-related incidents. He said current alcohol taxes raise only \$260 million annually.

Clark said many advocacy groups support her bill, including the League of Minnesota Cities, the Minnesota County Attorneys Association and the Minnesota Medical Association.

[Rep. Mary Murphy](#) (DFL-Hermantown) asked Clark how the tax revenues would be distributed to the governmental bodies collecting them. Clark said she had not devised a formula for that distribution, but believed that every community would receive some of the revenues collected.

Additionally, the money would help fund a two-year pilot project to create the Phillips Neighborhood Safe Zone in south Minneapolis.

## ★ CRIME

### Sex offender whereabouts

Sex offenders would be required to wear electronic ankle bracelets as a means of monitoring their location, under a bill tabled March 15 by the [House Public Safety Policy and Finance Committee](#).

Under [HF2600](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth), Level III sex offenders, those deemed most likely to reoffend, or Level II, moderately likely to reoffend, would be required to wear a tracking and monitoring device while on supervised or conditional release from incarceration.

If an offender entered an exclusion zone, such as near a school, the [Department of Corrections](#) would be required to notify local law enforcement and a probation supervisor.

Corrections officials would have discretion to have Level II offenders wear a passive

monitor, which would provide a summary of the offender’s travels at the end of the day.

The bill, which has no Senate companion, also contains a penalty for attempting to tamper with or remove the device.

Johnson expects the program to cost several million dollars per year, but the price tag should not deter committee members.

“I don’t think there is any greater obligation of government than to protect the citizens — especially little kids,” he said. “If there is going to be a place to spend money, this is it.”

Still, Johnson said the bill could easily be converted to a pilot program, if the state’s limited finances demand it.

Committee Chair [Rep. Steve Smith](#) (R-Mound) asked Johnson to prepare, by the end of the month, language for the bill referring to a pilot program.

### Publicizing criminal data

A bill that would relax criminal law to give offenders an easier time re-entering society was tabled March 14 by the [House Public Safety Policy and Finance Committee](#).

Sponsored by [Rep. Doug Meslow](#) (R-White Bear Lake), [HF3345](#) includes provisions that would increase the dollar threshold for being charged with first- or third-degree criminal damage to property; require courts to defer prosecution for certain first-time drug offenders; and allow some people with revoked driver’s licenses to get them back earlier by paying fines.

Tom Johnson, president of the Council on Crime and Justice, supports the bill, especially a provision that would make all arrest data not leading to a conviction private after 180 days.

During the past 20 years, Johnson said, employers and landlords have increasingly relied on background checks, and this can make renting or securing a job tough for an offender, even if their case was dismissed. Landlords have also discriminated against people for innocent contact with the legal system, he said.

However, Mark Anfinson, representing the Minnesota Newspaper Association, argued that such arrest data should remain public so the press can report on how responsibly the police are using their powers of arrest.

He said such a law would not help offenders because landlords and employers will easily find the data before the 180-day deadline.

Pete Cahill, a board member of the Minnesota County Attorneys Association, said his group sees the bill as containing some good provisions, but others that are more worrisome.

For example, Cahill said if the arrest data is made private, it could mean real headaches for police hoping to build a case with help from other jurisdictions where a suspect may have committed a crime.

“It’s not clear to me, if it’s private data, that law enforcement agencies can even share it,” he said.

A companion bill, [SF3078](#), sponsored by [Sen. Thomas Neuville](#) (R-Northfield), awaits action in the [Senate Crime Prevention and Public Safety Committee](#).

## ★ EDUCATION

### Bonding recommendations

The [House Education Finance Committee](#) March 15 endorsed a list of \$63 million in capital investment priorities for Minnesota schools.

The list now goes to the [House Capital Investment Committee](#).

The top two priorities are a combined \$8 million for the Minnesota state residential academies for the deaf and blind in Faribault. The largest chunk, \$5.6 million, would be used to renovate a male dormitory, with the remainder going toward building maintenance.

Other priorities, in descending order, are:

- \$1 million for building maintenance at the Perpich Center for Arts Education in Golden Valley;
- \$4 million for library handicap accessibility;
- \$5 million for the MacPhail Center for Music in Minneapolis;
- \$7 million for building construction at the Nett Lake Indian reservation;
- \$26 million for renovation of the middle school and high school in Red Lake; and
- \$12 million to expand the state [Cooperative Secondary Facilities Grant Program](#), which funds capital projects for secondary schools in consolidation.

The committee’s decision was partly an attempt to help rural school districts that have not qualified for as much state aid in recent years because of shrinking school populations, while farm property values have risen sharply.

In addition to boosting funding for the program, the committee recommends that the state broaden its focus to include all K-12 schools, rather than just secondary schools; and to include school districts with 300 students or more, rather than 1,200.

[Rep. Doug Meslow](#) (R-White Bear Lake) said he was disappointed the committee could not have provided three times the \$12 million in added funds.



"I'm concerned we are making a gesture rather than a real attempt to address the situation," he said.

The Red Lake School District was not able to complete critical renovations to its high school and middle school with the \$18 million received from last year's bonding law. Officials say they need about \$26 million to finish the projects.

### Alternative teaching licensure

Mid-career professionals in key fields could become licensed teachers under a new fast-track training program approved March 9 by the [House Education Policy and Reform Committee](#).

[HF2680](#), sponsored by [Rep. Sondra Erickson](#) (R-Princeton), now goes to the House floor. A companion bill ([SF2764](#)), sponsored by [Sen. David Hann](#) (R-Eden Prairie), awaits action by the [Senate Education Committee](#).

The bill would allow people to enter a training program at a college or university to get licensure in one of five fields with a teacher shortage: science, mathematics, world languages, English as a second language and special education.

To be eligible, the applicant must, among other things, have a college degree in the proposed teaching area, pass a proficiency exam in that subject and have work experience in the teaching area.

The applicant would be hired by a district on a provisional basis, and then enter a program requiring 200 hours of instruction on teaching, and on-the-job mentoring.

The applicant would receive a teaching license upon completing the program.

Allen Hoffman, director of the Minnesota Board of Teaching, which sets standards for teacher licensure, said he supports the bill.

"We feel confident that the components of this program would allow for the training of a quality teacher," he said.

However, Garnet Franklin, who monitors licensing issues for Education Minnesota, the state's teacher's union, said her organization was "four-square against" the bill.

She worried that teacher quality could fall if the state allows local districts to get involved in deciding whether a teacher is fit to teach.

"We are puzzled by the need for a bill that would create a specific route," she said.

### Special education placement

A bill that would allow districts to re-evaluate student appropriateness for special education, if they take "reasonable measures" to obtain consent but the parent fails to respond, was tabled March 14.

[HF3179](#), sponsored by [Rep. Mark Buesgens](#) (R-Jordan), was heard by the [House Education Policy and Reform Committee](#).

The change would comply with the federal Individuals with Disabilities Education Improvement Act and serve students better, according to Amy Roberts, an administrator in the [Department of Education](#) who helps districts comply with federal laws.

"If the district cannot override the parent's consent, that basically ties the district's hands with respect to new testing or re-evaluation of that student," she said. "Students are often in a placement that is not appropriate for that student."

Dr. Karen Effrem disagreed.

A board member for EdWatch, a group seeking to protect individual rights, she said the new federal law does not require the change in state law. She added that many national groups oppose such an overriding of parental consent, including African-American organizations concerned about schools' over-identification of blacks needing special education.

A companion bill, [SF2994](#), sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins), awaits action by the [Senate Education Committee](#).

### Contract negotiations

A House committee narrowly defeated a bill March 9 that would have barred the negotiation of teacher contracts during the school year.

The [House Education Policy and Reform Committee](#) voted 14-13 against [HF1273](#), sponsored by [Rep. Randy Demmer](#) (R-Hayfield).

Currently, school boards and teacher representatives, which negotiate two-year contracts, must sign a collective bargaining agreement by Jan. 15 of an even-numbered year or face a reduction in state aid payments.

Under the bill, state officials would withhold a school district's general revenue aid increase if negotiations continue into the even-numbered school year. The district would be eligible for the money only after reaching an agreement.

Tom Deans, legal counsel for the Minnesota School Boards Association, agreed that teacher contract negotiations can be a distraction to the educational process if they drag into the school year. But, he said the bill would not work in the real world, because an unsettled contract often creates strife during the school year, even if formal negotiations are not going on.

He suggested that the districts and teachers should be forced into binding arbitration if the contract is not settled by Sept. 1.

Jan Alswager, a lobbyist for the teacher's

union Education Minnesota, said school districts are negotiating contracts in a timely fashion under current law. She noted that only 2.9 percent of the state's 341 districts went beyond the Jan. 15 deadline in the last negotiation period.

A companion bill ([SF1290](#)), sponsored by [Sen. David Hann](#) (R-Eden Prairie), awaits action by the [Senate Education Committee](#).

## ELECTIONS



### Proof of citizenship to vote

If a bill sponsored by [Rep. Tom Emmer](#) (R-Delano) makes it into law, you'll need more than your utility bill and ID in hand when you go to register to vote in a new precinct.

[HF1443](#) would not only require potential voters to prove that they live in a certain precinct; they would also need to have documentation showing they are citizens and that they are actually who they say they are. Passed 6-5 on a party-line vote by the [House Civil Law and Elections Committee](#) March 15, the measure now moves to the House floor.

The bill would require that voter applications be accompanied by proof of citizenship in the form of a passport, birth certificate or

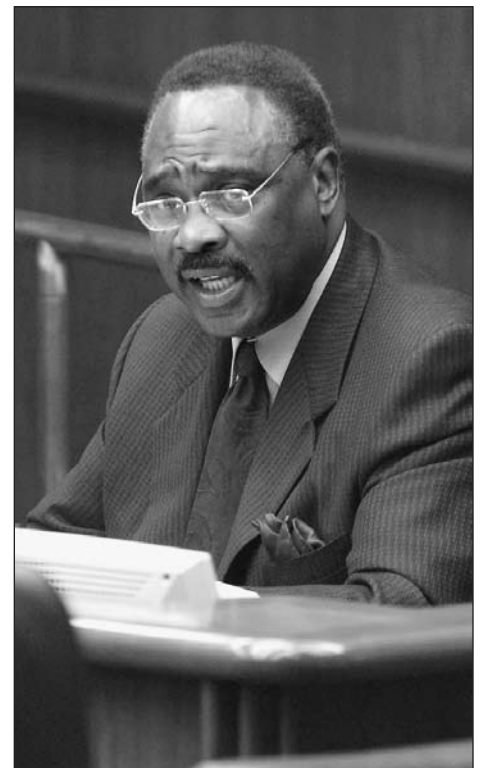


PHOTO BY ANDREW VONBANK

**The Rev. Randolph Staten, president of the Coalition of Black Churches, testifies March 15 before the House Civil Law and Elections Committee against a bill that would require voter registration proof of citizenship and voter picture identification.**

naturalization document as well as a picture ID.

Emmer called the new requirements a way to keep the integrity of the voting booth and prevent voter fraud.

"The issue of voters rights is not a Republican issue. . . . It is an issue for all citizens of the state of Minnesota and the United States."

Others said this will only make it harder for some people, including students and those in nursing homes, to vote.

[Current state law](#) requires registrants to produce verification of residency with documentation such as a Minnesota driver's license, tribal ID, U.S. passport with utility bill, or a student photo ID with utility bill.

The Rev. Randolph Staten, president of the Coalition of Black Churches, said the bill turns the clock back on the 1965 Voting Rights Act, and labeled it "unconstitutional and immoral."

A companion bill, [SF923](#), sponsored by [Sen. Michele Bachmann](#) (R-Stillwater), awaits action by the [Senate Elections Committee](#).

## ★ ENVIRONMENT

### Funding clean water

[Rep. Jim Knoblach](#) (R-St. Cloud) presented [HF2896](#) as a way to fund the [Minnesota Pollution Control Agency's](#) efforts to begin meeting the state's federal clean water requirements.

It would require the agency to develop and approve total maximum daily load for the state's impaired waters, and look at nutrient impairments on a case by case basis. According to the bill, the load is "a calculation of the maximum amount of a pollutant that may be introduced into a surface water and still ensure that applicable water quality standards for that water are achieved and maintained."

However, Lisa Thorvig, assistant commissioner of water policy for the agency, said the bill would "increase pollution of our lakes, rivers and streams."

The two debated the potential effects of the bill March 14 before the [House Environment and Natural Resources Committee](#) and an audience of nearly 50 people wearing matching blue T-shirts that read, "Protect our waters."

Their exchanges elicited this question from [Rep. Torrey Westrom](#) (R-Elbow Lake): "Miss Thorvig, I'm a little puzzled. Spending more money will make the water worse; so if that's the case, we should probably cut some more spending to make it better? Is that the governor's official position?"

"If you want to protect water quality, the state would be better off without this bill," Thorvig said, explaining that the agency's objections relate not to the funding, but to the policies contained in the bill. She said they would "roll back" existing environmental regulations and requirements that restrict, for example, the amount of phosphorus wastewater treatment plants can discharge into lakes and streams.

Dan Ness, mayor of Alexandria, was among those testifying in favor of the bill. He said the process by which the agency currently develops total maximum daily load has "caused a moratorium on economic development." He said the bill would end that moratorium by allowing the agency to grant permits for new or expanded wastewater treatment plants prior to the development of a total maximum daily load for the watershed that would be receiving the wastewater discharge.

Bob Zimmerman, city engineer for Moorhead, said he also supported the bill because it would identify bodies of water as impaired not by a "strict numeric nutrient standard" and on case-by-case basis, taking into consideration the designated uses of the water.

The bill was referred without recommendation to the [House Governmental Operations and Veterans Affairs Committee](#).

Its companion, [SF2448](#), sponsored by [Sen. Thomas Bakk](#) (DFL-Cook), awaits action by the [Senate Environment and Natural Resources Committee](#).

### Dedicated funding

Would outdoorsy folks vote for a tax increase to pay for wildlife habitat, as well as arts and humanities?

Would artsy types vote for a tax increase to pay for arts and humanities, as well as wildlife habitat?

These questions were central to the March 14 discussion of [HF3269](#) by the [House Agriculture, Environment and Natural Resources Finance Committee](#).

The bill seeks a constitutional amendment to raise Minnesota's sales and use tax by 0.25 percent so voters themselves can determine if they really want the bill's list of items enough to pay additional taxes for them, said its sponsor, [Rep. Dennis Ozment](#) (R-Rosemount).

Amended and approved by the committee, the bill now goes to the [House Taxes Committee](#).

If approved by voters this November, the bill is projected to raise \$191 million per year over 25 years.

While the list of items that would benefit from the tax revenue originally included funding arts, humanities, museums and public broadcasting as well as wildlife habitat preservation, parks, trails and clean water efforts, Ozment suggested that the amounts designated for arts, humanities, museums and public broadcasting go instead toward implementing the Clean Water Legacy Act.

[Rep. Jean Wagenius](#) (DFL-Mpls) advised caution about removing the arts and humanities items, "mainly because I would want this to pass as a constitutional amendment, and that guarantees that it passes."

[Rep. Joe Hoppe](#) (R-Chaska) said he, too, wanted the bill to pass, and that not removing the arts and humanities items "guarantees this bill to fail."

Despite a request by [Rep. Al Juhnke](#) (DFL-Willmar) that they pursue some way, such as a poll, to find out which option might give the bill its best chance for approval by Minnesota's voters, Ozment moved to remove the cultural items. The committee narrowly approved the motion.

A companion bill, [SF2734](#), sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action by the [Senate State and Local Government Operations Committee](#).

## ★ GAMBLING

### Playing the ponies online

Minnesotans may be able to bet on horses from their houses.

First denied by the [Gaming Division](#) of the [House Regulated Industries Committee](#) March 10 on a tie vote, [HF3099](#) was later reconsidered and referred to the full committee. It would permit entities conducting pari-mutuel wagering at a licensed racetrack to accept wagers electronically to the extent permitted by federal law. The bill has no Senate companion.

Of the reimbursement received from the out-of-state vendor accepting the bets, a fixed percent would be set aside for purses at the licensee's facility provided that 10 percent of the amount is to be paid into a breeder's fund.

"Gambling is occurring on the Internet and expanding at a rapid rate," said [Rep. Andy Westerberg](#) (R-Blaine), the bill's sponsor.

"People are gambling, playing blackjack, poker, numerous games, and betting on horses on the Internet currently in our state illegally. This looks to make pari-mutuel betting legal off-track here in Minnesota." He said it is estimated that simulcast revenue

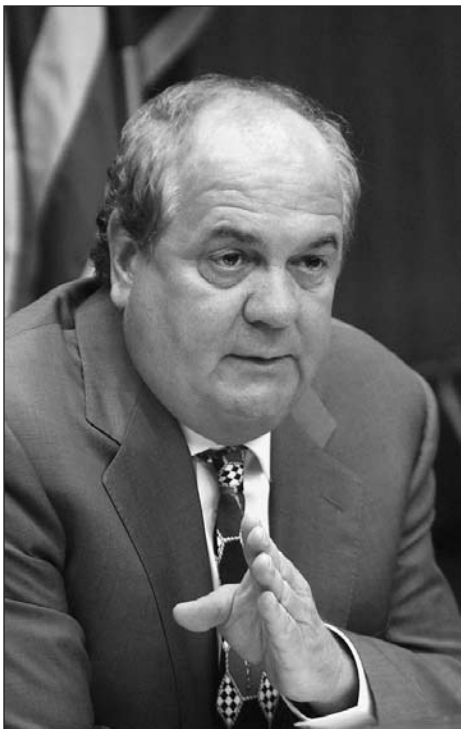


PHOTO BY ANDREW VONBANK

**Cort Holten, representing the Minnesota Horsemen's Benevolent and Protective Association, testifies March 10 before the Gaming Division of the House Regulated Industries Committee in support of a bill that would permit entities conducting pari-mutuel wagering at a licensed racetrack to accept wagers electronically to the extent permitted by federal law.**

at Canterbury Park is losing an estimated \$6 million annually to illegal off-track betting.

Representing the Minnesota Horsemen's Benevolent and Protective Association, Cort Holten said the proposal is a way for the horse racing industry to enhance its revenue stream by subsidizing itself.

Of the 37 states that permit live racing, only six, including Minnesota, do not permit off-track betting, a racino or both to help their racing industry. In four of those six states, the horse racing industry is "in the tank," he said.

The bill would also eliminate statutory restrictions that limit the number of tables at a card club to 50.

Westerberg said people must sometimes wait for hours to play at the Canterbury Card Club, and that more seats would mean more revenue for the state.

John McCarthy, executive director of the Minnesota Indian Gaming Association, opposed the measure, in part, because it would expand gaming in the state.

[Rep. Sondra Erickson](#) (R-Princeton) asked if tribal gaming facilities are expanding to meet demand.

McCarthy said no new facilities have

opened, but the number of gaming machines is not restricted by the compact that authorizes gambling at tribal facilities.

### Video lottery in bars

Minnesota bars may be permitted to operate up to five video lottery terminals on their premises.

Sponsored by [Rep. Sondra Erickson](#) (R-Princeton), [HF3215](#) was approved March 14 by the [Gaming Division](#) of the [House Regulated Industries Committee](#). The bill next goes to the full committee. A companion bill, [SF3195](#), sponsored by [Sen. David Tomassoni](#) (DFL-Chisholm), awaits action by the [Senate Agriculture, Veterans and Gaming Committee](#).

Last year, the 3,200 bars with pull tab sales generated more than \$1 billion in combined revenues, but Erickson said bars need a financial boost to weather the effects of recent no-smoking laws and tougher sanctions for drunken drivers.

Critics said the bill could devastate existing casinos and make gambling too accessible for many people to resist.

Games available on the terminals would be limited to keno, poker and pull tabs. Erickson estimates it would raise \$94 million next year for bar owners; \$38 million for charitable organizations; and \$218 million for state coffers, with the largest chunks directed to roads and property tax relief.

Angela Heikes, vice president of gaming planning and analysis for the Mille Lacs Band of Ojibwe, warned that the terminals would be much more accessible for consumers than Indian gaming, and that convenience would put at risk the 3,000 jobs her tribe provides, most of them at Grand Casino Hinckley and Grand Casino Mille Lacs.

Another critic, [Rep. Joe Atkins](#) (DFL-Inver Grove Heights), said he could see little difference between video lottery terminals and video slot machines. The video slot machines are so ever-present, and so addictive, he said, some governments, including the city of Las Vegas, are reconsidering their decision to allow them.

"If the mayor of Las Vegas is considering getting rid of these things, that tells me there are some issues there," Atkins said.

Atkins asked if [Gov. Tim Pawlenty](#) supported her bill. Erickson said he hadn't taken a position on any bill, but supports a move from paper pull tabs to a more "hi-tech" version.

"We'll see," Atkins said.

## ★ GOVERNMENT

### Capital renovations top the list

A \$6.1 million interior renovation project for the State Capitol topped a House committee's March 15 list of bonding recommendations.

The [House State Government Finance Committee](#) ranked capital bonding requests proposed to the committee from one to 19, with "one" being the committee members' highest priority.

The Capitol renovation was first on the list. Other projects include:

- \$10 million for repairs and renovations to the Ford Building;
- \$8.63 million for military affairs projects;
- \$150,000 for repairs to the Minnesota Peace Officers Memorial; and
- \$150,000 for a facility for Starbase Minnesota, a youth science education project sponsored by the [Minnesota National Guard](#) and U.S. Department of Defense.

Projects that received a "neutral" recommendation from the committee included various statewide Capital Asset Preservation and Replacement Account projects; a memorial for Hmong veterans; phase II expansion of the National Volleyball Center in Rochester; track resurfacing at the National Sports Center in Blaine; and funding for exterior renovation of the Department of Transportation Building, which was cut from more than \$10 million to \$2.5 million.

Design work for a new state office building, a long-range commuting plan and a tunnel connecting the Capitol complex to the Stassen building were among projects that received a negative recommendation.

The recommendations will be submitted to the [House Capital Investment Committee](#).

## ★ HEALTH

### Abortion regulations

Always a contentious issue, an abortion bill is trying to make its way to the House floor this session.

If passed, [HF3258](#), sponsored by [Rep. Laura Brod](#) (R-New Prague), would prohibit state-funded abortions except in cases of rape or incest. Furthermore, it requires data collection and reporting on the already existing requirement for minors seeking to have abortions. Physicians, without privilege, could also be charged with a misdemeanor if they perform or induce an abortion at a hospital that offers obstetrical or gynecological care.

The [House Health Policy and Finance Committee](#) passed the bill 11-2 March 14



and referred it to the [House Civil Law and Elections Committee](#). A companion bill ([SF2877](#)), sponsored by [Sen. Thomas Neuville](#) (R-Northfield), awaits action in the [Senate Health and Family Security Committee](#).

Andrea Rau, a Minnesota Citizens Concerned for Life lobbyist, said more than 29 percent of abortions performed in Minnesota are taxpayer-funded. Rau added that bypasses to parental or guardian notification are almost never denied in the state. A \$500 fine would be issued if such reports weren't completed, according to the bill, which also records the female's age and race.

In a written statement, David Schultz, a Hamline University graduate school professor, said the bill should be opposed because of its unconstitutionality. "It is unethical or inappropriate for legislators to adopt laws which they intend to be challenged and which will then commit potentially hundreds of thousands of public tax dollars to defend and litigate," Schultz wrote.

[Rep. Thomas Huntley](#) (DFL-Duluth) added that State Attorney General Mike Hatch wrote in a letter to [Sen. Linda Berglin](#) (DFL-Mpls) that the bill violates the right to privacy according to the Minnesota Supreme Court's decision in *Women of the State of Minnesota v. Gomez*.

Meanwhile, [Rep. Tim Wilkin](#) (R-Eagan), who supports the bill, said opposition to the bill has become a political game.

### Foreign graduate verification system

If passed into law, a minor but important change would make it easier for foreign medical school graduates to work in Minnesota.

[HF3132](#), sponsored by [Rep. Fran Bradley](#) (R-Rochester), and passed 126-0 by the House March 14, makes it optional for foreign medical school graduates to use the State Medical Boards' Federation Credentials Verification Service. Since 2004, students wishing to practice in Minnesota who studied outside the United States have used the service to determine their eligibility.

The Mayo Clinic and University of Minnesota are the primary users of the service.

Frank Iossi, director of state government affairs at the Mayo Clinic, previously told the [House Health Policy and Finance Committee](#), "It was a good idea but after a year, it was a disaster." Iossi, who favors the change, cited the current system as being inconsistent, expensive and slow.

Bradley added that Minnesota needs qualified graduates and that it would be wise to make an ineffective system optional with ongoing staff shortages in the medical field.

## SENSITIVE SHREDDING



PHOTO BY TOM OLMSCHIED

**Dick Andree of AARP Minnesota District 8 in Duluth, empties a paper shredder during a March 15 rally in the Rotunda to bring awareness to senior citizens of the importance of shredding sensitive documents to prevent identity theft.**

The bill now goes to the Senate, where [Sen. Sheila Kiscaden](#) (DFL-Rochester) is the sponsor.

## HIGHER EDUCATION



### Biomedical research facilities

A \$330 million University of Minnesota bonding request to fund new biomedical research facilities was approved by a House committee March 14.

[HF3268](#), sponsored by [Rep. Ron Abrams](#) (R-Minnetonka), would fund 90 percent of the cost of constructing and furnishing new university biomedical research facilities. The [House Governmental Operations and Veterans Affairs Committee](#) approved the bill and referred it to the [House Higher Education Finance Committee](#).

Abrams called the bill "one of the most important initiatives of the 2006 legislative session," and said biomedical research requires a long-term investment by the state.

"You have to be somewhat forward-thinking in being able to get into this business," he said.

University of Minnesota President Robert Bruininks said the new facilities would help recruit top-notch faculty who would then bring in millions of dollars worth of grants annually. He cited recent capital investments by states like Iowa, Wisconsin, Virginia and Indiana as evidence that Minnesota was in danger of falling behind.

The bill also establishes a Minnesota Biomedical Sciences Research Authority to evaluate university grant applications and disperse funds.

Furthermore, it establishes a biomedical science research bond fund consisting of annual transfers of money from the state's general fund to pay the debt service of state bonds issued for biomedical facilities and operating costs of the authority.

Some committee members questioned the level of accountability in the project, and contended there was insufficient legislative oversight.

"I'm concerned about the makeup of the authority," said [Rep. Diane Loeffler](#) (DFL-Mpls). "We're putting \$330 million of bonding decisions outside of 201 legislators' decisions into nine people, where it would take five to authorize the sale of these bonds. That seems to me like a pretty small group of people."

Abrams promised the committee a chance to review the bill again before it went to the House floor.

A companion bill, [SF3044](#), sponsored by [Sen. Richard Cohen](#) (DFL-St. Paul), awaits action in the [Senate State and Local Government Operations Committee](#).

### Collegiate bonding requests

The [House Higher Education Finance Committee](#) heard nearly \$500 million in bonding requests from the [University of Minnesota](#) and [Minnesota State Colleges and](#)

[Universities](#) system March 13.

Priorities topping the University of Minnesota's list include:

- \$80 million for asset preservation including maintaining health and safety in buildings, hazardous material abatement, access improvements and air quality improvement;
- \$26.6 million for a Carlson School of Management expansion on the Minneapolis campus; and
- \$15.3 million for construction of a business and economics building on the Duluth campus.

University of Minnesota President Robert Bruininks said the proposal "advances research in leading areas of responsibility particularly in medicine, biotechnology, renewable energy and the environment."

He added while the requests total \$206.1 million, the governor's recommendations are \$127.6 million. The university received nearly \$108.4 million in the 2005 bonding law.

After receiving \$213.6 million last year, MnSCU's request totals \$280.4 million.

"Every state college and university in the system will benefit from these projects, which will improve learning spaces and services to students," MnSCU Chancellor James McCormick, told the [House Capital Investment Committee](#) March 14.

Its top three requests are: \$110 million for asset preservation; \$32.9 million for a science center addition and renovation at Minnesota State University, Mankato; and \$14 million for St. Cloud State University's Wick Science Building addition and renovation.

The governor's MnSCU recommendations total \$142.5 million, including \$20 million for asset preservation.

"While we believe his recommendation was a good start ... it falls considerably short of our needs," said McCormick. "We believe funding asset preservation at a low level would be a huge mistake that would adversely affect our students and our system for years to come."

[Rep. Gene Pelowski, Jr.](#) (DFL-Winona) said that the difference in asset preservation dollars means that "at least four or five roofs in each campus that are leaking now would not be repaired. You'd have 40-year-old ventilating and heating systems that would not be repaired."

### University bonding projects

Among the bonding proposals heard March 15 by the [House Higher Education Finance Committee](#) were two energy projects from the University of Minnesota.

One is for a pilot facility to generate electricity using plasma arc technology,

and another would turn wind energy into anhydrous ammonia and hydrogen. Both requests are being considered by the committee for its bonding recommendations.

[HF2793](#), sponsored by [Rep. Paul Thissen](#) (DFL-Mpls), would appropriate \$5 million to a pilot biomass energy facility that would be developed in collaboration with state industries, and would be contingent on \$2.5 million in non-state sources. A companion, SF2554, sponsored by [Sen. Jane Ranum](#) (DFL-Mpls), awaits action in the [Senate Finance Committee](#).

Thissen said the technological process, "basically disintegrates (hazardous waste) into usable and benign components." It also creates synthetic gas for energy through a heating process.

[HF2686](#), sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake), would appropriate \$2.5 million to construct a facility at the West Central Research and Outreach Center in Morris that would, in part, use wind energy to develop fertilizer for Minnesota farms. A companion, SF2920, sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action in the [Senate Finance Committee](#).

"This is another innovative request that is timely for rural Minnesota, timely for the university and the research they are doing ... and timely for farmers who are faced with importing their fertilizer," Westrom said.

According to a university report, the project benefits could include:

- a new market for an estimated 2 gigawatts of nameplate wind capacity within the state, stimulating wind energy development in Minnesota;
- diminished need for additional transmission capacity to accommodate wind energy;
- enable utility companies to manage the variable nature of wind energy and electrical demand; and
- provide substantial economic development opportunities for farmers and rural communities.

## IMMIGRATION



### Immigration information cooperation

A bill that would prohibit local governments from adopting ordinances to prevent their employees from cooperating with immigration officials got stronger before being approved by the [House Civil Law and Elections Committee](#). It now goes to the House floor.

[Rep. Jim Knoblach](#) (R-St. Cloud), the sponsor of [HF2576](#), offered an amendment March 13 that effectively deleted most of the bill's one-sentence language, which had been



PHOTO BY TOM OLMSCHIED

**Luis Bartolomei, interim executive director of the Chicano Latino Affairs Council, testifies before the House Civil Law and Elections Committee March 13 about a bill that would prohibit local governments from adopting ordinances which would prevent employees from cooperating with federal immigration authorities.**

approved by the [House Local Government Committee](#) March 1.

The new language goes beyond previous language that would prohibit a city from adopting so-called "sanctuary ordinances." It states that local governments cannot restrict, in any way, an employee from sending information to, requesting or receiving information from the U.S. Immigration and Customs Enforcement Agency; or exchanging immigration information with any federal, state or local governmental unit.

The bill is directed at Minneapolis and St. Paul. Both cities have ordinances that prevent their employees from collecting and sharing information with the federal government on residents' immigration status.

"The amendment says that you can't adopt by policy the ordinance that we are about to repeal, if this bill becomes law," Knoblach said.

John J. Choi, city attorney for the city of St. Paul, responded to [Rep. Tom Emmer's](#) (R-Delano) comment that the ordinance was "cute lawyering" to get around federal law.

"We feel it is within our right to establish a certain guideline that does not frustrate and go against what is federal law. ... I believe it is a matter of local control and the ability for a local unit of government to have policies to help guide employees on how to handle immigration matters."

At the earlier committee hearing, both the St. Paul and Minneapolis police chiefs spoke against the bill, saying that it would erode trust and have a “chilling effect” on immigrant communities by discouraging them from reporting a crime.

The companion, [SF2771](#), sponsored by [Sen. Betsy Wergin](#) (R-Princeton), has been referred to the Senate State and Local Government Operations Committee.

## ★ INSURANCE

### Not expanding MinnesotaCare

Legislators almost unanimously agree that parts of Minnesota’s health care system are broken. The only question is which parts need fixing and how to repair them.

[Rep. Katie Sieben](#) (DFL-Newport) is sponsoring [HF2691](#), which would expand health insurance coverage through MinnesotaCare to individuals and small employers. But the [House Health Policy and Finance Committee](#) voted it down 9-5 March 10. A companion bill [SF3046](#), sponsored by [Sen. Sharon Marko](#) (DFL-Cottage Grove), awaits action by the [Senate Health and Family Security Committee](#).

[MinnesotaCare](#), the state’s subsidized health insurance program administered by the [Department of Human Services](#), would provide an affordable option for those without health insurance, Sieben said. She added that small businesses and individuals will often go without health insurance because of high costs.

“This may not be *the* solution to the health care problem, but it may do something to provide some alleviation of the burden of providing health insurance to employees,” Sieben said.

Steve Fox, part owner of Emily’s Bakery and Deli in Hastings, said he feels it’s his obligation to provide health insurance to his employees. However, Fox said he has seen health insurance costs go up 8 percent to 13 percent each of the past five years.

Erin Sexton, health care and transportation policy director for the Minnesota Chamber of Commerce, agrees there should be more access to health care, but said the solution would best come from private businesses.

Other problems include funding and administration of the plan, said Liz Houlding, manager of the State Employee Group Insurance Program in the [Department of Employee Relations](#). Houlding said her department would be willing to work with the bill sponsors.

But [Rep. Thomas Huntley](#) (DFL-Duluth)

said people without insurance already seek health care and the government absorbs that cost anyhow.

Although [Rep. Mary Ellen Otremba](#) (DFL-Long Prairie) didn’t talk about the bill specifically, she supported it. “This is a huge problem,” said Otremba. “It’s not just a game of words. These are real people.”

## ★ LOCAL GOVERNMENT

### Annexation bill fails in committee

A bill that would have required incorporation and prohibited annexation of urban townships under certain conditions failed to receive committee approval March 13.

[HF2867](#) was defeated 9-8 by the [House Local Government Committee](#). Its companion, [SF2681](#), sponsored by [Sen. Debbie J. Johnson](#) (R-Ham Lake), awaits action in the [Senate State and Local Government Operations Committee](#).

According to its sponsor, [Rep. Ray Vandever](#) (R-Forest Lake), the bill was intended to apply exclusively to Columbus Township, a portion of which the neighboring city of Forest Lake wants to annex. The Columbus Town Board is currently fighting annexation and wants to be incorporated instead.

“We’re looking at spending at least \$150,000 fighting this hostile annexation,” Columbus Town Board Chairman Mel Mettler said. He hopes the issue could be taken care of “legislatively” rather than in court.

Opponents said the bill could have unintended consequences.

Craig Johnson, intergovernmental relations representative for the League of Minnesota Cities, said the bill could potentially affect as many as 47 townships in the seven-county Twin Cities metropolitan area.

“I understand that the intent was to focus this in on the Columbus Township situation, but this bill is drafted much more broadly than that,” Johnson said.

Some committee members expressed reservations about altering state law to meet the needs of a single township, regardless of whether other municipalities would be affected.

“Right now, we are weighing in as if we are administrative law judges in determining whether or not annexation should take place in this community,” said [Rep. Debra Hilstrom](#) (DFL-Brooklyn Center).

Hilstrom also noted that the subject of township annexation is slated to come before the committee again later in the session, and said the committee should not preempt an individual annexation before holding a larger

discussion on annexations in general.

[Committee Chair Rep. Mark Olson](#) (R-Big Lake) said the situation between Columbus Township and Forest Lake underscores the need for some kind of annexation reform.

## ★ RECREATION

### Charging state park fees

A House committee removed a provision from a bill that would have allowed the [Department of Natural Resources](#) to establish fees for special events on state forestland.

[HF3056](#), sponsored by [Rep. Greg Blaine](#) (R-Little Falls), modifies a number of DNR policies and procedures. Before approving the bill March 9, the [House Governmental Operations and Veterans Affairs Committee](#) amended the bill by removing a section that would have granted the DNR commissioner the authority to charge fees for motor vehicle races, group campouts outside campground areas and certain other events.

The motion to strike the section was made by [Rep. Phyllis Kahn](#) (DFL-Mpls), who objected to language in the bill that she said decreased legislative oversight of DNR fees. She said she would prefer the DNR present the Legislature with individual fees it wants to levy and let legislators decide whether they are appropriate.

[Rep. Marty Seifert](#) (R-Marshall) agreed, saying that legislators will be the ones held responsible for fees going up, not the DNR.

“When we give blanket approval for agencies to raise fees without legislative approval, we are the ones who are going to get blamed,” Seifert said, adding that removing the relevant language from the bill would force a discussion about oversight when the bill is reviewed by other House committees.

The bill next goes to the [House Agriculture, Environment and Natural Resources Finance Committee](#).

A companion bill, [SF2852](#), sponsored by [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) awaits action by the [Senate State and Local Government Operations Committee](#).

## ★ TECHNOLOGY

### Bioscience initiative

The Twin Cities and Rochester lead the state in the growing biotechnology industry, but Greater Minnesota communities hope to join their ranks.

Two bills — [HF3256](#), sponsored by [Rep. Greg Davids](#) (R-Preston), and [HF3547](#), sponsored by [Rep. Dan Severson](#) (R-Sauk



Rapids) — would help bring the biosciences to Greater Minnesota. Discussed March 15 by the [House Jobs and Economic Opportunity Policy and Finance Committee](#), each was held over for possible inclusion in the committee's bonding priorities.

Davids' bill requests \$5 million in bond proceeds to support bioscience development outside of the seven-county Twin Cities metropolitan area and Olmsted County. A companion bill ([SF2891](#)), sponsored by [Sen. Jim Vickerman](#) (DFL-Tracy), awaits action by the [Senate Finance Committee](#).

Severson's bill, which has no Senate companion, would direct \$2 million to the Central Minnesota Bioscience Initiative, which aims to attract new companies and jobs to the area.

Teresa Bohnen, St. Cloud Area Chamber of Commerce president, said the initiative would fund such projects as: a business park expansion along Interstate 94 near St. Cloud, acquiring equipment to implement methane digester technology for dairy farmers and buying specialized refrigeration units used in transportation of pharmaceuticals.

Currently there are tax incentives in Gov. Pawlenty's "bioscience zones" in the Twin Cities and Rochester, where the state has helped fund research for diseases like Alzheimer's and obesity.

Davids said investing in the biosciences would benefit Minnesota's future and that it didn't need to be centered only in Pawlenty's bioscience zones.

Although Rep. Karen Clark (DFL-Mpls) agrees that biotechnology is important, she had some reservations about the bills. Clark said biotechnology supporters always tout the benefits but she wanted to know what to expect from the investment. Clark added that costs of such things as pharmaceuticals continue to increase today.

## ★ TRANSPORTATION

### Go go speed racer

Those who enjoy vehicular street racing may have to contend with some new laws.

The [House Transportation Committee](#) approved a bill March 15 that would expand the definition of reckless driving and also add a new violation for exhibition drivers.

[HF3521](#), sponsored by [Rep. Lloyd Cybart](#) (R-Apple Valley), would define exhibition driving "as a person who operates any vehicle in such a manner as to start or accelerate with an unnecessary exhibition of speed ... unreasonable squealing or screeching sounds emitted by the vehicle's tires or the throwing of

sand or gravel by the vehicle's tires, or both."

Furthermore, "Any person who willfully compares or contests relative speeds by operating one or more vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed contested or compared is in the excess of the maximum speed prescribed by law."

Currently the provision only includes a manner that is either a willful or wanton disregard for the safety of persons or property.

"What we're trying to do with this bill is be proactive and to work with the cities who have already enacted ordinances similar to this," said Maj. Al Smith of the [Minnesota State Patrol](#). Exhibition driving is also now moving from back roads onto highways and roadways in metropolitan and rural areas, he added.

The bill now moves to the [House Public Safety Policy and Finance Committee](#). A Senate companion, [SF2982](#), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action by the [Senate Transportation Committee](#).

### Vehicle reporting and titles

The [House Transportation Committee](#) approved a bill March 15 that would require a dealer to notify the motor vehicle registrar electronically of a vehicle purchase of a late-model or high-value vehicle that is to be dismantled or destroyed, and would also make technical changes to motorized foot scooter laws.

[HF3201](#), sponsored by [Rep. Michael Beard](#) (R-Shakopee), initially removed a requirement for a licensed auto dealer who purchases a vehicle with an out-of-state title defined as "salvage," to sell the vehicle without first applying for a Minnesota salvage title.

"The reason we have a salvage title process is to be able to track these vehicles and prevent fraud," said [Rep. Melissa Hortman](#) (DFL-Brooklyn Park), who successfully moved to delete the provision from the bill. "We use vehicle identification numbers to track vehicles and identities of people purchasing them and reselling them. By requiring computer registration of these transactions fraud is diminished," she added.

A report by [Driver and Vehicle Services](#) in the [Department of Public Safety](#) says the change would have "streamlined the title application process without changing the salvage title provisions." The change was also an attempt to expedite the process, said Larry Ollila, Driver and Vehicle Services director.

The bill also changes technical words to make the definition of a motorized foot scooter both "two ten-inch or smaller wheels"

and "an engine capable of a maximum speed of 15 miles per hour or less." Current law only required one of the two.

The bill now goes to the House floor.

A Senate companion, [SF2983](#), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action in the [Senate Transportation Committee](#).

### To be towed, or not to be

Don't abandon your stalled vehicle on the side of a freeway in the metropolitan area, emphasized [Rep. Michael Beard](#) (R-Shakopee), who sponsors a bill approved by the [House Transportation Committee](#) March 14.

[HF3214](#) would allow the Department of Transportation's [Freeway Incident Response Safety Team](#), previously called Highway Helpers, to tow and impound a vehicle that does not have a person with it, Beard said. If you abandon your car to phone for a tow, and the State Patrol arrives and calls a tow truck, the bill allows for whichever tow truck that arrives first to tow the vehicle.

The team responds to incidents in the department's Metropolitan District, comprised of the seven-county Twin Cities metropolitan area and Chisago County.

According to the department, members assisted at 16,737 incidents in 2002, including pushing disabled vehicles out of traffic lanes, providing small quantities of gasoline, helping change a tire and removing debris.

Currently, if a person is with their stalled vehicle, they can call for a tow. But if the vehicle is abandoned the State Patrol is contacted to call a tow truck, which can result in impounding the vehicle.

"This is just trying to get at those vehicles that have been abandoned on our freeway network that are impeding safety or capacity of the freeway itself," said Nick Thompson, department senior transportation program supervisor.

Instead of having to wait for a patrol to come, and possibly causing more danger for other drivers, a safety team member on the scene can call a State Patrol dispatcher and request a tow, Thompson added.

The bill now goes to the House floor. A Senate companion, [SF3097](#), sponsored by [Sen. Mike McGinn](#) (R-Eagan), awaits action in the [Senate Transportation Committee](#).

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## VETERANS

### Statue for Hmong veterans

A statue commemorating the service of Hmong soldiers who fought for the United States during the Vietnam War could become a permanent fixture in the Capitol area.

[Rep. Cy Thao](#) (DFL-St. Paul) made his case to the [House State Government Finance Committee](#) on March 15 for [HF3508](#), which would appropriate \$150,000 in state funds to help construct the statue. It has no Senate companion.

Thao said the money would fund half the cost of the design and construction of the memorial to Hmong veterans in Laos who were trained by the CIA and organized into "Special Guerilla Units."

He said 35,000 Hmong soldiers were killed during the course of the conflict, and that civilian casualties were even higher. He noted that similar statues have already been constructed in California and Wisconsin.

[Rep. Joe Mullery](#) (DFL-Mpls) expressed concern that the bill did not recognize other minority groups who fought on the U.S. side during the war — groups that he said might feel excluded or slighted by a memorial devoted specifically to Hmong soldiers.

"To call it a 'Hmong memorial' is going to further create alienation within our communities here, and I'm concerned about that," Mullery said.

Thao countered that the memorial was designed to represent all Laotians who fought in the conflict.

"We have not decided to exclude anyone else," he said.

[Rep. Phyllis Kahn](#) (DFL-Mpls) suggested altering the language of the bill to be more inclusive.

The committee gave the project a "neutral" endorsement on its list of bonding recommendations later in the day. Committee members agreed that if the project receives funding, the memorial design will be reviewed to address any political concerns.

## LATE ACTION

### Visitor's driver's license

Billed as a way to help the state do its part in moving the country to greater security in a post-Sept. 11 era, [HF3014](#), sponsored by Rep. Steve Smith (R-Mound), was approved by the House 100-28 on March 16. It would change into law current state practices regarding driver's licenses. The bill has no Senate companion.

Provisions in the bill have been part of the [Department of Public Safety's](#) rules since 2002



PHOTO BY TOM OLMSCHIED

**Hmong veterans, from left, Chou Chue Tchang, William Nao Chue Vang, Youa Chao Lee and George Gao Moua listen to testimony in the House State Government Finance Committee March 15 on a proposal to appropriate \$150,000 for a Hmong veterans statue on the Capitol complex.**

when legislation was first proposed, but never enacted. Smith wants it written into law.

Smith said that the driver's license has become a "gateway document" for many of society's rights and privileges. He said this would also help authenticate a person's identity because it strengthens the requirement for documents necessary to receive a state driver's license. First time applicants must present a primary and secondary form of identification to verify both identity and residency. The primary forms of identification could include a U.S. birth certificate and U.S. passport.

Since 2002, a status check has been placed at the bottom of visiting non-citizens' licenses indicating the date for which they are legal to stay in the United States.

Two amendments were attached to the bill on the House floor.

Rep. Cy Thao's (DFL-St. Paul) amendment would ensure that the status check date is not placed on a driver's license or Minnesota identification card of an applicant entitled to permanent United States residency. If that happens, a duplicate license or card would be issued free of charge.

Rep. Keith Ellison's (DFL-Mpls) amendment would ensure that an applicants who object to a full-face image on their license, permit or

ID card, due to a religious reasons, may apply for a variance from this regulation.



### Horsing around

During a March 10 discussion of a bill that would permit electronic wagering for pari-mutuel betting and potentially more tables at the Canterbury Card Club, Rep. Joe Atkins (DFL-Inver Grove Heights) asked if the governor supports the proposal.

"If the goal is to try to get something done, it'd be nice to know where the governor's office is, because if they're back to opposing it again we're all wasting our time as we sit here today," Atkins said.

A few more comments by Atkins encouraging participation from the governor's office, including wanting to know "if we're running around this track for no reason," prompted Rep. Kurt Zellers (R-Maple Grove) to say while chuckling a bit, "I think he's reached his horse analogy limit. I can't take it anymore. One would say he's beat that horse..."

"All I know is the governor's as unpredictable as a roulette table," Atkins said with a laugh.

## Frequently called numbers

(Area code 651)

Information Services, House Public	TTY, House .....	296-9896
175 State Office Building .....	Toll free .....	1-800-657-3550
Chief Clerk of the House	Information, Senate	
211 Capitol .....	231 Capitol .....	296-0504
Index, House	TTY, Senate .....	296-0250
211 Capitol .....	Toll free .....	1-888-234-1112

# New benefits for veterans

## Veterans bill looks to draw military retirees to state

By Nick Busse

This week, Gov. Tim Pawlenty and three top state legislators traveled to Camp Shelby, Miss., to bid 2,600 Iraq-bound Minnesota soldiers farewell.

When those troops return home, they might find a more veteran-friendly state.

[HF2921](#), sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids), provides a slew of new protections and benefits for Minnesota's military veterans.

Referred to as the "Governor's Veterans Bill of 2006," it seeks to address a number of veterans' concerns, including:

- requiring employers to grant unpaid leaves of absence to employees whose family members are killed or wounded in the line of duty;
- exempting military retirement pay from state taxation;
- directing state colleges and universities to award veterans education credits for completed military training courses, when appropriate;
- directing state colleges and universities to treat veterans as residents for undergraduate tuition purposes;
- forbidding state colleges and universities from assessing late fees to student-veterans who are awaiting federal education assistance payments; and
- funding several new veterans' programs

The [House Governmental Operations and Veterans Affairs Committee](#) approved the bill March 15 and referred it to the [House Higher Education Finance Committee](#). A companion bill, [SF2654](#), sponsored by [Sen. Jim Vickerman](#) (DFL-Tracy), awaits action in the [Senate Jobs, Energy and Community Development Committee](#).

Among other things, the bill is intended to encourage military retirees to take up residence in Minnesota.

Severson said the state currently has only half the retirees it should have, mainly because

it is one of only nine states that taxes military pensions.

"There are states that are actively, aggressively, going after military retirees," Severson said. "They see that the benefit of bringing those individuals into the state with a federal retirement, with federal health care, and with the quality and the cut of the individuals who have made it through 20 to 30 years of active service is a real asset to the state and the community."

Retired U.S. Air Force Col. Tom Nesbitt of Hastings testified that when a military retiree chooses to reside in Minnesota, the state benefits in the form of taxes that person pays on their property, income from a second vocation, Social Security and sales taxes, as well as from the skills and training that person has received while serving their country.

"You're not losing," Nesbitt said. "It's not costing you anything to gain a very important addition to your personnel pool

that's available for the economic growth and vitality of the state of Minnesota."

[Rep. Lynn Wardlow](#)

(R-Eagan) agrees. He said his son, an active-duty marine, changed

his official state of residence to Florida because taxes in Minnesota are too high.

"When he does finally retire, he wants to come back here," Wardlow said. "But he's a fiscal conservative, and he may not."

Committee members praised the bill's various benefits.

[Rep. Marty Seifert](#) (R-Marshall) lauded a provision in the bill that required colleges to give credit to veterans for military training courses.

Seifert, a university admissions counselor, related a story of a student who received rigorous physical training while serving overseas in the military but was forced to take a one-credit physical education class called "Walking for Wellness" to fulfill his college degree requirements.

"Some of this stuff is just silly, and I think this bill is going to solve this," Seifert said.


### Funding new programs

In addition to the above benefits, the bill appropriates \$8.8 million for a number of new veterans programs and initiatives, including:

- \$3 million for the State Soldiers Assistance Fund, to be used for financial assistance, family therapy and other needs of veterans who are in the process of seeking assistance from the federal government;
- \$3 million to supplement county veterans assistance programs;
- \$2.6 million to create higher education veterans assistance offices in colleges and universities across the state; and
- \$200,000 to develop a new state veterans Web site within the Minnesota Department of Veterans Affairs.

Severson said the \$3 million allocated for counties provides an incentive for county veterans services officers to get out and "beat the trees" to find veterans who are not receiving services or are receiving inadequate services.

[Rep. Phyllis Kahn](#) (DFL-Mpls) questioned whether the \$2.6 million was really necessary to create veterans assistance offices, and also whether it was worthwhile to have one in every college in the state.

Seifert replied that his college, Southwest Minnesota State University, has already set up one such office and that it provides an excellent resource for the institution's student-veterans. 

### Where to find information

#### House Public Information Services

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

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

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



# A matter of life and death

Bill sets standards for keeping the incapacitated alive

By BAO ONG

For several legislators on the [House Health Policy and Finance Committee](#), the issues of life and death are deep and personal. A bill spurred by the Terri Schiavo case establishing the Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act brings those issues even closer.

[HF3255](#), sponsored by [Rep. Tim Wilkin](#) (R-Eagan), establishes a presumption that nutrition and hydration are needed to sustain life for a “person legally incapable of making health care decisions.” The committee

Goodwin’s brother-in-law has been in a hospital for five months. The hospital inserted a feeding tube without his wife’s permission, which caused infections “many, many times.” Goodwin added that he is going to die soon or live in a nursing home for the rest of his life even though more than \$2 million has already been spent to keep him alive. Her brother-in-law is 50 years old and over 6 feet tall, weighs 111 pounds.

Doctors say his brain is fine, said Goodwin, but he is too weak to sign any papers. “He’s experienced technological torture

through the hospital wanting to keep him alive. His body tried to give up five times but the hospital used ‘extraordinary means’ to keep him alive. He’s dying slowly and more painfully than his natural body would have allowed.”

The Minnesota Medical Association does not support the language of the bill, said David Renner, the association’s director of state and federal legislation.

Dr. Lawrence Kerzner, a physician at Hennepin County

Medical Center, added that those closest to the patient should be able to make a decision instead of a mandated law and that the bill could deny use of newer technologies utilizing food and water.

Barbara Blumer, a Hospice Minnesota board member, agrees. She said the bill was a “radical step” because it uses a law to pre-determine “what Minnesotans ... have in their hearts and minds about that most personal and intimate and solitary of activities — that of dying,” Blumer said.

Still, Wilkin, whose father-in-law died last



**Barbara Blumer, a Hospice Minnesota board member, testifies before the House Health Policy and Finance Committee March 14 in opposition to the proposed Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act. Rep. Tim Wilkin, left, is the bill sponsor.**

year after battling a long illness, said the bill would actually bring clarity to such issues. He reminded the committee that, “this bill isn’t pulling a plug on a respirator. This is about food and water.”

Wilkin added that dying from malnutrition or dehydration is not a slow, painless death. He read a definition from the International Task Force on Euthanasia and Assisted Suicide that included the following symptoms: the mouth dries out and becomes caked or coated with thick material, lips would become parched and cracked, body temperature becomes high, lining of the nose might dry out and cause bleeding and the respiratory track would dry out, causing thick secretions that would clog the lungs and cause death. Kerzner said the descriptions were “flamboyant” compared to what actually occurs.

Minnesota Citizens Concerned for Life and the Minnesota Catholic Conference support the bill. “This is reasonable legislation that encourages patient autonomy,” said Laura Gese, a legislative associate for Minnesota Citizens Concerned for Life.

[Rep. Mary Ellen Otremba](#) (DFL-Long Prairie), who didn’t speak up on either side of the issue, has dealt with death before. Her husband, Ken Otremba, died of liver cancer in 1997 while in office as a state representative. Otremba said “that will to live and survive moves to another dimension” when a person is faced with death. She voted in favor of the bill.

The companion bill ([SF2861](#)), sponsored by [Sen. Michelle Fischbach](#) (R-Paynesville) awaits action by the [Senate Health and Family Security Committee](#). 🗳️



**Rep. Barb Goodwin gives personal testimony to the sponsor of the proposed Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act during the March 14 meeting of the House Health Policy and Finance Committee.**

approved the proposal 11-4 and referred it to the [House Civil Law and Elections Committee](#).

Although the bill requires food and water be given to the incapacitated, three circumstances in the bill allow such denial of nutrition and hydration: if it would not sustain the person’s life or comfort; a will was written beforehand that authorizes denial of the prevention; and if the person, when legally capable of making a health care decision, expresses consent.

But for [Rep. Barb Goodwin](#) (DFL-Columbia Heights) such exceptions are not enough.

## Monday, March 13

### HF3337-Svigum (R)

#### Taxes

Dover, Eyota, St. Charles Area Sanitary District sales tax exemption provided.

### HF3338-Eastlund (R)

#### Public Safety Policy & Finance

Inmate tuberculosis testing required annually.

### HF3339-Abeler (R)

#### Education Finance

Voluntary, full-day kindergarten funding phased in, fees authorized and money appropriated.

### HF3340-Bradley (R)

#### Health Policy & Finance

Hospital construction proposal evaluation process evaluated.

### HF3341-Powell (R)

#### Health Policy & Finance

Health savings account option provision for legislators and staff required.

### HF3342-Tingelstad (R)

#### Transportation Finance

Northstar commuter rail and light rail transit bonds issued and money appropriated.

### HF3343-Howes (R)

#### Environment & Natural Resources

Forest resource management incentive program administration provided.

### HF3344-Hilstrom (DFL)

#### Public Safety Policy & Finance

Public defender representation rights modified.

### HF3345-Meslow (R)

#### Public Safety Policy & Finance

Drug offender deferred prosecution required, driver's license suspension and reinstatement procedures, non-violent offender conditional release provisions and various related crime provisions modified.

### HF3346-Lanning (R)

#### Higher Education Finance

State grant program student share modified and money appropriated.

### HF3347-Simpson (R)

#### Education Finance

Verndale; regional family resource and early childhood center bonds issued and money appropriated.

### HF3348-Lanning (R)

#### Taxes

Buffalo-Red River Watershed District increased levy authorized.

### HF3349-Abeler (R)

#### Health Policy & Finance

MinnesotaCare covered health services modified and certain limited benefits repealed.

### HF3350-Abeler (R)

#### Health Policy & Finance

Hennepin County essential community provider designation extended to a mental health provider.

### HF3351-Abeler (R)

#### Health Policy & Finance

Dependent health care coverage extension to unmarried dependents until age of 25 required.

### HF3352-Severson (R)

#### Transportation Finance

Sauk Rapids bridge trunk highway bonds issued and money appropriated.

### HF3353-Hackbarth (R)

#### Environment & Natural Resources

All-terrain vehicle usage on privately owned land during deer season rule-making required.

### HF3354-McNamara (R)

#### Higher Education Finance

Inver Hills Community College Fine Arts Building bonds issued and money appropriated.

### HF3355-Hackbarth (R)

#### Environment & Natural Resources

Big game tagging requirements modified.

### HF3356-Magnus (R)

#### Transportation Finance

Town road signs money appropriated.

### HF3357-Meslow (R)

#### Public Safety Policy & Finance

Destruction of arrestee biological specimen upon acquittal of a felony request required.

### HF3358-Sykora (R)

#### Education Finance

Equity revenue for districts above the 95th percentile increased.

### HF3359-Cornish (R)

#### Public Safety Policy & Finance

Criminal and Justice Information Policy Group member added.

### HF3360-Bradley (R)

#### Health Policy & Finance

Minnesota Comprehensive Health Association governance structure modified, health insurance exemption provided, assessment repealed and money appropriated.

### HF3361-Westrom (R)

#### Education Finance

Independent School District No. 771, Chokio-Alberta, operating referendum revenue cap exemption provided.

### HF3362-Hoppe (R)

#### Environment & Natural Resources

Farm-raised cervidae taking restrictions clarified.

### HF3363-Huntley (DFL)

#### Agriculture & Rural Development

Maritime commerce vessels exemption from biodiesel fuel requirement provided.

### HF3364-Huntley (DFL)

#### Health Policy & Finance

Community-based health care coverage program demonstration project established.

### HF3365-Welti (DFL)

#### Agriculture & Rural Development

Dairy heifer and cow acquisition loans provided.

### HF3366-Welti (DFL)

#### Agriculture & Rural Development

Milk volume production loan program private and public funding study and report provided.

### HF3367-Sykora (R)

#### Education Finance

School district consolidated financial statement created, Uniform Financial Accounting and Reporting Standards data conversion to new format required, publication of new format required and task force established.

### HF3368-Finstad (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Child passenger restraint system usage requirement modified.

### HF3369-Emmer (R)

#### Civil Law & Elections

Polling place location consistency provided.

### HF3370-Westrom (R)

#### Civil Law & Elections

Minnesota Voter's Bill of Rights modified.

### HF3371-Nelson, P. (R)

#### Agriculture, Environment &

#### Natural Resources Finance

Ojiketa Regional Park bonds issued and money appropriated.

### HF3372-Sykora (R)

#### Environment & Natural Resources

Aquatic plant permit provisions modified.

### HF3373-Nornes (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Child care assistance maximum rates and absent days modified.

### HF3374-Bradley (R)

#### Health Policy & Finance

Disability provision council modified.

### HF3375-Magnus (R)

#### Agriculture & Rural Development

Bushel threshold related to grain buyer financial statements modified.

### HF3376-Magnus (R)

#### Agriculture & Rural Development

Grain buyer financial statement requirements modified.

### HF3377-Heidgerken (R)

#### Environment & Natural Resources

Snowmobile state trail sticker exemptions provided.

### HF3378-Holberg (R)

#### Civil Law & Elections

Drinking water testing data classified as private and nonpublic.

### HF3379-Powell (R)

#### Health Policy & Finance

Medical Assistance special transportation service coverage criteria specified, special transportation reimbursement rates increased and broker usage prohibition extended.

### HF3380-Buesgens (R)

#### Governmental Operations & Veterans Affairs

Post-employment benefit account establishment by political subdivisions for officers and employees authorized.

### HF3381-Sykora (R)

#### Education Finance

Equity revenue state aid portion increased.

### HF3382-Brod (R)

#### Agriculture, Environment &

#### Natural Resources Finance

State wildlife management bonds issued and money appropriated.

### HF3383-Solberg (DFL)

#### Local Government

Grand Rapids capital improvement bonds issued.

### HF3384-Westrom (R)

#### Civil Law & Elections

Secretary of State Web site linkage to candidates and advocacy groups authorized.

**HF3385-Emmer (R)**  
**Civil Law & Elections**  
Help America Vote Act rule adoption made permanent.

**HF3386-Huntley (DFL)**  
**Commerce & Financial Institutions**  
Transfer and hospital care by health plans of mothers whose newborns are transferred to another facility required.

**HF3387-Holberg (R)**  
**Civil Law & Elections**  
Genetic testing parental consent acquisition procedures modified, destruction of test results parental direction provided and test revision authorized.

**HF3388-Cybart (R)**  
**Governmental Operations & Veterans Affairs**  
Teachers Retirement Association refund repayment authorized in certain cases.

**HF3389-Cornish (R)**  
**Civil Law & Elections**  
Bureau of Criminal Apprehension name and event index service classified.

**HF3390-Anderson, B. (R)**  
**Governmental Operations & Veterans Affairs**  
State employees ordered to active military services salary differential program eligibility criteria modified.

**HF3391-Beard (R)**  
**Governmental Operations & Veterans Affairs**  
Building and environmental permit timeline agency action established.

**HF3392-Loeffler (DFL)**  
**Governmental Operations & Veterans Affairs**  
State-owned historic building rental rate provisions established.

**HF3393-Powell (R)**  
**Health Policy & Finance**  
Home inspections regulated, rule-making authorized and penalties imposed.

**HF3394-Howes (R)**  
**Agriculture, Environment & Natural Resources Finance**  
University of Minnesota Department of Forest Resources study money appropriated.

**HF3395-Simpson (R)**  
**Environment & Natural Resources**  
Restrictions on hunting animals using lights modified.

**HF3396-Gunther (R)**  
**Health Policy & Finance**  
Commission Serving Deaf and Hard-of-Hearing People grant awarded and money appropriated.

**HF3397-Cornish (R)**  
**Environment & Natural Resources**  
State parks and recreation areas land area modified, and public and private sales of certain state lands provided.

**HF3398-Magnus (R)**  
**Transportation**  
Town bridge account financial assistance provision modified.

**HF3399-Cornish (R)**  
**Public Safety Policy & Finance**  
Illegal immigration enforcement team established, collection and retention of citizenship and immigration status data required and statistics on crimes committed by individuals with illegal alien status report required.

**HF3400-Lanning (R)**  
**Taxes**  
Immigrants seeking citizenship tax credits provided.

**HF3401-Paymar (DFL)**  
**Transportation**  
Organ and tissue donation information inclusion as part of driver's education curriculum required.

**HF3402-Wilkin (R)**  
**Health Policy & Finance**  
Loss ratios and small employer insurance coverages regulated, health savings plan state match established and money appropriated.

**HF3403-Davids (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Hokah; city hall and library building bonds issued and money appropriated.

**HF3404-Holberg (R)**  
**Civil Law & Elections**  
Eminent domain legal nonconforming use removal compensation provided.

**HF3405-Anderson, B. (R)**  
**Governmental Operations & Veterans Affairs**  
Salary for legislators and the governor forfeited or delayed upon failure to enact certain budget provisions in a timely manner.

**HF3406-Tingelstad (R)**  
**Public Safety Policy & Finance**  
Human trafficking task force established and penalties increased.

**HF3407-Poppe (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Mower County; septic system upgrade homeowner loans money appropriated.

**HF3408-Poppe (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Nicolville; wastewater system bonds issued and money appropriated.

**HF3409-Poppe (DFL)**  
**Education Finance**  
Independent School District No. 495, Grand Meadow, dome canopy grant provided and bonds issued.

**HF3410-Poppe (DFL)**  
**Taxes**  
Austin sales and use tax imposition authorized.

**HF3411-Demmer (R)**  
**Education Policy & Reform**  
Professional teaching standards grant program established and money appropriated.

**HF3412-Murphy (DFL)**  
**Public Safety Policy & Finance**  
Uniform Fire Code variance provision modified.

**HF3413-Newman (R)**  
**Public Safety Policy & Finance**  
State fire marshal decision to suspend, revoke or refusal to issue fireworks operator permit appeal process provided.

**HF3414-Soderstrom (R)**  
**Public Safety Policy & Finance**  
Juvenile history data retention for purposes of predatory offender registration authorized.

**HF3415-Meslow (R)**  
**Public Safety Policy & Finance**  
Criminal sexual conduct victim notification when prosecutor declines prosecution or dismisses charges required.

**HF3416-Lanning (R)**  
**Governmental Operations & Veterans Affairs**  
State board and advisor group member per diem provisions modified.

**HF3417-McNamara (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Forestland acquisition bonds issued and money appropriated.

**HF3418-Hansen (DFL)**  
**Governmental Operations & Veterans Affairs**  
Board of Water and Soil Resources; drainage authorities reports required and work group created.

**HF3419-Gunther (R)**  
**Regulated Industries**  
Pre-purchase delivered fuel program created.

**HF3420-Erhardt (R)**  
**Transportation**  
Combat wounded veterans special motorcycle license plates issued.

**HF3421-Cornish (R)**  
**Education Finance**  
Cooperative secondary facilities program eligibility expanded, bonds issued and money appropriated.

**HF3422-Cornish (R)**  
**Health Policy & Finance**  
Recalled implantable medical device manufacturer financial responsibility for removal and replacement required.

**HF3423-Abrams (R)**  
**Capital Investment**  
University of Minnesota football stadium state support process provided, Rochester campus biotechnology and medical genomics research funding provided, study abroad program established and money appropriated.

**HF3424-Anderson, B. (R)**  
**Rules & Legislative Administration**  
President and Congress memorialized by resolution to enact legislation to allow members of the armed forces to transfer unused educational assistance to their dependents.

**HF3425-Urdahl (R)**  
**Education Policy & Reform**  
Character development education revenue provided and money appropriated.

**HF3426-Huntley (DFL)**  
**Public Safety Policy & Finance**  
Jury service deferral for nursing mothers provided.

**HF3427-Hackbarth (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Oliver H. Kelley Farm Historic Site bonds issued and money appropriated.

**HF3428-Soderstrom (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Spring Lake Trail extension bonds issued and money appropriated.

**HF3429-Loeffler (DFL)**  
**Commerce & Financial Institutions**  
Preventive care coverage with no deductible by high deductible health plans used with a health savings account required.

**HF3430-Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Child care provider rates and parent fees changes provided, certain health care co-pays eliminated, MFIP transitional standard increased, non-citizen health care benefits reinstated, MFIP and SSI penalties repealed and money appropriated.



**HF3431-Anderson, B. (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Stanley Eddy Regional Park expansion bonds issued and money appropriated.

**HF3432-Johnson, J. (R)**  
**Health Policy & Finance**  
Department of Health methamphetamine lab cleanup oversight required.

**HF3433-Johnson, J. (R)**  
**Public Safety Policy & Finance**  
Governor's appointees and residence positions background checks authorized.

**HF3434-Huntley (DFL)**  
**Health Policy & Finance**  
Hearing instrument dispensing definition clarified and contract authority regarding diversion and monitoring services granted.

**HF3435-Peterson, A. (DFL)**  
**Education Policy & Reform**  
Independent School District No. 409, Tyler, fund transfer authorized.

**HF3436-Hackbarth (R)**  
**Environment & Natural Resources**  
Dishonored check payment penalty specified as suspension of certain registrations and licenses, watercraft certificate title delivery provided, and penalties established.

**HF3437-Garofalo (R)**  
**Taxes**  
Reimbursement reduction for cities scheduled for 2006 eliminated.

**HF3438-Ruth (R)**  
**Transportation**  
Driver's license suspension for attempting to pay vehicle taxes or fees with insufficient funds authorized.

**HF3439-Powell (R)**  
**Health Policy & Finance**  
Lead abatement program authority transfer provided.

**HF3440-Tingelstad (R)**  
**Public Safety Policy & Finance**  
Toll-free human trafficking victim hotline established and money appropriated.

**HF3441-Juhnke (DFL)**  
**Agriculture & Rural Development**  
Fertilizer, soil amendment and plant amendment checkoff provided, Minnesota Agricultural Fertilizer Research and Education Council and program established, and on-farm storage exemption from fertilizer facility safeguarding provided.

**HF3442-Juhnke (DFL)**  
**Agriculture & Rural Development**  
Beekeeping regulation repealed.

**HF3443-Pelowski (DFL)**  
**Higher Education Finance**  
Winona State University; Memorial Hall renovation bonds issued and money appropriated.

**HF3444-Knoblach (R)**  
**Local Government**  
Sanctuary law enactment by local governments prohibited.

**HF3445-Olson (R)**  
**Public Safety Policy & Finance**  
Anoka County; forensic crime laboratory bonds issued and money appropriated.

**HF3446-Juhnke (DFL)**  
**Local Government**  
Pennock; real estate acquisition, building improvement and conveyance authorized.

**HF3447-Peppin (R)**  
**Commerce & Financial Institutions**  
Motor vehicle event data recorders regulated, disclosures required and data restricted.

**HF3448-Hoppe (R)**  
**Regulated Industries**  
Card club provisions modified, banked card games provided and electronic pari-mutuel wagers authorized.

**HF3449-Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Manufactured home park conversions regulated.

**HF3450-Mahoney (DFL)**  
**Commerce & Financial Institutions**  
Building code-related councils created and duties provided.

**HF3451-Anderson, B. (R)**  
**Local Government**  
Land dedication standards provided.

**HF3452-Hilstrom (DFL)**  
**Local Government**  
Aitkin County regulation of certain public land interests repealed.

**HF3453-Goodwin (DFL)**  
**Governmental Operations & Veterans Affairs**  
State budget prescribed and continuing appropriations for operation of state government provided.

**HF3454-Ruth (R)**  
**Local Government**  
County recorder document standards, registration fees and provisions modified.

**HF3455-Rukavina (DFL)**  
**Taxes**  
Armed Forces member property purchase homestead classification provided.

**HF3456-Hilty (DFL)**  
**Health Policy & Finance**  
Social worker license issuance in certain cases required.

**HF3457-Peterson, A. (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Working land productive conservation money appropriated.

**HF3458-Heidgerken (R)**  
**Health Policy & Finance**  
Mass flu vaccination clinic delay in event of vaccine shortage required and penalties imposed.

**HF3459-Hausman (DFL)**  
**Governmental Operations & Veterans Affairs**  
Minneapolis Firefighters Relief Association spouse benefit eligibility requirements exception provided in certain cases.

**HF3460-Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Quarterly unemployment insurance wage detail report late filing mandatory minimum penalty eliminated.

**HF3461-Clark (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Business subsidy reporting requirements extended to all recipients of business development public infrastructure grants and redevelopment grants.

**HF3462-Greiling (DFL)**  
**Education Finance**  
Extended time revenue link to general education basic formula allowance provided.

**HF3463-Johnson, R. (DFL)**  
**Education Finance**  
St. Peter; early learning center bonds issued and money appropriated.

**HF3464-Walker (DFL)**  
**Commerce & Financial Institutions**  
Barber and cosmetologist licensing provision modified.

**HF3465-Thissen (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Low-income heating assistance funding provided and money appropriated.

**HF3466-Sailer (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Heartland Trail extension to Detroit Lakes pre-design bonds issued and money appropriated.

**HF3467-Sailer (DFL)**  
**Education Finance**  
Referendum equalization levy factor increased.

**HF3468-Sailer (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Native American housing program funding provided and money appropriated.

**HF3469-Greiling (DFL)**  
**Civil Law & Elections**  
Residential lease termination upon tenant's admission to nursing home provided.

**HF3470-Sieben (DFL)**  
**Transportation Finance**  
Washington County; bridge demolition bonds issued and money appropriated.

**HF3471-Ellison (DFL)**  
**Public Safety Policy & Finance**  
Hate crime and bias motivated crime penalties enhanced.

**HF3472-Juhnke (DFL)**  
**Transportation**  
Recreational vehicle combination definition modified to include golf carts.

**HF3473-Dill (DFL)**  
**Environment & Natural Resources**  
Fish spearing open season modified.

**HF3474-Slawik (DFL)**  
**Civil Law & Elections**  
School district election provisions modified, mail elections approval requirement eliminated, and certain primary elections authorized.

**HF3475-Ellison (DFL)**  
**Civil Law & Elections**  
Deceptive election practices regarding time, place or manner of conducting an election prohibited.

**HF3476-Sertich (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Advocating Change Together grant money appropriated.

**HF3477-Hosch (DFL)**  
**Local Government**  
Credit letter release municipal action timelines established.

**HF3478-Hosch (DFL)**  
**Environment & Natural Resources**  
Watershed district provisions modified.

**HF3479-Hansen (DFL)**  
**Taxes**  
Income tax return processing provided, electronic filing of withholding returns required, studies of audit positions and sales and use compliance assistance initiated and civil penalty imposed.

**HF3480-Clark (DFL)**  
**Jobs & Economic  
Opportunity Policy & Finance**  
MFIP penalty statute repealed.

## Tuesday, March 14

**HF3481-Samuelson (R)**  
**Health Policy & Finance**  
Continuing care, elderly and disabled services provisions modified.

**HF3482-Hackbarth (R)**  
**Transportation Finance**  
All-terrain vehicle gasoline fuel tax attributable amount modified.

**HF3483-Samuelson (R)**  
**Health Policy & Finance**  
Nursing facility planned closure rate adjustments limit removed.

**HF3484-Westerberg (R)**  
**Governmental Operations & Veterans Affairs**  
Boxing commission established and money appropriated.

**HF3485-Johnson, J. (R)**  
**Public Safety Policy & Finance**  
Predatory offender information publication on Internet by corrections commissioner required.

**HF3486-Howes (R)**  
**Health Policy & Finance**  
Cass County; nursing home moratorium exception provided.

**HF3487-Holberg (R)**  
**Civil Law & Elections**  
Data classified, civil remedies and penalties provided.

**HF3488-Nelson, P. (R)**  
**Governmental Operations & Veterans Affairs**  
Revisor's bill providing erroneous, ambiguous and omitted text and obsolete references.

**HF3489-Lenczewski (DFL)**  
**Taxes**  
Foreign source income provisions modified.

**HF3490-Powell (R)**  
**Education Policy & Reform**  
Burden of proof placement on the party seeking relief at a due process hearing provided.

**HF3491-Cornish (R)**  
**Education Finance**  
Independent School District No. 2134, United South Central, school construction costs and improvements grant bonds issued and money appropriated.

**HF3492-Hackbarth (R)**  
**Regulated Industries**  
Elk River designated as Minnesota's energy city.

**HF3493-Haws (DFL)**  
**Environment & Natural Resources**  
Stearns County; public and private sale of certain tax-forfeited land bordering public water authorized.

**HF3494-Wilkin (R)**  
**Jobs & Economic  
Opportunity Policy & Finance**  
Unemployment and dislocated worker benefit eligibility regulated.

**HF3495-Hackbarth (R)**  
**Environment & Natural Resources**  
All-terrain vehicle enforcement availability and public education grants to local law enforcement agencies limited.

**HF3496-Hackbarth (R)**  
**Environment & Natural Resources**  
Noise standards exemptions modified.

**HF3497-Slawik (DFL)**  
**Education Finance**  
Basic formula allowance increased and proceeds dedicated to school district energy expenditures.

**HF3498-Fritz (DFL)**  
**Jobs & Economic  
Opportunity Policy & Finance**  
Faribault; Paradise Center for the Arts bonds issued and money appropriated.

**HF3499-Dorman (R)**  
**Education Finance**  
Cooperative secondary facilities program eligibility expanded, bonds issued and money appropriated.

**HF3500-Sailer (DFL)**  
**Commerce & Financial Institutions**  
Consumer "freezing" of credit reports for security reasons permitted.

**HF3501-Sykora (R)**  
**Education Finance**  
State determined tuition rates for special education services delayed.

**HF3502-Brod (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Natural resources and environment project bonds issued and money appropriated.

**HF3503-Erhardt (R)**  
**Transportation**  
Bicycle operators and passengers under the age of 18 required to wear helmets, and standard for helmets updated.

**HF3504-Buesgens (R)**  
**Education Policy & Reform**  
General education access grants for students authorized.

**HF3505-Hamilton (R)**  
**Health Policy & Finance**  
Greater Minnesota small employer health insurance premium reductions permitted.

**HF3506-Zellers (R)**  
**Public Safety Policy & Finance**  
Career offender sentencing law modified, counterfeiting federal currency crime established, federal law enforcement officer definition updated and criminal penalties imposed.

**HF3507-Wilkin (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative Audit Commission regulated.

**HF3508-Thao (DFL)**  
**State Government Finance**  
Hmong veterans; commemorative statue bonds issued and money appropriated.

**HF3509-Marquart (DFL)**  
**Taxes**  
Residential and agricultural market value homestead credit maximums increased, and certain market value credit losses to cities restored.

**HF3510-Marquart (DFL)**  
**Taxes**  
Residential and agricultural market value homestead credit maximums increased and market value credit losses to cities restored.

**HF3511-Marquart (DFL)**  
**Taxes**  
State general tax reduced and foreign operating corporation deemed dividend deduction modified.

**HF3512-Anderson, I. (DFL)**  
**Education Policy & Reform**  
Online Learning Option Act modified.

**HF3513-Nelson, M. (DFL)**  
**Jobs & Economic  
Opportunity Policy & Finance**  
Homeless Management Information System and capacity building grant money appropriated.

**HF3514-Murphy (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Mineral management money repayment provided.

**HF3515-Peppin (R)**  
**Local Government**  
Preventive health services program operation by cities authorized.

## Wednesday, March 15

**HF3516-Hornstein (DFL)**  
**Regulated Industries**  
Flexible-fuel vehicles promoted; plug-in hybrid electric vehicle infrastructure recovery by utilities, St. Paul Ford plant re-use incentive package development and study required; money appropriated.

**HF3517-Nornes (R)**  
**Jobs & Economic  
Opportunity Policy & Finance**  
Elizabeth; drinking water grant bonds issued and money appropriated.

**HF3518-Hornstein (DFL)**  
**Education Finance**  
General Education Development (GED) text fee waiver authorized and money appropriated.

**HF3519-Simpson (R)**  
**Taxes**  
Tax and tax-related provisions technical and clarifying changes provided, sales tax provision conformity established, taconite production tax modified and fee administration provided.

**HF3520-Magnus (R)**  
**Taxes**  
Agricultural homestead land subject to reduced class rate value increased.

**HF3521-Cybart (R)**  
**Public Safety Policy & Finance**  
Unauthorized racing classified as reckless driving and exhibition driving prohibited.

**HF3522-Knoblach (R)**  
**Ways & Means**  
Pre-kindergarten through grade 12, early childhood, family, adult education, and human services programs forecast adjustments provided, human services savings implemented and money appropriated.

**HF3523-Erhardt (R)**  
**Transportation**  
Transit pass credit conversion to refund provided and refund extended to employers.

**HF3524-Welti (DFL)**  
**Taxes**  
Small city definition modified.

**HF3525-Simpson (R)**  
**Commerce & Financial Institutions**  
Construction codes and licensing provisions recodified, State Building Code modified and enforcement penalties provided.

**HF3526-Vandever (R)**

**Commerce & Financial Institutions**  
Financing statement judicial review expedited process provided and civil and criminal liability for fraudulent or improper financing statements established.

**HF3527-Cornish (R)**

**Environment & Natural Resources**  
Board of Water and Soil Resources modified.

**HF3528-Demmer (R)**

**Education Finance**  
School year length increased by five weeks and Labor Day school start date repealed.

**HF3529-Nelson, M. (DFL)**

**Public Safety Policy & Finance**  
Statewide public safety radio system terms modified and obsolete provisions repealed.

**HF3530-Simpson (R)**

**Taxes**  
Resort expenditure sales tax refund provided.

**HF3531-Seifert (R)**

**Environment & Natural Resources**  
Casey Jones State Trail extended.

**HF3532-Nelson, M. (DFL)**

**Public Safety Policy & Finance**  
Combined local access surcharge requirement modified; 911 system service contracts, wireless provider reporting requirements, cost accounting requirements and system costs modified.

**HF3533-Otremba (DFL)**

**Health Policy & Finance**  
Brainerd Regional Treatment Center laundry service maintenance or expansion required and service contract bids authorized.

**HF3534-Klinzing (R)**

**Education Policy & Reform**  
Accelerated K-12 science and mathematics programs option recommendation task force established.

**HF3535-Lanning (R)**

**Agriculture, Environment & Natural Resources Finance**  
Wild Rice Watershed District flood hazard prevention study money appropriated.

**HF3536-Ruth (R)**

**Commerce & Financial Institutions**  
Hair braiding registration required.

**HF3537-Zellers (R)**

**Taxes**  
Tobacco product health impact fee and excise tax equalized and fee application on other tobacco products clarified.

**HF3538-Otremba (DFL)**

**Health Policy & Finance**  
Crib safety requirements modified.

**HF3539-Demmer (R)**

**Public Safety Policy & Finance**  
Outdoor fireworks displays by individuals regulated.

**HF3540-Meslow (R)**

**Public Safety Policy & Finance**  
Career offender sentencing law modified, patterned offender sentencing law recodified and Blakely hearing provision sunset provision removed.

**HF3541-Westrom (R)**

**Regulated Industries**  
Public Utilities Commission reports regarding heating customers required.

**HF3542-Westrom (R)**

**Regulated Industries**  
Gas utility service reconnection plan preparation and implementation required.

**HF3543-Eastlund (R)**

**Education Finance**  
Special education fiscal agent inclusion in the list of cooperative special education service providers eligible for a waiver provided.

**HF3544-Penas (R)**

**Transportation Finance**  
Roseau County; radio tower trunk highway bond sale authorized and money appropriated.

**HF3545-Westrom (R)**

**Education Finance**  
Alexandria Technical College bonds issued and money appropriated.

**HF3546-Penas (R)**

**Agriculture, Environment & Natural Resources Finance**  
Beef cattle diagnostic team pilot project established and money appropriated.

**HF3547-Severson (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Central Minnesota science initiative project bonds issued and money appropriated.

**HF3548-Clark (DFL)**

**Education Policy & Reform**  
Minnesota American Indian tribe and community contribution instruction integration into student learning, teacher preparation and licensing requirements required.

**HF3549-Ellison (DFL)**

**Regulated Industries**  
Minneapolis liquor license issuance to Minnesota Book and Literary Arts Building, Inc. authorized.

**HF3550-Garofalo (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Farmington; sewer and water infrastructure bonds issued and money appropriated.

**HF3551-Howes (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Overtime regulated for certain nurses.

**HF3552-Kohls (R)**

**Jobs & Economic Opportunity Policy & Finance**  
Biotechnology and medical genomics research money appropriated.

**HF3553-Davnie (DFL)**

**Taxes**  
Tax-forfeited land assessment cancellations regulated.

**HF3554-Vandever (R)**

**Agriculture, Environment & Natural Resources Finance**  
Centerville; undeveloped land acquisition from St. Paul Board of Water Commissioners authorized for lake access preservation.

**HF3555-Huntley (DFL)**

**Health Policy & Finance**  
Governmental unit definition modified relating to nonprofit community health clinics providing family planning services.

**HF3556-Powell (R)**

**Transportation Finance**  
I-35W Bus Rapid Transit bonds issued and money appropriated.

**HF3557-Bradley (R)**

**Health Policy & Finance**  
Personal care assistant documentation and reporting requirement implementation delayed.

**HF3558-Goodwin (DFL)**

**Commerce & Financial Institutions**  
Statutory housing warranties regulated and legislative intent clarified.

**HF3559-Goodwin (DFL)**

**Commerce & Financial Institutions**  
Statutory housing warranties regulated and modified.

**HF3560-Goodwin (DFL)**

**Health Policy & Finance**  
Pharmacist refusal to dispense legend drugs prohibited and disciplinary action provided.

**HF3561-Severson (R)**

**Commerce & Financial Institutions**  
Biotechnology and health sciences industry zone designation authorized.

**HF3562-Nelson, P. (R)**

**Transportation Finance**  
Income tax credit provided for conversion of vehicle to operate using alternative fuels.

**HF3563-Nelson, P. (R)**

**Transportation Finance**  
Alternative fuel vehicle usage subtraction from federal taxable income authorized.

**HF3564-Emmer (R)**

**Health Policy & Finance**  
Medical Assistance special transportation services criteria specified, reimbursement rates increased and broker or coordinator usage prohibited.

**HF3565-Eastlund (R)**

**Public Safety Policy & Finance**  
Inmate health care decision making by Department of Corrections medical director authorized in certain cases.

**HF3566-Clark (DFL)**

**Transportation**  
Tribal identification card usage governance provided.

**HF3567-Olson (R)**

**Transportation**  
Transit mode analysis required prior to approval of Central Corridor transitway.

**HF3568-Jaros (DFL)**

**Jobs & Economic Opportunity Policy & Finance**  
State living wage established, tax penalty imposed on certain employers and tax proceeds appropriated.

**HF3569-Simon (DFL)**

**Civil Law & Elections**  
Judicial candidate contribution limits provided.

**HF3570-Welti (DFL)**

**Education Policy & Reform**  
Integration revenue school district process modified, integration activities emphasized and plans and assistance required

**HF3571-Koenen (DFL)**

**Jobs & Economic Opportunity Policy & Finance**  
Heritage trails bonds issued and money appropriated.

**HF3572-Entenza (DFL)**

**Public Safety Policy & Finance**  
Bomb squad reimbursement for out-of-area calls for assistance increased and money appropriated.

**HF3573-Davnie (DFL)**

**Jobs & Economic Opportunity Policy & Finance**  
Blighted housing rehabilitation program created and possession or ownership transfer of nuisance properties to nonprofit housing organizations provided.



**HF3574-Sailer (DFL)****Education Finance**

Independent School District No. 38, Red Lake, school construction costs and related improvements bonds issued and money appropriated.

**HF3575-Lesch (DFL)****Taxes**

Foreign service members income tax subtraction authorized.

**HF3576-Hosch (DFL)****Governmental Operations & Veterans Affairs**

Legislative procedure and meeting time modifications provided, per diem payments during special sessions called due to failure of Legislature to pass major budget bills prohibited.

**HF3577-Kelliher (DFL)****Education Finance**

Program growth factor for regular special education added and aid increased.

**HF3578-Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Physician pilot project to encourage Minnesota licensure for foreign-trained physicians established and money appropriated.

## Thursday, March 16

**HF3579-Cybart (R)****Transportation Finance**

Cedar Avenue Bus Rapid Transit Corridor bonds issued and money appropriated.

**HF3580-Sykora (R)****Education Policy & Reform**

Pre-kindergarten through grade 12 education financing provided, alternative teacher training provided, early childhood Part C services expanded, intensive English instruction provided for refugees and money appropriated.

**HF3581-Smith (R)****Governmental Operations & Veterans Affairs**

Public Employees Retirement Association post-sentencing officers and emergency dispatchers retirement plan created and money appropriated.

**HF3582-Klinzing (R)****Education Finance**

Student assessment and achievement evaluation money appropriated.

**HF3583-Dempsey (R)****Regulated Industries**

Bed and breakfast facility on-sale wine license terms modified and consumption provisions authorized.

**HF3584-Nelson, P. (R)****Transportation**

Combat wounded veterans special license plate cost exemption provided.

**HF3585-Smith (R)****Civil Law & Elections**

Child support and maintenance provisions modified.

**HF3586-Smith (R)****Public Safety Policy & Finance**

Domestic abuse foreign protective order enforcement provided.

**HF3587-Tingelstad (R)****Governmental Operations & Veterans Affairs**

President, Congress and United States Postal Service memorialized by resolution to maintain current levels of service.

**HF3588-Gunther (R)****Regulated Industries**

Faribault County; wind turbine facility reclassified to avoid violation of exclusive service territory law.

**HF3589-Hansen (DFL)****Regulated Industries**

Public utility residential heating customer protections provided.

**HF3590-Powell (R)****Health Policy & Finance**

Pharmacy payment reform advisory committee established, study provided and report required.

**HF3591-Finstad (R)****Health Policy & Finance**

Human services commissioner contract with Medicare-approved special needs plans authorized to provide services to persons with disabilities.

**HF3592-Olson (R)****Taxes**

Electric and transmission pipeline utility valuation rules effective dates prescribed.

**HF3593-Gunther (R)****Jobs & Economic Opportunity Policy & Finance**

Prevailing wage determination method modified and occupational employment statistics benefits survey required

**HF3594-Dempsey (R)****Transportation**

Great River Road property transportation bonds authorized and money appropriated..

**HF3595-Seifert (R)****Transportation**

Historic site directional sign placement on highways required in certain cases.

**HF3596-Lillie (DFL)****Taxes**

Property tax statement mailing date advanced.

**HF3597-Soderstrom (R)****Health Policy & Finance**

Time frames under which an unharmed newborn may be left at a hospital specified and search for relatives prohibited.

**HF3598-Cox (R)****Governmental Operations & Veterans Affairs**

State department construction contracts regulated.

**HF3599-Meslow (R)****Education Policy & Reform**

Socio-emotional early childhood screening provided.

**HF3600-Loeffler (DFL)****State Government Finance**

State Capitol and Ford Building bonds issued and restoration money appropriated.

**HF3601-Clark (DFL)****Civil Law & Elections**

Landlords prohibited from preventing tenants from posting campaign material in residence windows.

**HF3602-Loeffler (DFL)****Governmental Operations & Veterans Affairs**

National Guard and other veteran's assistance relating to health screening and uranium exposure health services provided.

**HF3603-Krinkie (R)****Taxes**

Internal Revenue Code and marriage penalty provision conformity provided, dairy operation and citizenship expenditure tax credits provided, sales-only apportionment phase-in accelerated and other taxation provisions clarified.

**HF3604-Koenen (DFL)****Public Safety Policy & Finance**

Conciliation court with jurisdiction to determine certain fraudulent bank transactions provided.

**HF3605-Tingelstad (R)****Agriculture, Environment & Natural Resources Finance**

Legislative Commission on Minnesota Resources money appropriated.

**HF3606-Koenen (DFL)****Jobs & Economic Opportunity Policy & Finance**

Granite Falls; Burlington Northern Depot renovation and relocation bonds issued and money appropriated.

**HF3607-Bradley (R)****Higher Education Finance**

Rochester; University of Minnesota branch campus established and money appropriated.

**HF3608-Pelowski (DFL)****Education Finance**

Winona State University bonds issued and money appropriated.

**HF3609-Abeler (R)****Health Policy & Finance**

Background study provisions modified.

**HF3610-McNamara (R)****Commerce & Financial Institutions**

Boiler inspection accredited agency submission of reports required and inspection exemptions by Division of Boiler Inspection provided.

**HF3611-Samuelson (R)****Jobs & Economic****Opportunity Policy & Finance**

New Brighton; methane treatment facility bonds issued and money appropriated.

**HF3612-McNamara (R)****Agriculture, Environment & Natural Resources Finance**

Wind energy and other prior natural resource appropriations modified.

**HF3613-McNamara (R)****Public Safety Policy & Finance**

Hastings; hydroelectric plant federal matching grant acquisition money appropriated.

**HF3614-Penas (R)****Environment & Natural Resources**

All-terrain vehicle regulation modified and classifications created.

**HF3615-Peppin (R)****Health Policy & Finance**

Group residential pilot project established.

**HF3616-Atkins (DFL)****Governmental Operations & Veterans Affairs**

Eveleth police service and fire plan service credit purchase authorized.

**HF3617-Ruth (R)****Taxes**

Income tax subtraction for certain military pensions authorized.

**HF3618-Finstad (R)****Jobs & Economic Opportunity Policy & Finance**

Human services departmental, commissioner and related entities technical changes provided.

**HF3619-Bradley (R)****Ways & Means**

State government appropriations modified, studies and reports required and penalties provided.

**HF3620-Dean (R)****Health Policy & Finance**

Secured treatment facilities policies modified, contraband possession criminal penalties provided, service contract entrance authorized, custody escape provisions modified and sentencing provisions established.

**HF3621-Hackbarth (R)****Agriculture, Environment & Natural Resources Finance**

Minnesota Shooting Sports Education Center funding provided and money appropriated.

**HF3622-Ellison (DFL)****Health Policy & Finance**

Lead risk assessment Medical Assistance coverage provided.

**HF3623-Meslow (R)****Education Policy & Reform**

Early childhood and family education funding provided, Head Start funds allocated, kindergarten readiness pilot program provided, grants provided and money appropriated.

**HF3624-Nornes (R)****Commerce & Financial Institutions**

Boxing board reestablished and money appropriated.

**HF3625-Peppin (R)****Governmental Operations & Veterans Affairs**

Public employee insurance provisions modified and money appropriated.

**HF3626-Finstad (R)****Health Policy & Finance**

Certified psychiatric nurse practitioner services Medical Assistance coverage provided.

**HF3627-Blaine (R)****Commerce & Financial Institutions**

Motor vehicle lemon law expanded to protect small businesses.

**HF3628-Sailer (DFL)****Education Finance**

Independent School District No. 138, Red Lake, emergency aid appropriation increased.

**HF3629-Davids (R)****Civil Law & Elections**

Eminent domain public use definition provided, loss of going concern provided for and attorney fees regulated.

**HF3630-Emmer (R)****Health Policy & Finance**

Children's mental health grants provided; mental health service delivery and finance reform provided; and mental health case management, rates and general assistance medical care coverages modified.

**HF3631-Hornstein (DFL)****Civil Law & Elections**

Condominium conversions regulated.

**HF3632-Ellison (DFL)****Civil Law & Elections**

Voting and registration; residency documentation clarified, absentee balloting provisions modified, translation of voting materials required, notice of civil rights restoration required and voting assistance for inmates provided.

**HF3633-Fritz (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Faribault; Paradise Center for the Arts funding provided and money appropriated.

**HF3634-Gazelka (R)****Environment & Natural Resources**

Brainerd Regional Treatment Center surplus state land conveyance authorized.

**HF3635-Brod (R)****Civil Law & Elections**

Campaign Finance and Public Disclosure Board regulated, membership requirements and staffing authority modified and money appropriated.

**HF3636-Hilstrom (DFL)****Civil Law & Elections**

Coroner and medical examiner provisions modified and updated, and criminal penalties imposed.

**HF3637-Holberg (R)****Transportation**

Metropolitan special transportation service requirements regulation provided.

**HF3638-Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Greater Minnesota Business Development Investments program provided and money appropriated.

**HF3639-Lanning (R)****Civil Law & Elections**

Voter residency documentation clarified.

**HF3640-Olson (R)****Governmental Operations & Veterans Affairs**

Legislature; subgroups prohibited from controlling legislative decision-making process, distribution of powers required, full house participation in final decisions required and constitutional amendment proposed.

**HF3641-Cox (R)****Governmental Operations & Veterans Affairs**

Construction code inspectors competency criteria requirements provided.

**HF3642-Peterson, S. (DFL)****Taxes**

Senior and disabled claimants property tax refund exemption amount increased.

**HF3643-Hortman (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Olympics bid task force created.

**HF3644-Peterson, S. (DFL)****Taxes**

Federal marriage penalty relief conformity provided.

**HF3645-Hilstrom (DFL)****Public Safety Policy & Finance**

Missing persons; Bureau of Criminal Apprehension required to reduce records backlog for missing persons and unidentified bodies cases, responsibilities clarified, model policy relating to missing adults required and money appropriated.

**HF3646-Erhardt (R)****Transportation**

Disabled veterans special license plates authorized.

**HF3647-Meslow (R)****Public Safety Policy & Finance**

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**HF3648-Meslow (R)****Public Safety Policy & Finance**

Death scene investigations and identification reporting procedures provided.

**HF3649-Meslow (R)****Public Safety Policy & Finance**

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**HF3650-Meslow (R)****Public Safety Policy & Finance**

Expungement of photographs of adjudicated delinquents prohibited.

**HF3651-Hortman (DFL)****Taxes**

Dentistry material purchases tax credit provided.

**HF3652-Hilstrom (DFL)****Education Policy & Reform**

International baccalaureate pilot program provided across all grades of a school district and money appropriated.

**HF3653-Newman (R)****Public Safety Policy & Finance**

Board on Judicial Standards funding provided and money appropriated.

**HF3654-Knoblach (R)****Education Policy & Reform**

Online learning providers required to include notice of state academic and testing requirements on course information memorandum, and online learning aid for nonresident students calculated as actual cost and administrative fees.

**HF3655-Slawik (DFL)****Commerce & Financial Institutions**

Boxing commission established and money appropriated.

**HF3656-Tingelstad (R)****Transportation**

Railroad right-of-way contracting for use as commuter rail authorized.

**HF3657-Holberg (R)****Transportation Finance**

Highway funding provided, trunk highway motor vehicle sales tax collection account established, proceeds allocated, bonds issued and money appropriated.

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Year the Territorial Militia ushered in the advent of the <a href="#">Minnesota National Guard</a> .....	1850
Approximate number of Minnesota National Guard members.....	13,000
Members activated in 2005 to support Operations Iraqi Freedom,	
Enduring Freedom and Noble Eagle .....	5,670
In 2004 .....	1,600
Soldiers and airmen, as approximate, welcomed home last year from deployments.....	1,700
In 2004 .....	3,100
Towns where the Guard is located in Minnesota.....	63
Hours, as approximate, volunteered by Minnesota soldiers and airmen to	
local communities in 2005.....	42,450
In 2004.....	34,567
Approximate number of Minnesota soldiers in the 34th Infantry Division,	
also known as the "Red Bulls".....	9,300
Number of those mobilized in 2005 in support of Operation Iraqi Freedom.....	2,600
Number returning from previous deployments.....	1,000
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as approximate.....	700
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Number of countries Minnesota National Guard members have served in	
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Fiscal Year 2005 budget for Minnesota National Guard, in millions.....	\$321.3
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Sources: Minnesota National Guard [2004](#) and [2005](#) annual reports, [Minnesota National Guard Web site](#)

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INSIDE: WEATHER FACTS, KEEPING WATERS CLEAN, BRIDGING THE PARTISAN AISLE, MORE

This Week's Bill Introductions HF3658-HF3917

# Session Weekly

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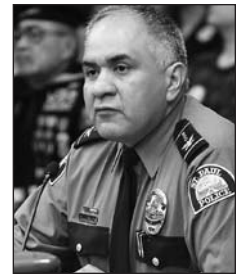
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On the cover: A Capitol visitor descends the cantilevered staircase March 22. This unsupported staircase, designed by architect Cass Gilbert, was considered state-of-the-art technology when the Capitol was constructed more than 100 years ago.

—Photo by: Sarah Stacke



# Bridging the aisle

Bipartisan efforts look for legislative reform



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

By NICK BUSSE

**W**hen a session marked by partisan squabbling and budget deadlock ended in a historic partial government shutdown last year, many legislators vowed that it would never happen again.

Some want to make sure it doesn't.

[Rep. Kathy Tingelstad](#) (R-Andover) and [Rep. Diane Loeffler](#) (DFL-Mpls) spearhead a bipartisan coalition looking to change the way the Legislature does business. They say a growing movement among both House and Senate members is pushing for legislative reform.

"It's across party lines, it's across freshmen to senior representatives, it's chairmen and rank-and-file," Loeffler says. "I think we have a broad cross-section of people who have shown an ongoing commitment to do our work better and more efficiently."

A core group of pro-reform senators and representatives has been working together on the issue, including participation in a two-day legislative effectiveness forum at the University of Minnesota's Hubert H. Humphrey Institute of Public Affairs in February.

The impetus for change has grown out of last year's highly public budget debacle. At the height of frustrations during the summer special session, Loeffler and Tingelstad put out a call to fellow House members and staff for ideas to make the Legislature more efficient. In the fall they compiled the responses into an Internet survey and asked House members to rank the ideas.

According to Tingelstad, approximately half of the House's 134 members responded to the survey. She said the responses were split almost evenly between Republicans and Democrats, and that out of some 60 ideas, 36 were generally agreed upon as good candidates. One of the most popular was continuing appropriations.

"It's the most direct problem-solving tool in making sure we don't have a government shutdown again," Tingelstad says of continuing appropriations — keeping the current state budget in effect until a new one is passed. This ensures that a budget deadlock in the Legislature won't cause a government shutdown, as was the case last year. However, critics warn this does not force the Legislature to get its work done.

Other ideas covered by Loeffler and Tingelstad's list range from the relatively minor — such as creating a common lunch hour for House and Senate members to socialize with each other and discuss policy issues — to the fairly radical, such as creating a unicameral (one-house) legislature like Nebraska.

**First Reading continued on page 4**



## First Reading continued from page 3

Don't hold your breath on the unicameral idea. But of the more than 20 legislative reform bills that have been filed so far this session, several common themes have emerged: continuing budget appropriations; forfeiting legislators' salaries and/or per diem during special sessions; establishing more efficient legislative schedules; and increasing communication between legislators in various ways, such as creating training forums.

Loeffler says that some of the other, smaller ideas have already been informally implemented in some cases. For example, many committees now allow their members to choose their own seats during meetings (thereby giving them the opportunity to get to know members of the other party).

Tingelstad hopes to see legislation passed this year that would put scheduling rules into state statute. As an example, she says creating a transitional budget and staff for newly elected governors and then requiring a new governor to submit his or her initiatives in early January or February would allow legislators to get a head start on the session.

Other legislative reform ideas that may come up this session are many, but their overall goal is clear.

"We're putting other backstops in place that should make it so that we really should not ever have to go into special session," Tingelstad says.

Legislators aren't the only state leaders pushing for change at the Capitol.

In March, Gov. Tim Pawlenty announced his "performance pay for politicians" initiative, whereby legislators and the governor would have to forfeit part of their salaries if they did not pass a budget on time during odd-numbered years of the legislative biennium.

"I think pay-for-performance is a good idea because it links results with accountability," says [Rep. Matt Dean](#) (R-Dellwood), who sponsors two separate bills supporting the governor's plan.

But pay-for-performance initiatives have largely met with a mixed response from legislators. When a similar bill (HF3187) sponsored by [Rep. Joyce Peppin](#) (R-Rogers) came before a House committee on March 21, [Rep. Michael Beard](#) (R-Shakopee) said bluntly that such bills "annoy the living daylights out of me."

"I wonder, in this whole mix, if we're not shooting ourselves right in the foot — and even by having this discussion, if we're not impugning the integrity of this place," Beard said.

[Rep. Tina Liebling](#) (DFL-Rochester) agreed, saying pay-for-performance sent the wrong message to the public.

"I think this sends the message, very much like the governor's performance-pay bill, that people who come here work for the money." She added that most legislators could make a lot more money working in the private sector.

Surprisingly, however, one of the more dramatic proposals seems to have met with a

positive response — at least in the House.

[HF2890](#), sponsored by [Rep. Barb Sykora](#) (R-Excelsior), would extend House members' terms of office from two years to four years and stagger elections for both House and Senate members.

During a March 21 hearing before the [House Governmental Operations and Veterans Affairs Committee](#), Sykora said her bill would allow the House to retain experienced people "who can continue to focus on policy rather than think about another election," while still providing members of each legislative district with "an opportunity to throw someone out" every two years.

Although some committee members expressed reservations, suggesting that the state has followed the national model for a reason, others said four-year terms for representatives is an idea whose time has come.

"It's probably time to do this," said [Rep. Randy Demmer](#) (R-Hayfield). "I think the nature of things have changed over the last six to 10 years ... and quite frankly, I get concerned sometimes that the House in particular doesn't have long-term thinking in its mind as we look at a campaign every other year."

The committee approved the bill, which now goes to the [House Civil Law and Elections Committee](#). But even if it gets passed on the House floor, the bill might not ultimately go anywhere. Perhaps tellingly, it has no Senate companion. 🐼

## SILENT OBSERVANCE



PHOTO BY TOM OLMSCHIED

Members of the House Education Finance Committee Rep. Mark Buesgens and Rep. Mindy Greiling observe a moment of silence and reflection at 2 p.m. March 21 to honor the victims of the shootings in Red Lake one year earlier. Gov. Tim Pawlenty asked that across the state, and particularly in schools, a moment of silence be observed at that time to show support and love for our fellow Minnesotans at Red Lake.

## ★ AGRICULTURE

### Poisonous plant awareness

When Robert Marg of rural Altura trimmed his Japanese yew tree and threw the branches onto a pile in his pasture, he had no idea he would be rewarded for his landscaping efforts with two dead dairy cows.

He later learned his cows probably ingested only a small bit of the yew tree and that an 8-inch piece is enough to kill a full-grown cow.

Marg told members of the [House Agriculture and Rural Development Committee](#) March 22 that, although there was nothing on the label when he originally purchased the tree, he now knows “the stuff is poisonous to about anything that will eat it, including people.”

All his immediate neighbors also had Japanese yew trees growing on their farms and none of them knew they were poisonous, although one neighbor has since attributed the death of one of his cows several years ago to eating from a yew that grew near the pasture fence.

Marg’s story was in support of [HF3066](#), sponsored by [Rep. Gene Pelowski, Jr.](#) (DFL-Winona). The bill would require Minnesota’s agriculture commissioner to consult with nursery stock growers, dealers, retailers and other interested parties to compile a list of appropriate procedures and display materials for increasing public awareness at the point-of-retail sale of nursery stock that poses toxic hazards to livestock, pets and people.

“I’m not requesting that these plants are totally banned or anything like that, I just would like that the public be made more aware of the poisonous plants. My loss was two cows which were valued at over \$3,000,” Marg said.

Tim Power, president of the Minnesota Nursery and Landscape Association, said it would be difficult to add more words to plant labels since they are “already extremely verbose” and that the legislation would result in an economic disadvantage to Minnesota’s nursery businesses.

Approved by the committee, the bill now goes to the House floor.

A companion bill ([SF3345](#)), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action in the [Senate Agriculture, Veterans and Gaming Committee](#).

## ★ BANKING

### New banking facility

The House approved a bill March 20 that would permit a new bank to open in Shamrock

Township.

Approved 131-0, HF2709, sponsored by [Rep. Loren Solberg](#) (DFL-Grand Rapids), awaits action by the full Senate. [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) is the Senate sponsor.

The bill authorizes the State Bank of McGregor, located in McGregor, to operate a separate facility in Shamrock Township, with approval of the commerce commissioner.

A bank that wants to open a new branch in a township needs permission from the Legislature. This would be the second exemption in two years.

During a March 14 House Commerce and Financial Institutions Committee hearing, Rep. Greg Davids (R-Preston) asked if other banks approved of the new facility. Jonathan Passer, a loan officer at the bank, said there is a credit union in town but that the next closest bank to McGregor is 24 miles away.

The Shamrock Town Board supports the bill.

## ★ BONDING

### Bonding recommendations

The [House Higher Education Finance Committee](#) recommended \$486.5 million in capital budget requests for the University of Minnesota and Minnesota State Colleges and Universities system March 20.

Committee Chair [Rep. Bud Nornes](#) (R-Fergus Falls) said the committee did not exclude any projects, but rather ranked them based on the priority lists submitted by the university and MnSCU.

Priorities topping the university’s list include:

- \$80 million for asset preservation including maintaining health and safety in buildings, hazardous material abatement, access improvements and air quality improvement;
- \$26.6 million for a Carlson School of Management expansion on the Minneapolis campus; and
- \$15.3 million for construction of a business and economics building on the Duluth campus.

MnSCU’s top three requests are: \$110 million for asset preservation, \$32.9 million for a science center addition and renovation at Minnesota State University, Mankato; and \$14 million for St. Cloud State University’s Wick Science Building addition and renovation.

The governor is recommending

\$20 million for MnSCU asset preservation. “The committee felt that was way too low,” Nornes told the [House Capital Investment Committee](#) March 21. “At a minimum it should be equal to the university.” The governor is recommending \$40 million for university asset preservation.

Also in the recommendations are \$15.5 million in projects that did not make the systems’ priority lists, including a multipurpose facility at Southwest Minnesota State University, a university pilot biomass energy project and a research and outreach center in Morris that would, in part, use wind energy to develop fertilizer.

[Rep. Ron Latz](#) (DFL-St. Louis Park), who unsuccessfully tried to have them removed from the recommendations, said the majority of the additional projects were an attempt to run around the educational institutions’ “established processes for system priorities.” Adding them will encourage systems to continue to add projects at the last minute, he said.

“Some of them were late in the process as far as getting on the list, or because of the local private funds that are involved in at least two or three of those projects,” and should be taken into consideration, Nornes said.

## ★ BUDGET

### Supplemental spending

Finance Commissioner Peggy Ingison presented what appears to be good news to the [House Ways and Means Committee](#) March 20.

The [supplemental budget](#) proposed by [Gov. Tim Pawlenty](#) calls for spending an addition \$246 million from the general fund and \$170 million from other sources, and the state is making headway toward regaining its AAA bond rating.

In a letter to legislative leaders, Ingison wrote, “FY 2006-07 recommended changes include \$49 million in tax reductions, an \$8 million increase in non-tax revenues, \$102 million in ‘budget fixes,’ and \$103 million in other general fund spending for the biennium. These recommendations provide for limited new spending for emergency items, critical initiatives, and the cost of the Governor’s 2006 capital budget.”

But some members of the committee weren’t entirely pleased.

[Rep. Philip Krinkie](#) (R-Lino Lakes), for example.

“Ms. Ingison, can you give some idea of what the governor’s thinking is with regard to the Supreme Court case which is going to be heard in about three weeks — what the governor is planning on doing if that case is lost and there’s a \$370 million shortfall?” he asked, referring to the litigation involving the health impact fee enacted by the Legislature last year.

Ingison said she believes the amount of money that has been put into the reserves is part of the governor’s plan to prepare for that possibility, and that if the Legislature was still in session and a negative decision was handed down, he might rethink some of his spending recommendations.

Krinkie is concerned about having to “scramble” to balance the budget at the end of the session.

However, [Rep. Tom Rukavina](#) (DFL-Virginia) offered that the fee litigation could end immediately if a bill were introduced that “says it’s a tax and not a fee,” and Krinkie agreed.

After learning that the governor is recommending additional non-general fund spending including \$58 million from the Health Care Access Fund to finance infrastructure preparations for a possible Avian flu epidemic, a mental health initiative, the University of Minnesota/Mayo Clinic bioscience partnership and health information technology, [Rep. Thomas Huntley](#) (DFL-Duluth) pointed out that the Health Care Access Fund was intended to be spent on providing health insurance to people who don’t get health insurance where they work.

## ★ CHILDREN

### Obtaining a ‘clean’ birth certificate

For parents of deceased children, a piece of paper can be more than just any old article to throw away. It can represent a life that once existed.

[HF3171](#), sponsored by [Rep. Karen Klinzing](#) (R-Woodbury), would allow parents of deceased children to obtain one clean copy of their child’s birth certificate, without the “deceased” label and date of death, up to six years after the child was born. Only one clean copy could be obtained and would be electronically-tracked by the [Department of Health](#).

The [House Health Policy and Finance Committee](#) approved the bill March 22 and referred it to the [House Civil Law and Elections Committee](#). A companion bill ([SF3092](#)), sponsored by [Sen. Betsy Wergin](#) (R-Princeton), awaits action by the [Senate](#)

[Health and Family Security Committee](#).

Klinzing said this bill offers a reprieve for parents who often don’t have time to deal with obtaining a birth certificate or think about it when their child is sick.

That was the case for Jennifer Strack.

Strack’s daughter died 40 days after being born — she had a congenital heart defect and went through two unsuccessful open heart surgeries. When Strack called the county about what to do about the birth certificate containing the word “deceased,” she was told to simply “white out the words” and that she should’ve gotten the birth certificate before her daughter died. “A life, no matter how short, is still a life,” said Strack, who eventually got a clean copy through a personal connection. “Isn’t it enough that their child is gone forever?”

## ★ CONSUMERS

### Banning the ultimate party machine

[Rep. Morrie Lanning](#) (R-Moorhead) is concerned that if a device billed as the ultimate party machine becomes more prevalent, it could lead to greater incidents of binge drinking, which he says is now an epidemic.



PHOTO BY ANDREW VONBANK

**Rep. Morrie Lanning demonstrates a device known as AWOL, or alcohol without liquid, that mixes alcohol with oxygen to create a vapor that can be inhaled.**

The sponsor of [HF3336](#), he told the [House Public Safety Policy and Finance Committee](#) March 22 the bill would make it illegal to use, possess, purchase or sell a device known as AWOL, or alcohol without liquid.

“My community has experienced two deaths as a result of binge drinking... I think the feeling is that if this device becomes readily available, and if it becomes widely used, that we are going to greatly increase the amount of binge drinking that takes place in our communities and our country.”

The machine mixes alcohol with oxygen creating a vapor that can be inhaled “creating a faster and more intense high,” said Marlene Kjelsberg, office supervisor for the Department of Public Safety [Division of Alcohol and Gambling Enforcement](#). “Inhalation may be more likely to cause alcohol toxicity than binge drinking because the user does not have time to feel the effects.”

According to the manufacturer’s Web site, when a machine is used, “Alcohol enters the bloodstream through the lungs rather than the stomach making AWOL low calorie and low carbohydrate. The resulting feeling is the same sense of well being an adult gets from consuming alcohol in the traditional manner, only milder.”

Lanning said that 12 states have banned the sale of the device and 18 others are considering similar legislation.

With the machine available over the Internet, [Rep. Mary Murphy](#) (DFL-Hermantown) asked how the state would go about regulating the possession of the machine.

Kjelsberg said the individual person, not the licensee, would be subject to the penalty, and the investigation would be conducted like any ordinary criminal proceeding.

The bill was laid over for possible inclusion in the committee’s omnibus bill.

A companion bill ([SF3256](#)), sponsored by [Sen. Jane Ranum](#) (DFL-Mpls), awaits action by the [Senate Commerce Committee](#).

### Privacy in vehicles

It turns out privacy is an issue on and off the road.

[HF3447](#), sponsored by [Rep. Joyce Peppin](#) (R-Rogers), would provide privacy protection for motor vehicle event recorders.

Under the bill, manufacturers must disclose if a recorder is installed and insurance companies would not be able to access the data without owner approval.

Often located in the airbag compartment of vehicles, the recorders provide data collected just prior to crashes. It’s then used to assist safety researchers and engineers to improve vehicle performance.



The [House Commerce and Financial Institutions Committee](#) approved the bill March 22 and referred it to the [House Civil Law and Elections Committee](#). It has no Senate companion.

[Rep. Diane Loeffler](#) (DFL-Mpls) wanted to know if insurance companies might require recorders in their customers' vehicles and how that would be used.

Peppin said about two-thirds of all cars contain recorders. "This should be private data," she said, adding that the bill prevents insurance companies from obtaining recorders and then regulating their use. She also reiterated that the recorders aren't the same as black boxes on airplanes and only record data during crashes.

### Protections for seniors

Minnesota could be undertaking greater steps to protect senior citizens from financial exploitation.

[HF2856](#), sponsored by [Rep. Tim Wilkin](#) (R-Eagan), would enforce a variety of measures against such exploitation.

For example, the bill enables seniors to report possible financial scams by calling a toll-free helpline established by the commissioner of commerce. It would also allow banks, credit unions and other financial institutions to "initiate, communicate with, and disclose customer records" to law enforcement agencies in suspected financial exploitations against customers who are senior citizens. That information would remain confidential once handed over to law enforcement, Wilkin said.

On March 22, the [House Commerce and Financial Institutions Committee](#) approved the bill and referred it to the [House Civil Law and Elections Committee](#). A companion bill ([SF3115](#)), sponsored by [Sen. Thomas Neuville](#) (R-Northfield), awaits action by the [Senate Commerce Committee](#).

Because citizens tend to contact the attorney general's office with consumer protection issues, [Rep. Diane Loeffler](#) (DFL-Mpls) asked if Wilkin would consider working with the attorney general's consumer protection division. Wilkin said the [Department of Commerce](#) already deals with a variety of consumer-related issues and that it handles financial cases that his bill addresses.

[Rep. Tina Liebling](#) (DFL-Rochester) wanted clarification on whether the toll-free helpline was just for seniors.

People working the helpline would likely accept and answer most calls, said Wilkin.

[Rep. Paul Gazelka](#) (R-Brainerd) said he thought the bill was a good idea but questioned the cost. Wilkin said that funding amounts hadn't been determined, but that a fiscal note

would be available by the time the bill reaches the [House Jobs and Economic Opportunity Policy and Finance Committee](#).

## CRIME



### Child pornography sentences

Minimum sentences would be established for people disseminating, possessing or manufacturing child pornography, under a bill held over for consideration by the [House](#)



PHOTO BY ANDREW VONBANK

**Tim O'Malley, assistant superintendent with the Bureau of Criminal Apprehension, testifies, March 16 before the House Public Safety Policy and Finance Committee in support of a bill that would establish minimum penalties disseminating, possessing or manufacturing child pornography.**

[Public Safety Policy and Finance Committee](#) for omnibus bill.

Currently, there is no minimum sentence for child pornography offenses. As with other offenses, the Legislature lets judges, in the context of sentencing guidelines, decide how to sentence an offender up to a statutory maximum penalty.

Under [HF2829](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth), someone in a position of authority over a child, such as a coach or teacher, and who uses the organization's resources to disseminate or possess child pornography, would receive a minimum three-year sentence. Such a person would get a minimum of five years behind bars for disseminating child pornography.

For anyone not in a position of authority, possession or dissemination of child pornography would bring a mandatory minimum sentence of six months for first-time offenders. Subsequent offenses, or predatory offenders, would receive a minimum of 12 months.

"This part of the bill arose based on a case in Moorhead, where an elementary school social worker was found to have 26 child pornography images on his computer, and disseminating at least one of them," Johnson told the committee March 16. "He was convicted of a felony charge, but got no jail time. It was all a stayed sentence. If he doesn't get in trouble in the next three years he's going to end up with a misdemeanor on his record."

Tim O'Malley, assistant superintendent of the Bureau of Criminal Apprehension, said that according to the National Internet Crimes Against Children Task Force, 763 child pornography distribution cases were reported nationwide in 2003; a year later there were 9,700 cases.

A companion bill ([SF2699](#)), sponsored by [Sen. Leo Foley](#) (DFL-Coon Rapids), awaits action by the [Senate Crime Prevention and Public Safety Committee](#).

### Regulating marriage brokers

[Rep. Kathy Tingelstad](#) (R-Andover) is concerned that some brokers of arranged international marriages may be actually bringing women here for prostitution; and that others are ending up as domestic abuse victims.

A bill she sponsors, [HF2858](#), would regulate international marriage brokers by requiring them to supply certain information to the women they are bringing to the state.

While there are reputable international marriage brokers, there are others that are acting outside of the law, Ilean Her, executive

director of the Council on Asian-Pacific Minnesotans told the [House Civil Law and Elections Committee](#) March 20. Many of the domestic abuse cases that organization deals with involve women who have been brought to the United States as mail-order brides, she said. "Sometimes these women are also violated sexually in that they are prostituted out because the husbands have total control over these women."

Under the bill, before a client could receive a visa application for a foreign fiancé or fiancée, the marriage broker would need to have the client's criminal and marital history. That information would be provided to the recruit in their native language.

[Rep. Chris DeLaForest](#) (R-Andover) said it sounds like the brokers are acting as "international pimps," and suggested that instead of regulating the industry, it should be outlawed.

"I don't see ordering a bride like you would order a lawnmower over the Internet is really conducive to what we would all consider to be a marriage. Why not just outlaw the darn thing instead of throwing so many regulations on it?"

The bill was approved and sent to the [House Public Safety Policy and Finance Committee](#). A companion bill ([SF2575](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action by the [Senate Judiciary Committee](#).

### Meth education

A bill aiming to reduce a statewide problem would educate methamphetamine offenders on the dangers of the drug.

[HF2147](#), sponsored by [Rep. Judy Soderstrom](#) (R-Mora), would require the health commissioner to develop methamphetamine education materials. It would also require sheriffs to provide such information to meth offenders in county jails. The education materials would be offered at least once a week through videos and handouts to those serving time for manufacturing, selling or possessing meth.

The [House Health Policy and Finance Committee](#) approved the bill March 22 and referred it to the [House Commerce and Financial Institutions Committee](#). A companion bill ([SF2127](#)), sponsored by [Sen. Becky Lourey](#) (DFL-Kerrick), awaits action by the [Senate Crime Prevention and Public Safety Committee](#).

Three young testifiers said they never received any meth education from sheriffs, and Paul Anderson said the time he spent incarcerated only taught him how to better feed his meth addiction. All three agreed that some form of education could have made a difference in their lives.

Methamphetamine erodes brain cells, damages the nervous system and causes dental damage that can result in lost teeth.

Steve Borchardt, the Minnesota Sheriff's Association legislative committee chair, said that although the bill's sentiments are good, there were unfunded mandates that not all smaller county jails would have the time or resources to meet. [Rep. Fran Bradley](#) (R-Rochester) had similar feelings and said the bill's "language is quite prescriptive."

But [Rep. Barb Goodwin](#) (DFL-Columbia Heights) said education is an important step in controlling the widespread meth problem in Minnesota,

[Rep. Char Samuelson](#) (R-New Brighton) agreed. "Anything we can do to get information into people's hands, the better. And it's certainly a lot better than doing nothing."

### Victim notification

Victims of criminal sexual misconduct may be given notification if charges are not filed against a defendant.

[HF3415](#), sponsored by [Rep. Doug Meslow](#) (R-White Bear Lake), was approved March 21 by the [House Public Safety Policy and Finance Committee](#) and referred to the [House Civil Law and Elections Committee](#). A companion bill ([SF3102](#)), sponsored by [Sen. Thomas Neuville](#) (R-Northfield), awaits action by the [Senate Crime Prevention and Public Safety Committee](#).

"This simply broadens the umbrella of a very sensible law that is out there right now," Meslow said.

A prosecutor must now make every reasonable effort to notify a victim if the prosecutor opts to decline prosecution or if the charges are dismissed in domestic abuse cases, he said. This bill expands that to criminal sexual assault cases.

"We don't want to have victims waiting around, wondering why a case hasn't been called, wondering if the case has been resolved, wondering why they haven't heard anything about the case," he said. "That victim, if the case is not prosecuted, may choose to take some actions on her own or his own." For example, a domestic assault victim may seek an Order for Protection or take action in family court.

"We have experience talking and working with victims who have been left not knowing what was happening in their case. This just allows prosecutors to take that step to alleviate that burden on the victim, to let them know that they decided to decline prosecution, why they declined, and that the prosecutor informs them of their option for a restraining order, which could be very helpful to the victim at

that time," said Paula Weber, director of the [Office of Justice Programs Division](#) in the [Department of Public Safety](#).

## DEVELOPMENT



### Vikings stadium proposed

Officials from Anoka County and the Minnesota Vikings made their latest pitch for a new football stadium and entertainment complex in Blaine.

[HF2294](#), sponsored by [Rep. Andy Westerberg](#) (R-Blaine), would create an Anoka County-Blaine Stadium Authority to construct and operate the development, which would include the stadium, a corporate office complex, hotel and conference center, medical facility, "Northern Lights" retail center and a preserved wetland area with pedestrian trails.

The [House Governmental Operations and Veterans Affairs Committee](#) held an informational hearing on the bill March 17, but took no action. A companion bill ([SF2061](#)), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), awaits action in the [Senate State and Local Government Operations Committee](#).

The proposal asks the state to issue \$115 million in bonds to help build the stadium, and also requests that it speed up



PHOTO BY TOM OLMSCHEID

**Lester Bagley, Minnesota Vikings vice president of public affairs/stadium development, explains the "Northern Lights" development project in Blaine, which would include a new stadium for the Vikings, during a March 17 informational hearing by the House Governmental Operations and Veterans Affairs Committee.**

already-planned improvements to roads and highways in the area, which could also be paid for with project-generated revenues.

Anoka County Governmental Services Division Manager Steve Novak said that voting on the bill would be difficult and controversial, but it would be the right decision in the long run.

“Stadiums are never fun to vote on. Big projects are never fun to vote on. But it turns out, if you look to history, they end up being pretty important to our economy,” Novak said.

David Murphy, a partner with Kansas City-based Crawford Architects, testified that the project would create 4,000 temporary construction jobs; 9,000 permanent, full-time jobs after construction; and approximately \$14 million per year in sales tax revenue for the state.

[Rep. Denny McNamara](#) (R-Hastings) raised concerns that Vikings owner Zygi Wilf and local officials planned to use eminent domain to acquire some of the properties currently occupying the proposed development site.

“You’re keeping the threat open to take private property to give from one private property owner to another, and you have made it public that the city and the county have kept that option open,” McNamara told Novak. “I’ll tell you, I don’t agree with that.”

Novak said that neither the county, nor the city plan to use eminent domain, but he acknowledged the option exists.

Vikings fan Larry Spooner of Plymouth implored the committee to approve the stadium proposal.

“As Vikings fans,” Spooner said, “We’re really excited about the project that’s in front of us. We really feel that this is a solution to a major problem that we’ve had in this state for years.”

## ★ EDUCATION

### **Splitting school districts**

As Minnesota’s rural population decreased in the late-1970s and early-1980s, the Legislature consolidated school districts. Now, as the Twin Cities metropolitan area expands and growth pressure is on outlying districts, some legislators are saying it is time to divide large districts into smaller ones.

[HF3237](#), sponsored by [Rep. Joyce Peppin](#) (R-Rogers), deals specifically with the Elk River School District. It proposes that voters be asked at the November general election if the school district should be split into two.

After initially being defeated 15-11 by the House Education Policy and Reform Committee March 21, [Rep. Jim Abeler](#)

(R-Anoka) successfully made a motion to have it reconsidered to see if members wanted to further discuss potential district splits. The bill was then tabled.

Peppin said a growing body of evidence shows there are “significant advantages” to smaller districts, between 5,000 and 10,000 students. The Elk River district is the 10th largest in the state with 11,000 students and is expected to nearly double in the next 10 years.

Even though the metropolitan area has seen tremendous growth, Peppin said, no district has ever been split, and district configuration has not changed in 40 years.

“We’re going to have this issue in lots of different areas. I think this is a good time to look at it. I think this is a good district to do it with,” she said.

Questions were raised about possibly creating a disparity pitting the more property-rich part of a district against the property-poor.

“My fear is that through these elections, the wealthier, faster growing part of the community could vote the other part of the district off the island,” said [Rep. Paul Marquart](#) (DFL-Dilworth).

He called this a local fight that is being brought to the state level.

Although the bill only deals with Elk River, members were concerned it won’t be the first.

“Is this going to foster a whole bunch of other districts coming with their own separate requests to form different school districts?” said [Rep. Lynn Wardlow](#) (R-Eagan).

A companion bill ([SF2894](#)), sponsored by [Sen. Warren Limmer](#) (R-Maple Grove), awaits action in the [Senate Education Committee](#).

### **Teacher suspensions**

A teacher charged with a felony could be suspended without pay in all Minnesota school districts, under a bill approved March 16 by the House Education Policy and Reform Committee.

Currently, only school districts in Minneapolis, Duluth and St. Paul are allowed to suspend a teacher without pay. Other districts are authorized to immediately discharge a teacher convicted of a felony after concluding a disciplinary hearing. However, in recent years, people in these districts have become incensed that teachers who have been charged with child pornography and other felonies enjoy full-pay while they wait months for a disciplinary hearing.

Sponsored by [Rep. Tom Emmer](#) (R-Delano), [HF3178](#), as of press time, was scheduled to be heard March 23 in the House Civil Law

and Elections Committee. It has no Senate companion.

“It’s amazing that we’re inconsistent on this issue,” said [Rep. Karen Klinzing](#) (R-Woodbury). “But the whole concept that we can suspend pay and issue a consequence simply because someone is charged with a crime is very scary to me, because we’ve seen many a person charged in the news lately and their name has been completely raked through the mud only for them to be found innocent a year or so later, and we never heard about their innocence. ... I wish we would level the playing field by going the other way, and not be able to assume the guilt first.”

The bill would require the district to refund the pay of a teacher who is not penalized, suspended or discharged, after the disciplinary hearing is concluded.

“If the school board is following the law there should be no claim for damages,” Emmer said.

## ★ ELECTIONS

### **Pandemic effects on elections**

The probability of a pandemic and its effect on the election process is the rationale behind [HF3569](#), sponsored by [Rep. Jean Wagenius](#) (DFL-Mpls).

“This is probably the first bill that asks us to deal with the practical problems of dealing with a pandemic,” she told the [House Civil Law and Elections Committee](#) March 22.

The bill expands the conditions under which a person could vote absentee to include a quarantine order from the governor that asks people to avoid public places because of bioterrorism or a threat to public health.

[Rep. Chris DeLaForest](#) (R-Andover) questioned if this would apply to everyone in a precinct, even those precincts that are large and rural. “I understand the intent, but I think the language at least raises questions about what are we creating here in terms of obligations and coordination.”

Wagenius countered, “I did not try to meet every contingency out there. ... I do hope this begins the conversation that I hear starting right now.” She said these preparations are important and should be done in a bipartisan way.

The bill was approved by the committee and now awaits action on the House floor.

A companion bill ([SF2737](#)), sponsored by [Sen. Jane Ranum](#) (DFL-Mpls), awaits action by the [Senate Elections Committee](#).



## No campaigning at schools

School districts could be required to adopt and implement a policy that prohibits school employees from using district funds and resources to pass, elect or defeat a political candidate or other ballot question, such as a referendum, under [HF1948](#).

"The principle is that school time and resources should not be used for lobbying purposes and it doesn't belong in our school environment," [Rep. Mary Liz Holberg](#) (R-Lakeville), the sponsor of [HF1948](#), told the [House Civil Law and Elections Committee](#) March 20. The resources would include employee time, materials, equipment and facility technology.

Approved by the committee, it now goes to the House floor. It has no Senate companion.

Charlie Kyte, executive director of the Minnesota Association of School Administrators, said the bill is on the right track. However, he said that when a school district is asking for a referendum on a bond issue or for a levy to raise money for programming, it is part of a superintendent's job to make the case to the community. "We are nervous about a statute that directs policy to take the ability away from the people charged by the board to make that case for education."

The policy would not apply when an employee disseminates factual information about a political question as required by their job responsibilities.

The Lakeville School District, in Holberg's district, developed such a policy in 1997 after volatile campaigns caused a negative atmosphere in the schools and disengaged the voters.

## Contribution limits for judges

A bill placing limits on how much money a district court judicial candidate could receive from an individual or political committee was tabled by the [House Civil Law and Elections Committee](#) March 22.

Sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park), [HF3569](#) would place the same contribution limits on judicial candidates as are currently in place for House and Senate candidates.

"There is a giant loophole in our campaign finance laws," Simon said. "There is currently no contribution limit for judge races, meaning that anyone who had \$1 million could give it to a judge candidate."

He said this bill is important because, this year, judges will be able to seek and accept partisan endorsements, campaign contributions and they will be able to announce

their positions on certain legal issues.

Simon had brought someone to testify for the bill, but [Rep. Jeff Johnson](#) (R-Plymouth), the committee chair, said he had told some who did not like the bill that he would not be taking any testimony, and that "I would just lay it over. So that puts me in a bad position. So, if we could avoid that, I would appreciate it."

Acknowledging the process, Simon said that the contribution limits may be problematic for some and he is willing to discuss any changes necessary.

A companion bill ([SF3351](#)), sponsored by [Sen. John Hottinger](#) (DFL-St. Peter), awaits action by the [Senate Judiciary Committee](#).

## Moving primary to August

There are about eight weeks between the state primary and the November general election. That short turnaround time, election officials say, makes the logistics of some ballot preparation and counting difficult. But would voter turnout be even less than it already is if the state primary election is moved to August?

That was the question before the [House Civil Law and Elections Committee](#) March 20 as members discussed [HF2862](#). The bill was approved and now awaits action by the full House.

Sponsored by [Rep. Laura Brod](#) (R-New Prague), the bill would move the [state primary](#) date to the second Tuesday in August rather than the current first Tuesday after the second Monday in September, beginning with the 2008 primary.

Jim Hansen, intergovernmental relations director for the Secretary of State's office, said there is only a 30-day turnaround for absentee ballots coming from military voters making it difficult to ensure that all primary votes are counted. He added that a change would also make it easier for election officials to prepare ballots for the general election resulting from the primary. "There is a very short, tight window," he said.

[Rep. Pete Nelson](#) (R-Lindstrom) is concerned that an August primary would result in even fewer people going to the polls. He said that people are still on vacation in August, and they do not get back into their normal routines until after school starts.

[Rep. Bill Hilty](#) (DFL-Finlayson) said that new ballot tabulating machines will be in place throughout the state as part of the Help America Vote Act. They will need programming adjustments for each election, and election officials have told him they are concerned with the amount of time it will take to accomplish the task. "The additional time is something that election officials would greatly appreciate."

A companion bill ([SF3364](#)), sponsored by [Sen. Linda Higgins](#) (DFL-Mpls), awaits action by the [Senate Elections Committee](#).

## Staggered terms

A bill calling for staggered state senators' terms was passed by the [House Civil Law and Elections Committee](#) March 20.

It now goes to the full House.

The change sought in [HF333](#), sponsored by [Rep. Laura Brod](#) (R-New Prague), would require an amendment to the constitution, and her bill asks that the question be placed on the 2006 general election ballot.

Under current law, House members are elected every two years, and senators are elected to four-year terms in years ending with 2 and 6, such as 2002 and 2006, and two-year terms in years ending in 0, such as 2000.

Under the bill, following the next redistricting in 2012, senators elected from odd-numbered districts would serve terms of two years, four years and four years each decade. Senators elected from even-numbered districts would serve a pattern of four years, four years and two years. This would result in one-half of the Senate up for election every two years and all senators on the ballot in the election following redistricting.

A companion bill ([SF425](#)), sponsored by [Sen. Geoff Michel](#) (R-Edina), awaits action by the [Senate Elections Committee](#).

## ★ EMPLOYMENT

### Which wage will prevail?

Take your pick: mean, median or mode.

Minnesota uses a modal calculation when it comes to establishing wages, but that could change.

[HF3593](#), sponsored by [Rep. Bob Gunther](#) (R-Fairmont), would change Minnesota's practice of using modal calculation — or the wage being paid to the largest number of workers — to determine prevailing wage rates to that of median calculation for "workers in the same field within the same area." Determining the median, or average, would also be based on wage statistics published in the Occupational Employment Statistics survey by the [Department of Employment and Economic Development](#) instead of the [Department of Labor and Industry](#).

After discussing the bill March 22, the [House Jobs and Economic Opportunity Policy and Finance Committee](#) held it over for possible inclusion in its omnibus bill. There is no Senate companion.

Lynn Reed, Minnesota Taxpayers

Association executive director, presented his organization's study on prevailing wage rates in Minnesota. He said the state's current modal calculation — California is the only other state using the same method — means there are less funds available for other state programs because wages are higher than necessary.

But [Rep. Nora Slawik](#) (DFL-Maplewood) questioned why the study didn't reference actual statistics. Reed said the organization was making an educated guess and wanted the study to jumpstart more talks between those supporting and opposing the bill.

Nancy Jones, vice president of Bloomington-based Les Jones Roofing, supports the bill despite the lack of raw numbers. Besides providing insurance and benefits to her employees, they have to be paid high wages, Jones said.

However, Dick Anfang, Minnesota State Building and Construction Trades Council president, said high wages attract much needed workers to the construction field as more baby boomers retire in the coming years. "This bill is a wolf in sheep's clothing," Anfang said.

## ★ GOVERNMENT

### Green light for Capitol renovation

The State Capitol and Ford Building could undergo much-needed renovations, if a bill approved by a House committee March 21 becomes law.

[HF3600](#), sponsored by [Rep. Diane Loeffler](#) (DFL-Mpls), allocates more than \$16.5 million in bond proceeds — \$3.18 million to restore the east wing and dome of the State Capitol and \$13.4 million to renovate the now-dormant Ford Building.

The [House State Government Finance Committee](#) approved it as a stand-alone bill and referred it to the [House Capital Investment Committee](#). A companion, [SF3377](#), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action in the [Senate Finance Committee](#).

Loeffler said making the Capitol renovation simultaneous with the Ford Building renovation allows the state to save general fund dollars. During the renovation of the Capitol's east wing, she said, Senate members and staff could be housed in the nearby Ford Building, making for a smooth transition.

According to Loeffler, the renovation plans call for a "phased approach." The first phase would include the design work for the east wing as well as the dome renovation; the second phase would include the actual renovation of the east wing interior.



PHOTO BY TOM OLMSCHIED

**Nancy Stark, executive secretary of the Capitol Area Architectural and Planning Board, answers a question about the restoration proposal for the State Capitol during the March 21 House State Government Finance Committee meeting.**

Funding the east wing renovation will require a separate bonding request from the Legislature in 2007.

Loeffler said plans for the Ford Building might include moveable walls, at least during the transitional phase, to make the building a more flexible space to accommodate the needs of the Senate.

She hopes the project will be completed in time for the 2008 state sesquicentennial celebration.

### Disposing of private data

Government entities should do a better job of keeping the private data they have collected from falling into the wrong hands. [HF1888](#), sponsored by [House Minority Leader Matt Entenza](#) (DFL-St. Paul), would require government to do a better job of managing and purging its data.

He cited an example of driver's license data being hauled off by a recycler to a field in Wisconsin and left to blow around, available to anyone.

According to the bill, when confidential

or private data is being disposed of, it should be destroyed in a way that prevents anyone from learning its contents. It also calls for the commissioner of administration to administer a record management program. Local government units would also be asked to cooperate with the commissioner in establishing record management procedures.

A letter to the committee from Shamus O'Meara, chair of the Minnesota Governors' Council on Developmental Disabilities, points out that this legislation, if enacted, could open up job opportunities for those with developmental disabilities "whose skills could be utilized in positions related to the shredding and disposal of documents."

The bill was approved March 22 by the [House Civil Law and Elections Committee](#) and now moves to the [House Commerce and Financial Institutions Committee](#). A companion bill [SF1779](#), sponsored by [Sen. Richard Cohen](#) (DFL-St. Paul), awaits action by the [Senate Judiciary Committee](#).

## ★ HEALTH

### Maple Grove hospital

Signed  
by  
the  
governor  
★ ★ ★

A new hospital is closer to construction in a northwestern Twin Cities metropolitan area suburb.

Gov. Tim Pawlenty signed into law March 22 legislation allowing for a new 300-bed facility to be built in Maple Grove as a partnership between North Memorial Health Care and Fairview Health Services.

The law, 18 months in the making, grants an exception to a moratorium that has been in place since 1984 on hospital construction or modification. Eighteen exceptions have previously been granted.

Separate bills were passed last year by the House and Senate, but a conference committee called to work out the details such as the number of beds and the services that will be provided, which will include surgical, orthopedic, pediatric and mental health services, did not meet. New conferees were appointed this year to complete the work.

The facility will be built near the intersection of Interstate 94 and the future Highway 610. It is expected to be completed by Dec. 31, 2009.

[Rep. Kurt Zellers](#) (R-Maple Grove) and [Sen. Warren Limmer](#) (R-Maple Grove) are the sponsors.

[HF1915\\*/SF1840/CH172](#)

### Lifting layaway status

Nursing home beds once tucked away under a state statute could again be used for senior care facilities.

[Rep. Jim Abeler](#) (R-Anoka) is sponsoring [HF1203](#), which would allow beds placed on layaway status to be used in approved projects. On March 16, the [House Health Policy and Finance Committee](#) held the bill over for possible inclusion in its omnibus bill. A companion bill ([SF1079](#)), sponsored by [Sen. Leo Foley](#) (DFL-Coon Rapids), awaits action by the [Senate Finance Committee](#).

According to [state statute](#), a moratorium on the number of permissible nursing home beds is in place “to control nursing home expenditure growth and enable the state to meet the needs of its elderly by providing high quality services in the most appropriate manner along a continuum of care.”

The bill allows Crest View Lutheran Home to add up to 60 beds in a nursing facility in Ramsey. After the beds are relicensed and recertified, a new nursing facility located on a long-term care campus that provides a variety

of services for senior citizens will house the beds.

Mark Pederson, a Guardian Angels Care Center administrator, said there are already 465 beds in facilities along the Highway 10 corridor. He said adding more beds would be a financial hardship for current providers in the area. The number of beds that would be added is unknown because, he said, the number keeps changing. “The Department of Human Services did issue a report back in 2003...that Minnesota will have an adequate supply of beds to meet the demand until at least 2015,” said Pederson. “This is 2006. Do we need more beds today?”

Abeler said that more beds could be used to serve a new population. He also clarified for [Rep. Barb Goodwin](#) (DFL-Columbia Heights) that the department would still have to approve the additional beds.

### Therapy time

Physical therapists may see more of their patients if a bill permitting self-directed care passes this session.

[HF854](#), sponsored by [Rep. Brad Finstad](#) (R-New Ulm), would eliminate physical therapy time limit prohibitions. The Licensing Subcommittee of the [House Health Policy and Finance Committee](#) approved the bill on March 20 and referred it to the full committee. A companion bill ([SF637](#)), sponsored by [Sen. Yvonne Prettner Solon](#) (DFL-Duluth), awaits action by the [Senate Health and Family Security Committee](#).

Currently, patients seeking care from a physical therapist beyond 30 days need a physician’s permission. Alan Schultz, a marathon runner, said his recovery from an injury was slowed down because of current law. Dr. William Roberts, a physician at the University of Minnesota, said the bill would not only help those like Schultz but would also be cost-efficient and effective, too.

David Thorson, a Minnesota Medical Association member, however, said physical therapists are well-trained but they aren’t allowed by law to make a diagnosis. Thorson had a patient, who was a soccer player, complaining about thigh pain and requested referral to a physical therapist. But tests showed a calcified mass in the patient’s thigh that was then taken out. “I feel we need to continue to have some control over access to physical therapy,” Thorson said.

Another opponent, Marty Caron, said that despite his reservations he would welcome collaborating with physical therapists on the issue. Thorson agreed.

Still, [Rep. Tom Emmer](#) (R-Delano) said physical therapists are highly skilled and

trained. He pointed out that studies have not shown a negative impact to self-directed care. “We’ve got to trust people to self-direct their care,” said Emmer. “I haven’t seen a problem so far.”

## ★ HIGHER EDUCATION

### Postsecondary course policy changes

Response to a new policy by the Minnesota State Colleges and Universities system regarding postsecondary courses offered in high schools is the subject of a bill approved by the [House Higher Education Finance Committee](#) March 22.

Under [HF3252](#), sponsored by [Rep. Marty Seifert](#) (R-Marshall), “an eligible postsecondary system or institution must not adopt policies that would have the effect of limiting the statewide delivery of courses offered at secondary schools.”

The bill now goes to the [House Education Policy and Reform Committee](#).

Seifert said that MnSCU recently changed their policy to require high school teachers who are teaching the college courses to have at least a master’s degree in the subject area.

“The policy change is going to significantly limit the supply of teachers in our high schools that are going to be able to teach these courses,” said Charlie Kyte, executive director of the Minnesota Association of School Administrators.

This is going to have a negative effect on the acceleration of academic learning, especially in rural Minnesota, he added.

The bill “casts a net far too broadly,” said Joanne Roach, representing Minnesota State College Faculty. It removes the ability for higher education institutions to determine the credentialing of the faculty doing its work, she said.

A companion bill ([SF2935](#)), sponsored by [Sen. Gary Kubly](#) (DFL-Granite Falls), awaits action by the [Senate Education Committee](#).

## ★ HUMAN SERVICES

### Providing child care

Promoting self-sufficiency, Ramsey County wants to accommodate teen moms who want to graduate high school.

[HF3109](#), sponsored by [Rep. Char Samuelson](#) (R-New Brighton), would establish a teen parents child care pilot project. The [House Jobs and Economic Opportunity Policy and Finance Committee](#) held the bill over March 16 for possible inclusion in its omnibus bill.

The bill attempts to make it easier for parents





PHOTO BY TOM OLMSCHIED

**Jenna Hebert holds her 9-month-old son, Miguel, as she listens to testimony in the House Jobs and Economic Opportunity Policy and Finance Committee March 16 that would establish a child care pilot project for teen parents in Ramsey County.**

to earn high school degrees by streamlining the eligibility process and waiving the co-payment requirement for child care support. It also enables data sharing between the school and county human services.

"We believe this will allow teen parents to place their best energy on being successful in school and successful as parents," said Lorna Pain, St. Paul Public Schools adolescent parent child care coordinator. Moeve Clifford, a student at the AGAPE School, said she started the child care application process two months before her 4-month old daughter was born and she's still not in the program.

[Rep. Nora Slawik](#) (DFL-Maplewood), a supporter of the bill, said the early childhood caucus concluded that students of teen parents who graduate from high school are more likely to stay in school and perform better, too.

Although [Rep. Fran Bradley](#) (R-Rochester) agreed there is a problem for teen parents, he suggested the bureaucratic problem be fixed "at the level where the people have the responsibility to respond to these applications." [Rep. Tim Mahoney](#) (DFL-St. Paul) also brought up the question of privacy because of the data sharing clause.

A companion bill ([SF2679](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action by the [Senate Health and Family Security Committee](#).

## ★ IMMIGRATION

### House passes cooperation bill

The House passed a bill March 20 that would prohibit local authorities from adopting ordinances that prevent their employees from cooperating with federal immigration officials.

[HF2576](#), sponsored by [Rep. Jim Knoblach](#) (R-St. Cloud), was approved 94-37.

Received from the House March 22, the bill was referred to the [Senate State and Local Government Operations Committee](#). [Sen. Betsy Wergin](#) (R-Princeton) is the Senate sponsor.

Aimed at the so-called "sanctuary ordinances" of Minneapolis and St. Paul, the bill states that local governments cannot in any way restrict police officers and other employees from collecting information about a person's immigration status and then sharing that information with the U.S. Immigration and Customs Enforcement Agency and other local, state or federal governments.

"It's a bad idea, members, to say we're not going to enforce the law in certain areas," Knoblach said.

[House Minority Leader Matt Entenza](#) (DFL-St. Paul) urged members to vote against the bill, arguing that it took away discretion from local law enforcement.

"The question today is, 'Are we going to support the police or are we going to support the politicians?'"

[Rep. Keith Ellison](#) (DFL-Mpls) successfully amended the bill by adding a provision that prevents current laws against racial profiling from being affected by the new legislation.

"There's no replacement for good police work, and stopping people for what they look like or sound like is not good police work," Ellison said.

## ★ LOCAL GOVERNMENT

### Annexation bill reconsidered

An annexation bill that previously failed to clear a House committee received approval from the same committee after it was modified to apply to only one township.

[HF2867](#), which would require the city of Forest Lake to incorporate a portion of neighboring Columbus Township rather than annex it, received approval from the [House Local Government Committee](#) on March 20.

The committee had originally rejected the bill March 13, after some testifiers warned that it could potentially affect a number of other cities and townships. The bill's sponsor, [Rep. Ray Vandever](#) (R-Forest Lake), amended the

bill to focus its effects exclusively on Forest Lake and Columbus Township.

Forest Lake Mayor Terry Smith testified against the bill, saying that the situation between the two municipalities in question had been misrepresented by Vandever and others. He said Vandever had slighted Forest Lake officials by failing to properly consult with them.

He also refuted the notion that Forest Lake's annexation of Columbus Township is "hostile," noting that a majority of landowners in the disputed area petitioned to join Forest Lake.

"What's hostile is a bill that denies both the landowners and the city the right to due process through a proven and fair administrative hearing," Smith said.

[Rep. Bev Scalze](#) (DFL-Little Canada) said that since Columbus Township had done a good job of planning and was on the way to becoming a city unto itself, not passing the bill would deprive the township of its right to become a city.

A companion bill, ([SF2681](#)), sponsored by [Sen. Debbie Johnson](#) (R-Ham Lake), awaits action by the [Senate State and Local Government Operations Committee](#).

## ★ RECREATION

### No paying to pray

Going to Sunday church services in a state park? If the minister's sermon doesn't go on too long, you might have more money to put into the offering, according to an amendment approved March 22 by the [House Agriculture, Environment and Natural Resources Finance Committee](#).

[HF3012](#), a bill that addresses state park permits and fees, now includes a stipulation that motor vehicles be admitted into state parks for free if their occupants are attending a Sunday church service — as long as they depart within two hours.

Moved by [Rep. Al Juhnke](#) (DFL-Willmar) who said "we ought to allow church services in our parks," the amendment was approved despite testimony by John Lilly, a section manager with the Department of Natural Resources.

Lilly said the practice of charging the regular park entrance fee to people attending church services in the park has been in place a long time and that church groups are already not charged for the use of park facilities such as amphitheaters or indoor facilities in inclement weather.

"We do feel that we're reaching out to these groups and accommodating them to a certain extent, but we also feel that it goes on enough,

that not charging is probably — once you take a look at the entire state — a significant chunk of change,” he said.

Sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), the bill was laid over for inclusion in a possible omnibus finance bill.

A companion bill ([SF2872](#)), sponsored by [Sen. Dennis Fredrickson](#) (R-New Ulm), awaits action by the [Senate Finance Committee](#).

## SAFETY

### Ambulance alert

Minnesota’s lemon law could expand to include ambulances if [Rep. Greg Davids](#) (R-Preston) has his way.

[HF3049](#), sponsored by Davids, would regulate the purchase and lease of new ambulances while also establishing a manufacturer’s duty to repair, refund and/or replace the vehicles. Minnesota’s lemon law protects consumers who buy or lease a car, truck or van in Minnesota that is still under the original manufacturer’s warranty.

The [House Commerce and Financial Institutions Committee](#) approved the bill March 22 and referred it to the [House Civil Law and Elections Committee](#). A companion bill ([SF2576](#)), sponsored by [Sen. Dan Sparks](#) (DFL-Austin), awaits action by the [Senate Commerce Committee](#).

Davids said when ambulances in the state break down, manufacturers have been slow to fix problems, and sometimes they can’t even fix them. The result: ambulance fleets don’t run at full capacity or tens of thousands of dollars are spent to purchase another vehicle. In rural areas, the issue is even more significant, Davids said.

There was no opposing testimony to the bill, but [Rep. Tom Rukavina](#) (DFL-Virginia) took it as an opportunity to address another fire safety issue. He offered an amendment to promote volunteer firefighters, also known as first responders. One clause of the amendment prohibits employers from penalizing firefighters who are “absent from or late to work for up to 40 hours in any 12-month period in order to perform duties as a volunteer firefighter.”

Although [Rep. Duke Powell](#) (R-Burnsville) agreed that increasing the number of first responders was important, he said the amendment should be voted on separately from the bill. Rukavina withdrew his amendment when he received reassurance from the committee chair, [Rep. Tim Wilkin](#) (R-Eagan), that legislators would work with him on the issue.

## TRANSPORTATION

### High-speed rail

Minnesotans could have a new high-speed mode of transportation to connect with nine other Midwestern states, under a bill considered by the [House Transportation Finance Committee](#) March 16.

[HF2871](#), sponsored by [Rep. Katie Sieben](#) (DFL-Newport), requests \$10 million in bonds for the completion of environmental and engineering work on a high-speed rail corridor connecting the Twin Cities to Chicago. The work is one aspect that must be completed before a total project cost can be determined.

As of 2004, eight other states were planning to take part in the [Midwest Regional Rail System](#): Illinois, Indiana, Iowa, Michigan, Missouri, Nebraska, Ohio and Wisconsin.

“I’m tired of being held hostage by Northwest Airlines. I’d like to have a viable alternative to go places,” said Washington County Commissioner Myra Peterson. An added bonus for funding the project is that the infrastructure is already in place for the 130-miles within the state, she added.

Station stops in Minnesota would include: St. Paul, Red Wing and Winona, with bus connections to Duluth, St. Cloud, Mankato and Rochester. Operating train speeds would be up to 110 mph, resulting in a 5.5-hour trip to Chicago. A typical roundtrip fare for business travelers would be \$200, while a leisure traveler’s ticket would be approximately \$150, said Mike Rogers, Washington County transportation planner.

Although the project was not included in the governor’s bonding proposal, the committee gave it a “medium priority” in its bonding recommendations to the [House Capital Investment Committee](#).

A companion bill, ([SF2791](#)), sponsored by [Sen. Sharon Marko](#) (DFL-Cottage Grove), awaits action in the [Senate Finance Committee](#).

### Plug ‘er up

Minnesota has the opportunity to set a national precedent of weaning the country off foreign oil and instead using plug-in hybrid electric vehicles, [Rep. Frank Hornstein](#) (DFL-Mpls) told the [House Transportation Committee](#) March 22.

Hornstein sponsors [HF3718](#), a bill that would declare that the state will purchase plug-in hybrid electric vehicles once they are available, and appropriates \$100,000 in fiscal year 2007 to Minnesota State University, Mankato to retrofit two flexible fuel vehicles to demonstrate the technology.

The bill was approved and now goes to the [House Governmental Operations and Veterans Affairs Committee](#).

A plug-in hybrid electric vehicle is defined in the bill as, “a vehicle containing an internal combustion engine that also allows power to be delivered to the drive wheels by a battery-powered electric motor and that meets applicable federal motor vehicle safety standards.”

Additionally, when the vehicle is connected to the electrical grid, it must be able to recharge its battery and transfer electricity to a utility, and have the ability to travel at least 20 miles powered by electricity.

“There needs to be statements from state and local governments across the country to the manufacturers that we are ready — that we are ready as a state to lead by example ... and we are serious, not just rhetorical, about lessening our dependence on foreign oil,” said Hornstein.

“We’ve got an ever increasing source of hybrid vehicles and an ever decreasing source of revenue,” said [Rep. Bernie Lieder](#) (DFL-Crookston), in reference to part of the state’s revenue source of the gas tax.

In some ways the loss of revenue would be the

### BLAZE GAZE



PHOTO BY TOM OLMSCHIED

**John Schroers, front, president of the Minnesota Outdoor Heritage Alliance and others, all wearing blaze orange hats, watch the House Taxes Committee March 16 discuss a bill that would dedicate a portion of the state sales tax to fund clean water efforts and game and fish enhancement projects.**





PHOTO BY ANDREW VONBANK

**Mounds Park Academy seniors Rachel Payne, left, and Christopher Stal testify March 21 before the House Transportation Committee in support of a bill that would require organ and tissue donation information to be included in a driver's education curriculum.**

same if people bought fuel-efficient cars, said David Morris, vice president of the Institute for Local Self-Reliance. He said there are a number of different ways to deal with the issue and one could quantify the amount of electricity for operating the cars to fund roads.

A companion bill ([SF3440](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the [Senate State and Local Government Operations Committee](#).

### Hearts and bones donations needed

A minimum of 30 minutes of instruction related to organ and tissue donations could be part of driver's education curriculum.

[HF3401](#), sponsored by [Rep. Michael Paymar](#) (DFL-St. Paul), would apply to public and private schools, and commercial driver training schools. Approved March 21 by the [House Transportation Committee](#), the bill goes to the House floor.

"The legislation ... is designed to significantly increase Minnesota's organ and tissue donation rate, which will ultimately save numerous lives," said Rachel Payne, a senior at Mounds Park Academy. Students from the school presented information from a study they conducted to support the legislation.

Current law simply requires that students be informed of their option to donate, and any additional information is voluntary, said Payne.

According to LifeSource, Upper Midwest Organ Procurement Organization, Inc., there are more than 90,000 men, women and children in the United States waiting for a transplant, including more than 2,300 in the Upper

Midwest; every 13 minutes another name is added to the national waiting list; and 17 people die each day while waiting for a transplant.

Organs and tissues that can be donated include: heart, lungs, kidneys, pancreas, liver, intestines, corneas, skin, veins, tendons, bone, bone marrow, heart valves and connective tissue.

A companion bill ([SF2646](#)), sponsored by [Sen. Chuck Wiger](#) (DFL-North St. Paul), awaits action by the full Senate.

### Light rail liability

With an expectation commuter rail lines would be using already-existing, privately owned freight railroad lines, private companies performing public services are looking for the same kind of liability protection as governmental entities.

[HF3656](#), sponsored by [Rep. Kathy Tingelstad](#) (R-Andover), would allow the transportation commissioner, or a public entity contracting with the commissioner, to contract with a railroad for use of the track. When they do so, it "must be afforded the immunities and liabilities of a public entity and its employees." Additionally, the bill allows for the purchasing of insurance for claims or damages.

Approved by the [House Transportation Committee](#) March 21, the bill now goes to the [House Civil Law and Elections Committee](#).

"The practical impact of this is to eliminate exposure for punitive damages for any of the entities that may be providing service. Government entities are not obligated to pay for punitive damages," said Clifford Greene,

an attorney working with the Minnesota Department of Transportation and Burlington Northern Santa Fe Railway.

[Rep. Mary Liz Holberg](#) (R-Lakeville) failed to amend the bill by striking the ability for a public entity to contract with a rail company. "What I'm trying to do here is leave this responsibility and additional power only with the commissioner of transportation ... and this is an expanded authority I think only should be granted to the commissioner."

The language works in conjunction with current laws that also reference the ability and authority for the commissioner to contract with another authority, and matches up with current statutes, said Bob McFarlin, assistant to the transportation commissioner.

A companion bill, ([SF3246](#)), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), awaits action in the [Senate Judiciary Committee](#).

### Restrictions on teen drivers

The [House Transportation Committee](#) approved a bill March 22 that would restrict the number of passengers first-year drivers can have in a car, and their operating a vehicle during certain hours.

[HF3050](#), sponsored by [Rep. Pete Nelson](#) (R-Lindstrom), would restrict those under age 18, in their first year of driving, from operating a vehicle having more than one passenger under the age of 21, except for immediate family members, and between midnight and 5 a.m., unless they have a note from the parent or guardian.

The bill now goes to the House floor.

"The crash rate for teens rises significantly as the number of passengers increases," Nelson said. "There is no insurance policy worth any amount of money, no matter how large that amount is; there is no amount of tears from family and friends that can ever breathe another breath of life into a teenager that has just become another traffic fatality," he said. Traffic crashes are the leading cause of death for Minnesota teens, he added.

Testifying in favor of the bill, Gail Weinholzer, director of public affairs for AAA Minnesota/Iowa, said Minnesota is one of only six states that have neither a passenger nor nighttime driving restriction. "The majority of teen fatalities happen between dusk and dawn," she said.

Not everyone was as supportive.

"You're violating the parents' rights" in having some kind of say in what their children are doing, said [Rep. Bruce Anderson](#) (R-Buffalo Township).

A companion bill ([SF3033](#)), sponsored by [Sen. Sean Nienow](#) (R-Cambridge), awaits action by the full Senate.



## Rough start for reform

Critics pick apart governor's immigration initiatives

By Nick Busse

Immigration reform might be on the way, but it will have to run a gauntlet to get here.

On March 21, the session's most comprehensive and controversial immigration bill got its first hearing before the [House Public Safety Policy and Finance Committee](#).

HF3308, sponsored by [Rep. Steve Smith](#) (R-Mound), reflects Gov. Tim Pawlenty's immigration policy initiatives. It addresses a number of issues, including identity theft, identity fraud, tracking people's immigration status, computer crime, human trafficking, and penalties for employers who violate federal immigration laws.

At the hearing, 19 people testified in opposition to the bill, representing groups as diverse as law enforcement associations, the Minnesota Civil Liberties Union and a Lutheran church. No one testified in favor of the bill.

The consensus was the bill needs work.

### Raising concerns

Although some of the bill's provisions — such as stiffer penalties for human trafficking and computer crimes — were relatively non-controversial, testifiers had a laundry list of objections to other parts of the bill.

Minnesota Police and Peace Officer Association Executive Director William Gillespie said certain provisions amount to a "usurpation of local authority," both in terms of law enforcement and of municipal governance.

Gillespie said the bill creates an "unfunded mandate" for police and sheriff's departments to do the work of federal immigration authorities at a time when the federal government is cutting aid to local law enforcement.

"Where's the money to cover the arrests, the processing?" Gillespie said, adding, "We didn't ask for this bill, and we don't want it."

Commander Bill Martinez of the St. Paul Police Department said that the bill would undermine public safety by discouraging witnesses in criminal investigations from coming forward for fear of arrest or deportation because of their immigration status.

"Enforcing immigration laws ignores the tested benefits of community policing in favor of a police state for immigrants," Martinez said.

Martinez, a 20-year law enforcement veteran, added that the bill's proposed increased penalties for using fraudulent identification would result in felony charges for college kids trying to buy alcohol with a fake ID.

Representatives of law enforcement weren't the only ones raising concerns.

Volunteer lobbyist Richard Neumeister spoke against an article in the bill calling for the use of facial-recognition technology in state-issued ID cards and driver's licenses. The article would create a database of biometric images of state residents, and allow state agencies to share that information with certain public and private organizations.

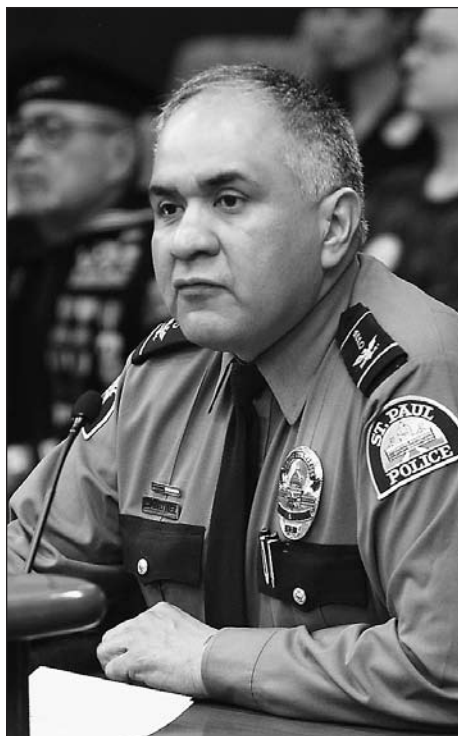


PHOTO BY ANDREW VONBANK

St. Paul Police Commander Bill Martinez testifies before the House Public Safety Policy and Finance Committee March 21 in opposition to the "status check" provision in the omnibus immigration and identity theft bill.

"That needs to be flushed out," Neumeister said.

Teresa Nelson, legal counsel with the Minnesota Civil Liberties Union, agreed with Neumeister, citing government studies that conclude facial recognition technology is inaccurate.

Tony Arellano, a private citizen and Vietnam veteran, said that he is frequently stopped by law enforcement officers who think he is running drugs purely on the basis of his Hispanic appearance.

"I run around in a Suburban, an SUV, with 'Combat Vet' plates on it. Still, the question is, 'What are you doing? Why are you traveling?' I'm not sure if any of you have been stopped that way," he told committee members.

### A "first run-by"

Some committee members dismissed the overwhelmingly negative testimony on the bill as a product of misunderstanding.

"I feel the bill has been maligned and criticized before we got off the bat here," said [Rep. Tony Cornish](#) (R-Good Thunder). "Just because the feds aren't doing anything doesn't mean that, at the state level, we should just stick our heads in the sand and ignore the problem."

Cornish noted that states like Arizona suffer from growing health care costs and other expenses related to illegal immigration.


Smith said he is concerned about some of the testimony he heard — particularly the allegation that certain provisions in the bill would be detrimental to public safety — and said he was open to suggestions on how to improve the bill.

"This was a first run-by," Smith said. "I want to give it another chance."

At least one member is unlikely to vote for the bill no matter what changes are made.

"The provisions of this bill are far too onerous for my community and to the state of Minnesota, and to be honest, I don't expect that they're going to change that dramatically," said [Rep. Michael Paymar](#) (DFL-St. Paul).

The bill was approved without recommendation and re-referred to the [House Civil Law and Elections Committee](#), with the understanding that it would return to the [House Public Safety Policy and Finance Committee](#) again later in the session.

A companion bill ([SF3117](#)), sponsored by [Sen. Betsy Wergin](#) (R-Princeton), awaits action in the [Senate Crime Prevention and Public Safety Committee](#). 

# Leaving a legacy

Three years of work for clean water now moves forward



PHOTO BY TOM OLMSCHIED

A coalition has been working for more than three years to develop a plan to bring the state into compliance with the federal Clean Water Act.

By IRENE VOTH

The proposed Clean Water Legacy Act — officially [HF826/SF762](#)\* — could be the legislation that will cautiously allow development to move ahead in regions of the state with impaired waters, while at the same time facilitating the clean up of those waters.

This is good news for a host of people and groups, from building contractors to farmers to wildlife enthusiasts, all of whom are considered stakeholders in the clean up. A core coalition of 16 groups — referred to as the G-16 — has worked for more than three years to develop a plan to bring the state into compliance with the federal Clean Water Act, which states that a National Pollutant Discharge Elimination System permit may not be issued for a new pollutant source when its discharge will cause or contribute to the impairment of waters with impaired status.

That plan has come to be known as the Clean Water Legacy Act, sponsored in the House by [Rep. Dennis Ozment](#) (R-Rosemount) and in the Senate by [Sen. Dennis Frederickson](#) (R-New Ulm).

“We are still together, we have been together — the business community, the agricultural community, the environmental community and local government for the past three years in working on this legislation,” Mike Robertson told the [House Agriculture](#),

[Environment and Natural Resources Finance Committee](#) March 21. The committee is chaired by Ozment.

An environmental consultant for the Minnesota Chamber of Commerce, Robertson said the outcome of a lawsuit against the state by the Minnesota Center for Environmental Advocacy has added a certain urgency to passing the legislation this session.

The Minnesota Court of Appeals decided in August that the Minnesota Pollution Control Agency violated the federal Clean Water Act by issuing a wastewater treatment permit to Annandale and Maple Lake, cities that planned the construction of a joint project located within the watershed of two impaired bodies of water, Lake Pepin and the North Fork of the Crow River. While the state is appealing the ruling, the MPCA has specified that new projects that would discharge wastewater pollutants into the Lake Pepin watershed cannot be permitted until a total maximum daily load (TMDL) of pollutants and a cleanup plan is in place.

Robertson told the committee that 60 projects await wastewater discharge permits, since adequate funding has not been available to complete the required TMDLs for the waters already determined to be impaired.

The MPCA’s most recent data states that 2,274 individual TMDLs are needed, as 1,008


lakes and 296 rivers and creeks are listed as impaired, although only 16 percent of the lakes and 10 percent of the streams in the state have been assessed so far.

“We see this to be an ongoing threat that will be there for many years to come if we do not begin to address this serious problem,” Robertson said.

The good news is that the supplemental budget announced March 14 by Gov. Tim Pawlenty allocates \$20 million to implement the Clean Water Legacy Act.

Kristin Applegate, MPCA deputy commissioner, said the funding will specifically facilitate the MPCA’s assessment and monitoring of the state’s waters. She added that the policies in the legislation also clarify the procedures necessary to permit wastewater discharge into already impaired waters.

The bill was approved by the Senate last year and sent to the House. In a March 23 committee hearing, Ozment moved and the committee approved a “delete-everything” amendment containing most of the original bill’s provisions. As amended, the bill now includes \$20 million in funding from the governor’s proposed supplementary budget and additional \$20 million in bonding.

The committee also approved the bill as amended and re-referred it to the House Ways and Means Committee. 

## Monday, March 20

### HF3659-Urdahl (R)

**Agriculture & Rural Development**  
Dairy investment credit provided relating to income and corporate franchise tax.

### HF3660-Johnson, J. (R)

**Public Safety Policy & Finance**  
Children of incarcerated parents mentoring grant provided and money appropriated.

### HF3661-Samuelson (R)

**Health Policy & Finance**  
Chemical health services interstate contracts provided.

### HF3662-Urdahl (R)

**Environment & Natural Resources**  
Environmental review and assessment required to include information on both favorable and adverse impacts.

### HF3663-Klinzing (R)

**Commerce & Financial Institutions**  
Building contractors; actions authorized against a contractor for failure to pay an arbitration award or judgment related to the work.

### HF3664-Cybart (R)

**Governmental Operations & Veterans Affairs**  
National Guard security guards authorized to carry certain machine guns and short-barreled shotguns.

### HF3665-McNamara (R)

**Health Policy & Finance**  
Veterans Homes Board authorized to conduct certain meetings by telephone or other electronic means.

### HF3666-Davids (R)

**Agriculture & Rural Development**  
Second Harvest Heartland food bank milk purchase grant provided and money appropriated.

### HF3667-Gunther (R)

**Health Policy & Finance**  
Chiropractors advertising restrictions implemented.

### HF3668-Gunther (R)

**Regulated Industries**  
Public Facilities Authority bonding authority increased.

### HF3669-Brod (R)

**Taxes**  
County voting machine purchasing sales tax exemption provided.

### HF3670-Hamilton (R)

**Agriculture & Rural Development**  
Food law commercial feed definitions, rulemaking and other provisions modified.

### HF3671-Dill (DFL)

**Agriculture, Environment & Natural Resources Finance**  
State forest roads and bridges repair and upgrade funding provided, bonds issued and money appropriated.

### HF3672-Davnie (DFL)

**Education Policy & Reform**  
Minnesota Early Learning Foundation duties expanded and money appropriated.

### HF3673-Nelson, P. (R)

**Environment & Natural Resources**  
Individual sewage treatment system provisions modified.

### HF3674-Paymar (DFL)

**Civil Law & Elections**  
Hmong marriage solemnization provided, Mej Koob requirements provided, criminal penalties imposed for solemnizing a prohibited marriage, and filing requirements clarified for certain Quaker marriages.

### HF3675-Demmer (R)

**Agriculture & Rural Development**  
Farm enhancement loan program established and money appropriated.

### HF3676-Goodwin (DFL)

**Agriculture, Environment & Natural Resources Finance**  
St. Anthony; Silver Lake Special Recreation Feature development provided, bonds issued and money appropriated.

### HF3677-Brod (R)

**Jobs & Economic Opportunity Policy & Finance**  
Office of Entrepreneurship established and money appropriated.

### HF3678-Hilstrom (DFL)

**Health Policy & Finance**  
Chemical use assessments modified and chemical health duties of human services commissioner provided.

### HF3679-Ellison (DFL)

**Public Safety Policy & Finance**  
Hennepin County fine distribution provided.

### HF3680-Davnie (DFL)

**Civil Law & Elections**  
Driver's license application and vehicle registration data permissible uses restricted, bulk sales and resale of individual records prohibited, highly restricted information disclosure prohibited and fees imposed for permissible users.

### HF3681-Zellers (R)

**Civil Law & Elections**  
Driver's license and motor vehicle records personal information bulk distribution prohibited, fees established, public safety and financial crimes account established and money appropriated.

### HF3682-Abrams (R)

**Transportation Finance**  
Metropolitan area transit and paratransit additional financing provided.

### HF3683-Hamilton (R)

**Taxes**  
Employer-provided education tax credit provided for employers who provide English and citizenship education to their employees.

### HF3684-Samuelson (R)

**Jobs & Economic Opportunity Policy & Finance**  
Day care providers authorized to use an alternative to chlorine bleach as a disinfectant in diaper changing areas.

### HF3685-Davnie (DFL)

**Education Finance**  
Limited English proficiency program funding limit removed.

### HF3686-Hortman (DFL)

**Commerce & Financial Institutions**  
Identity theft; standards created for disposal of personal information limit the potential for identity theft.

### HF3687-Sykora (R)

**Education Finance**  
School boards authorized to annually increase operating levy by the rate of inflation.

### HF3688-Hamilton (R)

**Commerce & Financial Institutions**  
Electronic financial terminals regulation relating to out-of-state financial institutions repealed and regulation relating to the expenses of organizing and incorporating banks repealed.

### HF3689-Abeler (R)

**Health Policy & Finance**  
Language interpreter services required for health plan and Medical Assistance enrollees.

### HF3690-Eastlund (R)

**Higher Education Finance**  
Tuition increase limits established for public postsecondary institutions.

### HF3691-Meslow (R)

**Civil Law & Elections**  
Notice requirements modified for unlicensed dogs that are seized.

### HF3692-Powell (R)

**Health Policy & Finance**  
Health care and Medical Assistance provisions modified.

### HF3693-Lanning (R)

**State Government Finance**  
Legislators' forum provided and money appropriated.

### HF3694-Abeler (R)

**Health Policy & Finance**  
Registration and control of carcinogenic and endocrine disrupting pesticides provided.

### HF3695-Marquart (DFL)

**Transportation**  
Drivers' license examinations required to include knowledge of precautions around large trucks.

### HF3696-Abrams (R)

**Transportation Finance**  
International economic development zone final designation and zone duration delayed, corresponding tax incentive dates modified, foreign trade powers application authorized and grants extended.

### HF3697-Bradley (R)

**Health Policy & Finance**  
Health and human services supplemental appropriations, transfers and reductions provided; programs established and regulated; studies and reports required; and money appropriated.

### HF3698-Abrams (R)

**Education Finance**  
Independent School District No. 270, Hopkins, fund transfer authorized.

### HF3699-Huntley (DFL)

**Health Policy & Finance**  
Presumptive disability established for Medical Assistance eligibility.

### HF3700-Huntley (DFL)

**Health Policy & Finance**  
Chronic kidney disease management guidelines established.

### HF3701-Eken (DFL)

**Education Finance**  
Independent School District No. 601, Fosston, account transfer authorized.

### HF3702-Dorman (R)

**Education Finance**  
Independent School District No. 242, Alden-Conger, fund transfer authorized.

### HF3703-Dean (R)

**Education Policy & Reform**  
Teachers renewing license required to retake exam in fields which they are licensed.



**HF3704-Koenen (DFL)****Public Safety Policy & Finance**

Peace officers required to renew first responder certification every four years.

**HF3705-Hansen (DFL)****Environment & Natural Resources**

Lake Superior ballast water discharge regulation established, and regional cooperation and formation of invasive species coalition required.

**HF3706-Abeler (R)****Civil Law & Elections**

Town clerks required to maintain office hours on the day before a town election.

**HF3707-Emmer (R)****Civil Law & Elections**

Election judge certification by municipalities authorized.

**HF3708-Walker (DFL)****Education Policy & Reform**

Comprehensive family life and sexuality education programs provided.

**HF3709-Garofalo (R)****Commerce & Financial Institutions**

Credit reporting agencies and employee licensure clarified as not requiring private detectives license.

**HF3710-Slawik (DFL)****Civil Law & Elections**

Elected officials authorized to access multiple unit dwellings unaccompanied by a candidate for election.

**HF3711-Hackbarth (R)****Jobs & Economic Opportunity Policy & Finance**

Petroleum fund compensation for transport vehicles provisions modified and money appropriated.

**HF3712-Hackbarth (R)****Environment & Natural Resources**

Mercury Emissions Reduction Act of 2006 adopted requiring mercury emissions by public utilities.

**HF3713-Smith (R)****Public Safety Policy & Finance**

Fire safety account established from revenues on fire premiums and assessments, fire insurance tax abolished, policyholder surcharge established and money appropriated.

**HF3714-Johnson, J. (R)****Health Policy & Finance**

Methamphetamine coordinator established within the Health Department and money appropriated.

**HF3715-Emmer (R)****Civil Law & Elections**

Absentee ballots received after the close of the polls on Election Day classified as inactive voters.

**HF3716-Anderson, B. (R)****Civil Law & Elections**

Ballot distribution required in conformity with the Uniformed and Overseas Citizens Voter Act and money appropriated.

**HF3717-Hornstein (DFL)****Transportation**

Flexible-fuel vehicle targets provided and task force on plug-in hybrid electric vehicles established.

**HF3718-Hornstein (DFL)****Transportation**

State purchasing of plug-in hybrid electric vehicles required in certain bid documents, funding provided to retrofit flexible fuel vehicles to operate as plug-in hybrid vehicles and money appropriated.

**HF3719-Hornstein (DFL)****Jobs & Economic Opportunity Policy & Finance**

Ford Plant Enhancement Commission established.

**HF3720-Hornstein (DFL)****Transportation**

Flexible-fuel vehicle targets provided, task force on plug-in hybrid electric vehicles established, St. Paul Ford plant enhancement commission created, studies required, grant provided and money appropriated.

**HF3721-Johnson, J. (R)****Civil Law & Elections**

Interpreter services regulation modified relating to precinct caucuses.

**HF3722-Howes (R)****Environment & Natural Resources**

Tracking report required for new wastewater facilities, and bids for new facilities required to include information on operating costs during the first five years of operation.

**HF3723-Johnson, J. (R)****Civil Law & Elections**

Interpreter assistance for deaf voters requirement eliminated.

**HF3724-Haws (DFL)****Civil Law & Elections**

Absentee ballots for a special election authorized in person at any county in the district, and special elections prohibited near national holidays.

**HF3725-Meslow (R)****Public Safety Policy & Finance**

Internet Crimes Against Children Task Force established, grants provided and money appropriated.

**HF3726-Powell (R)****Health Policy & Finance**

Prescription drug prior authorization limited under Medical Assistance.

**HF3727-Hamilton (R)****State Government Finance**

Worthington; veterans' memorial funding provided and money appropriated.

**HF3728-Demmer (R)****Jobs & Economic Opportunity Policy & Finance**

University of Minnesota and Mayo Clinic joint research in biotechnology and medical genomics funding provided and money appropriated.

**HF3729-Mullery (DFL)****Civil Law & Elections**

Parole and probation authorities provided with access to records relating to handgun permits.

**HF3730-Scalze (DFL)****Regulated Industries**

Geothermal heat pump study funding provided.

**HF3731-Moe (DFL)****Environment & Natural Resources**

Youth operation of all-terrain vehicles provisions modified.

**HF3732-Sailer (DFL)****Health Policy & Finance**

Critical access dental providers reimbursement rates increased, budget change requests required and money appropriated.

**HF3733-Eken (DFL)****Education Policy & Reform**

Minnesota American Indian tribes and communities additional teacher instruction required and advisory task force established.

**HF3734-Peterson, S. (DFL)****Taxes**

Local Government Aid need measure adjusted and appropriation increased.

**HF3735-Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Food stamp asset limit modified.

**HF3736-Nelson, M. (DFL)****Jobs & Economic Opportunity Policy & Finance**

Child care provider rates and fees modified, Minnesota Family Investment Program provisions modified, foreign operating corporation tax provision modified and money appropriated from the tax relief account.

**HF3737-Rukavina (DFL)****Taxes**

Minnesota Minerals 21st Century Funds apportioned.

**HF3738-Johnson, R. (DFL)****Education Finance**

Supportive community partnership grants provided and money appropriated.

**HF3739-Otremba (DFL)****Environment & Natural Resources**

Canoe and boating route markings modified and money appropriated.

**HF3740-Nelson, M. (DFL)****Health Policy & Finance**

Health insurance dependent coverage age limit modified for full-time students.

**HF3741-Greiling (DFL)****Education Finance**

Voluntary full-day kindergarten funding provided and money appropriated.

**HF3742-Simon (DFL)****Transportation Finance**

I-394 corridor light rail feasibility study required and money appropriated.

## Tuesday, March 21

**HF3743-Juhnke (DFL)****Governmental Operations & Veterans Affairs**

State Designer Selection Board expiration date specified.

**HF3744-Sykora (R)****Education Finance**

Pre-kindergarten through grade 12, and early childhood, family and adult education forecast adjustments provided; and money appropriated.

**HF3745-Peterson, N. (R)****Transportation Finance**

Metropolitan transit service contract requirements modified.

**HF3746-Nelson, P. (R)****Agriculture, Environment & Natural Resources Finance**

Natural resources funding provided and money appropriated.

**HF3747-Simpson (R)****Commerce & Financial Institutions**

Motor fuel franchises regulation and exemption provided.

**HF3748-Klinzing (R)****Education Policy & Reform**

Early childhood health and developmental screening and notice requirements clarified.

**HF3749-Howes (R)****Taxes**

Breezy Point sales and use tax and motor vehicle excise tax authorized, funds use specified and bonds issued.

**HF3750-Gunther (R)****Jobs & Economic Opportunity Policy & Finance**

BioBusiness Alliance of Minnesota grant provided and money appropriated.

**HF3751-Nelson, P. (R)**  
**Public Safety Policy & Finance**  
Harris; fire truck funding provided and money appropriated.

**HF3752-Nelson, P. (R)**  
**Transportation Finance**  
Trunk Highway 95 bridge construction provided, bonds issued and money appropriated.

**HF3753-Abrams (R)**  
**Taxes**  
Sales-only apportionment factor phase-in accelerated relating to apportionment of net income tax.

**HF3754-Howes (R)**  
**Health Policy & Finance**  
Right to affordable health care provided by proposed constitutional amendment.

**HF3755-Dempsey (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Prevailing wages payment regulated.

**HF3756-Erhardt (R)**  
**Transportation Finance**  
I-494 improvements funding provided, bonds issued and money appropriated.

**HF3757-Abeler (R)**  
**Health Policy & Finance**  
State health care programs study required to consider the feasibility of consolidating all state-funded health care programs into a single sliding-fee-ability-to-pay program and money appropriated.

**HF3758-Simon (DFL)**  
**Commerce & Financial Institutions**  
Rental vehicle damage liability coverage time period extended for coverage on the renter's own auto insurance.

**HF3759-Urdahl (R)**  
**Education Policy & Reform**  
School bus equipment standards updated, discipline policies and cost data clarified and license standards modified.

**HF3760-Wilkin (R)**  
**Commerce & Financial Institutions**  
Insurance form approvals, coverages, filings, utilization reviews and claims regulated.

**HF3761-Holberg (R)**  
**Transportation Finance**  
Motor vehicle sales tax revenue allocation modified.

**HF3762-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative training forums established under oversight of the Legislative Coordinating Commission and money appropriated.

**HF3763-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Budget bill contents limited and conference committee procedures specified.

**HF3764-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
State government procurement provisions modified.

**HF3765-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Center for Health Care Purchasing Improvement established and money appropriated.

**HF3766-Vandever (R)**  
**Taxes**  
Back taxes imposed on transfers of exempt property.

**HF3767-Beard (R)**  
**Taxes**  
Small biomass electric generation facility property tax exemption eligibility period for commencement of construction extended.

**HF3768-Beard (R)**  
**Regulated Industries**  
Scott County ethanol plant clarified as not in violation of the exclusive service territory law.

**HF3769-Welti (DFL)**  
**Taxes**  
Plainview-Elgin Sanitary District sales tax exemption provided.

**HF3770-Mariani (DFL)**  
**Public Safety Policy & Finance**  
Policing immigrant communities best practices course required and money appropriated.

**HF3771-Bradley (R)**  
**Health Policy & Finance**  
Medical practice board examination provision modified relating to active military service.

**HF3772-Dittrich (DFL)**  
**Taxes**  
Champlin Civic Center/Public Safety Building construction materials sales tax exemption provided.

**HF3773-Dean (R)**  
**Agriculture, Environment & Natural Resources Finance**  
Stillwater flood control levee project funding provided, bonds issued and money appropriated.

**HF3774-Bradley (R)**  
**Health Policy & Finance**  
False driver's license penalties increased, fraudulent identification cards crime established, sale and manufacture penalties increased,

immigrant status verification modified and reporting of undocumented immigrants required.

**HF3775-Mariani (DFL)**  
**State Government Finance**  
Minnesota Historical Society funding provided and money appropriated.

**HF3776-Howes (R)**  
**Civil Law & Elections**  
Opium included in the list of controlled substances used during pregnancy for purposes of civil commitment and child maltreatment reporting.

## **Wednesday, March 22**

**HF3777-Gunther (R)**  
**Education Policy & Reform**  
Early childhood family education teachers removed from definition of public employee.

**HF3778-Davids (R)**  
**Rules & Legislative Administration**  
Railroads; Congress memorialized by resolution to support HR3318, the Railroad Antitrust and Competition Enhancement Act.

**HF3779-Urdahl (R)**  
**Local Government**  
Adults-only businesses required to give notice to a city or county of intent to conduct business and zoning authorities granted.

**HF3780-McNamara (R)**  
**Civil Law & Elections**  
Workers' compensation appeal procedures and notice of coverage provisions modified.

**HF3781-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Legislative training forums provided, schedule established for consideration of legislation, budget bill content limited, conference committee procedures specified and money appropriated.

**HF3782-Urdahl (R)**  
**Education Finance**  
Basic library system support grants funding increased.

**HF3783-Buesgens (R)**  
**Education Policy & Reform**  
Charter schools renewed contract for a sponsor's authorization time period extended.

**HF3784-Hamilton (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
Extended employment services for persons with severe disabilities bade appropriation redefined and money appropriated.

**HF3785-Abeler (R)**  
**Health Policy and Finance**  
Community benefits report required from licensed hospitals.

**HF3786-Tingelstad (R)**  
**Governmental Operations & Veterans Affairs**  
Postal service; President and Congress memorialized by resolution to maintain current levels of postal service.

**HF3787-Hosch (DFL)**  
**Education Finance**  
Independent School District No. 750, Rocori, authorized to lease administrative space.

**HF3788-Anderson, B. (R)**  
**Taxes**  
Electric generating facilities property tax abatement process modified.

**HF3789-Westerberg (R)**  
**State Government Finance**  
Minnesota Amateur Sports Commission renewed leases authorized.

**HF3790-Cybart (R)**  
**Higher Education Finance**  
Dakota County Technical College land purchase funding provided, bonds issued and money appropriated.

**HF3791-Loeffler (DFL)**  
**Governmental Operations & Veterans Affairs**  
Legislature; schedule established for consideration of legislation, funding provided for governor-elect and 2007 legislative forums and money appropriated.

**HF3792-Davids (R)**  
**Civil Law & Elections**  
Government data copying fees calculation modified.

**HF3793-Davids (R)**  
**Regulated Industries**  
Renewable sources requirements for retail electricity and liquid fuel provided.

**HF3794-Davids (R)**  
**Regulated Industries**  
Gasoline fuel retailers selling three or more octane grades required to replace the middle grade with E85 fuel.

**HF3795-Davids (R)**  
**Health Policy & Finance**  
Waivered services overspending allowances established for counties.

**HF3796-Hoppe (R)**  
**Public Safety Policy & Finance**  
Aiding and offender crime venue expanded.

**HF3797-Howes (R)**  
**Environment & Natural Resources**  
4x4 truck use restricted on public lands.

**HF3798-Loeffler (DFL)****Taxes**

Property tax statements required to contain additional information on targeting and special property tax refund eligibility.

**HF3799-Cox (R)****Education Finance**

School district in statutory operating debt levy authorized.

**HF3800-Eastlund (R)****Education Policy & Reform**

Minnesota Child, Family and School Communications Protection Act adopted.

**HF3801-Atkins (DFL)****Transportation Finance**

Trunk Highway 55 and Yankee Doodle Road interchange funding provided, bonds issued and money appropriated.

**HF3802-Simon (DFL)****Health Policy & Finance**

Hennepin or Dakota county nursing home construction moratorium exception provided for a facility for persons with eating disorders.

**HF3803-Samuelson (R)****Health Policy & Finance**

Tetrahydrocannabinol and alcohol use by pregnant women mandatory reporting required, and human rights provision clarified.

**HF3804-Kahn (DFL)****Civil Law & Elections**

Genetic information held by government entities regulated and reports required.

**HF3805-Vandever (R)****Transportation**

Shawn Silvera Memorial Highway designated on I-35.

**HF3806-Buesgens (R)****Education Policy & Reform**

Charter schools authorized to lease or purchase district buildings, and use of state funds authorized to purchase land and buildings.

**HF3807-Buesgens (R)****Education Policy & Reform**

Charter school board of directors teacher majority requirement abolished; admission preference extended to children of teachers, staff and board members; and use of state funds to purchase land or buildings authorized.

**HF3808-Newman (R)****Public Safety Policy & Finance**

Driving while impaired felony imposed following a prior conviction for criminal vehicular homicide involving impaired driving.

**HF3809-Marquart (DFL)****Environment & Natural Resources**

Heartland Trail extended.

**HF3810-Penas (R)****Agriculture, Environment & Natural Resources Finance**

Tuberculosis testing in cattle funding provided to the Board of Animal Health and money appropriated.

**HF3811-Penas (R)****Agriculture, Environment & Natural Resources Finance**

Deer depopulation funding provided near tuberculosis-infected cattle herds and money appropriated.

**HF3812-Soderstrom (R)****Jobs & Economic Opportunity Policy & Finance**

Offender re-entry pilot project funding provided and money appropriated.

**HF3813-Soderstrom (R)****Public Safety Policy & Finance**

Offender re-entry pilot project funding provided and money appropriated.

**HF3814-Fritz (DFL)****Taxes**

Medford sales tax authorized and funds use specified.

**HF3815-Beard (R)****Regulated Industries**

Horse racing occupation license provision modified.

**HF3816-Clark (DFL)****Taxes**

Mattress manufacturers credit provided for meeting flame retardant standards.

**HF3817-Clark (DFL)****Jobs & Economic Opportunity Policy & Finance**

Minnesota Investment Fund purpose modified and project evaluation condition added.

**HF3818-Greiling (DFL)****Health Policy & Finance**

Mental health services reimbursement expanded.

**HF3819-Nelson, M. (DFL)****Jobs & Economic Opportunity Policy & Finance**

Independent contractor relationship written agreements required.

**HF3820-Sertich (DFL)****State Government Finance**

Nongovernmental Pharmaceutical Contracting Alliance funding provided and money appropriated.

**HF3821-Sertich (DFL)****Governmental Operations & Veterans Affairs**

Legislative employees authorized to organize and select representatives to negotiate collective bargaining agreements.

**HF3822-Hornstein (DFL)****Governmental Operations & Veterans Affairs**

Sudan; state investment prohibited in companies with equity ties to Sudan.

**HF3823-Samuelson (R)****Health Policy and Finance**

Long-term care insurance required to cover licensed adult foster care and provider payment rate adjusted.

**HF3824-Vandever (R)****Civil Law & Elections**

Mortgage redemption sales moved to the end of the current redemption period and redemption rights of the mortgagee eliminated.

**HF3825-Simpson (R)****Environment & Natural Resources**

Watershed district audit request requirements provided.

**HF3826-Newman (R)****Civil Law & Elections**

Child support payments redirection authorized.

**HF3827-Marquart (DFL)****Taxes**

High school league tournaments exempted from admissions sales tax.

**HF3828-Clark (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Bioscience and biotechnology subsidy recipient reporting required.

**HF3829-Latz (DFL)****Transportation Finance**

McLeod County; railroad switching yard funding provided, bonds issued and money appropriated.

**HF3830-Nelson, M. (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Day labor and temporary employment task force established.

**HF3831-Peterson, A. (DFL)****Civil Law & Elections**

Voting system for disabled voters requirement eliminated relating to local elections.

**HF3832-Hilty (DFL)****Education Finance**

Independent School District No. 577, Willow River, authorized to recognize its operating levy early pending approval of referendum.

**HF3833-Hilty (DFL)****Civil Law & Elections**

Post-election review process modified.

**HF3834-Hosch (DFL)****Education Finance**

Independent School District No. 750, Rocori, fund transfer authorized.

**HF3835-Hosch (DFL)****Education Finance**

Independent School District No. 750, Rocori, Project SERV grant provided and money appropriated.

**HF3836-Hansen (DFL)****Commerce & Financial Institutions**

Tree care licensing and regulation task force established.

**HF3837-Peterson, A. (DFL)****Health Policy & Finance**

Elementary and secondary school second inspection fee and statewide hospitality fee eliminated.

**HF3838-Moe (DFL)****Taxes**

Local government aid city aid base modified for certain cities.

**HF3839-Clark (DFL)****Commerce & Financial Institutions**

Bisphenol-A and phthalates prohibited in products for young children.

**HF3840-Peppin (R)****Taxes**

Taxpayer's Bill of Rights; state and local spending and tax increases limited and constitutional amendment proposed.

**HF3841-Garofalo (R)****Jobs & Economic****Opportunity Policy & Finance**

Prevailing wage public policy adopted and identifying signs required on contractor vehicles.

**HF3842-Samuelson (R)****Health Policy & Finance**

Home and community-based service providers employee scholarship program modified.

**HF3843-Koenen (DFL)****Agriculture & Rural Development**

Beginning farmer program tax credits provided and program administered by the Rural Finance Authority modified.

**HF3844-Meslow (R)****Public Safety Policy & Finance**

Expungement of criminal records law recodified and restructured.

**HF3845-Soderstrom (R)****Commerce & Financial Institutions**

Auctioneers regulated and money appropriated.



**HF3846-Kelliher (DFL)****Health Policy & Finance**

HIV information and referral service funding provided and money appropriated.

**HF3847-Hilty (DFL)****Local Government**

Pine County drainage proceedings clarified.

**HF3848-Marquart (DFL)****Higher Education Finance**

Student use of alcohol or controlled substances disclosure to parents authorized.

**HF3849-Hilstrom (DFL)****Public Safety Policy & Finance**

Local correctional fees clarified.

**HF3850-Ozment (R)****Agriculture & Rural Development**

Farm wineries authorized to produce wines and fortified wines, amount of non-Minnesota produce that may be used in a farm winery operation increased and phase-in allowed for start-up operations.

**HF3851-Carlson (DFL)****Education Policy & Reform**

Blindness included in the definition of children's disabilities, and rule references updated.

**HF3852-Wagenius (DFL)****Regulated Industries**

Electric service utility costs recovery prohibited under certain circumstances and certificate of need barred.

**HF3853-Kohls (R)****Jobs & Economic****Opportunity Policy & Finance**

Federal procurement assistance specialist position established and money appropriated.

**HF3854-Klinzing (R)****Education Policy & Reform**

Advanced placement and international baccalaureate programs increased participation provided in order to raise K-12 achievement and money appropriated.

**HF3855-Wardlow (R)****Governmental Operations &****Veterans Affairs**

Congressional Medal of Honor recipients plaque authorized in the Court of Honor on the Capitol grounds.

**HF3856-Westrom (R)****Jobs & Economic****Opportunity Policy & Finance**

Central Lakes Region Sanitary District sewer system funding provided, bonds issued and money appropriated.

**HF3857-Lanning (R)****Jobs & Economic****Opportunity Policy & Finance**

Employers authorized to use electronic means to provide earnings statements.

**HF3858-Hackbarth (R)****Public Safety Policy & Finance**

Abandoned vehicles, towers and impound lots provisions modified; abandoned vehicle account established; and money appropriated.

**HF3859-Paulsen (R)****Governmental Operations &****Veterans Affairs**

Special session days counted as legislative days if the purpose of the special session is to pass major budget bills and constitutional amendment proposed.

**HF3860-Charron (R)****Education Policy & Reform**

High school redesign grants provided and money appropriated.

**HF3861-Magnus (R)****Taxes**

Native prairie taxation provisions modified.

**HF3862-Hilstrom (DFL)****Public Safety Policy & Finance**

CHIPS working group recommendations implementation funding provided to the Board of Public Defense and money appropriated.

**HF3863-Johnson, J. (R)****Public Safety Policy & Finance**

Criminal sexual conduct in the third or fourth degree penalties imposed for nonconsensual sexual conduct involving cosmetic services.

**HF3864-Kelliher (DFL)****Transportation**

Minneapolis engine brakes restriction authorized.

**HF3865-Emmer (R)****Civil Law & Elections**

Primary and general elections for the same office required to be held at same polling place.

**HF3866-Emmer (R)****Civil Law & Elections**

Election judges authorized to transcribe machine-unreadable ballot cards.

**HF3867-Holberg (R)****Civil Law & Elections**

Open meeting law length of time increased for giving notice of administrative opinion.

**HF3868-Holberg (R)****Civil Law & Elections**

Government records management requirements and emergency records preservation requirements modified.

**HF3869-Murphy (DFL)****Public Safety Policy & Finance**

Victim Intervention Program, Inc., funding provided and money appropriated.

**HF3870-Mahoney (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Deaf and hard-of-hearing employment programs base appropriation increased.

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**Thursday, March 23**

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**HF3871-Beard (R)****Transportation**

Model airport zoning ordinance required to limit height of objects around airports.

**HF3872-Davids (R)****Transportation**

Town bridge account financial assistance requirements modified.

**HF3873-Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Employers prohibited from requiring employees to attend mandatory meetings on politics or religion.

**HF3874-Olson (R)****Education Policy & Reform**

Regional library basic system support grant limitation repealed.

**HF3875-Tingelstad (R)****Governmental Operations &****Veterans Affairs**

Labor grievance offers of settlement prior to arbitration provided, and costs assessed against a party refusing an offer of settlement that is more favorable than the final arbitration award.

**HF3876-Finstad (R)****Local Government**

County expenditure limit removed for soldiers' rest cemeteries.

**HF3877-Peppin (R)****Commerce & Financial Institutions**

Power limited technician licensing requirements eliminated.

**HF3878-Samuelson (R)****Health Policy & Finance**

Reverse mortgage incentive program established and money appropriated.

**HF3879-Abrams (R)****Jobs & Economic****Opportunity Policy & Finance**

Supported employment definition modified relating to persons with disabilities.

**HF3880-Meslow (R)****Health Policy & Finance**

Breast and cervical cancer treatment medical assistance coverage expanded.

**HF3881-Cox (R)****Education Finance**

Independent School District No. 716, Belle Plaine, health and safety revenue use authorized.

**HF3882-Vandever (R)****Taxes**

Nonprofit community service-oriented organization class 4c property tax classification provided.

**HF3883-Peterson, A. (DFL)****Regulated Industries**

Renewable energy standards utility requirements provided.

**HF3884-Haws (DFL)****Public Safety Policy & Finance**

St. Cloud area gang strike force provided.

**HF3885-Kelliher (DFL)****Health Policy & Finance**

Hair transplant surgery facilities regulatory system established.

**HF3886-Sailer (DFL)****Transportation**

Tribal documents accepted as proof of identity when applying for a driver's license or for purposes of verifying a name change.

**HF3887-Mullery (DFL)****Local Government**

Hennepin County; Victory Memorial Drive Historic District restoration task force established.

**HF3888-Goodwin (DFL)****Regulated Industries**

Commerce Department utility assessment adjustments calendar quarter changed.

**HF3889-Kahn (DFL)****Taxes**

Relative homestead properties annual registration required.

**HF3890-Soderstrom (R)****Commerce & Financial Institutions**

Real estate appraiser trainees regulated; and appraiser education, experience and examination requirements modified.

**HF3891-Mahoney (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
University Enterprise Laboratories funding provided and money appropriated.

**HF3892-Fritz (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Medford wastewater treatment facility funding provided, bonds issued and money appropriated.

**HF3893-Hosch (DFL)**  
**Governmental Operations & Veterans Affairs**  
Legislative per diem payments prohibited during special sessions called due to failure of the Legislature to pass major budget bills.

**HF3894-Hosch (DFL)**  
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Permanent restraining orders created upon continued harassment.

**HF3895-Hosch (DFL)**  
**Governmental Operations & Veterans Affairs**  
Legislature; identical bill introductions prohibited.

**HF3896-Hosch (DFL)**  
**Governmental Operations & Veterans Affairs**  
Conference committee provisions required to have been passed by one or the other legislative body.

**HF3897-Hosch (DFL)**  
**Governmental Operations & Veterans Affairs**  
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**HF3898-Hosch (DFL)**  
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**HF3899-Hosch (DFL)**  
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**HF3900-Hosch (DFL)**  
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**HF3901-Hosch (DFL)**  
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**HF3904-Davnie (DFL)**  
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**HF3905-Seifert (R)**  
**State Government Finance**  
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**HF3906-Cybart (R)**  
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**HF3907-Ozment (R)**  
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**HF3908-Buesgens (R)**  
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**HF3909-Simon (DFL)**  
**Civil Law & Elections**  
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**HF3910-Paulsen (R)**  
**Education Policy & Reform**  
Chinese language curriculum program development provided and money appropriated.

**HF3911-Cox (R)**  
**Higher Education Finance**  
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**HF3912-Lanning (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
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**HF3913-Bradley (R)**  
**Health Policy & Finance**  
Critical access dental providers annual reimbursement schedules and limits required.

**HF3914-Latz (DFL)**  
**Civil Law & Elections**  
Child maltreatment act investigative and reporting responsibilities clarified.

**HF3915-Moe (DFL)**  
**Agriculture & Rural Development**  
Genetically engineered wild rice moratorium imposed in the event of an application for a test plot.

**HF3916-Brod (R)**  
**Health Policy & Finance**  
Pharmacy access program established and money appropriated.

**HF3917-Hosch (DFL)**  
**Local Government**  
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**This bill was inadvertently left out of last week's bill introductions.**

**Thursday, March 16**

**HF3658-Bradley (R)**  
**Health Policy and Finance**  
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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

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INSIDE: BOXING BACK IN THE RING, CONNECTING THE METRO, WHEN MEDICAL DEVICES FAIL, MORE

This Week's Bill Introductions HF3918-HF4067



# Session Weekly

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

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On the cover: The spiral staircase in the State Office Building is a busy place March 28 with members of several groups spending the day meeting with House members to express their concerns on various issues.

—Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

Recognizing the impact of the rising cost of health care for employers, the state and patients like Joanna Craighead, the House created a special division to look for alternatives to the current health care system.

# Containing health care costs

Even though there's disagreement, crafting legislation seen as a labor of love

By **BAO ONG**

**A**t first glance, the goal seems simple: increase the quality and access of health care while cutting costs for consumers. The reality surrounding the issue: political division among Republicans and DFLers on the best solution, bills pitting the private and public sectors against each other, and citizens demanding legislators not forget their needs.

The House recognized the contentious and challenging issue of health care cost last year and created the [Health Care Cost Containment Division](#) of the House Health Policy and Finance Committee.

Since last year, the division has been focusing on finding better alternatives to the current health care system. [Rep. Jim Abeler](#) (R-Anoka), chair of the division, is one of those leading the way. A practicing

chiropractor, Abeler said, "We're here. How do we make it better — not worse?"

Both parties and Gov. Tim Pawlenty are anticipating a \$176 million surplus in the Health Care Access Fund, which is expected to grow in the next three years.

Abeler appears to be full of ideas on how to spend that money on the ongoing health care debate. He has proposed a handful of bills aimed at reforms in the private sector giving consumers more choices, whereas DFLers have called for more state action.

However, Abeler's division has a big challenge on its hands: the Health Care Cost and Containment Division is not authorized to spend money. Abeler said crafting legislation is a creative process; it is a labor of love.

"You'll never get support from everybody," said Abeler. "It's about how do we compromise. Things can only change with input from

both sides."

Abeler said he has seen health care problems increase in Minnesota firsthand because of his background in the health care field. Between 2001 and 2004, the group coverage market has gone down 8 percent and there has been a 30 percent increase in the number uninsured people, he noted.

The most comprehensive of Abeler's bills is [HF1862](#).

It contains a variety of provisions dealing with the efficiency and cost of health care. Some of those reforms include: evidence-based practice standards and guidelines; electronic billing assistance; requiring medical clinics to develop free patient brochures on prescription programs offered by pharmaceutical manufacturers; and a state Web site providing health care cost and quality information for consumers. Other

**First Reading continued on page 4**




parts of the bill bring changes to charity care by health care providers, the Public Employees Insurance Program (PEIP), private sector health coverage provisions and service cooperatives.

Although there have been questions about cost with some parts of the bill, members from both parties have supported measures promoting more transparency and consumer access.

PEIP and evidence-based practice guidelines are some of the most dividing issues in Abeler's bill.

Nancy Hokkanen testified at the House Health Policy and Finance Committee on March 21 against evidence-based practice. "For families like mine, evidence-based medicine restricts access to proper medical treatment and promotes unhealthy alternatives," she said.

[Rep. Mary Ellen Otremba](#) (DFL-Long Prairie) said many schools in her district cannot afford to offer health insurance. She is concerned about the PEIP and service cooperative guidelines and their consequences on affordable health care.

In constructing the bill, Abeler said he has made it a point to accept suggestions from all sides — legislators from both parties, citizens, state departments and lobbyists. 

## The details

Consider HF1862 the "parent bill" coming out of the division. House Files [2831](#), [2832](#) and [2438](#) all carry parts that comprise HF1862. But because of the short session, HF1862 was divided into separate bills so that each could go to their prospective committees instead of having one bill move around from committee to committee. Abeler said he will amend HF1862 according to changes made in the three smaller bills.

The following is an overview of HF1862, which awaits action by the House Governmental Operations and Veterans Affairs Committee:

The first section addresses evidence-based practice standards and guidelines. Health-related boards and provider organizations would be permitted to establish practice standards for treating patients within their scopes of practice; however, a health insurance provider would not be required to cover treatments, testing or imaging based on standards developed by the boards or provider organizations. This section would also require the human services commissioner to encourage and assist providers to adopt and use electronic billing for state programs from existing resources. The commissioner would also be permitted to post health information on the agency Web site.

- Last session the division approved an amendment for charity care by health care providers. The current bill would eliminate a discount payment provision enacted in 2005.

- The [Department of Employee Relations](#) runs the Public Employees Insurance Program (PEIP),

which is used by local government employees and employers who choose to enroll in it. The requirement to offer life insurance was eliminated and the Minnesota Employees Insurance Program was originally in the bill and left out when the House Commerce and Financial Institutions Committee voted it down.

- Health maintenance organizations (HMOs) would be permitted to impose higher deductibles. Current laws allow yearly deductibles of up to \$2,250 per person and \$4,500 per family. That rate changes to \$5,000 and \$10,000, respectively. The annual out-of-pocket maximums of \$5,000 per person and \$10,000 for each family would also be implemented. There would also be a lifetime maximum benefit of \$3 million. HMOs are not allowed to cap lifetime benefits in the present system.

- Service cooperatives would be permitted to create and operate a health reinsurance and stop-loss pool. Smaller districts will sometimes join each other to form a service cooperative when other health care options are too expensive.

- The last article in the bill is geared toward malpractice cases. It would prohibit the use of an apology made by a health care provider as evidence in any civil action or related arbitration proceeding.

A companion bill ([SF1640](#)), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), awaits action by the Senate Finance Committee.

## SOMBER RALLY



PHOTO BY SARAH STACKE

Cara Ruwersma and Nadine Sanders of St. Cloud attend the 2006 Violence Against Women Action Day Rally March 29 in the Capitol Rotunda. The event was sponsored by the Minnesota Coalition for Battered Women. Ruwersma and Sanders both live at Anne Marie's Alliance in St. Cloud, a private non-profit corporation dedicated to providing safe shelter, support and referral services for battered women and their children.

★ **AGRICULTURE****Food law provisions**

A bill that makes several technical changes to the Department of Agriculture's regulations regarding commercial feeds was passed 132-0 by the House March 27.

[HF3670](#), sponsored by [Rep. Rod Hamilton](#) (R-Mountain Lake), changes specific terms in the current commercial feed law, including defining "brand name," replacing "registrant" with "license holder" and adds "specialty pet foods" to the department's rulemaking purview.

The bill also requires that if a commercial feed is determined to be adulterated or misbranded, the person whose name appears on the label must provide a manufacturer's investigation report to the commissioner within 30 days.

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

★ **BONDING****Testimony accepted here**

A week after the nearly \$990 million Senate capital investment bill ([SF3475](#)) was unveiled, the House Capital Investment Committee took testimony on the plan March 28.

"I thought we ought to have a little public testimony and find out the good, bad and ugly before we put our bill together and see if we can come up with something that will give us an improved package for the state of Minnesota," said Committee Chair [Rep. Dan Dorman](#) (R-Albert Lea). He expects a House bill to be unveiled next week, and on the House floor by Easter.

Dorman explained it was important to have a target number before finalizing the bill, and that he and [House Speaker Steve Sviggum](#) (R-Kenyon) met with [Senate Majority Leader Dean Johnson](#) (DFL-Willmar) and [Sen. Keith Langseth](#) (DFL-Glyndon), the Senate Capital Investment Committee chair.

"At that time Sen. Langseth explained to me that we needed a lot of process — and in the Senate they had a lot of process — to put the bill together and see how it all works with committee hearings and whatnot. I thought that sounded good. But I said that I really think we ought to have a target. As we went forward, my understanding is the speaker tried to meet with them last week, but so far calls have went unreturned," Dorman said.

The Senate vote came less than two weeks after its capital investment committee had its first meeting.

"I think they started that meeting at about 6:10 and at about 6:14 they banged it through the committee," Dorman said. "For some reason we couldn't have a budget target because we had to have that process."

House testifiers came from Albert Lea to International Falls and addressed issues from agriculture to education to parks to zoos.

One of the more high-profile, and expensive, issues is a new Duluth Entertainment and Convention Center.

Duluth Mayor Herb Bergson noted that the \$33.7 million request would cover one-half of the costs. Thirty percent would come from an increase in the city's food and beverage sales tax that was approved by voters Feb. 28. The center and University of Minnesota would each contribute 10 percent.

The funding is in the governor's recommendations, but the Senate recommended zero. "I was floored," said Bergson, who indicated that Sviggum pledged to him it would be in the House bill.

[Rep. Al Juhnke](#) (DFL-Willmar) voiced support for \$300,000 to renovate and purchase additional testing equipment for the Minnesota Poultry Testing Laboratory in preparation for the potential introduction of avian influenza.

"This is our due diligence to do all we can to be ready for this," he said.

★ **CHILDREN****Safe place for newborns**

According to at least one legislator, efforts to follow surrounding states via a bill expanding the timeframe for hospitals to accept newborns would protect more children.

Currently, unharmed newborns can be left with a hospital employee within three days of birth without question. [HF3597](#), sponsored by [Rep. Judy Soderstrom](#) (R-Mora), would increase the timeframe to seven days.

The bill prohibits a hospital from disclosing the mother's identity, and allows the parent or an "interested person" to call 911 or an emergency medical services provider to take the newborn. It would also prohibit local social service agencies and the Department of Human Services from conducting a search for relatives of the newborn received by a hospital.

The House Jobs and Economic Opportunity

Policy and Finance Committee approved the bill March 28 and referred it to the House Civil Law and Elections Committee. There is no Senate companion.

**Spending resolution**

Three days after failing to adopt a budget resolution to set the limit on changes in expenditures for the remainder of this biennium, the House approved the measure 69-65 March 30. It was defeated 68-63 March 27.

Before the House Ways and Means Committee gave its approval March 29, [Rep. Jim Knobloch](#) (R-St. Cloud) said, "This resolution is identical to the resolution we had last time except for one thing. We have a cash flow account proposed of \$351 million, instead of \$350 million, and a budget reserve of \$652 million, instead of \$653 million. I want to make sure there's no question about whether or not there's a problem for this being identical to the last resolution. Also, the state budget has grown somewhat since the last time we established a cash flow account, and so having a little more in it to cushion cash flow might also make sense."

The resolution proposes to spend \$88 million in various items that would likely be part of a target resolution the committee is expected to adopt in the near future. "This should be sufficient with the other monies available from other sources to meet the emergency-type needs that we have in the second year of the biennium when we are not normally passing a new budget," Knobloch said.

The \$317 million in the tax relief account is proposed to be transferred to the General Fund so it would be available for tax relief. "That is the amount of money left over as surplus at the end of the last biennium, June 30, 2005," Knobloch said. By law, that money goes into the tax relief account. The money could also be used to offset the loss of if the court rules against the state in the health impact fee case.

Opponents, including [Rep. Lyndon Carlson](#) (DFL-Crystal), continue to want to know what road the House is heading down and what the budget targets may ultimately look like. Carlson said some members of his caucus have expressed an interest in property tax relief, and approaches to how that might take place.

"We have as pretty good idea where the governor wants to take the state," said [Rep. Margaret Anderson Kelliher](#) (DFL-Mpls). "We'd like a better sense of what carpet ride we're on over here in the House. ... We're just trying to see if you can lay some cards on the table."

By [House rule](#), "In the even-numbered year, after the budget resolution is adopted by the Committee, the Committee must adopt a resolution setting limits for each budget category represented by the major finance and revenue bills."

"Once we've established this and we know what we're working with then we go forward to set up targets," Knobloch said. "It's the process we're going to use again this year."

Family members wanting to take the child from the hospital would undergo genetic testing to determine if they are actually related, said Soderstrom. Furthermore, she said such a law would help prevent mothers from leaving their newborns to die in dumpsters.

Rep. Fran Bradley (R-Rochester) questioned the ability of mothers of newborns to call 911 and emergency medical services personnel to take away their child. But Rep. Tim Wilkin (R-Eagan) said oftentimes these mothers are desperate when they call for help.

"We're trying to protect a child that someone doesn't want," said Soderstrom. "We want to give them (mothers) extra time to find safe care."

### Safety first

Parents often say child passenger safety is a top concern. A bill proposing child passenger restraint system training requirements attempts to add more assurance.

[HF3368](#), sponsored by [Rep. Brad Finstad](#) (R-New Ulm), changes child passenger systems by adding training requirements for child care providers.

The bill would require the programs licensed by the [Department of Human Services](#) serving children less than 9 years old to complete child passenger restraint training, which targets school age children.

It also adds an exemption program for individuals using only buses or school buses to transport children. The House Jobs and Economic Opportunity Policy and Finance Committee approved the bill and referred it to the House floor.

But [Rep. Tim Wilkin](#) (R-Eagan) had concerns about discriminating against certain providers. He questioned the bill using the term "child care center" instead of a more general "child care providers." His amendment to include individual child care providers was approved.

[Rep. Nora Slawik](#) (DFL-Maplewood) also had questions about how the bill would deal with buses carrying children of various ages. Chad Dunkley, Minnesota Child Care Association president, said buses already have seat belts that meet safety standards.

A companion bill ([SF3087](#)), sponsored by [Sen. John Hottinger](#) (DFL-St. Peter), awaits action by the Senate Finance Committee.

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## CRIME



### Driving under a controlled substance

The definition of a DUI may be broadened in two ways.

Sponsored by [Rep. Doug Meslow](#) (R-White Bear Lake), [HF3647](#) was held over March 23 by the House Public Safety Policy and Finance Committee for possible inclusion in its omnibus bill.

Meslow said that the law is straightforward regarding driving under the influence of alcohol, but it is ambiguous as it relates to the crime of driving under the influence of a controlled substance.

The law only applies if someone is under the influence of something on a specific list of controlled substances, and that list has proven to be incomplete, Meslow said.

"The group of controlled substances that can affect the ability of someone to drive a motor vehicle is expanding faster than we can keep up in statutes. And existing statute does not refer to metabolites of those controlled substances, so it may be they are still under the influence of that controlled substance but that metabolite is not contained within our statute," Meslow said.

The bill would broaden the prohibition against driving while impaired by controlled substances to include metabolites, and create a new gross misdemeanor offense for driving under the influence of a drug provided that person has had an impaired driving incident in the previous decade.

"The (attorney general) tells us that they have to rescind revocations when they show up in court and they have proof that a person used cocaine, but all they have for proof from the blood test is the metabolite, or the normal bodily chemicals produced when a body processes the cocaine," said Steve Simon, director of the Minnesota Criminal Justice System DWI Task Force, which recommended the bill. He said that each drug has a fairly unique signature because each drug has a different chemical structure.

A companion bill ([SF3517](#)), sponsored by [Sen. Leo Foley](#) (DFL-Coon Rapids), awaits action by the Senate Crime Prevention and Public Safety Committee.

### Offering emotional support

Susie Maher's son, Joshua, was murdered in St. Paul eight years ago.

"When I got that death notification my life turned upside-down and inside-out," she told the House Public Safety Policy and Finance Committee March 28. "I had no idea how to help myself face what I was facing, much less



PHOTO BY ANDREW VONBANK

**Susie Maher, whose son was murdered eight years ago, testifies before the House Public Safety Policy and Finance Committee March 28 in support of a bill that would provide \$150,000 for Victim Intervention Program, Inc.**

my surviving son."

Housed in the homicide units of the Minneapolis and St. Paul police departments, Victim Intervention Program, Inc. is a nonprofit organization that offers counseling and support to help where it can.

"Without VIPI, I can only imagine the anger, bitterness, revenge and heartache we might still be suffering today," Maher said. "The program showed me the way to help myself and my family, my extended family and my son's friends, all kinds of ripples in the pool that were hugely important to healing and coming to some way of accepting where our life went."

Sponsored by [Rep. Mary Murphy](#) (DFL-Hermantown), [HF3869](#) would appropriate \$150,000 to the program in the current biennium for expansion across the Twin Cities metropolitan area. The bill was held over for possible inclusion in the committee's omnibus bill.

The program has two paid positions, with the rest of its efforts coming from volunteers, many of whom also abruptly lost a loved one. More than 95 percent of incoming funds go towards client care and programs.

"This organization serves in a spectacular way and the demand is huge," said Tim Lynch, homicide commander of the St. Paul Police



Department. The program also serves as a liaison between the authorities and families keeping them up-to-date on an investigation, rather than having the family continually calling investigators.

“Who’s going to be there for you,” Maher asked. “I hope they’re the same people that were there for me, that offered me hope and gave me the vision and the tools to take myself from that painful place to living in honor of my loved one.”

A companion bill ([SF3498](#)), sponsored by [Sen. Jane Ranum](#) (DFL-Mpls), was laid over by the Public Safety Budget Division of the Senate Finance Committee for possible inclusion in an omnibus bill.

## ★ EDUCATION

### Language Chinese

Minnesota students may have a greater opportunity to learn the language and culture of China.

Sponsored by [House Majority Leader Erik Paulsen](#) (R-Eden Prairie), [HF3910](#) would make Mandarin, the primary language of the Chinese, more available to state classrooms, Mary Ann Nelson, assistant commissioner of Academic Excellence for the Department of Education told the House Education Policy and Reform Committee March 24. Approved by the committee, the bill, which has no Senate companion, now goes to the House Education Finance Committee.

There are now about 16 teachers across the state teaching Mandarin. The bill would appropriate \$250,000 in fiscal year 2007 to begin a statewide effort to develop and expand Chinese language instruction.

“This is a wonderful bill. China is a rising power,” [Rep. Lynn Wardlow](#) (R-Eagan) said. He told the committee about the opportunities that are open to his son, an attorney fluent in Mandarin.

[Rep. Mindy Greiling](#) (DFL-Roseville) favors the bill, but is concerned about the partisan process that brought the bill to the committee. She said that last year the world language teachers spearheaded a bipartisan effort to raise the awareness to the growing importance of world language curriculum, but a resulting bill was not acted upon.

The world language teachers are “bitterly disappointed,” she said, that the state is making the decision to provide the opportunity only for the Chinese language.

She said that some see the importance of local control in deciding which languages should be offered in a district. “Whether it is a good idea for the state to provide leadership

in (offering) the Chinese language, or whether it would be better to have the leadership in all world languages, and let local communities decide, I think that is one issue the committee could wrestle with.”

### Longer school year

Minnesota students almost had their summer vacations cut short, but a bill supporting a longer school year stalled in the House Education Finance Committee March 23.

[HF3528](#) would add seven days to the current 170-day school year; teachers would be given three or four more days for training and there would be a shorter break in the

summer with somewhat longer breaks during the school year. [Rep. Randy Demmer](#) (R-Hayfield), the bill’s sponsor, said this would help move Minnesota to a world-class system for students. After a lengthy discussion, the measure was tabled.

Ted Blaesing, superintendent of White Bear Lake Area Schools and president of the Minnesota Association of School Administrators, said adding school days to the calendar would help level the playing field for Minnesota students with their world counterparts who are in school longer each year.

[Rep. Mindy Greiling](#) (DFL-Roseville) noted there would be a tremendous cost to increasing the school calendar. She wanted to know if that would be the responsibility of the local districts or if the state would bear the burden.

Demmer said there is no expenditure proposed at this time. “If we start looking at the money, we get the cart before the horse. We need to be talking about what the vision should be for education ... and then we’ll find the way and make that investment.”

[Rep. Mark Buesgens](#) (R-Jordan) wanted to know what would be done with the extra time allotted. “I see more days, I don’t see what we are going to do with the days.” He said students get many days off during the school year, and if more days are the issue, then maybe that is where days could be added.

[Rep. John Dorn](#) (DFL-Mankato) would welcome a discussion on how to use the currently allotted days more effectively. “I don’t know how many school days are lost to vacations and workshops.”

A companion bill ([SF3203](#)), sponsored by [Sen. Geoff Michel](#) (R-Edina), awaits action by the Senate Education Committee.

### School choice

A bill that would give some public school students the option to attend private schools was defeated 15-13 by the House Education Policy and Reform Committee March 23.

“Since 1925, the law of the U.S. has been that people have the freedom to choose their schools — wait a minute, people of means have the freedom to choose their schools,” said [Rep. Mark Buesgens](#) (R-Jordan), sponsor of [HF3504](#).

In an effort to put an end to what he sees as a two-class education system, he said the General Education Access Grant bill, commonly known as the voucher proposal, would offer the “poorest of the poor” the same opportunity as more affluent people to choose the schools which they would like to attend.

The bill calls for access grants covering



PHOTO BY TOM OLMSCHEID

**Ted Blaesing, superintendent of White Bear Lake Area Schools and president of the Minnesota Association of School Administrators, discusses a proposal to extend the school year during a hearing of the House Education Finance Committee March 23.**

tuition and fees to be made available to eligible students in the Minneapolis and St. Paul school districts.

Dr. William Green, interim superintendent of Minneapolis Public Schools, said that Minneapolis students already have several educational choice options, including magnet schools and open enrollment.

“Public school choice means parents and students choose schools. Private schools choose rich students they enroll,” he said, adding that this bill would provide a tax subsidy to the private schools to do what they already do, select which students they serve.

Louis King, a Woodbury resident, said the current system is not working for inner-city children. He told the committee that, as an ROTC recruiter and instructor, he notices a different Minnesota. “This issue is about a people willing to use any means necessary to ensure that their children have access to quality education. ... You could go into a kindergarten class filled with African-American children and tell half of them to proceed to the first grade. The other half, we’d say, not so fast — go straight to jail or the welfare lines.”

[Rep. John Dorn](#) (DFL-Mankato) is concerned about the financial implications with the possibility of up to 50,000 students being eligible to participate in a voucher program. “I do believe the bill is not ready for prime time.”

[Sen. David Hann](#) (R-Eden Prairie) sponsors a companion bill ([SF2962](#)), which awaits action in the Senate Finance Committee.

### Alternative teacher training

A bill that would have created an alternative teacher training program was rejected 70-62 March 27 by the full House.

Sponsored by [Rep. Sondra Erickson](#) (R-Princeton), [HF2680](#) would provide an alternative path to teacher licensure for qualified professionals wanting to leave their careers and become K-12 teachers in areas experiencing teacher shortages: math, science, world languages, English as a second language and special education.

During the one-year program, an applicant would need to complete a pre-introduction program; 200 hours of specified instruction leading to a license and up to 15 graduate credits towards a master’s degree; on-the-job mentoring arranged by an employing district; and a one-week workshop that includes analysis and reflection on the first year of teaching.

If the evaluation team gives its approval and the teacher passes a subject assessment test for each area to be taught, the candidate would receive a standard entrance license from the

### Board of Teaching.

Opponents said the bill would, in part, undercut the current teacher training system at colleges and universities and potentially risk Minnesota’s status as having quality teachers. They also said other alternative pathways now exist, such as summer sessions, on-site training and online training.

“This will lower quality and hurt student learning because it may put less qualified teachers into the classroom,” said [Rep. Sandra Peterson](#) (DFL-New Hope). “I’m concerned that it takes the actual recommending to the Board of Teaching out of the higher ed institutions and places it in the hands of local school districts. ... This creates a two-track system. I want to be sure that the four-year institutions are the ones making that final determination and the final recommendation to the Board of Teaching for who gets licensed.”

“The board already issues hundreds and hundreds of waivers in this state a year to allow folks who have less science and math experience to teach because we have a shortage of teachers,” said Rep. Karen Klinzing (R-Woodbury).

A companion bill ([SF2764](#)), sponsored by [Sen. David Hann](#) (R-Eden Prairie), awaits action by the Senate Education Committee.

## ELECTIONS



### Polling place buffer zones

A bill that would clarify the buffer zone around polling places was approved by the House Civil Law and Elections Committee March 27 and now moves to the House floor.

[HF1596](#), sponsored by [Rep. Tom Emmer](#) (R-Delano), is primarily directed at protesters and solicitors. Under current statute, they are not allowed within 100 feet from the entrance of the polling place. The bill would extend that distance to within 100 feet of the “property line of any private or public parcel of property on which a building containing a polling place is located.”

A companion bill ([SF1317](#)), sponsored by [Sen. Pat Pariseau](#) (R-Farmington), failed March 22 in the Senate Elections Committee.

“This isn’t far enough, as far as I’m concerned,” [Rep. Matt Dean](#) (R-Dellwood) said. After witnessing intimidation in the last election, he said, “It made a very stark impression on me that we needed to do something stronger than what I see here.”

[Rep. Bill Hilty](#) (DFL-Finalyson) said that it would be difficult for people to determine the location of a property line. Emmer said he

found that problematic as well, and would be willing to work on the language.

### Helping disabled voters

Townships would no longer have to provide special voting equipment for disabled voters, under a bill heard by a House committee March 28.

[HF2608](#), sponsored by [Rep. Bud Heidgerken](#) (R-Freeport), would alter a state law that extends certain provisions of the federal [Help America Vote Act](#) to local elections. Specifically, a requirement that local governments provide blind and visually impaired voters with special voting machines that allow them to vote without human assistance would no longer apply to township elections.

Heidgerken told members of the House State Government Finance Committee that some township governments have had to spend as much as 10 percent of their tax revenue on the machines, which are needed by only a handful of residents.

Kent Sulem, attorney for the Minnesota Association of Townships, said the estimated costs associated with the machines were often in the thousands of dollars. He added that in some cases, no one is even asking for the machines.

Judy Sanders, testifying on behalf of the National Federation of the Blind of Minnesota, said blind voters want to have the same privacy afforded to non-disabled voters.

“We have always appreciated the help we’ve received at the voting booth, but that was in the day when there was no other alternative.”

Sanders suggested postponing any legislation until after this year’s fall elections to see how bad the problem actually is.

Committee Chair [Rep. Marty Seifert](#) (R-Marshall) encouraged both sides to work out an agreement on their own, but added that he sympathizes with the townships’ position.

“We’ve got to follow the common sense test, folks. And it’s tough to justify this for every single precinct and every single situation,” Seifert said.

The committee tabled the bill because it first must be acted on by the House Civil Law and Elections Committee.

A companion bill ([SF2591](#)), sponsored by [Sen. Jim Vickerman](#) (DFL-Tracy), awaits action by the Senate Elections Committee.

If you have Internet access, visit the  
Legislature’s Web page at:  
<http://www.leg.mn>

## Uniform dates for elections

Last year, elections in Minnesota were held on 102 different days. Sponsored by [Rep. Mark Buesgens](#) (R-Jordan), [HF587](#) would specify that elections could only be held on five specific days throughout the year.

Buesgens told the House Civil Law and Elections Committee March 27 that the number of local elections held on various days is confusing to voters. "We are all for maximizing voter turnout, and the way to do that is by setting specific dates in the year."

Approved by the committee and sent to the House floor, the bill would require that elections be held on the fourth Tuesday in January, the second Tuesday in March, the third Tuesday in May, the first Tuesday after the second Monday in September and the first Tuesday after the first Monday in November. It also calls for uniformity in the time of day that polls can be open.

Opponents said that voters are aware when there is an election on an issue relating specifically to their local jurisdiction.

Ann Higgins, intergovernmental relations representative with the League of Minnesota Cities, said that many cities have provisions in place where issues can be brought before the local voter. She explained there are regulations specifying how long after a local unit of government calls for an election that it must be held. "The bill would delay that process by making it subject to the requirements of this law to have those elections on other dates."

A companion bill ([SF827](#)), sponsored by [Sen. Pat Pariseau](#) (R-Farmington), was tabled March 22 by the Senate Elections Committee.

## ★ ENVIRONMENT

### Air quality test

The city of Avon may not get \$6,000 to conduct an air quality study, despite the efforts of [Rep. Larry Hosch](#) (DFL-St. Joseph).

"We don't have any dollars," said [Rep. Dennis Ozment](#) (R-Rosemount), chair of the House Agriculture, Environment and Natural Resources Finance Committee.

The committee held [HF2886](#) over March 29 for possible inclusion in its omnibus bill. A companion bill ([SF2526](#)), sponsored by [Sen. Michelle Fischbach](#) (R-Paynesville), awaits action in the Senate Finance Committee.

But Avon will get something: ambient monitoring in the elementary school and the assurance and peace of mind that may bring to the parents of the school children.

Mike Sandusky, director of the Environmental Analysis and Outcomes

Division of the Minnesota Pollution Control Agency, said that, as part of an emissions impact study being conducted by the agency and paid for by a wood finishing business in Avon, the school's air will be monitored and analyzed.

Sandusky said he would direct that the monitoring take place despite the usual agency modeling procedures, which would accurately determine the air quality impact of the business's emissions on the school and on all public facilities in Avon.

Following the meeting, Sandusky explained that modeling is a process of analyzing a business's emissions to ascertain if hazardous levels of toxic compounds are present.

The process is more cost and time efficient than the alternative of citywide ambient monitoring and is "very accurate," Sandusky said, although the accuracy decreases in direct proportion to the distance from the emissions site. He added that the half-mile from the Avon business to the school would not affect the modeling accuracy.

Regarding his decision to honor the request from Rep. Jean Wagenius (DFL-Mpls) to monitor the air in the Avon school and provide a report to the city, Sandusky said there is a "general public misperception" about asthma.

Documentation exists, he said, that of the many variables that may be contributing to the growing incidence of asthma nationwide, lifestyle — particularly exposure to cigarette smoke — is the largest contributor.

### Mercury reduction

The day may come when people who catch fish in Minnesota's lakes and streams won't fear that eating their catch will subject them to mercury poisoning. Yet, fillet aficionados of all ages would be advised to review the Health Department's [Web site](#) regarding safe levels of fish consumption.

[HF3712](#), sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and approved March 23 by the House Environment and Natural Resources Committee, is also known as the Mercury Emissions Reduction Act of 2006. Its goal is to reduce, by 90 percent, the amount of mercury released over the Land of 10,000 Lakes by the end of 2015. The bill now awaits action by the House Regulated Industries Committee.

Classified as a heavy metal, mercury is a neurotoxin, which means it adversely affects the nervous system. The more mercury, the greater the risk, and the greatest risk is to fetuses and young children because their nervous systems are still developing. It is the major pollutant in two-thirds of Minnesota's impaired waters.



PHOTO BY ANDREW VONBANK

**Joseph Carruth, director of environmental affairs for Mercury Waste Solutions, Inc., demonstrates the use of a waste fluorescent bulb container during his March 23 testimony before the House Environment and Natural Resources Committee. He spoke in support of a bill that would require disclosure regarding disposal of lamps containing mercury.**

While 90 percent of the state's mercury pollution comes from out-of-state sources, the bill, as amended, would require the six largest coal-fired generating plants in the state to reduce emissions according to procedures approved by the Minnesota Pollution Control Agency.

David Thornton, agency commissioner, said that requiring reductions from the generating plants, which are owned by Xcel Energy or Minnesota Power, would reduce the greatest amount of mercury for the cost.

A companion bill ([SF3398](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the Senate Rules and Administration Committee.

### Timber permit extensions

Many Minnesotans enjoy mild winters, especially mild winters with lots of snow.

But for those who contract to harvest the timber from state forests, mild and snow-filled winters may mean fewer work days, since deep snow can prohibit access to harvesting equipment. In addition, the ground must be adequately frozen to minimize equipment



damage to the forest environment. Thus, it may take an extra winter or more beyond the terms of the original contract for the timber to be harvested.

[HF3039](#), sponsored by [Rep. Greg Blaine](#) (R-Little Falls) and passed 132-0 on the House floor March 27, would permit the [Department of Natural Resources](#) to extend contracts when inclement weather disallows the timber to be harvested during the contracted time.

Passed 59-0 by the Senate March 30, the bill now goes to the governor.

## FAMILY

### Prevention measures

A group looking to help end domestic violence might get two more years to finish its work.

Sponsored by [Rep. Steve Smith](#) (R-Mound), [HF3197](#) would extend the duration of a 34-member [domestic fatality review team pilot project](#) in the 4th Judicial District until Dec. 31, 2008.

The project is a collaboration of public, private and nonprofit organizations operating in Hennepin County. It is set to expire at the end of this year, with a report due to the Legislature by Jan. 15, 2007. The bill would also extend the report due date by two years.

The bill was held over March 23 by the House Public Safety Policy and Finance Committee for possible inclusion in its omnibus bill.

"The purpose of the domestic fatality review team is to examine deaths resulting from domestic violence in order to identify the circumstances that led to those homicides," said Project Director Tim Reardon. "Our goal is to improve identification, intervention and prevention efforts in similar cases."

"Since our team began in 2000, we have implemented well over 24 substantive programmatic changes that have resulted in better support for victims of domestic violence, and increased the penalties for those who perpetrate that kind of violence," he said.

According to a [Hennepin County resolution](#) that provided for \$30,000 in 2005 to help cover operational expenses, more than \$120,000 of in-kind services were donated to the team in 2004, including 2,736 hours contributed by professionals and more than \$6,500 of in-kind support in office supplies, meeting space and mailing expenses were offered. The team also solicits funding from other sources.

A companion bill ([SF2818](#)), sponsored by [Sen. Wes Skoglund](#) (DFL-Mpls), was passed 62-0 by the Senate March 29.

## GOVERNMENT

### Back in the ring

A House committee approved a bill to re-establish a state boxing commission.

[HF3484](#), sponsored by [Rep. Andy Westerberg](#) (R-Blaine), would create a five-member Minnesota Boxing Commission similar to the one the state abolished five years ago.

The House Governmental Operations and Veterans Affairs Committee approved the bill March 24. It now goes to the House Commerce and Financial Institutions Committee.

Anoka County Commissioner Scott LeDoux, a former professional boxer, said having a governmental body charged with regulating boxing contests would not only increase safety but also help re-establish the sport in Minnesota.

"There's no boxing allowed in the state of Minnesota, and what that means to fighters is that they don't get a chance to fight at home, they don't get a chance to fight in front of their fans, and they don't get a chance to fight in front of their family — and I think that's just wrong," LeDoux said.

Professional boxer and Minnesota native Anthony Bonsante, a former contestant on NBC's reality show "The Contender," spoke to the economic benefits of having professional boxing in the state.



PHOTO BY TOM OLMSCHEID

**Former professional heavyweight boxer, Scott LeDoux, right, and international boxing referee, Mark Nelson, share a laugh with members of the House Governmental Operations and Veterans Affairs Committee March 24 while LeDoux testifies for the re-establishment of a state boxing commission.**

"When you have top promoters that come into the state — top-ranked, main events, Don King — they come into your state and pay huge amounts of money in order to promote their fights in your state," Bonsante said.

For the most part, committee members from both parties voiced enthusiastic support for the bill.

[Rep. Lloyd Cybart](#) (R-Apple Valley) praised the increase in safety and standards that would result from a boxing commission.

[Rep. Larry Haws](#) (DFL-St. Cloud) praised the edifying effects of boxing and wrestling programs on youth, adding that passing the bill would help repair the state's youth amateur boxing program. "They may start with a fighter, but they end up with a disciplined athlete," he said.

[Rep. Phyllis Kahn](#) (DFL-Mpls) successfully amended the bill by changing the term "tough man" to "tough person" in regard to a type of contest that features boxers of any skill level or physical condition fighting one-minute rounds.

A companion bill ([SF3123](#)), sponsored by [Sen. Gary Kubly](#) (DFL-Granite Falls), awaits action in the Senate State and Local Government Operations Committee.

### Report faults state council

A [financial audit](#) of the [Council on Black Minnesotans](#) revealed improper expense reimbursements, mishandling of grant funds and a lack of attendance at council meetings, an official told a House committee March 28.

David Polisen, audit manager for the [Office of the Legislative Auditor](#), discussed the findings of a recent report on the council with the House State Government Finance Committee, which took no action.

Among its key findings, the report concluded that the council committed several infractions during fiscal years 2002 to 2005, including:

- unsupported payroll expenditures;
- per diem overpayments totaling \$1,430;
- improperly spent grant funds totaling \$51,000;
- receipts not deposited or unaccounted for in the state's accounting system; and
- low attendance at meetings.

Polisen said a [2002 audit](#) resulted in similar findings. He added that six of the 12 problems detailed in the 2002 report had not yet been resolved at the time of the new one.

Council member Lucky R. Rosenbloom urged the committee to carefully scrutinize the council's practices. He added that his own research led him to believe the same types of mismanagement had been going on since 1987.

"There is no excuse, from 1987 to the latest audit, that we keep seeing the same types of mistakes over and over and over again from a state organization," Rosenbloom said.

Executive Director Lester Collins disputed many of the report's findings.

He admitted the council suffered from "absenteeism," but dismissed many of the other accusations as misunderstandings relating to paperwork or circumstances that were beyond the council's control.

Roger Banks, policy and research analyst for the council, said many of the financial troubles within the organization arise from its small size.

"Smaller agencies do have issues relative to scope and span of control and control mechanisms," Banks said.

Some committee members weren't buying it.

Committee Chair [Rep. Marty Seifert](#) (R-Marshall) said he was "bewildered" at the council's "chronic problems of absenteeism."

[Rep. Greg Blaine](#) (R-Little Falls) said that if some of the problems outlined in the report had occurred in a private sector business, those responsible would likely be fired.

"I would encourage you to probably step your efforts up, as the leader of your organization, to come to grips with this in probably a short period of time," Blaine told Collins.

### Cutting special session pay

On March 28, members of a House committee debated the merits of forcing legislators to take a pay cut when the Legislature fails to pass a budget and goes into special session.

[HF3187](#), sponsored by [Rep. Joyce Peppin](#) (R-Rogers), would apply only in situations such as the one last year, in which the Legislature failed to approve a state budget before the constitutional deadline and a special session was needed. According to the bill, legislators may not receive per diem living expenses during a special session if the session is called because the Legislature failed to pass necessary budget bills during an odd-numbered year or because the Legislature failed to pass an omnibus capital investment bill during an even-numbered year.

Members of the House State Government Finance Committee had reservations about the bill and its potential unintended consequences.

[Rep. Loren Solberg](#) (DFL-Grand Rapids) said the bill had the effect of empowering the governor, who can veto legislation and keep a special session going, while disempowering legislators.

"You better be a little careful of what you ask for, because you might get it. That governor's office may change, and you may not want that governor to have that additional power over the legislative branch," he said.

[Rep. Chris DeLaForest](#) (R-Andover) worries that pressuring legislators to pass a budget before deadline might force them to compromise their values.

"This pressure to get done on time, with this penalty looming over legislators, may provide an incentive to agree to particular budget bills that fiscally conservative people would not consider to be in the best interests of the state," he said.

[Rep. Bill Hilty](#) (DFL-Finlayson) had a different take on the issue. He said he objected to the popular portrayal of last session as a "failure."

"I think that's a very narrow concept of what the job is — to say that it's better to do something, even if you think it's the wrong thing, than to say, 'I refuse to do something that does not represent the best interests of my constituents and does not square with my own personal philosophy or conscience,'" Hilty said.

The bill was held over for possible inclusion in the committee omnibus bill.

A companion bill ([SF2700](#)), sponsored by [Sen. Mady Reiter](#) (R-Shoreview), awaits action in the Senate Rules and Administration Committee.

## HEALTH



### Prohibiting mercury vaccinations

Immunizations have drastically cut the rate of diseases like measles, mumps and rubella in the United States. But new controversy has sprung up around vaccines because some contain mercury in a form known as thimerosal — which some say causes autism.

[HF1505](#), sponsored by [Rep. Laura Brod](#) (R-New Prague), would prohibit the use of vaccines containing mercury or mercury compounds. Only a vaccine with the least amount of mercury may be administered if a mercury-free vaccine or vaccine containing a trace amount of mercury is not available.

The House Health Policy and Finance Committee did not approve the bill March 24. A companion bill ([SF639](#)), sponsored by [Sen. Becky Lourey](#) (DFL-Kerrick), was tabled March 29 by the Senate Health and Family Security Committee.

"My legislation is a reasonable approach to getting mercury out of vaccines as much as possible," said Brod. "Let's err on the side

of caution while the scientists continue their important debate."

But that debate is far from over. While proponents of the bill contend thimerosal poses a health risk to children as evidenced by an increase in autism, opponents say there is no study clearly showing that thimerosal causes autism.

[Rep. Barb Goodwin](#) (DFL-Columbia Heights) said the state should move in the direction of the bill. "Why are we protecting that product when there's risk?"

Kris Ehresmann, Department of Health director of the [immunizations, tuberculosis and international health unit](#), said most vaccines for children are already moving toward eliminating as much mercury as possible. It is flu vaccines — which is even more important during the watch on bird flu — that contain mercury. She added that the July 2007 implementation date was too soon for the state to be ready.

Mary Ho, a public health nurse in Rice County, said the bill "would act as an effective barrier to vaccines." Physicians and doctors should determine a patient's treatment, Ho said.

## HIGHER EDUCATION



### Permission granted

A bill granting permission to construct a new building at Minnesota State University, Mankato was approved 132-0 by the House March 27.

[HF2892](#) allows the university to "raise \$24 million to build a 95,000-square foot building and give that to the state. They will also raise \$8 million to provide facility operations and maintenance endowment," said [Rep. John Dorn](#) (DFL-Mankato), the bill's sponsor. Additional monies would be used for faculty costs and scholarships, he said.

The bill specifies non-state monies are to be used to design, construct, furnish and equip an academic building on the campus.

Basically the role of the Legislature is to consent to the agreement to allow \$57 million in private dollars to be used by the Minnesota State Colleges and Universities system to build the addition for the College of Business, said Dorn.

The college is running out of room for classrooms and space with the growth of programs, University President Richard Davenport told a House committee.

The bill now goes to the Senate where [Sen. John Hottinger](#) (DFL-St. Peter) is the sponsor.

### Openness in U of M hiring

Under state law, the process of selecting a president for the University of Minnesota from a slate of finalists is not classified as private, and a bill ([HF3136](#)) sponsored by [Rep. Ron Abrams](#) (R-Minnetonka) would be change that.

Abrams said that while he is “an open meeting sort of guy,” he is convinced that an exception needs to be made in the case of hiring a university president.

Frank Berman, a member of the [Board of Regents](#), told the House Civil Law and Elections Committee March 27 that the open meeting law and the data practices act require that the finalist process of choosing a university president be public, including interviews and deliberations.

The committee approved the bill and referred it to the House Higher Education Finance Committee.

“The open meeting law literally destroys the ability to find the best person for this critical position,” Berman said, adding that in 2003, before President Robert Bruininks was hired, a search firm said that the open process would preclude many qualified people from applying. “Worse than the application process that thoroughly prevents the most qualified applicants from applying, is that the deliberations of the board must be done in public. No one of any stature would subject themselves to such a public spectacle,” Berman said.

[Rep. Chris DeLaForest](#) (R-Andover) said that openness allows for the news media and others to be involved in the process, and surfacing information that may not otherwise be made available. “Isn’t there something to be gained by having this process open?” he asked.

Mark Anfinson, attorney for the Minnesota Newspaper Association, said the initial slate of candidates is not public, only the finalists are public. “At that point the balance has historically tipped for some public scrutiny.”

He added that the internal scrutiny cannot always be trusted to flush out the details of a candidate. He referenced the search to fill the superintendent position with the St. Paul School District where pertinent information about a finalist was “completely missed by the search firm,” but found by a newspaper.

“If this bill is adopted, what is to stop every other governmental unit in the state from coming forward and asking for the same thing?” he said.

A companion bill ([SF2678](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action by the Senate Judiciary Committee.

### Gopher football stadium

Benefits of selling one area available for public recreation could be reaped by another form of public recreation.

Approved as amended March 29 by the House Capital Investment Committee and referred to the House Ways and Means Committee, [HF263](#), sponsored by [Rep. Ron Abrams](#) (R-Minnetonka), would, in the words of its sponsor, “bring football back to the campus of the University of Minnesota.”

The bill calls for the state to pay \$9.4 million annually for 25 years for 2,840 acres of University of Minnesota land near Rosemount, land which Abrams called “some of the most pristine park and natural resources land in the Twin Cities metropolitan area.” Upon conclusion of the payments, the university would sell the land to the [Department of Natural Resources](#) for \$1. The proposal adds \$2 million to the initial state offer of \$7.4 million per year.

“If the university were to continue to manage this parcel, we certainly would preserve the natural habitat, particularly in the environmentally sensitive areas, but probably not an area this large,” said University of Minnesota President Robert Bruininks. “This agreement absolutely guarantees an undeveloped natural area for the public in perpetuity.”

The money would be used by the university to help pay down its long-term debt on money borrowed to build a 50,000-seat football

stadium on its Minneapolis campus. The Gophers moved into the Metrodome in 1982 after spending decades playing at Memorial Stadium on campus.

Before any state money goes toward the stadium, the university must prove it has received \$124 million in non-state sources for its share of the project, including student fees. The new agreement calls for the prospective student share, beginning with entering students in 2007, to decrease from \$50 to \$25 per semester.

“I want a stadium, but I don’t want more placed on the backs of students,” said Rep. Tim Mahoney (DFL-St. Paul). He unsuccessfully offered an amendment to eliminate any student fee increase for the stadium.

In addition to Bruininks, others speaking in support of the bill were football coach Glen Mason and Athletics Director Joel Maturi. Also present were at least two members of the Board of Regents.

This led [Rep. Alice Hausman](#) (DFL-St. Paul) and [Rep. Phyllis Kahn](#) (DFL-Mpls) to wonder if this is the university’s top priority this year. They and [Rep. Jim Knoblach](#) (R-St. Cloud) were the only no votes.

Abrams said that in his meetings with university personnel, other things rank higher, especially its bonding request and its biomedical initiative.

A companion bill ([SF237](#)), sponsored by [Sen. Geoff Michel](#) (R-Edina), awaits action by the Senate Finance Committee.



PHOTO BY TOM OLMSCHIED

Seated behind the University of Minnesota’s 1941 national championship football, current football coach Glen Mason, left, reacts when asked by House Capital Investment Committee Chair Dan Dorman when one of his teams will win another championship. Mason fired back, jokingly, “When will you build me a stadium?” Mason and Athletics Director Joel Maturi, right, were among university supporters testifying March 29 before the committee for a new on-campus football stadium.



## Drinking, drug use parent notification

As a tool to help colleges deal with underage drinking and illegal drug use, parents could be notified if their student is involved in these behaviors, under [HF3848](#), sponsored by [Rep. Paul Marquart](#) (DFL-Dilworth).

Currently, the Minnesota Data Practices Act allows institutions to disclose emergency health and safety information. It is unclear, however, whether the law allows for disclosure of an alcohol- or drug-related incident if it is only a violation of school policy or even state law. Marquart's bill would clear up the ambiguity by linking the state law with the federal law that allows for this type of disclosure.

The bill was approved by the House Civil Law and Elections Committee March 27, and referred to the House Higher Education Finance Committee.

[Rep. Chris DeLaForest](#) (R-Andover) said he understood the importance of reporting serious incidents, but wanted to know if parents could also be receiving a letter stating, "Hey, we found a six-pack in Junior's dorm room."

"What I'm hearing from school officials is this is not to catch the person who has the six-pack in their dorm. It is to try to deal with the DUIs and to try to deal with underage drinking when there is a citation ... to just let parents know," Marquart said.

He added that under federal law, if the student is under age 21 and the institution determines the student has committed a disciplinary violation with respect to such use or possession, the incident could be reported.

A companion bill ([SF3589](#)), sponsored by [Sen. Keith Langseth](#) (DFL-Glyndon), awaits action by the Senate Education Committee.

## Defining residency

Military personnel and certain family members could have new exemptions to help them qualify for state financial aid programs when a residency issue could be a factor.

[HF2817](#), sponsored by [Rep. Randy Demmer](#) (R-Hayfield), would allow those on active military service in Minnesota, including spouses and dependents; those who have relocated to the state from a declared presidential disaster area; and those defined as refugees under federal law, to qualify for state aid even if they have not lived in the state in the prior 12 months.

The House Higher Education Finance Committee held the bill over March 27 for possible inclusion in its omnibus bill. It has no Senate companion.

Under current law, a student must meet one

of four conditions for residency: to have lived in the state the last 12 months; be a dependent of a Minnesota resident; be a student who graduated from a Minnesota high school; or to have resided in the state for at least a year with a General Education Development certificate.

It is estimated the bill would affect about 50 people initially and about 25 per year thereafter, each at a cost of an average of \$2,000 per year.

Demmer said a military service constituent of his who had recently moved to the state received \$2,500 in financial aid, but was asked to pay it back when it was learned that he did not meet the 12-month residency qualification.

## HUMAN SERVICES



### Helping the homeless

Gov. Tim Pawlenty recently provided \$10 million in state grants to help end long-term homelessness. A bill in the House requesting less than \$1 million hopes to aid the same cause.

[HF3513](#), sponsored by [Rep. Michael Nelson](#) (DFL-Brooklyn Center), would appropriate \$650,000 toward implementing a statewide Homeless Management Information System and a capacity building grant for the [Minnesota Housing Finance Agency](#).

The system is a computerized database that allows organizations providing services for the homeless a way to collect client information electronically and easily produce required reports. The additional dollars would make the system more comprehensive by incorporating all emergency shelters, transitional housing and permanent supportive housing providers.

The House Jobs and Economic Opportunity Policy and Finance Committee held the bill over for possible inclusion in its omnibus bill.

[Rep. Andy Westerberg](#) (R-Blaine) and [Rep. Nora Slawik](#) (DFL-Maplewood) wanted to know if the Minnesota Coalition for the Homeless had statistics for the system. Numbers are currently tracked by some services utilized by the homeless but an upgraded system would enable better tracking of statistics, said Michael Dahl, executive director of the coalition. "This provides a common reporting tool. Our services will reach a different level."

Michele Merxbauer, a social worker at Three Rivers Community Action, added that an improved system would allow her to better manage case loads and reallocate resources.

A companion bill ([SF3160](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the Senate Finance Committee.

## IMMIGRATION



### Immigration bill revised

The bill representing Gov. Tim Pawlenty's policy initiatives on immigration enforcement went through a number of changes before being approved by a House committee March 29.

[HF3308](#), sponsored by [Rep. Steve Smith](#) (R-Mound), was approved as amended by the House Public Safety Policy and Finance Committee. It now goes to the House Rules and Legislative Administration Committee.

"Tonight's bill is about the failure of our state and our local governments to do what they can to stop this crime wave by foreign-born criminals and other criminals in our midst," Smith said.

According to Smith, approximately 500 felons in the state prison system and 10,000 in the county system are foreign-born. "We don't know if they're illegal," he said, "but I believe we should." He added that their victims might have been saved if law enforcement officers had asked about their immigration status before they committed their crimes.

In order to shore up bipartisan support for the bill, Smith offered to amend it by removing or modifying several of its provisions. Specifically, he offered to:

- remove an article prohibiting "sanctuary laws" by local governments;
- delete language in the bill that would require a "status check" date on state-issued identification cards of immigrants;
- support a proposal to create an immigration task force that would report to the Legislature;
- change the name of the proposed "Minnesota Illegal Immigration Enforcement Unit" to "Special Crimes Unit";
- narrow sanctions on employers who hire illegal immigrants; and
- propose a compromise on the bill's fake ID provisions.

The committee amended the bill as Smith proposed. It has at least two more committee stops before reaching the House floor.

A companion, [SF3117](#), sponsored by [Sen. Betsy Wergin](#) (R-Princeton), awaits action in the Senate Crime Prevention and Public Safety Committee.

### Health coverage services eliminated

Gov. Tim Pawlenty's report released in December 2005 states that illegal immigrants

cost Minnesota between \$176 million and \$188 million annually. A House bill hopes to stymie those costs — specifically through public assistance health care programs, which cost the state \$17 million in 2005, according to the governor's report.

[HF2877](#), sponsored by [Rep. Tom Emmer](#) (R-Delano), would eliminate the State Children's Health Insurance Program coverage for undocumented mothers.

Currently undocumented mothers, under the state program, are covered for prenatal care, labor, delivery and 60 days of postpartum services. Emmer said these women will still be eligible for coverage during emergency situations.

"Minnesota has become a magnet for these women," said Emmer, who added that undocumented mothers flock to the state because of its generous health care policies.

On March 28, the House Health Policy and Finance Committee held the bill over for possible inclusion in its omnibus bill. There is no Senate companion.

[Rep. Mary Ellen Otremba](#) (DFL-Long Prairie) said that although she is pro-life, she can't support the bill because "we need to respect the child." Emmer said there is no impact on the child's life in the bill. However, Otremba said prenatal care is important to a newborn's vitality and health.

[Rep. Barb Goodwin](#) (DFL-Columbia Heights) agreed with Otremba and said it was ironic that Emmer would support the bill because of his pro-life stance.

Still, proponents of the bill said Minnesotans are picking up the high cost of these undocumented immigrants. [Rep. Duke Powell](#) (R-Burnsville) said he frequently listens to his constituents say undocumented mothers abuse the service.

[Rep. Thomas Huntley](#) (DFL-Duluth) said the costs would be higher for the state once a child is born and has complications because it will be considered a Minnesotan and U.S. citizen.

## LAW



### When Fido gets loose

If Fido is unlicensed, is wearing no identification tags, gets loose and is picked up by animal control, the dog's description is currently posted around town in at least three locations.

"So presumably three telephone poles have to have signs saying, 'Found: Dog matching description XYZ,'" [Rep. Doug Meslow](#) (R-White Bear Lake) said. That posting hasn't been effective in finding owners, and it would

no longer be required under [HF3691](#), which he is sponsoring.

If the owner of a dog can be identified, they would be called. If after five days the owner does not claim the dog, it could be disposed of in a "proper and humane manner," including adoption.

The bill was approved March 27 by the House Civil Law and Elections Committee and sent to the House floor.

A companion bill ([SF2374](#)), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), awaits action by the full Senate.

## LOCAL GOVERNMENT



### Putting flags at half-staff

A bill that would authorize local governments to fly the flag at half-staff in remembrance of prominent local officials was tabled by a House committee March 28.

[HF3990](#), sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids), would have allowed counties and municipalities to order the U.S. and Minnesota flags flown at half-staff following the death of "a current or retired municipal official, employee, or public safety officer."

Severson said he was contacted by a city council member in his district who wanted to know why they couldn't put the flags at half-staff for a recently deceased city fire chief. Currently, only the president and governor are authorized to order flags to be flown at half-staff.

"Proper etiquette would say that they would have to contact the governor and get his permission in order to fly that flag at half-mast," Severson said. "This bill takes a little bit of that etiquette, reads into it and says that the local municipality can do it, and it is not a violation of law."

Although members of the House Governmental Operations and Veterans Affairs Committee generally supported the spirit of the bill, a host of logistical problems arose during the discussion.

[Rep. Phyllis Kahn](#) (DFL-Mpls) worried that flying the flag at half-staff too often would take away the meaning of the gesture. "Once you've put this long list of everybody they can do it for, how do you say 'no' to anybody?"

[Rep. Michael Beard](#) (R-Shakopee) said he explored these issues once before, when the first Minnesota soldier killed in Iraq turned out to be from his district.

According to Beard, an individual in the governor's office is responsible for determining when it is appropriate to lower flags to half-staff. He recommended that Severson and the committee members consult that person before moving forward on any legislation.

After hearing some of the points, Severson said he wanted more time to work on the bill and possibly re-introduce it next year.

A companion bill ([SF3656](#)), sponsored by [Sen. Michelle Fischbach](#) (R-Paynesville), awaits action by the Senate State and Local Government Operations Committee.

### Park fees for Minneapolis

Minneapolis would be authorized to impose a park dedication fee of up to \$3,000 on all new housing units within city limits, under a bill sponsored by [Rep. Frank Hornstein](#) (DFL-Mpls).

[HF3095](#) would give the Minneapolis City Council and the Minneapolis Park and Recreation Board joint powers to impose the fee. The House Local Government Committee approved the bill March 29. It now goes to the House floor.

Hornstein said the fee was necessary to help expand and improve Minneapolis' parks system at a time when it suffers from funding problems.

"The biggest challenge faced by Minneapolis parks today is reduced funding coupled with the increased use of an aging system," said Park Board Commissioner Carol Kummer.

Kummer said a number of areas in downtown, Uptown and along the light rail line were in need of new parks that would be partially funded by the fee. She added that other cities are already able to impose a similar fee on housing development subdivisions.

[Rep. Mary Liz Holberg](#) (R-Lakeville) objected to a provision in the bill that would allow any dedication fee ordinance to exclude senior and affordable housing from having to pay the fee.

"Why are you going to pick winners and losers with your new housing?" Holberg said.

Hornstein answered that he felt some areas in Minneapolis suffered a lack of affordable housing.

"We didn't want to make a real problem — a real crisis, actually, in certain neighborhoods — even worse by requiring that these affordable units be treated the same as some very upscale housing," he said.

A companion bill ([SF2660](#)), sponsored by [Sen. Linda Higgins](#) (DFL-Mpls), awaits action by the full Senate.

### Dressing up strip clubs

Anyone wanting to open an adults-only live entertainment business would have to notify city officials before doing so, under a bill approved March 27 by the House Local Government Committee.

[HF3779](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), would require those who wish to open a business providing “live performances of sexually oriented entertainment” to give 60 days notice to local officials of the business’ intended start date. The bill now goes to the House floor.

“We’re looking at trying to curtail the establishment of live adult entertainment enterprises, particularly in rural Minnesota,” Urdahl said.

According to Urdahl, owners of such businesses often mislead local governments about the type of business they intend to establish, thereby preventing cities from making “statutory changes” that would prevent such businesses from entering their communities.

As an example, he cited a case in Eden Valley in which city council members say they were led to believe that what is now a “gentleman’s club” was going to be a textile plant.

Although committee members expressed support for the bill, some also expressed concern that the law would be challenged in court on the basis of First Amendment rights.

“You can’t deny, under the federal Constitution, the ability for these facilities to come into a community,” said [Rep. Ann Lenczewski](#) (DFL-Bloomington).

A former Bloomington City Council member, Lenczewski says her city fought the opening of a topless car wash. While the city found it could discourage such businesses through some creative zoning, it could not unilaterally ban all sex-related businesses from opening within city limits.

“I don’t know if you’ll get where you want to go, but I think we should try,” Lenczewski said.

A companion bill ([SF3394](#)), sponsored by [Sen. Steve Dille](#) (R-Dassel), was recommended to pass by the Senate State and Local Government Operations Committee March 27.

## ★ RECREATION

### Boathouse replacement

Scenic lake but unsightly boathouse?

There’s good news for public lake enthusiasts bothered by the sight of deteriorating boathouses: owners may be able to restore them to better-than-new condition or completely replace them under guidelines set forth by [HF2994](#), passed 129-3 by the House March 23.

[Rep. David Dill](#) (DFL-Crane Lake), the bill’s sponsor, said that since the 1979 public

lake moratorium on boathouse construction, owners of boathouses built prior to that year have been allowed to maintain only 50 percent of the structure in any given year.

While the bill does not allow owners to increase the area of their boathouse, they could extend the height by 1 foot to accommodate taller boats. They could also replace the foundational structure as long as they use only materials nontoxic to aquatic life below the high water mark. The bill also allows existing boathouses to be consolidated or moved off the water onto the owner’s property.

Boathouse owners would apply to the [Department of Natural Resources](#) for a permit to renovate, which would also require the approval of the local governmental unit and proof that the boathouse existed prior to 1997.

The bill now goes to the Senate, where [Sen. Thomas Bakk](#) (DFL-Cook) is the sponsor.

### Olympics in Minnesota?

Minnesota might be taking the first step toward hosting the Olympics, if a bill sponsored by [Rep. Melissa Hortman](#) (DFL-Brooklyn Park) becomes law.

[HF3643](#) would create a 17-member task force — including four legislators and 13 members to be appointed by the governor — to investigate whether it is in the state’s best interest to make a bid for the 2020 Summer Olympics.

The House Governmental Operations and Veterans Affairs Committee approved the bill March 28 and referred it to the House Jobs and Economic Opportunity Policy and Finance Committee.

“This is actually a precursor step to making a bid,” Hortman said. “What most cities do is they put together a committee and they make a bid. This is a task force to say, ‘Hey, is it worth it? Should we spend the time and energy putting together a bid?’ ”

According to Hortman, Atlanta received \$4 billion of economic activity when it hosted the 1996 games, and Sydney, Australia received \$7 billion in 2000. She said hosting the Olympics would send a message that Minnesota can compete “with any region, anywhere, on any playing field, whether it be economic or athletic,” as well as send a positive message to kids about the importance of physical fitness.

She added that Gov. Tim Pawlenty supports the bill.

[Rep. Phyllis Kahn](#) (DFL-Mpls), who supports the bill, said that Minnesota would’ve hosted the 1996 games if Atlanta

hadn’t cheated in the bid process.

“We were second, and they were first, and there was the investigation of the scandals of what Olympic committees had done to get the site. Atlanta was one of the places that was cited,” she said.

A companion bill ([SF3562](#)), sponsored by [Sen. David Tomassoni](#) (DFL-Chisholm), awaits action by the Senate Rules and Administration Committee.

## ★ SAFETY

### Bomb squad reimbursement

Minnesota has four departments that provide bomb squad service to the entire state. However, their current-year funding has been expended.

[HF3572](#), sponsored by [House Minority Leader Matt Entenza](#) (DFL-St. Paul), would provide \$52,000 in fiscal year 2007 to fund bomb squads that provide out-of-area service. Heard March 28 by the House Public Safety Policy and Finance Committee, the bill was held over for possible inclusion in the committee’s omnibus bill.

“We’ve had about a 250 percent increase in the number of calls just over the last two years,” Entenza said.

The Bloomington, Minneapolis and

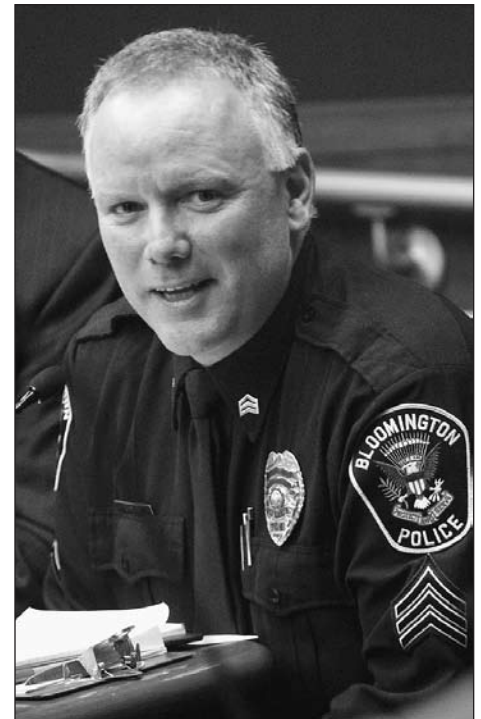


PHOTO BY ANDREW VONBANK

**Bloomington Police Sgt. Marty Earley, the city’s former bomb squad commander, testifies March 28 before the House Public Safety Policy and Finance Committee in support of a bill that would reimburse local bomb squads for out-of-area service.**



St. Paul police departments would each receive \$15,000, and a joint effort between the Brainerd Police Department and Crow Wing County Sheriff's Office would receive \$7,500, based upon the history of responses.

"Each team will go anywhere in the state. All four teams are trained identically," said Sgt. Marty Earley of the Bloomington Police Department, who spent 13 years as commander of the bomb squad.

Starting about 10 years ago, \$50,000 was set aside annually to help reimburse departments that respond to incidents outside city boundaries.

Bloomington Police Chief John Laux says the issue is one of fairness to local taxpayers. "We'll do it, but we should be able to get reimbursed when we go elsewhere."

Before cities received any state reimbursement, Earley said sometimes a city would call for assistance, but when they were told that it would cost \$150 per hour, "they said they'll get back to us."

"A couple hours later we'd make the call back to them and ask what happened. The answers we got were disturbing," he said. The way the cities took care of a potential bomb included dumping it in a river, putting it in a dump, shooting it with a high-powered rifle or having the chief open it up. "Luckily nobody got hurt doing that," Earley said.

A companion bill ([SF3341](#)), sponsored by [Sen. Richard Cohen](#) (DFL-St. Paul), was laid over by the Public Safety Budget Division of the Senate Finance Committee March 29 for possible inclusion in an omnibus bill.

### Firefighter headsets allowed

The House passed a bill 133-0 March 23 that would create an exception in current law for firefighters operating emergency vehicles to wear headsets.

"I didn't know that people driving emergency vehicles who are wearing headsets so they can communicate by radio with each other are breaking the law," said [Rep. Fran Bradley](#) (R-Rochester), sponsor of [HF2697](#).

The use of headsets also helps prevent hearing loss and allows others in the emergency vehicle to warn the driver of oncoming traffic, Edina Fire Chief Marty Scheerer told a House committee.

Current law states, "No person, while operating a motor vehicle, shall wear headphones or earphones which are used in both ears simultaneously for purposes of receiving or listening to broadcasts or reproductions from radios, tape decks, or other sound-producing or transmitting devices."

The bill now goes to the Senate, where [Sen. David Senjem](#) (R-Rochester) is the sponsor.

## ★ TECHNOLOGY

### Biotechnology zone creations

A bill that would give the Employment and Economic Development commissioner authority to create one or more biotechnology and health sciences industry zones was approved March 27 by the House Technology, Bioscience and Medical Products Division of the House Commerce and Financial Institutions Committee and referred to the full committee.

[HF3561](#) is sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids). He said the bill is necessary to help attract applied research companies to areas such as St. Cloud, where universities are available to support projects that would take bioscience patents to the production phase.

The deadline for applying for inclusion into the state's current bioscience zone was Oct. 15, 2003. The current zone includes three 500-acre sites (Minneapolis, St. Paul and Rochester) and provides opportunities for possible tax incentives to qualifying businesses within the zone.

Discussion of the bill included questions regarding the effectiveness of the original bioscience zone, the wisdom of adding a zone at some distance to the existing zones, and whether the state's JOBZ program might successfully attract bioscience businesses. According to a Department of Employment and Economic Development [report](#), JOBZ attracted 217 businesses to Greater Minnesota during 2004-2005.

[Rep. Diane Loeffler](#) (DFL-Mpls) suggested the committee consider developing a comprehensive marketing plan for the bioscience zones and JOBZ.

Gene Goddard, bioscience industry specialist for the department, said that while there is currently no funding for the tax incentives, a number of communities have expressed an interest in being included in a designated zone so they can use that status in promoting themselves as possible bioscience industry sites.

A companion bill ([SF3260](#)), sponsored by [Sen. Tarryl Clark](#) (DFL-St. Cloud), awaits action by the full Senate.

## ★ TRANSPORTATION

### Vehicle tax credit

Businesses and individuals could qualify for an income tax credit if they switch to using at least one alternative fuel vehicle, under two bills approved by the House Transportation Finance Committee March 28.

"If we're serious about using these alternative

fuels I think we need to put some incentives in there to get the people to go out there and buy the vehicles that are going to do that," said [Rep. Peter Nelson](#) (R-Lindstrom), who sponsors [HF3562](#) and [HF3563](#). Both bills now go to the House Taxes Committee. [Sen. Sean Nienow](#) (R-Cambridge) sponsors a pair of companion bills, [SF3030](#) and [SF3031](#). They both await action by the Senate Taxes Committee.

HF3562 creates credits for those who conduct a trade or business and includes up to 50 percent credit for the costs of converting a vehicle to an alternative fuel source. The credit can not exceed \$500 for a vehicle weighing less than 10,000 pounds and \$1,000 for a vehicle weighing at least 10,000 pounds. If the credit amount exceeds liability tax limitations, the excess credit can carryover to the next taxable year, under the bill.

HF3563 would create tax credits from federal taxable income. Vehicles that weigh less than 10,000 pounds would qualify for a \$2,000 credit, and those weighing at least that would qualify for a \$5,000 credit.

[Rep. Ron Abrams](#) (R-Minnetonka) said he would be more convinced of the proposals if there were more specific standards, "so that you're not rewarding sport utility vehicles that basically have a dual fuel type."

According to the nonpartisan House Research Department, an alternative fuel vehicle is defined as, "one that can run on non-gasoline fuels (such as natural gas, liquefied petroleum gas, and methanol) or a mixture containing at least 85 percent non-gasoline fuel."

### Electric vehicle usage

Drivers might start seeing electric vehicles on roads with a maximum speed of 35 mph, under a bill approved by the House Transportation Committee March 28.

[HF1838](#), sponsored by [Rep. Greg Blaine](#) (R-Little Falls), would define "neighborhood electric vehicle" and set restrictions and requirements for its operation.

Under the bill, such a vehicle is defined as "electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved surface."

The cars are restricted from going on roads with speed limits of more than 35 mph, "except to make a direct crossing" of a street or highway with a higher speed limit, under the bill.

"They're just little cars that go on slow streets," said [Rep. Al Juhnke](#) (DFL-Willmar), who sponsors a similar bill ([HF2734](#)) that he voluntarily laid over.

The vehicles would be subject to all the same requirements as other cars such as turn signals, license plates, windshields and seat belts, said Juhnke.

The transportation commissioner, a county board a town board, or a governing body of a city could further restrict the electric vehicles.

The bill now goes to the House floor.

A companion bill ([SF1811](#)), sponsored by [Sen. Paul Koering](#) (R-Fort Ripley), was recommended to pass by the Senate Transportation Committee, March 28.

### A police officer remembered

A bill that would designate portions of Interstates 35, 35E and 35W as the Shawn Silvera Memorial Highway was approved by the House Transportation Committee March 28.

[HF3805](#), sponsored by [Rep. Ray Vandever](#) (R-Forest Lake), would require the transportation commissioner, in consultation with the Shawn Silvera Foundation, to adopt a suitable marking design and placement of signs to memorialize the Lino Lakes police officer killed in the line of duty.

"The sign has a greater appeal, a message for a greater good. It has a message to treasure the life we've been given," said Jennifer Silvera, the officer's widow.

The Minnesota Department of Transportation supports designating the highway in memorial to the officer, but the department is concerned about erecting signs along the freeway, said Sue Groth, MnDOT assistant state traffic engineer.

Federal and state standards specifically say memorial signs should not be placed on freeways, but rather at rest areas, scenic overlooks or recreational areas where parking is available. The department is suggesting placing a memorial at the Forest Lake rest area instead, she said.

Vandever said he would work on the placement issue of the memorial as the bill goes to the House Transportation Finance Committee, its next stop.

A Senate companion ([SF3526](#)), sponsored by [Sen. Michele Bachmann](#) (R-Stillwater), awaits action by the Senate Transportation Committee.

### Trash can advertising

Cities with populations of 50,000 or more may be able to place advertisements on trash and recycling receptacles, under a bill heard by the House Transportation Committee March 29.

[HF3265](#), sponsored by [Rep. Keith Ellison](#)

(DFL-Mpls), would allow for such advertising if authorized by permit, license or franchise.

"There's trash on the street, there's already advertising on the street, there's garbage cans on the street, why not let somebody else pay to keep those garbage cans maintained and clean and help keep the street clean and recycle," said Ellison.

The bill was sent to the House Local Government Committee without recommendation with the expectation that Ellison would work on some committee members' concerns.

"It's one thing on a 30 mph road, but we have requirements about signs, spacing and signage. There are safety issues when you begin to clutter up your roadways with so much information," said [Rep. Mary Liz Holberg](#) (R-Lakeville).

Currently, bus shelters and benches are often maintained by private companies who pay for advertising, said Pierre Willette, governmental relations representative for the city of Minneapolis. The city has about 900 containers that they maintain at a cost of \$300,000 a year, he said. The bill would allow the city to save money by allowing advertising.

About 12 cities fall into the category allowed under the bill, said Sue Groth, assistant state traffic engineer from the Department of Transportation. The department would not be in favor of the proposal if containers are on higher speed roads and would cause a safety problem.

"The frequency of these add to the distraction of drivers," said [Rep. Peter Nelson](#) (R-Lindstrom). He questioned how close the containers could be to bus shelters considering they could attract insects such as bees, thereby causing people to have quick reactions that could possibly put them into oncoming traffic.

A companion bill ([SF3007](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the full Senate.

## VETERANS



### Time off for troops' families

Families of military service members would get time off from their jobs to attend send-off and homecoming ceremonies for overseas troop deployments, under a bill sponsored by [Rep. Andy Welti](#) (DFL-Plainview).

[HF2567](#) would require employers to grant an unpaid leave-of-absence for "the actual time necessary" for an employee to attend a send-off or homecoming ceremony for a member of their family who has been mobilized for an active military deployment.

The bill would cover parents, grandparents, children, siblings, grandchildren, spouses,

legal guardians and fiancés or fiancées. The House Governmental Operations and Veterans Affairs Committee approved it March 28. It now goes to the House Commerce and Financial Institutions Committee.

Laurie Olmon, a representative for the National Military Family Association and the spouse of a twice-deployed U.S. National Guard member, said the leaves-of-absence were a "quality-of-life" issue for military service members and their families.

"A deployment is something you can never totally prepare for," Olmon said, adding that it has been both emotionally and logistically difficult for her to do without her husband for extended periods of time.

Teresa Rongitsch, who has three sons serving in the military, and whose son-in-law, Michael, was killed in Iraq in June 2005, said that after losing a family member, any time she can spend with her sons before they're deployed is "ever so important to us."

"In this kind of situation, you get really upset that your employer has a hard time understanding," she said.

Welti said most employers do a "wonderful job" of allowing employees time with their family members in such situations, but some don't see time off as critical to the families.

A companion bill ([SF2688](#)), sponsored by [Sen. Jim Vickerman](#) (DFL-Tracy), has been incorporated in [SF2654](#), also sponsored by Vickerman. It awaits action by the Senate Finance Committee.

### Frequently called numbers

(Area code 651)

#### Information, House

175 State Office Building ..... 296-2146

Toll free ..... 1-800-657-3550

**TTY, House** ..... 296-9896

Toll free ..... 1-800-657-3550

#### Chief Clerk of the House

211 Capitol ..... 296-2314

#### Index, House

211 Capitol ..... 296-6646

#### Sergeant-at-Arms, House

190 State Office Building ..... 296-4860

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

#### Information, Senate

231 Capitol ..... 296-0504

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

**TTY, Senate** ..... 296-0250

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

#### Secretary of the Senate

231 Capitol ..... 296-2344

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

#### Index, Senate

110 Capitol ..... 296-5560

#### Sergeant-at-Arms, Senate

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

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

## A new educational frontier

### U of M Rochester campus may get base funding

By **PATTY JANOVEC**

**A**n extension of the University of Minnesota is on the horizon in Rochester.

There's been much talk, and now a bill that would put money into the plan was discussed March 29 by the House Higher Education Finance Committee.

"I care what happens to our state, what happens to the southeast part of Minnesota ... it really is important also to have the signature programs" that are represented in this expansion of the university, said [Rep. Fran Bradley](#) (R-Rochester), the sponsor of [HF3607](#).

"We really believe this will be an attraction for education," he added.

Held over for possible inclusion in the committee's omnibus bill, the bill appropriates \$5 million in fiscal year 2007 to the Board of Regents to establish a branch campus, "to foster the economic goals of the region and state."

Bradley said an additional \$6.3 million would be spent in fiscal year 2009 for funding faculty and staff; program planning and development in the areas of biomedical technologies; engineering and computer technologies; health care administration and allied health programs, as well as operational costs. The appropriations are also in the governor's bonding proposal.

The bill states, "It is the intent of the legislature that this be achieved in part by developing new and strengthening existing partnerships with higher education institutions in Rochester and the region in which the state already has significant investment."

In a January speech, Gov. Tim Pawlenty said his expectations of a branch campus would be "A world-class institution that leverages the University of Minnesota's research capability in partnership with industry leaders in Rochester, including IBM, the Mayo Clinic and others."

With Minnesota's depth of health sciences,

he said the state would be "foolish" if upper division classes and graduate classes in areas of nanotechnology, biosciences and the health sciences were not offered.

A report by the Rochester Higher Education Development Committee states, "Rochester is unable to compete with other states in fully developing a technology-driven economic base, despite having powerhouse institutions like Mayo and IBM, because it does not have the research university driver."

The Rochester Higher Education Development Committee was established by the Legislature in 2005 to recommend a form of higher education that would best meet the unique opportunities in southeast Minnesota, said Marilyn Stewart, the committee chair. Stewart said the bill before the committee "is not about Rochester, it's about Minnesota. It's about investment in Minnesota's economic development in the global economy."

[Rep. Gene Pelowski, Jr.](#) (DFL-Winona) said the proposal lacks some answers.

"Considering that this is such an important document, why is it that we had to use tax money for this report? Why couldn't Rochester come up with that sum of money and issue the report?"

Pelowski is also concerned that the proposal would benefit Rochester companies, yet they have little, if anything, invested. "There's no requirement in here that any entity that's going to benefit from all of this is going to contribute any of its resources toward it."

Bradley reiterated the plan is a statewide investment. Many people from those institutions were involved in the committee meetings in Rochester in developing the campus concept, he said.

The programs that would be offered at the campus would not be duplicative of programs already offered at other university campuses, Stewart said. The programs would be highly unique, cutting-edge. "There is no intent to look like the University of Minnesota-Duluth."

Programs that would be offered include:

### Bioscience in other states

Examples of bioscience investments in other states, according to the Rochester Higher Education Development Committee:

- California is investing \$100 million in a bioengineering and biotechnology institute, and \$500 million in pension funds toward the California Biotechnology Program.
- Pennsylvania has committed to invest \$2 billion over a 20-year period in the biosciences, including \$100 million for the Life Sciences Greenhouses initiative.
- Michigan, through its Life Sciences Corridor initiative, plans to invest \$1 billion in the biosciences over a 20-year period. However, this investment level may be scaled back due to programmatic modifications and budgetary concerns.
- Georgia has invested more than \$300 million over a 10-year period to build core research facilities and to attract eminent scholars, the majority of whom are in the biosciences. It has also created a \$1 billion Georgia Cancer Coalition.
- Texas appropriated \$800 million for seven new or expanded health science research centers.
- North Carolina has allocated half of the state's tobacco settlement to an endowment that has dispersed many of the funds to applied research projects in the biosciences, including a \$60 million grant for biomanufacturing and pharmaceutical workforce

biomedical informatics, that explores and seeks to understand biological data from complex experiments; computational biology, that involves the implementation of algorithms to understand biological processes; and biomolecular engineering that can involve medical device design, fabrication and testing.

A companion bill ([SF3239](#)), sponsored by [Sen. David Senjem](#) (R-Rochester), was held over by the Senate Education Committee for possible inclusion in its omnibus bill.





## Light rail and corridors

### Bills connect the metro through planned transit

By PATTY JANOVEC

Millions of dollars go into planning the state's mass transit system that includes buses, express buses, and light rail. From preliminary designs to final designs to actual construction, the state funds major portions with help from the federal government.

As the 40-mile Northstar Commuter Rail from Big Lake to Minneapolis moves into its final design stage, completion of the project hinges on the state bonding for \$60 million in order to receive a 50 percent match from the federal government. Final design stages include track improvements, stations and maintenance facilities. The project is included in the governor's and the Senate's bonding proposals.

The funding, "is necessary, absolutely necessary, per federal rules and guidelines for New Starts projects to be passed and approved by the state this year," Bob McFarlin, assistant to the transportation commissioner, told the House Transportation Finance Committee March 21.

Sponsored by [Rep. Kathy Tingelstad](#) (R-Andover), [HF3342](#) would appropriate the \$60 million to construct, furnish and equip the extension of the commuter line as well as fund a small portion of light rail line that would connect the Northstar commuter rail to the Hiawatha light rail line. It awaits action by the committee. The House has yet to complete its bonding recommendations.

A companion bill ([SF2846](#)), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), awaits action by the [Senate Finance Committee](#).

According to a letter from the U.S. Department of Transportation Federal Transit Administration, three conditions must be met by the Minnesota Department of Transportation before the partnership for Northstar can enter into the final design phases:

- compliance with the Americans with Disabilities Act requirements must be demonstrated;
- executed agreements with Burlington Northern Santa Fe Railway Company must be provided covering all commuter line right-of-way access issues; and

- an adequate overall New Starts rating must be demonstrated and cost-effective requirements must be met.

New Starts projects require that 50 percent of the non-federal share of project funding be committed before a project can move to a final design phase.

Brian Sweeney, legislative council for Burlington Northern Santa Fe Railway Company, is concerned about meeting the Americans with Disabilities Act federal requirements.

The way the rails now sit would increase commuter and freight traffic congestion, he said. The stations would need to be redesigned because the platform requirements would interfere with high/wide freight-loads, and cars with lower clearance would not clear the platforms.

"While the letter says that they have to meet those requirements, I'm told it is still under active review," Sweeney told the committee.

Also under consideration is [HF3251](#), sponsored by [Rep. Alice Hausman](#) (DFL-St. Paul). It would appropriate \$12.5 million to acquire land and structures to revitalize the historic St. Paul Union Depot. Plans call for the facility to be used as a transit hub for the proposed Central Corridor project linking downtown Minneapolis and downtown St. Paul. In future years, it could also be used as a hub for connections coming in from the north and south metro. A federal transportation bill has appropriated \$50 million for the depot project, which it says has national and regional significance.

A companion bill ([SF2812](#)), sponsored by

[Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action by the [Senate Finance Committee](#).

According to the Ramsey County Regional Railroad Authority, the depot was completed in 1923, and "served passenger and freight railroad activities for the metro area and the state of Minnesota." The structure once functioned as a passenger terminal and concourse.

The Central Corridor Partnership received \$5.25 million in bonding last year for preliminary engineering costs. railroad authority and the partnership are now requesting that \$50 million from the state to secure a federal match by 2007. The governor's recommendations include \$2.5 million. Under the project timeline, the corridor would be completed by 2011, if all funding is secured.



PHOTO BY TOM OLMSCHEID

**The historic St. Paul Union Depot could see new life as a transit hub from a \$12.5 million state appropriation.**

The Robert Street Corridor Transitway is also under consideration by the committee.

Sponsored by [Rep. Rick Hansen](#) (DFL-South St. Paul), [HF2513](#) would appropriate \$2 million for environmental studies, pre-design and design for a possible 14-mile bus and light rail transit line from the Union Depot to Rosemount.

This expenditure would help determine if it is feasible to include the project in the Metropolitan Council's 2030 Transit System Plan.

A companion bill ([SF2296](#)), sponsored by [Senate President James Metzen](#) (DFL-South St. Paul), awaits action by the [Senate Finance Committee](#).

# When medical devices fail

## Medical implants sometimes face recalls, but who should pay?

By **BAO ONG**

**L**egislators agree that implanted medical devices contribute to quality of life for countless numbers of people. They also agree that manufacturers are only human and make mistakes. But when these devices fail — as has been the case for some products from Minnesota-based companies Medtronic and Guidant — who ends up paying for the costs remains a point of contention.

[Rep. Tony Cornish](#) (R-Good Thunder), sponsor of [HF3422](#), believes manufacturers carry that burden. His bill would “require manufacturers of certain recalled implantable devices to be financially responsible for medical costs associated with removing and replacing the recalled device.”

“You don’t have to convince me these devices are important,” said Cornish. “We’re thinking about when something goes wrong and who pays for it.” Cornish said it should not be the consumer.

The House Health Policy and Finance Committee was divided March 24 on which party should absorb that burden and decided to lay over the bill for more work. A companion bill ([SF3266](#)), sponsored by [Sen. Julie Rosen](#) (R-Fairmont), awaits action by the Senate Health and Family Security Committee.

If the bill passes, manufacturers would pay a patient’s entire medical bill, including the cost of the replacement device; procedures related to removing, replacing and disposing the replacement; any other medical costs associated with the removal and replacement of the device; and up to \$100,000 in health complication costs connected to the recalled device.

Susan M. Peterson only wishes she had that option.

In 1999, Peterson said she had a near death experience in the Rocky Mountains. She was 14,000-feet in the air when her heart became enlarged. She suffered a heart attack and had a surgery resulting in an implanted Medtronic cardioverter and pacemaker.

On Valentine’s Day 2000, Peterson’s husband read in the *Mankato Free Press* that her implanted device was defective. The couple said Medtronic was unresponsive to their questions. Peterson’s physician eventually replaced the device.

But from December 2004 until June 2005, Peterson was being monitored for a possible defect because of a wire in a ventricle of her heart. It was replaced in June 2005 but the defective wire, although turned off, was left inside. She said it is not known how many wires can be left in a human heart and that one out 100 patients die when a wire is removed from the heart.

***“We’re thinking about when something goes wrong and who pays for it.”***

— Rep. Tony Cornish

by the manufacturer of the numerous recalls and Ford paid for the complete costs involved,” said Peterson. She said companies like Medtronic “create wonderful products to improve and protect the quality of life for many people” but that those manufacturers should have the same responsibility.

Dr. Robert Hauser, a senior consulting cardiologist at the Minneapolis Heart Institute, said current law allows manufacturers a “free ride.” The costs from recalled devices are

placed on patients and the health care system, Hauser said. He added that manufacturers were not being asked to pay for “unreasonable costs” and “those infrequent random failures, which inevitably occur with any medical product.”

For Don Gerhardt, president and chief executive officer of Medical Alley/MNBIO, the bill could create a chilling effect on the industry in Minnesota. Gerhardt said the Food and Drug Administration is already working on regulations at the federal level.

It would also affect smaller companies that could not take the financial losses a bigger company can afford, Gerhardt noted. He said

***“When you depend on the device for your life, you depend on the quality.”***

— Dr. Robert Hauser, a senior consulting cardiologist at the Minneapolis Heart Institute

that of the more than 35,000 Minnesotans employed by medical technology companies in Minnesota, the majority are small companies attempting to remain competitive

in an increasingly global marketplace.

Susan Alpert, Medtronic senior vice president and chief quality and regulatory officer, said the bill drastically changes the rewards and risks for smaller manufacturers. Alpert also said there is a clear consensus that the benefits far outweigh the risks.

[Rep. Tom Emmer](#) (R-Delano) sides with Alpert. He asked the testifiers where patients would be without such technology. Hauser said, “When you depend on the device for your life, you depend on the quality.” Emmer was also concerned that lawyers might broadly interpret the law for litigation.

Still, it was not a clear-cut position for all committee members. For [Rep. Fran Bradley](#) (R-Rochester), the lack of support from the medical community caused doubts about the bill, he said.

However, [Rep. Barb Goodwin](#) (DFL-Columbia Heights) said the problem may be best solved by spending money on effective products and addressing defective devices.



## Monday March 27

### HF3918-Abeler (R) Civil Law & Elections

Medical liability actions regulated and certain health care provider conduct inadmissibility provided.

### HF3919-Nornes (R) Environment & Natural Resources

Petroleum tank release cleanup costs provided.

### HF3920-Wilkin (R) Commerce & Financial Institutions

Mutual insurance holding companies regulated and related laws modified.

### HF3921-Erickson (R) Civil Law & Elections

Marriage recognized only as legal union between one man and one woman, identical or similar legal status creation and recognition limited and constitutional amendment proposed.

### HF3922-Eastlund (R) Civil Law & Elections

Marriage between one man and one woman only recognized as a valid domestic legal union and constitutional amendment proposed.

### HF3923-Dorman (R) Agriculture & Rural Development

Ethanol producer payment open appropriation restored and money appropriated.

### HF3924-Nornes (R) Higher Education Finance

Higher Education Office programs and appropriations modified and money appropriated.

### HF3925-Olson (R) Governmental Operations & Veterans Affairs

Municipal boundary adjustment provisions modified, task force established and money appropriated.

### HF3926-Beard (R) Regulated Industries

State conservation objectives provided, investments by utilities regulated, conservation consideration required in regulatory proceedings and rate decoupling study initiated.

### HF3927-Smith (R) Public Safety Policy & Finance

Juvenile controlled substance offender driver's license suspension or revocation provided and drug paraphernalia possession crime modified.

### HF3928-Smith (R) Public Safety Policy & Finance

Substance abuse treatment recommendations by legislative auditor implemented.

### HF3929-Smith (R) Public Safety Policy & Finance

Mental health program report by Department of Corrections to Legislature required.

### HF3930-Smith (R) Public Safety Policy & Finance

Juvenile detention and correctional facility umbrella rule compliance exemption provided and umbrella rule amendment required.

### HF3931-Smith (R) Public Safety Policy & Finance

Municipal and county court obsolete references and provisions removed.

### HF3932-Magnus (R) Regulated Industries

Soy-based transformer fluid usage tax refunds for electric utilities provided.

### HF3933-Westrom (R) Health Policy & Finance

Hospital construction and modification moratorium and public interest review requirements for hospitals eliminated.

### HF3934-Ruud (DFL) Transportation

Driver education, license examination requirements and driver's manual information modified.

### HF3935-Blaine (R) Commerce & Financial Institutions

Industrialized-modular building contractors and salespeople licensure required.

### HF3936-Simpson (R) Health Policy & Finance

Campground backflow prevention established.

### HF3937-Demmer (R) Environment & Natural Resources

Animal location through artificial lights and lighting device restrictions modified.

### HF3938-Howes (R) Public Safety Policy & Finance

Fireworks sale and use authorized and licenses provided.

### HF3939-Johnson, J. (R) Civil Law & Elections

State fund usage for abortion services restricted and constitutional amendment proposed.

### HF3940-Hoppe (R) Regulated Industries

Farm winery production of certain fortified wines authorized.

### HF3941-Nelson, M. (DFL) Public Safety Policy & Finance

911 emergency telecommunications service fee increased, statewide public safety radio communication system completion provided, bonds issued and money appropriated.

### HF3942-Urdahl (R) Education Finance

Independent School District No. 463, Eden Valley-Watkins, fund transfer authorized.

### HF3943-Peterson, S. (DFL) Education Policy & Reform

Child-relevant American Sign Language usage for second-language skills pilot program established and money appropriated.

### HF3944-Slawik (DFL) Jobs & Economic Opportunity Policy & Finance

Child care assistance parent fees modified.

### HF3945-Thissen (DFL) Regulated Industries

Renewable energy production incentive receipt eligibility extended.

### HF3946-Westrom (R) Environment & Natural Resources

Stevens County; tax-forfeited land private sale authorized.

### HF3947-Cornish (R) Agriculture & Rural Development

Rural Policy and Development Center biennial legislative report required.

### HF3948-Emmer (R) Civil Law & Elections

Municipality exemption for county plan submission provided, tribal identification requirements implemented and voter oath established.

### HF3949-Thissen (DFL) Health Policy & Finance

Medicare Part D individual limited Medical Assistance coverage provided.

### HF3950-Lesch (DFL) Civil Law & Elections

Structured settlement transfers regulated.

### HF3951-DeLaForest (R) Transportation

Transportation contracts regulated and indemnification provisions prohibited.

### HF3952-Newman (R) Education Finance

School district building projects for districts serving fewer than 500 pupils one-year moratorium imposed.

### HF3953-Demmer (R) Environment & Natural Resources

Feedlot environmental review exemption modified.

### HF3954-Hilstrom (DFL) Public Safety Policy & Finance

Security responsibilities for the Capitol Security Division of Public Safety Department clarified.

### HF3955-Solberg (DFL) Local Government

Lakeview Cemetery Association created and tax levy authorized.

### HF3956-Kelliher (DFL) Rules & Legislative Administration

Congress memorialized by resolution to repeal the No Child Left Behind requirements in the schools.

### HF3957-Erhardt (R) Taxes

Single sales apportionment adoption relating to corporate franchise taxation accelerated.

### HF3958-Erhardt (R) Taxes

Alternative minimum income tax exemption amounts and phase-out thresholds for inflation adjusted.

### HF3959-Erhardt (R) Taxes

Sales and excise tax June accelerated payments reduced.

### HF3960-Simpson (R) Taxes

Application of 4d property tax classification extended.

### HF3961-Fritz (DFL) Taxes

Nursing home resident tax credit provided, foreign operating corporation income tax treatment modified and money appropriated.

### HF3962-Mullery (DFL) Taxes

Property tax refund payment when claimant dies provided.

### HF3963-Ruud (DFL) Commerce & Financial Institutions

Data warehouse personal information disclosure regulated, notice content requirements provided and financial institution and health care entity exemption removed.

### HF3964-Abeler (R) Jobs & Economic Opportunity Policy & Finance

Community action grant money appropriated.

### HF3965-Dill (DFL) Taxes

Ely sales and use tax authorized.

### HF3966-Sieben (DFL) Health Policy & Finance

Health risk limit development for perfluorooctanoic acid and perfluorooctane sulfonate required.

### HF3967-Thissen (DFL) Transportation

Metropolitan Council regular route transit requirements expanded.



**HF3968-Solberg (DFL)****Local Government**

Itasca County; revolving loan fund establishment to upgrade failing septic systems authorized.

**HF3969-Loeffler (DFL)****Commerce & Financial Institutions**

Mortgage originator individual employee licensing plan development by Department of Commerce required and money appropriated.

**HF3970-Thissen (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Mental health training annual provision by foster care providers required.

**HF3971-Thissen (DFL)****Governmental Operations & Veterans Affairs**

Open data format usage by state agencies required.

**HF3972-Hilty (DFL)****Taxes**

Pine County Judicial Center construction materials and equipment tax exemption provided.

**HF3973-Peterson, A. (DFL)****Regulated Industries**

Energy cost display on utility bills required.

**HF3974-Kahn (DFL)****Governmental Operations & Veterans Affairs**

State flag design study task force created.

**HF3975-Urdahl (R)****Higher Education Finance**

University of Minnesota supplemental funding provided and money appropriated.

**HF3976-Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Work participation rate enhancement program established.

**HF3977-Eken (DFL)****Environment & Natural Resources**

Prohibition on usage of lights and lighting devices to take fish modified.

**HF3978-Vandever (R)****Commerce & Financial Institutions**

Building contractors regulated and homeowner warranty protection strengthened.

**HF3979-Huntley (DFL)****Health Policy & Finance**

Prescription drug discount program created, single adult benefit set expanded, eligibility income limit and inpatient hospitalization benefit increased, farmer income definition modified and small employer option established.

**HF3980-Lieder (DFL)**

**Environment & Natural Resources**  
Marshall County; tax-forfeited lands bordering public water private sale and conveyance authorized.

**HF3981-Sieben (DFL)****Health Policy & Finance**

Lead-containing jewelry sale prohibited and information provision detailing dangers of jewelry containing lead required.

**HF3982-Paulsen (R)****Governmental Operations & Veterans Affairs**

Open source software usage by state agencies for creation of public documents required.

**HF3983-Newman (R)****Agriculture, Environment & Natural Resources Finance**

Cedar Mills wastewater treatment system money appropriated.

**HF3984-Thissen (DFL)****Civil Law & Elections**

Workers' compensation system coverage of personal injury caused by gross negligence of an employer prohibited.

**HF3985-Thissen (DFL)****Civil Law & Elections**

Disability schedule treatment of thoracic, rib, chest and crush injuries the same as a broken spine required.

**HF3986-Thissen (DFL)****Civil Law & Elections**

Employer specification of certain certified managed care plan usage for employees authorized if employee's injury occurs on or after the date of employer plan implementation.

**HF3987-Johnson, J. (R)****Public Safety Policy & Finance**

Public safety appropriations modified; various state agencies, programs and activities money transfers provided; certain programs established, regulated and modified; and money appropriated.

**HF3988-Dean (R)****Health Policy & Finance**

Women's Right to Know Act provision modified.

**HF3989-Severson (R)****Health Policy & Finance**

Nursing facility operating payment rates modified.

**HF3990-Severson (R)****Governmental Operations & Veterans Affairs**

Political subdivisions flying American flag at half-staff on certain occasions permitted.

**HF3991-Dempsey (R)****Transportation**

Mississippi River Parkway Commission extended to 2016.

**HF3992-Thissen (DFL)****Education Policy & Reform**

State payment of facility costs of certain community partnership programs grant program created and money appropriated.

**HF3993-Sertich (DFL)****Jobs & Economic****Opportunity Policy & Finance**

Child care training requirements modified.

**HF3994-Nornes (R)****Taxes**

Independent School District No. 544, Fergus Falls, local sales and use tax and motor vehicle excise tax imposition authorized.

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**Tuesday March 28**

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**HF3995-Anderson, B. (R)****Ways & Means**

Claims against the state settled and money appropriated.

**HF3996-Emmer (R)****Public Safety Policy & Finance**

License reinstatement fee and surcharge imposed for certain driving offenses, state patrol funding provided and money appropriated.

**HF3997-Klinzing (R)****Health Policy & Finance**

Booster car seats for children public awareness campaign required.

**HF3998-Abeler (R)****Health Policy & Finance**

Nursing home payment rates modified.

**HF3999-Erhardt (R)****Transportation**

County state-aid highway fund distribution formula adjusted, automobile registration taxes modified, motor fuel taxes increased, metropolitan transit tax imposed, bonds issued and money appropriated.

**HF4000-Erhardt (R)****Transportation**

County state-aid highway fund distribution formula adjusted, automobile registration tax modified, motor fuel taxes increased, metropolitan transit tax imposed, bonds issued and money appropriated.

**HF4001-Demmer (R)****Education Policy & Reform**

Independent School District No. 535, Rochester, property tax certification date extended.

**HF4002-Vandever (R)****Taxes**

City and county levies limited.

**HF4003-Anderson, B. (R)****Education Policy & Reform**

Teacher licensing alternative provided.

**HF4004-Lanning (R)****Public Safety Policy & Finance**

West Central Chemical Dependency Treatment and Correctional Center pre-design funding provided and money appropriated.

**HF4005-Greiling (DFL)****Taxes**

Elderly income tax subtraction increased.

**HF4006-Sertich (DFL)****Health Policy & Finance**

Consumer Assurance of Radiologic Excellence Act adopted providing public access to quality medical imaging and radiation therapy procedures.

**HF4007-Sertich (DFL)****Local Government**

Hibbing Area Redevelopment Agency dissolved, assets transferred to economic development authority and debts and obligations assumed.

**HF4008-Cox (R)****Education Finance**

Independent School Districts Nos. 721, New Prague; 394, Montgomery-Lonsdale; and 659, Northfield; required to contract with Holy Cross School to provide transportation for Holy Cross students.

**HF4009-Ellison (DFL)****Commerce & Financial Institutions**

Sale of toys, games, jewelry and apparel containing lead prohibited.

**HF4010-Peterson, A. (DFL)****Education Policy & Reform**

School closings required during official storm warnings.

**HF4011-Hilstrom (DFL)****Education Policy & Reform**

Integration revenue formula modified.

**HF4012-Lenczewski (DFL)****Education Policy & Reform**

Educational mission and competitive extracurricular programs interrelationship advisory task force established.

**HF4013-Lenczewski (DFL)****Taxes**

Working family income tax credit increased.

**HF4014-Thissen (DFL)****Education Policy & Reform**

Influenza immunizations required for children in child care facilities.

**HF4015-Otremba (DFL)****Civil Law & Elections**

Certificate of name change after marriage dissolution provided.

**HF4016-Eken (DFL)****Environment & Natural Resources**

Emergency crop protection assistance conditions modified.

**HF4017-Finstad (R)****Health Policy & Finance**

Minnesota supplemental aid shelter needy provision modified to include persons moving out of corporate foster settings.

**HF4018-Anderson, I. (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Koochiching County; Grand Mound Interpretation Center evaluation grant provided and money appropriated.

**HF4019-Sertich (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
Carbon monoxide alarms required in all rental dwellings.

**HF4020-Emmer (R)**  
**Governmental Operations & Veterans Affairs**  
Rule of 90 eligibility extended and additional service credit purchase authorized.

## **Wednesday, March 29**

**HF4021-Thissen (DFL)**  
**Education Policy & Reform**  
Early learning opportunities unified administrative structure created.

**HF4022-Paymar (DFL)**  
**Civil Law & Elections**  
No smoking lease enforcement actions by tenants authorized.

**HF4023-Paymar (DFL)**  
**Public Safety Policy & Finance**  
Mental health assessments implemented for pre-sentence investigations.

**HF4024-Paulsen (R)**  
**Governmental Operations & Veterans Affairs**  
Membership of House and Senate reduced.

**HF4025-Hortman (DFL)**  
**Environment & Natural Resources**  
Hennepin County tax-forfeited land conveyance authorized.

**HF4026-Dill (DFL)**  
**Taxes**  
Cook-Orr HealthCare District authorized to agree to include Bois Forte Band of Minnesota Chippewa lands in the district.

**HF4027-Mullery (DFL)**  
**Education Finance**  
Teacher residency program established to support effective instruction for diverse student populations.

**HF4028-Demmer (R)**  
**Education Policy & Reform**  
Non-public school student health services.

**HF4029-Carlson (DFL)**  
**Agriculture, Environment & Natural Resources Finance**  
Golden Valley flood hazard mitigation grant provided, bonds issued and money appropriated.

**HF4030-Clark (DFL)**  
**Public Safety Policy & Finance**  
Misdemeanor penalty enhancement statute expanded to include certain offenses relating to drug paraphernalia, prostitution and trespass.

**HF4031-Thissen (DFL)**  
**Education Finance**  
Community partnerships schools grant-in-aid assistance program established and money appropriated.

**HF4032-Urdahl (R)**  
**Higher Education Finance**  
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## **Thursday, March 30**

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

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# ME BLOOM



INSIDE: LOONS AND EAGLES, HOUSE RUMPUS ROOM, BONDING PLANS, MORE

This Week's Bill Introductions HF4068-HF4115

# Session Weekly

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

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On the cover: Jamilia Allison, 4, who attends Shining Star Learning Center in Minneapolis, peeks through the sign she brought to a March 30 Rotunda rally to increase funding for early childhood education.

—Photo by: Tom Olmscheid

# Bonding plan unveiled

House proposal is more than governor, less than Senate

By **MIKE COOK**

**N**early \$1 billion in bonding requests is expected to be before the full House April 12.

Approved April 4 by the House Capital Investment Committee, [HF2959](#) calls for \$949.27 million in general obligation bonds. When user-financed bonds are included, the bill totals \$999.87 million.

"The size of the bill goes to the quality of the bill," said [Rep. Dan Dorman](#) (R-Albert Lea), the bill's sponsor and committee chair. "What is in it justifies the larger number than the governor."

The [governor's proposal](#) totals \$897.2 million, of which \$811.1 million would be in general obligation bonds.

Still, the Senate plan ([SF3475](#)), sponsored by [Sen. Keith Langseth](#) (DFL-Glyndon), trumps both proposals. It calls for \$1.05 billion

in total spending, with \$989.92 million in general obligation bonds.

A spreadsheet comparing the three bills is available at <http://www.house.leg.state.mn.us/fiscal/files/bond06.pdf>.

A \$944.9 million measure was passed last year after members failed to agree on a proposal in 2004. Of that law, \$885.9 million was in general obligation bonds.

According to the [Department of Finance](#), "The state sells general obligation bonds into the marketplace. The proceeds from the sale of the bonds are used to pay the cost of the capital projects that are approved by the Legislature."

The House proposal has received bipartisan support, and that is expected to continue when the entire body votes.

Believing she was speaking for members of her caucus, [Rep. Alice Hausman](#) (DFL-St. Paul) said, "We do believe there are a number

of very good things in the bill and that there is a good balance of priorities." She predicts a "strong vote in the House."

[House Speaker Steve Sviggum](#) (R-Kenyon) said he expects the bill to get 110 votes on the House floor.

"I consider this a very, very balanced and a very, very prudent bill," he said. "It doesn't max out the state's credit card as the Senate does, it focuses in on infrastructure. ... We are higher than the Senate in local roads; we're higher than the Senate in bridges."

The following are parts of the House proposal, which Dorman said is broken down with 35 percent for Greater Minnesota, 35 percent for projects with statewide significance and 30 percent to the Twin Cities metropolitan area:

## Transit and transportation

The House bill calls for \$60 million in local bridge replacement and \$22.5 million for local road improvement grants. The Senate numbers are \$47.5 million and \$10.9 million, respectively.

**First Reading continued on page 4**



PHOTO BY TOM OLMSCHIED

**Terry Kuhlman, front center, executive director of the Public Facilities Authority of the Department of Employment and Economic Development, along with other public officials, lobbyists and special interests groups get their first look at the House capital investment bill April 4.**



However, the Senate and governor proposals allocate \$60 million for the Northstar commuter rail slated to run from downtown Minneapolis to Big Lake, \$10 million more than the House proposal.

“Last year we had \$37.5 million in the final bill for the Northstar Corridor, all of which is still in the bank,” Dorman said. He also said that he called a federal person asking what would happen if just \$50 million was allocated. “The reply was that at the end of the day, whenever that is, and when we know what the numbers are, you’re going to have to have all your dough in place. They’re not sure if that number is \$50 (million), \$58 (million) or \$60 (million).”

A project supporter, Dorman also expressed concern that negotiations are still ongoing with Burlington Northern Sante Fe Railway Company for using the tracks. “If those negotiations aren’t concluded, my fear is that we will have tied up close to \$100 million in bonding with a project that is not going forward because we don’t have all the paperwork done.”

[Rep Tim Mahoney](#) (DFL-St. Paul) warned that railroads can oftentimes slow down negotiations in hopes of getting as much money as they can from the state or federal government.

While appreciating the \$50 million, [Rep. Kathy Tingelstad](#) (R-Andover), a leading Northstar backer, warned that delaying this project would only lead to greater costs. She said the negotiations are expected to be completed soon, and that \$60 million is needed for a full-funding grant agreement.

“I think we can really make a go this year to completing the state’s commitment,” she said.

The House and governor fully fund the Interstate 35 Bus Rapid Transit project with \$8.3 million; the Senate offers zero. The project includes two park-and-ride facilities in Bloomington, one in Lakeville and a transit station at 46th Street in south Minneapolis.

“The Senate thinks it’s a terrible project and is not concerned about the traffic on 35 through the suburbs and south Minneapolis, but we think it’s a good opportunity,” Dorman said. “For those of you that think it’s a good opportunity, contact your senator and say, ‘What the heck?’”

“Minneapolis is supportive of the 35W BRT project, so thank you for seeing the wisdom of that project and putting it in your bill,” said [Rep. Margaret Anderson Kelliher](#) (DFL-Mpls).

Each proposal calls for \$5 million for a Cedar Avenue Bus Rapid Transit Corridor in the south Twin Cities metropolitan area suburbs.

## BONDING RECOMMENDATIONS COMPARISON

Category	Governor	House	Senate
Higher Education	\$270.14 million	\$309.02 million	\$376 million
Wildlife area acquisition and improvement	\$15 million	\$18 million	\$10 million
Local bridge replacement	\$30 million	\$60 million	\$47.5 million
Local road improvement grants	\$10 million	\$22.5 million	\$10.9 million
Faribault prison expansion	\$27.99 million	\$3 million	\$0
Wastewater Infrastructure Fund	\$15 million	\$23 million	\$20 million
Bioscience development	\$10 million	\$16.7 million	\$2 million
Minnesota Zoo	\$21 million	\$9 million	\$8 million
Grants to political subdivisions	\$13 million	\$90.03 million	\$118.4 million
Shubert Theater	\$0	\$11 million	\$11 million
Southwest regional events center	\$0	\$12 million	\$0
State Capitol restoration	\$0	\$1.8 million	\$3.18 million
Bill total	\$897.2 million	\$999.87 million	\$1.05 billion
General obligation bonds	\$811.1 million	\$949.27 million	\$989.92 million

Source: House Fiscal Analysis Department

### Higher Education

The House bill calls for \$309.02 million in higher education spending, about \$68 million less than the Senate.

The House bill includes \$187.69 million for the Minnesota State Colleges and Universities (MnSCU) system. In addition to \$40 million for asset preservation, the House bill provides funding for 20 other projects, including \$32.9 million for a science building addition at Minnesota State University, Mankato and \$19.9 million for a new science and library building at Century College.

The plan calls for the University of Minnesota to receive \$121.33 million, including \$40 million for a medical biosciences building, \$30 million in asset preservation, \$26.6 million for a Carlson School of Management expansion and \$15.33 million for a Duluth business and economics building.

The Senate is \$10 million higher in asset preservation, but funds just \$13.3 million for the Carlson school expansion.

“We give them a whole school, not half a school,” Dorman said.

### Environment and agriculture

“We’re a little greener than the Senate,” Dorman said. “We’ve got \$14.5 million in the bill for projects that are part of the Clean Water Legacy.” He also said the House allocates more to the Department of Natural Resources, Board of Water and Soil Resources and the Wastewater Infrastructure Fund. “People aren’t going to put on their re-election brochures that they voted for this great bonding bill because it had extra money for wastewater infrastructure, but that’s the

stuff that’s important to moving this state forward.”

Also included in the \$122.15 million for environment and agriculture is \$19.23 million for flood hazard mitigation grants, \$18 million for wildlife area acquisition and improvement, \$10.7 million for trails and \$8 million for forest conservation easements.

### Corrections

Each of the three proposals allocates \$19.58 million for a 150-bed segregation unit at the Stillwater prison and nearly \$5.38 million for expansion of the women’s prison in Shakopee, but neither the House nor Senate offer money for a security fence at the facility, which many area residents do not want.

The House is the lone plan providing \$6.23 million for a vocational education building with a combined classroom and shop complex at the Red Wing juvenile facility. That item has been low on the [Department of Corrections](#) list for at least a decade, said Deputy Commissioner Dennis Benson.

“That’s one of those projects that everybody seems to like,” Dorman said. “By investing in that building and actually finishing it, we may not need as much bed space in the future.”

### Animals and sports facilities

“We love zoos,” Dorman said. “You got the Apple Valley zoo, you got the Como Zoo, you got the Duluth zoo and our friends at the Little Falls Zoo. You ever been to the Little Falls Zoo, poor bear in the cage there? We’re getting him out of the cage. A tough life for that bear.”

Bonding continued on page 22

## ★ AGRICULTURE

**Fluid conversion allowance program**

Inside the gray cylinders of electrical transformers is a non-conductive fluid that cools and insulates its internal workings.

Almost all of the fluid used, estimated to be 75 million gallons annually in the United States, is petroleum based.

[HF3273](#), sponsored by [Rep. Greg Davids](#) (R-Preston), may help change that.

Davids told the House Agriculture, Environment and Natural Resources Finance Committee March 30 that the bill creates an allowance program within the [Department of Agriculture](#) to fund qualifying electric utilities that desire financial aid to transition to a higher-performance, soy-based, environmentally friendly fluid called Envirotemp® FR3™, manufactured by Minnesota-based Cargill.

The bill was laid over for possible inclusion in the committee's supplemental finance bill.

Those testifying for the bill spoke of Minnesota's leadership in initiating the use of bio-products, such as soy-based ink — now used almost universally in newsprint — and biodiesel fuel.

The soy-based fluid initially costs more than the petroleum-based fluid, said Tom Johnson, sales engineer for Cooper Power Systems, which manufactures electrical equipment that uses the soy-based fluid.

Johnson said the soy-based fluid does not ignite unless heated to 360 degrees — a much higher temperature than the petroleum-based fluid — which greatly reduces the likelihood transformers will burst into flames. He said it is also more compatible with the paper insulation components of transformers and actually increases the equipment's longevity, thus reducing maintenance costs.

Johnson said the fluid has distinct environmental advantages, in that it totally biodegrades in 99 days; it is renewable; and it has been determined by the Environmental Protection Agency to be non-hazardous to trout, which are extremely sensitive to environmental pollutants.

[Rep. Doug Magnus](#) (R-Slayton) told the committee "a lot of work has been put into this by the soybean check-off," which is a marketing program of the United Soybean Board.

"A lot of the other states in the United States that are involved in the soybean check-off and production and membership in the soybean growers association are closely watching what we do here in Minnesota," he said.

A companion bill ([SF3314](#)), sponsored by [Sen. Jim Vickerman](#) (DFL-Tracy), awaits action by the Senate Finance Committee.

**Protecting wild rice integrity**

One critic called the bill a "solution looking for a problem." But that hasn't deterred [Rep. Frank Moe](#) (DFL-Bemidji) from proceeding with what he is passionate about — protecting wild rice.

That passion is translated into a bill, [HF3915](#), which he sponsors to protect the genetic integrity of the native strains of wild rice that have spiritual and cultural significance to the state's Ojibwe people.

After receiving testimony for parts of three days, the House Agriculture and Rural Development Committee approved the bill as amended April 5 and referred it to the House Rules and Legislative Administration Committee. A companion bill ([SF3575](#)), sponsored by [Sen. Becky Lourey](#) (DFL-Kerrick), awaits action by the Senate Agriculture, Veterans and Gaming Committee.

Originally, the bill required the [Department of Agriculture](#) to impose a two-year moratorium on the release, planting, importation or sale of genetically engineered wild rice in the state in the event an application to plant a test plot was made anywhere in the United States. The moratorium was intended to give the state agencies time to assess — in consultation with the Ojibwe people — the

possible impact of the modified species on the native species and to plan their response.

Supporters spoke of the Ojibwe's desire to preserve the native strains unadulterated, so wild rice can continue to occupy its traditional place in the Ojibwe culture and spirituality, and its more recently developed place in the tribes' economies.

Opponents said the bill was unnecessary because the department already has a structure in place to assess the possible impact of genetically engineered plants, including wild rice. Others said passage of the bill would send a global message that genetic modification biotechnology is not welcome in Minnesota.

On April 4 and April 5, the committee approved "delete-all" amendments brought forward by Moe. The bill now requires only that the Agriculture and [Natural Resources](#) departments examine the need for a study regarding the two native strains of wild rice, *zizania aquatica* and *zizania palustris*. The study would examine any decline in their populations, arguments for and against maintaining the genetic integrity of the strains and how it could best be maintained. The agencies would also compose recommendations regarding possible responses to their findings and report to both the Legislature and the Ojibwe tribes.

"I'm not an opponent of genetically modified organisms," Moe said, adding he is not asking for a moratorium on research related to genetic modifications of wild



PHOTO BY TOM OLMSCHIED

**Winona LaDuke, director of the White Earth Land Recovery Project, testifies before the House Agriculture and Rural Development Committee March 28 on a two-year moratorium on genetically engineered wild rice.**

rice. Nor is he necessarily opposed to the introduction of modified wild rice in the state, but said its introduction should be delayed until its impact can be assessed and possible responses developed.

## BANKING

Signed  
by  
the  
governor  
★ ★ ★

### New banking facility

Gov. Tim Pawlenty signed a new law April 5 that will permit a new bank to open in Shamrock Township.

[Rep. Loren Solberg](#) (DFL-Grand Rapids) and [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) sponsor the new law. It goes into effect the day after Shamrock Township complies with the provisions set out in the law. The Shamrock Town Board has already indicated its support.

The law authorizes the State Bank of McGregor, located in McGregor, to operate a separate facility in Shamrock Township, with approval of the commerce commissioner.

A bank that wants to open a new branch in a township needs permission from the Legislature. This is the second exemption in two years.

During a March 14 House Commerce and Financial Institutions Committee hearing, [Rep. Greg Davids](#) (R-Preston) asked if other banks approved of the new facility. Jonathan Passer, a loan officer at the bank, said there is a credit union in town but that the next closest bank to McGregor is 24 miles away. HF2709/SF2523/CH174.

## BUSINESS

### Gas station exemption

The House unanimously approved a bill April 3 that would provide an exemption to the state's gasoline franchising law.

[HF3747](#), sponsored by [Rep. Dean Simpson](#) (R-New York Mills), now goes to the Senate, where [Sen. Dan Sparks](#) (DFL-Austin) is the sponsor.

Simpson said current laws prevent smaller gas stations from posting brand name signs unless they meet a minimum sales requirement. Gas stations, especially in rural Minnesota, struggle to meet those requirements and cannot advertise any kind of brand name postings. The bill allows these gas stations to put up a sign that could read "Dean's Corner Gas," Simpson said.

[Rep. Tina Liebling](#) (DFL-Rochester) questioned what kind of impact the bill would have on consumers. It would mainly help smaller gas stations stay in business, and would not affect consumers, said Simpson.

## CHILDREN

### Third party payments

[Rep. Nora Slawik](#) (DFL-Maplewood) said child care assistance costs continue to rise and any measures to cut those costs should be taken.

Sponsored by Slawik, [HF3944](#), would allow a third party to pay all or part of a family's child care assistance fee. The money paid on a family's behalf would not be considered as part of their income or affect their eligibility for assistance.

On April 5, the House Jobs and Economic Opportunity Policy and Finance Committee held the bill over for possible inclusion in its omnibus bill. A companion bill ([SF3615](#)), sponsored by [Sen. John Hottinger](#) (DFL-St. Peter) awaits action by the full Senate.

Currently, some third parties help families pay for child care because the costs keep increasing, said Slawik. But according to current law, the [Department of Human Services](#) counts that money as family income, which sometimes makes families ineligible for certain services. She said the bill was a "tweak" to the current system and would help parents afford quality child care.

The department, which administers many of the state's child care programs, has no objections to the bill.

### Video game purchases, rentals

One of the most popular video games on the market is "Postal 2."

"That's a serial killer game where you score points by killing as many people as you can in lots of different gory ways, but there's a twist to this game," said [Rep. Jeff Johnson](#) (R-Plymouth). "You actually get extra points in this game if you urinate in your victim's mouth before you kill him or her. You can even open fire on a gay pride parade, a minority community celebration or a parade of police officers."

Johnson said the game's description, and those of some other popular games, makes him sick to his stomach, knowing youth across the state are playing them regularly.

He and [Sen. Sandy Pappas](#) (DFL-St. Paul) are sponsoring [HF1298/SF785](#)\* that would prohibit people under the age of 17 from renting or purchasing video games that are rated Adults Only or Mature by the entertainment software industry. The offense would be considered a petty misdemeanor, and the minor could be charged a \$25 fine. Retailers would be required to post a sign that is clearly visible regarding the restriction.

Approved April 5 by the House Public Safety Policy and Finance Committee, the bill



PHOTO BY ANDREW VONBANK

**Rep. Jeff Johnson shows members of the House Public Safety Policy and Finance Committee examples of violent video games April 4 during discussion of a bill that would bar anyone under age 17 from renting or purchasing graphic games.**

was sent to the House floor. It was approved by the Senate 51-10 last year.

"My intent with the legislation is not to make criminals out of kids, and it's not to raise money for the state \$25 at a time, because I suspect none, or little, of that will happen," Johnson said. "I'm hopeful that the new law and the signs will, at the very least, get the attention of some painfully oblivious parents in Minnesota who are paying absolutely no attention to what their kids are playing on their video game machines at home."

Johnson said many retailers already restrict access to children under age 17.

Deborah Buyer, senior associate general counsel for the Entertainment Software Association, said parents purchase these games 83 percent of the time, and that the average age of players is 30.

She also warned that the bill could be unlawful.

"Six federal courts in the past five years, including the 7th and 8th Circuit Court of Appeals, have ruled that statutes designed to regulate violent games are unconstitutional. In 2005, federal district courts in Illinois, Michigan and California granted injunctions preventing this type of regulation from becoming law."



Johnson said he has “tried to craft a bill that is extremely narrowly tailored, and could withstand a constitutional objection.”

## ★ CONSUMERS

### Omnibus liquor bill

In the future, you may be able to have a glass of wine while learning to cook a new culinary delight, or a beer after a round of golf at the New Prague Municipal Golf Course.

From bed-and-breakfasts to an off-sale facility next to the grocery store proposed for downtown Minneapolis, the omnibus liquor bill addresses alcohol-related issues on a local level. The House Regulated Industries Committee approved [HF3940](#), sponsored by [Rep. Joe Hoppe](#) (R-Chaska), April 4. It awaits action on the House floor.

Minnesota wineries would benefit from the bill by being allowed to produce fortified wines, which by definition, is any product that has alcohol or spirits added.

Since 1980, Minnesota farmers have been allowed to produce wine for sale. John Falconer, owner of a vineyard and vice president of the Minnesota Grape Growers Association, said state wineries are at a disadvantage to producers in other states because they are not allowed to make fortified wine products, such as port wines. “We just want to level the playing field here,” he said.

Culinary schools and retail stores selling kitchen products would benefit as well, under the bill.

As the popularity of stores dedicated to cooking has grown, so has the need to show people how to pair wines to enhance the “culinary experience,” retailer Brian Albrecht said. The bill would allow for a limited on-sale liquor license and allow the licensee to offer up to a 1 ounce sample of wine in their stores.

The bill also includes a provision allowing for on-sale liquor licenses to concessionaires, caterers or restaurant operators at the Minnesota Book and Literary Arts Building; allowance for wine licenses to be issued to bed-and-breakfasts with a licensed commercial kitchen to serve guests attending events at the facility; and the ability for municipalities to have different off-sale hours for 3.2 and intoxicating liquor establishments.

A companion bill ([SF3081](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action on the Senate floor.

## ★ CRIME

### Pilot project funding

People seeking to turn their lives around after serving time in prison could receive some assistance.

[HF3812](#), sponsored by [Rep. Judy Soderstrom](#) (R-Mora), would appropriate \$700,000 in fiscal year 2007 for a grant to the Correctional Transition Services, Inc. The grant would fund a pilot project focusing on offender reentry programs. It specifies that the appropriation must be evenly split between transitional housing programs and employment opportunity programs.

Heard April 4 by the House Jobs and Economic Opportunity Policy and Finance Committee, it will be considered for inclusion in the committee omnibus bill. There is no Senate companion.

Executive Director Paul Kustermann said the program turns out motivated and trained employees, and contributes to reducing the growth of prison beds by focusing on eliminating the number of repeat offenders.

According to a 2004 Department of Corrections study, 33 percent of released offenders are convicted of new felonies within three years. The program offers intervention and re-entry services by providing comprehensive “best practices” programming, and works with the community to help these people, Kustermann said.

[Rep. Karen Clark](#) (DFL-Mpls) is concerned about offenders with chemical dependency issues because she said they are more likely to break the law again. Although Clark supports the bill, she said it needs to work on addressing treatment of the high number of chemically dependent offenders.

[Rep. Connie Ruth](#) (R-Owatonna) asked if the state has a program in place to keep chemical dependent offenders from being released until they have completed a treatment program. Soderstrom said there was none, and this program could be a model statewide.

### Neglecting vulnerable adults

Minnesotans can currently receive a tougher penalty for mistreating an animal than for mistreating a vulnerable adult.

Sponsored by [Rep. Joyce Peppin](#) (R-Rogers), [HF3235](#) would create new penalties for criminal neglect of an adult committed by a family member who has responsibility for that person’s care.

The bill was held over March 30 by the House Public Safety Policy and Finance Committee for possible inclusion in its omnibus bill.

“If the neglect results in the death of a vulnerable adult, the caregiver may receive imprisonment of not more than 10 years or payment of not more than \$20,000, or both,” Peppin said. If the neglect results in substantial bodily harm or the risk of death, the caregiver could receive up to five years in prison, a \$10,000 fine or both.

Currently, it is a gross misdemeanor for neglect of a vulnerable adult, with a penalty topping out at one year in prison or a \$3,000 fine. The maximum penalty for mistreating an animal, resulting in death or great bodily harm, is four years behind bars and a \$10,000 fine.

Peppin told the committee about a Brooklyn Park man who was in charge of caring for his elderly mother, but neglected her when she fell. “He brought her food and water, but he did not move her. She sat in the same spot on the floor for more than a week, and she sat in her own excrement. When authorities were finally notified, this caused her to go to the hospital and spend several weeks, I believe.” For his actions, the man was given probation.

The committee’s omnibus bill last year contained a similar provision that would have applied to all caregivers and operators, but Peppin withdrew the language because of concerns by hospital and nursing home representatives. “My preference would be to have them included, as well,” she said.

John Lips, director of legal affairs for Care Providers of Minnesota, said last year’s bill had no element of intentionality.

“Our concern was that there could be instances where a caregiver would make an honest mistake — a judgment in an instance of delivering care — and could be subjected to much higher penalties,” he said.

A companion bill ([SF3598](#)), sponsored by [Sen. Warren Limmer](#) (R-Maple Grove), awaits action by the Senate Crime Prevention and Public Safety Committee.

## ★ DEVELOPMENT

### Research facility funding

The University of Minnesota hopes to uphold the state’s reputation as a leader in the field of biomedical sciences.

[HF3268](#), sponsored by [Rep. Ron Abrams](#) (R-Minnetonka), would help the cause. It would use \$330 million in state general obligation bonds to pay for 90 percent of the cost to construct and furnish biomedical research facilities at the university. The university would pay for the remaining 10 percent. The House Jobs and Economic

#### What’s in the bill:

HF3940  
HF3028  
HF2827  
HF3322  
HF3549  
HF3275  
HF3583

Opportunity Policy and Finance Committee approved the bill March 30, and referred it to the House Governmental Operations and Veterans Affairs Committee.

If successful, five new research facilities, with a total of about 750,000-square-feet, would be built in 10 years at a total cost of \$366 million.

University President Robert Bruininks said the research facilities would bring economic and health benefits to the state, as well as advance biomedical research. The bill would also aid in recruiting and keeping faculty in the field.

"We need to be diligent, as a state, if we want to maintain our competitive position and improve it for the future," Bruininks said.

[Rep. Fran Bradley](#) (R-Rochester) agreed the bill was important, but had questions about maintenance costs. Once built, Bruininks said the university would be responsible for operation expenses.

While [Rep. Karen Clark](#) (DFL-Mpls) said she also believes in biomedical research, she wants to see more accountability in the bill because manufacturers will oftentimes charge high rates for products and attribute it to expensive research and development costs. Committee Chair [Rep. Bob Gunther](#) (R-Fairmont) said some leeway should be given because, although some products are expensive, they also save money.

[Rep. Tony Sertich](#) (DFL-Chisholm) said it was important for Minnesota to compete with other states attempting to lead the way in the biomedical sciences. He said it is an opportunity to create jobs statewide.

A companion bill ([SF3044](#)), sponsored by [Sen. Richard Cohen](#) (DFL-St. Paul), awaits action by the Senate Finance Committee.

## ★ EDUCATION

### Developing character

[Rep. Mark Buesgens](#) (R-Jordan) gave the House Education Finance Committee a little history lesson April 4 — a topic that he says is his passion.

This country's Founding Fathers would spend 80 percent to 90 percent of their schooling time on ethics, values and character development, where as today's schools spend less than 5 percent. "I think this is something we need to bring into balance," he said.

Sponsored by [Rep. Dean Urdahl](#) (R-Grove City), [HF3425](#) would work toward that goal by establishing a pilot program to provide approved character development education curriculum.

Larry McGuire, who represents a company that develops this type of curriculum, said the key to any program of this type is that

## FFA DAY



PHOTO BY TOM OLMSCHIED

**Rep. Andy Westerberg, left, and Rep. Michael Beard, right, frame a group of Future Farmers of America as House members applaud the group that was on the House floor and in the gallery March 30. FFA participants made their annual trip to the Capitol to meet with their legislators.**

it be comprehensive and not piecemeal. "Transformation is really the point of this."

Funding for the program would be appropriated to districts participating in the program equal to \$30 times the district's adjusted marginal cost pupil units.

Schools would apply for funding to facilitate their participation in the program, and the education commissioner would, to the extent feasible, ensure equitable geographical distribution of approved applications, under an amendment successfully proposed by Buesgens, and adopted by the committee.

[Rep. John Dorn](#) (DFL-Mankato) questioned the fairness of the appropriation distribution, stating that districts with larger populations could expend the total amount of money allocated for the program. Urdahl said that since the bill is to be laid over for possible inclusion in the committee omnibus bill, he would have time to work on a more equitable distribution formula.

A companion bill ([SF2826](#)), sponsored by [Sen. Tarryl Clark](#) (DFL-St. Cloud), awaits action on the Senate floor.

### New sponsors for charter schools

The state could see more charter schools sponsored by private, nonprofit organizations, under a bill sponsored by [Rep. Matt Dean](#) (R-Dellwood).

[HF1303](#) would create a new classification of sponsors, allowing for up to five nonprofit organizations to come together to sponsor a charter school.

The bill, passed last year by the House Education Policy and Reform Committee, opened the discussion in the House Education Finance Committee April 4 over accountability, and whether the development of charter schools is harming traditional public schools.

Robert Aronson, legal counsel for the Minnesota Association of Secondary School Principals and its counterpart for elementary principals, said the criteria for charter schools have evolved over the years. Speaking in opposition to the bill, he said the first charter school sponsors were school districts in which the school was located. Then nonprofits, meeting certain criteria, were allowed as sponsors. There are now over 100 charter schools in the state. He cautioned the committee, "If you have private corporations running schools, as compared to publicly elected school boards, you run afoul of the Uniform System of Public Schools."

Robert J. Wedl, director of Education Evolving, a joint venture of the Center for Policy Studies and Hamline University, said this bill calls for more accountability from organizations sponsoring charter schools. He said the application process for this new classification would be extensive, allowing for greater oversight by the commissioner of education.

[Rep. Jim Davnie](#) (DFL-Mpls) responded, "If the need is greater for oversight over sponsoring organizations, why don't we give the commissioner more authority," instead of expanding the criteria for who can sponsor a charter?

A companion bill, ([SF1707](#)), is sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins) was laid over by the Senate Education Committee.

### Moratorium on school building

School districts with fewer than 500 students could face a moratorium on any new facilities.

[Rep. Scott Newman](#) (R-Hutchinson), brought ([HF3952](#)) to the House Education Finance Committee April 4 in response to a situation in the McLeod West School District, which has a high school in Brownton and an elementary in Stewart. A referendum is set on whether a new, one-campus facility should be built, and this, according to Newman, is splitting the community apart. "I have neighbors fighting with neighbors, and family members fighting family members."

While the McLeod West student population is stable, and some would like to see a new school built, farmers in the district are concerned about the impact on their property taxes. "No matter what I do here, somebody isn't going to be happy," Newman said.

And this district is not unique. He said that many small districts are facing declining or stabilized enrollments coupled with deteriorating buildings. "Eventually the state will have to look for some reform (to address the problem)," Newman said.

His bill would give the education commissioner one year to examine the condition of school buildings in the state's 88 small school districts, as well as the state's incentives for school district consolidation and school building projects and provide a report to the Legislature by Jan. 15, 2007. Any school district receiving funding from this year's capital investment bill would be exempted from the proposed moratorium.

Larry Raisbeck, McLeod West school board chair, is not happy.

"This is not a knee-jerk reaction," he said referring to the upcoming referendum. He said the district has researched the building proposal for more than two years, held many public hearings, "and now we are down to the last two months before a referendum and this comes up slamming the door; basically saying stay to your old-fashioned way of teaching."

The bill was held over for possible inclusion in the committee's omnibus bill.

A companion bill ([SF3611](#)), sponsored by [Sen. Rod Skoe](#) (DFL-Clearbrook), awaits action by the Senate Finance Committee.

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## EMPLOYMENT



### Living wage

Although Minnesota's minimum wage is higher than the federal standard, some legislators say it is still too low.

[HF3568](#), sponsored by [Rep. Mike Jaros](#) (DFL-Duluth), would impose a low-wage compensation surtax on certain employers who fail to pay full-time employees a living wage.

The bill defines "living wage" as \$14 an hour, and would be adjusted annually for inflation. From 2006 to 2008, only businesses employing more than 20 full-time employees would be subject to the wage standards, but all employers would have to meet it by 2012. Employers offering their employees health insurance would be required to pay at least \$11 an hour.

Money collected from the low-wage compensation surtax would be used to increase working-family credits in Minnesota.

The House Jobs and Economic Opportunity Policy and Finance Committee did not approve the bill April 4. [Rep. Tony Sertich](#) (DFL-Chisholm) suggested referring the bill to the House Taxes Committee without recommendation, but that was also voted down.

Carrie Thomas, JOBS NOW Coalition policy director, said many jobs throughout the Twin Cities metropolitan area do not pay wages high enough to keep people off public assistance, a cost to taxpayers. Thomas added that 15 percent of area jobs pay less than \$9 per hour.

A companion bill ([SF2090](#)), sponsored by [Sen. John Marty](#) (DFL-Roseville), awaits action by the Senate Jobs, Energy and Community Development Committee.

## ENVIRONMENT



### Sewage system pilot program

A bill to give more time to the individual sewer treatment pilot project, as established in 2003 in three Minnesota counties, was passed 132-1 by the House April 3.

Sponsored by [Rep. Greg Davids](#) (R-Preston), [HF2721](#) allows an additional year for Fillmore, Carlton and Chisago counties to complete an inventory of property with individual sewage treatment systems that are an imminent threat to public health or safety due to discharge of untreated sewage. It now must be completed by July 1, 2008. The bill stipulates that the inventory may take place in phases over the period of the project.

Received from the House April 5, the bill awaits action by the Senate Finance Committee. [Sen. Bob Kierlin](#) (R-Winona) is the Senate sponsor.

## Timber contracts can be extended



Contracts with the Department of Natural Resources to harvest timber from public lands can now be extended if needed, according to legislation signed by Gov. Tim

Pawlenty April 5.

[Rep. Greg Blaine](#) (R-Little Falls) and [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) sponsored the legislation that provides for the extension of timber contracts when adverse surface conditions limit the number of days harvesters can work. Harvesting equipment is prohibited from timberland unless the ground is frozen, and deep snow can also restrict access. The new law takes effect immediately.

[HF3039](#)\*/SF2632/CH175

## FAMILY



### Hmong marriages

A bill that would legitimize Hmong cultural marriages, and expand the law making it a form of child neglect to allow a minor to marry, was approved April 3 by the House Civil Law and Elections Committee. The House Public Safety Policy and Finance committee sent the bill to the House Rules and Legislative Administration Committee April 6, without recommendation.

Sponsored by [Rep. Michael Paymar](#) (DFL-St. Paul), [HF3674](#) would elevate the role of the mej koob, giving them the ability to solemnize Hmong marriages in the same way judges, priests, rabbis and others who perform marriages are recognized by state statute. The bill would also make all solemnizers mandatory reporters of neglect. Those knowingly facilitating or assisting in arranging marriages that violate state law would be charged with a misdemeanor.

"Our intent is to protect underage people, especially girls in the Hmong culture from being forced into marriage. It is also our intent to provide protection to people who are culturally married, but do not have their rights recognized by the state," Paymar said.

[Rep. Cy Thao](#) (DFL-St. Paul), the only Hmong House member, opposes the bill and said marriage traditions practiced by the Hmong have changed little in the past 5,000 years. He said the role of the mej koob is to act as a mediator between two families as the cultural marriage is arranged. Historically their role is not one of solemnizing the union. The parents and the community recognize a cultural marriage. He said this bill would do little to prevent cultural marriages between a minor female and an older male.





PHOTO BY ANDREW VONBANK

Members of the Hmong community fill the committee room during the April 3 meeting of the House Civil Law and Elections Committee to hear debate on a bill that would provide Hmong marriage solemnization and mej koob requirements.

"I want us to kill the bill. Set up a task force within the Hmong community with legal professionals and come out with a comprehensive proposal to deal with both issues — marriage and child abuse," Thao said. "I commit to you that I will have a bill ready by the end of the year to put that task force together."

He said the Hmong community has been in Minnesota for 30 years, and those that have been here the entire time "have changed a lot." But recent immigrants "are the least educated about our laws and the least sophisticated about our culture," and need time to assimilate.

A companion bill ([SF2403](#)), sponsored by [Sen. Wes Skoglund](#) (DFL-Mpls), has been incorporated into [SF2633](#), sponsored by [Sen. Thomas Neuville](#) (R-Northfield). It awaits action by the full Senate.

## ★ GOVERNMENT

### No new state flag

Minnesota will not be getting a new state flag anytime soon.

[HF3974](#), sponsored by [Rep. Phyllis Kahn](#) (DFL-Mpls), would create a legislative task force to examine the design of the state flag to determine if any changes or improvements should be made. The House Governmental Operations and Veterans Affairs Committee, however, voted it down April 4. A companion bill ([SF3459](#)), sponsored by [Sen. Linda](#)

[Higgins](#) (DFL-Mpls), awaits action by the full Senate.

Lee Herold, owner of Herold Flags in Rochester, said the current Minnesota flag lacks distinctive qualities and is confusing to most Minnesotans. "It's pretty, but it's not really effective," Harold said.

The proposal drew sharp criticism from committee members, who said changing the flag was both unnecessary and disparaging of the state's history.

"Frankly, I don't think that the flag in my office or the one that flies outside my house or the one on top of this building is ugly or obsolete. I think it's a good flag," said [Rep. Marty Seifert](#) (R-Marshall).

He added that trying to change the state flag would likely provoke the ire of many Minnesotans, who would be compelled to replace their current flags. "They're going to say, 'Is that all you guys have time to do is screw around with stuff that's working already?'"

[Rep. Mark Olson](#) (R-Big Lake) said he was embarrassed to admit that he didn't know



PHOTO BY TOM OLMSCHIED

Lee Herold, *right*, owner of Herold Flags in Rochester, describes the Minnesota state flag to members of the House Governmental Operations and Veterans Affairs Committee April 4. The committee rejected a proposal that would have created a task force to look into designing a new state flag.

the history behind every aspect of the current state flag, but that the flag had a meaning and a heritage that shouldn't be thrown out.

"If you know the history [of the flag], it has a message," Olson said.

[Rep. Larry Haws](#) (DFL-St. Cloud) said he has coached athletic teams that have competed in interstate competitions under the Minnesota flag, and that other states were appreciative of the flag.

### Reducing greenhouse gasses

New state-funded buildings would be forbidden from producing a net increase in greenhouse gases, under a bill approved by a House committee March 30.

[HF3139](#), sponsored by [Rep. Sheldon Johnson](#) (DFL-St. Paul), would direct the [Administration](#) and [Commerce](#) departments to develop guidelines and procedures for a requirement that no net increases in greenhouse gases be allowed as a result of state building projects.

The departments would report back to the Legislature in 2007 on the cost and feasibility of implementing such guidelines, which would become mandatory for all new buildings receiving funding from state bond proceeds after Jan. 1, 2008.

The House Governmental Operations and Veterans Affairs Committee approved the bill, which now goes to the House Regulated Industries Committee. A companion bill ([SF2677](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action in the Senate Finance Committee.

"This initiative builds on existing laws, which are known as 'sustainable building guidelines,' that bond-funded buildings exceed the state energy code by 30 percent," Johnson said.

Johnson billed the initiative as "climate-neutral bonding" and said it was an important step in fighting global warming on the state level.

[Rep. Michael Beard](#) (R-Shakopee) questioned the merits of fighting global warming when it has not been proven to exist.

"Is the global climate changing, getting a little warmer? Yeah, I think it is. I think we all agree with that. How much we have to do with that is something I wish we'd slow down and take a little closer look at," Beard said.

He added that he was not strongly against the bill, because it did no harm, but he doubted whether it would do anything to ward off the gradually changing climate.

Sally Grans, assistant director of planning for the Minnesota State Colleges and Universities system, said MnSCU supports the

bill but has concerns about the potential fiscal impact new guidelines could have on some of the organization's more "geographically challenged locations" throughout the state.

### Cleaning up statutes

A bill ([HF3488](#)) making technical corrections to state statutes was passed by the House 129-4 April 3.

The annual "revisor's bill," as it is known, corrects erroneous and ambiguous language, including obsolete references in state statutes, according to the bill's sponsor, [Rep. Pete Nelson](#) (R-Lindstrom).

In an earlier committee hearing, he said that the [Office of the Revisor of Statutes](#) is asked to do a lot of work in a short amount of time during session, and this bill "is a cleanup, fix-up, straighten up."

Received April 5 from the House, the bill awaits action by the Senate. [Sen. Don Betzold](#) (DFL-Fridley) is the Senate sponsor.

## GREATER MINNESOTA

### Business development investment

Business growth is important to the Greater Minnesota economy.

Sponsored by [Rep. Tony Sertich](#) (DFL-Chisholm), [HF3638](#) would establish the Greater Minnesota Business Development Investments Program. The plan calls for the commissioner of employment and economic development to make long-term loans of up to \$2 million for each qualifying business. The bill would appropriate \$12 million from the General Fund for such loans.

The House Jobs and Economic Opportunity Policy and Finance Committee held the bill over April 5 for possible inclusion in its omnibus bill. A companion bill ([SF3229](#)), sponsored by [Sen. Thomas Bakk](#) (DFL-Cook), awaits action by the Senate Finance Committee.

Sertich said businesses receiving a loan would have to provide collateral or security for the entire amount of funds invested by the state. They must also demonstrate that there will be at least a 1 percent projected return on investments each year.

Funds given out at a regional level are better suited to meet the needs of entrepreneurs and businesses, Sertich noted.

Tom Renier, Northland Foundation president, added that the bill meets today's marketplace demands.

[Rep. Tim Mahoney](#) (DFL-St. Paul) questioned how the repayment process would be monitored. Sertich said it is typically

done through banks and that the default rate is about average when compared to other loans.

## HEALTH



### Mental health workers study

The House approved a bill April 3 that would require a study to be completed regarding the qualifications necessary for mental health practitioners to receive Medical Assistance reimbursement.

Approved 125-9, [HF2806](#), sponsored by [Rep. Jim Abeler](#) (R-Anoka), awaits action by the Senate Health and Family Security committee, where [Sen. Paul Koering](#) (R-Fort Ripley) is the sponsor.

The [Department of Human Services](#) would be in charge of conducting the study, which would be completed by Jan. 15, 2007. A report based on the study would then be given to the House and Senate health committees.

Abeler said the bill was controversial at first but now receives support from both parties. The bill originally authorized Medical Assistance payments for mental health services provided by licensed professional counselors.

### Radiation facilities

A sunset provision on construction of radiation therapy facilities could be extended to 2013.

Current law states that all radiation therapy facilities must be constructed only by an entity owned, operated or controlled by a hospital. However, there is a sunset provision on this current law of August 2008.

[HF2810](#), sponsored by [Rep. Duke Powell](#) (R-Burnsville), would eliminate the sunset provision and leave the rest of the law intact. Powell's bill would have meant that all newly constructed radiation facilities be affiliated with hospitals. But after considerable discussion, the House Health Policy and Finance Committee approved March 30 an amendment to extend the sunset until 2013. The bill now goes to the House.

Powell said opposition centers on issues concerning quality care, but focusing on current regulations of radiation facilities is more the issue. However, he said the 2013 sunset is something he can work with for the time being.

Lawrence Massa, chief executive officer of Rice Memorial Hospital in Willmar, said that current "law has encouraged collaborative relationships and projects between hospitals and physicians that are high quality, cost effective, and have introduced the latest





PHOTO BY ANDREW VONBANK

With Rep. Duke Powell, the bill sponsor, looking on, as Lawrence Massa, right, chief executive officer of Rice Memorial Hospital in Willmar, testifies before the House Health Policy and Finance Committee in support of a bill that would extend a sunset provision on construction of radiation therapy facilities.

technology to Minnesotans seeking treatment for cancer.” Other supporters said the status quo cuts out duplication of services, equipment and personnel.

Opponents of Powell’s original bill to remove any sort of sunset provision said it would not help improve patient access and care.

Michele Stangl, a breast cancer survivor, said having a variety of provider choices was important for her diagnosis and treatment. She was able to find physicians who knew her personally and provided individualized care.

[Rep. Tom Emmer](#) (R-Delano) said it was ironic that DFLers support getting rid of regulations passed in the 1990s meant to increase competition. But [Rep. Barb Goodwin](#) (DFL-Columbia Heights) said the issue was not about competition, but about access and choices for consumers.

A companion bill ([SF2532](#)), sponsored by [Sen. Linda Berglin](#) (DFL-Mpls), awaits action by the full Senate.

## ★ HIGHER EDUCATION

### Accountability for teacher training

A bill that would require the [Board of Teaching](#), along with colleges and universities in the state, to summarize specified information to improve teacher preparation programs was tabled by the House Higher Education Finance Committee April 3.

[HF3334](#), sponsored by [Rep. Sondra Erickson](#) (R-Princeton), would require a summary report to be posted on a joint Web site between the board and the [Office of Higher Education](#). It would include:

- the student entrance requirements for each board-approved program, including the grade point average for students enrolled in each program in the preceding school year;
- the average SAT and ACT scores of students entering each program in the preceding school year;
- a list of faculty qualifications, including at least the undergraduate and graduate degrees of the faculty members and their years of experience as K-12 classroom teachers or K-12 school administrators;
- the current number and percent of graduates, by program, in the school year who were hired to teach full time in the preceding year; and
- students’ pass rates on skills and subject matter exams required for graduation in each program, and licensure area in the preceding school year.

“This bill would develop a report card for our teacher preparation programs,” said Erickson, who added that a recent teacher publication gave Minnesota a D+ for teacher training programs.

“The items in this particular bill will require significant resources from institutions that prepare teachers,” said Carmen

Coballes-Vega, executive board member of the Minnesota Association of Colleges for Teacher Education.

Because implementation of the report might not improve teacher preparation, [Rep. Gene Pelowski, Jr.](#) (DFL-Winona) warned, “Your intention is good but what might happen won’t be good.”

Erickson said she would talk with concerned parties to improve the bill’s language before it moves to the next committee.

A companion bill ([SF3582](#)), sponsored by [Sen. Sean Nienow](#) (R-Cambridge), awaits action by the Senate Education Committee.

### Textbook cost study

The [Office of Higher Education](#) would be required to assemble a task force to study the rising costs of textbooks for postsecondary students, under a bill laid over by the House Higher Education Finance Committee April 3 for possible inclusion in its omnibus bill.

[HF4032](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), would require the examination of textbook pricing trends and strategies, the practice of textbook rental, policies related to the repurchase of textbooks from students, textbook selection policies and purchasing practices of colleges and universities.

A report would be due to the Legislature by Jan. 15, 2007.

“As tuition has dramatically increased, we need to look at other costs faced by students,” Urdahl said.

“My generation is a generation of debt,” said Hal Kimball, state chair of the Minnesota State University Student Association. Along with tuition increases, the rising costs of textbooks are equally as corrosive to student pocketbooks, he said.

“We welcome the study ... and we want to address the new technologies that are coming online,” said Bruce Hildebrand, executive director for the Association of American Publishers.

A companion bill ([SF3608](#)), sponsored by [Sen. Claire Robling](#) (R-Jordan), awaits action by the Senate Education Committee.

### English proficiency for professors

A task force to investigate and report on the assessment of faculty and teaching assistants, and their ability to speak English clearly and with good pronunciation, was laid over April 5 for possible inclusion in the House Higher Education Finance Committee omnibus bill.

[HF2798](#), sponsored by [Rep. Bud Heidgerken](#) (R-Freeport), would establish a Higher



Education English Proficiency Task Force consisting of 11 members that would include three post-secondary students, an administrator and faculty member from the University of Minnesota and Minnesota State Colleges and Universities (MnSCU) system, and four legislators.

"There's a lot of good foreign professors; there's a lot of good professors that come from foreign countries," but there should be a speaking test like the University of Minnesota requires, said Heidgerken.

"Every international student we admit is required to go to the University of Minnesota 'speak' program before teaching a class or before running a discussion class," said Martin Sampson, a university political science professor. Foreign professors are a valuable source for education on cultures and global awareness, he said.

"We don't think we need a law to solve every single issue that exists out there, nor do we need a task force," said Russ Stanton, representative for the Inter-Faculty Organization. We have a board of trustees, we have faculty, presidents and administrators that assure communication problems are caught and dealt with, he said.

A companion bill ([SF3715](#)), sponsored by [Sen. Cal Larson](#) (R-Fergus Falls), awaits action in the Senate Finance Committee.

### Apples and money

A bill seeking \$8.1 million for the University of Minnesota School of Dentistry and the College of Veterinary Medicine was laid over April 5 for possible inclusion in the House Higher Education Finance Committee omnibus bill.

[HF3975](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), would appropriate \$3.2 million to the veterinary college for equipment, a magnetic resonance imaging system, a linear accelerator and radiology equipment. The additional \$4.9 million would fund dentistry studies with simulation and virtual reality equipment, 101 patient simulation workstations and 20 advanced simulation units.

An amendment added by Urdahl would require the university to establish a task force to study the market impact on Minnesota producers of agricultural products from the university licensing germplasm and to make recommendations to the Legislature and the Board of Regents on ways to mitigate any negative impacts on Minnesota businesses that arise from university agreements.

Controversy arose with the licensing of a new variety of apple the university has produced when one Minnesota grower was

given packing and distributing rights.

Jim Brikholz, vice president of the Minnesota Apple Growers Association, said independent growers cite this as a disadvantage because they usually do much of the packing and distributing themselves, putting them at a marketing disadvantage.

A committee at the university looks at each variety release to determine how it should be handled, said Bev Durgan, director of the Minnesota Agricultural Experiment Station at the university. "We believe that this will help and ensure that this particular apple variety will be available for apple growers for a long time to come."

A companion bill ([SF3527](#)), sponsored by [Sen. Steve Dille](#) (R-Dassel), awaits action in the Senate Finance Committee.

## LAW



### Updating investment securities

There are two versions — 1985 and 2002 — of the Uniform Securities Act. Minnesota currently uses the 1985 version of this federal law. However, [HF2514](#), sponsored by [Rep. Joe Atkins](#) (DFL-Inver Grove Heights) would update that law to the federal 2002 version.

The act deals with the sale of investment securities, such as stocks and bonds. Some securities transactions are exempt from regulation at one level and regulated only at others; the bill attempts to create uniformity for such cases at the federal and state level.

On April 3, the House passed the bill 132-2. Received April 4 from the House, it awaits action by the Senate Rules and Administration Committee. [Sen. Don Betzold](#) (DFL-Fridley) is the Senate sponsor.

The bill gives the state regulatory and enforcement authority that avoids duplication of regulatory effort and blends with federal regulation and enforcement. The new act facilitates improvements as electronic filing, investor education, criminal penalties set by states, expanded power enforcement and registration of securities.

## LOCAL GOVERNMENT



### County positions now appointed

Signed  
by  
the  
governor  
\*\*\*

Carver and Renville counties can now follow the actions of 24 other counties in the state, and change some previously elected county positions to appointed.

Gov. Tim Pawlenty signed a bill March 31 giving the two counties authority to make the auditor, treasurer and recorder

positions appointed rather than elected. It also provides for a current officeholder to complete the elected term before the office is made appointive. For enactment, it is subject to a four-fifths vote of the county board and is subject to reverse referendum.

There was significant debate March 23 when the bill, sponsored by [Rep. Paul Kohls](#) (R-Victoria), was approved 68-65 by the House.

Calling the bill, "a wonderful idea," [Rep. Larry Howes](#) (R-Walker) said he will sponsor a bill allowing all counties to make the change.

Another member, however, viewed this as a step toward eroding local control.

"Here we go again, folks. Taking away the local citizens' right to vote," [Rep. Torrey Westrom](#) (R-Elbow Lake) said. Under current law, a county has the option of going directly to its residents for a referendum on whether the positions should be appointed. "None of them have done that, and have opted to take the easy path and have the Legislature stick it to the citizens of their county instead."

[Sen. Julianne Ortman](#) (R-Chanhassen) is the Senate sponsor. It passed 59-4 in that body March 28.

[HF3263/SF1878](#)\*/CH173

### Authority membership increase

A plan to add members to Swift County's rural development finance authority was passed 122-8 by the House March 30.

Sponsored by [Rep. Aaron Peterson](#) (DFL-Madison), [HF2645](#) stipulates that the authority's membership be increased from seven to nine. It also stipulates that members reside within the county and that appointments reflect the population of the entire county, with one member representing each of the five county commissioner districts. The other four members must represent various county-based economic development organizations or be at-large. No more than three members may reside in any one county commissioner district.

The bill also defines the members' terms, and prohibits membership to employees, shareholders, owners or directors of entities with which the authority enters into an agreement.

Received from the House April 3, the bill was referred to the Senate Rules and Administration Committee. [Sen. Gary Kubly](#) (DFL-Granite Falls) is the Senate sponsor.

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

## ★ SAFETY

### Detecting carbon monoxide

[Rep. Denny McNamara](#) (R-Hastings) lost his brother-in-law to carbon monoxide poisoning in 1999. A bill he is sponsoring would help others avoid the same fate.

“We always wanted to make sure we had carbon monoxide detectors and smoke detectors everywhere at home, and unfortunately didn’t make sure we had a carbon monoxide detector at our cabin,” he said.

Heard April 4 by the House Public Safety Policy and Finance Committee, [HF1337](#) was held over for possible inclusion in the committee omnibus bill.

The bill would require that every single-family home, and each unit of a multi-family building have an operational carbon monoxide alarm on each level and within 10 feet of each sleeping room.

According to the Minnesota Safety Council, “Carbon monoxide is a tasteless, colorless, odorless gas that interferes with the delivery of oxygen throughout the body. Sources of carbon monoxide include unvented kerosene and gas space heaters, leaking chimneys and furnaces, back-drafting from furnaces, gas water heaters, woodstoves and fireplaces, gas stoves and automobile exhaust from cars in attached garages.”

McNamara said the operation and enforcement is similar to that with smoke detectors, where failure to comply results in a misdemeanor.

“The effective date is Jan. 1, 2007, for new construction, and Aug. 1, 2008, for all existing single-family and multi-family units,” McNamara said.

[Rep. Michael Nelson](#) (DFL-Brooklyn Park) expressed concern about the potential cost for public housing agencies at a time their budgets are getting tighter.

“We’re putting an unfunded mandate on these people. I agree with having it for new construction, but we need to move the time out further on existing construction because that cost is going to get borne by somebody,” he said. McNamara agreed to work with Nelson on an effective date.

Nelson also questioned the impact on buildings with hot-water central heating where there is no combustion in the apartment.

Under the bill, an owner of a multi-family dwelling that contains minimal or no sources of carbon monoxide may be exempted from the requirements if the owner certifies to the commerce commissioner that the dwelling poses no health or safety risks to the occupants.

A companion bill ([SF1003](#)), sponsored by

[Sen. Pat Pariseau](#) (R-Farmington), awaits action by the full Senate.

### Helping with organ donation

Emergency workers response time to the scene of an incident can sometimes determine if a life can be saved. In the future, those actions might save the life of someone miles away.

[HF2673](#), sponsored by [Rep. Phyllis Kahn](#) (DFL-Mpls), would change the procedure for emergency responders and peace officers when the victim is an organ donor.

Under the bill, if a public safety officer at an incident finds a document indicating the person wants to donate his or her organs, that officer would notify the dispatcher, who would then contact LifeSource, Minnesota’s designated management organization for organ transplants.

Under [current statute](#), public safety officers are required to search a gravely injured or deceased person for documents indicating the person’s willingness to be an organ donor. That information must be provided to hospital staff if the person is sent to a hospital. However, there is nothing in statute for a person sent straight to the morgue.

“Many people in automobile accidents never go to hospitals; they go directly to the morgue,” Kahn told the House Public Safety Policy and Finance Committee March 30. “With improvements in donor availability and the kinds of things they use for donation, there was a large waste, in a sense, of people who wanted to be a donor.”

The committee held the bill over for possible inclusion in its omnibus bill.

Upon a request from [Rep. Doug Meslow](#) (R-White Bear Lake), Kahn agreed to further define the term “dispatcher” as the bill moves along.

According to a Nov. 24, 2005, story in *The Register-Guard* in Eugene, Ore., a similar program in Washington between November 2003 and Sept. 1, 2005, resulted in 18 tissue and 45 cornea transplants.

A companion bill ([SF3604](#)), sponsored by [Sen. Linda Scheid](#) (DFL-Brooklyn Park), awaits action by the Senate Crime Prevention and Public Safety Committee.

## ★ TAXES

### Aggregate preservation

Construction of most streets and buildings requires the use of aggregate — more commonly called gravel. But when streets and buildings constructed over gravel deposits render the deposits inaccessible, finding a

cheap-as-dirt source of the material for other construction projects becomes difficult or impossible.

On March 30, the House Property and Local Tax Division of the House Taxes Committee considered [HF2220](#), sponsored by [Rep. Denny McNamara](#) (R-Hastings). The bill would encourage the preservation of aggregate deposits by establishing an aggregate resource preservation property tax program. It was laid over for possible inclusion in a report to the full committee.

A companion bill ([SF1800](#)), sponsored by [Sen. John Hottinger](#) (DFL-St. Peter), was included in the Senate omnibus tax bill ([SF1683](#)), but did not make the final law.

McNamara said that both good and bad stewardship of aggregate deposits has occurred in the Twin Cities metropolitan area.

“The city of Woodbury is built on top of the aggregate, and it’s underneath all the homes there. In the city of Apple Valley, we mined the aggregate first and now it’s been developed,” McNamara said, explaining that the bill might help keep future development costs from rising unnecessarily.

Fred Corrigan, executive director of the Aggregate & Ready Mix Association of Minnesota, said the Southdale retail area was built over an aggregate deposit that could have supplied the construction needs of the Twin Cities for 100 years. An example of good stewardship is Maple Grove, he said, where the aggregate was mined before the retail area was built.

Areas with aggregate deposits are popular places to develop because of cheap access to the aggregate, Corrigan said.

The preservation program is one that counties could opt out of within two years of the effective date, and it would allow landowners with 10 or more contiguous acres zoned residential homestead, farm homestead, timber or agricultural to enroll 10-acre parcels. The parcels enrolled would be assessed as agricultural until the aggregate is mined.

In return, the owner would agree that the parcels would be mined for aggregate before being developed, and the tax classification of each parcel would change to commercial after the mining commences.

### Looking for relief

A lengthy discussion of Gov. Tim Pawlenty’s 2007 tax proposals April 4 by the House Taxes Committee wrapped up with the question, “Where’s the tax relief?”

[HF3603](#) — sponsored by [Rep. Phil Krinkie](#) (R-Lino Lakes) and presented to the committee by Revenue Commissioner Don Salomone — sets levy limits for counties and cities with

populations of 2,500 or more, but details no direct property tax relief.

The legislation was termed “a disappointment” by [Rep. Ann Lenczewski](#) (DFL-Bloomington). “Property tax relief — I think — is the biggest issue out there, and there’s really no property tax relief in this bill. I know it’s been asserted that levy limits are property tax relief, but I just have to disagree.”

“My understanding of what is in the Senate bill is that there is no direct property tax relief in the Senate proposal,” Krinkie said, adding that if property tax is what people want, legislation to that effect must be put forward by the House.

[Rep. Morrie Lanning](#) (R-Moorhead) and Lenczewski said some property tax relief legislation has been introduced, some has been heard in committees and some still awaits a hearing.

Salomone said he wasn’t sure how not passing a tax bill this year would impact the department. He said that, in his opinion, legislation that will conform Minnesota’s income tax policies to federal policies needs to be passed this year.

This include changes regarding certain utilities, charitable contributions and losses related to Hurricane Katrina, but Salomone said adopting the federal standard deduction for married taxpayers would impact more people than any of the other conformity items.

A companion bill ([SF3326](#)), sponsored by [Sen. Bill Belanger, Jr.](#) (R-Bloomington), awaits action by the Senate Taxes Committee.

### School funding

They say it’s never been done before in Minnesota, but if the Legislature allows it and Fergus Falls-area voters approve it, a local option sales tax and motor vehicle excise tax may help fund a new high school.

[HF3994](#), sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), would allow Fergus Falls to collect a 0.1 percent local option sales tax and an excise tax of up to \$20 per vehicle purchased within Independent School District 544 to build a new school for grades 9-12 and renovate its middle school. The amount that may be raised is limited to \$30 million, plus bond costs.

The bill was considered March 30 by the Property and Local Tax Division of the House Taxes Committee and will be considered for inclusion in a report to the full committee.

A companion bill ([SF3695](#)), sponsored by [Sen. Cal Larson](#) (R-Fergus Falls), awaits action by the Senate Taxes Committee.

Nornes said the Fergus Falls community has

said it would “like to have as many choices for funding this as possible instead of just having property taxes fund the entire project.”

Darrel Tungseth, a Fergus Falls-area farmer and member of the Fergus Falls Public Schools Facilities Task Force, said a local option sales tax was fairer to the farmers than an additional property tax levy “where you’re taxing a small number of people very heavily.”

Nornes said the Fergus Falls business community supports the local option sales tax alternative.

Funding K-12 school improvements with local option sales taxes has not been done in Minnesota before, according to Superintendent Mark Bezek.

“It has been used very successfully in North Dakota, in Jamestown, and that was a model that we were being compared to during this whole campaign,” he said.

Nornes said every House committee he sits on talks about local control.

“I think here’s another opportunity for us to enable the local folks to make the decision on whether they want to impose this tax,” he said.

## ★ TECHNOLOGY

### Plug it in

A bill that started as a way to keep the St. Paul Ford plant operating is now a proposal for a general task force to study the future of plug-in hybrid electric vehicles in the state.

[HF3719](#), sponsored by [Rep. Frank Hornstein](#) (DFL-Mpls), would establish a 13-member plug-in hybrid electric vehicle task force with two primary goals. The first is to identify barriers to the adoption of plug-in hybrid electric vehicles by state agencies, small and large private fleets, and Minnesota drivers. Another task is to develop strategies to be implemented over one-, three- and five-year time frames to overcome those barriers. The task force would issue a report to the Legislature by April 1, 2007.

The House Jobs and Economic Opportunity Policy and Finance Committee laid over the bill April 5 for possible inclusion in its omnibus bill.

By making a public commitment to have the St. Paul plant work on the hybrid vehicles, Hornstein said he hoped the original bill would woo Ford executives from any future shutdowns of the plant, but he opted to focus on the current version as a compromise. He also added that more hybrid vehicles would result in less dependence on foreign oil and vehicles not contributing to global warming.

[Rep. Karen Clark](#) (DFL-Mpls) said she

fully supports the bill but wanted to know how the vehicles would be affordable to the masses. David Morris, Institute for Local Self-Reliance vice president, said there are some reimbursements for people who own hybrid cars besides saving money on gas.

Hornstein added that these hybrid electric cars can run for 30 miles on electricity and then use ethanol, another renewable energy source, when gas is needed.

[Rep. Andy Westerberg](#) (R-Blaine) suggested adding language to the bill that would ensure that plug-in vehicles meet certain performance standards.

A companion bill ([SF3513](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the full Senate.

## ★ TRANSPORTATION

### Wear a helmet or pay up

People under age 18 may be required to wear bicycle helmets or face a fine of \$25, under a bill approved by the House Transportation Committee April 4 and sent to the House floor.

[HF3503](#), sponsored by [Rep. Ron Erhardt](#) (R-Edina), would restrict those under 18 years old from operating or riding a bicycle on the street, highway, bikeway or any other public bicycle path or trail without wearing properly fitted and fastened protective headgear that complies with standards established for helmets approved by the American National Standards Institute. The requirement would also apply to a person riding a bicycle in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

The \$25 fine would apply directly to those ages 15 or older, or to parents or guardians of those less than 15 years old.

Students from Mounds Park Academy came to Erhardt with the idea.

“In 2003, nearly 285,600 children, ages 14 and under, were treated in hospital emergency rooms for bike related accidents,” said Blair Benham-Pyle. Use of helmets for those ages 4 to 15 would prevent 39,000 to 45,000 head injuries, and 18,000 to 55,000 scalp and face injuries annually, she said.

“We need to protect our youngest most vulnerable brains,” said Jeff Nachbar, public policy director for the Brain Injury Association of Minnesota.

A companion bill ([SF2940](#)), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action by the full Senate.



## Highway bonding

The governor's highway bonding plan was held over April 4 by the House Transportation Finance Committee for possible inclusion in its omnibus bill.

[HF3657](#), sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville), would appropriate \$50 million to the trunk highway fund for program delivery and costs of actual payments to landowners for lands acquired for highway right-of-way, payments to lessees, interest subsidies and relocation expenses; and \$2.45 billion for actual construction, reconstruction and improvement of trunk highways, including costs associated with right-of-way acquisition, leases, interest subsidies and relocation expenses.

Additionally, the bill sets up a collection account for the motor vehicle sales tax that, with the passing of a constitutional amendment by voters this November, would allocate all the revenues to transportation.

Calling it a "reasonable bonding plan," Holberg said all those involved realize the importance of getting the constitutional amendment passed. The governor's plan also gives a tangible list of projects, she said.

"This is a very simple, direct concept for accelerating highway projects across the state ... and a new source of revenue to retire the debt on this plan, both the principal and interest," said Bob McFarlin, assistant to the transportation commissioner.

"This is all predicated on the fact that thing is going to pass," said [Rep. Ron Erhardt](#) (R-Edina). The plan could potentially be "hung out to dry," he said.

"I think this is a very difficult plan to support without us taking a look at different revenues," said [Rep. Dan Larson](#) (DFL-Bloomington).

"I think this bonding program with a list of projects will help show the voters a tangible list of items that they could expect to see happen as a result of supporting (the constitutional amendment)," said Holberg.

A companion bill ([SF2930](#)), sponsored by [Sen. Dick Day](#) (R-Owatonna), failed April 4 in the Transportation Budget Division of the Senate Finance Committee.

## Goods in impounded vehicles

Owners of impounded vehicles may be able to retrieve their goods from inside their vehicle without first having to pay the impound fees, under a bill approved by the House Transportation Committee April 4.

Under [HF3276](#), sponsored by [Rep. Pete Nelson](#) (R-Lindstrom), the notice given to the owner of an impounded vehicle must include the statement: "You have the right to pick up

your contents from your car, whether or not you give up the right to reclaim your car. But if you are NOT going to reclaim your car, after you get your contents, you must immediately (or as soon as possible) transfer title to the car to the impound lot operator or city. This will save money for you and the impound lot operator or the city." Under current law, all that is required is notice to the vehicle owner within five days of the impound.

The bill now goes to the House Transportation Finance Committee.

"What this bill is doing is preventing private tow operators from withholding personal belongings when they tow your vehicle away," said Nelson. "When they tow your vehicle they have some collateral, but some folks may not be able to afford the fees and need to get some money together. City towers have to give those things up and we're dealing with private towers."

After 45 days, if you do not claim your vehicle, it becomes the property of the towing company, Nelson said.

Speaking in opposition, Mark Bonstrom, president of the Minnesota Professional Towing Association, said current vehicle registration has been a major problem in tracking down owners of impounded vehicles. "Sometimes the only way we get any response when we send these certified letters is when the time comes that it's fishing or hunting season, or it's something that they want to get out of their car then miraculously they know where we're at."

Oftentimes if they just want the contents, they don't want the car back or the responsibility of the vehicle they left on the road, said Bonstrom.

A Senate companion ([SF3327](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the full Senate.

## Tribal identification card changes

Tribal identification cards issued by tribal governments and recognized by the Bureau of Indian Affairs may be used to obtain a Minnesota driver's license, under a bill approved by the House Transportation Committee April 4.

"There is a big problem with cashing checks and identification in general" for tribal members, said [Rep. Brita Sailer](#) (DFL-Park Rapids), the sponsor of [HF3886](#). The bill now goes to the House Rules and Legislative Administration Committee.

"I had a tribal ID and that's what I used for identification until 9/11 and then, after that, they wanted a Minnesota ID which I didn't have," said Melissa Tapio, an 80-year-old tribal member. Because she was born at home,



PHOTO BY ANDREW VONBANK

**Melissa Tapio, 80, testifies April 4 before the House Transportation Committee in support of a bill that would permit tribal documents to be accepted as proof of identity when applying for a driver's license or for purposes of verifying a name change. Rep. Brita Sailer, left, is the bill's sponsor.**

and there is no record of a birth certificate, she said it has been difficult for her to get a state identification card.

"There are many other Indian women, not only women but men, also that have been born at home that have tribal IDs and they're not recognized," she said.

Current tribal identification cards include such information as legal name, date of birth, signature and picture of the enrolled tribal member.

Michelle Paquin Johnson, attorney for the Red Lake Band of Chippewa Indians, said, "Often we hear tribal members who are trying to cash a check, who are trying to start an account, who are trying to apply for a driver's license or get a certificate of title," — anything that would require identification — and are having problems getting those items.

Tribal identification cards are not easy to obtain because many times members have to prove their ancestral lineage to the tribe, she said. "We have a process, it's screened through a committee ... it's probably greater than what most people do to prove their identity for the state of Minnesota."

A companion bill ([SF3549](#)), sponsored by [Sen. Rod Skoe](#) (DFL-Clearbrook), awaits action by the Senate Transportation Committee.

## VETERANS



### Free parks admission

Global War on Terror veterans and active duty military personnel may be allowed to enjoy hunting, fishing and visits to state parks for free.

[HF3248](#) and [HF3249](#), both sponsored by [Rep. Lynn Wardlow](#) (R-Eagan), would allow the [Department of Natural Resources](#) to issue hunting and fishing licenses and park permits to these personnel according to stated eligibility requirements.

In action by the House Agriculture, Environment and Natural Resources Finance Committee, [HF3248](#) was approved and sent to the House floor. [HF3249](#) was approved without recommendation and sent to the House State Government Finance Committee. It has no Senate companion.

[HF3248](#) would allow military personnel on active duty to enter the state's parks free when on leave and during 90 days following discharge from active duty. No fiscal note was provided. A companion bill ([SF3546](#)), sponsored by [Sen. Mike McGinn](#) (R-Eagan), awaits action by the full Senate.

In its current version, [HF3249](#) would allow veterans who are Minnesota citizens and have served in Iraq or Afghanistan the lifetime privilege of annually choosing from three categories: hunting, fishing or parks. The veterans' length of service would determine how many free items they could enjoy: six to nine months would be rewarded with one choice; nine to 18 months, two choices; and 18 months or more, three choices.

Bob Meier, legislative liaison for the DNR, said [HF3249](#) would cost \$600,000 in its first year if 10,000 veterans use the program.

"Our concern is not with the policy being established, but the loss in revenue to the accounts that are there," Meier said.

Because the future costs of the program could be exorbitant, [Rep. Dennis Ozment](#) (R-Rosemount) suggested the bill's sponsor consider reducing the lifetime eligibility to a specific number of years.

## LATE ACTION



### Gopher stadium gets House go-ahead

One stadium down, and two to go.

The House approved a plan April 6 for a new 50,000-seat football stadium on the Minneapolis campus of the University of Minnesota.

After the 103-30 bipartisan vote, [HF263](#), sponsored by [Rep. Ron Abrams](#)

(R-Minnetonka), now goes to the Senate, where [Sen. Geoff Michel](#) (R-Edina) is the sponsor.

"This bill will bring football back to the University of Minnesota," Abrams said.

The bill calls for the university to raise 50 percent of the \$248 million price tag privately, through student fees and the proposed \$35 million from TCF for naming rights. Once that money is raised, the state would contribute the other half by paying \$9.4 million annually for 25 years for 2,840 acres of environmentally sensitive university land near Rosemount. Upon conclusion of the payments, the university would sell the land to the [Department of Natural Resources](#) for \$1.

The original bill called for an annual state contribution of \$7.4 million for 25 years to fund 40 percent of the stadium costs. The land was not part of that proposal.

Two Abrams amendments were adopted. One directs the Commissioner of Natural Resources, in cooperation with the Board of Regents, to develop and present to the governor and Legislature a program plan for the land by Jan. 15, 2007. The other addresses possible pollution created before the University acquired the land, that may have come from ordinances stored there. The amendment was drafted by the attorney general, making the federal government responsible for its cleanup, and the university for any pollution that may have occurred under its ownership.

Also adopted was an amendment from [Rep. Rick Hansen](#) (DFL-South St. Paul) requiring wells on the land to be sealed in accordance with state law

[Rep. Jim Davnie](#) (DFL-Mpls) saw his amendment adopted as well, which would fix the student contribution for the stadium for the length of the bonds. It ensures that students would not be assessed for any construction cost overruns.

All total, 10 amendments were proposed.

Members who remained opposed to the stadium, raised issues such as higher student fees and naming rights.

### Eminent domain bill passes

The House passed the bill that would restrict governments' ability to use eminent domain after making a number of minor amendments April 6.

The bill ([HF2846/SF2750\\*](#)), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Thomas Bakk](#) (DFL-Cook), seeks to make it more difficult for government entities to acquire private property by strictly defining the situations in which eminent domain powers may be used. It passed 115-17 and

now goes back to the Senate for action on the amended version.

"This body is going to come together today on a bipartisan basis to right a wrong," said [House Majority Leader Erik Paulsen](#) (R-Eden Prairie), adding that he thought the bill was reasonable, balanced and fair.

Although a bipartisan majority voiced strong support for the bill, some members expressed concern that the bill was going too far and that some very serious unintended consequences were inevitable.

"Our inner cities will decay with this bill," said [Rep. Keith Ellison](#) (DFL-Mpls), arguing that the bill's language made it so difficult for local governments to prove that a property is blighted, that cleaning up urban neighborhoods with environmental or crime problems would be virtually impossible. "We've gone from a place where it's too easy to use eminent domain to a place where it's now far, far, far too restrictive," he said.

[Rep. Frank Hornstein](#) (DFL-Mpls) said that the bill "penalizes good cities" that use eminent domain responsibly for the greater good of their residents.

Members engaged in a lengthy, emotional debate regarding what to do about cities that currently have development projects underway that involved the use of eminent domain. Some members, including [Rep. Ann Lenczewski](#) (DFL-Bloomington) and [Rep. Morrie Lanning](#) (R-Moorhead), argued that cities that followed the law in acquiring property through eminent domain should be allowed to complete their projects, especially if they had already invested significant sums of money in them.

"[The cities] have been working in good faith and we are changing the rule," Lenczewski said. "What will we do during the transition?"

[Rep. Barbara Goodwin](#) (DFL-Columbia Heights) and [Rep. Dan Severson](#) (R-Sauk Rapids) each attempted to add language to the bill that would have exempted projects in their districts, but their amendments were voted down.

Johnson urged members to vote no on any such exempting amendments, noting that none of the 13 other U.S. states that have passed eminent domain reform legislation have included such transitional provisions in their laws.

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PHOTOS BY TOM OLMSCHIED

1988 - Speaker Bob Vanasek, on his 40th birthday, gets a hug and a toy monkey from a pink gorilla.

# The rumpus room

Business at the House is no laughing matter — usually

**G**erman Chancellor Otto von Bismarck once remarked that laws are like sausages — those who like them should not watch them being made. Anyone who has ever watched a House of Representatives floor session from inside the House chamber probably has a good idea of what he meant.

By Nick Busse

Those who have never seen the House in action, or who have only caught a glimpse of it while flipping through channels on their TV, might be fooled into thinking the legislative process is tedious and dry. But depending on what day you're watching, nothing could be further from the truth.

Take the case of Rep. Elton Redalen (IR-Fountain), who on May 14, 1987, collapsed from exhaustion after leading a five-hour

filibuster on the House floor. As paramedics wheeled him away on a gurney, Redalen waved, drawing a round of applause from his Republican comrades. Earlier that evening, House Speaker Fred Norton (DFL-St. Paul) had ended Redalen's filibuster by declaring him to be out of order, prompting the Republicans to pound their desks with their fists, shouting "Gag! Gag! Gag!"

Or, consider the reactions of House

members in March 1974 when a trio of naked men streaked through the Capitol, sprinting past a full House chamber. Rather than scoff angrily at the streakers' lack of respect, Rep. Neil Haugerud (DFL-Preston) introduced a "streaking amendment" to a bill that would have created a special tax on ski masks and sneakers as well as required "night streakers" to equip themselves with "a lamp on the front and a red reflector on the rear."



### Bizarre stories, true tales?

There are other, more bizarre stories. Some of the more popular include:

- At the height of the Great Depression, a contingent of angry farmers stormed the House chamber and pelted the unsuspecting legislators with an arsenal of rotting vegetables. A former chief clerk has denied the event took place and members of the Minnesota Historical Society declined to comment.
- In 1857, fur-trader-cum-state-representative Joe Rolette stole a bill that would have made St. Peter the state's capital and then disappeared for the remainder of the session. Rolette is said to have spent a week in a hotel room, drinking and playing cards with friends, killing time so that the bill would be dead by the time he returned. As a result, St. Paul remained the state capital.
- When a speaker of the House orders members to vote "under call," sergeants-at-arms and State Patrol troopers are sometimes called upon to go out and physically locate individual House members and bring them back to the House chamber to vote on a crucial piece of legislation. Several times in the history of the House, members have had to be driven back to the Capitol from miles out of town.



**1997 - Rep. Harry Mares holds his cheesehead over his heart as he says the Pledge of Allegiance at the start of the Jan. 23, 1997, floor session. A die-hard Green Bay Packers fan, Mares brought his cheesehead to the chamber in recognition of the Packers beating the New England Patriots in Super Bowl XXXI.**



**1977 - House Minority Leader Henry Savelkoul set a toy monkey on top of the bill binders on his chamber desk as he spoke about the tax bill.**

One has to dig deep to find them, but the history of the House is filled with such stories of outbursts, outlandish antics and colorful personalities. And while the casual observer might be tempted to attribute them to immaturity or a lack of respect on the part of some representatives, to do so would be to ignore the fairly rambunctious and unruly history of democracy itself.

### Two chambers, worlds apart

"One of the first things a new observer of the House is likely to notice is its informality," writes political scientist Royce Hanson in his 1989 study of the Minnesota Legislature, *Tribune of the People*. "Its rules concerning decorum are lax, at least in comparison with the Senate. Members have long been allowed on the floor without coats and ties. They are not admonished for eating or reading at their desks during the session. They address each other by name, rather than as 'the representative from [District or County].'"

"Lax" might be a gentle term. Many a first-time visitor to the House chamber has undoubtedly been struck by the apparent chaos of floor-session proceedings. Members get up from their seats, wander about the room, converse with colleagues, leave the chamber to confer with lobbyists or constituents in the hallway, and then return just in time to punch a button on their desks that casts a "yes" or "no" vote on a bill. Speeches and debates can often barely be heard over the din of conversation in the room, prompting the speaker of the House to bang his gavel on the desk at intervals, repeatedly urging members to take their conversations to the back room.

Meanwhile, the Senate, whose members

observe a strict dress code and are forbidden from having coffee or newspapers on their desks during session (among other things), is comparatively sedate in its proceedings. This has led to a long history of friendly jesting between representatives and senators; the former often paint the latter as being too stodgy and formal, while the latter view themselves as doing an overall better job of representing the state's venerable institutions.

"Some members [of the House] even appear to take perverse pleasure in the discomfort their casual ways give members of the Senate," Hanson writes. "While a few members complain that the House often looks (and is) a bit chaotic, most appear to agree with Speaker David Jennings (1985-86), who could often be found presiding in his shirt sleeves, that too much formality just got in the way of getting the business done expeditiously."

The differences in culture between the House and Senate are perhaps most readily evident in the differences in dress. The Senate's insistence that its male members wear ties, in particular, has been a steady source of humor among House members. Even speakers of the House have been barred from the Senate chamber for not wearing a tie, and at least one House member launched a mini-revolt over the rule.

During the 2001 session, [Rep. Tom Rukavina](#) (DFL-Virginia) attempted to confer with [Sen. David Tomassoni](#) (DFL-Chisholm) on the Senate floor but was stopped at the door and told he could not enter because he wasn't wearing a tie.irate, Rukavina responded by successfully amending the rules of the House to force all male senators to remove their ties before entering the House chamber.

**Rumpus continued on page 22**

# The everything bill

## State government finance bill casts a wide net

By Nick Busse

An omnibus state government finance bill covering everything from legislators' pay to election laws to new benefits for veterans was approved by a House committee April 5.

[HF2833](#), sponsored by [Rep. Marty Seifert](#) (R-Marshall), represents the combined efforts of members of the House State Government Finance Committee, which Seifert chairs. Its provisions, culled from a number of smaller, individual bills, address a miscellany of government finance-related issues.

Altogether, the bill contains more than 180 sections, touching on dozens of topics. Some of the highlights include:

- Legislators and the governor would be forced to forfeit their salaries for each month after the May legislative adjournment deadline that the House and Senate do not pass all of the major appropriation and revenue bills. Additionally, legislators would be forbidden from receiving per diem living expense reimbursements during a special session that is called because the Legislature failed to pass major budget bills or bonding bills by the adjournment deadline.
- Political campaign materials would be barred from being displayed within 300 feet of a polling place on a primary or general election day. Additionally, anyone trying to persuade or influence voters would be forced to stay at least 1,000 feet away from the polling place.
- Campaign spending limits for political candidates for governor, lieutenant governor, attorney general, secretary of state or state auditor would be increased by 20 percent over current amounts.

### What's in the bill:

The following are selected bills that have been incorporated, in part or in whole, into the omnibus state government finance bill:

**HF2567 – Welter**  
**HF2608 – Heidgerken**  
**HF2688 – Westrom**  
**HF2921 – Severson**  
**HF2961 – Dean**  
**HF3072 – Severson**  
**HF3187 – Peppin**  
**HF3254 – Hackbarth**  
**HF3625 – Peppin**  
**HF3833 – Hilty**  
**HF3865 – Emmer**

- The amount of money political candidates can take from political party units during election years would be increased from \$20,000 to \$50,000 for governor and lieutenant governor together, \$10,000 to \$20,000 for attorney general, \$5,000 to \$20,000 for secretary of state and state auditor, and \$5,000 to \$6,000 for legislators.
- State agencies would be forbidden from adopting unfunded mandates that would cost businesses or local governments more than \$10,000 in the first year after they take effect.
- State colleges and universities would be forbidden to assess late fees to student-veterans who are awaiting federal educational assistance payments. They

would also be directed to grant college credits to veterans for educational courses completed while serving in the military.

- Two new plaques would be placed in the Court of Honor on the Capitol Mall: one to honor military war dogs and their handlers and another to honor the state's Medal of Honor recipients.

Several significant last-minute amendments were also added to the bill.

Seifert successfully amended the bill with a provision that would bar state agencies from asking for fee increases to existing fees during the second year of the legislative

biennium. Seifert said he was concerned about "the hogs at the trough who are jacking fees up each year ... on the taxpayers of Minnesota."

[Rep. Phil Krinkie](#) (R-Lino Lakes) introduced an amendment to the bill that would forbid the National Sports Center in Blaine from charging more than just the base operating and usage costs to government or nonprofit

organizations holding meetings at the center. [Rep. Phyllis Kahn](#) (DFL-Mpls) then successfully amended Krinkie's amendment by extending the provision to apply to all publicly funded facilities in the state.

"If you're going to do it to one, the same argument should hold for everything," Kahn said.

Krinkie said it was a rather large change, but that he would accept it anyway. The committee adopted the amendment.


One of the more controversial sections of the bill is a provision that would direct the commissioner of employee relations to study and report to the Legislature the implications of converting state public pension plans from "defined benefit" to "defined contribution" plans.

[Rep. Bill Hilty](#) (DFL-Finlayson) objected to the provision on the basis that not all of the concerned parties had a voice in the study and that the cost of the study was unknown. He unsuccessfully moved to delete the provision.

### New funding

The bill also includes a number of supplemental appropriations, including:

- \$2.3 million from the Health Care Access Fund to the Department of Employee Relations to support the Public Buyers Group (formerly the Public Employees Insurance Program).
- \$1.7 million for computer security planning, implementation and administration by the Office of Enterprise Technology in 2007;
- \$380,000 in funding to be taken away from Minnesota Public Radio and given instead to public television;
- \$325,000 to pay for the cost of the state's legal counsel in the Northwest Airlines bankruptcy proceedings; and
- \$10,000 to the Legislative Coordinating Commission for use in a legislators' forum through which Minnesota legislators "meet with counterparts from South Dakota, North Dakota, and Manitoba, Canada, to discuss issues of mutual concern."

The bill now goes to the House Ways and Means Committee. A companion ([SF2489](#)), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), awaits action in the Senate Finance Committee. 

## Pesticide problems

Report shows good news, bad news situation

By IRENE VOTH

**P**esticides are poisons. An umbrella term for herbicides, insecticides, rodenticides and other chemicals intended to bring illness and death to undesirable flora and fauna, some can and do bring illness and death to unintended victims, from honeybees to human beings.

In Minnesota, the [Department of Agriculture](#) regulates and monitors pesticide use, and a [report](#) released last month by the [Office of Legislative Auditor](#) stated that the department “does a good job.”

Yet, after hearing the auditor’s report March 22, the House Agriculture and Rural Development Committee heard testimony from people who claim there are unintended victims of pesticide use in Minnesota.

The auditor’s report states that the department has a reasonable process for investigating cases alleging human or animal exposure to pesticides, but methods for collecting pesticide application records are not always thorough. It also states the department imposes numerous enforcement actions, including monetary penalties, for law violations, but it does not fully evaluate their consistency or effectiveness. Finally, it states that pesticide application information in Minnesota is not sufficiently available to all people who could be affected by the applications.

Minnesota requires that residents near application sites receive advance notice about pesticide applications, but prior to mosquito or gypsy moth treatments only or when other applications are made to reduce public health risks.

Nevertheless, [HF3159](#), a bill to require farmers or pesticide applicators to give 24-hour notice to any farm employee before applying pesticides, did not pass out of the House Agriculture and Rural Development Committee March 28. It has no Senate companion.

Rep. Keith Ellison (DFL-Mpls), the bill sponsor, said the bill “doesn’t call the use of pesticides into question. We recognize they’re a fact of life and part of reality, but I think that



PHOTO BY TOM OLMSCHIED

**Chela Vazquez of Centro Campesino, an organization that represents migrant workers, testifies March 22 before the House Agriculture and Rural Development Committee for a bill that would require notice of certain pesticide applications.**

we all can do better” in addressing the hazards of pesticides to unintended victims.

Among those testifying against the bill was Paul Liemandt, who manages the department’s response program for pesticides and fertilizers. Liemandt said the [Workers’ Protection Standard](#) is a federal law that already provides for the safe use of pesticides and that the department enforces that law.

“In fiscal year 2005, at least 13 percent of our inspectors’ time was devoted to ensuring that farm workers and handlers were protected under that Worker Protection Standard, and indeed we’ve taken dozens of enforcement actions, including penalty actions when we’ve found noncompliance,” he said.

Those testifying on behalf of the bill included Chela Vazquez, who said Latino migrant farm workers have told her that they

have been exposed to pesticides and feel they are not adequately informed about the hazards of such exposure.

Representing the Minnesota Center for Environmental Advocacy, Dr. Samuel Yamin also spoke on behalf of the bill. He said the [United States Environmental Protection Agency](#) estimates that up to 20,000 U.S. farm workers are poisoned annually by pesticides, resulting in what he called “acute” effects.

“The health effects can include rashes, headaches, nausea and vomiting, disorientation, loss of coordination and even coma and death,” he said.

Regarding a second category, called “chronic” effects, Yamin said researchers have found elevated risks for a variety of cancers as well as reproductive problems, miscarriage and birth defects among farm workers exposed long term to herbicides, including 2-4D and atrazine.

Insecticides adversely affect the nervous system, he said: “Recent studies have also begun to show a link between pesticides and Parkinson’s Disease.”

On March 28, Liemandt spoke of the role of the EPA in pesticide labeling, which incorporates instructions about safety measures for using pesticides, and of employers’ responsibilities regarding employees and pesticide use.

He also said the Agriculture Department inspects dozens of sites each year, and that 150 enforcement actions have been taken against non-compliant pesticide users in the last several years.

Sue Meyer, Candy Anderson, Becky Sheets and Carol Ashley, residents of rural central Minnesota, each spoke of the repeated exposure to pesticides by themselves, their families and their livestock through aerial and ground applications on the agricultural fields in the vicinity of their homes.

They also spoke of the human and animal health effects they attribute to that exposure, including chronic headaches, stomach pain, sore throats and burning eyes, and chronically ill horses and sheep.

Meyer said her complaints to the Department of Agriculture have resulted in inadequate testing and no disciplinary actions against those spraying, “even after the field inspector told me personally that there was enough evidence for them to be disciplined.”







## Committee targets

*Editor's note: As of press time Thursday night, the House was expected to take up the budget targets, which were discussed in a House committee earlier in the week.*

Targets setting the limit on changes in expenditures for the remainder of the biennium were approved April 5 by the House Ways and Means Committee.

"I'm very concerned about making sure we account for the possible loss in the tobacco case," said Committee Chair [Rep. Jim Knoblach](#) (R-St. Cloud). "That is a contingent liability of \$370 million. This resolution allows us to account for that contingency."

Last year the health impact fee on tobacco products was enacted, and the law is being challenged in court.

The resolution transfers \$267.7 million of the \$316.7 million available in the tax relief account to the General Fund, with

the remaining \$49 million available for the tax committee to do with what it chooses. Knoblach said the tax committee could allocate those funds, contingent on the state winning the health-impact fee case.

The spending plan also calls for about \$20 million of the approximately \$122 million surplus in the Health Care Access Fund to be used for unrestricted spending, and nearly \$102.3 million to be set aside as contingency until the court case is settled. If the case is settled in favor of the state, the money could be expended.

[Rep. Thomas Huntley](#) (DFL-Duluth), warned against putting anything in writing about the money set aside for the tobacco court case, adding that Finance Commissioner Peggy Ingison previously told the committee that has never been done. Knoblach said he reviewed the proposal with Ingison, and she made no comment about the language.

Of the \$88 million in additional funding, \$75.25 million would be for the health finance bill; \$10.5 million for the environment and

natural resources; \$6.78 million for capital expenditures debt service; \$6.6 million for K-12 education; and lesser amounts for public safety, higher education, state government, agriculture and transportation.

The jobs and economic opportunity finance bill is to see a \$26.75 million decrease under the plan.

"In further research we have found that we can refinance \$27.5 million of TANF money without running into any sort of problems with the federal government," Knoblach said. "This will enable us to meet our work requirements and such, but it makes additional money available. That'll leave the committee with some additional money for needs they may have."

A number of members and committee chairs said the allocations will not meet the requested needs.

Knoblach noted that a biennial budget was passed last year, but this is to help with situations that have changed from last year's approved plan.

## Bonding continued from page 4

The Como Zoo in St. Paul would receive \$10 million for facility upgrades, the Minnesota Zoo in Apple Valley \$9 million, the Lake Superior Zoo \$600,000 to remodel its polar bear exhibit and the Little Falls Zoo \$400,000, with the stipulation that the capital improvement funds must support accreditation of the zoo by the American Association of Zoos and Aquariums.

"We really don't want to get into support of these zoos that kind of end up causing scandals or sort of roadside attraction zoos or something like that," said [Rep. Phyllis Kahn](#) (DFL-Mpls). "This Little Falls Zoo seems to have a set of people working very hard, who

seem to supply a very good need into the community, and when I asked them about accreditation they said they couldn't get it without this appropriation."

Also potentially faring well are sports facilities.

The bill provides \$12 million for a multi-purpose facility at Southwest Minnesota State University to go along with a private \$5 million donation from Schwan's, \$3 million for a regional sports center in Bemidji and \$3 million for the Duluth Entertainment and Convention Center. The governor included the Bemidji funding, but had nothing for the

other two projects. The Senate had zero for all three.

Duluth leaders call the \$33.7 million request the city's top priority and noted that its voters approved a food and beverage tax increase to help fund the project. "We're going to listen to the Senate and see if they really are interested in that project," Dorman said.

The potential House funding keeps the project alive for the expected conference committee negotiations. While not officially dead, projects that are in neither the House nor Senate bills will likely not get consideration.



## Rumpus continued from page 19

Female House and Senate members have differing customs as well. Although the House had already allowed it for years, on April 16, 1993, [Sen. Ellen Anderson](#) (DFL-St. Paul) became the first woman to wear pants on the Senate floor, leading one *Star Tribune* reporter to declare that the "Pants Barrier" had been broken in the Minnesota Senate.

## Relaxed but professional

According to Hanson, the relative informality of the House has historical roots. Until the 1970s, only the speaker and majority leader had their own private offices. Rooms, telephones and secretaries were all shared communally by House members, who often met constituents on the House floor when not

in session.

Today, the House functions much differently. It has a full, professional support staff, and according to 34-year House veteran [Rep. Phyllis Kahn](#) (DFL-Mpls), the culture has become more professional as well.


"When I got here, there were members smoking all over the place, and they had flasks hidden in their desks," Kahn says.

Similarly, former Rep. John Tuma (R-Northfield), who served from 1995-2002, recalls visiting the House chamber as a child in the 1970s and seeing a "blue haze" of smoke hanging over the chamber.

"I remember looking down on the floor and just seeing what looked like utter chaos,"

Tuma said. "But yet there was something happening. There was an energy. There was a flow. And I just thought to myself, 'I've got to be here someday. This is cool.'"

An ex-member of the so-called "Dog Pound" — a group of House Republicans who used to sit in the far right corner of the chamber and hand out dog biscuits as rewards for conservative legislation — Tuma says the differences in decorum and attitude between the House and Senate are a good thing.

"I think it's healthy for democracy, because it was the wisdom of our Founding Fathers to have a very deliberative process, and have two bodies that have distinctly different views on life." 

## Monday, April 3

### HF4068-Abrams (R) Transportation Finance

Motor vehicle sales tax revenue allocation modified, highway user tax distribution funds provided and previous constitutional amendment ballot question modified.

### HF4069-Erickson (R) State Government Finance

Assistive Technology of Minnesota funding provided and money appropriated.

### HF4070-Ruth (R) Jobs & Economic Opportunity Policy & Finance

Hairbraiding occupational registration required.

### HF4071-Sykora (R) Education Finance

School district reserve accounts eliminated.

### HF4072-Abeler (R) Health Policy & Finance

Limited part-time practice authority authorized for retired dentists.

### HF4073-Abeler (R)

**Taxes**  
Ramsey tax increment financing district authorized subject to special rules.

### HF4074-Johnson, S. (DFL) Civil Law & Elections

Government data practices written advisory opinion required upon request of an individual.

### HF4075-Simon (DFL) Education Finance

School districts required to maintain a separate account to identify expenditures for nonpublic school pupil special education instruction and services.

### HF4076-Marquart (DFL) State Government Finance

County veteran service offices funding grants provided and money appropriated.

### HF4077-Greiling (DFL) Education Finance

Secondary sparsity funding authorized for certain schools that primarily serve students who have been assessed as chemically dependent.

### HF4078-Anderson, I. (DFL) Commerce & Financial Institutions

Boats used to carry passengers for hire inspection requirements modified.

### HF4079-Sieben (DFL) Health Policy & Finance

Children's environmental health officer established within the Department of Health and money appropriated.

### HF4080-Ellison (DFL) Commerce & Financial Institutions

Child health supervision for services for children under age 6 clarified to include federally recommended blood lead tests and follow-up treatment.

### HF4081-Ruud (DFL) Taxes

Military pension individual income tax subtraction authorized.

### HF4082-Koenen (DFL) Education Finance

Federal comprehensive school reform funds replaced and money appropriated.

### HF4083-Ruud (DFL) Health Policy & Finance

Mercury tests results reporting required.

### HF4084-Brod (R) Education Finance

New Prague library grant provided for a Czech heritage center, bonds issued and money appropriated.

## Tuesday, April 4

### HF4085-Peterson, S. (DFL) Public Safety Policy & Finance

Parental notice of predatory offenders expanded relating to school areas.

### HF4086-Dorman (R) Taxes

Low-income housing projects construction materials sales tax exemption extended to limited partnerships in which the sole general partner is a nonprofit corporation.

### HF4087-Simon (DFL) Taxes

Naturalization application filing fees income tax credit provided.

### HF4088-Beard (R) State Government Finance

Property assessment deferments for certain members of the armed forces authorized and Support Our Troops grants authorized to eligible individuals to pay special assessments.

### HF4089-Thissen (DFL) Taxes

Special property tax refund deduction provided on property tax statement and money appropriated.

### HF4090-Ellison (DFL) Public Safety Policy & Finance

Minneapolis; downtown security collaborative expanded and money appropriated.

### HF4091-Hamilton (R) Jobs & Economic Opportunity Policy & Finance

Rural public water and sewer systems bonds maturity date conformity provided with bonds issued for municipal water and wastewater treatment systems.

### HF4092-Westerberg (R) State Government Finance

Body armor provided for members of the National Guard being deployed to combat service and money appropriated.

### HF4093-Samuels (R) Rules & Legislative Administration

Congress memorialized by resolution to recognize state authority under the U.S. Constitution to regulate noncommercial driver's licenses and identification cards and to repeal certain sections of the Real I. D. Act.

### HF4094-Seifert (R) State Government Finance

State agency fees limited.

### HF4095-Abrams (R) Taxes

Qualified terminable interest elections authorized relating to estate taxation.

### HF4096-Olson (R) Health Policy & Finance

Human services service plan provisions modified.

### HF4097-Gunther (R) Jobs & Economic Opportunity Policy & Finance

Chemical dependency treatment fund eligibility expanded.

### HF4098-Soderstrom (R) Jobs & Economic Opportunity Policy & Finance

Brook Park water treatment facility and water tower funding provided, bonds issued and money appropriated.

## Wednesday, April 5

### HF4099-Tingelstad (R) Governmental Operations & Veterans Affairs

Redistricting commission created for bipartisan legislative redistricting and constitutional amendment proposed.

### HF4100-Lanning (R) Taxes

Nonprofit licensed child care local property tax exemption option authorized.

### HF4101-Hilstrom (DFL) Education Finance

Independent School District No. 286, Brooklyn Center, innovative district program funding provided and money appropriated.

### HF4102-Carlson (DFL) Transportation Finance

Crystal Airport economic analysis and alternative land use report required.

### HF4103-Hansen (DFL) Environment & Natural Resources

Heritage enhancement, parks and trails, clean water, and arts and humanities funds established; sales tax increased and funds dedicated; heritage enhancement council and clean water council created; and constitutional amendment proposed.

### HF4104-Hansen (DFL) Environment & Natural Resources

Natural resources secretary office established, sales tax portion dedicated to natural resources, heritage enhancement fund and other funds established, money appropriated and constitutional amendment proposed.

### HF4105-Nelson, P. (R) Public Safety Policy & Finance

Statewide critical school incident planning and mapping system study required and money appropriated.

### HF4106-Sieben (DFL) Taxes

National Service Trust educational awards income tax subtraction authorized.

### HF4107-Mariani (DFL) Health Policy & Finance

Ramsey County chemical dependency facility supplemental rate expanded.

### HF4108-Vandever (R) Taxes

Transition payments for property tax base loss provided to compensate taxing jurisdictions for a decrease in tax base when property is acquired and becomes exempt.

### HF4109-Demmer (R) Education Policy & Reform

Agriculture education option included in social studies graduation requirements and agriculture science defined as fulfilling science credit requirements.

## Thursday, April 6

### HF4110-Abrams (R) Transportation Finance

Motor vehicle sales tax exemption provided for lessees who donate the leased vehicle to a charitable organization within 30 days of the date of purchase.

### HF4111-Hackbarth (R) Governmental Operations & Veterans Affairs

Baseball stadium funding provided, Minnesota Ballpark Authority established, community ownership option provided, Hennepin County bonding and local sales and use taxes authorized and football stadium and authority in Anoka County provided.

### HF4112-Eastlund (R) Public Safety Policy & Finance

Address confidentiality program established for victims of domestic violence, sexual assault or stalking; voting method and mail forwarding system provided to participants; criminal penalties imposed and money appropriated.

### HF4113-Peterson, A. (DFL) Transportation

National Guard-related signs authorized on highways.

### HF4114-Krinkie (R) Taxes

Public finance obligations terms and conditions provided and inter-fund loans authorized.

### HF4115-Brod (R) Taxes

Estate tax federal exemption conformity provided.

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Sources: [Minnesota Department of Natural Resources](#); [Wisconsin Department of Natural Resources](#); [Sigurd Olson Environmental Institute](#), [National Eagle Center](#).

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# SESSION Weekly

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INSIDE: TAXES, MINNESOTA MOVIES, GLOBAL POSITIONING AND MORE

This Week's Bill Introductions HF4116-HF4148



# Session Weekly

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**On the cover:** Donna Peterson, University of Minnesota associate vice president of government relations, waits for a colleague on the front steps of the Capitol April 10. The temperature exceeded 70 degrees that day for the first time this spring.

—Photo by: Tom Olmscheid

# Taxes — a local option

Stadium talk brings forward the use of local option sales tax

By **BRENDA VAN DYCK**

**O**ne way local governments can fund special projects is through a local sales tax.

Currently, 17 cities and one county have sales and use taxes that have been used to fund everything from civic and convention centers to wastewater treatments to park improvements. Most recently, Hennepin County has proposed a local sales tax to help fund a new Twins stadium in Minneapolis, and Anoka County is hoping to use this as a funding mechanism to help construct a new Vikings stadium in Blaine.

Local governments need legislative approval to implement local sales taxes because the Legislature prohibited local sales taxes in 1971. Before that time local governments could impose local sales taxes, and five cities had local taxes for specific items. Minneapolis had a 3 percent tax on admissions, transient lodging (i.e., lodging less than 30 days), and amusements with live entertainment; Bloomington, Duluth and St. Paul imposed

a 3 percent tax on lodging, and Bloomington imposed the tax on admissions to spectator events; Rochester imposed a 3 percent tax on transient lodging. In 1987, the Legislature enacted a bill allowing cities to adopt a lodging tax of up to 3 percent if the proceeds are used to promote tourism.

## A taxing history

According to a 2004 Department of Revenue [report](#), the 1971 prohibition reflected the Legislature's desire to reduce local property taxes with state aid, rather than with revenues from new local option sales taxes.

When the Legislature prohibited local sales taxes, a statewide sales tax had only been implemented four years earlier. Minnesota was one of the last states to implement a sales tax when it imposed a 3 percent sales tax in 1967. The Legislature increased the sales tax to 4 percent in 1971, 5 percent in 1981, 6 percent in 1983 and 6.5 percent in 1991.

There are only five states that don't have a statewide sales tax. States first started

## Local sales taxes currently in place

City/County	Rate
Albert Lea (beginning 4/1/06)	0.50%
Bemidji	0.50%
Cook County	1.00%
Duluth	1.00%
Hermantown	0.50%
Mankato	0.50%
Minneapolis	0.50%
New Ulm	0.50%
Proctor	0.50%
Rochester	0.50%
St. Cloud Area (St. Cloud, Sauk Rapids, St. Augusta, St. Joseph and Waite Park)	0.50%
St. Paul	0.50%
Two Harbors	0.50%
Willmar	0.50%

implementing sales taxes in the 1930s when they had difficulty financing the basic functions of government. Before that time, states relied primarily on property, excise, business and some income taxes. Minnesota's sales tax was designed to provide additional

**First Reading continued on page 4**



Photo courtesy of the Minnesota Twins

**Hennepin County would like to raise its sales tax by 0.15 percent, without voter approval, to help fund a new ballpark for the Minnesota Twins.**





Photo courtesy of the Minnesota Vikings - © Crawford Architects 2005

**To help finance a Minnesota Vikings stadium development plan, Anoka county would like to raise its sales tax by 0.75 percent without voter approval.**

### First Reading continued from page 3

sources of revenue that would replace increasing, and increasingly unpopular, local property taxes.

Since 1971, the Legislature has authorized many local sales taxes that are in addition to the percent statewide sales tax. Of the existing local sales taxes, most of the tax rates are 0.5 percent; Cook County and Duluth have a 1 percent tax.

Local sales and use taxes apply to the same things the statewide tax does, which are generally tangible goods purchased at retail. Some items are exempt, like food for home consumption and clothing.

Revenues from local sales and use taxes are used to fund specific capital improvements. For example, revenue from Bemidji's 0.5 percent tax goes to fund park and trail improvements.

Generally, the local sales tax is only in effect for the amount of time it takes to raise the revenue for the specified project.

### Ask the voters

During the 1990s, the number of requests by local governments to authorize local sales taxes increased. As a result, local sales taxes varied widely. To deal with this issue, the 1995 Legislature created an advisory council to study the sales tax and recommend ways to change the system.

Based on recommendations of the tax

advisory council, the 1997 Legislature adopted model legislation for authorizing and imposing local sales taxes. The law was intended to create a consistent system for applying new and existing local sales taxes that would ease compliance costs, and help the [Department of Revenue](#) administer the taxes. The law codified what was then common practice for how local governments and the Legislature were proposing and approving local sales taxes.

The 1997 law also requires the local unit of government to adopt a resolution stating its intentions to impose a local tax prior to seeking

legislative approval.

In 1999, the Legislature began requiring local governments to hold a referendum in which voters affected by the tax could vote on it. This also codified what was already general practice.

Local governments can get exemptions from any of the requirements in the law. For instance, they can seek to eliminate a referendum. Duluth, Minneapolis and St. Paul implemented their local taxes without voter approval; Mankato's tax was subject to a reverse referendum, which means voters could vote to stop the imposition of the tax. The legislation for the proposed 0.15 percent Hennepin County tax increase to help fund a Minnesota Twins ballpark exempts it from the referendum requirement.

### Local sales tax bills

The Property and Local Tax Division of the House Taxes Committee is considering 14 local option sales tax bills this session.


HF2757-Cloquet	HF3311-Pequot Lakes
HF2845-Owatonna	HF3814-Medford
HF3184-Winona	HF3965-Ely
HF3333-Duluth	HF3994-Fergus Falls
HF3122-North Mankato	HF2652-Luverne
HF3324-Baxter, Brainerd, Nisswa	HF3410-Austin
	HF3749-Breezy Point

A request from Hennepin County to help fund a new Twins stadium is scheduled to be heard April 19. A request from Anoka County to help fund a new Vikings stadium will also get a hearing yet this session, according to [Rep. Phil Krinkie](#) (R-Lino Lakes), chair of the House Taxes Committee.

(I. Voht)

### And there's the use tax

The 1997 law also required local governments to impose a complementary use tax with the sales tax.

Use tax applies when someone buys a taxable item or service in an area that has a sales tax, but doesn't pay the sales tax because that person does not live in the jurisdiction. The use tax is the same rate as the sales tax. Under state law, when a person buys more than \$770 worth of merchandise or services subject to the sales tax, that person must pay the use tax. 

— Brenda van Dyck is the editor/publications manager in the nonpartisan [House Research Department](#).

## ★ AGRICULTURE

**Fighting obesity, testing cattle for TB**

It's called "The Cheeseburger Bill," and it was successfully amended to the omnibus agriculture bill, which was approved and referred to the House Ways and Means Committee by the House Agriculture, Environment and Natural Resources Finance Committee April 11.

"Basically it says if you eat too many cheeseburgers at McDonald's and get fat, it's your fault. Don't sue McDonald's," said [Rep. Dean Urdahl](#) (R-Grove City), who moved the amendment.

Unlike other bills with no fiscal impact that were added with little discussion to [HF3810](#), sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), this amendment was challenged.

[Rep. Jean Wagenius](#) (DFL-Mpls) said she is concerned about childhood obesity and marketing, and the inability of parents to track what their teenagers are buying.

Urdahl said the bill is about parental responsibility and personal responsibility.

"It simply isn't the fault of the food producer and manufacturer, or whoever in the food chain we are, if you choose to eat too much food and gain weight."

The omnibus bill also includes [HF3441](#), sponsored by [Rep. Al Juhnke](#) (DFL-Willmar), which would create a fertilizer "check-off" through which fertilizer purchasers would be charged a refundable fee to establish a Minnesota Agricultural Fertilizer Research and Education Council and program. A companion bill ([SF3283](#)), sponsored by [Sen. Steve Dille](#) (R-Dassel), awaits action in the Senate Finance Committee.

Among the bills with fiscal impact included in the \$1 million omnibus bill is one initially sponsored by [Rep. Maxine Penas](#) (R-Badger) that would appropriate \$587,000 to the [Board of Animal Health](#) for testing cattle for bovine tuberculosis.

Discovered last year in Roseau County, the disease led the [United States Department of Agriculture](#) to downgrade the state's TB status and to the destruction of five herds. The testing is necessary to reinstate the state's TB-free status at the earliest possible date. A companion bill ([SF2922](#)), sponsored by [Sen. Rod Skoe](#) (DFL-Clearbrook), awaits action in the Senate Finance Committee.

## ★ BONDING

**Capital investment bill approved**

A capital investment bill that many say is the primary purpose of this session was approved April 12 by the House.

Following a 114-16 vote, [HF2959](#), sponsored by [Rep. Dan Dorman](#) (R-Albert Lea), now goes to the Senate. Expected to be rejected by that body, a conference committee would then be needed to work out the differences.

"This is a very well-crafted, very balanced bill," Dorman said, noting the projects are almost evenly divided between the Twin Cities metropolitan area, Greater Minnesota and projects of statewide significance.

The bill calls for \$949.27 million in general obligation bonds — \$40.65 million less than the Senate proposal ([SF3475](#)), but \$104.44 million more than the governor. Sen. Keith Langseth (DFL-Glyndon) is the Senate sponsor.

Included in the bill is:

- \$309.02 million for higher education;
- \$165.49 million for transportation, including \$60 million for local bridge replacement, \$50 million for the Northstar commuter rail and \$22.5 million for local road improvement grants;
- \$100.95 million for the [Department of Natural Resources](#), including \$19.23 million for flood hazard mitigation grants; and
- \$43.68 million for corrections, including \$19.58 million for a segregation unit at the Stillwater prison.

The spreadsheet is available at <http://www.house.leg.state.mn.us/fiscal/files/bond06.pdf>.

[Rep. Jim Davnie](#) (DFL-Mpls) said the bill does a good job of looking at long-term needs of the state in education, environment and transportation.

Among the no votes was [Rep. Jim Knoblach](#) (R-St. Cloud), who said the bill is too big. He also expressed concern about further increasing the state's debt service.

Many of the proposed amendments addressed the Northstar line.

Four amendments offered by [Rep. Mark Olson](#) (R-Big Lake) were defeated, including one that would not allow the project's cost-effectiveness rating to be lowered once negotiations are complete with Burlington Northern Santa Fe Railway for track usage, and another that would ensure that fare revenue would be enough to operate the line.

[Rep. Mary Liz Holberg](#) (R-Lakeville) successfully offered an amendment to divvy up

set-aside monies for Northstar in case federal funding does not materialize. The money would be transferred to the Central Corridor transitway and local road improvement and bridge replacement grants.

An amendment successfully offered by [Rep. Al Juhnke](#) (DFL-Willmar) would allocate \$300,000 to renovate the Minnesota Poultry Testing Laboratory in Willmar to help the lab be better able to isolate diseases, such as the Avian flu, and eradicate them more quickly. The money comes from part of the biotechnology grants allocated for Greater Minnesota.

[Rep. Larry Howes](#) (R-Walker) unsuccessfully offered an amendment to delete money for 75 more camper cabins in state parks.

## ★ BUSINESS

**Data protection**

Legislators recognizing Minnesota as a leader in biotechnology hope to help the state maintain a competitive advantage in that field.

[HF3185](#), sponsored by [Rep. Tim Mahoney](#) (DFL-St. Paul), would classify and regulate bioprocess piping information as non-public data. Currently, such data under state and local government custody is public, where competitors can easily access the information.

On April 10, the House passed the bill 128-3. It now awaits action by the full Senate. [Sen. Linda Scheid](#) (DFL-Brooklyn Park) is the Senate sponsor.

Mahoney said biotech manufacturers pour much money and time into developing bioprocess piping for their research and development. That information is then submitted to the [Department of Labor and Industry](#) or a municipality to support a building code permit application.

[Rep. Paul Kohls](#) (R-Victoria) added that businesses might move outside of Minnesota if manufacturers feel certain laws do not protect them.

## ★ EMPLOYMENT

**Cosmetology licensing**

Women with a felony on their record might have an easier time entering the cosmetology field.

[HF3464](#), sponsored by [Rep. Neva Walker](#) (DFL-Mpls), states that a cosmetologist

license cannot be denied to an applicant with a felony record if that person meets all licensing requirements established by the [Board of Barber and Cosmetology Examiners](#).

On April 10, the House passed the bill 99-31. It now goes to the Senate, where [Sen. Linda Higgins](#) (DFL-Mpls) is the sponsor.

Walker said there are barber programs in the St. Cloud and Moose Lake prisons that license people who pass requirements and state exams. The same should be done for a cosmetology program in the state's only women's prison in Shakopee, said Walker. Currently, women in the cosmetology program can be denied licenses by the board if they have committed a felony.

An amendment successfully offered by [Rep. Michael Beard](#) (R-Shakopee) gives workers with a felony record a chance to be licensed for racetrack-related jobs requiring certain certification. Racetrack workers with a felony cannot enter a track without being licensed. "This bill says we're not going to quit on you while you're down," said Beard.

### Workers' compensation changes

At the recommendation of the Workers' Compensation Advisory Council, a pair of changes could occur.

[HF3780/SF3465](#)\*, sponsored by [Rep. Denny McNamara](#) (R-Hastings) and [Sen. Tom M. Bakke](#) (DFL-Cook), would make two changes to workers' compensation laws. The first would permit workers' compensation insurers to give 30-days notice of a policy cancellation for failure to pay a premium. Another provision allows an employee to file an appeal to the workers' compensation court via facsimile. The fax could only be 15 pages or fewer.

Passed 131-0 by the House April 10, the bill is on its way to the governor. The Senate passed it 64-0 April 5.

[Rep. Paul Thissen](#) (DFL-Mpls) said he had no problem with the bill, but said "We really need to take workers' comp more seriously." He told a story about a constituent who got hurt operating a machine even though he had warned the employer about a faulty mechanical part. "We have to stop this gross negligence," said Thissen. "I think we've gone too far in one direction. We need to rein back the system so there's more fairness."

## ★ ENVIRONMENT

### Environmental spending

Legislation to clean up waters without being taken to the cleaners is what [Rep. Dennis Ozment](#) (R-Rosemount) is working for.

"I understand the motivation of people that like to do court cases. Attorneys love that," he told the House Agriculture, Environment and Natural Resources Finance Committee as they considered one of several amendments to the committee omnibus bill April 11.

In August 2005, the Minnesota Court of Appeals ruled that the state was in violation of the federal Clean Water Act when the Pollution Control Agency issued a permit to Annandale and Maple Lake for a joint wastewater treatment plant. The Minnesota Supreme Court is scheduled to hear oral arguments May 3 as the state appeals the decision.

In the meantime, the PCA is issuing few permits, and numerous commercial and residential development projects across the state are waiting for new expanded wastewater facilities to accommodate them.

Proponents of the amendment said it would clarify how the PCA could proceed in permitting wastewater discharge into impaired waters without violating federal laws, but Ozment was not convinced.

"What I'm concerned about is that legislation like this often sets up litigation, and instead of issuing permits, they will drag us through courts," he said.

The amendment was withdrawn and the omnibus bill, [HF3012](#), sponsored by Ozment, was approved and referred to the House Ways and Means Committee. The bill requests \$10 million from the state's General Fund to facilitate water clean up efforts, specifying that nearly \$1.5 million be spent on assessing water quality in the state's lakes and streams, and more than \$3 million to develop the required total maximum daily load of nutrient discharge allowed into any impaired lake or stream — a step required by the federal Clean Water Act before any additional nutrient discharges are permitted.

## ★ GOVERNMENT

### Claims bill

A bill headed for the House floor would appropriate more than \$64,000 to settle 15 claims against the state.

Sponsored by [Rep. Bruce Anderson](#) (R-Buffalo Township), [HF3995](#) was approved April 11 by the House Ways and Means Committee. A companion bill ([SF3631](#)), sponsored by [Sen. Wes Skoglund](#) (DFL-Mpls), awaits action by the Senate Finance Committee.

Each year, a joint [House-Senate Subcommittee on Claims](#) meets to determine which petitions will be funded. All state agencies are eligible to receive funding to cover the claims.

For the past year, people who believe the state did not properly reimburse them or take care of their financial needs filed more than 100 claims.

However, almost all of the dollars are allocated to the [Department of Corrections](#) to resolve 14 cases where people were injured while performing community service, sentence-to-service work or assigned duties in a correctional facility. Many are for medical expenses related to the injuries. Those expenses are paid at the Medical Assistance rate, not the full bill received by the department.

"If a person has been permanently injured to the extent they have a permanent partial disability under the workers' compensation scheme, we also recommend to be paid the permanent partial disability," said Senior Assistant Revisor Craig Lindeke.

The department does active training for counties that have sentence-to-service and community work service programs, Lindeke said. "That can't guarantee there won't be injuries, and sometimes there is dangerous work involved."

An amendment, successfully offered by [Rep. Tom Rukavina](#) (DFL-Virginia), would help a constituent recoup \$530 in excessive driver's license reinstatement fees.

Anderson noted that the request came after the subcommittee deadline for a claim this year, but would be held over for next year. Lindeke said, to his knowledge, the House has not previously added a claim without going through the subcommittee, although the Senate has on one occasion.

"The Senate set a precedent. We shouldn't let the senators get away with that, we should also do what they did," Rukavina said. "If they did it once, we get to do it once."

### Awarding building contracts

The process by which the state awards building contracts to architectural and engineering firms would be reviewed and possibly overhauled, under a bill passed 133-0 by the House April 6.

[HF3743](#), sponsored by [Rep. Al Juhnke](#) (DFL-Willmar), directs the commissioner of administration to review the selection process used by the State Designer Selection Board to contract with building designers for state-funded building projects.

Received by the Senate April 10, it now awaits action by the Senate State and Local Government Operations Committee. [Sen. Cal Larson](#) (R-Fergus Falls) is the Senate sponsor.

Juhnke said he was carrying the bill on behalf of the commissioner of administration,



as well as a number of architects who say the selection process needs to be “a little more user-friendly and a little more inclusive.”

In a March 28 meeting of the House Governmental Operations and Veterans Affairs Committee, Juhnke said some had accused the board of turning into an exclusive “good ol’ boys club” that gives preference to Twin Cities metropolitan area architects when contracting for state building construction jobs.

Administration Commissioner Dana Badgerow said the board had made a number of “flawed decisions,” indicating an overhaul of the board and its processes is in order.

The original bill included a sunset date that would have caused the board to expire, but the committee amended the bill by removing that section.

### Finance bill held over

A \$3 million omnibus state government finance bill was amended several times on the House floor April 11, but will not be voted on until after Easter.

[HF2833](#), sponsored by [Rep. Marty Seifert](#) (R-Marshall), covers a wide variety of state agencies, programs and issues. After lengthy debates on more than a dozen proposed amendments, Seifert moved to continue consideration of the bill when legislators return April 18 from a holiday break.

Members brought forth a diverse assortment of amendments to the bill, some in direct contradiction of others.

After a motion by [Rep. Mark Buesgens](#) (R-Jordan) to amend the bill by expanding gambling operations and increasing state gaming revenues was ruled out of order, [Rep. Tom Emmer](#) (R-Delano) introduced an amendment that, conversely, would ban all forms of gambling in the state. While Emmer temporarily withdrew his amendment, it could come up for discussion when the House reconvenes.

[Rep. Steve Simon](#) (DFL-St. Louis Park) successfully amended the bill by extending state limits on campaign contributions to judges, thus closing — in Simon’s words — “a loophole” in state campaign finance laws.

[Rep. Mark Olson](#) (R-Big Lake) moved to amend a provision in the bill that forces legislators to forfeit part of their salaries if the Legislature fails to enact essential legislation (such as the state budget) by the May adjournment deadline. His amendment would have exempted legislators who are not part of a legislative subgroup that prevents the full House or Senate from voting on such bills.

“What this amendment does is at least

clarifies who is doing what,” he said.

Despite some vocal support from a bipartisan minority, Olson’s amendment was voted down.

[Rep. Tom Rukavina](#) (DFL-Virginia) was successful in amending a provision of the bill that allows state and local government agencies to use volunteers in their various operations to ensure that the use of such volunteers does not result in layoffs of public employees.

A companion bill, ([SF2489](#)) sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), awaits action by the Senate Finance Committee.

## HIGHER EDUCATION



### New campus, speaking clearly

More policy changes than funding allocations are included in the House Higher Education Finance Committee omnibus bill, which the committee approved April 10 and referred to the House Ways and Means Committee.

Among the provisions in [HF3924](#), sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), are:

- postsecondary institutions would be allowed to inform parents or guardians of a student’s alcohol or drug possession or use, information now considered private data;
- a requirement that postsecondary institutions participate in the state grant program and federal student aid programs by July 1, 2009;
- a resident student would include those in the state on active duty military status and immediate family members; those located in a presidential declared disaster area; and refugees, defined under federal law, living in the state;
- an increase in the maximum loan amounts and annual limits for the Student Educational Loan Fund;
- the establishment of a Rochester branch of the University of Minnesota to “foster the economic goals of the region and state”; and
- the establishment of task forces to address faculty and teaching assistants’ communication skills and ability to

#### What’s in the bill:

The following are selected bills that have been incorporated, in part or in whole, into the omnibus higher education finance bill:

[HF566-Cox](#)  
[HF2798-Heidgerken](#)  
[HF2892-Dorn](#)  
[HF3169-Seifert](#)  
[HF3848-Marquart](#)  
[HF3924-Nornes](#)  
[HF3975-Urdahl](#)  
[HF4032-Urdahl](#)  
[HF4039-Nornes](#)

speak English clearly and with good pronunciation; to study the rising costs of textbooks; and to study the market impact on Minnesota producers of agricultural products from the University of Minnesota and negative impacts on state businesses that arise from university license agreements.

The sole appropriation for fiscal year 2007 is \$5 million to help establish the Rochester campus.

Several bill components are included in the governor’s recommendations, part of which includes the establishment of the new campus.

Successfully amended out of the bill by [Rep. Ray Cox](#) (R-Northfield) are provisions that would have allowed the university and Minnesota State Colleges and Universities system to classify information related to chancellor and president selections as private data.

“I like the open process that the schools use. And that it lets people know through that whole discussion what the regents are thinking about,” said Cox.

The real question is, “What kind of candidates do you get under a horse race scenario,” said [Rep. Ron Abrams](#) (R-Minnetonka). Through the current process the quality of candidates decreases because the openness can cause employment tensions for candidates working elsewhere who may apply, he said.

A companion bill ([SF3058](#)), sponsored by Sen. Sandy Pappas (DFL-St. Paul), awaits action by the Senate Finance Committee.

## HOUSING



### Common lighting

Those renting apartments may be surprised to know that the cost of the lights in the hallways or other common areas in the building may actually be showing up on their electric bills.

According to [HF680](#), sponsored by [Rep. Chris DeLaForest](#) (R-Andover), and passed by the House 128-4 April 6, if electrical use in a “common area” (i.e. foyer, stairway, etc.) does not exceed 1752 kilowatt hours annually, the landlord will not be charged a penalty for nonpayment of “common” electrical usage in cases where a renter does not pay their electrical bill.

The amount of electricity used in the common area may be determined by actual measurement. When actual measurement is impossible, a licensed tradesperson or housing inspector, at the landlord’s expense,

can confirm that the electricity used will likely not exceed the annual threshold.

Received from the House April 10, the bill was referred to the Senate Rules and Administration Committee. [Sen. David Senjem](#) (R-Rochester) is the Senate sponsor.

### Home park closure notice

By law, residents in manufactured home parks and the local government planning agency are given at least nine months' notice if there is to be a conversion of all or a portion of the park to another use, or if it is to close.

[HF3449](#), sponsored by [Rep. Karen Clark](#) (DFL-Mpls), was passed by the House 122-8 April 10. It would amend the current statute to include the commissioner of health and the Housing Finance Agency on that notification list.

The bill now awaits action by the full Senate. [Sen. D. Scott Dibble](#) (DFL-Mpls) is the Senate sponsor.

## HUMAN SERVICES



### Longer residency requirement

People seeking certain human services programs in Minnesota must establish residency, but a bill sponsored by [Rep. Tom Emmer](#) (R-Delano) would extend that time period.

[HF3002](#) would triple the current 30-day residency requirement before a person could receive a variety of human services benefits, such as medical care. The House passed the bill 94-37 April 10. It now awaits action by the Senate Health and Family Security Committee. There is no companion bill.

An amendment, successfully offered by [Rep. Tony Sertich](#) (DFL-Chisholm), makes an exception for veterans and battered women moving to the state.

Emmer said the bill does not eliminate services completely because between the 30- and 90-day marks, 60 percent of coverage would be given. Neither the United States nor Minnesota constitutions require a standard of living for its citizens, said Emmer, who added that Minnesota already has a reputation for being generous toward state residents.

Opponents of the bill have stated that it could deny care for the needy. But floor debate centered on amendments to the bill.

[Rep. Marty Seifert](#) (R-Marshall) offered an amendment that would ban Minnesota Family Investment Program recipients from using an electronic benefit transfer (EBT) card to purchase tobacco or alcohol products with their monthly benefit. Opponents insisted

the amendment was a way to micromanage citizens' lives and could not prevent the purchase of tobacco or alcohol because an EBT card could be used to withdraw cash. The amendment was ruled to be out-of-order.

Seifert was successful in offering another amendment to charge a transaction fee for using an EBT card at an ATM machine.

However, [Rep. Pete Nelson](#) (R-Lindstrom) successfully offered an amendment that would allow payment for specific products while using an EBT card.

Some members believe the bill is unconstitutional, and that it would cost taxpayers money when it lands in court.

"Why are we walking into this when we know the Supreme Court will rule it unconstitutional?" said [Rep. Keith Ellison](#) (DFL-Mpls). "We should not be spending our time on this. We need greater support of our less fortunate people."

### EMT certification

[Rep. Duke Powell](#) (R-Burnsville) says Minnesota's substandard performances on the state emergency medical technicians (EMT) certification exams must change.

[HF2731/SF2621\\*](#), sponsored by Powell and [Sen. Gary Kubly](#) (DFL-Granite Falls), would require EMT training programs to maintain average yearly passing rates equal to that of the average national passing rate on the state certification exam. If a program fails to meet the annual standard, it will be placed on probation and put on a performance improvement plan.

Passed 58-0 by the Senate March 29 and 131-0 by the House April 10, it now awaits gubernatorial approval.

[Rep. Mark Buesgens](#) (R-Jordan) asked why a higher standard was not established in the bill.

Although Powell agreed that Minnesota should go beyond the average standard, he said remediation and performance rates meeting the national average is the first critical step.

The lack of certified EMTs in Greater Minnesota is a particular problem.

"We have many challenges in keeping emergency medical professionals in rural areas," said [Rep. Frank Moe](#) (DFL-Bemidji). "Let's change that."

### Rate adjustment

A human services-related bill aims to help caretakers provide better care for the mentally retarded.

[HF3161](#), sponsored by [Rep. Fran Bradley](#)

(R-Rochester), clarifies the wage adjustments for eligible Intermediate Care Facility for Persons with Mental Retardation or Related Conditions (ICF/MR) employees. Wages would be evaluated on merit, seniority and/or other factors decided by the provider. The bill also provides rate increases for community service providers in the areas of mental retardation and related conditions, community alternative care and traumatic brain injuries.

The House passed the bill 131-0 April 10. Received from the House April 11, it awaits action on the Senate floor. [Sen. Becky Lourey](#) (DFL-Kerrick) is the Senate sponsor.

ICF/MR services, which are funded through federal and state funds, are provided to the mentally retarded or those with related conditions who have substantial limitations and require 24-hour care. Their conditions also must have been displayed before their 22nd birthday.

In a March 16 House Health Policy and Finance Committee hearing, Frank Anderson, Association of Residential Resources in Minnesota deputy director, said the bill was a step in the right direction. "This clarification allows us a way to best treat the employees. This will result in better services overall."

### Helping the disabled

The [Minnesota State Council on Disability](#) hopes to continue helping those with disabilities for years to come.

[HF3374](#), sponsored by [Rep. Fran Bradley](#) (R-Rochester), would help its cause. It extends the sunset date of the council from June 30, 2007, to June 30, 2011.

The House passed the bill 129-2 on April 10. Received by the Senate the next day, it now awaits action on the floor. [Sen. Linda Higgins](#) (DFL-Mpls) is the Senate sponsor.

Since 1973, the council has aimed to increase the quality of life for people with disabilities through collaboration with communities, advocacy, advising and providing information to expand opportunities

## INSURANCE



### Property insurance coverage

A bill concerning township mutual insurance company restrictions was passed 126-2 by the House April 6.

Sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids), [HF2876](#) would allow township mutual insurance companies to do business in "second-class cities" in authorized areas. These cities have populations between 20,000 and 100,000.

Township mutual insurance companies are typically restricted to serving rural areas. But Severson said that, as more people move outside the metropolitan area, these smaller businesses should be able to provide insurance to customers. The commerce commissioner would have to approve the township mutual insurance company doing business in a second-class city.

Received from the House April 10, the bill was referred to the Senate Rules and Administration Committee. [Sen. Michelle Fischbach](#) (R-Paynesville) is the sponsor.

## ★ RETIREMENT

### Adjusting teachers' pensions

The Minneapolis Teachers' Retirement Fund Association (MTRFA) would be merged into the Minnesota Teachers Retirement Association (MTRA), under a bill passed by the House State Government Finance Committee April 11.

[HF2847](#), sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), is one of two omnibus public employee pension bills this session. It now goes to the House Rules and Legislative Administration Committee. It has no Senate companion.

In addition to transferring the membership, service credit, records, assets and allocated state aid from the MTRFA to the MTRA, the bill places a 5 percent per year cap on postretirement benefit adjustments for members of public pension funds that participate in the Minnesota Post Retirement Investment Fund, administered by the [State Board of Investment](#).

Under current law, those postretirement adjustments are based on a cost-of-living adjustment of up to 2.5 percent per year plus an investment-based adjustment. Under the bill's provisions, the total increase in benefits would not be allowed to exceed 5 percent per year; instead, earnings exceeding the 5 percent cap would be retained to help support future adjustments.

Speaking on behalf of the bill's sponsor, [Rep. Paul Thissen](#) (DFL-Mpls) said the MTRFA was coming into the merger with a large debt, and that the bill would increase employer and employee contributions to the MTRA to help alleviate that debt.

State Auditor Patricia Anderson raised concerns about recent actions by the MTRFA Board of Trustees. She testified that the board extended Executive Director Karen Kilberg's contract when they heard about the possible merger, forcing the state to pay the director up to \$215,000 worth of severance pay if the merger goes through. She called it "a brazen attempt by the board to provide a golden parachute to an outgoing employee at taxpayer expense."

Thissen responded that the executive director's contract was extended because the board originally thought it would need the director's services for an additional year.

Nevertheless, [Rep. Phil Krinkie](#) (R-Lino Lakes) successfully amended the bill by accelerating the dissolution of the board by

one year in the hopes of, in Anderson's words, preventing "future shenanigans."

Committee Chair [Rep. Marty Seifert](#) (R-Marshall) successfully amended the bill to apply the 5 percent cap on benefit adjustments to the St. Paul Teachers' Retirement Fund Association. He said that it made sense to include the association in the cap because it suffered from many of the same actuarial problems as its Minneapolis counterpart.

Phillip Kapler, the association's executive director, complained that the association was being unfairly punished for other people's mistakes.

### Retirement benefits

A House committee passed an omnibus pension bill modifying public employees' retirement benefits April 11.

[HF2362/SF2239\\*](#), sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Larry Pogemiller](#) (DFL-Mpls), increases employer and employee contributions to the Minnesota State Retirement System (MSRS) general, correctional and state patrol plans. It also makes a number of changes to laws relating to the Public Employees Retirement Association (PERA) and the Minneapolis Employees Retirement Fund.

The House State Government Finance Committee approved the bill after incorporating the House language. It now goes to the House Rules and Legislative Administration Committee.

Among the bill's various provisions:

- Employee and employer contributions to the MSRS general plan would both increase from 4 percent to 5 percent;
- Employee contributions to the MSRS correctional plan would increase from 5.69 percent to 8.60 percent of salary, while employer contributions would increase from 7.98 percent to 12.0 percent;
- Employee contributions to the MSRS state patrol plan would increase from 8.40 percent to 10.4 percent of salary, while employer contributions would increase from 12.60 percent to 15.6 percent;
- Employee contributions to the MSRS unclassified plan would remain at the current rate of 4 percent of salary; and
- More than 100 employees in specified positions would switch from the MSRS general plan to the MSRS correctional plan.



PHOTO BY TOM OLMSCHIED

**State Auditor Patricia Anderson sits between Rep. Dennis Ozment, back and Rep. Paul Thissen, front, as she testifies April 11 before the House State Government Finance Committee on a proposal that would merge the Minneapolis Teachers' Retirement Fund Association into the Minnesota Teachers Retirement Association.**



[Rep. Phyllis Kahn](#) (DFL-Mpls) said she objects to a provision in the bill that would allow former St. Paul Mayor Randy Kelly to switch his retirement plan from a PERA defined contribution plan to the PERA general plan. She said it would set a “very bad precedent” to allow a single person to undo something they did with full knowledge of the consequences.

[Rep. Chris DeLaForest](#) (R-Andover) agrees. “It appears to me that at the time of election, he conscientiously checked the box he intended to check, but after the fact found out that it had a detrimental effect on his financial future and now wants to go back and fix the situation.”

Nevertheless, a motion by Kahn to remove the provision from the bill was voted down by the committee.

## ★ SAFETY

### Volunteer firefighter task force

Legislators are concerned about the declining number of volunteer firefighters in Minnesota, both in rural and metropolitan areas.

[HF2788/SF2832\\*](#), sponsored by [Rep. Tom Rukavina](#) (DFL-Virginia) and [Sen. David Tomassoni](#) (DFL-Chisholm), would establish a task force to study recruitment and retention of volunteer firefighters. The commissioner of public safety would appoint members to the task force, which would report its findings to the commissioner by Dec. 15, 2006.

[Rep. Tom Hackbarth](#) (R-Cedar) successfully offered an amendment that would comprise the task force with a majority of volunteer firefighters.

Approved 129-0 by the House April 10, the amended bill passed the Senate, April 11, 61-0.

## ★ TAXES

### Fire tax eliminated

Insurance companies would no longer have to pay a tax on homeowner policies that cover fires — but policyholders would — under a bill approved by a House committee April 11.

[HF2916](#), sponsored by [Rep. Steve Smith](#) (R-Mound), eliminates what Smith calls an “invisible and retaliatory tax” on fire insurance policies that he said has been in place for at least 70 years.

The bill was approved by the House State Government Finance Committee and referred to the House Ways and Means Committee. A companion bill ([SF2941](#)), sponsored by [Sen. Ann Rest](#) (DFL-New Hope), awaits action by the Senate Taxes Committee.

Currently, insurers pay a 0.5 percent tax on

fire insurance premiums, the revenues from which are deposited into the state’s General Fund. The bill would eliminate the tax and create a 0.75 percent surcharge on gross fire insurance premiums and assessments, to be paid by policyholders. The revenues from the surcharge would be deposited into a special fire safety account to assist the state fire marshal in fulfilling his duties.

Smith said the bill “takes great strides” toward fully funding the state fire marshal’s office, and the training and equipment of firefighters.

[Rep. Loren Solberg](#) (DFL-Grand Rapids) said he wants to make sure that the tax is applied evenly to all policyholders, and that there is not a cap on the surcharge that might favor big businesses over private homeowners.

Minnesota Professional Fire Fighters President Mike Stockstead responded that the surcharge would be applied evenly, regardless of the cost of the insurance policy.

### Helping farmers

[Rep. Laura Brod](#) (R-New Prague) and [Rep. Randy Demmer](#) (R-Hayfield) are sponsoring what Brod calls “a menu” of bills seeking a fair solution to a taxing situation. The rising market value of agricultural land makes farmers liable for a higher portion of school levy tax amounts, and some perceive this to be unfair.

Bills seeking to mitigate tax liabilities on agricultural land were heard by the Property and Local Tax Division of the House Taxes Committee April 6. All were held over for possible inclusion in a report to the full committee.

Of Brod’s bills, [HF1413](#) and [HF1414](#), only the latter has a companion: [SF1324](#), sponsored by [Sen. Thomas Neuville](#) (R-Northfield). It awaits action by the Senate Finance Committee. The companion to Demmer’s bill, [HF1412](#), is [SF889](#), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester). It may be considered for inclusion in the Senate Taxes Committee omnibus bill.

“The valuation increase does not give any benefit to the farmers in terms of income, in terms of ways to grow their business. It simply means it’s an asset that has increased. But what it has done, it has caused their costs to go up,” Demmer said.

Tom Hueser, a business owner and grain farmer from Glencoe, said a \$10-per-acre bond would cost him \$500,000 during the 20 years of the levy, even though he owns only a small percentage of the 2,000 acres he farms.

“We farmers have no other choice than to oppose bond issues,” he said, adding

that the situation creates conflict within communities.

“Instead of working together, giving all our school districts resources for the good of our kids and grandkids, lines are drawn in the sand,” he said.

Hueser said [HF1413](#) would create a new set of conflicts by giving school boards the authority to determine whether new levies would be spread against net tax capacity — as is the case with building levies — or on the referendum market value — as is the case with operating levies. Referendum market value excludes agricultural lands entirely.

[Rep. Peter Nelson](#) (R-Lindstrom) cautioned that totally exempting agricultural land from school levies would shift a large share of the tax liability to commercial and industrial property.

### Tax transparency

Homeowner property tax statements sent to residents of 103 cities have contained false information since 2003, according to testimony heard April 5 by the Property and Local Tax Division of the House Taxes Committee.

The information emerged as the committee considered [HF2875](#), sponsored by [Rep. Bev Scalze](#) (DFL-Little Canada). It would pay the cities for the total tax amount they were entitled to under the Department of Revenue’s agriculture and homestead market value credit process. Some or all of the amounts to be paid to the cities have been withheld since 2003.

Yet, their residents’ individual property tax statements do not indicate that anything has changed regarding the market value credit process, with the implication that the cities are receiving their payments.

Little Canada Mayor Bill Blesener, said his is one of the cities in which this is happening. For example, the 2006 property tax statements sent to Little Canada’s qualifying residents contain data that implies the agricultural or homestead market value credit process continues in place, when, in fact, the city is receiving only 9 percent of the amount to which it is entitled.

“As a result, the state takes credit for assistance it is not providing,” he said.

Minnetonka Mayor Jan Callison and St. Michael City Administrator Bob Derus also testified to the misleading data on their qualifying residents’ property tax statements.

Callison said the false data “goes against principles of transparency.”

Derus said it leads cities to mistrust the state.

“I think we’re going down a slippery slope

here. The real irony . . . is it's part of a tax-setting-and-communication process known as "Truth in Taxation," he said, adding that the state is mandating county auditors to print the misleading data on residents' property tax statements.

"In essence, the state is mandating that the county auditor be untruthful," he said.

[Rep. Ann Lenczewski](#) (DFL-Bloomington) told testifiers she has brought this complex situation to the committee's attention during each of the last two years, but added she thinks the legislators didn't fully understand the issue.

These residents' property tax statements imply that they are getting something (a certain amount of tax relief) from the state that they're not and that the city is getting something (a payment) that it isn't, she said, adding that it's "the kind of thing that, I think, most legislators should find outrageous."

The bill was held over for possible inclusion in a report to the full committee. A companion bill ([SF3698](#)), sponsored by [Sen. Chuck Wiger](#) (DFL-North St. Paul), could be considered for inclusion in the Senate Taxes Committee omnibus bill.

## TRANSPORTATION



### Electric vehicles

Drivers might start seeing electric vehicles on roads, under a bill approved unanimously by the House April 6.

[HF1838](#), sponsored by [Rep. Greg Blaine](#) (R-Little Falls), would define "neighborhood electric vehicle" and set the restrictions and requirements for its operation.

Under the bill, such a vehicle is defined as "electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour but not more than 25 miles per hour on a paved level surface."

The vehicles would be restricted from going on roads with speed limits of more than 35 mph, "except to make a direct crossing" of a street or highway with a higher speed limit, under the bill.

"It's moving us into that electric car future. We join 35 or 40 other states that have already made these road legal," said [Rep. Al Juhnke](#) (DFL-Willmar), who sponsors a similar bill ([HF2734](#)) that he voluntarily laid over.

The vehicles would be subject to all the same requirements as other cars such as turn signals, license plates, windshields and seat belts, said Juhnke.

The transportation commissioner, a county board, a town board, or a governing body of a city would be permitted to further restrict the electric vehicles.

"Oil supply is dwindling, demand is increasing, this is the wave of the future, let's

get behind it," said [Rep. Frank Hornstein](#) (DFL-Mpls).

Received from the House April 10, the bill now awaits action by the full Senate. [Sen. Paul Koering](#) (R-Fort Ripley) is the Senate sponsor.

### A police officer remembered

A bill that would designate portions of Interstates 35, 35E and 35W as the Shawn Silvera Memorial Highway was referred without recommendation by the House Transportation Finance Committee April 11 to the House floor.

[HF3805](#), sponsored by [Rep. Ray Vandever](#) (R-Forest Lake), would require the transportation commissioner, in consultation with the Shawn Silvera Foundation, to adopt a suitable marking design and placement of four signs to memorialize the Lino Lakes police officer killed in the line of duty. The initial proposal called for six signs.

While members of the committee sympathize with the community, there are concerns about putting memorial signs on interstates, and the safety issues they present, said Committee Chair [Rep. Mary Liz Holberg](#) (R-Lakeville).

Federal and state standards specifically say memorial signs should not be placed on freeways, but rather at rest areas, scenic overlooks or recreational areas where parking is available. The department is suggesting placing a memorial at the Forest Lake rest area instead, said Sue Groth, Minnesota Department of Transportation assistant state traffic engineer.

A companion bill ([SF3526](#)), sponsored by [Sen. Michele Bachmann](#) (R-Stillwater), awaits action by the full Senate.

## VETERANS



### Burial plots for veterans

Brown County can continue its practice of purchasing burial plots for veterans and their spouses, under a new law.

The bill, sponsored by [Rep. Brad Finstad](#) (R-New Ulm) and [Sen. Dennis Frederickson](#) (R-New Ulm), was signed into law by Gov. Tim Pawlenty on April 7.

Brown County is currently the only county in Minnesota — and according to Finstad, possibly the only county in the United States — that buys burial plots for veterans and their spouses. The bill removed a \$3,500 cap on burial expenditures that Finstad said was preventing the county from keeping up with

burial plot costs, which have increased by 220 percent in the last five years.

"This bill will allow Brown County to continue to purchase burial plots for veterans," Finstad said.

[HF3876/SF2749](#)\*/CH176

### Meeting electronically

The [Minnesota Veterans Homes Board](#) may be permitted to conduct meetings by telephone or other electronic means.

Under [HF3665](#), sponsored by [Rep. Denny McNamara](#) (R-Hastings), at least one board member, the executive director or an attorney for the agency would have to be at the regular meeting location during a teleconference meeting. Members of the public attending the meeting would be able to listen to all discussion, testimony and votes, even if the meeting was held by telephone.

A [2004 law](#) gave the [Minnesota State Council on Disability](#) similar authority.

The House passed the bill 129-1 on April 10. It now goes to the Senate, where [Sen. Paul Koering](#) (R-Fort Ripley) is the sponsor.

### Minnesota State Agencies

(Area code 651)

Administration.....	201-2555
Agriculture .....	201-6000, (800) 967-2474
Commerce.....	296-4026
Corrections .....	642-0200
Education .....	582-8200
Employment and Economic Development.....	296-3711, (888) 657-3858
Enterprise Technology .....	556-8007
Explore Minnesota Tourism .....	296-5029, (800)-657-3700
Finance .....	296-5900
Health .....	201-5000
Housing Finance .....	296-7608, (800) 657-3769
Human Rights .....	296-5663, (800) 657-3704
Human Services .....	297-3933
Labor and Industry ..	284-5000, (800) 342-5354
Military Affairs.....	268-8925
Minnesota Trade Office .....	297-4222, (800) 657-3858
Natural Resources ..	296-6157, (888) 646-6367
Pollution Control Agency .....	296-6300, (800) 657-3864
Public Safety.....	282-6565
Driver and Vehicle Services	
Fire Marshal .....	215-0500
Information Center .....	297-3608/296-6911
Alcohol and Gambling	
Enforcement Division .....	296-6979
Divisions of Homeland Security and Emergency Management .....	296-0466
State Patrol.....	282-6870
Revenue	
General Information.....	296-3403
Taxpayer Assistance .....	296-4444/296-3781
Sales and Use Tax Line .....	296-6181
Transportation.....	296-3000, (800) 657-3774
Veterans Affairs .....	296-2562

Signed  
by  
the  
governor  
★ ★ ★

# Tough on hate crimes

## Bill increases penalties, addresses immigration status checks

By Mike Cook

The omnibus public safety bill may not be long in funding, but it would toughen penalties for bias crimes and possibly help prevent violent crimes.

"This bill has a two-anchor approach on vital issues of public safety facing Minnesota," said Rep. Steve Smith (R-Mound), the sponsor of HF2953. Approved by the House Public Safety Policy and Finance Committee April 11, the bill now goes to the House Taxes Committee because of a fire safety tax.

One of the anchors is HF3471, initially offered by Rep. Keith Ellison (DFL-Mpls) and spurred by a cross burning at a St. Paul church. "It would require a jury to find that a crime was motivated by group-based hatred and would increase the already existing penalties for such crime," Smith said. It could apply in cases where the crime was committed because of a person's race, color, religion, sex, sexual orientation, disability, age or national origin, he said.

Under the bill, if the crime is a felony, the statutory maximum increases by five years; if the crime is a gross misdemeanor the person becomes guilty of a felony and could be sentenced to up to two years in prison and fined \$10,000; and if the crime is a misdemeanor the person is guilty of a gross misdemeanor.

Additionally, the maximum sentence for an assault motivated by bias is doubled to a maximum of two years imprisonment and a \$10,000 fine, if it is the second such offense committed within five years.

"If you don't commit hate crimes, you'll be fine," Ellison said. "I don't want the message out there that the Legislature is not tough on hate crimes."

The other anchor is a law enforcement inquiry provision.

Initially offered by Rep. Jim Knoblach (R-St. Cloud) as HF2576, the so-called "Sanctuary Law" would repeal ordinances in Minneapolis and St. Paul that bar police from asking about the immigration status of people behaving suspiciously. It was passed by the House 94-37 March 20, but has received no Senate action. With this in the bill, Smith is optimistic it will provide a basis for discussion with the Senate in an expected conference committee.

### What's in the bill:

The following are selected bills that have been incorporated, in part or in whole, into the omnibus public safety bill:

HF1337 McNamara  
HF2147 Soderstrom  
HF2673 Kahn  
HF2837 Hilstrom  
HF3235 Peppin  
HF3336 Lanning  
HF3338 Eastlund  
HF3471 Ellison

Select bills not in the omnibus bill

HF1318 Atkins  
HF2600 Johnson, J.  
HF2614 Newman  
HF3158 Sykora  
HF3645 Hilstrom

"By linking these initiatives against domestic hatred and foreign-born violence, I hope that we can put together a product and bring together, in very blunt English, the left and the right in a stand against two kinds of evil," Smith said. "If we can advance this bill with both the bias crimes proposal and the law enforcement inquiry provision, I think we have a chance to bridge some important gaps."

Also part of the bill is some of the governor's immigration, identity theft and computer crime policy initiatives. These were initially part of a group of bills, sponsored by Rep. Kathy Tingelstad (R-Andover), and HF3308, sponsored by Smith. He said House leadership has asked

that this be included in the omnibus bill.

In part, it would create a human trafficking task force; increase penalties for human trafficking; increase penalties for use of fraudulent government documents used for identifica-

tion purposes; create new computer crimes and enhances penalties for existing computer crimes; authorize state agencies to impose fines on employers that violate federal immigration laws; and create the Special Crimes Unit within the Department of Public Safety.

The unit, which is to focus on identifying and apprehending illegal immigrants involved in felony level activity, would be funded at \$656,000 in fiscal years 2007, 2008 and 2009.

The fiscal year 2007 amount is part of the \$6.3 million spent in the bill.

Other funding includes a net of \$18.9 million for a supplemental salary request to the Department of Corrections. Nearly \$14.7 million in savings from the use of fewer beds will also be used in this area. The bill calls

for \$300,000 for implementation of an offender reentry program; \$284,000 to match federal funds for natural disaster assistance payments; and \$125,000 for the Supreme Court to begin an initiative to better address the increasing number of drug and alcohol offenders coming through the court system.

The bill contains about 45 provisions that do not have fiscal ramifications for the state.

Among them is a provision that created some controversy. HF1337, sponsored by Rep. Denny McNamara (R-Hastings), would require a carbon monoxide detector in every home within 10 feet of each room used for sleeping purposes by Aug. 1, 2008, for existing homes and Aug. 1, 2009, for all multifamily dwelling units.

Citing the increased cost to homeowners, Rep. Rob Eastlund (R-Isanti) unsuccessfully tried to amend the language to only include new home construction. Rep. Michael Nelson (DFL-Brooklyn Park) did not object to the requirement, but expressed concern about the unfunded mandate and potential cost to housing finance agencies in larger cities.

"This could leave people who are vulnerable without protection," Ellison said. "This pales in comparison with a loss of life."

A companion bill (SF2738), sponsored by Sen. Jane Ranum (DFL-Mpls), awaits action by the Senate Finance Committee.

*"If we can advance this bill with both the bias crimes proposal and the law enforcement inquiry provision, I think we have a chance to bridge some important gaps."*

— Rep. Steve Smith



## Long on policy

### Education bill leaves early childhood on the table

By **LEE ANN SCHUTZ**

**W**hile disappointed that key legislation regarding early childhood education could not be agreed upon, the House Education Finance Committee moves forward a pilot project that would give high school students more access to science, technology, engineering and mathematics programming.

Approved April 11, the committee's omnibus bill, HF4040, now moves to the House Taxes Committee.

For the better part of three years, [Rep. Doug Meslow](#) (R-White Bear Lake), along with [Rep. Nora Slawik](#) (DFL-Maplewood), led a bipartisan caucus with a mission to shape public policy as it relates to early childhood education. After a year of statewide hearings, the bill brought forward by the caucus was tabled.

"There were many difficult decisions — policy and political made on both sides of the aisle — that put us in a difficult spot," Meslow said. However, he remains hopeful that funding for early childhood programming will be addressed in conference committee.

With only \$6.6 million in supplemental funding available, [Rep. Barb Sykora](#)

(R-Excelsior), chair of the committee, is happy with the bill, which she sponsors.

"If you look at what we tried to do in this bill, in spite of the fact we had no money, we did some pretty good things," Sykora said.

[Rep. Mindy Greiling](#) (DFL-Roseville) called the programming provisions in the bill anemic. "This is a supplemental bill, and if the students were trying to get any supplements out of this bill, they would be fairly anemic ... and while the students are anemic with this supplemental bill, the early childhood students are down right on life-support."

Among the proposals in the bill is a \$750,000 allocation to fund a 10-year grant program for interested schools to improve the quality and student access to science, technology, engineering and mathematics instruction. The education commissioner would accept applications for the grants. The bill specifies that administrative expenditures be limited to 5 percent of the applicant's budget.

Also included in the bill is:


- a one-time allocation to help make the language of Mandarin available in state schools;
- an appropriation in fiscal year 2007 to enable fourth- and eighth-grade students to participate in an international comparative math and science assessment;
- funding for a school-to-school mentoring program; and
- a youth-works program conducted by ServeMinnesota.

The bill contains several provisions dealing with charter schools including an allocation of \$987,000 for charter schools organized in fiscal year 2005. It amends a 2003 law to allow these schools to receive state-paid start-up aid in fiscal year 2006. Also, the state could see more charter schools sponsored by private, nonprofit organizations. The bill provides for a new classification of sponsors, allowing up to five nonprofit organizations to come together to sponsor a charter school.

A provision addresses a request from the growing Elk River Area School District that wants to ask its voters if the district should be split. The omnibus bill would allow not only this district, but also any school board in the state to act on its own motion, or in response to a petition, to place a question on the ballot regarding school district detachment.

With election time coming up quickly, school districts would be required to adopt a policy prohibiting employees from using district funds or resources to advocate for electing or defeating a political candidate or ballot question.

Safety in schools is also addressed in the bill with provisions directing the state fire marshal to require schools to have at least five fire drills and five school lockdown drills annually, and allowing for school boards to immediately suspend, without pay, a teacher charged with a felony pending the conclusion of a discharge hearing.

The omnibus Senate education finance bill ([SF3770](#)), sponsored by [Sen. LeRoy Stumpf](#) (DFL-Plummer), awaits action by the Senate Finance Committee. 

#### What's in the bill:

The following are selected bills that have been incorporated, in part or in whole, into the omnibus education finance bill:

**HF3231-Sykora**  
**HF3332-Greiling**  
**HF2492-Urdahl**  
**HF3063-Buesgens**  
**HF3851-Carlson**  
**HF2988-Peterson, A.**



PHOTO BY TOM OLMSCHIED

The House Education Finance Committee assembled an omnibus bill that is short on funds and long on policy.

# Addressing transit needs

Funding would depend upon constitutional changes

By PATTY JANOVEC

**T**he House Transportation Finance Committee approved its omnibus bill April 11, appropriating \$88.8 million in General Fund and Trunk Highway Fund money, and another \$43.4 million would be bonded from the trunk highway bond proceeds account.

An additional \$2.48 billion would be allocated for highway construction dependent upon the passage of a constitutional amendment to be put before voters this November that, in its current form, would allocate all motor vehicles sales tax to highways and transit by 2012.

The bill now goes to the House Taxes Committee.

[HF3761](#), sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville), would:

- allocate funds for construction, reconstruction and improvement of trunk highways;
- change the language for the Minnesota constitutional amendment to be put before voters in November regarding the motor vehicle sales tax revenue;
- include a study by the transportation commissioner to evaluate the current and long-range needs of the state's transportation system and investigate

- strategies to meet those needs; and
- allow for motor vehicle owners with impounded vehicles to retrieve goods from inside the vehicle without having to first pay impounding fees.

Of the \$83 million allocation to state road construction, the money would include payments to owners for land acquired for highway right-of-way, and payments to lessees and relocation subsidies. The bill would limit \$50 million to be used for projects identified in the federal [High Priority Projects Program](#), including those of regional significance.

Also appropriated would be \$750,000 for town road sign replacements. According to the

nonpartisan House Research Department, the Town Road Sign Replacement Program was established in 2005 to inventory, evaluate, replace and maintain signs along town roads to comply with uniform design and safety standards.

Among the projects that would be funded with the \$43.4 million in bonds are:

- \$18.2 million for a new district headquarters in Mankato;
- \$15 million for project delivery and payments to owners for land acquired for highway rights-of-way;
- \$10 million for the exterior renovation of the [Department of Transportation](#) building in St. Paul; and
- \$41,000 for costs associated with bond sale expenses.

If voters approve the constitutional amendment, \$2.45 billion would go to highway construction, with additional dollars to pay expenses associated with bond sales and \$35 million for program delivery and for right-of-way acquisition, lessees, interest subsidies and relocation expenses.

The governor's transportation proposal includes similar projects as the House, but allocates more General Fund dollars. It also includes funding for a Chaska truck station and [Department of Public Safety](#) facial



PHOTO BY TOM OLMSCHIED

Road and bridge projects, as well as transit, would see funding if the House Transportation Finance Committee's omnibus bill stays intact through the process.



PHOTO BY SARAH STACKE

Three “neighborhood electric vehicles” (NEVs) were parked outside the Capitol April 6. Manufactured by Princeton-based E-ride, these small, battery-powered cars can travel at speeds up to 35 mph, and recharge overnight in a standard household outlet.

recognition technology, which the House proposal does not fund.

### Wordsmithing

One amendment added to the bill would change the language of the constitutional amendment put before voters this November.

As of now, voters will be asked if revenues from the existing tax on the sale of motor vehicles be dedicated so that no more than 60 percent can be used for highway purposes and a minimum 40 percent for public transit assistance.

[Rep. Ron Abrams](#) (R-Minnetonka) said a change would make it easier for voters to understand what they are voting on.

Another provision successfully added by Abrams would dedicate all sales taxes collected on motor vehicle leases to highway and transit funds.

“Just by calling it what it really is, which is a motor vehicle sales tax, we have more money for roads, we have more money for transit,” Abrams said.

In an attempt to collate much of the information the Department of Transportation has already, [Rep. Frank Hornstein](#) (DFL-Mpls) successfully offered an amendment requiring the department to study long-range transportation needs and report to the Legislature no later than Jan. 12, 2007.

It is really collating the information in a usable form to determine needs and funding,

said Hornstein.

The study would include an evaluation of the current and future needs of the state’s highway systems and bridges; comparison of the estimates of revenues raised by current transportation funding sources, with long-term needs of the state’s transportation system; and identification of options for maintenance and improvement of the state’s

transportation system with specific reference to factors such as changes in vehicle fuel economy, availability of alternative modes of transportation and the nation’s attempts to decrease dependence on foreign oil.

A companion bill (SF3764), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action in the Senate Finance Committee.



### Constitutional amendment language debate

Just about everyone agrees that the state is facing serious transportation funding needs into the future. Part of the solution will be to ask the voters in November if all the motor vehicle sales taxes should be dedicated to only transportation by 2012.

The way the question is currently worded, at least 40 percent of the monies would go towards public transit assistance and not more than 60 percent for highway purposes.

“When we put an amendment on the constitution it’s about as close to casting something in stone as we can get in government,” said [Rep. Morrie Lanning](#) (R-Moorhead). However, he said current language constitutes putting in a sliding scale, a moving target, and is very confusing for voters.

Lanning is sponsoring a bill ([HF3048](#)) that would modify the language so a full 60/40 split would be maintained.

“Current language is misleading,” said [Rep. Bob Gunther](#) (R-Fairmont). He sponsors [HF2915](#) that would essentially have the same effect as Lanning’s proposal.

The language creates a complete lack of

flexibility by putting it into the constitution at all, said Gunther. “If there’s a way I could get rid of the constitutional amendment, I’ll guarantee you that would be the tact I would be taking.”

The prerogative is with the Legislature to adjust the language set to be before the voters, said [Rep. Bernie Lieder](#) (DFL-Crookston). “If you’re going to lock in the numbers hard and fast, you’re really going to have a problem down the road,” he said.

“Let the Legislature have its flexibility with all the other laws and tax policies that we act upon,” said Lanning.

[Rep. Dan Larson](#) (DFL-Bloomington) disagreed. “It seems to me that our constitutional requirement that we provide an education system in Minnesota doesn’t spell out the dollar amount, doesn’t tell us ultimately what that means, except that the Legislature has a great deal of latitude to provide that.”

Currently monetary portions for transportation are divided among several areas including the Highway User Tax Distribution Fund, the Metropolitan Council and the Department of Transportation.



## No longer a simple package

Future of environmental funding plan is anyone's guess

By IRENE VOTH

For a time, it was *the* vehicle to move constitutional amendments forward this session. But on April 10 and 11, the “dedicated funding bill” or “Hackbarth bill” now bearing a Senate number, was stripped of two of its three constitutional amendments and approved by the House Ways and Means Committee.

Sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. Dallas Sams](#) (DFL-Staples), [HF1909/SF2734\\*](#), the much debated and amended bill that has at its heart the preservation of Minnesota's fish and wildlife habitat and access to that habitat for hunting and fishing, now awaits action by the House Rules and Legislative Administration Committee. The remaining constitutional amendment would dedicate three-eighths of 1 percent of current sales and use tax receipts to four areas: fish and wildlife; parks, trails and zoos; cleaning up the state's waters; and arts, humanities, museums and public broadcasting.

### Legislative twists and turns

The bill has taken so many twists and turns, it would challenge the tracking talents of even the most dedicated hunting dog. What will happen when it reaches the House floor is anyone's guess, because at least one person is not pleased at some of its current content.

***The bill has taken so many twists and turns, it would challenge the tracking talents of even the most dedicated hunting dog.***

Gov. Tim Pawlenty made this statement following the Senate's passage of the bill April 3: “While I appreciate the Senate's willingness to vote on this important issue, I hope the bill will be more focused in its final version. Conservation and clean water are too important to be watered down by other issues. While the arts and public broadcasting are

important, they do not rise to the level of being in need of dedicated constitutional support.”

One of the amendments stripped by the House Ways and Means Committee would have defined marriage as the union between one man and one woman.

The so-called “gay marriage bill,” [HF6](#), sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids), was passed last year by the House, but failed to gain approval from the Senate Judiciary Committee April 4. [Sen. Michele Bachmann](#) (R-Stillwater) is the Senate sponsor.

The other stripped amendment was an attempt to change the language of a proposed constitutional amendment to dedicate the revenue from motor vehicle sales tax to

transportation. Set to go before the voters in the 2006 general election, the approved language, referred to as “MVST,” states that the revenues will be divided between highways and transit, with at least 40 percent for transit and no more than 60 percent for highways. The stripped amendment would have changed the percentages to a fixed 20 percent for transit and 80 percent for highways.

### If at first you don't succeed

When introduced last year, HF1909 proposed a constitutional amendment to dedicate one-eighth of 1 percent of the existing sales and use tax for fish and wildlife habitat preservation. The amendment was to go to the voters in the 2006 general election. Amended in the first two committees that considered it, the bill was returned to its original form March 16, 2006. But as the House Taxes Committee began its deliberations, it didn't stay that way.

Even Hackbarth changed it, adding a provision for hunter and angler access.

“We're losing hunting and fishing opportunities all the time with additional development, and I think it's high time that we do put an access program in place in the state of Minnesota. I wish the [Department of Natural Resources](#) would have been on top of things and would have done this a number of years ago,” Hackbarth said.

Some committee members took issue with the tax dedication in Hackbarth's amendment, and by the time the bill left the committee, it featured a tax increase, the marriage amendment, the MVST 20/80 amendment and dedicated funding for arts and humanities.

“If we could just get my bill — my game and fish bill — to a conference committee,” Hackbarth said as the bill made its way to the House State Government Finance Committee March 29.

Although returned to a simpler form in that committee, it was incorporated into its Senate companion as it went next to the House Ways and Means Committee.

So Hackbarth will try again.


“I hope to bring a bill to the floor that I can support,” he said, explaining his plan to have it leave the House Rules and Legislative Administration Committee as simply the one-eighth of 1 percent dedicated funding for habitat and access. 



PHOTO BY TOM OLMSCHIED

**With Rep. Tom Hackbarth, the bill's sponsor looking on, Tom Jes, left, a concerned citizen from Plymouth, testifies before the House Taxes Committee March 16 on a game and fish heritage enhancement and clean water proposal that would dedicate a portion of the state sales tax to environmental issues.**

## A state of opportunity

Omnibus bill hopes to position state as a biotech leader

By BAO ONG

If successful, the House Jobs and Economic Opportunity Policy and Finance Committee's omnibus bill would position Minnesota as a state heavily invested in biotechnology. It would also implement the governor's executive order to consolidate the [Department of Labor and Industry](#) while also addressing a variety of human services-related programs, bringing back a boxing commission and establishing pilot projects to study issues ranging from economic development in Greater Minnesota to plug-in hybrid electric vehicles.

[HF4062](#), sponsored by [Rep. Bob Gunther](#) (R-Fairmont), is the committee's \$750,000 omnibus bill. Gunther reminded committee members, that this was a non-funding year. "I wish I could fund every program," said Gunther. "But that's not going to happen. We'll have to work with what we have."

Approved by the committee April 11, it now awaits action by the House Ways and Means Committee.

Throughout the session, the committee stood behind the biggest initiative: biotechnology. The bill calls for the [Department of Employment and Economic Development](#) (DEED) to run the proposed biotechnology initiatives — with about \$18 million diverted from the health care access fund to the department to help bioscience business development programs. The committee is banking on the initiative program to drive jobs and economic development throughout Minnesota.

The state already has substantial biotechnology programs between the state, University of Minnesota and Mayo Clinic. But supporters of the committee's biotechnology initiative

said funding the BioBusiness Alliance of Minnesota program would help grow and create bioscience jobs throughout Minnesota and position the state as a global bio-business leader.

[Rep. Tony Sertich](#) (DFL-Chisholm) expressed concern about appropriating \$18 million from the health care access fund directed for initiatives he said were important. "I don't know if this is the right pot of money."

[Rep. Karen Clark](#) (DFL-Mpls) agreed with Sertich that biotechnology development was important, but that there were "pitfalls" to the bill. At numerous committee hearings, Clark pressed to have some sort of accountability measure for manufacturers. She said that having biotech manufacturers in Minnesota is great but if their products are too expensive for people, it would be no good to consumers.

Another economic development part of the bill would appropriate \$50,000 from the General Fund to reestablish the Minnesota Boxing Commission, which was eliminated in 2001. Currently, official boxing matches cannot take place in the state because there is no commission to oversee standards. For example, a commission would adopt rules

to ensure boxers and referees receive proper physical examinations prior to fights.

There were also successful amendments made to the bill.

A 13-member task force would study the viability of increasing the number of plug-in hybrid electrical vehicles on Minnesota roads. The intent of the task force is also to possibly bring more business to the Ford Motor Company plant in St. Paul.

Another major portion of the omnibus bill deals with consolidating various code enforcement and licensing functions in the Department of Labor and Industry. This part of the bill meets Gov. Tim Pawlenty's executive order made last year. It addresses such issues as administrative action and penalties, the department commissioner's role and license fees.

However, a number of human services-related programs did not make it into the bill.

The most contentious and emotional debate surrounded funding the Minnesota Family Investment Program (MFIP), using more Temporary Assistance for Needy Families funds for child care assistance programs and establishing a task force to study day laborers.

In written testimony, Tiffani Townsend said her three children are suffering because her Supplemental Security Income was being cut. About \$125 per month is being taken away from her kids' MFIP cash grant, wrote Townsend, who added that the governor's monthly income is twice the annual income of a family on welfare. Other supporters of increasing MFIP funding, such as Clark,

said there have not been increases since the 1980s.

At the conclusion of the committee's final meeting, a few members thanked Gunther for his efforts to hold hearings on bills from both parties. They praised him for being fair even when he did not always agree with certain bills.

Gunther said he only wished he were Rumpelstiltskin, a fairy tale character who spun hay into gold, so he could fund every program.



PHOTO BY TOM OLMSCHIED

The House Jobs and Economic Opportunity Policy and Finance Committee approved its omnibus bill April 11.



# How well are we prepared?

## Possibility of Avian flu pandemic leaves some with questions

By IRENE VOTH

Six days after the House Agriculture and Rural Development Committee was assured that the state has adequate measures in place to defend its poultry population against a potential Avian influenza epidemic, House Democrats said the state may be prepared to defend the poultry population, but not its residents.

During a press conference April 11, [Rep. Thomas Huntley](#) (DFL-Duluth) said Minnesota officials told the [Department of Homeland Security](#) that the state is not ready to deal with a flu pandemic. He also said the federal government is warning that it will not rescue states that have not prepared.

The Democrats listed three steps they believe the state should take to assure it is prepared:

- accelerate the \$31.5 million in funding Gov. Tim Pawlenty has proposed over the next three years to fund flu pandemic preparations;
- create and conduct an information campaign to prepare citizens; and
- establish a strict timetable for getting local and state plans in place and evaluating preparedness.

"I respectfully disagree with the Democrats," said Committee Chair [Rep. Greg Davids](#) (R-Preston), adding that none of the Democrats were present April 5 when the committee heard from four people who are on the front line of the state's defense against Avian flu.

"You never feel comfortable when you have the possibility of something like this — this is a very, very serious issue," Davids said at that time. Yet the meeting gave him assurance that "the state is in very good hands. They're on top of this," he said.

During the committee hearing, representatives from the state's poultry associations and state agencies spoke about issues regarding producer and consumer Avian flu education, the poultry surveillance, testing, policies and practices that have been in place for a long time, as well as measures the state is putting in place to deal with a possible poultry outbreak.

Steve Olson, executive director for the Minnesota Turkey Growers Association and the Broiler and Egg Association of Minnesota, explained there are two forms of Avian flu: low pathogenic, which is found worldwide and constitutes the majority of outbreaks in poultry; and the other which is highly pathogenic and can affect poultry very suddenly, causing severe illness and rapid death. While humans can contract the virus through contact with birds or their droppings, Olson said no Avian flu virus has evolved to the point that it can be transmitted from human to human.

"As a matter of fact, according to some research that was released by the University of Wisconsin about a week and a half ago, it shows that when humans are infected, the virus resides so deep in the respiratory system that it is not transmitted by coughs or sneezes, as most viruses are," he said, adding that several mutations would have to occur in the virus before it could be easily transmitted among humans.

### No raw duck blood soup, please

Kevin Elfering, dairy and food inspections director for the [Department of Agriculture](#), emphasized that Avian flu is not a food safety issue in the United States, and no one need stop purchasing and cooking poultry for fear of contracting the disease.

"In some parts of the world, if they have birds die, they're probably still going to consume those. Here in the United States if we have birds die, they're usually going to be destroyed. We don't consume things like raw duck blood soup," Elfering said.

While it is possible that Avian flu could adversely affect the poultry business in Minnesota, it's not highly probable — since most poultry is raised indoors, in barns, away from wild birds and migrating water fowl, which may carry the virus. Olson said allowing the virus to circulate among birds is what allows a low pathogenic form to mutate into a highly pathogenic form.

The testifiers spoke of the collaborative efforts being made to educate Minnesotans who raise poultry outdoors, since their birds

### Vaccination availability

Legislation intended to make sure annual flu vaccines are available early in the flu season to the people who need them most awaits action on the floor of both the House and Senate.

"It's a fairness issue," [Rep. Bud Heidgerken](#) (R-Freeport) told the House Health Policy and Finance Committee March 28. Heidgerken said he is sponsoring [HF3458](#) because it is frustrating to learn that healthy people can get flu shots early in the flu season at public immunization events in the more populated areas, while health care providers serving people in high-risk groups in Greater Minnesota receive inadequate supplies of the vaccine or receive their supplies very late in the season.

The bill, and its companion, [SF3169](#), sponsored by [Sen. David Tomassoni](#) (DFL-Chisholm), states that unless the health commissioner determines in any year that there is a sufficient supply of the vaccine and has posted this determination on the Department of Health [Web site](#), public immunization events could not be held until Nov. 1.

According to Margaret Roddy, assistant manager of the department's [Immunization, Tuberculosis and International Health Section](#), this delay would likely result in the vaccine being more widely distributed before the public immunization events begin. It would also give public health officials time to examine and implement a redistribution plan if necessary.

(I. Voth)

are far more likely to be exposed to the virus through feeding with wild birds or contact with their droppings. They plan to increase surveillance of live bird markets, which are held in the Twin Cities and other areas, and to monitor small slaughter plants.

Dr. Bill Hartmann, executive director of the [Board of Animal Health](#) outlined the steps the state would take in the event of an Avian flu outbreak in poultry. This could involve tracing movement in and out of the infected flocks, testing, quarantining, depopulation and deposition of the poultry carcasses, and other steps similar to the bovine tuberculosis response, which it set in motion in 2005. If the disease affects people, the [Department of Health](#) would become the primary agency in Minnesota, he said.

Minnesota ranks first among states in turkey production, with 200 growers. It ranks eighth in egg production, with 2.9 billion eggs per year, Olson said, adding that the yearly total of the state's poultry products is nearly \$1 billion. 



# Research to the rescue

House researchers help turn good ideas into good legislation

By Nick Busse

When Rep. Kathy Tingelstad (R-Andover) decided state laws on adoption and post-adoption services were in need of some reform, she had a few ideas on how to make things better.

To do it, however, she needed a little help.

Enter House researcher Lynn Aves. As a member of the nonpartisan [House Research Department](#), Aves' job is to help House members craft effective legislation by providing them with politically neutral research and counsel. When Tingelstad contacted her, Aves went to work gathering data, conferring with interested parties and drafting language for what ended up being multiple bills on the subject.

"What they're really best at is taking a legislator's idea and really kind of putting the ideas on paper," Tingelstad said.

Those familiar with the day-to-day operations of the House likely recognize how indispensable House researchers are — answering legislators' questions, reporting information and statistics, and serving as on-the-spot advisors in committee meetings, among other things. It would be tempting to call them the unsung heroes of the legislative process, although according to Director Patrick McCormack, to do so would be to overlook the low-key and strictly impartial nature of the job.

"A good day for us is when a legislator has what they need to make their point. We don't want the spotlight. We want the legislator to feel like they've got what they need to make the case," McCormack said, adding jokingly, "Frankly, we're all a bunch of introverts."

## Serving in a nonpartisan way

Established in 1967, the department is designed to serve the House as a whole rather than particular parties or individuals. In addition to helping House members make informed legislative decisions by conducting and summarizing research, House researchers have to ensure that bills conform to the existing statutes and that other legislators

understand them. That can be a challenge — especially when you have more than 4,100 bills filed in a single biennium.

"This time of year, we end up attempting to make everybody happy and failing," McCormack said. "We try hard. We do hundreds and hundreds of pieces of work every day, and we try to communicate to members when we can't get something for them. We try to be very clear that with 134 members and with the number of issues on the table, we're not going to get to everything."

House researchers have varied backgrounds;

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*"A good day for us is when a legislator has what they need to make their point."*

— Patrick McCormack,  
House Research director

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nonpartisan code of ethics.

"We make a real point that everyone who works in this office is able to work for all 134 members, and do that in a confidential manner," McCormack said.

Sam Rankin, a 31-year House Research veteran who retired in November, said that while the office has always had to wrestle with partisan pressures, members have been overwhelmingly respectful of researchers.

"The vast majority of committee chairs and House members have bent over backwards to understand our nonpartisan role and have



PHOTO BY ANDREW VONBANK

**House researchers John Helland, right, and Colbey Sullivan confer during the April 11 meeting of the House Agriculture, Environment and Natural Resources Finance Committee.**

many are attorneys, while others have advanced degrees in subjects like economics or sociology. According to McCormack, most of them are generalists, meaning they're capable of working effectively on issues involving numerous areas of public policy, and can communicate effectively with government agencies, lobbyists, legislators and the public. Most importantly, they observe a strict

been awfully good to work for in that respect," Rankin said. "They have not used us in ways that we found inappropriate."

Rankin said that during his time at the Legislature, he observed some gradual changes in his department as well as in the institution itself. He says the office became slightly more

**Research continued on page 22**

# In the spotlight

Bring filmmakers back to Minnesota

By BAO ONG

**R**ep. Tony Sertich's (DFL-Chisholm) chances of getting Hollywood actress Charlize Theron's phone number may increase if a bill establishing a film production tax credit passes.

Sertich appeared as a grimy miner eyeing a group of young women for about four seconds as an extra in the Warner Bros.-produced "North Country." When Gov. Tim Pawlenty went to meet the leggy blonde Theron, Sertich said he jokingly asked the governor to get her number for him — it never happened.

The "North Country" crew spent nearly three weeks in early 2005 filming on the Iron Range. The rest of the movie was filmed in New Mexico, which has generous financial incentives for filmmakers. What Sertich did see was nearly \$3 million funneled into the local economy when producers hired Minnesotans, and also needed lodging in the area and food at local restaurants.

"There may be two or three people in front of the camera when you watch the movie," said Sertich, who studied theatre in

college. "But behind the camera were 20 or so Minnesotans."

[HF3226](#), sponsored by [Rep. Mike Charron](#) (R-Woodbury), would establish a 15 percent income tax credit for film production costs in Minnesota. It requests \$5 million in appropriations. Filmmakers spending money on such things as buying lumber to build sets, hiring extras, paying for meals or paying for hotel bills would receive the tax credit.

Charron said the bill would keep Minnesota competitive with other states, especially surrounding states like Iowa, Wisconsin and Illinois.

Approved by the House Jobs and Economic Opportunity Policy and Finance Committee, the bill awaits action by the House Taxes Committee. A companion bill ([SF2208](#)), sponsored by [Sen. Richard Cohen](#) (DFL-St. Paul), has been included in the omnibus tax bill and awaits action by the Senate.

In 1997, Minnesota was the first state to offer a production incentive to lure the film industry away from Los Angeles and New York City. During the ensuing five years,

**Snowbate results**  
**1998—2002**  
(for feature films, TV movies and national TV series)

	Snowbate reimbursement	Total spent in Minnesota
FY1998	\$359,045	\$11,514,871
FY1999	\$285,606	\$6,929,425
FY2000	\$475,000	\$12,629,263
FY2001	\$475,154	\$16,837,274
FY2002	\$475,000	\$10,068,496

Source: Minnesota Film and TV Board  
Note: Each fiscal year runs from July 1 to June 30.

the "Snowbate" incentive program attracted nearly \$58 million in production expenditures to the state, according to the Minnesota Film and TV Board. The same board also reports that 68 feature films, ranging from "The Mighty Ducks" to "Grumpy Old Men" to " Fargo" were all shot in Minnesota.

However, former Gov. Jesse Ventura eliminated the tax break in 2001 during the state's budget crisis. The Snowbate statute stands but funding no longer exists.

Cindy Jepsen, a lobbyist for the trade organization Shoot in Minnesota, said she does not know if the bill would receive a hearing in the House Taxes Committee this session. Supporters may introduce a rebate incentive through the old Snowbate program if the bill is not heard, said Minnesota Film and TV Board Executive Director Lucinda Winter.

Charron, a professor and chair of the Concordia University theatre department in St. Paul, said Minnesota is now only one of five states in the country that does not have an incentive program. He asked the House Jobs and Economic Opportunity Policy and Finance Committee how the state could let "Miracle," a story about how Minnesotan Herb Brooks lead the 1980 U.S. hockey team to an improbable gold medal at the Winter Olympics, be filmed outside the state.

Local filmmaker Patrick Coyle said the Snowbate program allowed him to work on "Detective Fiction," which showed at the prestigious Sundance Film Festival. "I want to live and work in the state I love," he said.

Dave Halls, Shoot in Minnesota executive director, said the state has a reputation for a strong crew base because of all the major films



PHOTO BY ANDREW VONBANK

Part of the 1996 film "Jingle All The Way" was shot in Minnesota.

Spotlight continued on page 22

# Come to the Capitol

*Directions, Parking, Tours, Visiting the Legislature, Dining*

## Directions

The Capitol complex is north of I-94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

- I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right.
- I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right.
- I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right.
- I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left.

## Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot H, west of the Veterans Service Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); Lot L, east of the Judicial Center; in the 14th Street Lot at the corner of North Robert Street and 14th Street; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. There are a few metered parking spots in front of the Capitol along Aurora Avenue.

Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$4 from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call (651) 297-2307.

Outdoor disability parking is available in most public lots within the State Capitol Complex. However, most spots can be found in Lot N, Lot F and Lot H. Disability parking is also available on the orange level of the Centennial Office Parking Ramp.

The main disability entrance to the Capitol is on the northwest side of the building just off Lot N. There also are drop-off entrances on the south side under the front steps on the south side and on the northeast side of the building.

Since parking is limited during legislative sessions, taking the public bus could be an option. Call the Transit Information Center at (612) 373-3333 for schedule and route information.

## Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 3 p.m. Monday and Thursday, and the Senate generally

meets at 11:30 a.m. Monday and at 9 a.m. Thursday during the first few weeks of session. As the session nears the end, however, both bodies may meet several times a week, often into the night.

Visitors interested in observing these sessions may call House Public Information Services, (651) 296-2146, or Senate Information, (651) 296-0504, with questions.

Committee meetings are open to the public, as well. Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House (651) 296-9283 or Senate, (651) 296-8088.

If group members want to meet with their individual legislators or testify before a committee arrangements should be made at least a week in advance.

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

## Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m.

and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

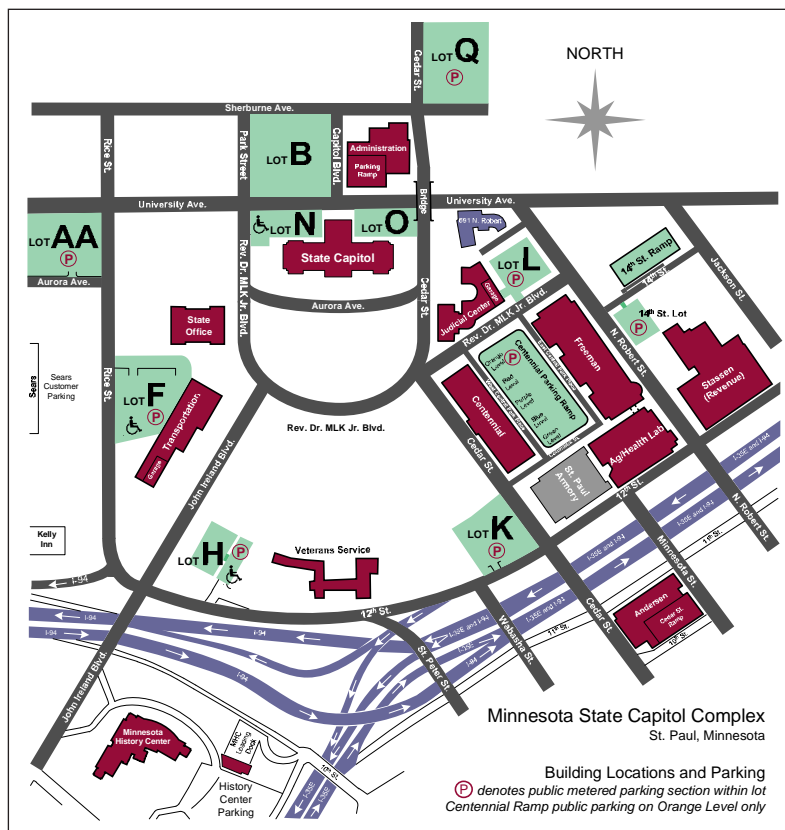
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. Themes include "Art and Artists of the State Capitol" and "Shadows and Spirits of the State Capitol." Some of these events require admission fees. A special events guide is available upon request.

For more information about the tours and fee structure or to make a reservation, call the Capitol Historic Site Program at (651) 296-2881.

## Dining

Year-round cafeterias can be found on the ground floor of the Transportation and the Centennial buildings.

The small State Office Building cafeteria and the Rathskeller in the State Capitol are open only when the Legislature is in session.



Edited map courtesy Minnesota Department of Administration, Plant Management Division



## Research continued from page 19

professional and service-oriented while its clientele grew increasingly contentious and divided.

The workload, McCormack says, has also changed over time.

"The number of bills we draft and the revisor drafts, and the number of amendments, is approaching an all-time high," McCormack said. "So we're spending, during session, a lot more time just processing the bills and amendments."

Not that the workload in House Research has ever been particularly light; Rankin recalls working 109 ½ hours in one seven-day period in the 1980s. But the job's rewards, he said, are worth it.

"There have been lots of really, really fun, good times too, when you see a piece of good public policy that gets put together and becomes law," he said. "And it's sort of interesting to see language that you have written that is unique to your style of writing actually become the law of the state, and you read it in the statute books. You remember, 'Gee, I wrote that.'"

Although House Research staff members write much of the language that ends up in state statute, Rankin said they never feel jealous of the attention legislators get for making the laws.

"The credit certainly belongs to the elected members, never to us. That's a condition of employment, essentially, and well it should be." 🏛️

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## Spotlight continued from page 20

completed in Minnesota. He said these workers will find other work or leave if filmmakers do not film in Minnesota. "We had some very lean years from the late-90s until now," said Halls, who also works as an assistant director on films and television in Minnesota. "But we cannot hang on much longer."

Although [Rep. Andy Westerberg](#) (R-Blaine) said he agreed with the premise of the bill, he wanted to know if viewers would know where the film was shot. Typically, a credit runs at the end of a film. It would not necessarily be clearly apparent or labeled at the start of a film.

Winter said when "A Prairie Home Companion" was filmed in St. Paul last year, it brought in \$1.6 million to \$2 million to the local economy.

"Maybe folks will see now the clean money that's really made here," said Sertich. "It's a very clean industry; they come in, they spend money, and they leave town." 🏛️

## RALLYING POINT



PHOTO BY TOM OLMSCHIED

**An estimated crowd of 30,000 marched April 9 from the St. Paul Cathedral to the Capitol to rally in support of immigration rights.**

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

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## Monday, April 10

### HF4116-Davids (R)

**Agriculture & Rural Development**  
University of Minnesota licensing and Minnesota market impact study provided and Horticulture Department appropriations reduced.

### HF4117-Dempsey (R)

**Transportation Finance**  
Trunk Highways 61/50 corridor study provided, bonds issued and money appropriated.

### HF4118-Zellers (R)

**Taxes**  
Contraband cigarettes disposition provided.

### HF4119-Vandever (R)

**Taxes**  
County wheelage tax authorized and referendum required.

### HF4120-Olson (R)

**Jobs & Economic Opportunity Policy & Finance**  
County-paid cremation costs provided for MFIP recipients.

### HF4121-Erhardt (R)

**Transportation Finance**  
Trunk highway bond debt service appropriations limit established.

### HF4122-Vandever (R)

**Taxes**  
Market value of certain nonconforming properties limited and ownership of property defined as not relevant for certain purposes.

### HF4123-Erickson (R)

**Education Policy & Reform**  
Teacher preparation program report card established for colleges and universities.

### HF4124-Ellison (DFL)

**Public Safety Policy & Finance**  
Corrections open appropriation created for federal funding received for the Social Security Administration incentive payments to provide for discharge planning for inmates with mental illness.

### HF4125-Solberg (DFL)

**Taxes**  
Aitkin tax increment financing district authorized to capture the state general tax for certain parcels and fund uses expanded.

### HF4126-Hortman (DFL)

**Transportation Finance**  
Trunk Highway 252 expansion between Trunk Highway 610 and Interstate 94 planning funding provided, bonds issued and money appropriated.

### HF4127-Lenczewski (DFL)

**Transportation Finance**  
Light rail transit use in the Interstate 494 corridor feasibility study required and money appropriated.

### HF4128-Anderson, B. (R)

**Transportation Finance**  
Trunk Highway 55 corridor transit service funding provided and money appropriated.

### HF4129-Otremba (DFL)

**Taxes**  
Agricultural land abutting public water property valuation provided.

### HF4130-Solberg (DFL)

**Taxes**  
Public safety radio communication products and services exempted from sales tax.

### HF4131-Erhardt (R)

**Transportation Finance**  
Metropolitan transportation area defined, sales tax imposed and funds distributed.

### HF4132-Beard (R)

**Local Government**  
Lower Minnesota River Watershed District authorized to acquire, maintain, operate, improve and enlarge dredge material site; bonds issued; and fees authorized.

## Tuesday, April 11

### HF4133-Erickson (R)

**Education Policy & Reform**  
School districts required to provide special instruction and services at non-public school sites for a child with disabilities who is enrolled in a non-public school.

### HF4134-Vandever (R)

**Taxes**  
Metropolitan area transit levy authorized, distribution of motor vehicle sales tax revenues modified, bonds issued, money appropriated and constitutional amendment modified.

### HF4135-Blaine (R)

**Governmental Operations & Veterans Affairs**  
Trade license and certificate renewal provisions updated relating to persons in the armed forces during war or national emergencies.

### HF4136-Blaine (R)

**Taxes**  
Sustainable forest incentive payments increased.

### HF4137-Blaine (R)

**Taxes**  
Milk and water sold through vending machines exempted from sales tax.

### HF4138-Bernardy (DFL)

**Transportation Finance**  
Trunk Highway 10 improvements funding provided and money appropriated.

### HF4139-Greiling (DFL)

**Taxes**  
Education levies reduced and foreign operating corporation income treatment modified under the corporate franchise tax.

### HF4140-Greiling (DFL)

**Education Policy and Reform**  
All-day kindergarten provided and transitional tuition authorized.

### HF4141-Gunther (R)

**Taxes**  
Fire aid distribution formula market value definition modified.

### HF4142-Krinkie (R)

**Taxes**  
Property tax rebate provided.

## Wednesday, April 12

### HF4143-Abrams (R)

**Taxes**  
Depreciation deduction income tax election provided.

### HF4144-Sviggum (R)

**Education Policy & Reform**  
Education Department required to examine educational programs throughout Minnesota to determine if a general and uniform system of public schools exists, report required and money appropriated.

### HF4145-Simpson (R)

**Taxes**  
Job opportunity building zones extended.

### HF4146-Paulsen (R)

**Civil Law & Elections**  
Presidential electors designated and duties specified.

### HF4147-Peterson, N. (R)

**Taxes**  
Cigarette and tobacco taxes increased, health impact fund and fee repealed and funds transferred.

### HF4148-Abrams (R)

**Rules & Legislative Administration**  
Greater Minnesota transit account established within the transit fund, motor vehicle sales tax revenue allocation modified and proposed constitutional amendment amended.

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## MINNESOTA INDEX

### Taxes

Billions in state and local taxes collected in fiscal year 2005.....	\$20.09
Billions of property value (excluding the value of exempt property) in Minnesota in 2004.....	\$399.2
Total property taxes statewide, in billions .....	\$5.34
Of 2004 property taxes paid, percent paid for by residential homestead owners.....	44.9
Percent paid by commercial/industrial property owners.....	32.9
Percent paid by agricultural land owners .....	5.7
Of 2004 property taxes, percent that went to the county .....	32
Percent that went to cities .....	26.5
Percent that went to school districts .....	23.9
Percent that went to the state .....	11.6
Year Truth in Taxation, a process to enhance public participation in the state's tax system, began .....	1988
Percent of Minnesotans, according to a 2005 survey, that believe they pay "much more tax" than residents of other states.....	25
Percent that say Minnesotans pay "more tax" .....	43
Percent that say Minnesotans pay "less tax" .....	4
Percent of Minnesotans, according to a 2005 survey, that are "very satisfied" or "satisfied" with the fairness of the state's tax system based on their ability to pay .....	40
Percent "dissatisfied" or "very dissatisfied" with the fairness of the state's tax system based on the extent to which all taxpayers are treated equally .....	52
If they could reduce one tax, percent of Minnesotans, according to a 2005 survey, that would reduce their local property tax .....	47
Percent that would reduce their state income tax.....	35
Percentage for each in 2003.....	40
Percent of Minnesotans, according to a 2005 survey, that are "satisfied" or "very satisfied" with the amount they pay in sales taxes .....	56
Percent "dissatisfied" or "very dissatisfied" .....	30
Year Minnesota adopted a state sales tax (3 percent) .....	1967
States that adopted such a tax after Minnesota .....	1
Times the state sales tax have subsequently been raised .....	4
Year it was raised to the current 6.5 percent.....	1991
Year the Legislature enacted a <a href="#">prohibition</a> against new or increased local taxes on sales or income.....	1971

Sources: [Taxpayer Satisfaction With The State's Tax System](#), Department of Revenue, July 2005; [Overview of Property Taxes](#), A Presentation to the House Committee on Taxes, Jan. 11, 2005, [House Research](#) and [Fiscal Analysis](#) departments; [Minnesota's Local Sales and Use Taxes](#), Department of Revenue, February 2004.

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# SESSION Weekly

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VOLUME 23, NUMBER 8 • APRIL 21, 2006

INSIDE: MAJORITY RULES, YOU BET'CHA, MEMBERS STEPPING DOWN, MORE

This Week's Bill Introductions HF4149-HF4158

# Session Weekly

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

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**On the cover:** A Capitol visitor is silhouetted against a shard of sunlight above the Rotunda.

—Photo by: Andrew Von Bank

# Preserving majority rule

The balance of power is tilted in favor of the few, some say

By Nick Busse

**H**ere's a riddle, courtesy of the Minnesota Legislature: Several thousand bills are introduced by House members in a given biennium. Only a few hundred of them are actually passed. Fewer than a dozen are voted down. What happens to the rest?

The answer, according to [Rep. Mark Olson](#) (R-Big Lake), is that nothing happens to them at all, because House members don't get to decide what bills they vote on. Instead, House leadership and committee chairs do it for them, and anything they're not interested in simply doesn't get put on the agenda. And to him, that isn't right.

"Currently, a minority, for the most part, is controlling what the majority can vote on," he says. "The only time the minority is not in control is when the majority will say 'no' to what the minority gives them permission to vote on."

Olson believes the power that a few individuals in the Legislature have to dictate who gets to vote on what — and when — is responsible for numerous special sessions as well as last year's partial government shutdown. Moreover, he says it's eroding the democratic foundations of the institution.

"I believe we are clearly violating the constitution of Minnesota," he told the House Governmental Operations and Veterans Affairs Committee March 24. "We are a majority rule institution, and we don't act as such. It is critical that we correct that."

Olson himself has been trying to correct it for the last 12 years — so far, without success. But that may be changing.

That evening, the committee approved a bill that would amend the state constitution to prohibit small groups of legislators from preventing a vote on any given bill by the full bodies of the House and/or Senate. In essence, [HF3640](#), sponsored by Olson, would ensure that final decisions on key pieces of legislation are available to all legislators and not just leadership or legislative subgroups.

"The effects of my proposal basically create the ability for the body to override members who are in control and are able to create gridlock by their control," he explains.

The committee's approval of the bill

represented a personal milestone for Olson, who has been trying to get similar legislation passed since the end of his first term in office (1994). Unfortunately, the victory may turn out to be a minor one.

With a month until members must finish their work, it is highly unlikely that either body will take up such a hotly contentious and internally divisive issue. For all practical purposes, his constitutional amendment is dead in the water — at least for now.

But the issue itself isn't.

## Making progress

On April 18, Olson successfully amended an omnibus state government finance bill with a provision that would give House and Senate members more pull over conference committees. It would force conference committees to adjourn at least five days before the end of session and allow House and Senate members to dissolve conference committees at any time with a simple majority vote.

It was a substantial victory for Olson, and it was just one of many legislative reform initiatives that have been debated on the House floor this year. Frustrations over last year's special session have created an impetus for legislative reform, and Olson is reaping the benefits.

During the special session, Olson made 14 separate motions to wrest control of the decision-making process away from the working groups and legislative leadership and put it back in the hands of the full House. Every one of them failed, but by the end of session he had a bipartisan majority of House members voting with him — just not the two-thirds majority necessary to suspend the House rules. His efforts seem to be paying off, however, in that his ideas seem to be finding a more receptive audience.

"I introduced this first in 1995 and I couldn't find anybody interested; 2002, the same thing. We're making progress. And if we can get from one committee to the next, that's a big step," he told committee members at the March 24 meeting.

Olson probably made that pronouncement with a sense of irony, however, because the bill is a long, long way from being signed into law. For him, that's still a fantasy at this point.

"That would be like a dream. It would be



PHOTO BY TOM OLMSCHEID

Rep. Mark Olson believes that more members should have a say in which bills are voted on.

First Reading continued on page 4



## First Reading continued from page 3

like a vision fulfilled in my life,” he says.

### “Duty is ours”

Olson comes off as somewhat of an idealist. His office is filled with quotes from the Founding Fathers. As chair of the House Local Government Committee, he is renowned for being fair. And his votes on the House floor have been known to stray across party lines when in conflict with his personal values.

He says that he learned much of his reverence for democracy from hearing stories about his grandfather, who helped found the DFL party in Sherburne County and was a friend of Charles Lindbergh. When he first took office, he was struck by the fact that the legislative process in use was not the one set forth by the state constitution, and he connected that with some of his grandfather’s observations about state government.

“I started digging into it and I started observing how little groups can control the process, and with that history from my childhood combined with what I experienced, it just kind of became a passion for me,” he said.

Olson also has a passion for history. At the aforementioned March 24 meeting, Olson explained his persistence in raising legislative reform issues by relating a parable from the life of John Quincy Adams, the U.S. president who stepped down to become a congressman and introduced hundreds of petitions against slavery. Olson said that if just one of those petitions had passed, slavery might have ended gradually and the Civil War could have been averted.

“During that time, he was asked, ‘Why do you keep trying?’” Olson told committee members. “He said, in response ... ‘Duty is ours, results are God’s.’”

### Cultural problems

Olson says there are barriers to his reforms, primarily in the culture of the House. He finds himself in the difficult position of attempting to make serious criticisms about the House without impugning the integrity of any of its leaders or members. Loosely, however, he says that many members are reluctant to back him on the issue for fear of angering those who might have the power to influence legislation that is personally important to them, or who might have ready access to political action committee funds.

Olson is not the only member who feels that way. Among his key supporters, [Rep. Larry Hosch](#) (DFL-St. Joseph) says many of the same things about the culture of the House. He feels, like Olson, that power is

too concentrated into the hands of a select group of people, and that those people are too focused on loyalty to their parties.

Hosch has sponsored several legislative reform bills, and unsuccessfully tried to amend one onto the omnibus state government finance bill. It would have allowed each member to designate two bills each year that would be guaranteed a hearing by the relevant committees.

For their part, leadership has pointed out what they see as logistical difficulties with some of Olson’s ideas. [House Speaker Steve Sviggum](#) (R-Kenyon), for example, points out that the amendment Olson made to the omnibus state government finance bill could

hamper negotiations between the House and Senate.

“The conferees cannot in earnest do their work until they are given targets,” Sviggum said, “and sometimes the targets are not given to them until really, really late in the session. And while they could be done earlier, to put time frames on negotiations is a tough thing to do.”

HF3640 awaits action by the House State Government Finance Committee.

A companion ([SF3560](#)), sponsored by [Sen. Betsy Wergin](#) (R-Princeton), awaits action by the Senate Rules and Administration Committee. 🐸

### SLIPPERY SITUATION



PHOTO BY TOM OLMSCHIED

Sara Keasky, left, a Minnesota Zoo volunteer since 1996, shows a Western Hognose snake to sixth-grade students from Kasson-Mantorville Intermediate School during “Zoo Day at the State Capitol” April 18.

## ★ EDUCATION

### Education bill in limbo

The House Taxes Committee chair abruptly adjourned the meeting April 19, leaving an uncertain future for a bill that would provide \$117 million in property tax relief.

[Rep. Phil Krinkie](#) (R-Lino Lakes) dropped the gavel on the meeting after an amendment to the omnibus education finance bill to fund a state buy-down of school levies by closing a loophole relating to foreign operating companies was approved by the committee.

The move to adjourn took [Rep. Barb Sykora](#) (R-Excelsior), the sponsor of [HF4040](#), by surprise and she questions whether the bill will survive the session. Several key Republican committee members were absent from the meeting and she mused that the votes may not have been there to keep the legislation from being significantly changed.

The committee had little chance to discuss the bill as presented by Sykora, but instead debated two amendments. The first, presented by [Rep. Dan Dorman](#) (R-Albert Lea), would have prevented high school students transferring to another school district under open enrollment from participating in any varsity athletic competition in the enrolling district. The measure failed on a tie vote.

While Sykora's bill provides some property tax relief by increasing state aid to school districts, and allowing for some levies to be reduced or eliminated, an amendment successfully offered by [Rep. Connie Bernardy](#) (DFL-Fridley) would have made an even greater levy reduction. She proposed that it would be funded by a change in how foreign operating companies are taxed. [Rep. Jim Knoblach](#) (R-St. Cloud) asked to have the amendment split into two parts with the committee voting on the tax provision language first, which then led to the immediate adjournment.

Provisions in the omnibus education finance bill, passed by the House Education Finance Committee April 11 include:

- a \$750,000 allocation to fund a 10-year grant program for interested schools to improve the quality and student access to science, technology, engineering and mathematics instruction;
- a one-time allocation to help make the language of Mandarin available in state schools;
- an appropriation in fiscal year 2007 to enable fourth- and eighth-grade students to participate in an international comparative math and science assessment;

- funding for a school-to-school mentoring program; and
- a youth-works program conducted by ServeMinnesota.

The omnibus Senate education finance bill ([SF3770](#)), sponsored by [Sen. LeRoy Stumpf](#) (DFL-Plummer), awaits action by the Senate Finance Committee.

## ★ ENVIRONMENT

### Dedicated funding plan

A bill that would dedicate part of the state's sales tax is headed to the House floor.

Approved by the House Rules and Legislative Administration Committee April 20, [HF1909/SF2734](#)\* proposes a constitutional amendment that would dedicate one-eighth of 1 percent of current sales and use tax receipts to provide hunter and angler access and to improve, enhance or protect game and fish habitat.

Although introduced in 2005 as a "game and fish" bill by [Rep. Tom Hackbarth](#) (R-Cedar), it has been amended repeatedly. On April 18, the bill, as approved by the same committee, would have dedicated three-eighths of 1 percent of current sales and use tax receipts to four areas: fish and wildlife; parks, trails and zoos; cleaning up the state's waters; and arts, humanities, museums and public broadcasting.

Hackbarth told the committee the three-eighths of 1 percent sales and use tax dedication is "quite a lot of weight to bear, and pretty hard for folks to be voting for something like that."

An amendment moved April 18 by Committee Chair [Rep. Erik Paulsen](#) (R-Eden Prairie) to return the bill to its original dedication of one-eighth of 1 percent of current sales and use tax for game and fish habitat preservation failed by one vote.

On April 20, the committee voted 22-1 to return it to its original intent, with opponents, including [Rep. Lyndon Carlson](#) (DFL-Crystal), indicating that they look forward to debating the bill on the floor in hopes of returning it to dedication in multi-areas.

"I'm not going to give up the ship in the middle of the stream here," Hackbarth said following the April 18 vote. "I'll keep moving forward with this bill until the very end, until it's something I can't support anymore."

The "very end" will likely occur during next week's House floor sessions.

As a constitutional amendment bill, if

passed by the Legislature, it is immune to a governor's veto. It will be placed on the ballot for November's general election. A majority of those voting in the election must vote in favor of the amendment in order for it to pass.

[Sen. Dallas Sams](#) (DFL-Staples) sponsors the bill in the Senate, where it passed April 3.

## ★ HEALTH

### Possible tax reduction

MinnesotaCare provides health care access to those who cannot afford it. But at least one legislator believes these benefits should be wider-reaching if there is a surplus in the Health Care Access Fund, which funds a majority of MinnesotaCare.

[HF2935](#), sponsored by [Rep. Fran Bradley](#) (R-Rochester), would require the state finance commissioner to project the fund's balance every two years. If the commissioner projects a surplus, the rate of MinnesotaCare taxes would be reduced for hospitals, surgical centers, health care providers, wholesale drug distributors and prescriptions.

The House Taxes Committee approved the bill April 19 and referred it to the House Ways and Means Committee.

If passed into law, the commissioner would begin projecting the balance on Sept. 1, 2007.

"This is a bill that's received support from all sides," said Bradley. "If you want to please your dentist, if you want to please your physician, next time you visit, tell them that you helped move this proposal along."

[Rep. Joe Atkins](#) (DFL-Inver Grove Heights), who supported the bill, asked whether it would be necessary because Bradley also sponsors a bill that places greater reliance on a provider tax to fund the Minnesota Comprehensive Health Association, a non-profit Minnesota corporation that also helps provide health care access. Bradley said the bill is only effective if a surplus exists.

A companion bill ([SF2640](#)), sponsored by [Sen. Brian LeClair](#) (R-Woodbury), awaits action by the Senate Health and Family Security Committee.

## ★ HIGHER EDUCATION

### Collegiate funding

The House Ways and Means Committee approved the omnibus higher education finance bill April 19. The bill now goes to the House floor.



Sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), [HF3924](#) was amended slightly to add an appropriation for \$100,000 to fund veterans assistance offices at Minnesota State Colleges and Universities campuses each year through 2009.

Several members addressed a portion of the bill that would give in-state tuition rates to refugees.

As a grandson of four immigrants, [Rep. Tom Rukavina](#) (DFL-Virginia) reminded members that many people in the country are descendants of immigrants.

However, [Gov. Tim Pawlenty](#) had sent a letter to committee members urging them to remove that language in the bill. "Providing in-state tuition for illegal immigrants would give them benefits not available to legal U.S. citizens who reside in most other states. In other words, an Iowa high school graduate would not be eligible for in-state Minnesota tuition, but a non-U.S. citizen, who is here illegally, would be."

Other components of the bill left unchanged by the committee include:

- postsecondary institutions would be allowed to inform parents or guardians of a student's alcohol or drug possession or use, information now considered private data;
- a requirement that postsecondary institutions participate in the state grant program in federal student aid programs by July 1, 2009;
- the definition of resident student would include those in the state on active duty military status and immediate family members; those located in a presidential declared disaster area; and refugees, defined under federal law, living in the state;
- an increase in the maximum loan amounts and annual limits for the Student Educational Loan Fund;
- the establishment of a Rochester branch of the University of Minnesota to "foster the economic goals of the region and state;" and
- the establishment of task forces to address faculty and teaching assistants' communication skills and ability to speak English clearly and with good pronunciation; to study the rising costs of textbooks; and to study the market impact on Minnesota producers of agricultural products from the University of Minnesota and negative impacts on state businesses that arise from university license agreements.

Several of the bill's provisions are included in the governor's recommendations, part of which includes the establishment of the new Rochester campus.

## ANNIVERSARY SALUTE



PHOTO BY ANDREW VONBANK

**Maj. Gen. Larry Shellito, adjutant general of the Minnesota National Guard, center, salutes members of the Guard sitting in the House Gallery April 18 after receiving a resolution from House Speaker Steve Sviggum, left, congratulating and honoring the Minnesota National Guard on the 150th anniversary of its founding. Maj. Gen. Rick Erlandson, right, is also pictured.**

The Senate bill ([SF3058](#)), sponsored by [Sen. Sandy Pappas](#) (DFL-St. Paul), awaits action by the Senate Finance Committee.

## HUMAN SERVICES



### Interstate compact

[Rep. Matt Dean](#) (R-Dellwood) believes people seeking chemical health services should not be restricted by geography.

[HF3111](#), sponsored by Dean, would allow people in neighboring states to receive chemical health treatment in Minnesota and vice versa. Dean said this reform to chemical health services is similar to legislation enacted for mental health services in the past.

"People shouldn't have to travel far distances to receive care," said Dean.

Passed 133-0 by the House April 20, it now goes to the Senate, where [Sen. Julie Rosen](#) (R-Fairmont) is the sponsor.

## INSURANCE



### Defining homeowner's coverage

A bill relating to homeowner's insurance defines coverage for homes providing adult foster care services.

[HF2722](#), sponsored by [Rep. Loren Solberg](#)

(DFL-Grand Rapids), would allow an insurance company not to cover losses for homes that provide foster care for adults unless the policy already covers it or there is another policy that covers those losses. Furthermore, the bill would prohibit an insurer from refusing to issue or renew homeowner's insurance because the property covered is used to provide adult foster for five or fewer residents.

The House passed the bill 133-0 April 20, and it now goes to the Senate, where [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) is the sponsor.

Adult foster care is considered a business pursuit, which is normally excluded for homeowner's insurance. Solberg said the bill was similar to how insurance companies handle homeowner's insurance for those providing day care in their homes.

## RECREATION



### Ballpark financing

Memories of baseball played outdoors on real grass framed the proponents' testimony. Large colorful posters of the proposed new Twins stadium took center field. You could almost smell the popcorn April 19 as elected officials of Hennepin County and Twins





PHOTO BY TOM OLMSCHIED

**Minnesota Twins Sports, Inc. President Jerry Bell sits behind a drawing of the proposed new outdoor stadium for the Twins as he listens to proponents testify before the House Taxes Committee April 19. Team and Hennepin County officials would like the Legislature to authorize a 0.15 percent sales tax increase without voter approval to fund the county's share of the ballpark.**

officials led by Jerry Bell, president of Twins Sports, Inc., explained the content of [HF2480](#), sponsored by [Rep. Brad Finstad](#) (R-New Ulm).

The bill sets forth the means by which a Minnesota Ballpark Authority would be created to build a \$390 million, open-air ballpark on the edge of downtown Minneapolis. The plan includes access infrastructure at an additional cost of \$90 million.

Financing provisions in the bill include raising the sales and use tax collected in Hennepin County by 0.15 of 1 percent, or approximately 3 cents on \$20. Imposed by ordinance rather than referendum, the tax would continue until the county's share of the construction expenses financed through the sale of bonds would be repaid.

"There is no agreement if a referendum is required," said Mike Opat, Hennepin County commissioner.

Opat said the bill "does not seek to circumvent state law" regarding imposing the tax increase by ordinance rather than referendum, but not everyone agreed.

"I think I understand the county's interpretation (of the law), but I don't necessarily agree with it," said [Rep. Paul Kohls](#) (R-Victoria).

The issue of whether the citizens of

Hennepin County support the tax increase was brought forth by [Rep. Phil Krinkie](#) (R-Lino Lakes), who chairs the committee. His inquiry about whether any public surveys had been conducted to find out was answered in the negative, but county officials said numerous public hearings had been held.

The same issue was approached from a different perspective by [Rep. Dan Dorman](#) (R-Albert Lea), who asked if anyone supporting the ballpark had won a recent election.

Hennepin County Commissioner Randy Johnson said voters had preferred him to two anti-ballpark opponents in the most recent election.

Other questions to the Hennepin-Twins team included whether there has been an economic impact study to establish whether there is actually an economic benefit to businesses in the vicinity of a ballpark.

Bell's response was that one had been done many years before, but not recently. "Whether or not there is an economic impact that benefits the state of Minnesota is largely an academic debate that goes on forever," he said.

The Twins' contribution to the plan includes \$130 million upfront. The team would also be responsible for any cost overruns on the ballpark itself; \$1 million per year for capital improvements; operations; a 30-year use

agreement; a \$250,000 contribution each year for youth activities; and up to 18 percent of the gross sales proceeds if the team should be sold.

The committee was to take a road trip April 20 to the team's former home city, Bloomington, to hear more testimony and possibly take action on the bill. If necessary, the three-meeting series would be completed back home in St. Paul April 21.

A companion bill ([SF2297](#)), sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins), awaits action by the Senate Taxes Committee.

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## Getting started

Bills look to help new dairy farmers achieve their dream

By IRENE VOTH

**J**on Kaiser owns 40 of the 180 cows on the Dodge County organic dairy farm where he works. They give him a small portion of the milk checks the dairy farmer receives. But more than additional income, the cows are equity — a step toward his 8-year-old dream of owning a dairy farm.

“I may be kind of late getting started,” he said.

Kaiser, 37, grew up in Albert Lea. A town-kid who has little memory of his grandfather’s farm, he was likely unaware of the 1980s farm crisis. And as a young adult, he probably didn’t notice the disappearance of 5,700 dairy farms and 80,000 dairy cows from Minnesota’s landscape from 1992 to 1998.

Rather, he was inspired to become a dairy farmer by an article he read in a 1998 issue of *The New Farm* about “a younger person who started from scratch on a grass-based dairy.”

Kaiser was working on a hog farm at the time, but through the [Land Stewardship Project](#), a private, nonprofit organization promoting farmland stewardship, he was connected with Dan French, who is now his employer/mentor in organic dairying and rotational grazing.

While he has been learning and building up his cow-equity, dairy numbers in Minnesota have continued to decline. From 2003 to 2006, the state lost 1,000 dairy farms and 34,000 dairy cows. At the same time, the market value of agricultural land rose as fast, or faster, than the rest of Minnesota’s real estate, estimated at 10 percent or more per year.

Although Kaiser’s cows were paid for last year, the real estate situation continues to make his dream a lofty one.

“Rochester is one of the highest-priced land areas in the state,” he said, explaining that the salary and benefits of his wife’s clerical job at the Mayo Clinic also makes it difficult to consider relocating to areas where farm land may be cheaper or there may be land available for rent.

“Farmers tend to rent their land to bigger farmers,” Kaiser said of the Rochester-area landowners, adding that they may be more comfortable renting to a “proven” farmer than to a beginner.

With the price of agricultural land what it



PHOTO BY TOM OLMSCHEID

**Rep. Dean Urdahl, sitting behind his cow statue and with a Grip ‘n Go milk container, presents his proposal to provide an income and corporation franchise tax credit for qualifying investments in dairy operations during a hearing of the House Agriculture and Rural Development Committee March 15.**

is, Kaiser said purchasing is impossible, since he cannot establish “cash flow” — the ability to make the land produce enough money to make the required land payments.

Several bills being considered by the

Legislature this year may be of some help to Kaiser and others like him who want to become dairy farmers.

[HF3843](#), sponsored by [Rep. Lyle Koenen](#) (DFL-Clara City), would expand the [Rural Finance Authority](#)’s beginning farmer program by authorizing credits against state income and/or franchise tax for a person selling or renting to qualified beginning farmers. The bill awaits action by the House Taxes Committee. Its companion ([SF3437](#)), sponsored by [Sen. Gary Kubby](#) (DFL-Granite Falls), awaits action by the Senate Taxes Committee.

“A landowner willing to cash rent his land to a beginning farmer would receive a tax credit equal to 10 percent of the gross rental income. If the rental agreement calls for a shared rent, that would move up to 15 percent. If the landowner is willing to sell his land to a beginning farmer, that credit would be set at 5 percent of the sale price,” Koenen said.

The bill would also offer a tax credit of up to \$500 to beginning farmers who take an approved financial management course.

Another bill, [HF3366](#), sponsored by [Rep. Andy Welti](#) (DFL-Plainview), requires a study and report on the feasibility of a public-private partnership to fund a milk volume production loan program. The revolving loan program would make low-interest loans of at least \$500 per cow for as many cows as the commissioner would recommend per dairy producer, as part of the producer’s dairy capital improvement project. Its companion is [SF3017](#), sponsored by [Sen. Paul Koering](#) (R-Fort Ripley). Both bills await action on the floor of their respective bodies.

Finally, [HF2879](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), provides a one-time credit of 10 percent or up to \$50,000 for expenditures made to modernize dairy operations. While the bill may not be directly helpful to beginning farmers, it would assist people like French, who may want to employ and mentor additional future farmers. It awaits action by the House Taxes Committee. Its companion ([SF2862](#)), sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action by the Senate Taxes Committee.

Kaiser said for legislation to reverse the dairy decline in Minnesota, it would have to “make it attractive to people exiting the dairy business to sell to beginning farmers rather than the highest bidder.” 🐄

## Solving border disputes

Annexation bill seeks to balance interests of cities, townships

By Nick Busse

Fourteen years ago, two major changes to Minnesota's annexation laws were tucked — some would say “snuck” — into a bill during a conference committee. One took away citizens' right to vote on annexations; the other put a 60-acre cap on the amount of property that can be annexed by the owner's petition.

Although neither provision had been approved by either the House or the Senate, both were signed into law, and they have been fought over ever since.

Keeping this in mind, [Rep. Mark Olson](#) (R-Big Lake) and the House Local Government Committee, which he chairs, took a much different approach to annexation reform this year.

From January to March, the committee held a series of public forums on annexation in cities and townships around the state. After hearing some sharply divided testimony from citizens and local officials, they brought representatives of cities and townships to the table and set out to draft a consensus bill aimed at balancing the needs of both. The result seems to have satisfied the two sides — more or less.

“It was a very interesting process,” said [Rep. Debra Hilstrom](#) (DFL-Brooklyn Center), the DFL lead on the committee. “It was almost a public negotiation between the two sides.”

[HF3925](#), sponsored by Olson, makes some fairly modest alterations to the state's annexation laws and lays the groundwork for more extensive changes by setting up a municipal boundary adjustment task force to look deeper into the issue. A report would be due to the Legislature by Jan. 1, 2007.

The bill has also been incorporated into the omnibus state government finance bill ([HF2833/SF2489](#)). Sponsored by [Rep. Marty Seifert](#) (R-Marshall) and [Sen. Sheila Kiscaden](#) (DFL-Rochester), it is currently in limbo on the House floor after being tabled April 18. The Senate Finance Committee was scheduled to take up its version April 20.

In addition to establishing the task force,

Olson's bill makes a number of changes to current annexation laws, including:

- requiring 30 days' notice by a city before annexing a township;
- requiring towns that intend to incorporate (become a city) to give 30 days' notice to all adjacent municipalities;
- requiring cities and townships involved in orderly annexation agreements to hold a joint informational hearing and publicize the meeting at least 10 days before it is held;
- expanding the acreage limit for annexation by ordinance by property owner's petition from 60 acres to 120 acres;
- prohibiting property owners from petitioning more than once a year to annex parcels of land that are contiguous to previously annexed parcels;
- requiring cities to reimburse townships for special assessments and debt assigned to annexed property;
- requiring a property owner who wishes to detach his land from one city and annex it to another get the consent of both cities; and
- allowing cities to enter into orderly annexation agreements with counties for areas that have no organized township government.

Cities and townships have both expressed relative satisfaction with these provisions — although, naturally, each side thinks the other got a better deal.

“For the most part, we are very satisfied with the bill. ... Having said that, there is a lot more in the bill for townships than for cities,” said Kari Thurlow, a lobbyist for the Coalition of Greater Minnesota Cities.

Similarly, Kent Sulem, an attorney for the Minnesota Association of Townships, said that although the bill makes “some important steps forward,” it does not quite reach the full extent of reform the townships were hoping for.


One issue Sulem said isn't covered in the bill is the practice of “string-and-balloon” annexations, by which he said a city will annex

a right of way to create an artificial point of abutment and then subsequently annex contiguous land several miles away because that's what they were really targeting. Another is the issue of “super-sized” annexations, in which a city will try to annex large tracts of land without any real plans to develop the area.

Olson laments that the bill does not address some of the more controversial issues, but he said the task force will allow continued negotiations that will hopefully lead to more legislation in the future. Moreover, he said the modest provisions of the bill increase the likelihood that it will be passed.

“Every year I've been here when an annexation proposal came up on the House floor, there was a lot of tension in the air, a lot of amendments and a lot of debate. This is the first time I've ever seen an annexation bill come up without any substantive concern,” he said.

Thurlow, who praised the “open-negotiation” process by which Olson and the committee drafted the bill, said it sets forward a “good process” for dealing with annexation issues in the future.

A companion bill ([SF3719](#)), sponsored by [Sen. Linda Higgins](#) (DFL-Mpls), awaits action by the Senate State and Local Government Operations Committee. 

### Web Sites To Note

**House of Representatives:**

[www.house.mn](http://www.house.mn)

**Senate:** [www.senate.mn](http://www.senate.mn)

**Governor's office:**

[www.governor.state.mn.us](http://www.governor.state.mn.us)

**State Government home page:**

[www.state.mn.us](http://www.state.mn.us)

**Legislative home page:** [www.leg.mn](http://www.leg.mn)

**Find out who represents you:**

[www.leg.state.mn.us/leg/District-finder.asp](http://www.leg.state.mn.us/leg/District-finder.asp)

**Legislative meeting schedule:**

[www.house.leg.state.mn.us/hinfo/hinfosched.asp](http://www.house.leg.state.mn.us/hinfo/hinfosched.asp)



## Fixing broken promises

Government postemployment benefits are often unfunded

By Nick Busse

Postemployment benefits provide employees with a good incentive to stay with their employers, but those employees might not stick around if they knew they weren't actually being funded.

According to [Rep. Mark Buesgens](#) (R-Jordan), that's exactly what's been happening in cities and school districts across the state. For years, local units of government have been offering postemployment benefits to their employees without actually funding them, Buesgens said.

Now, the problem has reached near-crisis proportions, with local governments being responsible for approximately \$5 billion in unfunded liabilities, according to the State Auditor's Office. Buesgens said Duluth alone is sitting on more than \$300 million in unfunded liabilities, and the Metropolitan Council has more than \$200 million.

[HF3380](#), sponsored by Buesgens, aims to stop the problem before it gets any worse. It would establish two funds under the Public Employees Retirement Association (PERA) that political subdivisions — schools, cities, counties, et cetera — could use to hold money to pay for its employees' postretirement benefits.

The bill awaits action on the House floor and has also been incorporated into the omnibus state government finance bill

([HF2833/SF2489](#)), sponsored by [Rep. Marty Seifert](#) (R-Marshall) and [Sen. Sheila Kiscaden](#) (DFL-Rochester), which is currently tabled in the House. The Senate version was scheduled to be heard April 20 by the Senate Finance Committee.

"Up until now," Buesgens said, "this has been a pay-as-you-go system. There has been no mechanism for local units of government to set money aside to pay for these expenses when they come up."

The bill would establish two separate accounts through PERA: one for revocable accounts and one for irrevocable accounts. Political subdivisions would then be authorized to have their own individual accounts in one or both of the funds. Political subdivisions already fund their employees' pensions through the state. Buesgens said the postretirement accounts would follow the same model.

"This is just one of the tools in what's going to have to be a pretty big toolkit," Buesgens said. "But it's a start in the right direction. This is probably about 20 percent of what it's going to take to have a total solution."

At a March 27 meeting of the House Local Government Committee, representatives from the private sector questioned why such accounts would only be allowed to be set up through PERA and not through banks and insurance companies.

Joe Witt, president and CEO of the Minnesota Bankers Association, said that banks should be an alternative place for local units of government to set up trust funds for their employees' postemployment accounts.


Grace Schwab, a lobbyist for the Minnesota School Boards Association, concurred, noting that no other state bans the private sector from holding postemployment trust funds for public employees.

State Auditor Patricia Anderson countered that privately owned trusts routinely underperform state-owned trusts by approximately 2 percent.

"The costs are going to be significantly higher, and they're going to have a lower rate of return," Anderson said. "This is a lot of money, and so I understand why the private sector would want in. And it is unusual that I, as a conservative, would be opposed to the private sector. But the more responsible position is to have this money invested through the State Board of Investment."

At the meeting, Buesgens said he was conflicted on the issue, being normally a proponent of private industry.

"Anytime we can give competition to government, normally I think that's a good thing; however, I would ask you to proceed very thoughtfully. ... The reason I ask you to think long and deep about it, I can sum up in three words: Minneapolis teachers' pensions."

Buesgens was referring to the Minneapolis Teachers' Retirement Fund Association, which has incurred a large amount of debt and would like to be merged into the Minnesota Teachers Retirement Association. 

### Throwing the hat in the ring

This year, both the House and the Senate will be up for election. Those wanting to file as a legislative candidate must have resided in the state for at least a year, and in the district at least six months prior to the general election. They also must be 21 years of age at the time the term to be served begins.

Those seeking to file a multi-county legislative district must file at the Secretary of State's Office, and those within single-county legislative districts may file at the respective county auditor's office.

For more information, contact the Secretary of State Elections Division at (651) 215-1440 or (877) 600-VOTE.

Filing deadlines for candidates:  
July 4 — July 18

Primary election:  
Sept. 12, 2006

General election:  
Nov. 7, 2006

Legislature to convene:  
Jan. 3, 2007

*Each biennium, the Legislature convenes in regular session each odd-numbered year on the first Tuesday after the first Monday in January. When the first Monday is Jan. 1, the Legislature shall convene on the first Wednesday.*

# Fighting off the invaders

## Working to delay gypsy moth and aquatic pests' arrival

By IRENE VOTH

A silk worm experiment in Massachusetts went bad a hundred years ago. And because of that, much of North America may lose its oak trees and perhaps its aspen and birch as well.

As bad as that may be, with its implications for untold losses in real estate values and timber, the gypsy moth is just one of many "invasive species" the state is fighting through [Department of Agriculture](#) and [Department of Natural Resources](#) programs.

Currently, Enemy No. 1 to Geir Friisoe, director of the [Plant Protection Division](#) of the Department of Agriculture, the moth has prompted the agency to seek supplemental funding for a mapping specialist and a public information officer. [HF3810](#), the omnibus agriculture finance bill, sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), contains a \$105,000 staffing appropriation. But even with ample funding, it's a losing battle.

"The gypsy moth is coming to Minnesota. We're just trying to delay its arrival," Friisoe said, adding that if the state did not have an invasive species program in place, the major and perhaps irrevocable infestation that is coming could have already occurred a decade ago.

According to the agency, the moth has infested all of the northeastern states, as well as Michigan and portions of eastern Canada. It is already more than halfway across Wisconsin and moving west.

In its caterpillar stage, the gypsy moth is a voracious eater, devouring the leaves of deciduous trees. Oaks are its favorite, but it will also eat aspen, birch and elm. Friisoe said it is also known to eat the needles of conifers if deciduous tree leaves are no longer available.

The end result is what Friisoe describes as a

"slow shift in the species of the forest," as the trees stressed from repeated defoliation die over time and other trees less favored by the moth replace them.

In Minnesota, several relatively small infestations of the moth have already been thwarted, and more action is planned. In Brooklyn Park, where approximately 60 acres are believed to be infested with the moth, an aerial spraying of a bacteria fatal to the caterpillar is planned for late-May.

Friisoe said the bacteria are naturally occurring—"something we all come into contact with all the time." Thus it poses no threat to humans or animals, although other caterpillars are susceptible to its effects.

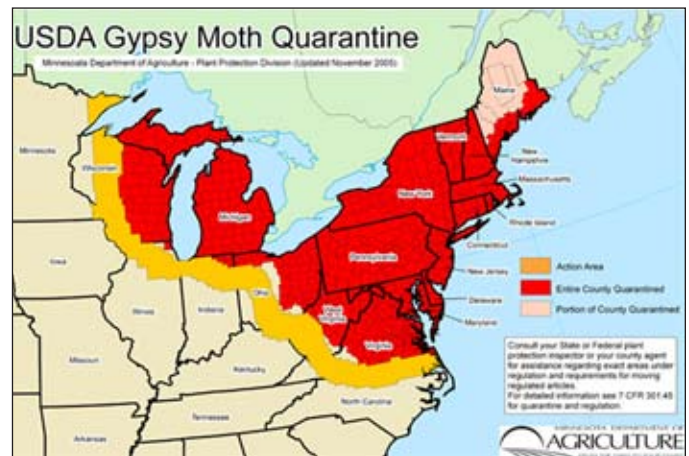
The bacteria are mixed with a slightly sticky liquid so that when disbursed as a mist, the mixture adheres to the trees. It will also adhere to everything else, so people within the treated area may notice a "light spotting" on their cars, but the spots are easily washed off, Friisoe said.

### The Gypsy Moth

The treatment differs for larger areas, and treatment of a 133,000-acre area along Lake Superior's North Shore is planned for late summer. At a cost of \$1.2 million, confetti-sized particles coated with a unique pheromone will be released over the area. As the particles settle into their surroundings, the pheromone will confuse the male moths so that they will not be able to locate the

females. Thus, their reproductive process will be disrupted.

The agency has been testing for the presence of the gypsy moth in Minnesota for more than 30 years. Friisoe said the relatively small infestations that have occurred so far are the result of people inadvertently carrying the moth's eggs into the state. Because the female moth does not fly, it lays its eggs on anything handy — boats and boat trailers, tents, campers and even cooking utensils. When campers return to Minnesota from infested regions, the moth gains access.



Map courtesy of the Minnesota Department of Agriculture

**A map showing the extent of the gypsy moth infestation (darkened area) as of November 2005..**

The DNR has also requested supplemental funding to fight invasive species through the omnibus environment and natural resources finance bill. [HF3012](#), also sponsored by Ozment, contains a \$261,000 appropriation.

Jay Rendall, coordinator of the department's [invasive species program](#), said invasive aquatic plants and animals are its main focus, although the funding will also go toward developing best management practices of invasive terrestrial plants on DNR lands during field operations.

Zebra mussels and a fish called the round goby are on the DNR's list of invasive aquatic animals; Eurasian water milfoil and purple loosestrife are among its invasive aquatic plants. Terrestrial invaders include the Siberian elm, Russian olive, buckthorn, Queen Anne's Lace, creeping Charlie, silver banner grass, crown vetch and garlic mustard.



# Capitol Visitors

Committee deadlines have come and gone and the House has passed the bonding bill, but that doesn't mean it's starting to get quiet around the Capitol. Between floor sessions and conference committees, many of the legislators make time to greet school groups and constituents visiting the Capitol. In both April and May, the number of people participating in the Minnesota Historical Society's Capitol Historic Site Program averages more than 25,000. From July 1, 2005, through the end of March, 512 school groups, with an average size of 60, visited the Capitol for a total visitation of 67,300.

(S. STACKE)



PHOTO BY SARAH STACKE

**Rep. Michael Beard kids around in the Capitol Rotunda April 11 by taking a photo of the Sun Path Elementary School sixth graders. The Shakopee students were at the end of a building tour.**







PHOTO BY TOM OLMSCHIED

Head Coach Mike Leaf, *top center*, and the Winona State University mens basketball team meet in the House Chamber April 12 with Rep. Gene Pelowski, Jr., *right corner of the Speaker's desk*, and Rep. Greg Davids. The team won the NCAA Division II Mens Basketball National Championship trophy March 25, defeating defending champion Virginia Union 73-61.



PHOTO BY SARAH STACKE

John Morgan, from O.H. Anderson Elementary School in Mahtomedi, peeks over the Chief Clerk's desk during a visit to the House Chamber. His class met with Rep. Bev Scalze.

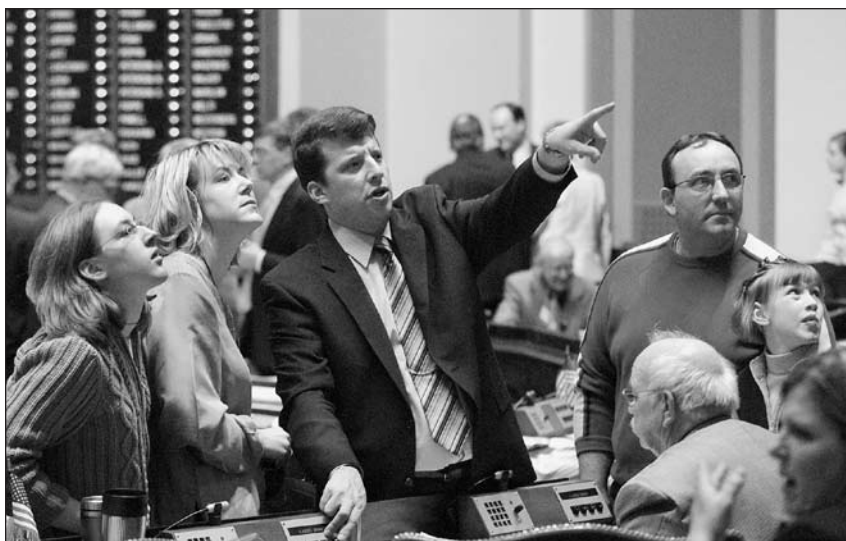


PHOTO BY ANDREW VONBANK

Rep. Larry Hosch, *center*, shows Cold Spring residents, *left to right*, Olivia, Brigetta, Kyle and Jenna Klemek the workings of the House Chamber.

PHOTO BY TOM OLMSCHIED

"Champ," the University of Minnesota-Duluth mascot, put House Capital Investment Committee Chair Dan Dorman in a headlock when students and members of the UMD Student Senate met with him to "encourage" that he support issues important to them and their university.

# Plugged in

## BlackBerrys, blogs and podcasts keep legislators connected

By BAO ONG

Long gone are the days when constituents would prefer sending hand-written letters to legislators with their concerns. Instead, with a click of the mouse, hit of the enter key or cell phone ring, people around the world can be in contact with Minnesota legislators at any moment.

Armed with technological advances and gadgets, House members have myriad ways to keep in touch with their staff, lobbyists and each other. But more importantly, legislators and their constituents have more ways to communicate than ever before.

It is no surprise to see members rolling through their BlackBerrys in committee meetings (or sometimes even playing games on those addictive devices, sometimes referred to as the "CrackBerry"), stepping aside to answer their phone calls or e-mailing their constituents while on the House floor. The technological and cultural revolution occurring in today's 24/7 global economy is happening in Minnesota.

Here is a sampling of how technology has played out:

### Web sites and e-mail

The Legislature went on the World Wide Web (<http://www.house.mn>) in 1995 and its presence has been growing ever since. There were slightly more than 2 million hits in 1996; the latest figures for 2006 stand at more than 36 million, so far.

The Web site offers a wealth of information for bills, directories, archives, press releases, publications and even audio links. Dozens of House employees help post information on the Web site but only a handful of people coordinate that effort between various departments. But when committee meeting minutes or vote totals are not updated, it is often because the information has not been received, said Mike Speiker, the Web manager in the Chief Clerk's office. He adds that according to law, committees have a certain number of days to approve minutes and once that is completed, they then go to his office for updating.

"I think we're making an investment with technology," said Speiker. "Any legislative information available to legislators is there for the public, too".

Speiker said although a majority of the users are internal, the Web site has not had problems handling the volume of traffic. Instead, continual tweaks in designs and features to the site are regularly done.

Speiker said House members receive an average of 47 e-mails per day from the public. While members can receive e-mail, most also send out their fair share. Many send out regular e-mail updates to people who subscribe to their mailing list. Oftentimes a member can be seen on the House floor sending out an update.

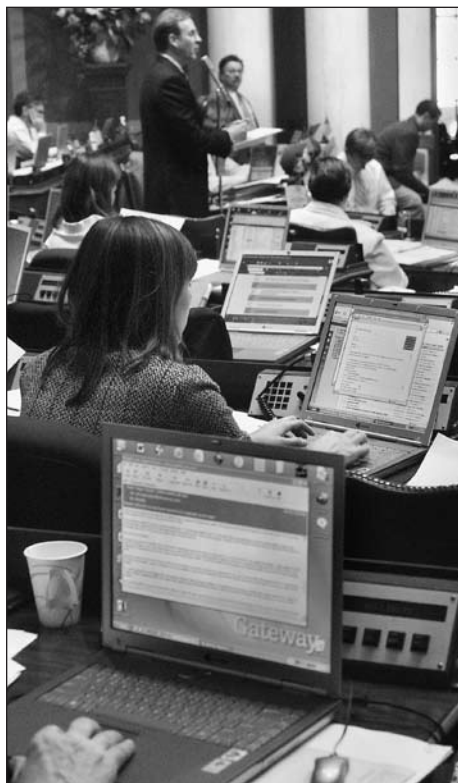


PHOTO BY ANDREW VONBANK

**House members use their laptop computers to respond to constituent e-mails during debate on the House floor. E-mail is one of the most effective ways for constituents to communicate with their legislators.**

### Blogs

[Rep. Ray Cox](#) (R-Northfield) never cared for technology. He found the Internet and the majority of Web sites cold, impersonal and outdated. Cox hoped to change that in December 2002 when he started his blog — short for "Web log," — after winning an election by 20 votes in a district with a strong DFL presence.

"There is a level of transparency to democracy with technology. I think it's a really good tool to reach people," said Cox. "My constituents can get a personal look at what's going on and I have another way to stay in touch."

Cox regularly updates his blog during session. He adds photos and gives his insights on a variety of issues. The public also sends him feedback on bills.

However, there are disadvantages to blogging. Cox found this out when he ran for re-election in 2004 and his opponent used materials from his blog against him.

[Rep. Paul Thissen](#) (DFL-Mpls) said maintaining a blog can be a risk but that it is all fair game. Thissen, who set up a blog in June 2005, decided it was a good way not only to inform people in his district about the legislative process but also to receive feedback.

When [Rep. John Lesch](#) (DFL-St. Paul) took a two-week trip to Iraq earlier this year, he also kept a blog about his observations in the war-torn country.

"We can all use technology to our advantage," said Thissen.

### Podcasts

Podcasts are audio or video files that can be downloaded over the Internet onto mobile devices and personal computers. Fans of podcasts say it allows them to not only pick and choose what they want to listen to but also where and when they can listen to music, watch a video or listen to a committee hearing.

Currently, committee hearings are available as podcasts at: <http://www.house.leg.state.mn.us/rss/committees.asp>

Jodi Boyne, director of public affairs for the House GOP caucus, said [House Majority Leader Erik Paulsen](#) (R-Eden Prairie) is considering doing his own podcasts that would be available to the public.

Cox and Thissen do not have podcasts available but they agree that technology has been an advantage.

"The more communication, the better," said Cox. "It helps everyone out in one way or another."



# The problem-solver

Stepping down, and off to propose more solutions

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

BY PATTY JANOVEC

Serving as a legislator should never be someone's job; it should be a service you provide, said [Rep. Jerry Dempsey](#) (R-Red Wing). That's precisely why he is leaving his seat after seven terms, just as he promised his constituents when they elected him.

Although the initial agreement was 10 to 12 years in 1992, he had to stay 14 years because, "I think I had an obligation to help see to it that we were not overspending," he said. In his previous terms, taxes were raised to meet the state's spending, and this term appears to be resulting in no taxes being raised, he said.

A self-proclaimed problem-solver, he is leaving the House to solve issues facing local schools instead.

"I have a yearning and good background to work with people to solve problems," said Dempsey, and thinks a good place to start is in the public schools by helping teachers and students work through positive solutions.

By occupation, he is a school administrator and doesn't shy away from explaining his previous successes. At one time, in his school district, there was a proposal to raise school lunch fees because students didn't like to eat a more cost-effective choice, what Dempsey called "goulash."

So, a goulash pizza, in a circular shape, was served up — a little more palatable for students, he said. "It sounds simple, but my point is that you have to solve the problem."

Another suggestion involves recognizing all students with a saying that "Everybody is somebody." Dempsey believes that there should be programs in schools that recognize all students.

Entering the House with a problem-solving background helped Dempsey get comfortable quickly.

One major problem he helped create a solution for in the Legislature was "learning to live within the boundaries of our budgets."

The Legislature itself is not a real good problem-solver because solutions usually involve funding those things around the problem, he said. "We don't know how things are going to react when we implement them. ... We need to solve the problem so it doesn't come back."



PHOTO BY TOM OLMSCHIED

**Rep. Jerry Dempsey, seen here chairing the House Local Government and Metropolitan Affairs Committee during the 2001-2002 session, is retiring after seven terms.**

Had Dempsey been chair of a committee for more than two years (House Local Government and Metropolitan Affairs Committee in 2001-2002), he feels he could have been more influential. He said he's been passionate about K-12 education, yet didn't get the opportunity to serve on an accompanying committee.

He is most proud of helping to bridge the communication and political divide regarding the Prairie Island Nuclear Power Plant near Red Wing when he was first elected in 1992. The issue revolved around keeping jobs in the community, and storing nuclear waste. "Today it is a vitally important aspect in society and the state of Minnesota," he said.

His advice for his incoming seat holder is twofold: "You represent the best interests of the citizen, not the special interest," said Dempsey. "We have a lot of special-interest people that are here, but a piece of advice is not to take special-interest money to fund their campaign and do a lot of door knocking," he said. While he admits this may be a very difficult suggestion to implement, he said, "If you believe you represent the people of Minnesota ... then you have to pursue the common good." Dempsey funded the majority of his own campaigns without political action committee money.

Asked if he had any hobbies he will pursue when he is not staying busy solving problems, Dempsey said he is an avid collector of mustache cups, and enjoys the antique hunts that take him across the country. His collection contains more than 300 of the cups that can be identified by a bar inside the rim to keep a person's mustache out of a drink. His collection includes mugs for those left-handed, right-handed and matching husband (for the mustache) and a wife cup (without the bar), said Dempsey. 🍵

## STEPPING DOWN

**Rep. Jerry Dempsey**  
**Republican**  
**District 28A – Red Wing**  
**Terms: 7**

**Advice to person to fill his seat: "Solve problems. And, raising taxes is not solving a problem."**



# Standing her ground

Goodwin says that the time has come to move on

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By **BAO ONG**

More than 20 years ago, [Rep. Barb Goodwin](#) (DFL-Columbia Heights) sent a handwritten letter to a representative about her opposition to school vouchers. She never received a response. The mother of two children, Goodwin's fury to the lack of response motivated her to step into the legislative arena.

"People deserve to have a response from their representatives," said Goodwin, who worked on [Sen. Ann Rest's](#) (DFL-New Hope) first successful campaign for a House seat in 1984. "Dance with the ones who brought you here."

In her third and last term, Goodwin said she has always used her constituents' concerns to guide her every decision since 2000, when she was first elected to office. Some of her most important issues included health care, and consumer and labor rights.

Goodwin worked for the House DFL Caucus as a research analyst on business and labor issues from 1985 to 1987 and then as director of central staff until 1994. Then from 1994 to 1998, she was legislative affairs director for the Minnesota Association of Professional Employees.

Now, after six years in office, Goodwin said it is time for her to move on. The life of a legislator is consuming, both physically and mentally, she said. "There are so many things I want to do outside of the Legislature," said Goodwin, whose future plans include traveling, possibly writing a book and teaching college courses.

Being in the minority party doesn't help. Goodwin said she is afraid that her cynicism toward the legislative

process could hinder her effectiveness as a representative. She is concerned about where the state is headed and frustrated when legislation she supports does not receive hearings. "We managed to get some work done," Goodwin said. "That already took a lot of work, and there's more that needs to be done."

However, that cynicism is what set Goodwin apart from others, even in her own party. She is known to be fearless in her questioning and has butted heads with other members on more than one occasion.

During this session, she verbally sparred with members on issues ranging from holding homebuilders liable for faulty construction work to the right of pharmacists to deny patients a prescription drug based on their moral, ethical or religious values.



PHOTO BY TOM OLMSCHEID

**Rep. Barb Goodwin, seen here speaking during a House floor debate, is retiring after three terms.**

"It's not easy, but it's from being in this process for many years," said Goodwin, who added that she has never had intentions to run for higher office. "I believe, in the very deepest part of me, that challenges have to be made during the legislative process."

The role of special interest groups also contributed to Goodwin's decision to step down. She said the amount of money flowing in from these groups and lobbyists determines which bills receive hearings, creates less access for members of the public to testify and less pro-consumer legislation.

Goodwin also said that lobbyists are writing some of the legislation for members, and caucuses have to raise millions of dollars to be effective. Debate on the issues is not where I think it should be, Goodwin said.

One highlight in Goodwin's career is her anti-bullying bill. She became aware of the problem when she worked for Hennepin County in the children's mental health services programs. The bill requires schools to develop a policy against bullying.

Goodwin said her job in the House has allowed her to impact the lives of her constituents, who have contacted her on everything from finding affordable health insurance to securing social security checks to fraud.

[Rep. Kent Eken](#) (DFL-Twin Valley) said, "She's one who speaks from the heart, and is a great advocate for those who need a voice. She really cares about people — regular folks, working folks."

Although Goodwin does not have plans to run for office again, she said other first- and second-term members have shown they can make a difference.

"I still believe there's hope," Goodwin said. "If they just remember the people and stand up for them, we'll be in good hands." 🙏

## STEPPING DOWN

**Rep. Barb Goodwin**

**DFL**

**District 50A – Columbia Heights**

**Terms: 3 (elected 2000)**

**Advice to successor: "You don't work for the lobbyists or party, but the people who put you here. Remember why you're here."**

# All on the World Wide Web

## A how-to guide for following bills online

Throughout the legislative session, thousands of bills are introduced and discussed and whether you're closely following a number of bills or casually following a few, you don't have to be at the Capitol to track legislation. Through the Legislature's Web site ([www.leg.mn](http://www.leg.mn)), following a bill from your computer is easy.

### Where to begin — the basics

The best place to begin is the Legislature's main page. Click the words "Bill Search, Status and MyBills," which will take you to a page where you can enter a House or Senate file number, which is used to identify a bill in the House or Senate. If you don't know the number, you can find it if you know the name of the chief author in either body, a committee of origin topic, a keyword description or selected search topic.

The MyBills service provides personalized bill tracking for current legislation. Bills can also be tracked on the Web site as far back as the 1993-94 biennium.

Once you enter search criteria, the "bill status summary" page gives a short version of what the bill is about, and provides links to the status, full text or the House Research Department summary of a bill. The status area shows the process of a bill from its introduction, through the committee and floor process, to gubernatorial action.

### Finding the tools to search

You don't have to know a bill's number or even the chief author to find information on legislation you are interested in.

There are several features on the Legislature's Web site to help you determine what a bill's number is and who has sponsored a specific piece of legislation in both the House and the Senate.

On the main bill tracking search page, there is a section at the top for House bills and Senate bills. Choose either link and you will be directed to an Internet form with a number of options.

If you are unsure about the best way to

proceed, scroll down to the "Guides" section and click on "How to follow a bill". The page features an explanation of how to find a bill and its status.

Here you will find several options for tracking legislation.

You can also access summaries of bills that have been compiled by either the House Research Department, which offers nonpartisan research and legal services for the House, or its counterpart, the Senate Counsel and Research office.

Links to House and Senate committees can be accessed from this page.



The Legislature's Web site includes an easy-to-use bill tracking function.

You can search for bills by bill number, author, topic, committee or action in the bill's description. This function will not bring you to the full text of individual bills, but will give you a short description.

Here you can also follow the legislation through the process. For instance, from the "How to Follow a Bill" page, you can find out:

- what items will be discussed on the floor that day in either the House or Senate,
- the weekly schedule of committee meetings and what items are scheduled to be discussed, and
- a summary of what happened on the House or Senate floor on a particular day or week.

### Gubernatorial action

When a bill is sent to the governor for approval, it is recorded on the legislative log, which can be found at [http://www.governor.state.mn.us/LegCoord/Leg-Coor\\_list.asp](http://www.governor.state.mn.us/LegCoord/Leg-Coor_list.asp). The log contains a brief description of each bill, its House and Senate file numbers and the date of gubernatorial action.

There are several guidelines regarding when the governor must act on a bill. Generally, he or she has three days to sign or veto a bill during the course of the legislative session.

A history of vetoed bills since 1939 is available through the Legislative Reference Library at <http://www.leg.mn/leg/vetoes/vetoes.asp>.

### Information by phone

For those who do not have access to a computer, bill information is just a phone call away. Contact the House Index Department at (651) 296-6646 or the Senate Information Office at (651) 296-2887 or 1-888-234-1112.

Also, if you're looking for information on the Internet site, and you're not sure where to find it, you can contact the House Public Information Services Office at (651) 296-2146 or 1-800-657-3550.

# What happened to the bills?

*Nearly 1,600 bills have been introduced this year and more than 4,100 this biennium. Most did not receive a hearing, but many did. Here is an update on some of the bills that received a hearing this session, but have not become law. Included is their status as of April 19, 2006, unless otherwise noted. Please note this is not a complete list of bills heard. It merely reflects some that have received hearings, votes or other attention this year.*

## University of Minnesota football stadium

HF263\*/SF237 (Abrams/Michel)

**House:** Passed 103-30 April 6.

**Senate:** Awaits action by the Senate Finance Committee.

## Uniform election dates

HF587/SF827 (Buesgens/Pariseau)

**House:** Awaits action on the floor.

**Senate:** Tabled March 22 by the Senate Elections Committee.

## Clean Water Legacy Act created

HF826/SF762\* (Ozment/Frederickson)

**House:** Amended by the House Agriculture, Environment and Natural Resources Finance Committee. Awaits action by the House Ways and Means Committee.

**Senate:** Passed 65-0 May 23, 2005.

## Community ownership of Minnesota Twins

HF1368/SF900 (Kahn/Anderson)

**House:** Awaits action on the floor.

**Senate:** Tabled May 23, 2005.

## Construction defects in residential housing causes of action regulation.

HF1375/SF1287 (Severson/Scheid)

**House:** Awaits action on the floor.

**Senate:** Passed 65-0 April 20.

## Polling place buffer zones

HF1596/SF1317 (Emmer/Pariseau)

**House:** Awaits action on the floor.

**Senate:** Failed March 22 in the Senate Elections Committee.

## Low-speed neighborhood electric vehicles to be operated on residential roadways

HF1838/SF1811 (Blaine/Koering)

**House:** Passed 134-0 April 6.

**Senate:** Awaits action on the floor.

## Dedicated funding for game and fish

HF1909/SF2734\* (Hackbarth/Sams)

**House:** Amended by three committees and now awaits action on the floor.

**Senate:** Passed 42-22 April 3.

## Minnesota Vikings stadium

HF2294/SF2061 (Westerberg/Betzold)

**House:** Tabled March 17 by the House Governmental Operations and Veterans Affairs Committee.

**Senate:** Awaits action by the Senate Rules and Administration Committee.

## Agricultural land valued at production value for property tax purposes

HF2436/SFnone (Brod)

**House:** Awaits action by the House Taxes Committee.

**Senate:** None.

## Private building inspector certification provided

HF2485/SFnone (Cox)

**House:** Awaits action by the House Commerce and Financial Institutions Committee.

**Senate:** None.

## Minnesota Twins ballpark

HF2480/SF2297 (Finstad/Kelley)

**House:** Awaits action by the House Taxes Committee.

**Senate:** Awaits action by the Senate Taxes Committee.

## School lockdown plans

HF2492/SF2292 (Urdahl/Marty)

**House:** In omnibus education bill.

**Senate:** Not in the Senate omnibus education bill.

## Metropolitan Airports Commission oversight responsibilities

HF2553/SFnone (Thissen)

**House:** Awaits action by the House Governmental Operations and Veterans Affairs Committee.

**Senate:** None.

## Immigration law enforcement non-cooperation ordinances prohibited

HF2576\*/SF2771 (Knoblach/Wergin)

**House:** Passed 94-37 March 20. Also in omnibus public safety bill.

**Senate:** Awaits action by the Senate State and Local Government Operations Committee.

## State health coverage offered to individuals and small employers at their own expense, and MinnesotaCare coverage offered at full cost.

HF2691/SF3046 (Sieben/Marko)

**House:** Failed in the House Health Policy and Finance Committee.

**Senate:** Awaits action by the Senate Health and Family Security Committee.

## Duluth Entertainment and Convention Center funding

HF2764/SF2547 (Jaros/Solon)

**House:** In bonding bill for \$3 million.

**Senate:** Not in bonding bill.

**Governor:** Funds full \$33.7 million in his bonding plan.

## Radiation therapy facility construction limitation expiration date modified

HF2810/SF2532 (Powell/Berglin)

**House:** Awaits action on the floor.

**Senate:** Passed 59-7 April 20.



**Eminent domain reform**

HF2846/SF2750\* (J. Johnson/Bakk)

**House:** Amended and passed 115-17 April 6.**Senate:** Passed 64-2 March 27.

A conference committee has been requested.

**School districts required to spend 70 percent of operating funds on direct classroom expenditures**

HF2874/SF2858 (Klinzing/Wergin)

**House:** Awaits action on the floor.**Senate:** Awaits action by the Senate Education Committee.**Agricultural land eligible for the homestead classification maximum market value increased**

HF2883/SF2802 (Dorman/Skoe)

**House:** Awaits action by the House Taxes Committee.**Senate:** Awaits action by the Senate Taxes Committee.**Bonding bill**

HF2959/SF3475 (Dorman/Langseth)

**House:** Passed its bill 114-16 April 12.**Senate:** Passed its bill 56-9 March 23 and then laid it on the table.

A conference committee has been requested to work out the differences.

**Prohibiting funeral disruptions**

HF2985\*/SF2614 (Smith/Betzold)

**House:** Passed 133-0 March 9.**Senate:** Passed an amended version 58-1 March 16.

A conference committee has been requested.

**Pharmacist's medicine dispensing refusal authority prohibition**

HF3032/SF2647 (Emmer/Kiscaden)

**House:** Awaits action on the floor.**Senate:** Awaits action on the floor.**Provisional license holder driving restrictions**

HF3050/SF3033 (P. Nelson/Nienow)

**House:** Awaits action on the floor.**Senate:** Awaits action on the floor.**Constitutional amendment for gambling at licensed racetracks**

HF3101/SF3004 (Buesgens/Day)

**House:** Awaits action by the House Regulated Industries Committee.**Senate:** Awaits action by the Senate Agriculture, Veterans and Gaming Committee.**Film production tax credit**

HF3226/SF2208 (Charron/Cohen)

**House:** Awaits action by the House Taxes Committee.**Senate:** Awaits action by the Senate Taxes Committee.**Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act**

HF3255/SF2861 (Wilkin/Fischbach)

**House:** Awaits action by the House Ways and Means Committee.**Senate:** Awaits action by the Senate Health and Family Security Committee.**Abortion notice reporting requirements**

HF3258/SF2877 (Brod/Neuville)

**House:** Awaits action on the floor.**Senate:** Awaits action by the Senate Health and Family Security Committee.**Organ and tissue donation information included in driver's education curriculum**

HF3401/SF2646\* (Paymar/Wiger)

**House:** Awaits action on the floor.**Senate:** Passed 60-2 April 12.**Bicycle helmet requirement**

HF3503/SF2940 (Erhardt/Murphy)

**House:** Awaits action on the floor.**Senate:** Awaits action on the floor.**Hmong veterans statue**

HF3508/SF3640 (Thao/Murphy)

**House:** \$150,000 included in the bonding bill.**Senate:** Awaits action by the Senate Finance Committee.**Longer school year**

HF3528/SF3203 (Demmer/Michel)

**House:** Tabled March 23 by the House Education Finance Committee.**Senate:** Awaits action by the Senate Education Committee. Not included in the bonding bill.**Biotechnology and health sciences industry zone designation required**

HF3561/SF3260 (Severson/Clark)

**House:** In the omnibus jobs and economic opportunity finance bill that awaits action on the floor.**Senate:** Awaits action on the floor.**Bomb squad reimbursement**

HF3572/SF3341 (Entenza/Cohen)

**House:** Included in the omnibus public safety bill.**Senate:** Awaits action by the Senate Finance Committee.**Greater Minnesota Business Development Investments program**

HF3638/SF3229 (Sertich/Bakk)

**House:** In the omnibus jobs and economic opportunity finance bill.**Senate:** Awaits action by the Senate Finance Committee.**Olympics bid task force created**

HF3643/SF3562 (Hortman/Tomassoni)

**House:** Awaits action by the House Jobs and Economic Opportunity Policy and Finance Committee.**Senate:** Awaits action by the Senate Rules and Administration Committee.**Hmong marriage solemnization**

HF3674/SF2403 (Paymar/Skoglund)

**House:** Awaits action by the House Rules and Administration Committee.**Senate:** Incorporated into SF2633 and awaits action on the floor.**Mercury emission reductions**

HF3712/SF3398 (Hackbarth/Dibble)

**House:** Awaits action on the floor.**Senate:** Awaits action by the Senate Rules and Administration Committee.**Plug-in hybrid electric vehicle task force**

HF3719/SF3513 (Hornstein/Dibble)

**House:** Awaits action by the House Jobs and Economic Opportunity Policy and Finance Committee.**Senate:** Awaits action on the floor.**Tribal identification cards**

HF3886/SF3549 (Sailer/Skoe)

**House:** Awaits action by the House Rules and Legislative Administration Committee.**Senate:** Incorporated into SF3132, which awaits action in the Senate Finance Committee.**Chinese language in classrooms**

HF3910/SFnone (Paulsen)

**House:** In the omnibus education bill.**Senate:** None.**Building moratorium for school districts serving fewer than 500 pupils.**

HF3952/SF3611 (Newman/Skoe)

**House:** Not in the omnibus education bill.**Senate:** Awaits action by the Senate Finance Committee.**Property tax rebate**

HF4142/SF3779 (Krinkie/LeClair)

**House:** Awaits action by the House Taxes Committee.**Senate:** Awaits action by the Senate Taxes Committee.

## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and files them with the secretary of state,

but his signature is not required. But if a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary or state within 14 days after the Legislature adjourns "sine die" If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

**Key:**

**CH=Chapter; HF=House File; SF=Senate File**

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.		
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.		
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.		
180	2994*	2736	Watercraft storage structure repair authorized on public waters.		
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.		

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

### Minnesota State Agencies

(Area code 651)

Administration..... 201-2555	Health .....201-5000	Fire Marshal.....215-0500
Agriculture ..... 201-6000, (800) 967-2474	Housing Finance ..... 296-7608, (800) 657-3769	Alcohol and Gambling
Commerce..... 296-4026	Human Rights ..... 296-5663, (800) 657-3704	Enforcement Division.....296-6979
Corrections ..... 642-0200	Human Services .....297-3933	Divisions of Homeland Security and
Education ..... 582-8200	Labor and Industry .. 284-5000, (800) 342-5354	Emergency Management..... 296-0466
Employment and	Military Affairs.....268-8925	State Patrol..... 282-6870
Economic Development..... 296-3711,	Minnesota Trade Office ..... 297-4222,	Revenue
(888) 657-3858	(800) 657-3858	General Information..... 296-3403
Enterprise Technology ..... 556-8007	Natural Resources .. 296-6157, (888) 646-6367	Taxpayer Assistance ..... 296-4444/296-3781
Explore Minnesota Tourism ..... 296-5029,	Pollution Control Agency ..... 296-6300,	Sales and Use Tax Line ..... 296-6181
(800) 657-3700	(800) 657-3864	Transportation..... 296-3000, (800) 657-3774
Finance.....296-5900	Public Safety.....282-6565	Veterans Affairs ..... 296-2562
	Driver and Vehicle Services .....296-6911	

# 2006 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R) .....	509	1729	53A Krinkie, Philip (R) .....	365	2907
43B Abrams, Ron (R) .....	585	9934	9A Lanning, Morrie (R) .....	593	5515
19A Anderson, Bruce (R) .....	437	5063	63B Larson, Dan (DFL) .....	287	7158
3A Anderson, Irv (DFL) .....	321	4936	44B Latz, Ron (DFL) .....	225	7026
39B Atkins, Joe (DFL) .....	217	4192	40B Lenczewski, Ann (DFL) .....	237	4218
35A Beard, Michael (R) .....	577	8872	66A Lesch, John (DFL) .....	223	4224
51B Bernardy, Connie (DFL) .....	233	5510	30A Liebling, Tina (DFL) .....	393	0573
12B Blaine, Greg (R) .....	545	4247	1B Lieder, Bernie (DFL) .....	323	5091
29B Bradley, Fran (R) .....	563	9249	55A Lillie, Leon (DFL) .....	353	1188
25A Brod, Laura (R) .....	581	4229	59A Loeffler, Diane (DFL) .....	307	4219
35B Buesgens, Mark (R) .....	445	5185	22A Magnus, Doug (R) .....	515	5505
45B Carlson, Lyndon (DFL) .....	283	4255	67A Mahoney, Tim (DFL) .....	289	4277
56A Charron, Mike (R) .....	571	4244	65B Mariani, Carlos (DFL) .....	203	9714
61A Clark, Karen (DFL) .....	303	0294	9B Marquart, Paul (DFL) .....	345	6829
24B Cornish, Tony (R) .....	487	4240	57B McNamara, Denny (R) .....	431	3135
25B Cox, Ray (R) .....	413	7065	53B Meslow, Doug (R) .....	531	5363
37A Cybart, Lloyd (R) .....	539	5506	4A Moe, Frank (DFL) .....	369	5516
31B Davids, Gregory M. (R) .....	477	9278	58A Mullery, Joe (DFL) .....	367	4262
62A Darnie, Jim (DFL) .....	309	0173	6B Murphy, Mary (DFL) .....	343	2676
52B Dean, Matt (R) .....	417	3018	46A Nelson, Michael (DFL) .....	317	3751
49A DeLaForest, Chris (R) .....	503	4231	17B Nelson, Peter (R) .....	433	5377
29A Demmer, Randy (R) .....	597	9236	18A Newman, Scott (R) .....	569	1534
28A Dempsey, Jerry (R) .....	575	8635	10A Nornes, Bud (R) .....	471	4946
6A Dill, David (DFL) .....	315	2190	16B Olson, Mark (R) .....	501	4237
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
15B Haws, Larry (DFL) .....	277	6612	57A Sieben, Katie (DFL) .....	215	4342
13A Heidgerken, Bud (R) .....	507	4317	44A Simon, Steve (DFL) .....	313	9889
46B Hilstrom, Debra (DFL) .....	375	3709	10B Simpson, Dean (R) .....	525	4293
8A Hilty, Bill (DFL) .....	207	4308	55B Slawik, Nora (DFL) .....	357	7807
36A Holberg, Mary Liz (R) .....	443	6926	33A Smith, Steve (R) .....	543	9188
34B Hoppe, Joe (R) .....	537	5066	8B Soderstrom, Judy (R) .....	439	0518
60B Hornstein, Frank (DFL) .....	227	9281	3B Solberg, Loren (DFL) .....	349	2365
47B Hortman, Melissa (DFL) .....	377	4280	28B Sviggum, Steve (R) .....	463	2273
14B Hosch, Larry (DFL) .....	211	4373	33B Sykora, Barb (R) .....	485	4315
4B Howes, Larry (R) .....	451	2451	65A Thao, Cy (DFL) .....	359	5158
7A Huntley, Thomas (DFL) .....	335	2228	63A Thissen, Paul (DFL) .....	301	5375
7B Jaros, Mike (DFL) .....	291	4246	49B Tingelstad, Kathy (R) .....	403	5369
43A Johnson, Jeff (R) .....	401	5511	18B Urdahl, Dean (R) .....	521	4344
23A Johnson, Ruth (DFL) .....	389	8634	52A Vandever, Ray (R) .....	583	4124
67B Johnson, Sheldon (DFL) .....	243	4201	62B Wagenius, Jean (DFL) .....	251	4200
13B Juhnke, Al (DFL) .....	281	6206	61B Walker, Neva (DFL) .....	209	7152
59B Kahn, Phyllis (DFL) .....	255	4257	38B Wardlow, Lynn (R) .....	491	4128
60A Kelliher, Margaret Anderson (DFL) .....	261	0171	30B Welti, Andy (DFL) .....	387	4378
56B Klinzing, Karen (R) .....	567	1147	51A Westerberg, Andrew "Andy" (R) .....	549	4226
15A Knoblach, Jim (R) .....	453	6316	11A Westrom, Torrey (R) .....	533	4929
20B Koenen, Lyle (DFL) .....	337	4346	38A Wilkin, Tim (R) .....	551	3533
34A Kohls, Paul (R) .....	421	4282	32B Zellers, Kurt (R) .....	557	5502



# 2006 Minnesota Senate Members

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

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

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Larry Haws-(DFL) Sen. Tarryl Clark-(DFL)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. Terri Bonoff-(DFL)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Liebling-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Gene Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Sandra Peterson-(DFL) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Frank Moe-(DFL) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	<b>32</b> A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Amy T. Koch-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	<b>47</b> A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
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<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettnier Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mark Buegens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Dan Larson-(DFL) Sen. Jane B. Ranum-(DFL)
<b>8</b> A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	<b>22</b> A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	<b>36</b> A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	<b>50</b> A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	<b>64</b> A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
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<b>10</b> A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	<b>24</b> A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	<b>38</b> A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	<b>52</b> A Rep. Ray Vandever-(R) B Rep. Matt Dean-(R) Sen. Michele Bachmann-(R)	<b>66</b> A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
<b>11</b> A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	<b>25</b> A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	<b>39</b> A Rep. Rick Hansen-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzen-(DFL)	<b>53</b> A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	<b>67</b> A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
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<b>13</b> A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	<b>27</b> A Rep. Dan Dorman-(R) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	<b>41</b> A Rep. Ron Erhardt-(R) B Rep. Neil W. Peterson-(R) Sen. Geoff Michel-(R)	<b>55</b> A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
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## Tuesday, April 18

### HF4149-Heidgerken (R) Governmental Operations & Veterans Affairs

New legislators state orientation tour provided.

### HF4150-Bernardy (DFL) Education Finance

School district property taxes and equity levy reduced and operating capital levy eliminated.

### HF4151-Simon (DFL) Regulated Industries

Income tax rate recovery regulated.

### HF4152-Abeler (R) Jobs & Economic Opportunity Policy & Finance

Legislative Commission to End Poverty by 2020 created and money appropriated.

### HF4153-Brod (R) Health Policy & Finance

Abortion notification data reporting required relating to abortions performed on a minor or certain other women and civil penalties imposed.

## Wednesday, April 19

### HF4154-Atkins (DFL) Taxes

Foreign operating corporation taxation under the corporate franchise tax modified, local government aid increased and property tax rebate provided.

### HF4155-Vandever (R) Taxes

Property tax notice format modified.

### HF4156-Bernardy (DFL) Taxes

Local government aid program modified, foreign operating corporations taxation modified and property tax relief provided.

### HF4157-Meslow (R) Commerce & Financial Institutions

Motor vehicle purchaser consumer definition technical correction provided.

## Thursday, April 20

### HF4158-Simon (DFL) Agriculture, Environment & Natural Resources Finance

Environmental review requirements modified and civil actions costs awarded.

## What is a conference committee?

A conference committee is called to reconcile differences between versions of a bill passed by the House and the Senate. Each body of the Legislature appoints three or five members to the committee.

So far this year, four conference committees have been called to hammer out differences on the respective bills, but only one of these committees has met.

1. New Maple Grove hospital HF1915*/SF1840		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 5/20/2005	3/16/2006	3/16/2006
Senate: 5/23/2005	3/20/2006	3/20/2006
SIGNED INTO LAW: CH172 3/20/2006		
2. Funeral, memorial and burial service disruption prohibited. HF2985*/SF2614		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 3/20/2006	COMMITTEE HAS NOT MET	
Senate: 3/23/2006		
3. Eminent domain changes provided. HF2846/SF2750*		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/12/2006	COMMITTEE SCHEDULED TO MEET 4/21/2006	
Senate: 4/12/2006		
4. Omnibus bonding bill providing for capital improvements. HF2959/SF2718		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/18/2006	COMMITTEE HAS NOT MET	
Senate: 4/18/2006		

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MAJORITY LEADER: ERIK PAULSEN  
MINORITY LEADER: MATT ENTENZA

## MINNESOTA INDEX

### You bet'cha

Estimated percent of Minnesotans who gamble in a year .....	80
Year the legalization of nonprofit bingo began charitable gaming in Minnesota.....	1945
Gross lawful gambling receipts in 2005, in billions.....	\$1.33
Amount that was from pull tabs, in billions.....	\$1.23
Maximum cost for a pull tab .....	\$2
State rank in charitable gambling gross receipts in 2004.....	1
Billions in gross receipts in 2004.....	\$1.40
Millions in receipts by second-highest state (Washington).....	\$870.28
Billions in Minnesota gross receipts in 2000.....	\$1.47
Billions in total prizes paid in 2005 .....	\$1.09
Percent of gross receipts paid out in prizes.....	81.7
Gross profit on charitable gambling in 2005, in millions.....	\$242.9
Millions in 2004.....	\$256.11
Millions in charitable contributions in 2005.....	\$67.38
As percent of gross receipts .....	5
Millions paid in state gambling taxes in 2005.....	\$52.32
As percent of gross receipts .....	4
Millions in taxes collected in 2004.....	\$56.15
Millions in gambling taxes and proceeds from the State Lottery received by the state in fiscal year 2004.....	\$157
Amount to General Fund, in millions.....	\$112.7
Minnesota Indian tribes operating casinos.....	11
Number of casinos in operation .....	18
Live racing handle at Canterbury Park in 2005, in millions.....	\$17.59
Average daily attendance.....	5,240
Decrease in pari-mutuel revenues from 2004, as percent.....	7.3
Average handle per race in 2005.....	\$25,907
In 2003 .....	\$27,844
In 2000 .....	\$26,430
Simulcast racing handle at Canterbury Park in 2005, in millions.....	\$58.63
Average handle per day.....	\$160,627
Percent increase in card club revenue in 2005 .....	4.2

**Sources:** Calendar year 2005 report and *Gaming News*, March/April 2006, both from the [Minnesota Gambling Control Board](#); *Gambling in Minnesota: An Overview*, Minnesota State Lottery, Sept. 24, 2004; [2005, 2003 and 2000](#) annual reports, Minnesota Racing Commission; [2004 Annual Report](#), National Association of Fundraising Ticket Manufacturers; [Gambling in Minnesota: A Short History](#), March 2005; House Research Department; [Minnesota Indian Gaming Association](#); [Canterbury Park Holding Corporation](#).

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 23, NUMBER 9 • APRIL 28, 2006



INSIDE: TWINS AT THE PLATE, MEMBERS STEPPING DOWN, BONDING BILL BRINGS CHANGE, MORE

This Week's Bill Introductions HF4159-HF4176

# Session Weekly

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

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**On the cover:** An overflow crowd estimated at more than 700 people filled the auditorium at Oak Grove Middle School in Bloomington April 20 to hear the House Taxes Committee take testimony and debate a proposed new outdoor ballpark for the Minnesota Twins. Others watched the proceedings on televisions in the school cafeteria.

—Photo by: Tom Olmscheid



# Employment stimulant

Bonding bills do more than fund upkeep of state facilities

By **BAO ONG**

Once the House passes a bonding bill, all members can go home, no questions asked — at least according to the tradition of dedicating the second year of a biennium to consider the bill.

What about the stadiums for the Twins, Vikings and Gophers? That can wait another year. And the U.S. Supreme Court ruling on eminent domain? Nope. And all those health and human services bills? Again, no. Legislators have no duty to approve such legislation this session. In fact, they can pass a bonding bill in the first half of the biennium, or not at all.

But once a bonding bill passes, its impact on jobs and economic development can be felt throughout the state. Whether it is the University of Minnesota requesting millions of dollars to build new research facilities or a few hundred thousand dollars to improve fish

hatcheries, bonding bills can have a significant impact on communities of all sizes.

The House's bonding bill, [HF2959](#), sponsored by [Rep. Dan Dorman](#) (R-Albert Lea), awaits conference committee action. It calls for \$949.27 million in general obligation funds, and includes money for higher education, transportation and the [Department of Natural Resources](#). The Senate bill ([SF3475](#)) is about \$40 million higher; the [governor's plan](#) is \$105 million lower.

Whichever way the dollars are divided and granted for projects, bonding bills can be particularly important for small towns. Even partial funding may mean a new building can

be built or upgrades to sewage systems can be completed.

## Putting money in local pockets

In Mora, there were two bonding requests for a 2.25-mile expansion of paved trails and another project to preserve a ski trail. Currently, there is no funding in any of the three bonding bills for the requests.

Mora City Administrator Joel Dhein said the request of about \$250,000 for both projects could result in \$175,000 going to contractors working on the projects. "It certainly helps the economy when you put money into local people's pockets," Dhein said.

One of the larger bonding requests from Greater Minnesota is in Duluth. The city has requested the state fund \$33.7 million for a new arena. Voters passed a referendum to raise the food and beverage tax to help fund the construction.

Duluth Mayor Herb Bergson said a new arena would help cut unemployment rates. It would also create 300 full-time jobs during the two-year project.

"This would be huge for a city like Duluth," said Bergson, who added the new arena enables Duluth to host larger conventions and concerts. "We stand to benefit in multiple ways."

As one of the larger cities in the state, Bergson said people in Greater Minnesota too far away from the Twin Cities metropolitan area flock to his city because it is "the next major hub." These people are seeking employment and whichever kind of assistance they can find.

However, State Economist Tom Stinson is skeptical.

"If you're expecting a short-term impact, there's not much," said Stinson, about a bonding bill's impact on Greater Minnesota communities. "The fact that the project is located in your community doesn't mean there's an immediate stimulus."

When asked about the Duluth arena, Stinson questioned Bergson's definition of "local" workers. He said if, for example, some workers were from nearby Superior,

***Whether it is the University of Minnesota requesting millions of dollars to build new research facilities or a few hundred thousand dollars to improve fish hatcheries, bonding bills can have a significant impact on communities of all sizes.***



PHOTO BY TOM OLMSCHIED

When projects are funded through the bonding bill, small and large communities can see improvements to their public infrastructure, such as in Pipestone. The 2002 capital investment bill included a \$125,000 appropriation to help with renovations to the Pipestone County Museum. Funds were used to install an elevator, making the facility handicapped-accessible.

First Reading continued on page 4



### First Reading continued from page 3

Wis., the money would not benefit Duluth. Supplies such as lumber, concrete, bricks and computers purchased elsewhere also do not result in economic development, Stinson notes.

#### A broader impact

According to Stinson, the economic impact is broad rather than concentrated in local communities. For example, if Duluth's arena is bigger and better, it could take events away from smaller arenas close by. But in the big picture, Minnesota is more competitive with other industries if its infrastructure is improved, Stinson said. He also adds that creating long-term employment opportunities would be a good solution to stagnant economies.

Robin Roland, Farmington acting city administrator, might agree with Stinson. The House approved one item in the bonding bill granting an \$850,000 request for infrastructure costs in Farmington.

Last year Farmington High School sued the city over a dispute about a new high school's location. However, [Rep. Pat Garofalo](#) (R-Farmington) proposed the \$850,000 request as means to settle the dispute; if the county and school can reach a consensus, they could receive funding for such infrastructure costs as sewage and water.

"The bottom line is this is to encourage the city and school to resolve their differences. It's seen as a positive move," Roland said. But that does not mean jobs will be created in the city, she noted. To the town of about 20,000 people on the cusp of major growth, Roland said the project, if completed, may just be part of the inevitable development and growth of the Twin Cities metropolitan area.


A Koochiching County Energy Facility is another bonding request project in Greater Minnesota.

As part of the Renewable Energy Clean Air Project, the facility would gasify 36,000 tons of municipal solid waste per year, or 100 tons per day, to generate synthetic gas that can be used as steam for industrial use or electricity. The

project costs \$30 million and officials seek \$10 million from the state. The House has proposed funding \$2.5 million while the governor and the Senate each recommend \$1 million.

It is a step in the right direction, said Paul Nevanen, Koochiching Economic Development Authority director, who added that the county now spends more than \$700,000 a year to transport waste to a landfill. Besides workers needed to build the facility, Nevanen said 15 to 20 new permanent jobs would be created if the project is successful.

"Of course there would be a significant impact. Any job creation is good," said Nevanen, "Anyone living in Greater Minnesota knows how difficult it can be to find well-paying jobs."

Nevanen said businesses tend to congregate around major metropolitan areas, making job development difficult for areas like Koochiching, which relies on its natural resources for revenue. Even with programs such as JOBZ, the governor's plan to stimulate the economy in Greater Minnesota, there are shortcomings. "We're 300 miles from St. Paul, but sometimes it feels like 3,000." 

### DOUBLE VISION



PHOTO BY SARAH STACKE

The reflection of the State Capitol is captured April 25 by a 1940 Ford Four-Door Deluxe. This car is owned by Fred Romo of St. Paul, who participated in the Minnesota Street Rod Association's annual visit to the Capitol.

## ★ AGRICULTURE

**Proper aquaculture planning**

Trout, catfish, walleye and other kinds of fish are hatched and raised at various sites in Minnesota. Such agriculture — called aquaculture, the fastest growing segment of agriculture worldwide — is not new to Minnesota, but [Rep. Greg Davids](#) (R-Preston) wants it to be “done right.”

“When aquaculture farms are permitted, they’re going to be permitted properly,” said Davids, whose bill, [HF4041](#) would limit water use permitting fees to aquacultural endeavors. A companion ([SF3773](#)), sponsored by [Sen. Bob Kierlin](#) (R-Winona), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

Discussion of the bill is to include much more than limiting permitting fees, however, as Davids explained to the committee April 19. The discussion is expected to continue through multiple hearings. The next is scheduled for May 3.

“The discussion will also include the state of aquaculture in the state of Minnesota, what’s going on, where it’s headed, if with the current [Department of Natural Resources](#) and [Minnesota Pollution Control Agency](#) rulings, if you could even start an aquaculture farm today,” he said.

Prompting the discussion is the situation of a fishery near Spring Valley, in southeast Minnesota. Originally licensed in the mid-1940s, the site was purchased in 2002 by John Bondhus. Renovations were then undertaken to create a recreational fishing model unlike any existing in the state.

“We’re going to make this something that handicapped people could use, older people could use,” Bondhus said. But the renovations were undertaken without a water appropriation permit or a storm water permit, unintentional missteps Bondhus said he’s paid for with costly fees and fines.

After the original permit problems surfaced, Bondhus said the enterprise’s continuing difficulties with state agency actions are a concerted effort to halt the project completely.

Paul Strandberg, project manager for the [Department of Agriculture](#), said that although aquaculture is an agricultural issue, the agency’s primary duties are helping

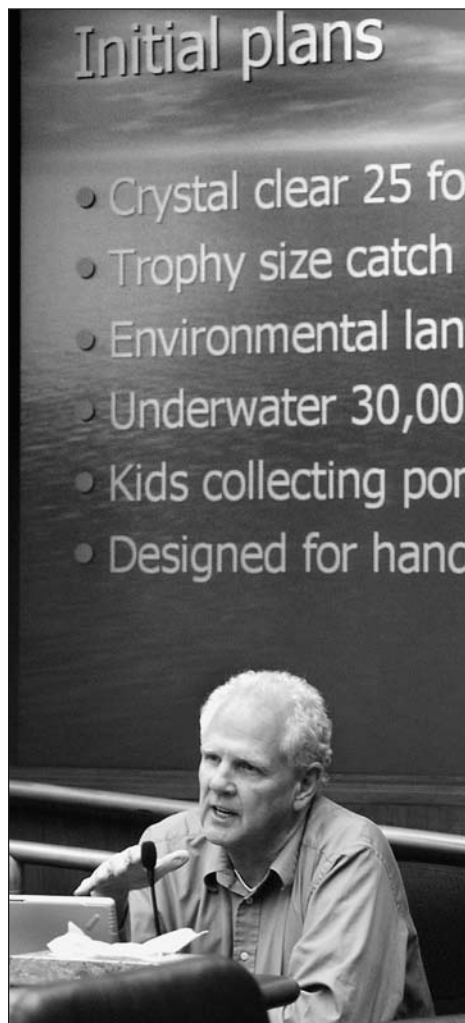


PHOTO BY ANDREW VONBANK

**John Bondhus, owner of Spring Valley Ponds in Spring Valley, testifies before the House Agriculture and Rural Development Committee April 19 in support of a bill that would limit aquaculture water use permitting fees.**

aquaculturalists market their products.

“We do not issue permits in situations like this,” he said, adding the department had no position on the bill because the DNR and the PCA issue the permits required for aquacultural endeavors.

## ★ BUDGET

**Supplemental spending bill**

The omnibus finance bills are likely shelved for the session, but some needs could still get funded through a different measure.

Approved April 26 on a voice vote by the

House Ways and Means Committee, [HF4162](#) now goes to the House floor. There is no Senate companion.

“This is the deficiency budget bill,” said [Rep. Jim Knoblach](#) (R-St. Cloud), the bill’s sponsor. “There is no policy that I am aware of that is in the bill, except to the extent it is attached to an appropriation or, in some way, deals with some money.”

The net \$88.9 million bill spends a little bit more in some areas and a little bit less in others compared to what was in a target finance resolution approved by the committee earlier this month. Knoblach said House rules indicate that if there is no omnibus bill, the money directed to that area does not apply.

Knoblach said the bill deals with items such as: deficiencies; emergency situations; where a change is needed to comply with a federal mandate; or a situation where something may not be a deficiency now, but has a good chance of becoming a deficiency of some kind in the future.

Among the items in the bill are:

- \$33.7 million for sex offender programs;
- \$31 million for the shortfall for mentally ill and dangerous people;
- \$24.8 million for the salary supplement in the [Department of Corrections](#), which is offset by about \$14.7 million in bed savings;
- \$10 million of water quality initiatives to comply with the federal Clean Water Act;
- \$7.5 million for the salary supplement in State Operated Services;
- \$5.8 million in Veterans Homes expenditures;
- \$5 million to establish a University of Minnesota branch campus in Rochester; and
- \$2.3 million in state soldiers assistance program grants.

[Rep. Jean Wagenius](#) (DFL-Mpls) said money for influenza pandemic preparedness is not enough. “The governor is recommending \$10.5 million each of the next three years, and it looks like we’re doing \$1 million a year. Scientists expect birds in the United States sometime this summer or fall that will have the flu, so I wonder what it is we’re not funding.”

There are wide ranges for what people think must be spent to be adequately prepared, said [Rep. Fran Bradley](#) (R-Rochester). “This is about as reasonable a compromise with the resources available. It certainly doesn’t mean

there is not a lot of attention. ... Hopefully we won't need to spend any of it."

Dennis Benson, deputy corrections commissioner, said much of the money allocated for corrections programs is in response to sentencing enhancements that put more people in prison. "Our daily costs for incarcerating offenders are going down," he said. "We have zero control over our growth."

## ★ CONSUMERS

### Alcohol machine could be banned

A machine, relatively new to the market, that vaporizes alcohol and is advertised to give a quicker high, would be banned in Minnesota under [HF3940](#), sponsored by [Rep. Joe Hoppe](#) (R-Chaska), and passed April 24 by the House 122-11.

The amendment to the omnibus liquor bill was presented by [Rep. Morrie Lanning](#) (R-Moorhead) as a step to address the problem of binge drinking, which contributed recently to the death of two college students in his district.

The Alcohol Without Liquid machine mixes alcohol with oxygen, creating a vapor that can be inhaled. Lanning said 12 states have banned possession or sale of the machine, with 18 others, including Minnesota, considering similar legislation.

The bill would also help Minnesota wineries become more competitive by allowing them to produce fortified wines, which by definition is any product that has alcohol or spirits added. The University of Minnesota has developed strains of grapes that can be successfully grown in this climate, and are now being exported to other parts of the world, Hoppe said. "Some of the grapes the university has developed are particularly good for making fortified wine," making Minnesota wineries more viable.

Culinary schools and retail stores selling kitchen products would benefit as well, under the bill.

The bill would allow for a limited on-sale liquor license and allow the licensee to offer up to a maximum of 6 ounces of wine or 12 ounces of intoxicating malt liquor as part of the class, for consumption on the licensed premises only.

The bill also includes a provision allowing for on-sale liquor licenses to concessionaires, caterers or restaurant operators at the Minnesota Book and Literary Arts Building; and for wine licenses to be issued to bed and breakfasts with a licensed commercial kitchen, to serve guests attending events at the facility.

[Rep. Paul Thissen](#) (DFL-Mpls) successfully offered an amendment to allow the Minneapolis City Council the ability to grant an on-sale intoxicating liquor license for a restaurant in south Minneapolis.

The bill now goes to the Senate where [Sen. Sandy Pappas](#) (DFL-St. Paul) is the sponsor.

## ★ EDUCATION

### Education bill reworked

To avoid another unsuccessful round in the House Taxes Committee, the House Education Finance Committee approved a trimmed down version of its omnibus education finance bill April 26 and sent it on to the House Rules and Legislative Administration Committee.

Sponsored by [Rep. Mark Buesgens](#) (R-Jordan), HF3179 is void of spending provisions. The policy additions compare closely to its Senate companion ([SF2994](#)), sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins), which awaits action by the Senate Finance Committee.

The stripped down version contains administrative changes proposed by the Department of Education.

"There are folks who need some of the things that are in this bill. ... Whether our committee's finance bill is brought up in Taxes again, I can't be sure. We are moving forward with this bill to try and get as much done as we can," [Rep. Barb Sykora](#) (R-Excelsior), committee chair, said.

Sykora was taken by surprise one week earlier in front of the House Taxes Committee, when an amendment was successfully added to the original omnibus bill ([HF4040](#)) which would have changed how foreign operating companies are taxed as a way to buy down property taxes. This led the chair of the committee, [Rep. Phil Krinkie](#) (R-Lino Lakes), to adjourn the meeting abruptly, leaving the future of the bill in doubt.

When passed by the House Education Finance Committee April 11, the bill provided for \$117 million in property tax relief by eliminating and scaling back some levies.

The new omnibus bill would:

- create a task force to make recommendations to the Legislature on strengthening school crisis management and safety efforts, which could include preparedness training to currently licensed K-12 teachers and school administrators;
- allow school boards to charge a fee to part-time students over age 20 or high school graduates;
- add algebra and chemistry to the academic credits required for graduation; and

- include blindness in definition of disability.

While a bill isn't dead the end of the biennium, Sykora is not sure if any of the provisions in the previous omnibus bill will be added back in during a possible conference committee or be resurrected as individual bills, including:

- a \$750,000 allocation to fund a 10-year grant program for interested schools to improve the quality and student access to science, technology, engineering and mathematics instruction;
- a one-time allocation to help make the language of Mandarin available in state schools; and
- an appropriation in fiscal year 2007 to enable fourth- and eighth-grade students to participate in an international comparative math and science assessment.

## ★ ELECTIONS

### Instant runoff voting debated

The House Civil Law and Elections Committee debated whether cities should be allowed to use instant runoff elections as an alternative voting method, but took no action April 26.

[HF3909](#), sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park), would allow cities to use instant runoff voting (IRV) — also known as "ranked voting" — or other alternative voting methods for electing local officials.

In IRV, citizens rank candidates for a particular office in order of preference. According to FairVote Minnesota, a group that advocates for IRV, the process then works as follows: "First choices are counted. If no candidate receives a majority, the candidate with the fewest votes is defeated, and those votes are transferred to the next ranked candidate on each ballot. The votes are recounted. The process continues until one candidate has a majority of the votes and is declared the winner."

FairVote Minnesota Policy Advocate Bruce Kennedy said cities should have the right to experiment with alternative voting methods like IRV, which has proven effective in countries like Ireland.

"I'm not asking to force this on any city," he said.

A number of committee members expressed doubts and concerns.

[Rep. Pete Nelson](#) (R-Lindstrom) said he worried that having IRV elections for local offices and normal elections for state and federal offices would confuse citizens.

"If you're going to have a couple of different types of ballots, I don't think it's going to be a very voter-friendly system," he said.



Kennedy responded that no city would be forced to use IRV, and some cities might simply like to try it.

Minneapolis Park and Recreation Board Attorney Brian Rice said that the board had discovered a number of logistical problems with using IRV, and also said it is debatable whether IRV is constitutional.

A companion bill (SF642), sponsored by [Sen. John Marty](#) (DFL-Roseville), awaits action by the full Senate.

### Elections bill forthcoming

An omnibus elections reform bill might be on the way.

[Rep. Bill Hilty](#) (DFL-Finlayson) is the author of a delete-all amendment that would greatly expand the scope of [HF3110](#), sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake).

In its original form, the bill would have set up a legislative working group on voting machines; as amended, the bill now includes an elections reform package made up of pieces of other elections bills.

The House Civil Law and Elections Committee briefly discussed Hilty's amendment April 26 before adopting it and referring the bill to the House Rules and Legislative Administration Committee. A companion, [SF2743](#), sponsored by Sen. Pat Pariseau (R-Farmington), awaits action by the full Senate.

"We've been on-again, off-again all session as to whether we're going to have an elections bill," Committee Chair [Rep. Jeff Johnson](#) (R-Plymouth) said, adding that he expected the language of the bill to be non-controversial and agreed to by the House, Senate and Secretary of State before the bill reaches the House floor.

The amended bill now includes elements of legislation originally sponsored by a number of House members, including [Rep. Tom Emmer](#) (R-Delano), [Rep. Keith Ellison](#) (DFL-Mpls) and Hilty. Among the issues it deals with are election-day registration, absentee ballot voting, Help America Vote Act compliance, penalties for deceptive practices in elections and post-election review of voting systems.

[Rep. Chris DeLaForest](#) (R-Andover) said he was concerned about a provision of the bill that would require county attorneys to investigate allegations of election fraud within a 48-hour time period.

"Do they have the resources?" DeLaForest said.

Johnson said the section of the bill would have to be examined in greater detail later.

## READING EARLY AND OFTEN



PHOTO BY SARAH STACKE

Three students from Bethlehem Child Care Center nursery class listen to a Dr. Seuss story told by "The Cat in the Hat." Dana Scott-Hovland, Haley Carlson and MacKenzie Bergeman, all 4 years old, participated in the fourth annual Early Childhood Read-A-Thon at the Capitol April 25. The event emphasizes the benefits of reading early and often to young children.

## EMPLOYMENT



### Workers compensation appeal process

Signed  
by  
the  
governor  
\*\*\*

A new law makes minor changes to the existing statute relating to the workers compensation appeal process.

Signed April 20 by Gov. Tim Pawlenty, and effective Aug. 1, 2006, the law will allow for fax filing of a notice of appeal to the workers compensation court. In past practice, the

notice would need to be hand-delivered or mailed. The fax, however, must be 15 pages or less. If the appeal is received after 4:30 p.m. on a state business day, it is considered to be filed on the next state business day.

The law also clarifies language regarding notification of policy cancellation, termination or renewal.

[Rep. Denny McNamara](#) (R-Hastings) and [Sen. Thomas Bakk](#) (DFL-Cook) are the sponsors.

[HF3780/SF3465\\*/CH178](#)

## ★ ENVIRONMENT

### Dedicated funding passes House

After more than five hours of debate April 25, the House voted 78-55 to approve the so-called dedicated environmental funding bill.

The Senate refused to concur April 27 on [HF1909/SF2734\\*](#), sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. Dallas Sams](#) (DFL-Staples). A conference committee has been requested to work out the differences. That agreement must then be passed by the House and Senate in order to appear on the November ballot.

Conferees will need to compromise on a central point in order to put the bill's constitutional amendment before the voters: The Senate's version would raise the sales and use tax rate by three-eighths of 1 percent to provide the dedicated funding; the House version would dedicate three-sixteenths of 1 percent of the existing sales and use tax.

Other differences: the Senate bill would dedicate the funding beginning in 2007 with a sunset in 2032; the House bill's dedication would begin in 2009, with no sunset. In addition, the Senate version provides for the creation of a Heritage Enhancement Council and a Clean Water Council. The House version does not, but it does include a prohibition against increasing taxes or fees or imposing new taxes for seven years.

Both bills provide for dedicated funding for game and fish habitat and hunting and fishing access, parks and trails, the Clean Water Legacy Act, arts and public broadcasting.

Hackbarth originally proposed to dedicate funding just for game and fish habitat.

Among the numerous amendments not included in the final version was one offered by [Rep. Tony Sertich](#) (DFL-Chisholm) to adopt the Senate's version of the bill in order to "guarantee" the bill would go to the voters.

Two amendments having to do with highway funding were also not included.

Opposition to the dedicated funding concept was voiced throughout the debate and just prior to the final vote.

"I don't believe it is good budget policy for the state of Minnesota to be dedicating a portion of our sales tax," said [Rep. Ron Abrams](#) (R-Minnetonka), explaining that when there's a budget shortfall, legislators need "all the tools available" to cope with the shortfall.

Abrams also said that if the funds are dedicated, legislators can expect pressure from numerous sources to expand the base of the sales tax. Taxing items that are currently non-taxable, such as food and clothing, is one way of expanding the base.

[Rep. Mark Olson](#) (R-Big Lake), who

succeeded in amending the seven-year tax prohibition to the bill, also repeatedly warned of the effects of dedicated funding on the budgeting situation.

Several House members, including [Rep. Jean Wagenius](#) (DFL-Mpls), voiced their disappointment with the bill as "too little too late" for cleaning up the state's waters.

### Trying to get issues through

Bills with fiscal impact and those with only policy provisions approved by the House Agriculture, Environment and Natural Resources Finance Committee and amended

to the committee's omnibus bills were reconsidered separately April 25.

"As you know, we have a supplemental bill that's being put together, and that bill is going to be focusing on just the dollars that are needed for state government finance," said [Rep. Dennis Ozment](#) (R-Rosemount), chair of the committee.

The supplemental bill Ozment referred to is [HF4162](#), sponsored by [Rep. Jim Knoblach](#) (R-St. Cloud). It has no Senate companion.

Among the agriculture, environment and natural resources provisions submitted for inclusion in the deficiency and supplemental appropriation bill are funding for bio-contain-

### EARTH DAY CELEBRATION



PHOTO BY ANDREW VONBANK

An ecology flag appears to fly over the State Capitol April 22 to commemorate Earth Day. About 40 conservation and environmental groups rallied for tax-supported habitat improvements.

ment facility operations, bio-energy marketing, invasive species staffing, bovine tuberculosis eradication and water clean-up efforts.

The committee's policy omnibus bills, [HF3605](#) and [HF3546](#), sponsored by Ozment, contain provisions to modify the state Timber Act and the noise standards exemptions for speedways, authority for the Port of Savage to acquire and operate a dredge material site, and changes to the Legislative Commission on Minnesota Resources.

Other policy bills that are moving forward separately are the Clean Water Legacy Act and a hybrid vehicle purchase recommendation.

Two additional bills with fiscal implications were approved to be sent separately to the House floor.

"What I'd not want to do is to put all of our eggs again in the same basket, and have them stop short and then we end up not having a major vehicle that we can kind of climb on board," Ozment said, explaining that having several bills move separately means "more vehicles - more places to carry our issues forward."

## GOVERNMENT



### Boat slips for DNR

Signed  
by  
the  
governor  
\*\*\*

A three-word change in state law will make it a lot easier for the [Department of Natural Resources](#) to find docking space for its boats.

Sponsored by [Rep. Tony Cornish](#) (R-Good Thunder) and [Sen. Satveer Chaudhary](#) (DFL-Fridley), the law, signed April 20 by Gov. Tim Pawlenty, authorizes the DNR to make advance deposits and payments on boat slips, which are reserved spaces for boats on docks.

Col. Mike Hamm, chief of the DNR's enforcement division, said most marinas require prepayment to reserve boat slips. Until the new law was passed, the DNR was not legally authorized to prepay for boat slips, which made it very difficult to reserve spaces on already overcrowded docks.

"They have more boats out there than they have slips for," Hamm said.

Marina owners had been giving the DNR a break until now, Cornish said, but boat slip rental has finally become so competitive that slips could not be purchased without prepayment.

"They want their money ahead of time, but the state isn't allowed to do that legally. So, we made a legal exception," he said.

The law is effective Aug. 1, 2006.

[HF3310\\*/SF2969/CH181](#)

### Two bills approved

Two bills that had been incorporated into a now-stalled omnibus state government finance bill were passed as standalone bills by a House committee April 27 — one appropriating money for a legislative training forum, and one ratifying public employee labor contracts. No discussion was held on either of the bills.

[HF3693](#), sponsored by [Rep. Morrie Lanning](#) (R-Moorhead), appropriates \$10,000 for a joint legislators' forum between Minnesota, South Dakota, North Dakota and Manitoba, Canada. It was recommended to pass by the House State Government Finance Committee and referred to the House Ways and Means Committee. It has no Senate companion.

[HF3114/SF2634\\*](#), sponsored by [Rep. Chris DeLaForest](#) (R-Andover) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), ratifies a number of public employees labor agreements that have been approved and implemented on an interim basis by the Legislative Coordinating Commission's Subcommittee on Employee Relations. They include the American Federation of State, County and Municipal Employees (AFSCME) Council 5, the Minnesota Association of Professional Employees (MAPE), the Middle Management Association, Minnesota State College Faculty, Minnesota Government Engineers Council, State Residential School Association, Inter Faculty Organization, and Minnesota State University Administrative and Service Faculty. It also ratifies compensation plans for unrepresented state employees. It was recommended to pass and referred to the House Rules and Legislative Administration Committee.

### Eminent domain discussion begins

A joint House and Senate conference committee has begun working out differences between the House and Senate versions of the eminent domain reform bill.

[HF2846/SF2750\\*](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Thomas Bakk](#) (DFL-Cook), seeks to curb governments' ability to use eminent domain powers to take away private property.

At the first meeting April 21, Bakk said that the bill's definition of blight and its standard of proof are likely to be focal points of the committee's forthcoming discussions. Other areas of discussion will likely include provisions in the House version relating to the extraterritorial use of eminent domain and municipal solid waste services. The committee was scheduled to meet again April 27.

## LOCAL GOVERNMENT



### Annexation bill passed

The House passed an annexation reform bill 133-0 April 24.

[HF3925](#), sponsored by [Rep. Mark Olson](#) (R-Big Lake), would make a number of changes to state law relating to municipal boundary adjustments. It also would set up a task force to further investigate annexation issues and report back to the Legislature by Jan. 1, 2007.

Olson said the bill was drafted collectively as a consensus bill by representatives of cities and townships during meetings of the House Local Government Committee, which he chairs.

"We did do something very different, members. We had an open negotiation process right there in committee," he said.

Olson added that the most significant change the bill would make would be to add a number of factors to the list of things a judge must consider when evaluating an annexation dispute. Judges would have to consider whether an annexing party has plans to develop the land in a "cost effective and feasible manner within a reasonable amount of time," among other things.

[Rep. Paul Marquart](#) (DFL-Dilworth) praised the bill as a "good start."

"I can confidently say that this is a good bill for both cities and townships," he said.

[Rep. Peter Nelson](#) (R-Lindstrom) praised Olson for bringing the bill forward, but expressed concern that the task force would be unable to find consensus and would fail to recommend more extensive changes to the law. He noted that when representatives of the cities and townships have discussed these issues in the past, "the results have been a lot closer to nothing than little."

Received April 25 from the House, the bill awaits action by the Senate State and Local Government Operations Committee. [Sen. Linda Higgins](#) (DFL-Mpls) is the Senate sponsor.

## RECREATION



### Boathouse repair

The owners of boathouses on public waters can now apply to the [Department of Natural Resources](#) for a permit to renovate or replace those structures. The permit is also subject to approval by the local governmental unit.

Signed by [Gov. Tim Pawlenty](#) April 20, the new law, effective April 21, 2006, allows restoration or replacement of existing boathouses. Additionally,



boathouses can be extended in height by 1 foot, although not enlarged in area. Owners can replace the foundational structure as long as they use only materials nontoxic to aquatic life below the high water mark. Boathouses can now also be consolidated or moved off the water onto the owner's property.

No new boathouses have been allowed on public waters since 1997, when owners were also prohibited from maintaining more than 50 percent of an existing structure in any given year.

[Rep. David Dill](#) (DFL-Crane Lake) and [Sen. Thomas Bakke](#) (DFL-Cook) sponsor the law. [HF2994\\*/SF2736/CH180](#)

## SAFETY

### EMT certification

A new law aims to increase the passing rates on the emergency medical technicians (EMT) certification exams.

Signed April 20 by Gov. Tim Pawlenty, the law requires EMT training programs to maintain an average yearly pass rate on state certification exams. Sponsored by [Rep. Duke Powell](#) (R-Burnsville) and [Sen. Gary Kubly](#) (DFL-Granite Falls), it takes effect Aug. 1, 2006.

A program not meeting the yearly standard will be placed on probation and shall be on a performance improvement plan approved by the [Emergency Medical Services Regulatory Board](#). If a program still fails to pass standards it could face disciplinary action.

Powell said the lack of certified EMTs in Greater Minnesota is a problem because emergency medical professionals choose not to work in rural areas.

[HF2731/SF2621\\*/CH177](#)

### Volunteer firefighters

[Rep. Tom Rukavina](#) (DFL-Virginia) said the lack of Minnesota volunteer firefighters is a problem, especially in Greater Minnesota.

However, a new law signed by Gov. Tim Pawlenty April 20 hopes to reverse that trend.

Effective Aug. 1, 2006, it requires the commissioner of public safety to coordinate a task force to study the recruitment and retention of volunteer firefighters, ambulance personnel and emergency responders. A report would be due to the commissioner by Dec. 15, 2006.

Originally, Rukavina proposed a bill that would require employers to allow unpaid leave

for employees who are on duty as volunteer firefighters. He said firefighters need all the help they can receive these days and that young people are not volunteering.

Rukavina and [Sen. David Tomassoni](#) (DFL-Chisholm) are the sponsors. [HF2788/SF2832\\*/CH179](#)

### Public safety provisions

Although the omnibus public safety finance bill is unlikely to be released from confinement before session adjourns, some of its provisions may still be set free.

The House Public Safety Policy and Finance Committee approved an amended bill April 26 that its sponsors, [Rep. Steve Smith](#) (R-Mound) and [Sen. Jane Ranum](#) (DFL-Mpls), hope will enact policy provisions taken from 53 bills.

[HF2085/SF1525\\*](#) next goes to the House Rules and Legislative Administration Committee.

"All bills have previously been heard and approved by this committee. In the five weeks we were up and running we heard over 120 bills, we had over 400 witnesses," Smith said.

However, two key components of the omnibus finance bill ([HF2953](#)) were not included in the policy bill: bias crime provisions, including tougher sentences, and the governor's immigration provisions.

"What we have before us would be, I trust, viewed as no cost, non-controversial, but necessary policy provisions that we've previously worked on as a committee," Smith said.

Among the included provisions are: an expansion of reckless driving to include racing; increased penalties for assaulting an animal control officer; organ donor notification expansion for public safety officers; creation of vulnerable adult criminal neglect penalties; and the penalty for cell phone use by drivers under age 18 becomes a petty misdemeanor.

Smith did not take any amendments or testimony during the meeting, but encouraged members to contact him with potential additions before the rules committee meets.

If issues arise, Smith said Ranum is "on standby" so the two can talk ahead of time and hopefully work out an agreement before the bill is approved by the rules committee, whenever that may be.

"My hope would be that if we get this to the floor that we have a no amended product so it can go right to the Senate, be approved, and get right to the governor for a signature," Smith said.

## TAXES

### Property tax rebates

In the end, the simplicity of the property tax rebate contained in [HF4142](#) prevailed.

On April 25, the House Taxes Committee approved the bill with no amendments. Sponsored by [Rep. Phil Krinkie](#) (R-Lino Lakes), it was scheduled to be taken up April 27 by the House Ways and Means Committee.

A companion ([SF3779](#)), sponsored by [Sen. Brian LeClair](#) (R-Woodbury), awaits action by the Senate Taxes Committee.

As proposed, the rebate would be limited to homeowners and would equal 10 percent of the taxes payable on their homesteads in 2006. The bill provides that the rebate be paid on or before Oct. 1, 2006. However, payment of the rebate is contingent on the Minnesota Supreme Court's reversal of a lower court ruling that the health impact fee enacted last year is unconstitutional, and in violation of the state's tobacco settlement agreement. Despite the uncertainty of the court ruling, of the \$317 million considered to be in the tax relief account, the bill would rebate \$307 million.

Much of the committee discussion focused on the perception that the rebate is politically motivated, that it is not fair to all property taxpayers and that there is a difference between property tax relief and property tax reform.

"This, members, is property tax relief. It is only one-time relief to try to mitigate the impacts of property tax increases in 2006," Krinkie said, citing the average increase as 10 percent.

[Rep. Paul Marquart](#) (DFL-Dilworth) said the rebate would be more acceptable if it were part of a larger plan to provide long-term property tax relief.

Marquart and several other committee members said it is not fair to rebate all homeowners 10 percent of their tax liability. They said it would be better to rebate individual taxpayers in proportion to the amount their property taxes have actually increased. Several amendments to provide a way to do so were voted down.

Marquart said local governments have increased property taxes as a result of cuts in state aid to cities, and that the increases vary because the cuts were not evenly applied.

Members pointed out that the rebate excludes agricultural land and renters.

Some members said the rebate is politically motivated because the rebate checks are to be paid five weeks before November's general election.

Krinkie said voters are unlikely to credit any specific political party or legislator for the rebate and that the checks are timed to provide property tax relief to the homeowners' Oct. 15 property tax payment.

Signed  
by  
the  
governor  
★ ★ ★

Signed  
by  
the  
governor  
★ ★ ★

# Stadium bill to the Senate

Peanuts and Cracker Jack ... and a new ballpark, too!

BY IRENE VOTH

**T**he Minnesota House of Representatives officially supports Hennepin County's agreement with the Minnesota Twins to build an open-air ballpark designed exclusively for baseball and the Twins.

"It's game day! ... They're putting the hotdogs on the grill," [Rep. Al Juhnke](#) (DFL-Willmar) told House members, urging them to vote for the agreement after more than seven hours of discussion April 26.

"It's time for Minnesota legislators to play ball," said [Rep. Brad Finstad](#) (R-Comfrey), the sponsor of [HF2480](#).

Stadium continued on page 14

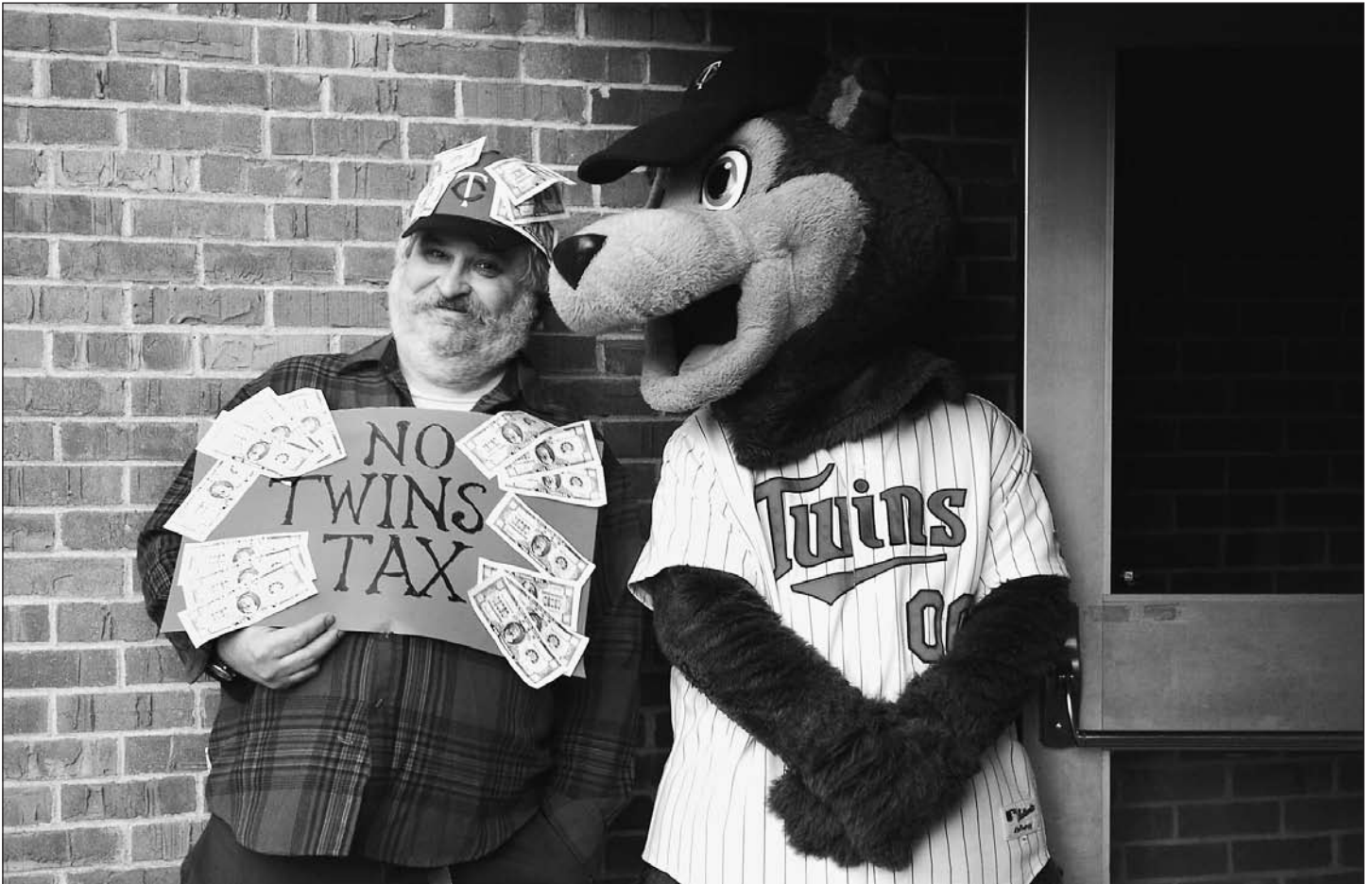


PHOTO BY TOM OLMSCHIED

Dave Garland, left, holds his sign as Twins mascot T.C. holds the door at Oak Grove Middle School in Bloomington to welcome people attending the House Taxes Committee hearing on the proposed new open-air ballpark for the Twins.





**Photos clockwise top center**

Hennepin County Commissioners Randy Johnson, *left*, and Mike Opat testify on the proposed ballpark for the Twins. Jerry Bell, president of Twins Sports Inc., testifies on the proposed ballpark as Dave St. Peter, team president, looks on. Dave Bicking testifies against the ballpark at the Bloomington hearing. Rep. Brad Finstad, sponsor of the bill proposing the ballpark, testifies before the House Taxes Committee at the Bloomington hearing.



## Twins stadium debate history timeline

From the Metrodome to the current potential stadia trio, the stadium debate has been one of the most constant issues discussed under the Capitol dome in the past 30 years.

**1976-77** – Stadium politics dominate the Legislature.

**1977** – Legislature creates Metropolitan Sports Facilities Commission; includes financing provisions for metropolitan area sports facilities.

**1978** – Commission votes 4-3 to construct Metrodome, which opened in April 1982.



**1981** – Twins play last game at Met Stadium Sept. 30, losing 5-2 to Kansas City.

**1997** – Special session unsuccessfully held for new ballpark. Bipartisan stadium task force formed.



**1998** – Twins owner Carl Pohlad does not sell team to Don Beaver, who planned to move the team to North Carolina.



# Twins stadium bill steps up to the plate

Proponents and opponents of the Twins ballpark bill voiced their views while the bill made its way through two House committees April 19-24. The largest turnout was April 20, when the House Taxes Committee held a five-hour hearing at Bloomington's Oak Grove Middle School, drawing an estimated 700 people on both sides of the issue. The House approved the bill April 26.



Lorraine Pizzella, *left*, and former Twins first baseman Kent Hrbek testify April 19 before the House Taxes Committee for the proposed outdoor ballpark



Some people attending the hearing in Bloomington brought their signs for a Hennepin County referendum vote on the proposed outdoor ballpark for the Twins.



**1999** – [HF87/SF801](#), sponsored by [Rep. Phyllis Kahn](#) and [Sen. Ellen Anderson](#), fails to pass. It would have created public ownership of the Twins. A St. Paul referendum to help fund a Twins facility fails.

**Nov. 6, 2001** -- The 30 Major League Baseball owners vote 28-2 to contract two teams. Pohlad reportedly had an agreement to have the Twins contracted.



**Feb. 2002** – Commissioner Bud Selig announces that contraction will not occur in 2002. League owners indicate they hope to try again for the 2003 season.



**Feb. 2004** – After 11 meetings, a [stadium screening committee](#) issues a [report](#) to [Gov. Tim Pawlenty](#). It recommended action be taken in 2004 for a ballpark and football stadium. No stadia bills pass.

**2005** – Discussion begins on a plan for a ballpark on the edge of downtown Minneapolis, to partially be funded with an increase in the Hennepin County sales tax without voter approval.



**April 26, 2006** – Twins stadium bill approved by the House.

## Stadium continued from page 11

Legislators, including those eager to see the Twins get out of “the dome,” worked all day inside the Capitol — which has a dome — while the sun shone on the green lawns of the Capitol mall, while the outside temperature reached 70 degrees. At 6:37 p.m. they voted 76-55 to pass the funding measure.

HF2480 is the means by which a Minnesota Ballpark Authority would be created to build a \$390 million ballpark — \$522 million including financing and infrastructure costs. The 42,000-seat stadium would be situated on the western edge of downtown Minneapolis, across from the Target Center and next to the city’s garbage burner.

Jerry Bell, president of Twins Sports Inc., said he was pleasantly surprised by the vote total, as was Doug Carlson of Apple Valley, who stood outside the chamber in a Twins cap and jersey.

“I thought it’d be a little closer,” said Carlson, who estimates he goes to about 20 games a year.

The bill now goes to the Senate, where [Sen. Steve Kelley](#) (DFL-Hopkins) is the sponsor. Bell said [Senate Majority Leader Dean Johnson](#) (DFL-Willmar) and [Senate Minority Leader Dick Day](#) (R-Owatonna) told him they believe the votes are there to pass the measure.

Financing provisions in the bill include raising the sales and use tax collected in Hennepin County by 0.15 of 1 percent, or approximately 3 cents on \$20. Imposed by ordinance rather than a voter referendum, the tax would continue until the county’s share of the construction expenses financed through the sale of bonds is repaid, expected

to be about 30 years.

The Twins’ contribution to the plan includes \$130 million upfront. The team would also be responsible for any cost overruns on the ballpark; \$1 million per year for capital improvements; operations estimated at \$10 million per year; a 30-year user agreement; an additional \$250,000 annual contribution to the Twins Community Fund for amateur and youth activities, and 18 percent of the gross sale amount if the team should be sold during the lifetime of the bonds.

In addition, unlike with tickets to see the Twins play at the Metrodome, a 3 percent entertainment tax would be collected on each Twins ticket at the new ballpark. Twins tickets have historically been exempt from the tax, which was enacted in 1969.

Early in the floor session, legislators who stepped up to the plate to amend the bill to require a referendum received their third strike.

Although Mike Opat, one of seven Hennepin County Commissioners and an architect of the deal, told the House Taxes Committee April 19 there would be no deal if such an amendment succeeded, [Rep. Phil Krinkie](#) (R-Lino Lakes) moved the amendment unsuccessfully in the House Taxes Committee April 19. [Rep. Ann Lenczewski](#) (DFL-Bloomington) moved the amendment on the floor, where it failed 66-64. An amendment offered later by Krinkie to allow Hennepin County a reverse referendum — a process requiring 32,000 signatures — also failed, 70-61.

Amendments offered by [Rep. Ron Latz](#) (DFL-St. Louis Park) to require the Twins to pay a larger share of the project costs also failed, as did numerous other amendments,

some of which would have accomplished the following:

- raise the rate of the sales and use tax statewide to finance the stadium and include a roof;
- rename the team the “Hennepin County Twins;”
- require the Twins to fund Hennepin County youth programs and extended library hours;
- require that proceeds from the sale of the Metrodome go to Hennepin County to repay the bonds;
- ensure that news media would have access to cover sporting events inside the ballpark;
- ensure protections for Hennepin County regarding some of the provisions of the agreement; and
- require the governor to explore whether professional sports teams engage in “monopolistic financing” and what can be done about it.

Those who spoke against the agreement just prior to the vote included [Rep. Jean Wagenius](#) (DFL-Mpls), who said the agreement brings a “culture of greed” into Minnesota; [Rep. Alice Hausman](#) (DFL-St. Paul), who said the bill would pass because the majority of House members want to tell their constituents they kept the Twins in Minnesota without their constituents having to pay for it; and [Rep. Ron Erhardt](#) (R-Edina), who compared the ballpark deal with what he called “the biggest grab of someone else’s property:” the Dutch purchase of Manhattan Island from the Indians in 1626. 🏰

**Assistant Editor Mike Cook contributed to this story.**

## RECENT STADIUM DEVELOPMENTS

**2001-02** – A [Stadium Task Force](#) is charged with preparing recommendations for the 2002 Legislature on funding options for stadiums for the Minnesota Twins, Minnesota Vikings and University of Minnesota. After nine meetings, a [report](#) is issued on Jan. 25, 2002. Included in its report is, “The Task Force recommends that action in 2002 is important for the Twins and the future of professional baseball in Minnesota because there is a real possibility that the Twins could be eliminated through the contraction of the number of major league baseball teams.”

**May 2002** – Legislature passes [HF2214](#), sponsored by Rep. Harry Mares (R-White Bear Lake),

for a \$330 million, roof-ready stadium. It required an upfront contribution of \$120 million from the team and other sources. The state would then issue revenue bonds to make a loan to a city to pay for the ballpark construction. The host city could impose increased lodging and food and alcoholic beverage taxes. The team rejects plans for a St. Paul stadium.

**Feb. 2004** -- After 11 meetings, a [stadium screening committee](#) issues a [report](#) to [Gov. Tim Pawlenty](#). It recommended action be taken in 2004 for a ballpark and football stadium. No stadia bills pass. Among its recommendations were:

- “Professional baseball and football stadiums

should be financed through a combination of team investment, fan contributions and host community revenues.”

- “A metropolitan stadium authority (MSA) should be created to lead stadium negotiations on behalf of the State of Minnesota and be authorized to determine when criteria have been met to move forward with stadium construction.”
- “Taxes imposed by host communities to finance stadiums should not be subject to voter referendum.”
- “The MSA should be encouraged to seek provisions allowing public to share in the increased value of teams upon sale.”

# Filling the gap

## A bill aims to increase dental care access in Greater Minnesota

By **BAO ONG**

**D**ental care is often lost in the debate over improving health care access, and in Greater Minnesota it is an even bigger issue.

The shortage of dentists in Greater Minnesota is causing long waiting lists and fewer dollars to help those on MinnesotaCare or Medical Assistance. Another factor: graduating dental school students gravitate toward working in more metropolitan areas.

However, a bill ([HF2733](#)), sponsored by [Rep. Al Juhnke](#) (DFL-Willmar), would put these students on one-month rotations at a new Rice Regional Dental Clinic, which would primarily serve a 12-county area in west-central and southwest Minnesota.

Plans call for a wing, costing \$1.2 million, to be added to the hospital's current expansion plans. The program also aims to serve people on public assistance who often cannot afford proper dental care.

"Good dental health is a key component of overall well-being," said Lawrence Massa, the hospital's chief executive officer. "This clinic increases access to people who otherwise don't have the option."

The bill is not included in the House bonding bill, but a companion bill ([SF2478](#)), sponsored by [Senate Majority Leader Dean Johnson](#) (DFL-Willmar), is included in the Senate bonding bill and awaits action by the Senate.

Patrick Lloyd, dean of the University of Minnesota School of Dentistry, said that some

Although the University of Minnesota trains about 85 percent of the state's dentists, according to Lloyd, few of them desire practicing in Greater Minnesota. About 96 dentists graduate from the school each year but it is still a struggle to promote them to venture outside of the Twin Cities metropolitan area.

Richard Diercks, Minnesota Dental Association executive director, agrees. Dental care access is good in Minnesota with well-trained professionals but dentists are disproportionately scattered throughout the state from one area to another, Diercks said.

Part of the project is modeled after the Hibbing Community College Dental Clinic, which also has a partnership with the University of Minnesota dating back to 2001. People from as far north as International Falls or as west as Deer River have come to the clinic. Many of them have not had dental checkups for years, resulting in more significant dental needs before they can be put on a typical six-month recall.

"We hope that students working in these areas will realize they can have fulfilling careers and lives in more rural areas," said Lloyd. "They just need to be given a chance to see it firsthand."

In a March House Health Policy and Finance Committee hearing, [Rep. Fran Bradley](#) (R-Rochester) said it may be problematic if a new facility is built and there was a staff shortage.

But Massa said four student dentists would work under a professional during their rotation. The students may also receive housing and incentives, such as lower repayment rates on loans, to participate. Other legislators wanted to know if the project would only target low-income patients, but Massa said the plan was to take everyone.

Both Massa and Lloyd say there has been strong support from the community for such a project. At a meeting held with 40 dentists in the area, Lloyd said nearly everyone raised their hand at the meeting's conclusion when asked to indicate their support.

If the bill passes, the proposed Rice Memorial Hospital-owned clinic will be nearly 5,000 square feet and open in summer 2007. 🗿

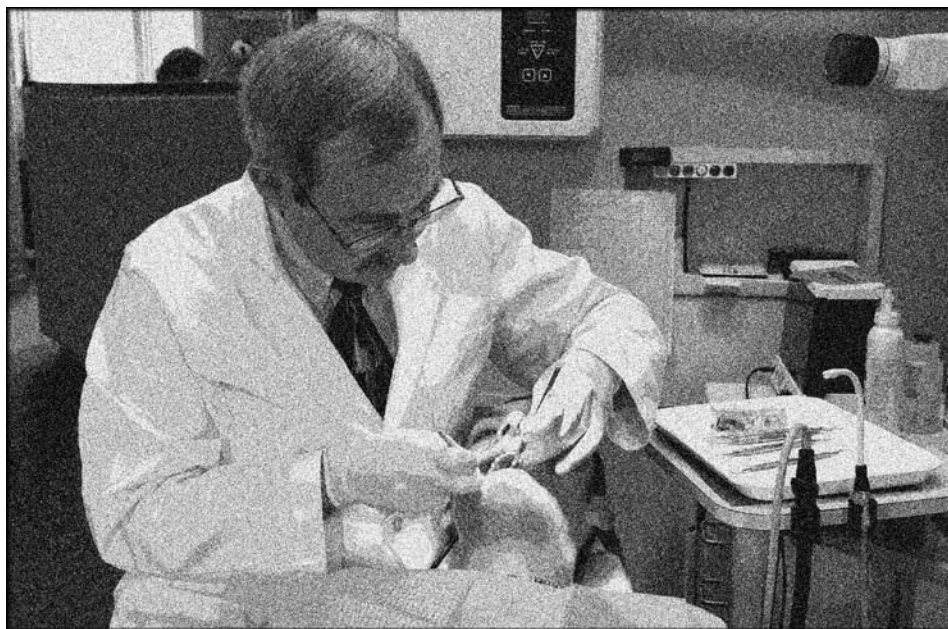


PHOTO ILLUSTRATION BY TOM OLMSCHIED

**A bill sponsored by Rep. Al Juhnke would address the shortage of practicing dentists in Greater Minnesota. It would partner the University of Minnesota School of Dentistry, the city of Willmar and the state in constructing a new regional dental clinic.**

The bill would appropriate \$500,000 to the city of Willmar to construct the clinic at Rice Memorial Hospital. The project represents a partnership between the hospital, University of Minnesota School of Dentistry and the state.

studies have begun to link poor dental health to heart disease and diabetes. Furthermore, Lloyd notes, people who go without treatment often end up in emergency rooms for more expensive treatment of toothaches.



# No regrets

## Bradley steps down to focus on family

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By Nick Busse

**R**ep. Fran Bradley (R-Rochester) admits that his area of focus as a legislator doesn't match his vocation.

"I'm an engineer by training, and that's not necessarily where you might see someone in health and human services," he said.

Nevertheless, he has spent most of his six terms in the House working on health care and welfare reform initiatives — with considerable

home and of whom Bradley is guardian.

"The job here is taking so much of me that some of the very special family needs that have developed are just not getting the time that I feel I should be giving them," he said.

Bradley, a retired IBM computer engineer, said that he has always tried to maintain a balance between what he calls the "four cornerstones" of his life: faith, family, career and community. That balance, he said, is currently lacking.

"It's a matter of family priorities. It's also a matter of when I joined I never expected to make it sort of a lifetime career. Twelve years is a pretty significant amount of time," he said.

But after all that time, he can at least look back and feel satisfied about his accomplishments.

"I have no regrets," he said. "I don't look back with anything but a sense of awe and pride and gratitude for the opportunity. But it's just time for me and my wife, Mary, and our family to move on."

### A legacy of reform

Much of Bradley's career in the House has been devoted to

helping improve the lives of Minnesota's elderly and disabled. In his own words, he has tried to be a "champion of vulnerable people."

Among his favorite pieces of legislation, Bradley is proud to have sponsored and successfully passed a bill known as "Unlock the Waiting List," which helped developmentally disabled people get services for which they might have otherwise had to wait eight to 10 years to access.

"I think, at last count, there were something like 5,000 more people who were able to get access waiver services because of that bill," he said.

Bradley, who chairs the House Health Policy and Finance Committee, and has chaired a health and human services committee since 1999, said his approach to reforming health care has been to try to help the disabled become independent and self-sufficient, thereby benefiting both health care consumers and taxpayers. He believes that his engineering background helped him to instill a sense of rigor and discipline to the programs and legislation he has worked on.

"There does need to be more than just that it 'feels good.' There's got to be really a focus on spending our precious taxpayer dollars wisely on programs that help people move out of dependence and into independence.

"Of course, I've had the pleasure of being part of significant welfare reform during my career. And I feel good not only for the taxpayers but also for the people we're helping that we're focused really on helping people get on their feet — not keeping them multi-generational dependent."

His efforts have not gone without recognition. He said he is especially proud to have twice earned the title of "Legislator of the Year" from Arc Minnesota, a support and advocacy group for the developmentally disabled. He added that he has always viewed his work with groups like Arc Minnesota as a "partnership."

"I really feel good when I go to a rally or go to a meeting and there are consumers with disabilities expressing appreciation. So, I think I will long remember and cherish and probably will continue to be actively involved, as a matter of fact, in issues for those great people."



PHOTO BY ANDREW VONBANK

**After 12 years of service, Rep. Fran Bradley is stepping down to spend more time caring for family members.**

success, in his opinion. Perhaps it's fitting, then, that he's stepping down to focus on caring for his own family members.

Bradley and his wife of 37 years, Mary, have four children and three grandchildren. Three of their family members currently have deteriorating health conditions: their eldest grandson, who suffers from muscular dystrophy; Bradley's mother, who is in adult foster care; and his brother, who lives in a group

## STEPPING DOWN

**Rep. Fran Bradley  
Republican**

**District 29B — Rochester  
Terms: 6 (elected 1994)**

**Advice to successor: "If there's anything that's important in this legislative process, it's honesty and integrity. If your word is not good, no matter how good your intentions, it's very hard to get things done."**

# One last farewell

Ruth Johnson says goodbye for the third and final time

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By Nick Busse

In January, [Rep. Ruth Johnson](#) (DFL-St. Peter) will retire as a state representative — for the third time. This time, however, she said she'll be leaving for good.

Johnson, who was elected state representative three out of the four times she ran, holds the distinction of being the only current House member to have been elected to three separate, non-consecutive terms: 1997-1998, 2001-2002, and 2005-2006.

Now, she said, she will be passing the torch.

"I felt it was my job to stay with my responsibilities until I found someone that I thought would be a good representative of our area and stand for the values that I shared, that I think are most important to our area," she said.

Johnson said she has found such a person in Terry Morrow, who is currently chair of the St. Peter Board of Education. This year, Morrow will be running for Johnson's seat in her stead.

Johnson, a former college administrator, said she is running about four years behind schedule of her original plan to retire at 55. But when she finally does retire, she will at least retain some fond memories of being a legislator.

Among other things, Johnson cited being the chief sponsor of a \$27.6 million tornado relief bill as one of her biggest achievements.

In the waning days of the 1998 legislative session, a major tornado struck St. Peter and the surrounding areas. Johnson had just days — a few hours, really — to put together a bill to fund the rebuilding of the area.

"That, to me, is a perfect example of government at all levels — federal, state, regional, county, city — working together to help people at the time of the very greatest

difficulty we could ever imagine. And the results speak for themselves," she said.

Johnson said the reconstruction of the area has brought enormous growth, and St. Peter is more beautiful than ever.

"We still miss our trees," she said. "It will

take decades for the replacement trees to reach anything like the height of the trees that were lost. But the buildings, the public services and homes were restored beyond anyone's best hope."

The first bill of Johnson's passed by the House made American

Sign Language (ASL) a recognized language for which high school and Minnesota State Colleges and Universities students could receive school credits. She said the purpose of the bill was to encourage greater use of ASL. It passed "without any difficulty whatsoever," she said.

Johnson said she is leaving an institution that is more sharply divided along partisan lines than when she was first elected, but that doesn't really worry her.

"This is a democracy, and ultimately the tides of history, as they flow back and forth, will bring us to a place where we will be able to find compromise in the future."

To be an effective legislator, Johnson said one must understand the "basic strengths" of the state that have led Minnesotans to enjoy the highest quality of life in the

nation, and must have an ability to work for compromises.

After she retires, Johnson plans to spend as much time as possible speaking to the public about their role in a democracy.

"Having had this magnificent experience as a member of the Minnesota House of Representatives, I want to take all that I have learned and share it with other citizens. Because I truly believe that in a democracy, it is the people who govern, and I want to help people see how that works, how they can be engaged, and how we can make democracy in



PHOTO BY TOM OLMSCHEID

**Rep. Ruth Johnson is retiring about four years behind her original schedule. She plans to spend much of her time talking to people about democracy.**

Minnesota be even stronger."

Johnson said she is often asked to speak to public organizations and groups of young people — to whom she said it is particularly important to "help inspire them, as I was inspired as a young person, to the highest values of citizenship." 🐼

## STEPPING DOWN

**Rep. Ruth Johnson**

**DFL**

**District 23A — St. Peter**

**Terms: 3 (non-consecutive, elected 1996)**

**Advice for successor: "Keep in touch with the citizens, and find as many opportunities as possible to engage citizens in discussion of public policy."**

# Say what?

## A concise guide to procedural lingo used on the House floor

**Amend** — The action a legislator takes to change or propose a change in a bill, motion, report or even another amendment by adding, omitting or altering its language.

**Calendar for the day** — The list of bills that may be considered for final passage by the House on any given day.

**Call of the House** — At the speaker's order, all absent House members must return to the House floor to vote on a bill or amendment. This is also referred to as putting the House under call.

**Caucus** — A caucus, in the context of the Legislature, means a group of legislators of the same political party and/or legislative body — i.e. the House DFL Caucus or Senate Republican Caucus. Oftentimes on the floor, members will recess to caucus with members of their party to discuss legislation up for consideration on the floor.

**Conference committee** — A group of six or 10 members, with equal numbers from the House and Senate, appointed to reach a compromise between the House and Senate versions of a bill.

**Conference committee report** — Language of a bill as agreed upon by a conference committee.

**Consent Calendar** — A list of non-controversial bills that may be considered for final passage by the House on any given day.

**Engrossment** — The current text of a bill or resolution which includes or incorporates all adopted amendments to the title and/or text.

**Final passage** — The vote taken on a bill after its third reading, requiring a majority of all elected members of a legislative body for approval.

**First reading** — The reporting of a bill to the body at the time of its introduction and referral to the relevant committee.

**Floor** — After a bill passes through the committee process, it is sent to the floor in either the House or Senate, meaning it is placed on any of the various bill lists while awaiting debate by all members.

**Germaneness** — Relevance of issue raised to the topic being discussed. Most often asked after the offering of an amendment.

**House file** — The number assigned to a bill before it is introduced by a member of the House.

**Journal** — Refers to either the Journal of the Senate or the Journal of the House, which are the official records of the respective bodies.

**Motion to adjourn** — Members use this motion to try to end a floor session. This is usually made by the House majority leader.

**Motion to recess** — A motion for the body to take a break during a floor session and continue it at a specified time on the same day.

**Motion to suspend the rules** — This motion allows House members to suspend the formal legislative process for a specified reason and time period. It requires a two-thirds majority vote.

**Omnibus** — A term used to describe tax, education, appropriations and other bills that contain many different proposals.

**Page** — A person employed by the House or Senate to run errands, assist committees and to perform a variety of other legislative tasks.

**Point of order** — Members often use this to challenge motions, actions or conduct by other members. A member may raise a point of order when they feel that House rules have been broken and need to be enforced by the speaker.

**Point of personal privilege** — Members often use this motion to introduce family members, constituents or distinguished guests in the House chamber, or to announce personal news.

**Point of parliamentary inquiry or point of parliamentary procedure** — Members may use this motion to request information on the proper way of proceeding with a particular motion.

**Recommendation** — The action a committee takes on a bill. Although in common usage a committee is said to “pass” a bill, technically, it recommends a bill to pass.

**Repassage** — A final vote on a bill previously passed in another form to include amendments of the other chamber, a conference committee or amendments.

**Resolution** — A proposal, introduced as a House or Senate file, that urges another governmental body to take or refrain from a certain action. A resolution can also simply express the opinion, sentiments or intent of a body (or both, if the resolution is a joint one).

**Second reading** — Reporting of a bill to the body, following the adoption of the committee report, that places it on General Orders or the Consent Calendar.

**Senate file** — The number assigned to a bill before it is introduced by a member of the Senate.

**Sine die** (*sigh-nee dye*) — When the Legislature adjourns, without a scheduled date to reconvene, in an even-numbered year (the second year of the biennium).

**Third reading** — The final reporting of a bill to the body before its final passage. No amendments, except amendments to the title, may be offered after the third reading unless unanimous consent is granted.

**Unofficial engrossment** — Amendment, by the other legislative body, of a bill which has been passed by its body of origin. For example, the House cannot officially amend a Senate bill, so when the House considers a Senate bill and makes changes, that engrossment is unofficial until the bill returns to the Senate and the Senate adopts the engrossment.

**Yield** — To surrender the floor temporarily to another member for the purpose of hearing a question or inquiry.





# Education standards

## Capitol tour brings social studies to its source

By PATTY JANOVEC

State Capitol visitors might wonder what is going on when they see a dozen third grade students lying on their backs on the Rotunda floor encircling the glass and brass star, a symbol of the North Star State.

Actually, the tour guides are getting the students to look up at the 60-foot interior dome and notice the nuances of the paintings and stone ribs in the famously designed Cass Gilbert architectural delight.

While some might view a tour of the Capitol for school-age children as a day off from the regular classes, schools could be fulfilling the state-mandated Minnesota Department of Education social studies standard that requires students to know the functions of Minnesota state and local governments, and be able to describe that relationship with the federal government.

The social studies standard is defined in state law to include the subjects of history, geography, economics, and government and citizenship.

More specifically, the government and citizenship list includes student requirements to:

- explain the major purposes of the Minnesota Constitution as stated in its preamble;
- understand the basic structure and functions of state and local governments;
- identify the major state offices; the primary duties associated with them, and know the names of the major local, state and federal elected officials and describe how they are chosen;
- describe the procedures involved in the state and national voting process including the Minnesota caucus system; and
- explain that authority for making laws rests with the people, through their elected officials.

What better way to master the standards than by going straight to the state's source, the Capitol.

Many legislators act as tour guides, leading students from their district through the House and Senate chambers. If they are lucky,

they might see a live floor session, or maybe even a governor's press conference.

[Rep. Matt Dean](#) (R-Dellwood) said the question most often asked by students from his district is, "Are the horses really made of gold?" The gold sculpture known as "Progress of the State," or the Quadriga, is at the outside base of the dome. The four horses represent the power of nature: earth, wind, fire and water.

An architect by occupation, Dean happily gives tours regularly to students from his district. "There is no replacement for actually being here," he said, noting that students are better able to experience the "flavor of relationships" between the House, Senate, governor and constituents in person.

Another learning experience involves having the "class troublemaker" sponsor a bill to continue school year-round and have other students vote on the action in the House chamber, Dean said with a chuckle.

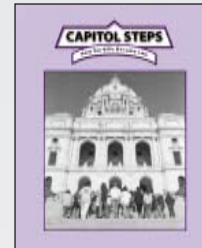
While some students may view a visit to the Capitol as a day away from learning, members do not agree. "I think it's very valuable if it's connected to the curriculum that the kids are doing in the classroom," said [Rep. Karen Klinzing](#) (R-Woodbury).

Klinzing, a high school social studies teacher, said she would conduct a mock legislature with her students to reveal the process in a more direct way. "A trip to the Capitol even without the concept of understanding is well worth it if for the sheer beauty of the building," she said.

Elementary school students ask much more complex questions, such as "What bill have you had that's passed into law? Do you like your job?" or about supporting an issue that their kids may be following, she said.

"I love it when they come down and I'm really proud of this building," said [Rep. Leon Lillie](#) (DFL-North St. Paul). The children ask random questions that range from the building's architecture to the job of being a legislator. "You need to be ready for anything," he said. 🐾

## Resources for students



### Capitol Steps

*Capitol Steps: How Six Bills Became Law* is a 34-page booklet created to explain the legislative process in a simple, straightforward manner.

It is crafted to be a resource for junior and senior high school students, but it is of interest to anyone seeking to understand the basics of how the Legislature works.



### Minnesota Government Series

The eight-part Minnesota State Government series is an easy-to-understand series of publications about the state, its history, its symbols and its three branches of government.

The series also explains how bills become law and how to contact representatives to the Legislature and U.S. Congress.

### Tours for students

Tours of the Capitol Building are offered through the [Capitol Historic Site Program](#) of the [Minnesota Historical Society](#). For more information on tours or to reserve a special tour for your class, call (651) 296-2881. Contact your legislator directly to schedule a time to have your class meet and greet. To find out whom your legislator is, call the House Public Information Services office at (651) 296-2146 or (800) 657-3550.

## Former representative Brinkman dies



Rep. Bernard "B.J." Brinkman, 79, who represented Morrison, Stearns and Wright counties in the House from 1964-1986, died April 24 after suffering a heart attack.

"He was a nice guy, who could be feisty," said [Rep. Irv Anderson](#)

(DFL-Int'l Falls) who came to the House the same year as Brinkman,

also a Democrat. The two quickly became good friends, and that remained through the years.

Brinkman, who lived in Richmond, owned and operated Brinky's Liquor and Gas Station from 1957-1986, and was a member of the current board of directors of the State Bank of Richmond.

His small business experience made him an advocate as chair of the House Financial Institutions and Insurance Committee for eight years. He also served on the House

Agriculture, Rural Economy, Insurance and Taxes committees.

When he announced his intentions to retire from the House in 1986, a Minneapolis Star Tribune article pointed to Brinkman's "independence and fiscal conservatism which led him to join or quietly lead other rural DFLers called 'woodticks' in voting against his party's House leadership."

He is survived by his wife of 56 years, Viola, five children and nine grandchildren.

# U. S. House of Representatives

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## HOMELESS VIGIL



PHOTO BY TOM OLMSCHIED

**Megan Schow, a ninth grader at Rosemount High School, reads outside the cardboard box where she'll spend the night during the Box City Vigil for Youth Homelessness on the front lawn of the Capitol April 22.**

## ★ LATE ACTION

### Abortion regulations

A controversial abortion bill overcame a huge hurdle April 27.

[HF3258](#), sponsored by [Rep. Laura Brod](#) (R-New Prague), would prohibit state-funded abortions except in cases of rape or incest. It also requires data collection and reporting on

the already existing requirement for minors seeking to have abortions. Brod said the bill also protects women's health by restricting certain hospital privileges of physicians.

The House passed the bill 81-50 and sent it to the Senate, where [Sen. Thomas Neuville](#) (R-Northfield) is the sponsor.

There was considerable debate on the fiscal note of the bill.

[Rep. Thomas Huntley](#) (DFL-Duluth) said

there would be costs to taxpayers because if the bill becomes law, it will likely be challenged in court. But Brod said the Legislature should avoid voting for bills based on possible court challenges.

A handful of opponents to the bill said a better solution to preventing unwanted pregnancies would be better achieved through improving family planning programs.

## 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



## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and files them with the secretary of state, but his

signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriation

bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

### Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.	4/20/06	
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.	4/20/06	
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.	4/20/06	
180	2994*	2736	Watercraft storage structure repair authorized on public waters.	4/20/06	
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.	4/20/06	
182	2998*	1553	Firefighter labor arbitration provision sunset repealed.	4/27/06	
183	680*	1217	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	4/27/06	
184	2645*	2622	Swift County rural development finance authority board membership increased.	4/27/06	
185	3169*	3254	Local government units prohibited from imposing fees related to students at postsecondary institutions.	4/27/06	

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Friday, April 21

### HF4159-Thissen (DFL)

#### Taxes

Tax preparers; list of penalties expanded that subject the names of tax preparers to publication by the commissioner of revenue.

### HF4160-Heidgerken (R)

#### Education Finance

Integration revenue modified relating to education finance.

## Monday, April 24

### HF4161-Hilty (DFL)

#### Civil Law & Elections

Minnesota Responsible Business Corporation Act adopted providing for incorporation of socially responsible for-profit business corporations.

### HF4162-Knoblach (R)

#### Ways & Means

Deficiency and supplemental appropriations provided.

## Tuesday, April 25

### HF4163-Anderson, I. (DFL)

#### Transportation

Railroad remote-control operation of trains over highway intersections and bridges and near international border regulated.

### HF4164-Urdahl (R)

#### Education Finance

Pupil transportation costs categorical funding reestablished.

### HF4165-Davids (R)

#### Agriculture & Rural Development

Biomass-powered ethanol plant tax incentives provided.

## Wednesday, April 26

### HF4166-Seifert (R)

#### Higher Education Finance

Citizenship eligibility requirement established for higher education financial aid.

### HF4167-Abrams (R)

#### Taxes

Tax increment financing technical, minor policy changes and bond procedures modified.

### HF4168-Abrams (R)

#### Taxes

Electric generating facility property tax exemption and construction materials sales tax exemption provided.

### HF4169-Abrams (R)

#### Taxes

June accelerated sales and use tax payments repealed.

### HF4170-Abrams (R)

#### Taxes

Telecommuting equipment tax credit provided.

### HF4171-Hortman (DFL)

#### Transportation Finance

Highway user fee imposed on gasoline and special fuel, accounts established, bonds issued and money appropriated.

### HF4172-Dittrich (DFL)

#### Environment & Natural Resources

Minnesota Cleanup Day designated and minimum fine for littering imposed.

## Thursday, April 27

### HF4173-Sykora (R)

#### Education Finance

Early childhood family education funding increased.

### HF4174-Lenczewski (DFL)

#### Taxes

Foreign operating corporation income tax treatment modified.

### HF4175-Bernardy (DFL)

#### Education Finance

School district levies reduced, state tax treatment of foreign operating corporations clarified and money appropriated.

### HF4176-McNamara (R)

#### Regulated Industries

Lawful gambling purpose definition broadened relating to support of military families.

## What is a conference committee?

A conference committee is called to reconcile differences between versions of a bill passed by the House and the Senate. Each body of the Legislature appoints three or five members to the committee. So far this year, five conference committees have been called to hammer out differences on the respective bills.

1. New Maple Grove hospital HF1915*/SF1840		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 5/20/2005	3/16/2006	3/16/2006
Senate: 5/23/2005	3/20/2006	3/20/2006
SIGNED INTO LAW: CH172 3/20/2006		
2. Funeral, memorial and burial service disruption prohibited. HF2985*/SF2614		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 3/20/2006	Met 4/27/2006	
Senate: 3/23/2006		
3. Eminent domain changes provided. HF2846/SF2750*		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/12/2006	Met 4/21/06; scheduled to meet 4/28/2006	
Senate: 4/12/2006		
4. Omnibus bonding bill providing for capital improvements. HF2959/SF2718		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/18/2006	COMMITTEE HAS NOT MET	
Senate: 4/18/2006		
5. Constitutional amendment for sales tax dedication to natural and cultural resources purposes, arts, humanities, museum and public broadcasting, heritage enhancement, parks and trails funds and clean water and heritage enhancement councils. HF3269/SF2734*		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/27/2006	COMMITTEE HAS NOT MET	
Senate: 4/27/2006		

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MAJORITY LEADER: ERIK PAULSEN  
MINORITY LEADER: MATT ENTENZA

## MINNESOTA INDEX

### Wind energy

Percent of energy Minnesotans use that comes from wind .....	less than 1
Percent from coal .....	75
Wind projects in the state as of July 2005 .....	51
Number of turbines operated at those projects .....	683
Approximate megawatts produced at those .....	600
Approximate number of homes those megawatts can power .....	230,000
Megawatts of installed wind capacity in Minnesota, as of December 2004 .....	615
State rank .....	4
In general, average wind speeds required for grid-connected applications .....	11 mph
Estimated cost per turbine, in millions .....	\$1-\$2
Life expectancy of a turbine, in years .....	20-30
Height, in feet, of modern utility-scale wind turbines .....	164-328
Maximum blade length, in feet .....	100
Approximate acreage needed for one turbine footprint and access road .....	0.5
Estimated annual profit to farmers who own and operate one or two turbines once the capital expense of the turbines is fully paid .....	\$100,000
Approximate percent of the state's wind power production that occurs in a six-county area (Lincoln, Lyon, Murray, Nobles, Pipestone and Rock) in southwestern Minnesota .....	70
Number of projects in the Buffalo Ridge area, near Lake Benton .....	11
Combined capacity, in megawatts, of Lake Benton I and II projects .....	210.75
Combined capacity, in megawatts, of other nine projects .....	234.55
Estimated amount annually received by Lincoln County landowners for land leased and purchased by wind energy developers .....	\$500,000
Typical amount annually received per turbine by farmers in southern Minnesota who lease their land to wind developers .....	\$2,500-\$5,000
Amount in direct lease payments to landowners expected to be generated for each 100 megawatts of new wind development in southwest Minnesota .....	\$250,000
Personal income across all economic sectors (primarily transportation, communication, public utilities and services) that resulted in operation and maintenance phase of 143 turbines in Lincoln County .....	\$909,000
Per unit of energy generated, approximate percent greater jobs created in the state by wind energy versus a coal plant .....	33.3
Approximate percent versus a nuclear power plant .....	66.7

Sources: Minnesota's Wind Power Industry: A Fact Sheet for Business, [Department of Employment and Economic Development](#); American Wind Energy Association; Great Plains Windustry Project; Minnesotans for an Energy-Efficient Economy.

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VOLUME 23, NUMBER 10 • MAY 5, 2006

**INSIDE: CAPITOL RENOVATIONS, A WALLEYE HAVEN, TAX PLOP AND FIZZ, MORE**

This Week's Bill Introductions HF4177-HF4190

# Session Weekly

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**On the cover: The lantern atop the State Capitol Dome is seen through a profusion of springtime crab apple blossoms.**

—Photo by: Andrew VonBank



# Showing its age

Capitol competes with other construction projects for funding

BY BAO ONG

**O**ne hundred and ten years ago on May 6, 1896, groundbreaking ceremonies took place at the State Capitol. Famed architect Cass Gilbert was only embarking on his most memorable stamp on Minnesota history. His future masterpieces — the Woolworth Building in New York City and the U.S. Supreme Court building in Washington, D.C. — would only further cement his legacy.

Gilbert's Italian Renaissance aesthetic touch to the marble dome building sitting atop a hill in St. Paul still stands today after thousands of Minnesotans attended the opening on Jan. 2, 1905. But the state's capitol is in dire need of repairs and renovations more than ever, some Minnesotans argue.

The [Capital Area Architectural and Planning Board](#) (CAAPB), an agency leader in pushing through Capitol preservation and restoration initiatives, originally requested about \$23.4 million in its capital budget request, but has now requested only about \$3.2 million in bond proceeds to continue design work and full restoration and repair of the Capitol dome. The House capital investment bill, [HF2959](#), sponsored by [Rep. Dan Dorman](#) (R-Albert Lea), recommends partial funding for the project while the Senate bonding bill, [SF3475](#), sponsored by [Sen. Keith Langseth](#) (DFL-Glyndon), recommends full funding. The governor's budget does not provide such funding. A conference committee has begun meeting to work out a final product.

Deterioration is evident upon stepping into the 101-year-old building, which is actually the state's third Capitol: the first one burned down and the second was too small and poorly constructed. Currently, parts of the Capitol suffer from rain damage. Some staircases have required maintenance because of safety concerns. Paint is peeling and walls have cracks.

Carolyn Kompelien, the Minnesota Historical Society's Capitol site manager, said hundreds of pieces of furniture also need repair. She said space at the Capitol is used in ways that was not intended when first designed. She cites offices with multiple doors

and committee hearing rooms with poor acoustics as examples.

No matter how much the Legislature decides to fund the repairs and renovations, it will not be the last time requests will be made for such projects. CAAPB said the restoration of the Capitol will happen in phases, and is heavily dependent on state funding, which would require millions of dollars. When Gilbert completed the Capitol, which took nine years, the total cost to build it was only \$4.5 million.

Nancy Stark, CAAPB executive secretary, said funding for the projects will allow Minnesotans — from the thousands of citizens who visit the Capitol each year to legislators to state employees — to enjoy and utilize the Capitol for years to come. According to CAAPB, nearly 269,000 people visited the Capitol last year and 113,000 attended centennial events.

But what happens if there is no funding for what many consider, at least architecturally, one of the premier state capitols in the country, and one that was declared a national landmark in 1972?

"This project is in dead water. If there's no funding, every legislator can go home and say they didn't do anything for the Capitol," Stark said.

Stark said 60 percent of \$40 million in funds were used in the past 15 to 20 years for emergency projects and repairs, such as a roof repair that cost \$5 million.

Last year the Legislature provided \$1.2 million for schematics of full interior restorations, which the Capitol Restoration Collaborative between the Minneapolis design firm of Hammel, Green and

**First Reading continued on page 4**



Photo courtesy of the Minnesota Historical Society; Photographer: Dickey & Strong

**Breaking ground for the new Capitol May 6, 1896.**



### First Reading continued from page 3

Abrahamson and Columbus, Ohio-based Schooley Caldwell Associates plan to release later this fall. The fee for the schematics was \$960,000. Stark said dome work could possibly begin this fall in preparation for the state's 150th anniversary in 2008, but that if no funding is provided all work would be stalled even if the schematics are complete.

Linda Kane, project manager in the State Architect's Office, said completed schematic designs will provide a better roadmap for the restoration project, which will likely start with restoration of the east wing. A local firm completed the pre-design of the Capitol in 2001. Still, issues of security, a more centrally located visitors' desk, heating and air conditioning upgrades and committee room designs all need to be addressed in the plans, Kane said.

Meanwhile, Michael Bjornberg, Hammel, Green and Abrahamson associate vice president and project manager, is busy ensuring the schematics are completed on time. Besides working with Schooley Caldwell Associates — which Bjornberg said has worked on capitol buildings in Ohio, Kansas



PHOTO BY TOM OLMSCHIED

**Rick Dahm of Luczak Brothers, Inc. applies a layer of gypsum plaster to the ceiling on the third floor of the Capitol Jan.11, 2005.**

and Utah — he is looking at three possible solutions in renovation. One is to build an addition. Other plans include expanding underground use and redesigning current spaces that are used inefficiently.


"When we are done, you won't even see any difference when looking at the Capitol," said Bjornberg, who also worked on large scale projects at the University of Notre Dame. "This is one of the most recognized and admired capitol buildings in the United States. We don't want to do anything to impact the historical resource of the Capitol."

About a dozen people have been working on the schematics but many more are involved, said Bjornberg. Besides key project members, there are interior designers, engineers and even a historian.

[Rep. Matt Dean](#) (R-Dellwood), an architect, has been a big proponent of the restoration. Dean and other supporters of restoring the Capitol believe funding should be provided for a public building, if not for pride then for architectural concerns.

The challenge for supporters of Capitol restoration is that the project will still have to compete with other bonding requests. Some legislators have questioned the need for immediate action while others have taken a cautious step.

Stark hopes more funding can be provided in conference committee. "It's time to do something. Prices aren't getting any cheaper." She added that it would cost \$800 million to \$900 million of taxpayer dollars to construct a new capitol.

"The Capitol isn't getting any younger. We want to make sure this building is around for the next 100 years." 

## HAVING A BLAST



PHOTO BY TOM OLMSCHIED

**Cpl. Curt Karges of the Minnesota State Patrol, right, fires a 6-pound 1856 Civil War era field piece on the front lawn of the Capitol May 1 as part of Freedom Day, a celebration of freedom and individual liberties.**

## BONDING

### Conference committee conflict

Just when things were going well...

Members of the capital investment conference committee were cruising along May 3 in their first of, presumably, several meetings until a vote was requested. Then, like the philosophy that has overshadowed the committee's workings, the sides agreed to disagree.

In an effort to lay the groundwork for further discussions, [Rep. Dan Dorman](#) (R-Albert Lea), the sponsor of [HF2959](#), requested that conferees vote on a proposal they had discussed for more than a couple of hours. The plan included more than \$550 million worth of projects that the House and Senate were close on in their funding in areas such as higher education, flood hazard mitigation grants, local road and bridge projects and wastewater infrastructure funding.

Funding for the proposed Central Corridor transitway and Cedar Avenue busway were pulled from the original proposal because some members' questions were left unanswered.

"Some of my conferees feel a little uncomfortable about adopting something. Obviously we looked this over and it looked like 99 percent of this is gonna be in there, probably all of it," said [Sen. Keith Langseth](#) (DFL-Glyndon), the sponsor of [SF3475](#). He expressed concern that as the committee gets further along in the process it might "have to agree to go back and do a few things just to squeeze something in. Not that you couldn't do that if you've made a motion."

"From the House standpoint we feel pretty comfortable with this, and if you don't that's all right, too," Dorman countered. "I think that's part of the difficulty of operating without a target."

Dorman had not wanted to call the meeting because there is no monetary goal set for the conferees. He said that he and House leaders tried to meet with Langseth and Senate leaders, but no meeting took place.

Following the non-vote, Dorman suggested a recess so senators could come back with a counteroffer. Langseth said the Senate would have a counterproposal to build on the House proposal when the sides are to meet May 5.

After a two-hour break, all House conferees returned but not the Senate conferees, although [Sen. David Senjem](#) (R-Rochester) was in the audience.

"We're here ready to work," Dorman said.

"We made what we thought was, should have been kind of a non-controversial offer. I think it was the easy part of the bill."

After Dorman jokingly suggested it, [Rep. Alice Hausman](#) (DFL-St. Paul) made an offer to adopt the Senate position. The majority of House conferees appeared to say yes, but it couldn't be adopted because there were not three votes from Senate conferees. "Let it be noted there were not three votes from the Senate side for the Senate provisions, so apparently they're not supporting their own bill," Dorman said.

## CRIME

### Funeral disruptions

A bill awaiting action by the governor would criminalize the intentional disruption of a funeral service.

A [conference committee report](#) was approved 121-2 by the House May 1 and 66-1 by the Senate a few hours later.

Sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Don Betzold](#) (DFL-Fridley), [HF2985](#)\*/[SF2614](#) assesses a misdemeanor penalty to a person who protests or pickets within 500 feet of a burial site or entrance to a facility where the service is occurring.

The House version of the bill initially had a 1,000-foot setback, and the Senate zero, Smith said. "This is still over a full city block, over one-and-a-half football fields, from funeral services," he said.

Under the bill, it is also a crime to intentionally disrupt a funeral procession, including impeding or attempting to impede a vehicle in the procession; intentionally blocking or attempting to block access to a ceremony or service; and picketing at the residence of any surviving family member of the deceased the day of the service.

"We accepted the Senate's broader definition of family member who should not be harassed at their homes on the day of a funeral," Smith said. "We accepted the same definition as those members who would be covered by domestic violence statutes. If we can protect people from domestic violence, we can shield them on the worst days of their life."

Furthermore, the bill gives members of the deceased person's family or household the right to seek action for injunctive relief and other appropriate remedial compensation, including attorney fees.

Smith reminded members that this bill does not regulate speech, just when and where

verbal assaults can take place, while protecting the dignity and grief of mourners.

The impetus for the bill comes from when a group of anti-gay demonstrators from Kansas protested at a February service for a Minnesotan killed in Iraq.

One of the two dissenting House members, [Rep. Mike Jaros](#) (DFL-Duluth), thinks the bill is unconstitutional. "Even though I hate what these people are doing, I think they have a right to express themselves."

## ELECTIONS

### Overseas absentee ballots

A bill that would create a central address for the receipt of absentee ballot applications and absentee ballots was approved by the House Ways and Means Committee May 3 and sent to the House floor.

Sponsored by [Rep. Bruce Anderson](#) (R-Buffalo Township), [HF3716](#) requires military and overseas absentee ballot applications to be submitted to the [Secretary of State](#)'s office. This currently falls under the role of county auditors.

Anderson said the recommendation was brought forward by the federal government as states move into compliance with the [Help America Vote Act](#), which calls for these types of applications and ballots to be handled by a centralized location.

The bill appropriates, on average, \$40,000 annually to pay for staffing costs associated with the move.

After the applications are received, they would be forwarded to county auditors. The name of the voter, address and date the ballot was sent would be recorded by the county auditor in a statewide voter registration system. The actual ballots would not be counted by the office, but sent in an envelope to the county auditor for compilation.

A companion bill ([SF3303](#)), sponsored by [Sen. David Hann](#) (R-Eden Prairie), awaits action by the Senate Finance Committee.

## ENVIRONMENT

### Funding conference committee

Before getting down to business, there must be getting down to specifics. And the specifics are what were asked May 3 of those who testified before the conference committee assigned to forge a compromise from the very different dedicated environmental funding

bills passed by the House and Senate.

The compromise is “one of the most difficult ones I’ve seen in 31 years,” said former representative John Tuma, now a lobbyist for the Minnesota Environmental Partnership. Tuma was one of more than a dozen people called upon to specify how their organization’s share of the dedicated funding, if included in the final bill, would be spent.

Others testifying included representatives for the [Department of Natural Resources](#), the [Pollution Control Agency](#), the [Board of Water and Soil Resources](#), Ducks Unlimited, the Minnesota Parks and Trails Council, Minnesota Citizens for the Arts, Minnesota Public Television and the Minnesota Zoo.

[HF1909/SF2734\\*](#), sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. Dallas Sams](#) (DFL-Staples), would submit a constitutional amendment question to the voters in the November general election. Committee members will need to compromise on a central point: whether to raise the sales and use tax rate by three-eighths of 1 percent to provide the dedicated funding, as called for by the Senate bill; or to dedicate three-sixteenths of 1 percent of the existing sales and use tax as called for by the House bill.

Other differences: the Senate bill would dedicate the funding beginning in 2007 with a sunset in 2032; the House bill’s dedication would begin in 2009, with no sunset. In addition, the Senate’s version provides for the creation of a Heritage Enhancement Council and a Clean Water Council. The House version does not, but it does include a prohibition against increasing taxes or fees or imposing new taxes for seven years.

## FAMILY



### Outside payment OK

Parents paying child care know the costs seem to only increase. Today, if they receive financial help to pay for such services, it can count as part of their income. [Rep. Nora Slawik](#) (DFL-Maplewood) said that should change.

[HF3944/SF3615\\*](#), sponsored by Slawik and [Sen. John Hottinger](#) (DFL-St. Peter), would allow a third-party to pay all or part of a family’s child care assistance fee. The money paid on a family’s behalf would not be considered as part of their income or affect their eligibility for assistance.

The House passed the bill 132-0 April 27, one week after the Senate passed it 64-0. It now awaits action by the governor.

Third parties sometimes help families pay for child care services. But the [Department of Human Services](#) counts that money as

family income, which sometimes makes families ineligible for certain services. Slawik has described the bill as a “tweak” to the current system. She added that it would help contribute toward increasing the quality of child care.

## HEALTH



### Abortion regulations

A bill ([HF3258](#)), sponsored by [Rep. Laura Brod](#) (R-New Prague), would prohibit state-

### OUTFRONT ON THE MALL



PHOTO BY ANDREW VONBANK

Four-year-old Aila Haku, of Minneapolis, plays under a GLBT flag during the April 27 OutFront Minnesota Lobby Day Rally on the Capitol Mall.



funded abortions except in cases of rape or incest. It also requires data collection and reporting on the already existing requirement for minors seeking to have abortions. Brod said the bill also protects women's health by restricting certain physician privileges.

The House passed the bill 81-50 on April 27. Received from the House May 1, the bill was referred to the Senate Health and Family Security Committee. [Sen. Thomas Neuville](#) (R-Northfield) is the Senate sponsor.

There was considerable debate on the fiscal note of the bill.

[Rep. Thomas Huntley](#) (DFL-Duluth) said there would be costs to taxpayers because, if the bill becomes law, it will likely be challenged in court. But Brod said the Legislature should not avoid voting for bills based on possible court challenges.

Brod also brought up statistics on the number of taxpayer-funded abortions, but Rep. Ron Erhardt (R-Edina) questioned her. Erhardt said the amount of money spent spread over a number of years, is very little and wanted to see statistics not provided by Minnesota Citizens Concerned for Life, which he said provided Brod's arguments.

A handful of opponents to the bill said a better solution to preventing unwanted pregnancies would be better achieved through improving family planning programs.

### Extending sunset

[Rep. Duke Powell](#) (R-Burnsville) prefers to eliminate a sunset provision on construction of radiation therapy facilities, but has now decided on a compromise.

According to current law, all radiation therapy facilities must be constructed only by an entity owned, operated or controlled by a hospital. However, the law is set to sunset August 2008.

[HF2810/SF2532\\*](#), sponsored by Powell and [Sen. Linda Berglin](#) (DFL-Mpls), would extend the sunset until 2013. The House passed the bill 90-39 April 27, one week after the Senate approved it 59-7. The bill now awaits Gov. Tim Pawlenty's approval.

Although Powell's original intent was to make the current law permanent, he still said hospitals cannot compete with freestanding programs. Powell added that hospitals have the ability to provide more services and often have more integrated programs.

However, [Rep. Torrey Westrom](#) (R-Elbow Lake) called for legislators to vote against the bill. "Let the free market work," said Westrom, who added that passing the sunset would be equivalent to allowing "the government to play God."

For [Rep. Paul Thissen](#) (DFL-Mpls), the

compromise was the way to go. A true free market does not exist in the health care field but that has not hindered technological development, he said.

[Rep. Bob Gunther](#) (R-Fairmont), who also supported the bill, said freestanding clinics providing radiation therapy could take away business from hospitals, and in rural areas that could result in people having to drive further to find such services. But he said the bill does not take anything away from clinics while also allowing hospitals to do their work.

## HIGHER EDUCATION

### No fees on college students

Signed  
by  
the  
governor  
\*\*\*

Local governments are prohibited from imposing fees exclusively on college students, under a new law signed April 27 by Gov. Tim Pawlenty.

Sponsored by [Rep. Marty Seifert](#) (R-Marshall) and [Sen. David Senjem](#) (R-Rochester), the law, effective April 28, 2006, makes it illegal for local governments to assess fees and/or similar charges to either: (1) students, based on their status as postsecondary students; or (2) postsecondary educational institutions, based on the number of students they have enrolled.

Seifert said that although no governments currently impose such fees, there was a real danger they might do so in the future.

"I think it's important to pass this now before anyone starts doing it," Seifert said. He mentioned that a St. Paul City Council member had recently proposed a per-person fee against all college students living within city limits.

"Once you start down the road, members, of collecting money from people, I think you know how hard it is to stop," he said.

Although no members voted against the bill, at least one had reservations about taking away authority from local governments.

"While I'm going to vote for the bill, because I support it, I don't think it's that great a vote in terms of local control," said [Rep. John Lesch](#) (DFL-St. Paul).

[HF3169\\*/SF3254/CH185](#)

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## HOUSING

### Common lighting

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Those renting apartments may be surprised to know that the cost of the lights in the hallways or other common areas in the building may actually be showing up on their electric bills.

Under a new law signed April 27 by Gov. Tim Pawlenty, if electrical use in a "common area" (i.e. foyer, stairway, etc.) does not exceed 1,752 kilowatt hours annually, the landlord will not be charged a penalty for nonpayment of "common" electrical usage in cases where a renter does not pay his or her electrical bill.

The amount of electricity used in the common area may be determined by actual measurement. When actual measurement is impossible, a licensed tradesperson or housing inspector, at the landlord's expense, can confirm that the electricity used will likely not exceed the annual threshold.

Sponsored by [Rep. Chris DeLaForest](#) (R-Andover), and [Sen. David Senjem](#) (R-Rochester), the law takes effect Aug. 1, 2006.

[HF680\\*/SF1217/CH183](#)

## HUMAN SERVICES

### Moratorium exemption

A Fergus Falls hospital may receive a seemingly small, but much-needed number of beds.

[HF2854](#), sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), would provide an exemption to the hospital construction moratorium to increase Lake Region Hospital's bed capacity from 108 to 110 by increasing the rehabilitation bed capacity from 14 to 16, and by closing a separately licensed 13-bed skilled nursing facility.

Passed 132-0 by the House April 27, the bill awaits action by the full Senate. [Sen. Cal Larson](#) (R-Fergus Falls) is the Senate sponsor.

Although the bill passed with ease, [Rep. Torrey Westrom](#) (R-Elbow Lake) said the fact that such a bill even exists means that current laws regarding moratorium exemptions are problematic. "This bill just highlights the ridiculousness of our state law," said Westrom. "I think this is an exclamation on why we need change this law."

## Cass County hospital

If a bill modifying a moratorium on hospital construction becomes law, people living in Cass County would have an easier time reaching a hospital.

[HF2574](#), sponsored by [Rep. Larry Howes](#) (R-Walker), would lift the hospital construction moratorium by permitting construction of a hospital with up to 25 beds in Cass County. If the Cass County Board approves the project, it would be built within a 20-mile radius of the state Ah-Gwah-Ching facility. An amendment to license and certify 80 beds transferred from an existing state-owned nursing facility in Cass County to the Ah-Gwah-Ching campus was also approved.

On April 27, the House passed the bill 131-0. Received May 1 by the Senate, it awaits action in the Senate Finance Committee. [Sen. Dallas Sams](#) (DFL-Staples) is the Senate sponsor.

"We're working on the future," said Howes. He said there are not enough close hospitals in Cass County and with the state possibly abandoning the Ah-Gwah-Ching facility, a new hospital is even more vital.

Although he voted for the bill, [Rep. Fran Bradley](#) (R-Rochester) had questions about a property payment rate rising from \$25 to \$35 on the Ah-Gwah-Ching amendment. But Howes said such an amount was necessary to provide quality care. "Quality of care is what we're looking for," Howes said.

[Rep. Frank Moe](#) (DFL-Bemidji) said some of his constituents have to drive two hours just to find a hospital. "This would be a much needed boost to the economy."

## No middle ground

Signed April 27 by Gov. Tim Pawlenty and effective Aug. 1, 2006, a new law will overturn a sunset provision on firefighter labor arbitration.

When firefighters and public employers cannot negotiate a new contract, an arbitrator now steps in. The arbitrator must choose between the two competing offers and cannot pick a compromising position, unless otherwise agreed by the parties, according to current law, which expires June 30. The new law repeals the expiration date and makes the law permanent for firefighters.

[Rep. Joe Hoppe](#) (R-Chaska) and [Sen. Steve Kelley](#) (DFL-Hopkins) are the sponsors.

[HF2998\\*/SF1553/CH182](#)

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

## INSURANCE

### Loss ratio guarantee

A bill proposing regulation of filing and use of policy forms will to benefit consumers in more than one way.

[HF2500\\*/SF2293](#), sponsored by [Rep. Tim Wilkin](#) (R-Eagan) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), would regulate the filing and use of health insurance forms, which affects the "loss ratio guarantee." A loss ratio is the percentage of premium dollars paid out in claims to policyholders. The House passed the bill 132-0 on April 27 and it now awaits action by the full Senate.

"It encourages carriers to bring new products onto the market," said Wilkin. "The intent is to encourage competition."

However, a number of amendments to the bill brought additional changes.

[Rep. Thomas Huntley](#) (DFL-Duluth) wants a pilot project to study why small businesses in the Duluth area cannot provide their employees with insurance. Another Huntley amendment would allow service cooperatives to bid on nursing home projects. It also addresses provider price disclosure of various services such as procedures done in hospitals and prescriptions at pharmacies.

[Rep. Tina Liebling](#) (DFL-Rochester) had an amendment to ensure that the loss ratio rate would not change.

## LOCAL GOVERNMENT

### Letters of credit deadline

Cities would be required to release a letter of credit or other financial security within 30 days of the completion of a project by a builder or developer, under a bill passed by the House April 27.

[HF3477](#), sponsored by [Rep. Larry Hosch](#) (DFL-St. Joseph), was passed 131-1. It now awaits action by the full Senate, where [Sen. Sharon Marko](#) (DFL-Cottage Grove) is the sponsor.

The bill would permit cities and towns to require developers to establish escrow accounts or other financial securities to reimburse them for direct costs related to the review and approval of projects. Upon completion of such projects, the municipalities would then have 30 days to release and return the letters of credit or financial securities.

The bill also requires that the charge on any such securities be equal to the value of the professional services to the municipality, and provides that municipalities that fail to meet the 30-day deadline must pay any accrued interest to the developers.

"This is currently common practice," Hosch said. "When a project is done in the cities, it oftentimes requires a letter of credit or a bond to ensure that that contractor has a financial means to complete the project, so this actually protects the cities even more so."

Hosch added that the bill is supported both by developers and cities.

### Authority membership expansion

Signed  
by  
the  
governor  
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Legislation to add two members to Swift County's rural development finance authority was signed into law by Gov. Tim Pawlenty April 27.

Sponsored by [Rep. Aaron Peterson](#) (DFL-Madison) and [Sen. Gary Kubly](#) (DFL-Granite Falls), the law stipulates that the authority's membership be increased from seven to nine. It also stipulates that members are to reside within the county and that appointments reflect the population of the entire county, with one member representing each of the five county commissioner districts. The other four members must represent various county-based economic development organizations or be at-large. No more than three members may reside in any one county commissioner district.

Effective Aug. 1, 2006, the law also defines the members' terms and prohibits membership to employees, shareholders, owners or directors of entities with which the authority enters into an agreement.

[HF2645\\*/SF2622/CH184](#)

### Exposing strip clubs

Anyone wanting to open a strip club or similar adult-oriented establishment would have to notify local officials of their intent to do so, under a bill passed by the House 127-3 April 27.

[HF3779](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City), would require businesses that would provide live performances of sexually oriented entertainment to give 60-days notice to city officials of the business' intended start date. It passed the Senate 63-3 May 4. [Sen. Steve Dille](#) (R-Dassel) is the Senate sponsor.

Urdahl said that oftentimes before opening up a strip club or similar business, the owners of such businesses will mislead city councils and local officials about what kind of establishment they intend to open. He said the problem is especially prevalent in rural Minnesota.

"One of my cities, Eden Valley, had a 'gentlemen's club' established — a 'strip club' in some vernaculars," Urdahl said. "The Eden

Valley City Council believes it was established under false pretenses. Apparently, they were told it was a canvas shop being established. And ... it wasn't."

The House broke into hysterics when [Rep. Tom Rukavina](#) (DFL-Virginia) brought up the Senate version of the bill, which includes a "definitions" section that describes, in graphic detail, a number of sexually explicit acts and obscene materials as prohibited by the provisions of the bill.

"Mr. Speaker, I'd just like to ask where the Senate file is for this bill," Rukavina said, grinning — to which Urdahl replied, "Rep. Rukavina, I have never seen the Senate file and I don't have any idea what it says."

Several minutes of bipartisan wisecracks ensued.

## ★ RECREATION

### Committee OKs Vikings stadium

With the clock winding down on the 2006 session, a final drive has been kept alive for a new Vikings football stadium and entertainment complex in Anoka County.

[HF2294](#), sponsored by [Rep. Andy Westerberg](#) (R-Blaine), was approved 13-9 by the House Governmental Operations and Veterans Affairs Committee May 3. It now goes to the House Local Government Committee.

Noting that the House has already passed stadium bills for the Minnesota Twins and Gophers, Vikings owner Zygi Wilf testified that the project was an even better value, and would become a "magnet" for economic development in Anoka County and surrounding areas.

"This is a once-in-a-lifetime opportunity to move forward on three stadium issues this year," Wilf said, adding that he planned to keep the team in Minnesota "for the long term."

Lester Bagley, the team's vice-president of public affairs and stadium development, urged members to take action while there's still time.

"There's two weeks left in session, and we're asking that you not end the discussion on the Vikings," Bagley said.

Westerberg successfully offered a delete-all amendment to the bill that effectively changes the tax funding mechanism for the stadium. The amendment also limits public contribution to 59 percent of the total cost of the stadium and requires either a fixed or retractable roof on the building.

A number of other amendments were offered to the bill.

Committee Chair [Rep. Kathy Tingelstad](#)



PHOTO BY TOM OLMSCHEID

**Minnesota Vikings owner Zygi Wilf, left, and Lester Bagley, the team's vice president of public affairs/stadium development, answer questions during the May 3 hearing of the House Governmental Operations and Veterans Affairs Committee. The duo shared information about the proposed Northern Lights development project in Blaine that would include a new stadium for the Vikings.**

(R-Andover) unsuccessfully offered an amendment that would subject the increased countywide sales tax to help fund the project to a referendum by Anoka County voters.

Speaking against Tingelstad's amendment, [Rep. Michael Beard](#) (R-Shakopee) called referendums "poor public policy" and said, that as leaders of the state, it is legislators' duty to "suck it up, debate the issue and take the tough votes." The amendment was defeated 10-9.

[Rep. Ruth Johnson](#) (DFL-St. Peter) successfully amended the bill by making the proposed football stadium authority subject to the state's open-meeting laws.

[Rep. Diane Loeffler](#) (DFL-Mpls), arguing that the scope of the project was inappropriately large, tried unsuccessfully to amend the bill by making it a "stadium-only" bill similar to the Twins stadium proposal.

"I have felt all along that it has been unfair to have a major development in a county hiding behind a Vikings stadium," Loeffler said.

A companion bill ([SF2061](#)), sponsored by [Sen. Don Betzold](#) (DFL-Fridley), awaits action by the Senate Rules and Administration Committee.

However, [HF2480](#), the Twins ballpark funding bill passed by the House April 26, was amended by the Senate Rules and Administration Committee May 2 to provide for a 0.5 percent additional sales tax in the seven-county Twin Cities metropolitan area to finance construction of both a Twins ballpark and a Vikings stadium. That bill

awaits action on the Senate floor.

## ★ SAFETY

### Hearts and bones donations needed

A minimum of 30 minutes of teaching related to organ and tissue donations could become part of Minnesota's driver education curriculum, under a bill passed 121-3 by the House April 27.

[HF3401/SF2646\\*](#), sponsored by [Rep. Michael Paymar](#) (DFL-St. Paul) and [Sen. Chuck Wiger](#) (DFL-North St. Paul), was amended to become effective Jan. 1, 2007. It would apply to public schools, private schools and commercial driver training schools.

The amended bill now returns to the Senate for approval. The Senate passed the original version 60-2 April 12.

"There are 90,000 people who are on waiting lists for organs. And there are over 2,000 people in Minnesota who are on waiting lists ... it's an opportunity for us all to give a gift of life," Paymar said.

"The legislation is designed to significantly increase Minnesota's organ and tissue donation rate which will ultimately save numerous lives," Rachel Payne, a senior at Mounds Park Academy, told a House committee. Students from the academy presented information from a study they conducted to support the legislation.

Current law requires that students be informed of their option to donate, and any



additional information is voluntary, said Payne.

According to LifeSource, Upper Midwest Organ Procurement Organization Inc., more than 90,000 men, women, and children in the United States are waiting for a transplant, more than 2,300 live in the Upper Midwest, every 13 minutes another name is added to the waiting list and each day 17 people die while waiting for a transplant.

“We believe that our current percentage of organ donation, which is about 65 percent, will increase to 75 percent with this bill,” Paymar said.

Organs and tissues that can be donated include: heart, lungs, kidneys, pancreas, liver, intestines, corneas, skin, veins, tendons, bone, bone marrow, heart valves and connective tissue.

## ★ TAXES

### Child care facility exemption

A lot of things are said to come “out of the blue.” Many people would probably say the phrase is more aptly applied to taxes than anything else.

Still, Tammy Anderson was taken aback when the child care center she directs was assessed property taxes — “out of the blue,” she said.

“I’m the director of a non-profit 501(c)3 program, and our program was established as a non-profit, tax-exempt organization back in 1971, so our program is celebrating our 35<sup>th</sup> anniversary,” Anderson told the Property and Local Tax Division of the House Taxes Committee May 1.

Anderson said the center had never been assessed property taxes before, but Karen Baker, an analyst for the nonpartisan House Research Department, said that, while the state has only a small number of non-profit child care centers that own their sites, there is no statutory exemption for them.

Anderson testified in support of [HF4100](#), which would provide the statutory exemption, provided the fees and charges for at least 30 percent of the children cared for in the center are paid in whole or in part from assistance programs; the staff includes licensed teachers; no part of the net earnings of the organization benefits any private shareholders; and no portion of the property is used for residential purposes.

“Child care has no money to begin with. We run on a very, very tight margin,” Anderson said, adding that property tax liability would likely force the centers to close.

[Rep. Morrie Lanning](#) (R-Moorhead)

sponsors the bill, which was held over for inclusion in a report to the full committee.

A companion bill ([SF3784](#)), sponsored by [Sen. Rod Skoe](#) (DFL-Clearbrook), awaits action by the Senate Taxes Committee.

### Fire fighting finances

If a fire broke out atop a \$1.67 million wind tower in Trimont, who would put it out? Probably no one, because the Trimont fire service area’s allotment of state fire aid has gone with the wind. Well, not entirely.

But the fire service area’s state aid has become inadequate, according to [Rep.](#)

[Bob Gunther](#) (R-Fairmont), because the Legislature changed wind towers from a property tax-based revenue to a production tax-based revenue in 2002. The change took wind tower property out of the formula used to distribute funds from the state fire aid.

To remedy the situation, Gunther sponsors [HF4141](#), which would change the definition of market value for purposes of the fire aid distribution formula, allowing fire service areas with wind towers and also those with taconite mines to receive a larger allotment from the fire aid fund. The change would not affect the property owners’ tax liability.

“Without any training on how to put a fire

## LITTLE LEGISLATOR



PHOTO BY TOM OLMSCHIED

Five-year-old Alice Lesch listens at the Chamber desk of her father, Rep. John Lesch, as members debate a bill April 27.

out in a \$1.67 million windmill, much less have the equipment to put a fire out in a 300-foot structure, we come to the problem of how are we going to service the property in this fire service area,” Gunther told the Property and Local Tax Division of the House Taxes Committee May 1.

“What we’re trying to get is the market value of the 100-megawatt wind farm located in the Trimont fire service area classified as taxable property so we can include that to get the necessary fire aid to be able to service the risk posed by the wind towers and the extra work put on the firemen,” he added.

The bill was held over for possible inclusion in a report to the full committee.

A companion bill ([SF3771](#)), sponsored by [Sen. Julie Rosen](#) (R-Fairmont) awaits action by the Senate Taxes Committee.

### Tax preparations

Work on the long-awaited omnibus tax bill began May 3 by the House Taxes Committee.

[Rep. Phil Krinkie](#) (R-Lino Lakes), the sponsor of [HF2457](#), told members of the committee they would have a chance to “mark up” or amend the bill when they met May 4.

The bill contains nine areas of focus and may be good news for taxpayers, in that it reduces state income taxes while exempting military pension income, allows additional deductions, and raises the income level at which the K-12 education credit begins to phase out.

The bill, which has no Senate companion, also re-imposes and modifies levy limits for cities with a population of 2,500 or more and for all counties. It also contains numerous technical changes, and includes items that bring the state income tax into conformity with the federal income tax changes.

It also contains a provision that would fully fund the local government aid formula starting with aids payable in 2007 provided the motor vehicle sales tax dedication is defeated in the November general election. This contingency elicited a response by [Rep. Tom Rukavina](#) (DFL-Virginia).

Referring to the property tax rebate bill sponsored by Krinkie and passed by the House May 2, Rukavina said, “Mr. Chair, I really want to compliment you. Yesterday you gave away money that may or may not be there, and today you’re doing it again. But at least today, I’m on your side.”

If you have Internet access, visit the  
Legislature’s Web page at:  
<http://www.leg.mn>

## ★ TECHNOLOGY

### Bioscience committee meets

The Technology, Bioscience and Medical Products Division of the House Commerce and Financial Institutions Committee was formed last year, and met May 3 for only the second time this session.

However, Committee Chair [Rep. Paul Kohls](#) (R-Victoria) hopes the division will be a longstanding one as technology, bioscience and the medical products industries continue to grow in Minnesota. The division heard an overview of the industry, the opportunities and challenges of small medical device companies and matters related to patient safety, such as product development and recalls.

“This is the first time these industries have gotten a voice,” said Kohls. “My hope is that this committee and forum will exist in future legislatures.”

Don Gerhardt, LifeScience Alley president, said medical devices are increasingly converging with bioscience research. The Legislature approved the Medical Alley/MNBIO organization, now LifeScience Alley, to establish a 350-mile stretch corridor from Rochester to north-central Minnesota.

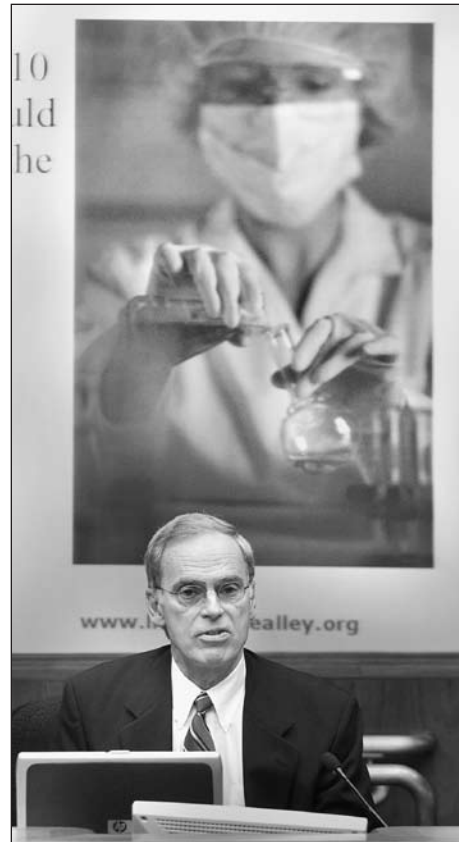


PHOTO BY ANDREW VONBANK

**LifeScience Alley President Don Gerhardt conducts a presentation on medical device issues May 3 before the Technology, Bioscience and Medical Products Division of the House Commerce and Financial Institutions Committee.**

This was only the beginning of the state’s commitment to advance bioscience and medical product development, Gerhardt said.

The state’s commitment to such development means Greater Minnesota is also benefiting, testifiers said. From Worthington to Austin to Milaca, small towns are helping contribute to the bioscience and medical products industry.

Steve Anderson, vice president of corporate assurance for St. Paul-based Acorn Cardiovascular, said there is the opportunity for smaller medical device companies to employ more people across the state. The 500 or so members of LifeScience Alley employ about 250,000 Minnesotans and continue to grow, Gerhardt said.

Another area of discussion was patient safety.

Susan Alpert, Medtronic chief quality and regulatory officer, said her employer takes patient safety seriously. She said Medtronic carefully monitors the safety of its product, but that products cannot always be perfect. However, Alpert said medical devices still help patients lead better lives.

## ★ TRANSPORTATION

### Electric vehicles on the road

Signed  
by  
the  
governor  
★ ★ ★

Drivers could be driving alongside electric vehicles, under a new law signed by Gov. Tim Pawlenty May 4.

Sponsored by [Rep. Greg Blaine](#) (R-Little Falls) and [Sen. Paul Koering](#) (R-Fort Ripley), the law, effective Aug. 1, 2006, defines “neighborhood electric vehicle” and sets the restrictions and requirements for its operation.

The cars are restricted from going on roads with speed limits of more than 35 mph, “except to make a direct crossing” of a street or highway with a higher speed limit. The vehicles are subject to all the same requirements as other cars such as turn signals, license plates, windshields and seat belts.

[Rep. Al Juhnke](#) (DFL-Willmar), who sponsored a similar bill ([HF2734](#)) that he voluntarily laid over, said 35-40 other states have already made the vehicles road legal.

The transportation commissioner or a road authority can further restrict the electric vehicles.

Furthermore, the law specifically says that vehicles such as “a homemade neighborhood electric or low-speed vehicle or retrofitted golf cart,” do not qualify as neighborhood electric vehicles.

[HF1838](#)\*/[SF1811](#)/CH189



### Time management?

During the first meeting of the capital investment conference committee May 3, House members were trying to figure out when the committee would next meet when talk turned to the next day's floor session.

"I didn't hear from the majority leader if, for tomorrow, we're doing bills that are having a chance to come into law or if we've got bills we're going to sit around and yak for hours and hours that have no chance of becoming law. If it's one of the days when we're doing bills that have a chance of becoming law we shouldn't be there long," joked [Rep. Dan Dorman](#) (R-Albert Lea).

The House spent more than three hours debating the property tax rebate bill ([HF4142](#)) one day prior, and nearly as long debating the supplemental budget bill ([HF4162](#)) two days earlier.

He suggested the House use flags like the Navy, so members could know what was scheduled.

"I told the majority leader one day, 'Could you let me know when we're doing the stuff that could become law because then I won't do my e-mail and I'll actually pay attention? And then when were doing the stuff that is for seemingly political reasons or other reasons then I can do my e-mail, shop on the Internet or whatever.'"

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

## WELCOME BACK



PHOTO BY TOM OLMSCHIED

**Rep. Leon Lillie, right, was among members welcoming Rep. Carlos Mariani, with his arm in a sling, back to the House Chamber May 2. Mariani was hospitalized with a broken collarbone and head injuries after a bicycle accident in April.**

### Thankful to be back

[Rep. Carlos Mariani](#) (DFL-St. Paul) received a round of applause from House members when the green light lit up on the voting board next to his name May 2.

His colleagues weren't cheering about his vote, they were cheering because he was in the chamber. This was Mariani's first trip back to the House in a couple of weeks as he is still recuperating from an accident when riding his bike.

"I am now a firm believer in bike helmets," Mariani said, who was not wearing one at the time of the mishap.

Mariani was riding his bike along the river valley near Lilydale when he either hit some gravel or wet patches before losing control. "I have no recollection of what

happened. I suspect I hit my head on the guardrail and lost consciousness," he said.

Fortunately, a nearby runner heard the noise and found him. Mariani said there was a massive amount of bleeding due to his head injury. "He cradled my head, tried to stop the bleeding and was able to flag someone down who called 911."

Mariani spent about a day and a half in the hospital, not only dealing with the head injury but also a broken collarbone. He is still experiencing some dizziness and is tired, and therefore is not sure how much he can participate in floor sessions during the remaining weeks. He does expect a full recovery.

## 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



# Spending bill OK'd

## Bill points to different philosophies of House, Senate

By Mike Cook

In a year that is supposed to be primarily dedicated to helping the state by passing a capital investment bill, the House approved a supplemental spending bill 103-29 May 1.

Rep. Jim Knoblach (R-St. Cloud), the sponsor of [HF4162](#), said the bill could be called "the public safety and lock up the sex offenders bill." He, and others, emphasized that the bill is just supplemental spending in a non-budget year, and that it meets the \$88.9 million available in surplus money.

Received from the House one day later, the Senate tabled the bill. A conference committee is expected to ultimately work out the differences.

The makeup of the bill shows the differences in philosophy between the two bodies.

While the Senate planned to put all of its funding into one so-called "garbage bill," the House had separate omnibus bills that included both finance and policy provisions in a number of different areas, including agriculture, education, environment, health, public safety and transportation, but acceded to the Senate to get a bill passed.

"We are proposing to spend it during this non-budget year on items in this bill that are either deficiency items, emergency items, items that are mandated by the federal government, items that are such that they are correcting past errors that were made," Knoblach said.

The bill also transfers \$317 million from the tax relief account to the General Fund, which could be used for tax cuts if the state wins the health impact fee litigation, but it does not contain any of the \$122 million surplus now in the Health Care Access Fund. It leaves a \$652 million budget reserve and a \$351 million cash flow account.

Under the bill, \$33.67 million would be used to cover a shortfall necessitated by more sex offenders than anticipated being locked up in state hospitals; \$31 million is targeted to cover the costs of the higher-than-expected numbers of mentally ill and dangerous people being put into state hospitals; \$10 million for one-time water quality initiatives to meet federal mandates; and \$6 million is for Veterans Home Boards to correct deficiencies.

Approximately \$32.3 million is to cover salary deficiencies for state-operated services and corrections employees whose contracts were settled after budgets were set last year. However, nearly \$14.7 million of that comes from other bed savings.

The bill also contains a ratification of state employee contracts, which, according to Rep. Paul Kohls (R-Victoria), include a raise for state employees and a zero percent increase in health care premiums.

Saying the bill contains some helpful things like addressing increased sex offenders, House Minority Leader Matt Entenza (DFL-St. Paul) said the bill is more about the preoccupation of the Republican's "divisive social agenda," and is

lacking in many areas that his caucus finds important. "This bill does nothing for education, essentially nothing for health care and nothing for transportation." He and other opponents said they hope the conference committee corrects some wrongs in this bill. Some members across the aisle did not agree.

Rep. Marty Seifert (R-Marshall) countered that the bill does contain \$5 million to help

establish a University of Minnesota branch in Rochester. He also noted that "hundreds and hundreds of millions of dollars" were put into schools and health care systems in last year's budget bills.

Kohls said that DFLers could have drafted an amendment to move money around. "This is not a budget year. This year is not about how much more we can spend on every program under the sun."

The bill contains no policy provisions unless it is connected to a specific appropriation. "It is my belief if we put specific policy language in

this bill not connected to an appropriation that it would cause germaneness problems and potentially be a violation of House rules," Knoblach said.

That didn't stop members from trying.

Among those amendments failing to get on, primarily because they were ruled not germane, was one by Rep. Gene Pelowski, Jr. (DFL-Winona) to fund enrollment adjustments at public postsecondary institutions, and another by Rep. Keith Ellison (DFL-Mpls), that would, in part, prohibit the selling of jewelry containing lead without a warning label.

An abortion amendment from Rep. Mary Ellen Otremba (DFL-Long Prairie) was included.

"It's identical to the language in [HF3258](#), that passed off the floor (April 27) without the hospital admitting privileges in the policy section," she said. That bill was received by the Senate May 1 and awaits action in the Senate Health and Family Security Committee. The amendment addresses financial aspects of the bill: abortion notification requirements and prohibits the use of state funds for abortions.

Rep. Jim Davnie (DFL-Mpls) sought consistency in the speaker's rulings because previous amendments to expand the scope of the bill were ruled not germane.

"This language is specifically addressed in the bill, the dollars are specifically addressed in the bill," countered Rep. Laura Brod (R-New Prague), the sponsor of [HF3258](#).



***"This bill does nothing for education, essentially nothing for health care and nothing for transportation."***

— House Minority Leader  
Matt Entenza

***"This year is not about how much more we can spend on every program under the sun."***

— Rep. Paul Kohls

# Check's in the mail?

Despite all the plop and fizz, tax rebate may not become law

By IRENE VOTH

Minnesotans might receive something other than campaign fliers in their mailboxes this fall.

The one-time property tax rebate bill was passed May 2 by the House 86-47.

"Plop, plop, fizz, fizz — this is relief," said Rep. Phil Krinkie (R-Lino Lakes), sponsor of HF4142. Krinkie said the rebate provisions in the bill provide "the simplest, easiest and most direct way" to provide tax relief this biennium.

The bill now goes to the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

Under the plan, all Minnesota homeowners would receive a 9 percent rebate of their homestead property taxes payable in 2006. However, the rebate is contingent on a reversal by the Minnesota Supreme Court of a lower court decision that declared the 2005 health impact fee unconstitutional. The litigation entails \$400 million, which has already been counted in the budget forecast for this biennium, and has precipitated a balance of \$317 million in a tax relief account.

The legislation would provide for the so-called "Krinkie checks," estimated to average \$150, to be mailed by Oct. 1, 2006.

Voicing the debate's initial opposition to the bill was Rep. Ann Lenczewski (DFL-Bloomington).

"This bill is a very unfair bill, and in tax policy there's a constant tension between simplicity and fairness," she said, explaining that the bill does not extend a rebate to renters, who comprise 25 percent of Minnesota households.

Lenczewski's opposition also includes the rebate's contingency on a court case, and the

bill's lack of permanent tax relief. She added that the "net effect" of the bill on homeowners would be a tax liability jump averaging 21 percent from 2006 to 2007.

Krinkie countered that a rebate is an appropriate use of the "one-time money" in the tax relief account, and that property tax reform would be discussed when the omnibus tax bill is considered later this session.

Amendments to the bill offered by Rep. Paul Marquart (DFL-Dilworth) and Rep. Connie Bernardy (DFL-Fridley) were ruled not germane by House Speaker Steve Sviggum (R-Kenyon).

Marquart's amendment, would use \$275 million of the tax relief account funds to provide the initial amount for what he called "fair and permanent property tax relief" that would be phased in over a three-year period.

The amendment contained provisions to restore market value credit cuts to the 103 cities that were not to receive their full credits in 2006 and 2007, an increase in local government aid to cities and an increase in education levy reductions.

"It does include all property owners — all renters, all the ag land, all the commercial and industrial besides those that are covered under the rebate," he said.

In his advice to the speaker, Krinkie said the amendment "greatly, greatly expands the scope of the bill into local government aid, into levy equalization and education appropriations as well as market value credits."

Marquart later offered a revision of the amendment, but it too was ruled out of order.

Bernardy described her amendment as property tax relief through amounts from the property tax relief fund "rebated entirely though state aid" that "must be used only for schools' unfunded costs."

An amendment by Rep. Jim Davnie (DFL-Mpls) to cap the rebate at \$450 per recipient and include rebates for renters failed 67-66.

Following the bill's third reading, after which amendments can no longer be offered, Rep. Marty Seifert (R-Marshall) asked House Democrats to reject their leader's instructions and vote in favor of the bill so that the money in the tax relief account would not stay in the state's coffers but go to "the people back home."

Critics of the bill included Rep. Tom Rukavina (DFL-Virginia), who said the governor and majority party's accounting shifts since 2003

are responsible for the steep rise in property taxes. He also termed the bill a "gimic."


"It's a little too cute and a little too meaningless," he said, explaining that he was quoting U.S. Sen. Norm Coleman's (R-Minnesota) recent description of a similar federal rebate plan.

Rep. Kent Eken's (DFL-Twin Valley) criticism was that a rebate is not property tax relief.

"We should not be in the business of buying votes with well-timed rebate checks," he said.

Critics of the speaker's decisions to rule the amendments out of order included House Minority Leader Matt Entenza (DFL-St. Paul), who said the House majority exhibited a "ruthless use of the rules to make sure that we can't even get a vote on property tax relief."

Rep. Dan Dorman (R-Albert Lea) also criticized the use of the rules both on the floor and in committees.

After asking Krinkie to speculate on the likelihood that the bill's companion would pass in the Senate, he said he wished "we would just concern ourselves with things that actually might be making it into law." 

*"It's a little too cute and a little too meaningless."*

— Rep. Tom Rukavina

*"Plop, plop, fizz, fizz — this is relief."*

— Rep. Phil Krinkie

## Ports and railways

### Intermodal freight competition leads to savings

By PATTY JANOVEC

Minnesota benefits from waterway transportation because it is a low-cost means of shipping bulk commodities over long distances, according to the [Department of Transportation \(MnDOT\) Ports and Waterways Unit](#).

"For each barge that is operating in the river, it takes the place of 60 trucks and takes the place of 15 railroad cars," said Dick Lambert, a planning supervisor for MnDOT.

He testified in a House Transportation Finance Committee in support of a bill that would appropriate \$6 million to MnDOT's Port Development Assistance Program to improve Minnesota's waterborne commerce.

The House bonding bill ([HF2959](#)) allocates \$5 million for the program, the Senate bill ([SF3475](#)) \$3 million.

Started in 1996, Minnesota's program was modeled after Wisconsin's. "They help finance projects that the local port authorities just can't afford to do. And most of ours are going for rehabilitating our terminals to bring them up to standards, so they'll last 30 or 40 years. A lot of our terminals are 40, 50, 60 years old," Lambert said.

The money helps rehabilitate the publicly-owned portions of Minnesota's ports,

local minimum match of 20 percent for port improvements. As of June 2005, \$14.5 million has been appropriated.

The program is important for the nine port areas along the Mississippi River system in Minnesota, whose transported tonnage in 2005 was nearly 12 million. That pales in comparison to the four ports along Lake Superior, whose combined 2005 tonnage was 65.7 million.

The state operates as a major producer and shipper of goods such as iron ore, coal and grain, therefore making Minnesota rely heavily on the intermodal formula whereby rail or trucks are used to transport goods to the port. Transporting those goods is vital to the state's economy.

According to a Statewide Multimodal Freight Flows Study by MnDOT, freight transportation runs four ways:

- highways, because trucks move most consumer projects and account for the majority of the freight movements by value;
- rail, because the largest share of freight movements by weight, representing the state's major export commodities, are carried by the extensive rail network;

• waterborne, because important bulk shipments of coal, iron ore and grain move through the state's ports and waterways; and

- air, because the highest value shipments move on air-planes.

Lambert says that Minnesota's competitive intermodal system is "a better mix for your shippers. You need them all, and we're fortunate that we do have them all."

While the market for shipping goods has

gone down because ethanol production has decreased the need for shipping raw corn, barges are still in the intermodal game, Lambert explained. "A gallon of diesel fuel will move one ton of freight over 500 miles on a barge, one gallon of diesel fuel will move a ton of freight on the railroads a little over 200 miles, and one gallon of fuel in a diesel truck will move it about 59-60 miles. So you want to use barges in this day of high-priced fuel."

A drawback of moving products on water

Great Lakes Annual Tonnages

Port	2005	2004	2003	2002	2001
Duluth/Superior	45,943,855	45,631,950	38,374,582	43,542,140	40,269,070
Two Harbors	13,216,000	14,031,947	13,125,028	14,586,552	11,827,474
Silver Bay	5,787,772	6,170,730	5,795,257	4,902,495	4,273,800
Taconite Harbor	769,537	980,112	805,000	703,842	2,253,913
Total	65,717,164	66,814,739	58,099,867	63,735,029	58,624,257

Annual tonnages have varied due to low water, ice conditions and commodity demand.

Source: Minnesota Department of Transportation

is that it's slower than land transit.

So perishables, such as fruits and vegetables, which need to get to market quickly, are generally transported by other, faster modes.

Another benefit of water transportation is a reduction in trucks on state roadways. "Anything that we can do to help foster waterway transportation is a plus because we take the pressure off the highways. Truck pressure is what wears our highways down," Lambert said.

But to keep Minnesota competitive, you need all modes, he said.

Nearly three-fifths of the states in the country have water access. The importance of the modes are evident as Minnesota's farmers are in direct competition with Illinois, Iowa and Nebraska with corn production.

"You can talk to North or South Dakota or Nebraska, they would give their right arm to have a waterway," Lambert said.

Having water routes can also can be cost-effective. If a state has the disadvantage of being in an area where they only have rail transportation, the rail companies can charge whatever they want. If you want the best bang for your buck, the different modes must be represented, Lambert said, and those savings costs can be seen by consumers.

River Port Annual Tonnages

Port	2005	2004	2003	2002	2001
Minneapolis	696,277	1,282,993	1,683,650	1,721,612	1,513,745
St. Paul	5,462,801	5,660,509	5,479,857	5,941,109	5,104,139
Savage	3,018,613	3,427,182	4,204,697	5,461,318	4,185,198
Red Wing	787,883	830,446	1,026,891	987,461	812,567
Winona	2,008,029	1,781,079	2,263,660	2,812,915	2,558,633
Total	11,973,603	12,982,209	14,658,755	16,924,415	14,174,282

Annual tonnages have varied due to seasonal flooding, ocean freight rates, and commodity demand.

Source: Minnesota Department of Transportation

including repairing leaky roofs, rebuilding seawalls and bringing facilities up to code. Money distributed via the program include a maximum state match of 80 percent and



# Fishy restoration

## Management plan is restoring Leech Lake to days of yesterday

By **IRENE VOTH**

To most folks, leeches are yucky. But Leech Lake never will be, according to the Leech Lake Association's lake management plan.

"I've never seen one (plan) as thorough and as broad," said Harlan Fierstine, Walker-area fisheries supervisor for the [Department of Natural Resources](#). Fierstine said the plan reflects an extraordinary amount of input and thought.

Don Hickman also lauds the plan. Environmental specialist for the Little Falls-based Initiative Foundation which named it the Outstanding Environmental Initiative for 2006, Hickman said the plan is based on a business model, with a vision statement, measurable goals, a timeline and an action plan.

The business model is no accident, since the plan's authors, Jerry McCauley and James Lohr, are retired business executives.

Members of the association's Healthy Lakes Committee, the men undertook the project with assistance from the Initiative Foundation's Healthy Lakes and Rivers Partnership program. The plan was completed in 2004, after two years of study and research, which included surveys, interviews and conferences. It can best be described as a collaborative effort of the association with the DNR, the [Pollution Control Agency](#), Cass County, the Leech Lake Task Force on Fishing, the Leech Lake Band of Ojibwe, and others.

"We've worked with a host of agencies," said Bob Gisvold, association president.

Located in north-central Minnesota, Leech Lake is one of the state's largest bodies of water. It is a feature of the Chippewa National Forest, and its bays and inlets harbor native wild rice. The rice is important commercially and spiritually to residents of the Leech Lake Indian Reservation, which is located along its

extremely irregular north shore. The lake also anchors a major recreational area that includes parks, trails, resorts, golf courses and hunting lands. But its greatest attractions are its clean water and walleye fishery.

The preservation and enhancement of these attractions are central to the plan, and two major steps in restoring the fishery, which has been declining in recent years, are scheduled to begin this month with the reduction of the cormorant population and the stocking of walleye.

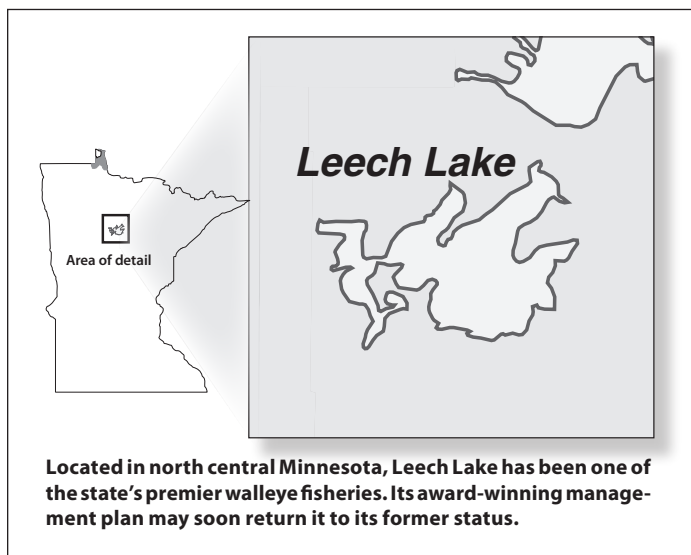
### Making strides

"I was really impressed by the courage they've had in pursuing difficult choices," Hickman said of the association's plan regarding the burgeoning cormorant population, a situation he described as a "mine-laden field."

Cormorants, which are federally protected migratory birds, feed on small fish. At Leech Lake, the growth of the cormorant population from 73 nesting pairs in 1998 to 2,524 nesting pairs in 2004 coincides with the decline of the game fish population, which points to a probable cause and effect. But the federal government does not issue permits to depredate such birds until other methods of population control have been attempted. In addition, the cormorants' nesting area is Little Pelican Island, property of the Leech Lake Band of Ojibwe. Respecting those who find it

hard to condone the killing of wild birds, the association made sure the federal mandates were met, and the band has assumed the lead role in the depredation.

Less mine-laden was the process of persuading the DNR to restock the lake with walleye. But later this month, according to Henry Drewes, regional fisheries manager, 20 million fry hatched from eggs deposited during the Boy River spawning run will be released in Leech Lake. These fry, selected because they are the closest genetic match to



the native Leech Lake walleye, are expected to take three years to grow to "keeper" size — 12 to 13 inches in length.

A second, multifaceted aspect of the plan regards water quality. Leech Lake's water quality may be higher than most in Minnesota, but keeping it that way is an ongoing process that users of the lake and lakeshore must buy in to.

"We tried to come up with something people generally agree with," Gisvold said of the management plan — which he describes as a "living document" — and its various provisions for keeping the water clean.

"What we've accomplished is pretty good. We're making strides, but it will be ongoing for many, many years," he said. 🐟

# A place on the bench

## Abrams moves on to a different branch of government

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By PATTY JANOVEC

The engaging and hearty chuckle of Rep. Ron Abrams (R-Minnetonka) is easily recognized during a House committee meeting or floor session. Following a gubernatorial appointment, the candid representative is moving on to the Fourth Judicial District in Hennepin County after serving nine terms in the House.

Gov. Tim Pawlenty announced the appointments April 28 of three trial court bench vacancies, one of which was Abrams. "Ron has a well-earned reputation for fairness as a legislator, committee chair, and speaker pro-tem that crosses party lines ... His intellect, leadership, and sense of humor will be a great asset on the Hennepin County bench," the governor said in a press release.

Abrams said this of his judicial appointment, "Timing, we're towards the end of a two-year term and before the election cycle, I think that the political timing had a great deal to do with it." The new adventure is, "an entirely different branch of government dealing with legal disputes that will be contentious, and I'd like to think that I have a great deal to contribute in that area."

Closing in on 18 years of legislative service, Abrams said he is most proud of, "my ability to work with a large number of people, regardless of parties, on a number of contentious but interesting issues." Examples he included were workers compensation reform and a number of areas in taxes that go beyond the marquee items like the rebates and tax cuts of the late 1990s and the 2000-2001 era.

"Minnesota was one of the first states to

comply with the streamline sales tax model, ... And there are so many things that I have done in the tax and public finance area that I'm proud of," he added.

While there are some tax areas that Republicans and DFL leaders won't agree on, Abrams said, "I would hope that ... my successors in the tax area would be able to put policy ahead of politics, and continue to have some of the most innovative forward looking ideas in that area in the nation."



PHOTO BY TOM OLMSCHEID

**Rep. Ron Abrams was recently appointed by Gov. Tim Pawlenty to a judgeship in the Fourth Judicial District in Hennepin County.**

Chair of the House Taxes Committee from 1999 to 2004, he said he enjoyed "the close working relationship with the nonpartisan House Research staff and the fiscal analysts. "They are an extraordinary group of people, and I really enjoyed working closely with them."

He serves on the following House committees: Higher Education Finance; Rules and Legislative Administration; Taxes and its Property and Local Tax Division; Transportation Finance; and Ways and Means.

Although actively participating the past two years on the sidelines of the taxes committee, Abrams shared these thoughts, "It's been a difficult two sessions for me. I've been trying to focus on issues that are of concern to Minnesotans and believe that a lot was accomplished, and hopefully we will have a good result of the 2006 session and have more good news for the people of Minnesota."

One of the biggest changes he has witnessed in his numerous terms in office is the velocity at which information now flows, he said. Additionally, "the ability of members to break through preconceived ideas and partisan labeling is a little less today than it was when I first got to the Legislature."

While not wanting to sound negative, he said in the big scheme he hopes members "understand how important the institution is and that there are ways in which you can let your viewpoints be heard without, in any way, showing up the institution."

While he is looking forward to the new opportunities, he will miss his constituents that have been passionate about their beliefs. "They have been invariably in good humor, and positive and extraordinarily kind to me and my family over the years."

Asked what he'll do with his time off, "I probably will go someplace with my wife. My youngest son is going to graduate high school so I'll be able to concentrate on those celebratory activities to the fullest."



## STEPPING DOWN

**Rep. Ron Abrams**  
**Republican**  
**District 43B — Minnetonka**  
**Terms: Nine (elected 1988)**

**Advice for successor: Remember that it is an honor and a privilege to serve in the Minnesota Legislature. And that you ought to give back to the state far more than what you're getting with that honor and privilege."**

# Lawyer, legislator ... judge?

Newman stepping down after four years in the House

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By IRENE VOTH

**R**ep. Scott Newman (R-Hutchinson) is making a career move. While "stepping down" is the usual phrase describing a legislator's decision to vacate his or her seat in the House, Newman's move might be termed a "step up" or maybe even a "step on."

After all, if elected to the bench of Minnesota's First Judicial District in the 2006 general election, Newman may make rulings by which many in Minnesota, including its legislators, must abide.

Newman said his reasons for wanting to serve as a judge are the same as his reasons for wanting to serve as a legislator: "I wanted to contribute in a larger way to the legislative process."

He cites several recent court decisions that have influenced his decision to serve the judicial process. One is the March 2006 ruling by a judge in the Second Judicial District against a petition filed by Newman and others in August 2005 after Finance Commissioner Peggy Ingison issued checks to fund government services for which the Legislature had not made appropriations.

"With the Legislature failing to pass a budget by June 30, the judicial branch

appropriated and spent money from the state treasury. The state constitution authorizes only the Legislature to do that. I was amazed," Newman said.

A lawyer for 32 years, Newman said a second recent ruling helped him finalize his decision to make the judicial run: judicial candidates now have a right to talk about disputed legal issues and to be endorsed by political parties.

"The ruling means that judicial candidates can finally talk about the issues so voters can make informed decisions. Too many times, the judicial section of a ballot is left blank because



PHOTO BY TOM OLMSCHIED

**Rep. Scott Newman seeks the Republican Party's endorsement for a seat on the First Judicial District bench.**

the voter has no idea who the candidates are or what they stand for," said Newman, who is seeking the Republican Party endorsement.

"My choice is to take action and try to bring the judicial branch of government out from under the cloak of secrecy. I want the spotlight to shine on this branch of government, and citizens to begin to understand its function," he said.

Understanding how the Legislature functions was one way he benefited from the first bill he sponsored.

"It involved correcting survey markers,

was non-controversial and was given to me, I suspect, just to help me learn the process. This is something that is often done to help neophytes. Ultimately it was signed by the governor," he said.

Newman soon applied himself to a host of issues that challenge even the most seasoned lawmaker. "I was very involved with the public safety omnibus bill and on the conference committee last year. There were a number of provisions that were controversial, but necessary that we pushed through," he said. Regulating the sale of pseudoephedrine to inhibit the manufacture of methamphetamine was one.

"There's been an 80 percent reduction in meth labs statewide," Newman said of regulations' effect since last year.

Newman also successfully supported stiffer penalties for predatory criminals.

"Those people are sick, sick, sick and I don't think you can fix them," he said, referring to the alleged killer of Dru Sjoden, a Minnesota woman who attended college at the University of North Dakota in Grand Forks. The suspect is a convicted sex offender who had been released from prison only months before the woman's kidnapping and death in 2003.

The stiffer laws allow for what Newman calls "the worst of them" to be imprisoned for life.

Collecting a DNA sample from a person arrested for committing a violent crime when probable cause has been established was also an aspect of that legislation.

"DNA is so important — sometimes that's all you've got," Newman said, adding that having the DNA report on file is crucial, especially since predatory criminals have a tendency to relocate frequently.

This biennium, Newman served on the House Education Finance, Ethics, Public Safety Policy and Finance and Transportation committees.

## STEPPING DOWN

**Rep. Scott Newman**  
**Republican**  
**District 18A**

**Terms: Two (elected 2003)**

**Advice to successor: "Study, learn the issues and follow your conscience. Don't try to please all of your constituents; it can't be done, and in the end you'll stand for nothing."**



# Seedling to a very big tree

Arbor Day legislative gift is rooted in tradition

By LEE ANN SCHUTZ

Looking at the acres of rolling farmland of southern Minnesota, it is hard to imagine that, at one time, the area was filled with trees — namely oaks.

Some say this canopy of trees stretched in a band all the way from central Minnesota south to Georgia. Known as the oak savannah, it acted as a transition separating the prairies from the hardwood forests. Few remnants of the savannah remain, but the hardy species of oak that was most prevalent in the savannah can still be found — the bur oak.

This gnarly-branched, slow-growing tree was recently recognized on the House floor with each member receiving a seedling in recognition of Arbor Day April 28.

The assignment of selecting this year's Arbor Day tree fell on Rep. Rick Hansen (DFL-South St. Paul), Rep. Denny McNamara (R-Hastings) and Rep. Loren Solberg (DFL-Grand Rapids).

For good reason they shifted from the tradition of distributing pine seedlings. This year's tree would be native to the state and be able to grow in each region. The bur oak met the qualifications and, to seal the deal, Solberg was able to acquire the seedlings from a nursery in his district — Itasca Greenhouse Inc. in Cohasset. Solberg explained they specialize in growing containerized tree seedlings using waste heat from a nearby power plant in the production process.

The bur oak must have

resonated well with members. "Last year, I found the pine seedlings on the House floor, in the retiring room and even in a planter. This year I didn't find any (seedlings)," Hansen said.

The bur oak draws its name from the "bur" or distinctive acorn that it produces. It is not only one of the largest of the oak trees, but so are its leaves — 6-12 inches long and 3-6 inches broad.

Lance Sorenson, a forester with the [Department of Natural Resources Utilization and Marketing Program](#), said the tree is known for being hardy. It could survive the burns set by the Native Americans to create grasslands for grazing bison, and the European settlers as they cleared land for farming. "The top of the tree can be burned off, but the roots continue to grow," creating trees that can be many years old, Sorenson said.

## Really big trees

Old and gnarly does not begin to describe the largest bur oak in state. "It is a strange looking tree," said Sorenson, who identified the tree in 1999. Located on private land near Rochester, this tree is no seedling. Actually, you could say this particular tree is a survivor; it is not growing in ideal conditions — at the base of a sand prairie. Estimated to be about 400 years old, it has a circumference of about 275 inches and it is about 60 feet high.



Photo courtesy of the Department of Natural Resources

**The largest bur oak in the state, above, is estimated to be about 400 years old. It has a circumference of about 275 inches and it is about 60 feet high.**

Sorenson was called to the land to help develop a tree planting and wood stewardship plan when the landowner pointed out the tree. Sorenson was sure it had to be record-size and qualify for a place on the DNR's big tree registry. "This one beat the old record and it has a lot of character," he said.

The DNR maintains a registry of the 52 big trees native to the state, of which the bur oak is one. Sorenson said that many of the trees making the list are, well, "ugly and nasty looking." He should know — he has found six trees that made it onto the list. "Generally the well-formed trees may have been harvested for their wood and the scruffy looking ones are usually left behind," he said.

The big tree registry is a popular program offered by the DNR, Sorenson said. But several years back, "it languished and nobody kept up with it. I decided to help resurrect it and just started finding trees."

He is not the only one on the hunt.

One of the more recent additions to the registry is a 77-foot tall butternut located in Reservoir Woods Park near Dale and Victoria streets in Roseville.

The fifth grade class of the Friends School of Minnesota identified it in 2004. Steve Moe, a science teacher at the school, walked his dog regularly in the park and was familiar with the tree. "I had a suspicion that it would be one of the biggest." He took students to the park where measurements were taken of the tree. After viewing the tree registry, they knew they had identified a record butternut.

Sorenson said it is an easy process to find out if a tree qualifies for the big tree registry. Information and an application form are available at [www.dnr.state.mn.us/trees\\_shrubs/bigtree/index.html](http://www.dnr.state.mn.us/trees_shrubs/bigtree/index.html).



PHOTO BY TOM OLMSCHIED

**Rep. Denny McNamara displays a bur oak seedling. Each House member received a seedling in honor of Arbor Day April 28.**

# Compassion and caring

House chaplain called to help those who legislate

By Mike Cook

When [Rep. John Dorn](#) (DFL-Mankato) was taken to a St. Paul hospital a few years ago after having some dizziness, one of the first people to visit him was the Rev. Lonnie Titus.

"I really appreciated it," Dorn said. "At a time I wasn't sure what was happening, it was helpful to know that someone was paying attention."

For Titus that is all in a day's work.

That incident further cemented his belief in helping members who can be hundreds of miles away from their family, doctors and other important people in their lives. "I see how much members have to go through and sacrifice to represent a group of people. That only endears me closer to them seeing the extra sacrifice they make to do their job."

First elected House chaplain in 1999, Titus is not a reverend in the traditional sense. He does not have a congregation, although he cares for members the way a religious leader cares for his or her parishioners.

"It's more like a pastor that goes down to a local restaurant and visiting with people," he said. "He knows he's not in church, but at the same time he's still visiting with the same constituents or people. If he knows them, or they know him, invariably they will share some kind of a challenge or difficulty."

Oftentimes when asked by a member for spiritual assistance, Titus will offer a prayer on the spot. "Sometimes standing right next to the chief clerk's desk is where church is."

Like the prayers he offers before a floor session, Titus said he does not pray about an issue, but rather that members can deliver their messages to the best of their ability.

When he prays at the start of a session, Titus knows he must be general about which higher being he is praying to because of members' different faiths. Out of courtesy for the diversity, he may simply pray to "God."

He also tries to remind guest clergy about that, although they can easily forget — being used to praying to whoever is their God, just as Titus did when he began.

"I had to relearn how to pray," he said. "I've learned the best prayers are non-denominational, non-issue and non-political."

During his eight years of service, Titus has gotten to know members' demeanors, and can often tell when people are going through a difficult time. That's when he tries to make himself a little more available without pressing. "They don't have to confide in me, but I want them to know that I'm there as a friend, as a listening ear and that you'll do anything you can to help them."



PHOTO BY ANDREW VONBANK

Rev. Lonnie Titus has served as the House chaplain since 1999.

A near constant presence in the House Chamber and retiring room saying hello to members and staff, Titus has also been known to send a note of encouragement to a member who he senses might be having a down time. "Often they will come by and say 'Thanks for the encouragement,'" he said.

Among those whom Titus has befriended over the years is [Rep. Bruce Anderson](#) (R-Buffalo Township), who was part of the task force appointed to help find a new chaplain prior to the 1999 session.

"He has very good social skills, is very good one-on-one and has a heart for people," Anderson said. "He's done a good job reaching both sides of the aisle."

It was about 20 years ago that Titus found his calling to work with politicians.

While at a North Dakota church he was preaching out of I Timothy, which tells us to pray for people in authority, when Titus realized he was not following the Word. "I eventually found out they had names and dropped them a note. The curiosity turned into a compassion because you'd see the names you'd written to in the paper and you'd suddenly find yourself into their feelings, in the middle of whatever they were going through, and find yourself wanting to support them." He ultimately became close to two North Dakota governors, Al Olson and George Sinner.

"I thought if there was something I could dedicate my life to where I felt that I had gained an insight, and a group that I really felt needed an impartial friend. I felt it would be political pastoring," Titus said. "I felt there was a group I wanted to be able to align myself with and be there for support."

He's been the House chaplain since the Republicans gained control, but Titus is nonpartisan. Elected at the start of each biennium, he was approved 133-1 last time.

"I never see the members as Republican or Democrat, they're just people, friends of mine. Whenever they go through a tough time, I immediately feel the call to stand alongside and ask, 'How can I help you?'"



PHOTO BY TOM OLMSCHIED

Three bills have been introduced this year to authorize new veterans' memorials in the Capitol complex. Construction of a World War II memorial is expected to begin this year at the Court of Honor. Final funding was approved in 2005.

## Immortalizing heroes

### Three new proposed veterans' memorials are vying for legislative approval

By Nick Busse

Few people would deny that Minnesotans who served in the military during times of war deserve to be remembered. And most would probably agree that the Capitol area, with its historic significance and scenic beauty, is an appropriate place to erect statues and memorials in veterans' honor.

But how do you decide which veterans get memorialized and which don't? And what happens when you run out of space?

This year, a trio of bills has been introduced that would authorize the construction of new veterans' memorials on the Capitol grounds. They represent a mere fraction of the number of similar projects that have been proposed over the years, and like the others before them, they will have to satisfy a lot of requirements before they ever see the light of day.

The three additional memorials proposed this year would be:

- a bronze plaque honoring the state's Medal of Honor recipients ([HF3855\\*/SF3400](#)), sponsored by [Rep. Lynn Wardlow](#) (R-Eagan) and [Sen. Charles Wiger](#) (DFL-North St. Paul);

- a bronze plaque honoring military war dogs and their handlers ([HF2688\\*/SF3410](#)), sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake) and [Sen. Jim Vickerman](#) (DFL-Tracy); and
- a statue to honor Hmong veterans who fought on the U.S. side of the Vietnam War ([HF3508/SF3640](#)), sponsored by [Rep. Cy Thao](#) (DFL-St. Paul) and [Sen. Steve Murphy](#) (DFL-Red Wing).

The plaque for Medal of Honor recipients and the plaque for war dogs and their handlers were passed 131-0 and 130-0, respectively, by the House May 4. They now go to the Senate. The Hmong veterans' memorial bill has been incorporated into a House omnibus state government finance bill that was tabled in April, and its companion awaits action by the Senate Finance Committee.

The \$150,000 request is also included in the House capital investment bill (HF2959), now being discussed by a conference committee.

#### Standing the test

According to Department of Veterans Affairs Deputy Commissioner Mike Pugliese,

a number of factors must be addressed before ground is broken on any new veterans' memorial project on Capitol grounds. First, the project must be fully funded; the Legislature may choose to appropriate money for a memorial, but it cannot force the department to pay for memorials out of its own pocket. Secondly, Pugliese said new memorial projects must be "inclusive" and avoid political controversy as much as possible.

Projects also have to prove themselves worthy of taking up more of the increasingly limited space in the area. Later this year, construction is scheduled to begin on a World War II memorial that will take up most of the Court of Honor — the area just north of the Veterans Service Building. A Gulf War veterans' memorial has been approved and is in the works as well. This makes it even more difficult for projects like the Hmong veterans' memorial, which is a full statue that would require significant space, to be constructed.

After all these considerations are taken into

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## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and

files them with the secretary of state, but his signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor

receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

### Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.	4/20/2006	
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.	4/20/2006	
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.	4/20/2006	
180	2994*	2736	Watercraft storage structure repair authorized on public waters.	4/20/2006	
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.	4/20/2006	
182	2998*	1553	Firefighter labor arbitration provision sunset repealed.	4/27/2006	
183	680*	1217	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	4/27/2006	
184	2645*	2622	Swift County rural development finance authority board membership increased.	4/27/2006	
185	3169*	3254	Local government units prohibited from imposing fees related to students at postsecondary institutions.	4/27/2006	
186	1480*	1364	Red Lake County drainage system outlet fee authorized for drainage originating in Pennington County.		
187	3142*	2754	Hennepin County regional park district provisions modified.		
188	2745*	2721	Medical license provisions modified.		
189	1838*	1811	Local governments authorized to permit low-speed neighborhood electric vehicles to be operated on residential roadways.	5/4/2006	
190	2810	2532*	Radiation therapy facility construction limitations expiration date extended.		
191	3944	3615*	Child care assistance parent fees modified.		

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Monday, May 1

### HF4177-Samuelson (R)

#### Taxes

New Brighton tax increment financing district authorized to expend certain tax increments outside the district and other requirement exemptions provided.

### HF4178-Lenczewski (DFL)

#### Taxes

Bloomington authorized to extend the duration of two tax increment financing districts.

### HF4179-Eken (DFL)

#### Governmental Operations & Veterans Affairs

Legislators and other officeholders required to be elected by a majority of the votes cast at the general election and constitutional amendment proposed.

## Tuesday, May 2

### HF4180-Latz (DFL)

#### Public Safety Policy & Finance

Court filing fee for facsimile transmission modified.

### HF4181-Eken (DFL)

#### Taxes

Local government aid city aid base modified.

### HF4182-Ruud (DFL)

#### Health Policy & Finance

Ombudsman for kinship care office established in the Department of Human Services, duties specified and money appropriated.

## Thursday, May 4

### HF4183-Gunther (R)

#### Ways & Means

Economic development and human services supplemental funding provided and money appropriated.

### HF4184-Larson (DFL)

#### Taxes

Income tax reduction provided for retirement plan contributions included in taxable income between 1982 and 1984 and not subsequently subtracted from taxable income.

### HF4185-Gunther (R)

#### Jobs & Economic

#### Opportunity Policy & Finance

Commission serving deaf and hard-of-hearing people funding provided and money appropriated.

### HF4186-Kohls (R)

#### Taxes

Tax holiday provided for petroleum and other fuels.

### HF4187-Otremba (DFL)

#### Transportation Finance

Motor vehicle sales tax and qualifying rules for older non-collector passenger vehicles modified.

### HF4188-Marquart (DFL)

#### Taxes

Local government aid distribution formula modified.

### HF4189-Cornish (R)

#### Civil Law & Elections

Use of deadly force in self defense clarified.

### HF4190-Lesch (DFL)

#### Commerce & Financial Institutions

Price gouging prohibited and definitions provided.

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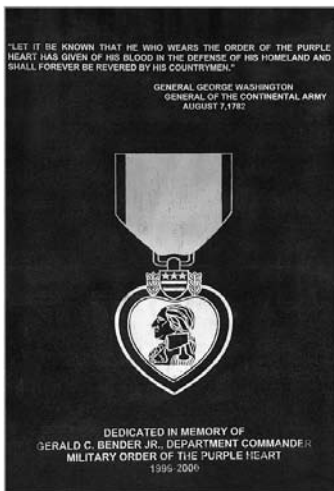


PHOTO BY TOM OLMSCHIED

This plaque, located in the Court of Honor near the Veterans Service Building, is one of many memorials created to honor Minnesota's veterans. Plaques and statues must go through a lengthy process to be approved and built.

account, then there is the process to deal with.

"It has to stand the test of whether the Legislature supports it first," said Paul Mandell, principal planner for the [Capitol Area Architectural and Planning Board](#) (CAAPB), which oversees all construction and renovation projects within the Capitol complex. "We have not said 'no' once the Legislature says 'yes,' but there have been requests that the Legislature did not view favorably."

The approval of the board and the Legislature represent two of three main hurdles any new memorial project must clear; the final being a green-light from the [Department of Veterans Affairs](#), which typically oversees the actual design and construction of the memorials.


Although it's ultimately up to the legislators, Pugliese said he thought the two new plaques, which would cost about \$5,000 each and be mounted on one of two low walls enclosing the Court of Honor, have a good chance of making it through the process. The Hmong veterans' statue, however, faces tougher odds because of political and cultural pressures.

"That one is a little controversial, and we

have spoken to that one," Pugliese said. "It's not all-inclusive. The Lao veterans played a major role in that [conflict] as well, as did the Vietnamese... and they're not included." He added that a similar statute was approved by the Legislature a few years ago but never came to fruition because there was insufficient funding for the project.

Funding is a common problem. According to CAAPB Executive Secretary Nancy Stark, veterans' groups often want to do projects that are much larger than they can provide funding for.

But for people like Wardlow, honoring the service of Minnesota's soldiers is worth the time and effort. While researching the state's Medal of Honor recipients, Wardlow, a retired Marine, said he came across some almost superhuman stories of courage under fire.

"I just think it's a good thing to make people remember what some of the most supreme sacrifices were, and the efforts that were given," he said. 

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Daily camping fee for an individual campsite in state forests in 2006.....	\$11
Dollars of economic activity supported by \$1 of timber sold.....	46
Year the world's largest white pine mill was built in Virginia .....	1908
Number of spruce tops sold in 2003 by DNR for consumer use .....	187,000
Statewide, percentage of households in 2002-03 that burn wood for their primary source of heat.....	17.8
In the Twin Cities metropolitan area .....	6.3
Statewide percentage of households that burned wood for pleasure (fireplaces and pits).....	52.2
In the Twin Cities metropolitan area .....	69.4
Total number of cords used statewide in 2002-03.....	656,343
In pounds, the amount of tree residue created in the Twin Cities metropolitan area per capita .....	278

**Sources: The National Arbor Day Foundation; Department of Natural Resources;  
DNR' Old-growth Forests Guideline Implementation Results 2002; The Blandin Foundation.**

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# SESSION Weekly

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VOLUME 23, NUMBER 11 • MAY 12, 2006

INSIDE: EXPLORING TOURISM, MEMBERS STEPPING DOWN, CARS FOR THE FUTURE, MORE

This Week's Bill Introductions HF4191-HF4199

# Session Weekly

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

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**On the cover: A young visitor to the Rotunda is reflected in a glass case holding flags from the Civil and Dakota wars. This flag, showing an eagle, is from the First Minnesota Volunteer Infantry regiment, who took part in the assault on Gettysburg, Va., in June 1864 and in the surrender of Appomattox, Va., in April 1865.**

— Photo by: Sarah Stacke

# Money well spent?

## Local governments use public funds to hire lobbyists

By Nick Busse

The old adage goes that if you want to make an omelet, you've got to break a few eggs.

Many local governments follow a similar rule: if you want taxpayer money, you have to spend taxpayer money.

On April 18, the [Office of the State Auditor](#) released its [annual report](#) on lobbying expenditures by local governments. It concluded that local governments are spending more money than ever to send lobbyists to the Capitol on their behalf — to the tune of nearly \$7.8 million in 2005, a 24.4 percent increase over 2004.

In addition, the report states that local government associations are using more of their members' dues for lobbying expenditures (\$4.1 million in 2005, a 24.2 percent increase over the previous year). The combined result is a trend State Auditor Patricia Anderson calls "troubling."

"Taxpayers should be concerned about the enormous amount of public dollars being spent by local governments on lobbying costs," Anderson said. "Expenditures skyrocketing 25 percent in one year is especially alarming."

While spending taxpayer dollars in the hopes of securing more taxpayer dollars might sound counterintuitive, and even a bit disingenuous, many local government officials say it's the best way to ensure good public policy.

### Teaming up

"Municipalities like Minneapolis, we're creatures of the state," said Pierre Willette, one of three lobbyists directly employed by the city. "Everything we do is tied to things here at the Legislature."

Willette said he and other lobbyists serve

as "subject-matter experts" on issues ranging from transportation to public safety to pensions. Whereas elected officials have to spread their time and energy on a variety of issues, meetings and tasks, Willette said lobbyists are able to keep tabs on proposed legislation and promote the interests of local governments full-time.

Lobbyists do a lot more than just wrangle taxpayer dollars from state coffers, Willette said.

"A lot of times, you're lobbying on specific issues for the city. But a lot of times, you're here just to make sure bad stuff doesn't happen, or that somebody else's idea doesn't affect what you're doing in your city," Willette said.

### Reaping financial benefits

Lobbying legislators can reap financial benefits, however.

Granite Falls, a city of approximately 3,000 in southwestern Minnesota, has been repeatedly hit hard by flooding from the Minnesota River. City Manager William P. Lavin said he and other city officials have been lobbying at both the state and federal level for funds to help shield the city from future floods, but because of time and distance constraints, they often "team" with a contract lobbyist to get their message across.

"We've been very effective at securing funds without a lot of activity on the part of a lobbyist," Lavin said. "But [hiring a lobbyist] helps, because

we can't be there at a moment's notice when a hearing is coming up, or every other day of the week or whatever. It's not practical."

Granite Falls' partnership with a professional lobbyist has paid off: for the \$29,991 the city reported spending on lobbying activities in 2005, it was able to secure an additional \$2.6 million from the Legislature for flood mitigation projects. Lavin said that without having someone on site to talk with legislators, that level of support would be difficult to garner.

"It's good to have someone there," he said.

### Increasing reliance

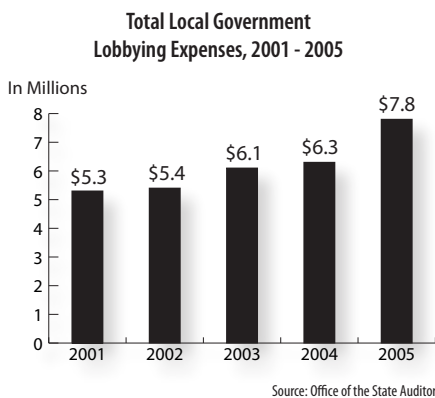
Obviously, local governments feel that they're getting their money's worth from lobbyists; otherwise, they wouldn't continue to pay for their services. But why are lobbying expenditures by local governments increasing at such a rapid rate?

The state auditor has several theories. First, she notes that because of the budget impasse and the resulting special session, the 2005 legislative session was an especially long one, requiring more work by lobbyists. Secondly, it's possible that more governments are now choosing to comply with state law and report their expenditures. Finally, she said local governments are becoming more reliant on paid lobbyists to accomplish their goals at the Capitol.

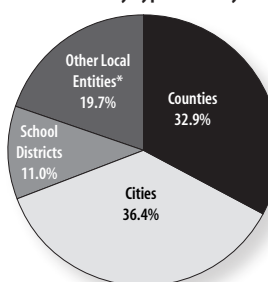
But Lavin suggested there might be another reason: cuts in state aid to local governments.

"We've been hit hard with local government aid cuts," Lavin said, adding that Granite Falls receives approximately \$210,000 less in state aid than it did in 2002. "When you talk about local government aid, there's no question in my mind why more funds are being expended."

Lavin added that his city has seen an increase in unfunded mandates — state laws that require cities to expend their own money, for example, to meet new wastewater treatment standards.



**Total Lobbying Expenses by Local Governments with Staff and/or Contract Lobbyists in 2005 - by Type of Entity**



\*Includes metropolitan agencies and other special service districts

Source: Office of the State Auditor

First Reading continued on page 4



**Big Spenders:  
Local governments that spent  
the most on lobbying in 2005:**

City of Minneapolis	\$424,689
Hennepin County	\$306,369
City of St. Paul	\$154,350
Metropolitan Airports Commission	\$151,765
Anoka County	\$143,596
Anoka County Housing and Redevelopment Authority	\$139,649
Ramsey County Board	\$121,137
Minneapolis Parks and Recreation Board	\$113,113
Dakota County	\$104,767

But whatever their reasons, the state auditor doesn't like the idea of local governments spending their constituents' money on lobbyists.

"My concern with an increased reliance on paid lobbyists is that they need to justify their existence to keep clients on board, or to keep the dues coming in," Anderson said.

Moreover, Anderson believes that many local governments and local government associations may be underreporting their true lobbying expenses. In an [April 18 press release](#), the state auditor's office reported that an examination of contracts and billing records



PHOTO BY TOM OLMSCHIED

**Minneapolis Government Relations Representative Pierre Willette, right, talks with Bill Barnhart, a lobbyist for of the North Metro Mayors Association, in the Rotunda May 9.**

for several associations "found that many activities classified as 'non-lobbying' were in fact part of the lobbying effort." It also listed numerous other areas of concern, including a lack of requests for competitive proposals from lobbying firms, "minimal internal controls," and using highly paid lobbying

firms to perform "basic administrative functions."

"Local government officials need to hold their lobbyists and associations accountable to make sure they are accomplishing the goals for which they were hired or dues being paid," Anderson said. 🗽

## HELPING HAND



PHOTO BY TOM OLMSCHIED

**Majority Whip Marty Seifert rests his hand on the corner of Speaker Steve Sviggum's desk as they talked during the House floor session April 25.**

**Dear Readers,**

While some still cling to hope that House Speaker Steve Sviggum's (R-Kenyon) prediction that this year's session will end "Syttende Mai," May 17, it appears more likely that the adjournment will come closer to the May 22 constitutional deadline. This uncertainty, however, requires some pre-planning on our part.

Traditionally the last issue of *Session Weekly* contains coverage on the last minute flood of bills signed into law, a look back at session highlights and photos of members who have announced they will not seek re-election. As always, our goal is to give you the most complete coverage right up to the end. If adjournment *sine die* occurs on either May 17 or May 22, it will affect when you receive this session's last *Session Weekly*.

If adjournment *sine die* should happen on or before either of these dates, we will do our best to have the final *Session Weekly* available no later than May 25. If members bump up against the constitutional deadline, *Session Weekly* will be produced May 19, and the wrap-up issue will appear the following week, by May 25 ... that is, unless there is a special session.

— *Session Weekly staff*

**★ CHILDREN****Birth certificate**

A "clean" birth certificate should be given to parents no matter how long their child lives, according to one bill.

[HF3171](#), sponsored by [Rep. Karen Klinzing](#) (R-Woodbury), would give parents the right to a birth certificate without the word "deceased" stamped on it even if their newborn dies. Currently, some parents will receive a certificate with "deceased" stamped onto it when their newborn dies for whatever reason.

The bill would allow only one birth certificate to be issued to the mother or father of the deceased child up to six years after the birth date. For protection against identity theft, the bill would only be retroactive until 2002 because the [Department of Health](#) can only electronically track birth certificates back that far.

Passed by the House 130-0 May 8, it awaits action in the Senate Health and Family Security Committee. [Sen. Betsy Wergin](#) (R-Princeton) is the sponsor.

When parents receive the deceased-stamped certificate, it is like receiving another death certificate, and it does not recognize a child's life, no matter how short, Klinzing said. She added that parents of deceased children still

consider them part of the family.

[Rep. Kurt Zellers](#) (R-Maple Grove), who has lost one child, said when the state denies parents a clean birth certificate, it is "in essence saying your child wasn't alive."

Although the bill easily passed, [Rep. Tina Liebling](#) (DFL-Rochester) wanted to ensure that identity theft would not be an issue once a clean copy is issued. [Rep. Ron Erhardt](#) (R-Edina) wanted to know if other practices of maintaining records would be kept the same.

To both, Klinzing said, "The only difference is the word deceased is removed from one birth certificate."

**Child care licensing provisions**

A bill proposing modifications to licensing requirements aims to improve the overall access to quality child care.

[HF2977/SF2883](#)\*, sponsored by [Rep. Jeanne Poppe](#) (DFL-Austin) and [Sen. Dan Sparks](#) (DFL-Austin), would make a number of changes for nonresidential child care providers or "special family day care homes." One change: a not-for-profit agency with at least two contracts with community employers or organizations that provides child care services would be classified as a special family day care home. There is also a capacity revision that allows a program to exceed the capacity maximum of 14 children in transition periods if certain standards are met, from square footage requirements to staff-to-child ratio to fire code compliance.

The House passed the bill 133-0 on May 9 and it now awaits action by the governor. The Senate passed the bill 62-0 April 27.

Poppe called the bill a source of "basic policy improvement" that will "help communities provide better child care without harming a child's safety."

**★ CONSUMERS****Home construction regulation**

Legislators hope to protect homeowners from faulty construction work.

[HF1375/SF1287](#)\*, sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), would require homeowners claiming home construction defects to give a contractor a chance to fix the problem before legal action is sought. The contractor would have 30 days to respond.

Severson said the bill, "a 30-day sanctuary

period" for resolution, offers a middle ground compromise for consumers and contractors.

On May 4, the House passed the amended bill 129-1. The Senate passed the amended version 65-0 May 8. It now goes to the governor.

One amendment made to the bill aims to establish standards for construction code inspectors.

However, an amendment offered and then withdrawn by [Rep. Barb Goodwin](#) (DFL-Columbia Heights) received heated debate. It sought to protect homeowners by holding contractors liable for construction defects even after a business dissolves. Currently, said Goodwin, in cases where builders dissolve and reopen under a different name when a claim is made against them, it is difficult or nearly impossible for consumers to receive compensation.

"This House must protect consumers," said Goodwin. "No one will do it."

**★ CRIME****Funeral protest regulations**

**Signed  
by  
the  
governor  
★ ★ ★**

Those who protest at funerals could be charged with a misdemeanor.

Signed by Gov. Tim Pawlenty May 9, and effective one day later, a new law prohibits the intentional disruption of a funeral, burial or memorial service for any deceased person.

Sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Don Betzold](#) (DFL-Fridley), the law requires that protesters or picketers stay at least 500 feet away from a burial site or entrance to a facility where the service is occurring.

Furthermore, a crime will be committed if a person intentionally disrupts a funeral procession, including impeding or attempting to impede a vehicle in the procession; or intentionally blocking or attempting to block access to a ceremony or service. Knowingly engaging in picketing at the residence of any member of the deceased person's family or household the day of the service will also result in a misdemeanor.

By definition, "family or household" includes spouses, former spouses, parents, children, people related by blood, people residing together or who have resided together in the past, individuals who have or will have a child together, and people involved in a significant romantic or sexual relationship.

Members of the deceased person's family now also have the right to seek action for damages, injunctive relief and other appropriate relief or remedial compensation, including attorney fees.

[HF2985](#)\*/[SF2614](#)/CH195

## ELECTIONS



### Proof of citizenship to vote

Voters may be required to present some form of photo identification at the polling place if a bill sponsored by [Rep. Tom Emmer](#) (R-Delano) makes it into law.

Emmer called the provisions a way to keep the integrity of the voting booth and prevent voter fraud. The bill ([HF1443](#)) passed the House 71-62 May 9. Received from the House one day later, it awaits action by the Senate Elections Committee. [Sen. Michele Bachmann](#) (R-Stillwater) is the Senate sponsor.

Besides the photo identification requirement, the bill gives polling judges discretion to ask voters to confirm their name, address and date of birth.

The bill does make provisions for voters who can't produce photo identification. Their ballots would be marked "unverified" by an election judge and kept separate. If the number of unverified ballots equals 3 percent or more of the ballots cast in the precinct, — amended from 10 percent by [Rep. Mark Olson](#) (R-Big Lake) — they would not be counted until the eligibility of the voter can be determined.

Under the bill, free state photo identification cards would be issued to people who cannot afford to pay for the card.

Concerns that the provisions could present a hardship to some elderly voters, especially those in nursing homes, were addressed by placing an exemption from the documentation requirement for voters living in a residential facility. Those who have a religious objection to being photographed are exempt as well.

Provisions were amended out from earlier versions of the bill that would have required voter applications be accompanied by proof of citizenship in the form of a passport, birth certificate or naturalization document, as well as picture identification.

[Rep. Mark Buesgens](#) (R-Jordan) was unsuccessful in his attempt to amend the bill to require anyone filing for any elected office to provide proof of citizenship and residency in the locale they hope to represent.

An amendment offered by [Rep. Dennis Ozment](#) (R-Rosemount) was added applying this stipulation to just those running for state constitutional office or the Legislature. "It is

## CAPITOL VIEW



PHOTO BY ANDREW VONBANK

**A lobbyist gazes through one of the large French doors on the second floor of the State Capitol.**



truly a Trojan horse that we are letting happen. We need to make sure that those running are citizens,” he said.

[Rep. Carlos Mariani](#) (DFL-St. Paul) was among those opposed to the amendment. Citizenship is already a requirement to run for office, and a candidate swears to the fact on an affidavit. Mariani said those who don’t hold a birth certificate in their possession may not be able to get one during the filing timeframe. “The issue isn’t that we disagree, the problem is the manner that we are prescribing. We have it in law that you have to be a citizen to run for these offices.”

[Rep. Phil Krinkie](#) (R-Lino Lakes) responded, “If you can’t present your birth certificate, then don’t run for office.”

## ★ EMPLOYMENT

### Jobs omnibus bill

After addressing a number of amendments, most of which were technical in nature, the House Ways and Means Committee voted 27-2 on May 10 to approve the omnibus jobs and economic opportunity finance bill, [HF4183](#), sponsored by [Rep. Bob Gunther](#) (R-Fairmont). The bill next goes to the House Rules and Legislative Administration Committee. It has no Senate companion.

Most of the debate centered on a Gunther amendment, which passed, to appropriate funds for establishing the Office of Entrepreneurship in the [Department of Employment and Economic Development](#).

Gunther said the bill addresses a variety of housekeeping and technical changes affecting the department. It also deals with human services programs such as early childhood development training and a Ramsey County child care pilot project.

“We’re doing the best with what we’ve been given,” said Gunther, about the \$750,000 in supplemental funding his committee was appropriated.

[Rep. Karen Clark](#) (DFL-Mpls) unsuccessfully offered an amendment to fund a pilot project that aims to increase licensure of foreign-trained health care professionals. Some members questioned if the aid would help keep the professionals in Minnesota. Clark said these foreign-trained people likely would stay in the state and that with the shortage of health care professionals, the amendment could help improve access.

One of the most notable and supported initiatives of the bill is to help develop biotechnology throughout the state. Legislators hope such funding will stimulate job growth and lure the number of rapidly growing biotech companies to Minnesota.

## ★ ENVIRONMENT

### Clean Water Legacy Act

A bill that would create a Clean Water Legacy Act was approved May 10 by the House Ways and Means Committee and now goes to the House floor.

[HF826/SF762](#)\* was passed by the Senate during the 2005 session. This session, [Rep. Dennis Ozment](#) (R-Rosemount), who sponsors the bill with Sen. Dennis Fredrickson (R-New Ulm), has accompanied it through House committees on Taxes; Agriculture, Environment and Natural Resources (twice); Rules and Legislative Administration; and Ways and Means (twice).

The bill would facilitate the state’s implementation of the [federal Clean Water Act](#) and clarify the procedures by which the [Minnesota Pollution Control Agency](#) (MPCA) restores impaired waters. It creates a Minnesota Clean Water Legacy Act and a Clean Water Council, an advisory-only body to assist in implementing the policies of the Clean Water Legacy Act, and to report biennially to the Legislature regarding progress toward clean water goals.

The bill includes no appropriations. Two other bills currently carry funding for clean water efforts: \$20 million is specified in the House bonding bill, and \$10 million is included in the supplementary budget bill. Clean water appropriations are also included in [SF2734](#)\*/[HF1909](#), the dedicated environmental funding bill now in conference committee.

An amendment moved by [Committee Chair Rep. Jim Knoblach](#) (R-St. Cloud), would have specified that the MPCA has authority to use a concept called “offsetting” to permit wastewater treatment discharges into already impaired waters prior to the completion of the federally mandated total maximum daily load (TMDL) of nutrients for that body of water.

Knoblach said the amendment would end the “moratorium” on economic development in numerous small cities across the state. The latest report from the MPCA is that there are 64 applications awaiting permits to discharge wastewater. The MPCA has not permitted any discharges into impaired waters pending the outcome of an appeal to the state Supreme Court to reverse a lower court ruling that the MPCA violated the federal Clean Water Act in granting such a permit to the cities of Maple Lake and Annandale in 2004.

“There is language that is offset language in other states to try to deal with this situation in other states, and while I certainly don’t want to encourage pollution, I think we need to recognize that there are thousands of TMDLs

out there that potentially need to be done, and I think where we’ve got a situation where an offset can take place we don’t want to freeze economic development — we want to have some flexibility,” Knoblach said.

After an amendment to the Knoblach amendment authorizing only that the MPCA conduct a study of offsetting procedures was approved by the committee, Knoblach withdrew his amendment.

### E-waste disposal

A bill that would establish a statewide recycling program for households to dispose of cathode ray tubes (CRTs — computer monitors and televisions) was approved by the House Environment and Natural Resources Committee May 8.

[HF1391/SF1298](#)\* sponsored by [Rep. Ray Cox](#) (R-Northfield) and [Sen. Linda Higgins](#) (DFL-Mpls), now awaits action by the House Ways and Means Committee. The Senate approved the bill 44-22 last year.

A state law banning CRTs from landfills takes effect July 1, Cox said, and the bill provides for the collection and disposal of CRTs, which contain leaded glass.

The bill allows for a plan put forth by manufacturers of CRTs that are sold in Minnesota to register and work with the [Pollution Control Agency](#) (PCA) to annually collect and recycle 2.25 pounds per capita of these products. If the manufacturers fail to do so by 2009, as determined by the PCA, the manufacturers’ plan is repealed and a second plan, set forth by a solid waste task force, would take effect.

The task force plan requires manufacturers to collect and dispose of not only CRTs, but all electronic waste such as computer peripherals, printers and fax machines.

“If everything works right, there won’t be a cost (to local or state government),” Cox said.

Cox said the bill is a “strange marriage between the manufacturers’ plan that is essentially saying, ‘We’ll do the best job we can, and we’ll try to collect up all the waste we can, and we don’t want to have to be overburdened,’ and the task force plan, which is very prescriptive and sets out all sorts of measurements and devices in the plan about how all this would be done.”

Ramsey County Commissioner Victoria Reinhardt testified in opposition to the manufacturers’ plan. She said there likely would be costs to local governments if the manufacturers’ plan was not carried out properly. Among other objections she voiced were limiting the manufacturers’ responsibility to CRTs only, giving them one

full year to begin collections and including no inflation factor for the amount of waste they are required to collect as time proceeds.

"In February of '09 when digital TVs come in, that's going to have a huge impact on the amount of waste that's going to end up coming into the system," she said.

## FAMILY



### Child care assistance

**Signed  
by  
the  
governor**  
★ ★ ★

Under a new law signed May 5 by Gov. Tim Pawlenty, families having a third party help pay for child care costs will no longer be penalized.

Previously, if a family received financial help to pay for child care services, it could count as part of their income. As child care costs continue to rise, [Rep. Nora Slawik](#) (DFL-Maplewood) said families should not have to pay the price for receiving help.

When the [Department of Human Services](#) counted the assistance money as family income, it could result in the family being ineligible for certain services.

[Sen. John Hottinger](#) (DFL-St. Peter) also sponsors the law, which is effective May 6, 2006.

[HF3944/SF3615](#)\*/CH191

## GAMBLING



### Card club expansion nixed

An amendment to add 40 tables at the Canterbury Park Card Club and another seven days for poker tournaments at the club was not included in a bill that makes minor modifications to the state's gambling laws.

[Rep. Andy Westerberg](#) (R-Blaine), who sponsored [HF3194/SF2953](#)\* with [Sen. Ann Rest](#) (DFL-New Hope), termed the bill as "technical" with "no expansion of gambling." Passed by the House 115-13, it is now on its way to the governor. The Senate passed the bill 63-0 April 25.

No matter how non-controversial a gambling bill is labeled by its sponsor, on the House floor it can quickly turn suspect to those against any expansion of gambling.

[Rep. Mark Buesgens](#) (R-Jordan), who unsuccessfully offered the card club expansion amendment, said that adding tables is important to meet the growing popularity of card clubs. "People have to wait hours at a time to get a seat at the table. And if they have to sit and wait, they leave because there are other options." He said adding tables is not an expansion of gambling, but a redistribution

of dollars that are being spent elsewhere, such as playing poker over the Internet.

"I don't know if I would call this only a redistribution," said [Rep. Tony Sertich](#) (DFL-Chisholm). He said Canterbury Park had a high turnout for its opening weekend, May 6-7, and if there were more tables, there would be more people gambling. "How can we not see the expanded number of people there, and this amendment not be an expansion of gambling?"

Members also questioned whether language in the bill allowing for the sale of buttons in a raffle for a value of less than \$5 is an expansion of gambling.

While most of the bill deals with modifications to the law as it relates to bingo, the bill adds breeders of Arabian horses to those available for proceeds from the Minnesota Breeders' Fund. Supported by a specific tax paid by Canterbury Park, the fund is used as an incentive to encourage horseracing and breeding of certain horses used for racing at licensed Minnesota racetracks.

## HEALTH



### Interstate compact

**Signed  
by  
the  
governor**  
★ ★ ★

Chemical health treatment facilities will be able to treat out-of-state patients, under a new law signed May 10 by Gov. Tim Pawlenty.

The law was created so people in neighboring states could receive chemical health treatment in Minnesota and vice versa. Similar laws exist for mental health services so people do not have to travel far distances to seek such services.

Sponsored by [Rep. Matt Dean](#) (R-Dellwood) and [Sen. Julie Rosen](#) (R-Fairmont), the law takes effect Aug. 1, 2006.

[HF3111/SF2881](#)/CH193

### Medical license provision

**Signed  
by  
the  
governor**  
★ ★ ★

A new law, signed May 5 by Gov. Tim Pawlenty, will modify provisions for medical licenses in Minnesota of United States and Canadian medical school graduates.

Effective Aug. 1, 2006, it requires medical license applicants who passed a certified exam more than 10 years ago to meet additional criteria. Furthermore, the [Board of Medical Practices](#) would approve which endorsed organizations could administer the exams.

[Rep. Jim Abeler](#) (R-Anoka), who sponsored the law with [Sen. Steve Kelley](#) (DFL-Hopkins),

## GOPHER RALLY

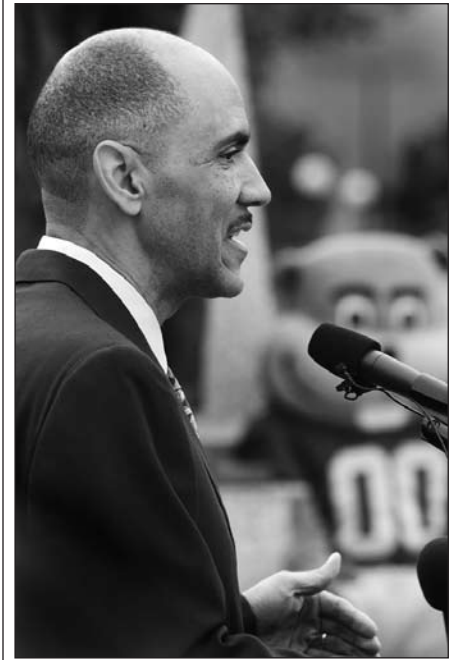


PHOTO BY TOM OLMSCHIED

**Tony Dungy, former Gopher football great and current head coach of the Indianapolis Colts, speaks at a May 11 rally in front of the Capitol for a new on-campus outdoor football stadium. University of Minnesota mascot "Goldy Gopher" listens in the background.**

said it will help streamline the medical licensure process.

[HF2745/SF2721](#)/CH188

### Extending a sunset date

**Signed  
by  
the  
governor**  
★ ★ ★

Gov. Tim Pawlenty signed a new law on May 4 that will extend the sunset provision on radiation therapy facilities construction from Aug. 1, 2008, to Aug. 1, 2013.

Currently, all radiation therapy facilities must be constructed only by an entity owned, operated or controlled by a hospital. Once the law, sponsored by [Rep. Duke Powell](#) (R-Burnsville) and [Sen. Linda Berglin](#) (DFL-Mpls), takes effect Aug. 1, 2006, the sunset will be extended.

Powell originally wanted the current law to be permanent because he believes hospitals can provide the best services for consumers, but the sunset extension was a compromise he would accept. Opponents of the law have said they favor a law that enables more competition in a free market.

[HF2810/SF2532](#)\*/CH190

## Medical license exam

Signed  
by  
the  
governor  
★ ★ ★

Gov. Tim Pawlenty signed legislation into law May 10 establishing an examination extension for medical licensure candidates who serve in the military.

Sponsored by [Rep. Fran Bradley](#) (R-Rochester) and [Sen. Becky Lourey](#) (DFL-Kerrick), an applicant mobilized into active military service would have 10 years to pass all three steps of the United States medical licensure exam. Currently, those active in the military, who must show proof of their service, may be gone for extended periods of time. However, they have seven years to take the exam, which is administered by the [Board of Medical Practice](#).

The law is effective retroactively from Dec. 1, 2005.

[HF3771](#)\*/[SF3457](#)/CH199

## ★ HOUSING

### Home park closure notice

Signed  
by  
the  
governor  
★ ★ ★

By law, residents in manufactured home parks and the local government planning agency are given at least nine months' notice if there is to be a conversion of all or a portion of the park to another use, or if it is to close.

A new law, signed by Gov. Tim Pawlenty May 10, amends the current statute to include the commissioner of health and the [Housing Finance Agency](#) to that notification list.

The new law also spells out stipulations that apply if the manufactured home park is being converted into a common interest community. According to the new law, the cooperative will need to be incorporated; at least 90 percent of the cooperative's members will need to be residents of the park at the time of the conversion; and the residents will not be required, at the time of the conversion, to become members of the cooperative.

Sponsored by [Rep. Karen Clark](#) (DFL-Mpls) and [Sen. D. Scott Dibble](#) (DFL-Mpls) the law takes effect Aug. 1, 2006.

[HF3449](#)\*/[SF2887](#)/CH200

## ★ LOCAL GOVERNMENT

### Grand Rapids bonds OK'd

The House passed a bill May 8 that would allow the city of Grand Rapids to refinance bonds that it had issued for public utilities projects.

[HF3383](#), sponsored by [Rep. Loren Solberg](#)

## HISTORICAL DELEGATE



PHOTO BY TOM OLMSCHIED

Michael Salzberg, a state Capitol site guide, takes a break on the west steps of the Capitol while he portrays Dr. John Murphy, a delegate to the Minnesota Constitutional Convention in 1857, for school groups during their May 8 building tours. The portrayals are done annually as part of Statehood Week. Minnesota became the 32nd state on May 11, 1858.

(DFL-Grand Rapids), was passed 128-0. Received from the House May 9, it awaits action by the Senate Rules and Administration Committee. [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) is the Senate sponsor.

Solberg said city officials approached him about the idea of issuing general obligation bonds to refund outstanding revenue bonds in the hopes of saving money on interest rates.

"It will give them an opportunity to save



some interest rates on their revenue bonds that they have with the public utilities commission,” he said.

### Drainage system fee authorized

Signed  
by  
the  
governor  
★ ★ ★

A new law permits Red Lake and Pennington counties to set up a joint board to establish a fee for use of a Red Lake drainage ditch originating in Pennington County.

Signed May 5 by Gov. Tim Pawlenty, the law allows the two counties to work out an agreement to assess a fee to help pay for cleaning and improving the ditch. Sponsored by [Rep. Bernie Lieder](#) (DFL-Crookston) and [Sen. LeRoy Stumpf](#) (DFL-Plummer), it is effective May 6, 2006.

“What happens, because of this established drainage ditch, and it’s in two counties, they want to have a ditch clean-out or improvement and they can’t do that. They can’t assess the ditch cost back in the other county unless they get a joint agreement. This allows them to assess those costs back onto the ditch system,” Lieder said.

Lieder said the counties approached him together about passing the legislation.

[HF1480](#)\*/[SF1364](#)/CH186

## RECREATION

★

### Park name change confirmed

Signed  
by  
the  
governor  
★ ★ ★

When the Hennepin County Park Reserve District had its name changed in state statute last year to the “Three Rivers Park District,” the Legislature forgot to change it in another part of state statute.

A new law signed May 5 by Gov. Tim Pawlenty fixes that.

Effective Aug. 1, 2006, the law, sponsored by [Rep. Joe Hoppe](#) (R-Chaska) and [Sen. Ann Rest](#) (DFL-New Hope), finalizes the park district’s name change as far as state law is concerned.

“This is an addendum to the bill that we passed last year changing the name ‘Hennepin Parks’ to ‘Three Rivers Parks’ in statute,” Hoppe said. “The bill passed unanimously last year; this was just overlooked. All we’re doing is changing this one last place in statute.”

[HF3142](#)\*/[SF2754](#)/CH187

If you have Internet access, visit the  
Legislature’s Web page at:  
<http://www.leg.mn>

## TRANSPORTATION

★

### River commission extended

A bill that would extend the [Mississippi River Parkway Commission](#) until June 30, 2012, was approved 125-6 by the House May 4.

Sponsored by [Rep. Jerry Dempsey](#) (R-Red Wing), [HF3991](#) was received May 8 by the Senate and awaits action by the Senate State and Local Government Operations Committee. Sen. David Senjem (R-Rochester) is the Senate sponsor.

Dempsey said the commission, that promotes tourism and preservation of the Mississippi River, is currently set to expire June 30, 2007.

Legislatively recognized in Minnesota in 1963, the commission is comprised of 15 appointed members, including four legislators.

According to its Web site, the mission of the commission is, “To preserve, promote and enhance the scenic, historic and recreational resources of the Mississippi River, to foster economic growth in the corridor and to develop the national, scenic and historic byway known as the Great River Road.”

Senjem said the river, “in and of itself is a great natural resource, not only for Minnesota but for this entire country.” The National Scenic Byway in Minnesota is the second longest in the country extending 575 miles.

Because of the byway’s designation as a Minnesota Great River Road, communities along the road are eligible for federal grant dollars to enhance projects, Senjem said. From Fiscal Year 2001 to Fiscal Year 2005, \$596,953 has been awarded to communities.

### Transportation future

The House Ways and Means Committee approved an omnibus transportation finance bill May 10 without an earlier amendment that would have increased the gasoline excise tax.

Sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville), [HF3761](#), in part, appropriates \$88.8 million in Trunk Highway Fund monies and another \$43.4 million in bonds, both for fiscal year 2007.

The bill now goes to the House Rules and Legislative Administration Committee.

[Rep. Tom Rukavina](#) (DFL-Virginia) successfully offered an amendment May 5 at the House Taxes Committee hearing that would have increased the gasoline excise tax by 3 cents per gallon for sales made after June 30, 2006, and an additional 3 cents per gallon one year later. Holberg reminded the committee that the governor was firm about vetoing a bill that contains a gas tax.

The bill would allocate funds for construction, reconstruction, and improvement of trunk highways. It would also change the language for the Minnesota constitutional amendment to be put before voters in November regarding the motor vehicle sales tax revenues so that all revenues from the existing tax on the sale of new and used motor vehicles to be dedicated to highways and public transit after June 30, 2011. The bill also requires an evaluation of the current and long-range needs of the state’s transportation system, and an investigation of strategies to meet those needs. It would also allow for motor vehicles owners with impounded vehicles to retrieve goods from inside the vehicle without having first to pay impounding fees.

Of the \$83 million in the trunk highway fund money dedicated to highway construction and improvement, \$50 million is to be used for projects identified in the federal [High Priority Projects program](#) for projects of regional significance.

More than \$18 million of bond dollars are targeted for a new regional headquarters building in Mankato; \$15 million would be for design and engineering of trunk highway projects; and \$10 million for the exterior renovation of the Department of Transportation building in St. Paul.

The bill also contains the nearly \$2.5 billion governor’s transportation package, which includes nearly \$2.49 billion in bonds for trunk highway projects, and allocates new revenue resulting from the proposed constitutional dedication of all motor vehicle sales tax revenue to transportation.

An unsuccessful amendment offered by [Rep. Ron Erhardt](#) (R-Edina) would have removed the bonding dollars. Proponents of the removal said the bill focuses too much on debt service and funding is contingent upon the passage of the constitutional amendment.

A companion bill ([SF3764](#)), sponsored by [Sen. Steve Murphy](#) (DFL-Red Wing), awaits action by the full Senate.

### Commuter rail liability

With an expectation that commuter rail lines would be using already-existing privately owned freight railroad lines, private companies performing public services would receive the same kind of liability protection as governmental entities, under a bill approved 94-38 by the House May 9.

[HF3656/SF3246](#)\*, sponsored by [Rep. Kathy Tingelstad](#) (R-Andover) and [Sen. Don Betzold](#) (DFL-Fridley), would allow the transportation commissioner, or a public entity contracting with the commissioner, to contract with a railroad for use of the track.

Additionally, the bill applies governmental

## DRUMMING UP SUPPORT



PHOTO BY SARAH STACKE

**DeMarjion Murry, a fourth-grader at WISE Charter School in Minneapolis, performs on the Capitol steps May 5 as part of program celebrating Minnesota charter schools.**

tort liability law to a private railroad acting under state contract providing commuter rail service, and allows for the purchasing of insurance for all types of claims or damages.

“We look to the other states with the liability issues they have in place and this legislation mimics that,” said Tingelstad, calling it the framework for punitive damages and liability issues.

According to the nonpartisan House Research Department the result is twofold: it would apply a \$300,000 per person and \$1 million per incident damage cap to the railroad operation; and it would exempt a railroad from liability for punitive damages.

“Government entities are not obligated to pay for punitive damages,” Clifford Greene, an attorney working with the Department of Transportation and Burlington Northern Santa Fe Railway, previously told a House committee.

“This is a way for them to withstand a rational basis challenge when inevitably somebody’s going to be injured on these commuter rail tracks,” said [Rep. Chris DeLaForest](#) (R-Andover). He unsuccessfully offered an amendment that would have

removed language defining the commuter rail as serving a public purpose and necessity. The Minnesota Constitution gives people a right to address grievances, he said.

Passed 57-5 by the Senate April 12, the bill now goes awaits gubernatorial action.

## VETERANS



### Meeting protocol

**Signed  
by  
the  
governor  
★ ★ ★**

Under a new law, the [Minnesota Veterans Homes Board](#) is permitted to conduct meetings by telephone or other electronic means.

Signed by Gov. Tim Pawlenty on May 10, and effective the following day, the law stipulates that at least one board member, the executive director or an attorney for the agency would have to present at the regular meeting location during a teleconference meeting, for example, so the public can attend.

While the law makes it easier for the veteran’s board to conduct meetings, it is not intended

to limit public access. A similar law was passed in 2004 giving the same authority to the Minnesota State Council on Disability.

[Rep. Denny McNamara](#) (R-Hastings) and [Sen. Paul Koering](#) (R-Fort Ripley) sponsor the law.

[HF3665](#)\*/[SF3096](#)/CH198

### Web Sites To Note

**House of Representatives:** [www.house.mn](http://www.house.mn)

**Senate:** [www.senate.mn](http://www.senate.mn)

**Legislative home page:** [www.leg.mn](http://www.leg.mn)

**Governor’s office:** [www.governor.state.mn.us](http://www.governor.state.mn.us)

**State Government:** [www.state.mn.us](http://www.state.mn.us)

**Find out who represents you:**

[www.leg.state.mn.us/leg/Districtfinder.asp](http://www.leg.state.mn.us/leg/Districtfinder.asp)

**Legislative meeting schedule:**

[www.house.leg.state.mn.us/hinfo/hinfosched.asp](http://www.house.leg.state.mn.us/hinfo/hinfosched.asp)

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Call House Public Information  
Services at (651) 296-2146  
or 1-800-657-3550

# Paying a fair share

Outcome of school bond requests sometimes rests on vote of local farmers

By IRENE VOTH

**F**armers watch the weather because it has the power to make or break them. This year, Minnesota farmers are watching the Legislature for the same reason.

"There's a perfect storm arising," said Ken Kuttner, a McLeod County farmer and one of several farmers who have testified before various House committees this session.

The storm Kuttner speaks of is caused by agricultural land values being pushed dramatically upward, resulting in the likelihood of what Kuttner describes as "grossly unfair" property tax burdens and of small communities being torn apart.

The taxes Kuttner currently pays to his local jurisdictions have increased dramatically in the last 10 years. In McLeod County, the assessors' estimated average value per acre of farmland in 1995 was \$921. In 2005, it was \$2,603, an increase of more than 280 percent, according to the University of Minnesota's Minnesota Land Economics calculations. The rising values, many economists say, have little to do with agricultural productivity or commodity prices. Instead, they are the result of the action of a catalyst often called the 1031 exchange. (See sidebar.)

But these increases, which pay for roads and other infrastructure, are not the taxes Kuttner finds most objectionable.

Far more objectionable is the possibility that if a proposed bond levy is approved by voters in his school district later this year, his property tax liability will increase again — by 40 percent.

## Ugly local battles

Under current law, the tax amount needed to repay the bonds used to finance school capital improvements is levied on the net tax capacity of the property within the district. The capacity is determined by assigned class rates: 1 percent for homes; 1.5 percent or 2 percent for businesses; and 0.55 percent on the first \$600,000 of value for agricultural lands and 1 percent on values above \$600,000.

The inflated agricultural land values have wreaked havoc with the formula, which was put in place when there were many small farms, and land values had something to do with agricultural productivity.

Tom Hueser, another McLeod County farmer, told members of the Property and Local Tax Division of the House Taxes Committee April 6 that a \$10-per-acre bond will cost him half a million dollars

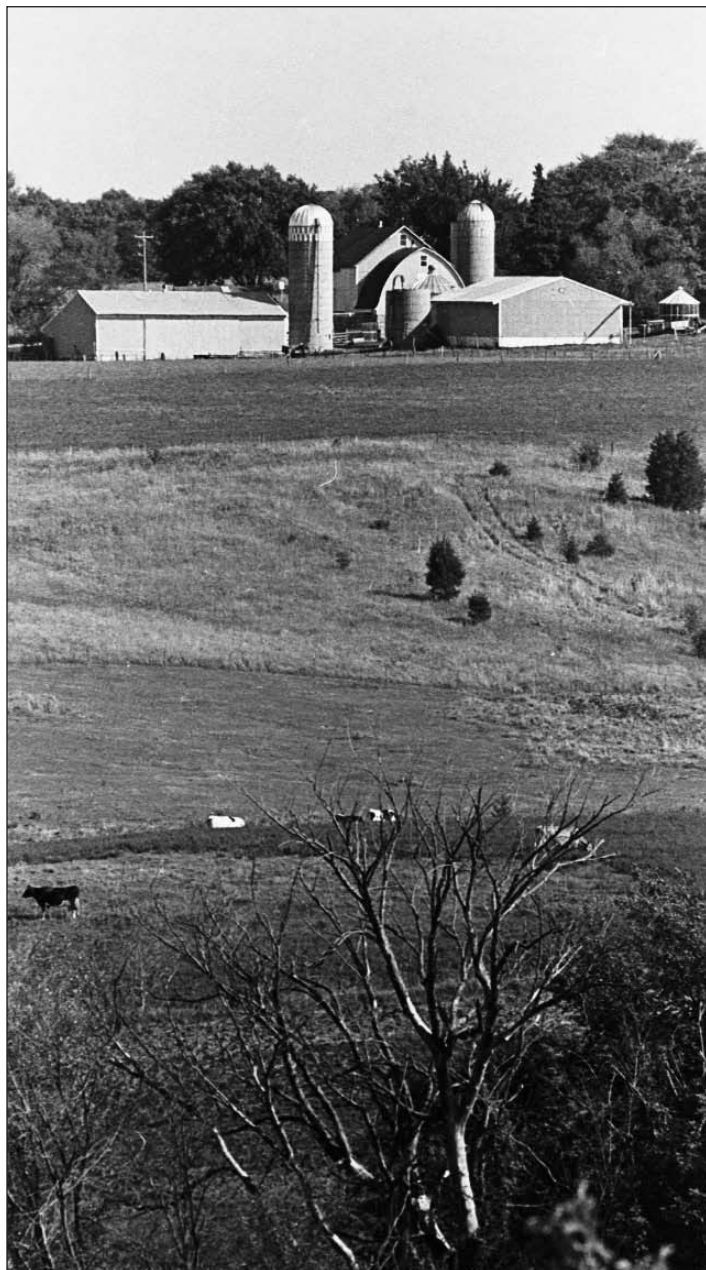
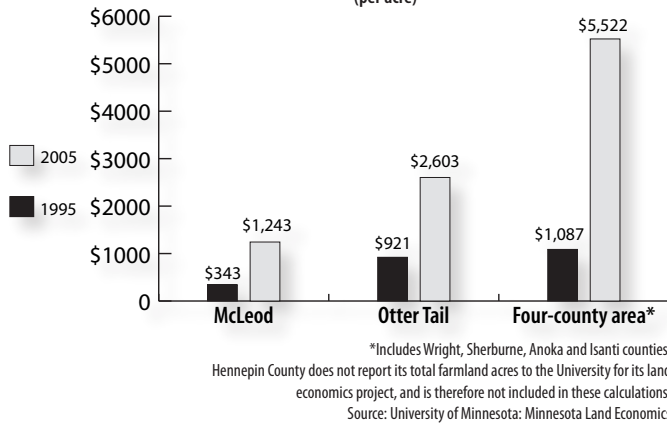


PHOTO BY TOM OLMSCHIED

**Farm owners sometimes vote against school bond levies because their property's tax liability will increase at a higher rate than other properties in the district.**



**Farmland Assessors' Estimated Values**  
(per acre)



## The 1031 Exchange

The 1031 exchange is a section of the [Internal Revenue Code](#) that allows a taxpayer to dispose of valuable property and not pay capital gains taxes on the sale proceeds. The 1031 exchange renders the sale of the property a non-taxable event if a "like property" is purchased with the proceeds within a specific time frame.

Although it has been around for more than 80 years, the 1031 exchange was, for most of that time, complicated and never undertaken without the assistance of a lawyer. But as it evolved, it became less complicated, and beginning with the Omnibus Budget Act of 1990, financial advisors were followed by real estate agents in becoming the primary advocates of the much simpler exchange procedures.

Farmers whose agricultural lands are purchased by developers can use the exchange to relocate their operations away from the urban sprawl. Retiring farmers can use the exchange to pass their assets on to their heirs. The number of farmers choosing to do so and the purchasing power they've gained from being paid development prices for their land has played a major role, many economists say, in stimulating the market for agricultural land.

Other factors, such as low interest rates, record farm profits in 2004 and 2005 and the preference by investors since the Sept. 11 attacks to invest in real property rather than the stock market have also played roles in inflating agricultural land prices.

(I. Voth)

over 20 years, even though he owns only a small percentage of the 2,000 acres he farms.

Kuttner estimates that he will be paying \$17,000 to \$20,000 per year, or 20 percent of his annual farm income, for the school bond levy, while the tax liability of district residents who do not own agricultural lands has been estimated at less than \$400 per year, based on an average residence value of \$100,000. That is less than 1 percent of an annual household income of \$45,000.

The disparity has left farmers with little choice but to oppose school building referendums. And this, Kuttner says, can lead to "ugly local battles," with farmers being labeled as "anti-education."

[Rep. Randy Demmer](#) (R-Hayfield) and [Rep. Laura Brod](#) (R-New Prague) have sponsored legislation that attempts to resolve the situation.

"It's not that farmers don't want to pay taxes; they want to pay their fair share," Demmer said, adding he has heard from farmers all over the state and has learned that the tax liability on some districts' agricultural lands accounts for 60 percent to 80 percent of the total amounts levied, while commercial, industrial and residential properties combined account for only 20 percent to 40 percent.

Of three bills that would have made the situation fairer to farmers, according to Demmer, only [HF1412](#) was included in the House omnibus tax bill, and that was defeated in the House Taxes Committee May 4.

Demmer said he is still hopeful there will be opportunities this session to move the legislation by some means, but added that to be successful, it would have to involve no additional state funding for school districts.

### Fairness to farmers

Because the omnibus tax bill was defeated, [HF3994](#) is also not moving forward. Sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), the bill would permit the Fergus Falls' school district to impose a local option sales tax to finance its proposed capital improvement plan, which includes a new high school.

In testifying for the bill March 30 before the Property and Local Tax Division of the House Taxes Committee, Darrel Tungseth, a Fergus Falls-area farmer and member of Independent School District 544's facilities task force, said a local option sales tax was fairer to farmers than a property tax levy "where you're taxing a small number of people very heavily."

Mark Masten, the district's business manager, said the town residents "are sympathetic to farmers" and unwilling to place such a disproportionate financial burden on them, as evidenced by the defeat

of two previous bond referendums.

Fergus Falls is the first district in the state to attempt to finance capital improvements through a local option sales tax, although it has been done in Jamestown, N.D. Masten said the fact that all legislation addressing agricultural land values and the school bonding situation is currently stalled suggests the Legislature "cares more about stadiums than schools." He said the school buildings that need to be replaced or updated in Fergus Falls were deemed to be "in poor shape" two years ago.

### Property value disparity

A third school district in which the school bond levy situation was discussed in House committees this session is Elk River. A bill that would have allowed residents to elect

whether to divide the district in two was defeated March 21 by the House Education Policy and Reform Committee. The bill may be resurrected this year or re-introduced next year, as the population of the counties involved continues to grow.

Jim Berg, Elk River's interim superintendent, said if the district does split at any time in the future, the taxable property on which bond costs have already been levied for existing facilities would continue forward until the bonds are paid off.

Berg said he had not heard agricultural landowners weigh in on the situation, although there may have been considerably more input if the bill to allow the referendum had passed.

"What has come up is that there might be property-rich and property-poor parts of a district," he said.

Of the five counties that have acreage in the Elk River district, Hennepin County does not report its total number of farmland acres to Minnesota Land Economics. Each of the other counties do, but the agricultural acreage of each that is included in the district varies.



# Mercury here to stay

Despite new legislation, mercury pollution is a stubborn pest

By Nick Busse

The [Mercury Emissions Reduction Act of 2006](#), signed into law May 11 by Gov. Tim Pawlenty, will put Minnesota far beyond the mandated federal standards to implement what many regard as the strongest mercury reduction initiative in the United States.

Sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. D. Scott Dibble](#) (DFL-Mpls), the legislation was passed unanimously by the House May 1 and by the Senate May 4. It will reduce the state's overall mercury emissions by about one-third by requiring our largest coal-burning power plants to cut their emissions by 90 percent by 2015.

"This bill may be known as the best mercury reduction bill in the country," said [Rep. Margaret Anderson Kelliher](#) (DFL-Mpls). And by all indications, she is probably right.

But don't go grabbing for your rod and reel just yet. Minnesota's fish, lakes and other natural resources will need a lot more than just some progressive legislation before they're free of mercury pollution.

## A long-term problem

"This piece of legislation is probably not going to show dramatic decreases in the amount of mercury deposited in Minnesota, and is probably not going to show dramatic decreases in the amount of mercury that we find in the fish in our lakes," said Xcel Energy Director of Government Relations Rick Evans.

Evans isn't alone in saying so. According to the [Minnesota Pollution Control Agency](#) (MPCA), only 10 percent of all the mercury present in Minnesota's environment is actually emitted by sources within the state; the rest comes from regional emissions (30 percent), global emissions (30 percent) and natural emissions (30 percent). Of the mercury produced within the state, 58 percent comes from energy production (mostly coal-burning), 22 percent from product disposal and 20 percent from taconite processing.



PHOTO BY TOM OLMSCHIED

The Allen S. King coal burning power plant emits an average of 102 pounds of mercury each year (Environmental Protection Agency 2001) and ranks third among the 10 major coal plants in the state for total mercury emissions.

MPCA Assistant Commissioner David Thornton said that is because of the type of coal used by Minnesota's power plants, the mercury produced often stays in the atmosphere for long periods of time, which means that much of it will get deposited far outside of our borders. Similarly, mercury produced on the other side of the globe can easily be carried all the way to Minnesota, making it difficult to fight mercury pollution on our own.

"We're not going to be able to clean up our fish by ourselves. We need a lot of help from other people, and we certainly can't expect them to do it without us being willing to do it as well," Thornton said.

Although Minnesota has been and will continue to be a national leader in reducing mercury emissions, until other states and countries like China start taking strides toward reducing their emissions, mercury will

likely remain a familiar foe in Minnesota's environment.

## A good start

Despite the fact that the bill will only reduce the state's overall mercury depositions by 3 percent or 4 percent, legislators, energy companies and environmentalists

alike agree that the bill is at least a good start.

"I think there's some merit to the argument that we've got to start somewhere, and

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***"We're not going to be able to clean up our fish by ourselves. We need a lot of help from other people, and we certainly can't expect them to do it without us being willing to do it as well."***

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**-- David Thornton, Minnesota Pollution Control Agency assistant commissioner**

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**Mercury continued on page 23**

# Hybrid alternatives

## Unique Mankato program retrofits vehicles for the future

By PATTY JANOVEC

A hybrid vehicle, in simple terms, is a vehicle mainly powered by gas with an electric assist, while a plug-in hybrid vehicle is mainly electric with a gas-assist function.

The Legislature would strongly encourage the Minnesota Center for Automotive Research at Minnesota State University, Mankato to retrofit two flexible fuel vehicles to operate as plug-in hybrid electric vehicles under [HF3718](#).

[Rep. Frank Hornstein](#) (DFL-Mpls), who sponsors the proposal, said the retrofit would “reconfigure the battery in such a way that it could be plugged in overnight and the first 30 miles are on electricity alone, and thereafter you’re capable of getting over 100 miles per gallon.”

The bill would also give the school the ability to accept donations and work with nonprofit agencies, higher education institutions and others to collect the funds for the costs of retrofitting the hybrid vehicles.

“When you start out on things, you can’t look for cost savings right off the bat. You’ve got to prove the technology. You need to get them in the real world so people can use them and they can make improvement,” said Bruce Jones, a center professor.

“This is not some pie-in-the-sky futuristic vision. The technology and the components of this technology are here now,” Hornstein said.

One could consider this program as setting the technological bar for legislating the retrofit project. Jones has been receiving calls from places as far away as California on the

possibilities of legislating similar programs. The Mankato automotive engineering program is the only four-year program like it in the nation, he said.

Undergraduate students in the program would do the retrofitting. “What better way to work on a project like this than undergraduate students that are going to be going out working for these companies making these decisions.

“I think we need to start looking at these options and alternatives, and the more of them that are out there, the scale of economies work in their favor that costs are gonna come down,” Jones said.

HF3718 would also:

- require the state to purchase plug-in hybrid electric vehicles (PHEV) for its vehicle fleet;
- require all solicitation documents for the purchase of passenger automobiles to



Photo courtesy of the Minnesota Center for Automotive Research

**Students from the Minnesota Center for Automotive Research designed this Formula SAE car that competed at the Pontiac Silverdome in the Society of Automotive Engineers Formula SAE Competition.**

include the statement, “It is the intention of the state of Minnesota to begin purchasing PHEVs and neighborhood electric vehicles as soon as they become commercially available, meet the state’s performance specification, and are priced no more than ten percent above the price for comparable gasoline-powered vehicles”; and

- establish a PHEV task force to identify barriers to the adoption of such vehicles by state agencies, small and large private fleets, and Minnesota drivers at large, and

develop strategies to be implemented over one-, three- and five-year time frames to overcome those barriers.

The task force analysis is also to include “possible financial incentives to encourage Ford Motor Company to produce plug-in hybrid and flexible fuel vehicles at its St. Paul plant.”

“There needs to be statements from state and local governments across the country to the manufacturers that we are ready, that we are ready as a state to lead by example, and we are serious, not just rhetorical, about lessening our dependence on foreign oil,” Hornstein said.

Although plug-in hybrid electric vehicles aren’t necessarily for those who commute longer distances, the vehicles can potentially be powered at least 20 miles by electricity. Jones said that is the distance the majority of Minnesota commuters travel to work nearly everyday.

Hornstein’s bill awaits action by the full House. A companion ([SF3440](#)), sponsored by [Sen. D. Scott Dibble](#) (DFL-Mpls), awaits action by the full Senate.

### The smart car

Another alternative for consumers that has already hit the commercial vehicle market are so-called “smart cars.” Sponsored by [Rep. Greg Blaine](#) (R-Little Falls) and [Sen. Paul Koering](#) (R-Fort Ripley), HF1838\*/SF1811/CH189 defines the “smart car” as a “neighborhood electric vehicle” and sets the restrictions for its operation. It was signed into law May 4.

Defined as an “electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour but not more than 25 miles per hour on a paved level surface,” the cars are restricted from going on roads with speed limits of more than 35 miles per hour, “except to make a direct crossing” of a street or highway with a higher speed limit, under the proposal.

“It’s moving us into that electric car future. We join 35 to 40 other states that have already made these road legal,” said [Rep. Al Juhnke](#) (DFL-Willmar), who sponsors a similar bill ([HF2734](#)), which he voluntarily laid over.

The vehicles would be subject to all the same requirements as other cars such as turn signals, license plates, windshields and seat belts, said Juhnke. 🐼



## Exploring Minnesota

New caucus aims to promote state tourism

By IRENE VOTH

State legislators who seek common ground with members of the opposite political party might do well to look beneath their feet. There it is. Minnesota — the land of 10,000 lakes and who knows how many festivals, celebrations and tourist sites. That's right. Who knows?

Some legislators are making it a point to know, and to help make sure others know. Assisted by a corps of hospitality and tourism organizations, these legislators have formed the bipartisan Hospitality and Tourism Legislative Caucus. Chairing the caucus are [Sen. Carrie Ruud](#) (R-Breezy Point), [Sen. Rod Skoe](#) (DFL-Clearbrook), [Rep. Tony Sertich](#)

(DFL-Chisholm) and [Rep. Dean Simpson](#) (R-New York Mills). Membership in the caucus currently includes five senators and 21 representatives.

"Our communities all need to promote themselves," said [Rep. Judy Soderstrom](#) (R-Mora), one of 15 legislators who attended the first caucus in mid-March, where she participated in a sharing of information and ideas to promote the state's attractions both locally and globally.

Soderstrom spoke of her own community and its Vasaloppet cross-country ski race as an example. Mora's Vasaloppet is the American sister race to the Vasaloppet held annually in Mora, Sweden, since 1922. The Mora event takes place the third Sunday of February and is the city's largest annual event.

[Rep. Maxine Penas](#) (R-Badger) said finding how to promote the family resorts "which are going down in number every year" are among her reasons for membership in the caucus. The resorts of primary concern to her are located near Rainy Lake and Lake of the Woods, but she said she would also like to have additional ideas to promote birding, ATV usage and hiking on trails in the counties of her district in northwest Minnesota.

Hosted by the Minnesota Hospitality & Tourism Government Affairs Round Table and facilitated by Tom Day, government liaison for the Minnesota Restaurant Association, the Minnesota Hotel & Lodging Association and the Minnesota Resort &

### National Tourism Week

May 13-21 is See America Week/National Tourism Week, a great opportunity for all in the tourism industry to focus on the importance tourism plays in your business or community. A great deal of information on tourism sales, taxes and employment down to the county level, is available at <http://www.industry.exploreminnesota.com> under Research.

Campground Association, the meeting gave legislators a chance to explore what the mission of the caucus would be.

"The caucus is to be the legislators' caucus. We're there to support them and supply what they need," Day said. He added that legislators said they would appreciate more opportunities to discuss tourism issues, including exploring sources of funding for [Explore Minnesota Tourism](#), the state's tourism office, and how they can help raise awareness about the industry and its contributions to the state.

"They wanted to know how they can get more of this information into the hands of more people," Day said.

Information provided at the meeting included the following:

- The number of people traveling annually in the state is nearly five times the state's population;
- In some Minnesota counties, leisure and hospitality generate a large share of the tax revenue;
- Tourism across the state produces a gross domestic product (GDP) equal to the state's agricultural GDP; and
- Minnesota's hospitality and tourism industry employs more than 230,000 people and contributes more than \$600 million annually in sales tax revenues.

Day said the caucus will likely meet during the summer, and he said legislators expressed an interest in group "legislator tours" of some of Minnesota's attractions.

Jon Edman, director of Explore Minnesota Tourism, believes legislators are taking more interest in hospitality and tourism. This may be due, he said, to the fact that four legislators were appointed by Gov. Tim Pawlenty to the Explore Minnesota Tourism Council after the office separated from the [Department of Employment and Economic Development](#) last year.

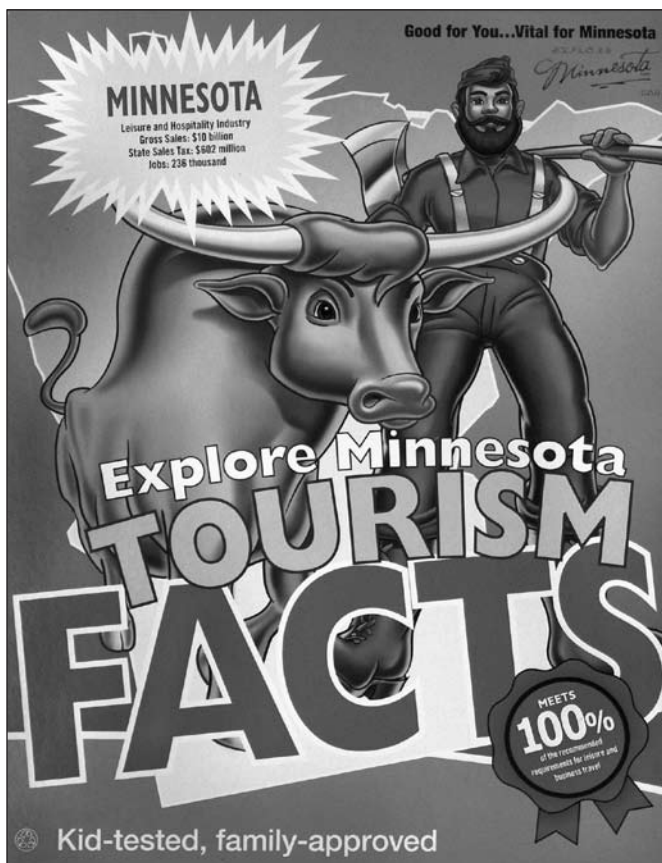


Image courtesy of Explore Minnesota Tourism

The cereal box, created by Explore Minnesota Tourism, is being used to draw attention to the impact of tourism on the state.

# Looking for another House

Ellison hopes to bring his experience to Washington, D. C.

**Editor's Note:** As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.

By **BAO ONG**

**R**ep. Keith Ellison (DFL-Mpls) is more than just a nice guy. "I'm compelled to speak up for the people," said Ellison. "Legislators must uphold values of their people."

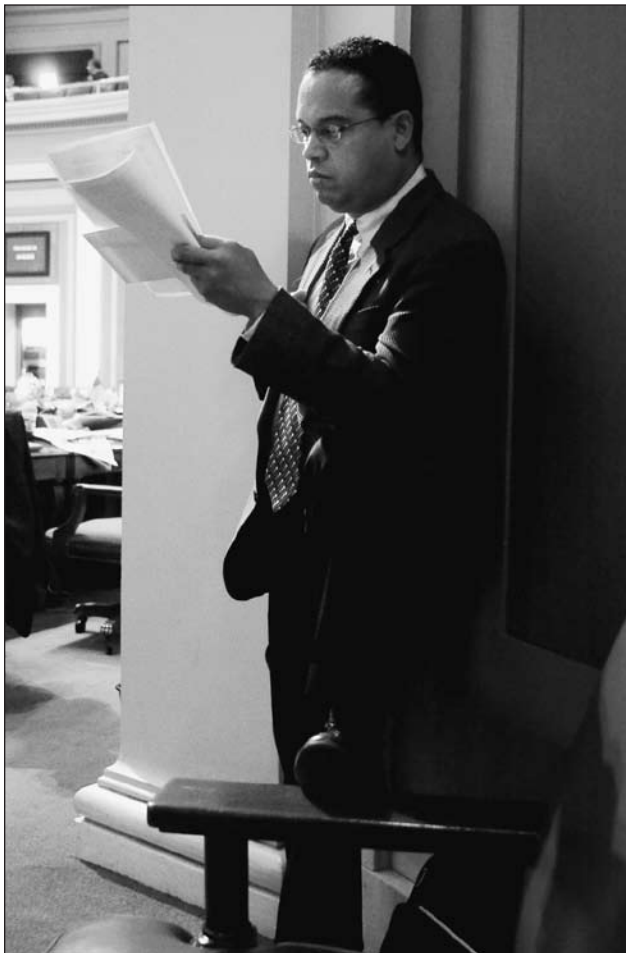


PHOTO BY TOM OLMSCHEID

After four years, Rep. Keith Ellison looks to move from the Minnesota House to the U. S. House in Washington, D. C.

Ellison, 42, was endorsed May 6 by his party to replace longtime [U.S. Rep. Martin Sabo](#), who is retiring. His approachability, ability to connect with people and oratorical skills are all reasons why many say he won the endorsement.

But behind the public persona of a legislator, lawyer, father, husband and community advocate, is a man driven by his desire to ensure civil and human rights exist for all people.

"It's not about being on a soap box. I want to engage people," said Ellison. "Giving people a sense that government can help them, that they could be better off, is something I've always tried to do."

Although in the minority party during his two terms in the House, Ellison said he continually pushed for legislation to protect all Minnesotans. He said conservatives used immigration and gay marriage as wedge issues to gain support. "I've always tried to speak for people who aren't treated right," Ellison said.

Fighting for people's rights is nothing new for Ellison. He was the executive director for the Legal Rights Center, and helped spearhead the Minneapolis Civilian Police Review Authority, which investigates and makes recommendations regarding complaints brought against any Minneapolis police officer.

Even as a relative newcomer to the House, Ellison said, from the start, he was never intimidated to get work done. As a congressional candidate,

Ellison said that he is a hybrid of the late-U.S. Sen. Paul Wellstone's idealism and Sabo's practicality.

While working on myriad bills, Ellison said he always tried to work with those he shared differences with from the start. "I'm a practical idealist," Ellison said.

Ellison's success is no surprise to [Rep. Frank Hornstein](#) (DFL-Mpls), who sits next to him on the House floor.

"He's full of passion and energy and commitment to justice," said Hornstein, who was elected at the same time as Ellison. "I'll remember his continual camaraderie. He's been a friend you can turn to on the House floor."

Hornstein said Ellison's passion should serve him well. Having worked on Wellstone's campaign in the early-1990s, Hornstein said he has not seen a candidate with as much ability to bring the DFL party together since Wellstone. "The number of Republicans coming up to congratulate him the past days shows he can work well with all people," Hornstein said.

Although Ellison grew up in Detroit, he moved to Minnesota in 1987 when he enrolled at the University of Minnesota Law School, where he earned his law degree in 1990. His wife, Kim, is a high school math teacher. They have four children, ages 9 to 17.

Once the House finishes its work, Ellison will have more work to do before he can hit the campaign trail full-time. Ellison, who has his own law practice in north Minneapolis, has some trial work to finish. Most of his work deals with criminal, civil rights and family law cases.

However, if Ellison does win the November election, he plans on keeping his ties to the House. "Hopefully I'll get back here a lot so that Minnesota is well represented in Washington." 🐾

## STEPPING DOWN

**Rep. Keith Ellison**

**DFL**

**District 58B — Minneapolis**

**Terms: Two (elected 2002)**

**Advice to successor: "Listen more than you talk. Treat everybody right. Never make personal attacks."**

# Back to basics

Samuelson steps down to focus on career, family

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By Nick Busse

By the time she was first elected in 2002, [Rep. Char Samuelson](#) (R-New Brighton) had built a successful career for herself as a health care consultant. Now, after serving two terms in the House, Samuelson said she'd like to go back to work.

"My background is long-term health care, and I work for a consulting company, and I just really have a desire to get back into the health care field," she said, adding that she would also like the opportunity to spend more time with her family, especially her grandchildren.

Samuelson, a registered nurse and licensed nursing home administrator, said she has spent much of her time at the Legislature trying to address health care-related issues, especially in relation to senior citizens and children. She has worked extensively on nursing home-related issues and early family childhood education programs.

Among her biggest accomplishments, Samuelson was successful getting legislation passed in 2005 that requires all children under the age of 10 to wear life jackets aboard boats and other personal watercraft.

The law, known as the Grant Allen Law, was named after a 5-year-old boy who drowned after falling off of a boat into a Chisago County lake in 2003. She said that the boy's grandfather lived in her district.

Samuelson has served on the House Health Policy and Finance Committee and its Health Care Cost Containment Division, the House Local Government Committee and the House Rules and Legislative Administration Committee, of which she is currently vice-chair.

Prior to being elected state representative, she served on the New Brighton City Council for nine years. Her time serving in a state office has held many surprises, Samuelson said. She was struck first and foremost by the degree to which paid lobbyists and lobbying firms are involved in the legislative process.

"I don't know if that's a good thing or not.

But I do know that the lobbyists are very knowledgeable of their clients' wishes or desires, and so it seems from that standpoint to be a good education piece on various bills," she said.

Also, she hadn't expected how accessible the governor is to legislators. "I think that's really important when you have things you need to discuss with him," she said.

In addition, Samuelson said she has enjoyed learning about the issues that come up in committee meetings and in debates on legislation — even small things, such as what a "feedlot" is.

"Chicken-houses," she explained. "I thought it was some kind of brand of food for animals."

Samuelson said she is leaving a Legislature that is more evenly divided than when she took office, and that makes it more difficult to pass legislation.

"The first two years, if you had a difference of opinion in the caucus, you might have been able to get by," she said. "The last two years, it's just been real tight. There's been a lot more discussion and a lot more reviewing things, so that people understand what they need to, to get those passed."

Samuelson said she has always tried to represent the people of her district as best she could, even when it meant taking an unpopular stance on a particular bill or issue.

"It's been a really good, really rewarding experience, and I hope that I have done something good to impact the state of Minnesota for the future."



PHOTO BY TOM OLMSCHIED

**Rep. Char Samuelson is leaving the House after two terms to get back into the health care field.**

## STEPPING DOWN

**Rep. Char Samuelson**

**Republican**

**District 50B — New Brighton**

**Terms: Two (elected 2002)**

**Advice to successor:** "I think continuing to keep up community contact and remembering that we're here to serve the people from our district is probably the biggest thing. Because those are the people that send us down here, those are the people that we have to be accountable to."



# Goodbye 'My Fair Lady'

Sykora's 12 years of service marked with fairness, inclusion

**Editor's Note:** As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.

By **BAO ONG**

**R**ep. Barb Sykora (R-Excelsior) said deciding not to run for re-election was more difficult than when she chose to first run 12 years ago.

"I've tried to work my hardest serving the people," said Sykora, who announced her retirement last month. "It's kind of like feeling that you're letting people down."

Education Commissioner Alice Seagren might attribute that onerous decision to

One time Seagren did not support a bill Sykora sponsored allowing grocery stores to sell wine. "Barb simply said, 'Alice, I don't understand why you don't support this bill,'" recalls Seagren. "But she didn't let that get in the way of a friendship or lively discussion."

"I'm sorry to see her going. She's been a very moderate, strong voice for her community, district and the state of Minnesota," said Seagren. "She will be missed."

Sykora attributes much of her work ethic and morals to her father, John Zwach, who served in both the House and Senate. She said he instilled in her that a "strong democracy needs high standards, ethics and tolerance of other views. You cannot do what's just good for you." Sykora also said, "I'm a give-it-my-all type of person."

In raising her four children, Sykora has tried to do the same. Her family is the main reason she decided to retire from the House after being involved for more than half her life. With her husband now retired and three children living outside Minnesota, Sykora wants to devote more time to them.

While she also wants to spend more time on her golf game, traveling and gardening, Sykora plans to stay involved with her local Rotary Club, bank board and a few chamber groups.

But deciding to step down was still a difficult decision. Sykora said that since the

Republicans became the majority, the biggest change she has seen is that it became easier to accomplish certain goals.

One accomplishment happened last year when the Legislature passed a bill establishing performance pay for teachers. A former school teacher, Sykora hopes it will increase student performance while also rewarding and providing training opportunities for teachers.

Sykora said establishing laws to entice more businesses to operate in Minnesota, worker's compensation reform and health care access have also been important issues throughout her tenure in the House.

She does not view issues as partisan but more in the vein of fairness and big-picture issues, such as "small town versus large cities," she said.

The first bill Sykora introduced that became law was a perfect example.

As a freshman legislator, Sykora saw a flaw in the foster care system. Her bill required interviews of the child and foster care family to be recorded if an issue such as child abuse came up. It was a way to keep potentially biased counselors out of such a situation, she said.

Even with the strong presence of lobbyists, Sykora said they only have so much influence on her decision making. "There are good lobbyists out there and they can provide you good information. But I always try to look at what's good 20 years from now and not just what one person or party says."

Sykora also serves on the House Education Policy and Reform, and Ways and Means committees.


"I have no regrets from the last 12 years," said Sykora. "Often when you close one door, other unexpected ones can open." 



PHOTO BY TOM OLMSCHIED

**Rep. Barb Sykora attributes her work ethic to her father, John Zwach, who served in the Minnesota House and Senate. He also served as a congressman representing the former Sixth District.**

Sykora's commitment to fairness. As chair of the House Education Finance Committee, Sykora has always tried to be fair in holding hearings and promoting healthy debate, said Seagren, a former representative from Bloomington.

## STEPPING DOWN

**Rep. Barb Sykora**  
**Republican**

**District 33B — Excelsior**  
**Terms: Six (elected 1994)**

**Advice to successor: "Have an open door. Be willing to listen to all sides."**

# Meeting his own term limit

Westerberg leaving House, but maybe not politics

**Editor's Note:** As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.

By Mike Cook

It may be a stretch to equate four legislative terms to quarters in a football game, but if it can be done, [Rep. Andy Westerberg](#) (R-Blaine) has reached the 2-minute warning of his House career.

Westerberg has announced that he will not seek re-election this year.

However, before his career is over, he wants to score one final touchdown with a bill that would create many new jobs and have a significant economic impact in his area.

Westerberg sponsors [HF2294](#), which would provide financing for an Anoka County football stadium that would be home to the Minnesota Vikings. That bill awaits action by the House Rules and Legislative Administration Committee. "It would be really important for me to be able to get that get done for my community and our district because it's a phenomenal project," he said. "I hope we get it done."

That would not be his only potential knockout this session, as Westerberg also sponsors [HF3484](#), which would reestablish the state boxing commission that was eliminated during the 2001 budget cuts.

Westerberg said he wouldn't mind remaining a member of the House, but it would violate something he told constituents.

"I campaigned for term limits. I like the idea of having new blood and new ideas in here,"

he said. "It appears to be the right time for me to look at doing something else."

However, Westerberg may not be stepping away from politics — he is considering a run for the Anoka County Board of Commissioners. "If you see some other areas that you might be able to be helpful in, I think it makes sense to possibly move on to different challenges," he said.

Being a commissioner might also work better with his professional life.

Self-employed in the insurance industry for more than 25 years, Westerberg admits that it can be hard to keep a career going while at the Capitol because members must often spend much of their waking hours in St. Paul for weeks at a time. "A county commissioner position certainly would still be a lot of work, maybe even more, but it would be such that the schedule would be more workable for my business."

Westerberg said three bills are atop, or near the top, of his list of accomplishments: each in a different area.

He will not see the result of one of those until next year when dirt is moved for a new interchange that will take Highway 242 over Highway 65. The intersection in Anoka County was once ranked the most dangerous in the state.

"This project was not in [the Department of Transportation] 20-year plan, so getting this done took a team effort of the city, county, federal government, everybody getting on board to get this intersection taken care of," he said. "When I found out it was the most dangerous intersection, I created a fund called Money for Safety Improvements on State Trunk Highways with Dangerous Intersections

knowing this was going to be the number one intersection that had to be taken care of, so we funded that account. Thinking outside the box allowed that to occur."

A [2004 equity stripping law](#) that helps people keep from losing their homes is one that Westerberg was "thrilled" to see enacted.

In part, the law could result in a \$10,000 fine or prison time for any foreclosure consultant or foreclosure purchaser who engages in a fraudulent or deceitful practice. "It was getting at people who say they were there to help people who are vulnerable, when they were actually there to steal their equity in the home." Westerberg smiled when noting that the law was used as a model for legislation in Connecticut and some other states.

Earlier in his legislative career, Westerberg is proud of a school safety bill that allowed teachers and counselors to talk about a new student, without violating state law.

"We had students that would transfer into school districts and you couldn't talk about them and their past behaviors or whatever they'd done, so you didn't know who was walking the halls of your school," he said. "That is one of the first pieces I was very, very happy about."

Westerberg will leave with some regrets of legislation that did not become law.


"When we're talking job growth I think corporate income taxes are a killer. We're working real hard this session to try to come up with a single sales factor tax, and it's been passed already. It's not going to be implemented until at a point in the future which puts us behind all other states. We should advance that until 2008 and that's one of the things we are working on. It might be in the omnibus tax bill." 



PHOTO BY TOM OLMSCHEID

**Rep. Andy Westerberg would like to see an Anoka County football stadium approved before he leaves the House.**

## STEPPING DOWN

**Rep. Andy Westerberg**  
**Republican**  
**District 51A — Blaine**  
**Terms: four (elected 1998)**

**Advice to successor: "Having a good attitude is really important because you can't control what people are going to do, think or say. If you have a good attitude, you have an ability to listen to what people are saying and analyze it, separate the good from the bad, and come up with informed decisions."**

## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and

files them with the secretary of state, but his signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor

receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

### Key:

**CH=Chapter; HF=House File; SF=Senate File**

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor, and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.	4/20/2006	
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.	4/20/2006	
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.	4/20/2006	
180	2994*	2736	Watercraft storage structure repair authorized on public waters.	4/20/2006	
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.	4/20/2006	
182	2998*	1553	Firefighter labor arbitration provision sunset repealed.	4/27/2006	
183	680*	1217	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	4/27/2006	
184	2645*	2622	Swift county rural development finance authority board membership increased.	4/27/2006	
185	3169*	3254	Local government units prohibited from imposing fees related to students at postsecondary institutions.	4/27/2006	
186	1480*	1364	Red Lake County drainage system outlet fee authorized for drainage originating in Pennington County.	5/5/2006	
187	3142*	2754	Hennepin County regional park district provisions modified.	5/5/2006	
188	2745*	2721	Medical license provisions modified.	5/5/2006	
189	1838*	1811	Local governments authorized to permit low-speed neighborhood electric vehicles to be operated on residential roadways.	5/4/2006	
190	2810	2532*	Radiation therapy facility construction limitations expiration date extended.	5/4/2006	
191	3944	3615*	Child care assistance parent fees modified.	5/5/2006	
192	3401	2646*	Driver education required to contain education on organ and tissue donation, and vehicle insurance sampling program statutes permanently suspended.		
193	3111*	2881	Interstate contracts for chemical health services provided.	5/10/2006	
194	3285*	2929	Metropolitan Council review of school district capital improvement programs requirement repealed.		

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.



CH	HF	SF	Description	Signed	Vetoed
195	2985*	2614	Funeral, memorial, and burial service disruption prohibited; penalties imposed; and civil remedy provided.	5/9/2006	
196	2514*	2319	Uniform Securities Act of 2002 adopted and modified, and criminal penalties prescribed.		
197	3464*	3079	Barber and cosmetologist licensing provision modified.		
198	3665*	3096	Veterans Homes Board authorized to conduct certain meetings by telephone or other electronic means.	5/10/2006	
199	3771*	3457	Medical practice board examination provision modified relating to active military service.	5/10/2006	
200	3449*	2887	Manufactured home park conversions regulated.	5/10/2006	
201	3712*	3398	Mercury Emissions Reduction Act of 2006 adopted.	5/11/2006	

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Unofficial list as of 4/27//06

## Monday, May 8

### HF4191-Hortman (DFL) Transportation Finance

Metropolitan area transit sales tax referendum proposed and revenue allocated.

### HF4192-Dorn (DFL)

#### Governmental Operations & Veterans Affairs

Constitutional amendment proposed to change the method for amending the constitution.

### HF4193-Dorn (DFL)

#### Governmental Operations & Veterans Affairs

Constitutional amendment proposed requiring two-thirds of the members of each house of the Legislature required to propose amendments to the constitution.

### HF4194-Atkins (DFL)

#### Taxes

Foreign operating corporations income treatment modified, local government aid increased, property tax rebate provided, school district operating capital revenue tax rate established and money appropriated.

### HF4195-Larson (DFL)

#### Transportation

Gasoline sales at grossly excessive price prohibited.

### HF4196-Otremba (DFL)

#### Transportation Finance

Road construction impact grant program established and money appropriated.

### HF4197-Anderson, B. (R)

#### Health Policy & Finance

Human services appeals oversight board established.

## Tuesday, May 9

### HF4198-Loeffler (DFL)

#### Governmental Operations & Veterans Affairs

Minnesota Sesquicentennial Commission required to consider commissioning new art to convey and celebrate Minnesota's history.

## Thursday, May 11, 2006

### HF4199-Hamilton (R)

#### Health Policy & Finance

Medical Assistance operating payment rates adjusted for low-payment rate nurse facilities and money appropriated.

## Mercury continued from page 14

someone's got to lead the way," Evans said.

The bill focuses on Xcel's older coal-burning power plants in Becker, Oak Park Heights and Cohasset, which are collectively responsible for more than 1,300 pounds of mercury emissions every year. When all the reduction measures are fully implemented, mercury emissions at these plants will decrease by 90 percent, or roughly 1,200 pounds per year.

Although some criticized the bill as not doing enough to reduce mercury emissions — or, conversely, of doing too much too soon — by and large, all parties involved hailed the bill as a reasonable and progressive compromise.

"Xcel Energy was very happy with this solution. It's gradual enough to fit our timetable and to not force us to do things too rapidly or inefficiently, but it gets the job done," Evans said.

Bill Grant, associate executive director for the Midwest office of the Izaak Walton League of America, agreed.

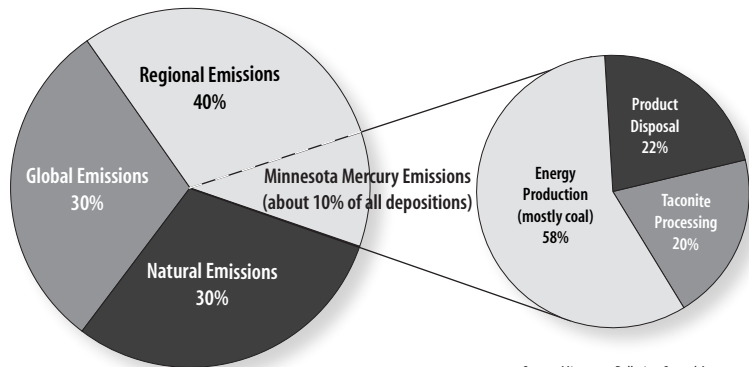
"I think what we got was the strictest bill

current technology will allow us to achieve," he said, adding that the legislation represented a "major step forward" in reducing mercury pollution.

Thornton said the bill is extremely significant not only for its environmental benefits but also for its symbolic value.

"While mercury is a global problem, we need to do our part and this will help demonstrate to others that it's something that can be accomplished, and that can be accomplished in a way that is reasonable and fair, and I think that that's the big deal here," Thornton said.

Sources of Atmospheric Mercury Deposition to Minnesota,  
2005 Minnesota Emissions



Source: Minnesota Pollution Control Agency

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### A bushel and a peck

In 2005, average date in May on which corn was planted in Minnesota.....	3
In 1968 .....	20
Number of years between 1968 and 2005 when corn was planted, on average, prior to May 1 .....	4
Acres, in millions, of corn planted for grain in state in 2005 .....	7.3
Bushel yield per acre, on average .....	174
Average price per bushel .....	\$1.75
State rank in number of acres dedicated to growing corn for grain in 2002 .....	4
Soil temperature range at which it is safe to plant soybeans, in degrees .....	60-70
Acres in millions, of soybeans planted in state in 2005 .....	6.9
Average bushel yield per acre .....	45
Price per bushel .....	\$5.45
State rank in number of acres dedicated to soybeans in 2002 .....	3
State rank in total value of agricultural products sold in 2002 .....	6
Total value of agricultural products sold in billions in 2002 .....	\$8.57
State rank in total value of vegetables and potatoes in 2002 .....	13
Rank in number of acres dedicated for sugarbeets that are used for sugar in 2002 .....	1
Number of harvested acres in state of sugarbeets, on average in 2005 .....	460,000
Number of Caucasian farmers in the state in 2002 .....	111,794
American Indian or Alaska Native .....	188
Asian .....	100
Number of males in state in 2002 as principal operators of a farm .....	74,469
Females .....	6,370
Average age of principal operator in 2002 .....	52.9
In 1974 .....	49.8
Number of farms in the state in 2005 .....	79,600
In 1974 .....	98,537
Average state farm size in 2005, in acres .....	345
In 1974 .....	280
Number of acres, in millions, being farmed in 2005 .....	27.5
In 1974 .....	27.6

Sources: [Minnesota Department of Agriculture](#); [United States Department of Agriculture](#);  
[University of Minnesota Extension Service](#).

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 23, NUMBER 12 • MAY 19, 2006

INSIDE: OMNIBUS BILL DILEMMAS, POTENTIAL TRANSIT BOOST, LEGISLATIVE QUIZ, MORE

This Week's Bill Introductions HF4200-HF4218

# Session Weekly

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

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**On the cover: A sixth-grade class from Onamia Elementary School gazes at the marble columns around the Grand Staircase during a May 17 tour of the State Capitol.**

— Photo by: Andrew VonBank



# Down in flames

Stymied by politics, omnibus spending bills fall apart

By Nick Busse

When [Rep. Marty Seifert](#) (R-Marshall) tabled the omnibus state government finance bill on the House floor April 18, he knowingly put a whole session's worth of his own work in limbo.

It was a tough decision, but when a teachers' health insurance amendment was tacked onto his bill during floor debate, Seifert, chair of the House State Government Finance Committee, said he and other House Republicans felt they could no longer support it.

"The statewide teacher health insurance amendment is the one that basically a majority of my caucus said, 'Look, this is something that we really don't want to support [on] your bill,'" he said. "I don't want to have a situation where the bill passes with 60 Democrats and eight Republicans. Generally, the Republicans are in control of the House and should have a buy-in to the bill."

Rather than pass what he saw as a compromised bill, Seifert said it has been

broken up into a number of individual "vehicles." But he admits that only a handful of those vehicles is likely to survive the process.

"If we find the right vehicles and they all end up passing, I would say probably about 30 percent of the original bill, which is kind of the must-have items — the stuff that's really high profile like veterans and state employee contracts — those are the things that really have to pass."

What happened to Seifert's bill is not unique. In fact, political maneuvering in both the House and Senate has left a whole slew of supplemental appropriations bills stripped down, chopped up or just plain dead.

Omnibus supplemental spending bills on public safety, higher education, K-12 education, agriculture, the environment and other subjects have all been dogged by political pressures this session, leaving their futures in doubt and their proponents frustrated.

## 'Kill bill'

"In my first nine years here this never happened," said [Rep. Barb Sykora](#) (R-Excelsior). "We had our conference committees, we passed our bills and we got our work done. We didn't have this kind of a breakdown."

Sykora, chair of the House Education Finance Committee, saw her committee's omnibus bill killed in much the same fashion as Seifert's.

In an April 19 meeting of the House Taxes Committee, DFLers and two Republicans managed to stick a new tax on foreign operating companies in the bill. With [Rep. Phil Krinkie](#) (R-Lino Lakes) chairing that committee, a tax increase meant the bill was as good as dead.

"After that went on, the tax chair said, 'Well, this is over.' And that was the end of the meeting. It wasn't even formally tabled. So, it's just laying out there, I guess, in La-La Land," Sykora said, adding that she blames DFL members of the tax committee for deliberately trying to ensure the bill's failure.

But committee member [Rep. Paul Marquart](#) (DFL-Dilworth), who voted in favor of the amendment, denies that charge, noting that two Republicans on the committee voted with him. In his opinion, the number of bills that haven't survived the process this year reflects their lack of bipartisan support.

"I won't question why certain bills get pulled and so forth, but even the tax bill, for example, was defeated on a bipartisan effort," Marquart said. "It's 66 to 68 in this House. What comes out of committee needs to have a comfort level from both sides, and some of the bills simply haven't done that."

## An unusual strategy

The stage may have been set for trouble even before session began, with the Senate embarking on an unusual course of action.

During the first year of a legislative biennium, the Legislature is required to pass its budget bills; during the second year, it typically "tweaks" the budget by passing omnibus supplemental appropriations bills that cover budget shortfalls and other emergencies and often include numerous policy provisions as well.

The normal procedure is for House



PHOTO BY TOM OLMSCHIED

House Minority Leader Matt Entenza, left, and House Speaker Steve Sviggum confer during a May 16 floor session.

First Reading continued on page 4



## First Reading continued from page 3

and Senate committees to draft their own individual bills and then iron out the differences in conference committees. This year, however, the Senate decided to roll all of its supplemental spending bills into one big, all-encompassing “garbage bill” — an impossibility for the House, which is forbidden by its own rules from doing so.

But, according to [Rep. Phyllis Kahn](#) (DFL-Mpls), it is not unprecedented for one house to roll everything into one bill. What is unusual in this case is the fact that the House didn’t pass all of its smaller, individual bills in order to match up with the Senate’s big bill. Instead, it cherry-picked fiscal provisions from each of them and created a single, bare-bones emergency and deficiency spending bill — [HF4162](#), sponsored by [Rep. Jim Knoblach](#) (R-St. Cloud).

“You could’ve confereed those multiple bills. ... That’s been done in the past, so I know that that’s worked out. But this is just kind of weird. I don’t know what’s going to happen,”

Kahn said.

The question of why the House didn’t pass all of its omnibus bills is open to speculation, but Chief Fiscal Analyst Bill Marx of the [House Fiscal Analysis Department](#) said it was a conscious decision on the part of the majority party.

“The issue became, when bills were getting bogged down and bills were getting lots of amendments, then it was a new strategy of, ‘Well, let’s only pass what we have to pass, and only fiscal items,’” Marx said.

### Politics or policy?

Some members see primarily political motivations behind what’s happened to the omnibus spending bills this session. Sykora, for example, speculates that the Senate had ulterior motives in rolling everything into a garbage bill.

“I think there’s a couple of people over there who like to have probably more power in the negotiations,” Sykora said, adding that the Senate’s decision was a factor in her education finance bill’s fate. “When it turned out that the

Senate was only going to do one budget bill, and they were lumping everything together, then I think it seemed like, ‘Well, is it worth trying to recover this bill?’”

Kahn takes a slightly different view, arguing that a lack of coordination between House and Senate leadership is to blame for so many bills getting stalled in the House. She agrees, however, that the Senate put the House at a disadvantage by rolling everything into one bill.

“The house that passes the one bill always wins, because you end up conferring that bill,” she said. “What’s happened here is that the House acquiesced to the one bill, and sent over one bill, but the forms of those two bills are very different.”

Any way you slice it, Sykora said she isn’t happy with the way things have gone.

“I don’t think anybody’s happy when you’re not getting something done. You know, you come here for public service, and you wish to be able to do something that’s beneficial — not play games.” 🐼

## QUIET TIME



PHOTO BY TOM OLMSCHEID

Mark Hellie, law clerk for Court of Appeals Judge Terri Stoneburner, reads outside the Justice Center May 17. After many days of cold, cloudy and wet weather, the temperature in St. Paul reached into the 70s under mostly blue skies.

## ★ AGRICULTURE

**Toughening up on tampering**Signed  
by  
the  
governor  
★ ★ ★

Gov. Tim Pawlenty signed a law May 16 that makes tampering with tractor clock hours illegal and punishable by civil penalties.

Sponsored by [Sen. Gary Kubly](#) (DFL-Granite Falls) and [Rep. Lyle Koenen](#) (DFL-Clara City), the law also prohibits the sale of devices that interfere with the accuracy of tractor clock-hour meters, and the sale of a farm tractor on which the clock hours have been altered unless the alterations are disclosed. It takes effect Aug. 1, 2006.

Similar to the way an odometer keeps track of the miles driven by a car, a tractor's clock-hour meter measures how much use the tractor has incurred.

[HF1466/SF1039](#)\*/CH211

**Food law provisions modified**Signed  
by  
the  
governor  
★ ★ ★

Legislation that changes specific terms in the current commercial feed law and adds "specialty pet foods" to the [Department of Agriculture's](#) rulemaking purview was signed

by Gov. Tim Pawlenty May 16.

Sponsored by [Rep. Rod Hamilton](#) (R-Mountain Lake) and [Sen. Betsy Wergin](#) (R-Princeton), the law also requires that if a commercial feed is determined to be adulterated or misbranded, the person whose name appears on the label must provide a manufacturer's investigation report to the agriculture commissioner within 30 days. It also changes commercial feed distributors' recordkeeping requirements.

The law takes effect Aug. 1, 2006.

[HF3670\\*/SF3334](#)/CH203

**Wild rice study**

A bill requesting that the [Agriculture](#) and [Natural Resources](#) departments "assemble all the research they have" regarding the state's two native strains of wild rice was passed by the House 100-30 May 15.

Sponsored by [Rep. Frank Moe](#) (DFL-Bemidji), the action requested in [HF3915](#) would include examining any decline

in the strains' populations; arguments for and against maintaining the genetic integrity of the strains; and how their integrity could best be maintained. The agencies would also make recommendations regarding possible responses to their findings.

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

Moe said the bill was precipitated by concerns from sports enthusiasts over duck habitat and the Ojibwe over the possibility that genetically engineered wild rice might be introduced into the state.

He said the Leech Lake Band of Ojibwe, which resides in his district and holds 30,000 acres of reservation land in trust, has "a Department of Natural Resources, as do we; they have a staff person dedicated specifically to the maintenance of the native wild rice stands" on those acres.

"They're looking to work with the Minnesota Department of Natural Resources and Department of Ag to study this more broadly," he added.

Originally, the bill required the Department of Agriculture to impose a two-year moratorium on the release, planting, importation or sale of genetically engineered wild rice in the state in the event an application to plant a test plot was made anywhere in the United States. The moratorium was intended to give the Ojibwe people and state agencies time to research the possible impact of the modified species on the native species and to plan their responses.

## ★ BUDGET

**Health impact fee ruled constitutional**

Legislators have been holding tight on the projected surplus purse strings during this non-budget year. But they loosened their grip following the May 15 ruling from the [Minnesota Supreme Court](#) that the state can continue to collect the controversial Health Impact Fee on tobacco products — amounting to about \$184 million a year.

In an effort to fill a projected hole in the budget, the 2005 Legislature passed Gov. Tim Pawlenty's proposal that called for, in part, a 75-cent per pack fee on cigarettes. The tobacco companies challenged the legislation, arguing that the fee violated an

earlier settlement agreement with tobacco companies that bars the state from collecting additional money for health care costs related to smoking. In December 2005, the fee was ruled unconstitutional by a lower court, and the state appealed the decision to the Supreme Court.

Uncertainty over the outcome of the court case put a financial cloud over the 2006 session. While legislators debated all session over what to do with the state's \$88 million projected surplus and \$317 million in the tax relief account, it was with the caveat that they could evaporate if the fee was struck down.

Talk quickly turned to tax relief after the announcement.

Pawlenty favors the House Republican proposal to provide what has become known as "Krinkie checks" — a 9 percent tax rebate to state property owners this fall. "This money should be sent back as a rebate from the tax relief account," said [House Speaker Steve Sviggum](#) (R-Kenyon) in a press conference.

[House Minority Leader Matt Entenza](#) (DFL-St. Paul) called that approach a "Band-Aid on a gaping wound," and sees increasing Local Government Aid as a way to make a more permanent dent in property tax bills.

## ★ CHILDREN

**Child care licensing provisions**Signed  
by  
the  
governor  
★ ★ ★

A new law makes a number of changes for nonresidential child care providers or "special child care homes."

Signed by Gov. Tim Pawlenty May 16, and effective the following day, the law permits a not-for-profit agency with at least two contracts with community agencies, organizations or employers that provides child care services to be classified as a special family day care home. There is also a capacity revision that allows a program to exceed the capacity maximum of 14 children in transition periods if certain standards are met, from square footage requirements to staff-to-child ratio to fire code compliance.

It also contains some CPR requirement changes. Under current law, when children are present in a child care center or family child care home governed by state rules, at



least one staff person with CPR training must be present.

Under the law, a family child care provider is exempt from the requirement "related to any substitute caregiver who provides less than 30 hours of care during any 12-month period." Furthermore, "video training reviewed and approved by the county licensing agency satisfies the family child care training requirement."

[Rep. Jeanne Poppe](#) (DFL-Austin) and [Sen. Dan Sparks](#) (DFL-Austin) sponsor the law.  
[HF2977/SF2883\\*/CH207](#)

## ★ CONSUMERS

### Home construction regulation

**Signed  
by  
the  
governor  
★ ★ ★**

Contractors will have 30 days to make an offer to resolve a consumer's complaint regarding home construction defects, according to a new law signed by Gov. Tim Pawlenty May 16.

With actions pending or beginning May 17, 2006, homeowners claiming construction defects would be required to allow for an inspection and must give a contractor 30 days to respond with an offer to repair. Once the repairs are made, the contractor is required to give the homeowner notice of the right to pursue a warranty claim, as well as a list of the repairs that were made.

Sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), the new law also asks the commissioner of labor to establish required competency criteria for construction code inspectors, as well as approved continuing education requirements related to construction inspection and administration of the state building code. Effective Jan. 1, 2008, all construction inspectors hired will need to comply with a new set of competency criteria within one year of hire.

[HF1375/SF1287\\*/CH202](#)

## ★ DEVELOPMENT

### Partial fund restoration

A bill sponsored by [Rep. Tony Sertich](#) (DFL-Chisholm) would inject \$12.5 million by July 1, 2007, into the Minnesota Minerals 21st Century Fund.

The revolving loan fund was established in 1999 to make loans or equity investments in mineral processing facilities including, but not limited to: taconite processing; direct reduction of iron ore; and steel production.

## "WE RISE"



PHOTO BY ANDREW VONBANK

**Gemma Bulos, a musician and composer, performs "We Rise," a song she composed in response to the Sept. 11 tragedy, before the May 11 floor session. Many members clapped along as she sang.**

Approved by the House Ways and Means Committee May 15, [HF3058](#) awaits action on the House floor. It has no Senate companion.

Before being successfully amended by Committee Chair [Rep. Jim Knobloch](#) (R-St.

Cloud), the bill directed that \$49 million be transferred from the state's General Fund to the Minnesota Minerals 21st Century Fund. The same amount was withdrawn from the fund in 2003 to make up for shortfalls in the state's General Fund.



"We obviously don't have that kind of money in our target," Knoblach said, adding that having some money in the fund to invest in such projects "would be a good investment for the state — good for jobs for northern Minnesota."

Sertich said more than \$1 billion is currently being invested in new mining and steelmaking projects in northeastern Minnesota, including Mesabi Nugget, an iron nugget plant proposed to be built at Hoyt Lakes.

Sertich said the central purpose of the bill is to declare Iron Range Resources a state agency and to provide legislative clarifications regarding its authority for spending, budgeting, project approval, administration, appropriations and long-range planning for use of the Douglas J. Johnson Economic Protection Trust Fund. Created in 2005, the fund is devoted to the economic rehabilitation and diversification of industrial enterprises where needs arise as the result of the decline of a single industry.

The clarifications were in response to the recommendations of two consecutive legislative audits.

## EDUCATION

### Private school employee payments

A bill that would allow private schools to pay their employees over 12 months, in the same manner as their public school counterparts, was passed May 17 by the House 131-0.

Public schools are exempt from the state law requiring all wages earned by an employee to be paid at least once every 31 days. Common practice is to pay employees over the 12-month period for the work they perform over the nine-month school year. Private school employees are not currently exempt.

The bill was drafted after a private school paying its employees over 12 months received a letter from the Department of Labor and Industry informing them that the practice is in violation of state law, said [Rep. Jim Knoblach](#) (R-St. Cloud), the sponsor of [HF3045](#). "I think this codifies what is common practice in the state."

The bill now goes to the Senate, where [Sen. Michelle Fischbach](#) (R-Paynesville) is the sponsor.

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## EMPLOYMENT

### No work for felons at race tracks

**Vetoed  
by  
the  
governor  
\*\*\***

Citing concerns that a bill goes too far in allowing felons to work in the gaming industry, Gov. Tim Pawlenty cast his first veto of the session May 11.

The provision was amended onto a bill, sponsored by [Rep. Neva Walker](#) (DFL-Mpls) and [Sen. Linda Higgins](#) (DFL-Mpls), that allows for a cosmetologist license to be granted to an applicant with a felony record, if that person meets all licensing requirements established by the [Board of Barber and Cosmetology Examiners](#).

The amendment calls for giving workers with a felony record a chance to be licensed for racetrack-related jobs requiring certain certification. Racetrack workers with a felony cannot enter a track without being licensed.

In his veto message, Pawlenty said he understood the intent of the bill that would give people with felony convictions an opportunity to work in areas not directly associated with gaming or security that currently require a Class C license. However, he said the bill does not limit the work directly to caring for horses or other non-gaming positions.

He also found specific language problematic. He said the date used to initiate a 10-year exclusion period would "permit persons who have committed serious crimes to obtain a license within a very short time after serving time in prison." It would also prohibit licensure of a person "on parole resulting from felony conviction." This does not reflect Minnesota sentencing practices, he said.

"While a limited exception to the current requirements may be more appropriate, the licensing standards for the race track must remain rigorous to ensure the integrity of horse racing and pari-mutuel gaming in Minnesota," he said.

[HF3464](#)\*/[SF3079](#)/CH197

## ENVIRONMENT

### Clean Water Legacy

Legislation creating a Clean Water Legacy Act was passed by the House 127-5 May 15.

Approved by the Senate during the 2005 session, this session, [Rep. Dennis Ozment](#) (R-Rosemount), who sponsors [HF826/SF762](#)\* with [Sen. Dennis Frederickson](#) (R-New Ulm), has accompanied the bill through House committees on Taxes; Agriculture, Environment and Natural Resources (twice); Rules and Legislative Administration; and Ways and Means (twice) — more than 22 hours of committee work.

The bill approved by the House is the Senate file from which all appropriations were removed. A conference committee will try to work out the differences.

Ozment said the bill expedites the state's implementation of the federal Clean Water Act and clarifies the procedures by which the [Pollution Control Agency](#) restores impaired waters. It creates a Minnesota Clean Water Legacy Act and a Clean Water Council to assist in coordinating cleanup efforts.

The Clean Water Council would be an advisory-only body to assist in prioritizing and implementing the policies of the Clean

## SPLIT OPINION



PHOTO BY TOM OLMSCHEID

Bonding conference committee co-chairs, Sen. Keith Langseth, left, and Rep. Dan Dorman, have different reactions to a proposal offered during a May 18 afternoon meeting, the first time in six days that conferees gathered. Conferees were scheduled to reconvene later that night in hopes of reaching a resolution.

Water Legacy Act. It would report biennially to the Legislature regarding progress toward clean water goals. The council would consist of one representative from each of the four state agencies that deal with water and 18 non-agency members appointed by the governor. [Rep. Rick Hansen](#) (DFL-South St. Paul) successfully amended the bill to provide that agency members may not vote, and that non-agency members may not be registered lobbyists.

[Rep. Jim Knoblach](#) (R-St. Cloud) successfully amended the bill to include a process called “offsetting,” designed to give the Pollution Control Agency the authority to permit new or expanded discharges into already impaired waters as long as a reduction in the same nutrient(s) discharged occurred elsewhere in the same waters.

Ozment said the amendment wasn’t a “magic bullet” that would end all problems and risks regarding the issuance of such permits; [Rep. Jean Wagenius](#) (DFL-Mpls) called it a “huge stumbling block” to cleaning up the state’s waters.

[Rep. Mark Olson](#) (R-Big Lake) proposed numerous amendments, some to mitigate the effects of the legislation on individuals and corporations and thus avoid possible litigation by these parties against the state.

“I believe this bill is terribly flawed,” he said, explaining that he believes it inhibits development because the state will not be able to bear the cost of establishing total daily maximum loads and the lawsuits that will follow.

### Land modifications

A dam situation enlivened the May 15 House Ways and Means Committee’s consideration of a bill authorizing the [Department of Natural Resources](#)’ annual land sale.

Sponsored by [Rep. Tony Cornish](#) (R-Good Thunder), [HF3397](#) was approved by the committee and sent to the House floor. Its companion ([SF2851](#)), sponsored by [Sen. Tom Saxhaug](#) (DFL-Grand Rapids), was passed 65-0 by the Senate May 15.

The House bill lists 11 land parcels, consisting of approximately 202 acres, most of which contain fewer than 5 acres as well as 582 acres of tax-forfeited lands in eight counties. An amendment by [Rep. Marty Seifert](#) (R-Marshall) added the sale of the “real property” of the Brainerd Regional Treatment Center to a local unit of government.

The dam situation was that of Lake Esquagama, located on the Embarrass River in St. Louis County.

Since the department has had authority over the dam and set the high water mark,

[Rep. Tom Rukavina](#) (DFL-Virginia) said “people that have been living there for 30 years can’t get their boats in and out of the water anymore.”

Rukavina moved an amendment that he believed would have remedied the situation by raising the established high water mark by 6 inches.

Kent Lokkesmoe, DNR’s director of waters, said the high water level is a scientific determination that looks at where the vegetation changes from predominantly terrestrial to predominantly aquatic.

“What the high water mark defines is the level of DNR jurisdiction, where it’s county authority above that line and it’s DNR authority below that line,” Lokkesmoe said.

He also attributed the lower water levels of the lake to a lack of precipitation in recent years rather than to the amount of water allowed over the dam.

Rukavina countered that there has been 3 feet of snow in the area each of the last two winters and thus the amount of precipitation was not a factor, but agreed to withdraw the amendment when Lokkesmoe said the agency would work with lakeshore residents to resolve the issue.

### Policy provisions to the floor

Natural resources policy provisions approved by the House Environment and Natural Resources Committee earlier this session, and now contained in [HF3605](#), were approved by the House Ways and Means Committee May 15.

Sponsored by [Rep. Dennis Ozment](#) (R-Rosemount), the bill is now on its way to the House floor. The part of its companion, ([SF3338](#)), sponsored by [Sen. Dallas Sams](#) (DFL-Staples) dealing with greenhouse gasses was incorporated into [SF2798](#), passed by the Senate 53-13 May 11.

Originally sponsored by [Rep. Kathy Tinglestad](#) (R-Andover) as a bill to reform and rename the [Legislative Commission on Minnesota Resources](#) (LCMR), the bill now also features provisions regarding state park permits, state forest services, the State Timber Act, state forest user fees and the authority of the Lower Minnesota River Watershed District.

Recommended by the [Environment and Natural Resources Trust Fund Task Force](#), changes in the LCMR include the addition of citizen commissioners and the creation of a fund to deal with emerging issues.

During the committee hearing, Tinglestad successfully amended the bill to include LCMR trust fund provisions, including 2006-07 allocations as follows:

### Environment & Natural Resources Trust Fund

This permanent fund, similar to an endowment, was established in the Minnesota Constitution following voter approval of a state lottery in November 1988.

The first lottery proceeds were deposited in the fund in May 1990. In November 1990, voters approved the dedication of 40 percent of net lottery proceeds (between 6 cents and 7 cents of each dollar wagered on the lottery) to the fund through December 2000. This dedication was continued through December 2024 after passage of a constitutional amendment in November 1998. It can only be used to fund projects of long-term benefit to Minnesota’s environment and natural resources.

The [State Board of Investment](#), the agency charged with the administration and direction of all state funds, is responsible for the management of the trust fund. As of March 31, 2006, the market value of the trust fund was approximately \$414 million. By law, 5.5 percent of the market value of the fund can be utilized for projects each year. Lottery proceeds are added to the fund’s principal. Over time, as the fund grows, earnings will also grow, and more projects can be funded. Eventually, the amount available for expenditure will likely be greater than the annual lottery contribution.

For further information, see [www.commissions.leg.state.mn.us/lcmr](http://www.commissions.leg.state.mn.us/lcmr).

- \$1.14 million for sensitive riparian land acquisition;
  - \$800,000 for a wind-to-hydrogen demonstration;
  - \$700,000 for the Clean Energy Resource Teams and Community Wind Energy Rebate and Financial Assistance Program;
  - \$550,000 for LCMR administrative costs;
  - \$500,000 to acquire forest land easements;
  - \$400,000 for the Laurentian Energy Authority biomass project;
  - \$336,000 for dairy farm digesters;
  - \$300,000 for a statewide plan for conservation and preservation;
  - \$290,000 for a land exchange revolving fund for Aitkin, Cass and Crow Wing counties;
  - \$267,000 for Lake Superior Research;
  - \$250,000 for land cover mapping for natural resource protection;
  - \$250,000 for a study of climate change impacts on Minnesota’s aquatic resources;
  - \$150,000 for biomass-derived oils for generating electricity and reducing emissions;
  - \$150,000 for enhancing civic understanding of groundwater;
  - \$100,000 for natural gas production from agricultural biomass; and
  - \$100,000 for manure methane digester compatible wastes and electrical generation.
- Tinglestad said that as the end of the session nears, the LCMR is concerned about making

sure the dollars get allocated so that they do not go back into the trust fund.

“So with this amendment, it would match up with the agreement through the Senate with Sen. Dallas Sams, who is the chief author over there,” Tingelstad said, adding she had recently met with Sams and staff from the governor’s office to “come to a consensus” on the allocations within the amendment.

Tingelstad said some of last year’s trust fund allocations were vetoed by Gov. Tim Pawlenty.

## ★ GAME & FISH

### Provisions passed by the House

Passage of the annual game and fish bill by the House 129-2 on May 17, included a discussion of “monster mudders.”

Sponsored by [Rep. Denny McNamara](#) (R-Hastings), [HF3116](#) contains a list of definitions, modifications and clarifications of existing statutes. Included are definitions of “deer” and “muzzle-loader”; modifications allowing people to operate ATVs or snowmobiles on their own land during legal shooting hours of the deer season; and clarifications regarding the deposit of various receipts into the game and fish fund and the authority of enforcement officers to inspect equipment used to take wild animals in the field.

Other provisions would permit hunters to move a big game animal from a legal kill site to a campsite or transport vehicle before tagging the animal; special hunts for military personnel; the collecting of naturally shed antlers; the use of a “buck” tag for taking deer of either sex under certain conditions; and fishing and spearing together in a dark house under certain conditions.

The bill places a temporary moratorium on use of public waters for aquaculture, allows counties to place bounties on coyotes and allows 11-year-olds to take ATV safety courses.

“Monster mudders,” which are not game or fish, received considerable debate before [Rep. Larry Howes](#) (R-Walker) successfully amended the bill with the intention of prohibiting the [Department of Natural Resources](#) from establishing trails for 4x4 “monster mudder” trucks in certain state and county forests and parks.

“At some point we have to say, ‘When is enough enough?’” Howes said, referring to what he perceives to be a tendency by the DNR to accommodate recreation that is detrimental to the environment.

[Rep. Frank Moe](#) (DFL-Bemidji) spoke of the establishment of such a trail in Paul Bunyan State Forest, of the existence of just more than

1,000 such vehicles in the state, and of their drivers’ plans to come together and use the trails in numbers and ways that damage the environment.

The bill now goes to the Senate, where [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) is the sponsor.

## ★ GOVERNMENT

### Eminent domain bill re-passed

A bill that would curb governments’ authority to use eminent domain powers is one last step away from becoming law.

The [conference committee report to HF2846/SF2750\\*](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Tom M. Bakk](#) (DFL-Cook), was passed 115-17 by the House and 56-9 by the Senate on May 15. It needs only the signature of Gov. Tim Pawlenty to become law. He received the bill May 17, and must act by May 20.

Johnson said the conference committee had made several significant changes to the bill as originally passed by the House, including:

- changing the standard of proof throughout the bill from “clear and convincing evidence” to “a preponderance of evidence”;
- stipulating that a judge *may* award a property owner attorney fees if the final award for damages in an eminent domain proceeding is 20 percent to 40 percent more than the government’s final offer;
- stipulating that a judge *must* award a property owner attorney fees if the final award for damages in an eminent domain proceeding is greater than 40 percent of the government’s final offer; and
- making minor changes to the bill’s effective dates, including changes related to tax increment financing districts.

[House Majority Leader Erik Paulsen](#) (R-Eden Prairie) called the bill “milestone legislation,” and various other members praised the bill overall, while also expressing reservations about some of its provisions. [Rep. Al Juhnke](#) (DFL-Willmar) said the bill was a “step in the right direction” that nevertheless had some flaws.

“I do see some holes in here yet, and I think we’re going to need to do some major or minor tweaking in the future,” he said.

[Rep. Barb Goodwin](#) (DFL-Columbia Heights) said she was disappointed that development projects already in progress in her district and elsewhere would not be granted an exemption from the bill’s provisions.

“Now we’re stuck in a box because of your legislation, and the taxpayers are going to lose

the money that they’ve already invested,” she said.

[House Minority Leader Matt Entenza](#) (DFL-St. Paul) said he was proud that the bill had been put together and passed on a bipartisan basis.

“People who own homes need to know that government is not going to take their home away from them just so another private business can be located there,” he said.

## ★ HEALTH

### Health care bill resurrected

Members of a House division hope to force a Senate vote on a comprehensive health care cost containment bill by inserting its language into an unrelated Senate bill.

The [Health Care Cost Containment Division](#) of the [House Health Policy and Finance Committee](#) modified [SF367](#), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), with a delete-all amendment that completely changes the subject matter of the bill.

In its original form, the bill deals with high school diving pool regulations; as amended by the division May 16, it will now serve as a vehicle for [HF1862](#). Sponsored by [Rep. Jim Abeler](#) (R-Anoka), it contains a number of health care reforms and was originally passed 100-30 by the House May 11.

[Rep. Fran Bradley](#) (R-Rochester) said it was unfortunate that the House has to resort to such a tactic, but that there is no other choice since the Senate refuses to vote on the original House file.

“It’s a shame, frankly, that we have to do it at all,” he said, adding that he sponsors a bill relating to assisted living that the Senate has chosen to ignore as well. “You gotta do what you gotta do, but it’s too bad.”

Some of the reforms included in the bill, as amended by the division, include: evidence-based practice standards and guidelines; electronic billing assistance; requiring medical clinics to develop free patient brochures on prescription drug programs; and a state Web site providing health care cost and quality information for consumers.

The division approved the bill as amended. It now goes to the [House Rules and Legislative Administration Committee](#).

### Flu vaccine availability

Legislation intended to ensure that flu vaccines are available to the people who need them most was passed by the House 126-4 May 15.

Sponsored by [Rep. Bud Heidgerken](#)



(R-Freeport), [HF3458](#) states that unless the commissioner of health determines in any year that there is a sufficient supply of the flu vaccine and has posted this determination on the Department of Health's [Web site](#), public immunization events could not be held until Nov. 1.

The bill now goes to the Senate, where [Sen. David Tomassini](#) (DFL-Chisholm) is the sponsor.

"Basically what it will do is it will slow down corporate America's buying up of all the vaccines before the small providers and health systems get theirs," Heidgerken said.

He added that his bill is a response to the fact that health care providers serving people in high-risk groups in Greater Minnesota have inadequate supplies of the vaccine, receive their supplies very late in the season or not at all.

Margaret Roddy, assistant manager of the Immunization, Tuberculosis and International Health Section of the Department of Health, said this delay would likely result in the vaccine being more widely distributed before the public immunization events begin. It would also give public health officials time to examine and implement a redistribution plan if necessary.

### Abortion provision modifications

The House passed a bill 130-0 May 17 that would make changes in the Woman's Right to Know Act regarding women with fetuses diagnosed with a fetal anomaly incompatible with life.

Sponsored by [Rep. Matt Dean](#) (R-Dellwood), [HF3988](#) would give women more appropriate information related to their pregnancy. Currently, women with a fetus with such conditions are given the same information as women with normal, healthy pregnancies, Dean said.

Under the bill, women facing such circumstances would also be exempt from informed consent provisions, including fathers' liability to support the child and the review of materials that include information on the gestational development of a fetus. Women also must be informed of available perinatal hospice services and offered the care as an alternative to an abortion. Such services include support from the time of diagnosis through the time of birth and death of the infant and through the postpartum period.

Fetal anomaly incompatible with life is defined in the bill as a condition, "diagnosed before birth that will with reasonably certainty result in death of the unborn child within three months. Fetal anomaly does not include

conditions which can be treated."

Received May 18 by the Senate, the bill awaits action by the Senate Health and Family Security Committee. [Sen. Geoff Michel](#) (R-Edina) is the sponsor.

## SIDELINE VIEW

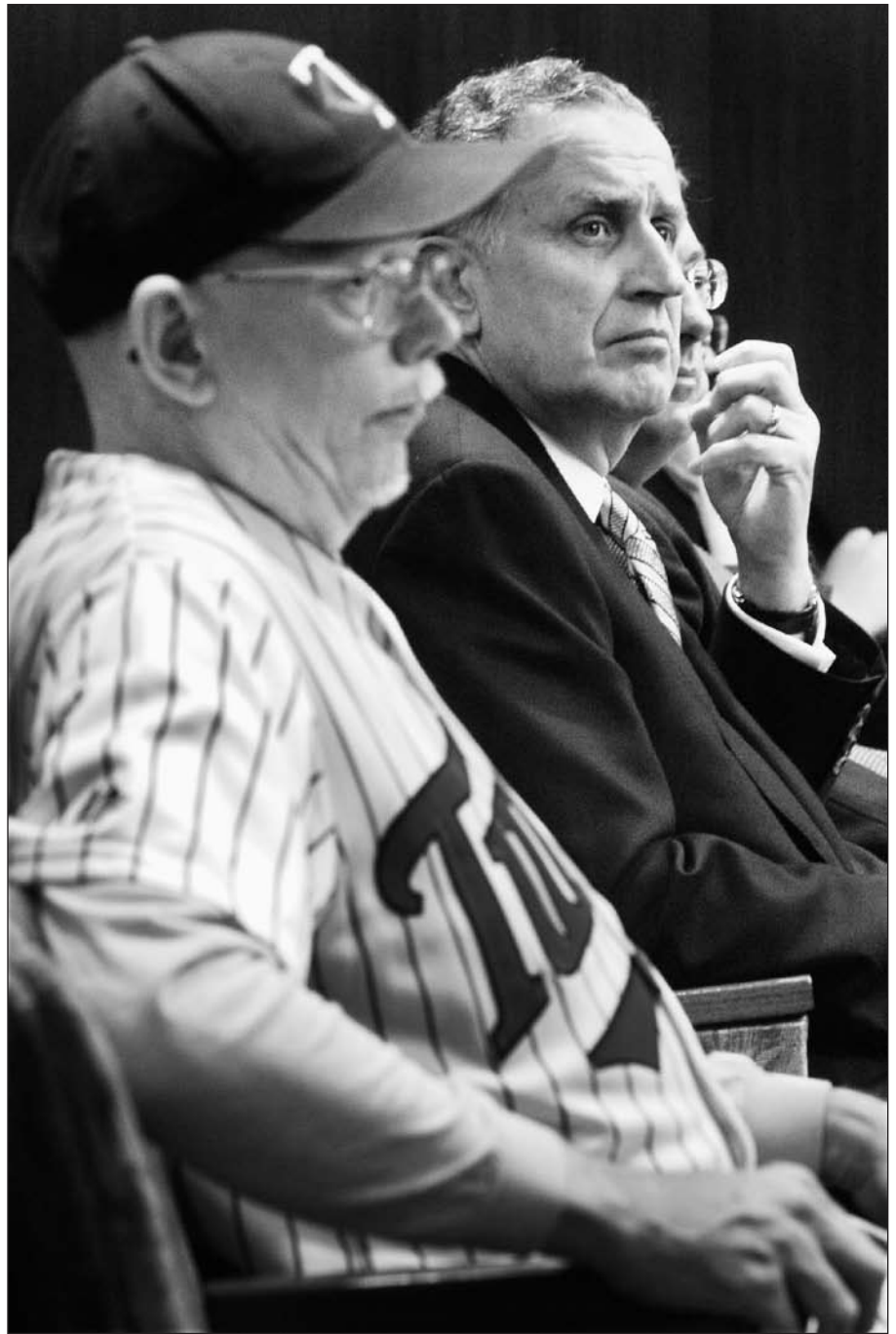


PHOTO BY TOM OLMSCHIED

**NFL Commissioner Paul Tagliabue, right, and Doug Carlson, dressed in Twins, Gophers and Vikings apparel, listen as Rep. Andy Westerberg reviews the Anoka County football stadium proposal May 16 with the stadium conference committee. Tagliabue told the committee that the time is now to build a stadium for the Vikings. Carlson would like to see all three of the stadiums built, but said, "The Twins should come first."**

## HUMAN SERVICES



### Addressing assisted living

A bill addressing a collection of long term and continuing care issues hopes to increase the quality of assisted living, a growing alternative

to nursing homes for many senior citizens.

[HF3144](#), sponsored by [Rep. Fran Bradley](#) (R-Rochester), would provide a wide range of assisted living services regulations ranging from defining what assisted living is to consumer protection. It would also modify licensure categories.

Passed 124-8 by the House May 11, it now awaits action by the full Senate. [Sen. Linda Berglin](#) (DFL-Mpls) is the Senate sponsor.

Bradley said numerous groups support the bill, while [Rep. Char Samuelson](#) (R-New Brighton) added that the bill helps a variety of communities.

One provision in the bill requires the health commissioner to establish an advisory committee that would put together a guide that assisted living providers and clients could use to their benefit.

But support for the bill did not come from all sides. [Rep. Torrey Westrom](#) (R-Elbow Lake) said that although he felt the bill has good intentions, he could not support it. The bill would create a “slippery slope” where more regulations would be added over time, Westrom said. “This will just be another nursing home Number Two,” Westrom said, referring to the tarnished reputation nursing homes have received in recent history, while assisted living has been viewed as a superior model of long term and continuing care.

## LAW

### Liability claims limited

The House passed a bill that would limit state and municipal tort liability damage awards to a single government entity for claims brought against two or more government entities involved in a joint powers agreement or other joint venture.

[HF3079\\*/SF2648](#), sponsored by [Rep. Ron Abrams](#) (R-Minnetonka) and Sen. Ann H. Rest, was passed 126-7 May 11 by the House and 59-26 by the Senate May 18. It awaits action by the governor.

Abrams said the bill is a response to a decision by the U.S. Eighth Circuit Court of Appeals on an “unfortunate incident” in Crookston in which a school district and the city had set up a joint powers board to operate a swimming pool and a boiler repairman was severely injured. The court ruled that tort liability claims could be filed against both the city and the school district as opposed to just one claim against the joint powers board. The bill would make it so that only one claim could be filed against a joint venture or enterprise.

[Rep. Scott Newman](#) (R-Hutchinson) said that such bills “circumvent” people’s constitutional rights.

“I want to remind you that our constitution provides for a right of someone who is seeking money damages to have a trial by jury and to have the jury award the damages,” Newman said. “In any case, regardless of the amount of damages that you are seeking, you have a right to seek that by way of a jury trial.”

The bill also places caps on the amount of liability damages that can be awarded to individuals and/or groups involved in claims against governments.

[Rep. Phil Krinkie](#) (R-Lino Lakes) called putting caps on municipal liability damages “totally ridiculous” and said it was a “double standard.”

“How absurd to say that if the same thing happens in a municipal unit of government, there’s a cap,” he said.

## LOCAL GOVERNMENT

### Met Council powers repealed

Signed  
by  
the  
governor  
★ ★ ★

The Metropolitan Council no longer reviews capital improvement plans for school districts, and a new law signed May 11 by Gov. Tim Pawlenty ensures that in state statutes.

“In 2003, we took away the Met Council’s authority to review school district capital improvement plans, and this is remnant language that was discovered recently and needs to be removed from the statutes,” said

[Rep. Mary Liz Holberg](#) (R-Lakeville), who sponsors the law with [Sen. Chuck Wiger](#) (DFL-North St. Paul). It takes effect Aug. 1, 2006.

Holberg described it as a “housekeeping bill.”

[HF3285\\*/SF2929/CH194](#)

### Strip club regulations approved

A conference committee reached an agreement May 18 on a bill that would help give municipal governments extra leverage against anyone looking to open a strip club or similar establishment within their city limits.

The conference committee report on [HF3779\\*/SF3394](#), sponsored by [Rep. Dean Urdahl](#) (R-Grove City) and [Sen. Steve Dille](#) (R-Dassel), will now return to the House and Senate floors.

The committee chose to adopt most of the Senate’s language, greatly expanding the bill’s scope. The original House version contained just a single provision that would require businesses looking to provide live performances of sexually oriented material to give 60 days’ notice to city officials of the establishment’s intended start date.

As amended by the committee, the bill now includes additional provisions, including new zoning regulations, minimum distance requirements from certain buildings, hours and days of operation restrictions, and restrictions on ownership and management

### CAPITOL LANDING



PHOTO BY SARAH STACKE

A Lifeline helicopter circles the Capitol on May 16 before landing on the Capitol mall. The helicopter was at the Capitol in recognition of National EMS Week, which honors paramedics, emergency medical technicians, first response police officers and firefighters.

of such businesses by persons convicted of certain crimes.

It also now contains a provision that allows local governments to completely override state statutes to put more or fewer restrictions on such businesses as they see fit.

[Rep. Tom Emmer](#) (R-Delano) praised Dille for his work on the legislation and said that local governments across the state have been “misled” by the owners of adult entertainment establishments.

The slightly off-color humor that has followed the bill throughout the process was not absent from the conference committee’s meeting.

“We’re not wrapping this up without a field trip, are we?” asked [Rep. Tom Rukavina](#) (DFL-Virginia), to which [Sen. Thomas Neuville](#) (R-Northfield) retorted, “I thought that’s why you were late this morning.”

## ★ SAFETY

### Fire safety funding

A bill that moves a current fire tax placed on insurers to a surcharge on fire and non-liability policyholders received House approval May 11.

Approved by the Senate six days later, [HF2916](#)\*/[SF2941](#) awaits gubernatorial action.

“This is the most important fire safety bill any of you will have heard,” said [Rep. Steve Smith](#) (R-Mound), who sponsors the bill with [Sen. Ann Rest](#) (DFL-New Hope). “That is not just because the last major fire safety bill was passed by the Legislature in 1935. The bill addresses and solves four problems that we’ve been dealing with for a couple of decades.”

According to Smith, the bill would allow the state fire marshal to fill the following positions: four arson investigators, nine fire safety inspectors and all fire code analysts. It would assist local fire departments with increased training costs; provide reliable funding for hazardous materials teams that help with things like train derailments, methamphetamine lab cleanups and other explosive emergencies; and it would “abolish a hidden tax that punishes Minnesota insurance companies when other states impose retaliatory taxes.”

“With the increased laws we’ve passed in the last 10 years calling for increased inspections with fewer state inspectors, we haven’t been serving the public very well,” said [Rep. Mary Murphy](#) (DFL-Hermantown). “This will fill some of those holes.”

Smith said it would take more than one action to rectify the situation.

“First of all we repeal the hidden tax in this bill which has not been increased in the last 70 years. Second, we replace in the bill that hidden tax with a 0.65 percent tax surcharge on fire insurance policies,” he said, noting the surcharge must be separately stated on a billing or policy declaration sent to the insured. For a homeowner with an average fire insurance policy of about \$800, the bill would cost about a penny a day. The surcharge would begin July 1, 2007.

“We’re finally telling the people of Minnesota that have secretly been paying this tax, what their money is going for,” Murphy said. “Now we have some accountability.”

In the last two decades, according to Smith, firefighter training has evolved to include roughly 110 hours of basic training, 110 hours of training for emergency medical technicians, 40 hours of first responder training, 20-40 hours of hazardous material training and 8 hours for bloodborne pathogen training.

### Public safety policy provisions

An omnibus public safety policy bill that encompasses parts of approximately 50 other bills received House approval May 17.

Sponsored by [Rep. Steve Smith](#) (R-Mound)

### PEACE OFFICERS RECOGNITION



PHOTO BY ANDREW VONBANK

The colors are presented to the House Chamber by officers from the Minnesota State Patrol May 15 in recognition of Peace Officers Memorial Day.

and [Sen. Jane Ranum](#) (DFL-Mpls), [HF2085/SF1525](#)\* is likely headed to a conference committee.

“The first task of any civilized society is to provide justice within the peace and safety of its own citizens,” Smith said moments before the 125-7 vote.

According to Smith, the bill contains provisions that are a “no cost, no controversy approach to important public safety issues.”

Included in the bill are tougher sentences for career criminals.

“Because of judicial decisions, we had to tighten sentencing procedures for repeat criminals last year,” Smith said. “Because of later decisions, we must tighten those procedures again.”

The bill also has a number of provisions dealing with domestic abuse and predatory offenders, including enhanced penalties for violations of no-contact orders that occur within five years of a previous conviction for a qualified domestic violence-related offense; lifetime registration for predators sentenced to the same in another state; and parental notice of predatory offenders would be expanded to include school areas and day care facilities.

It also incorporates a bill sponsored by [Rep. Joyce Peppin](#) (R-Rogers) that would increase penalties for criminal neglect of a vulnerable adult by a family member. An amendment offered by [Rep. Diane Loeffler](#) (DFL-Mpls) to remove this provision was withdrawn.

“This bill creates some real issues related to whether or not we should hold family caregivers to a different standard than anyone else who interacts with that vulnerable adult,” Loeffler said.

Other provisions in the bill, according to Smith, relate to new crimes, such as computer theft and modernized counterfeiting.

An amendment successfully offered by Smith added two provisions to the bill.

One is based on [HF4124](#), sponsored by [Rep. Keith Ellison](#) (DFL-Mpls), which would create an account for the [Department of Corrections](#) to accept federal funds to help mentally ill prisoners to plan for their release, such as future treatment, employment and housing. The second, part of [HF3620](#), sponsored by [Rep. Matt Dean](#) (R-Dellwood), would permit the [Human Services Department](#) to establish tighter security provisions at its facilities, including St. Peter.

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## Hearts and bones donations needed

Signed  
by  
the  
governor  
★ ★ ★

A minimum of 30 minutes of teaching related to organ and tissue donations will be required as part of Minnesota's driver education curriculum, under a new law signed by Gov. Tim

Pawlenty May 11.

Although the law is effective Aug. 1, 2006, the instruction does not become mandatory until Jan. 1, 2007. It applies to public schools, private schools and commercial drivers training schools.

[Rep. Michael Paymar](#) (DFL-St. Paul), who sponsored the law with [Sen. Chuck Wiger](#) (DFL-North St. Paul), said it is an opportunity to give the gift of life. He said more than 2,000 Minnesotans are waiting for an organ transplant.

Previous law only required that students be informed of their option to donate, and any additional information was voluntary.

Organs and tissues that can be donated include: heart, lungs, kidneys, pancreas, liver, intestines, corneas, skin, veins, tendons, bones, bone marrow, heart valves and connective tissues.

[HF3401/SF2646](#)\*/CH192

## TRANSPORTATION



### Headsets allowed

Signed  
by  
the  
governor  
★ ★ ★

A bill that would create an exception for firefighters operating emergency vehicles to wear headsets was signed into law May 16 by Gov. Tim Pawlenty.

"I didn't know that people driving emergency vehicles who are wearing headsets so they can communicate by radio with each other are breaking the law," said [Rep. Fran Bradley](#) (R-Rochester), who sponsored the law with [Sen. David Senjem](#) (R-Rochester).

Edina Fire Chief Marty Scheerer testified in a House committee in favor of the measure. "We do this on a daily basis. We're not just listening to the radio but we're often talking to each other oftentimes on the way to a fire when the sirens and everything are going."

The use of headsets also help prevent hearing loss and allow others in the vehicle to warn the truck driver of oncoming traffic, Scheerer said.

Current law states, "No person, while operating a motor vehicle, shall wear headphones or earphones which are used in both ears simultaneously for purposes of receiving or listening to broadcasts or

reproductions from radios, tape decks, or other sound-producing or transmitting devices."

The law takes effect Aug. 1, 2006.

[HF2697](#)\*/[SF2474](#)/CH208

### A police officer remembered

A bill that would designate portions of Interstates 35, 35E and 35W as the Shawn Silvera Memorial Highway awaits the governor's signature.

[HF3805/SF3526](#)\*, sponsored by [Rep. Ray Vandever](#) (R-Forest Lake) and [Sen. Michele Bachmann](#) (R-Stillwater), would require the transportation commissioner, in consultation with the Shawn Silvera Foundation, to adopt a suitable marking design and placement of four signs to memorialize a Lino Lakes police officer killed in the line of duty. It was passed by the House May 11 and the Senate May 15.

Controversy over placement of the four signs was debated in previous committees and again on the House floor.

Those voting against the bill did not want to be seen as disrespectful, but expressed concern that the bill is in conflict with federal regulations whereby signs on highways are regulatory or for informational purposes only.

"I know it's a tough vote and nobody wants to vote against a fallen officer, but please consider the precedence that we'll be setting," said [Rep. Mary Liz Holberg](#) (R-Lakeville).

Federal and state standards specifically say memorial signs should not be placed on freeways, but rather at rest areas, scenic overlooks or recreational areas where parking is available. The [Department of Transportation](#) is suggesting placing a memorial at the Forest Lake rest area, said Sue Groth, assistant state traffic engineer.

"This is for a good purpose, a worthy purpose, for somebody who lost their life enforcing the law," said [Rep. Tony Cornish](#) (R-Good Thunder).

"It's OK to have McDonald's out on the highway; it's OK to have Pizza Hut; it's OK to have highway clean up signs; you can have all those ... but you can't have four signs in 25 miles cluttering up the freeway honoring someone who was out doing the right thing," said Vandever. He said the Transportation Department is neutral on the content of the bill.

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

## VETERANS



### Omnibus veterans bill passed

The House passed a slightly stripped-down version of an omnibus veterans bill 131-0 May 17.

Sponsored by [Rep. Lloyd Cybart](#) (R-Apple Valley), the bill ([HF3664](#)) contains a number of policy initiatives affecting soldiers and veterans, including most of the non-fiscal provisions originally contained in the "Governor's Veterans Bill of 2006" ([HF2921](#)), sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids).

The bill, which awaits Senate action, includes:

- a provision exempting military personnel who are on leave from active duty in locations outside the state from having to obtain a permit to visit state parks;
- a provision requiring any employer to grant an unpaid leave-of-absence to an employee whose immediate family member is injured or killed while serving in active military service;
- a provision requiring employers to provide unpaid leave to an employee whose immediate family member has been mobilized into active military service in support of a war or other national emergency;
- a provision relating to higher education fairness for military members and veterans; and
- a provision authorizing two new military plaques — one for Medal of Honor recipients and one for military war dogs and their handlers — in the Court of Honor on the Capitol grounds.

Various members expressed praise for the bill. [Rep. Lynn Wardlow](#) (R-Eagan) said it would make Minnesota a "more veteran-friendly state," while [Rep. Greg Blaine](#) (R-Little Falls) called it an "excellent piece of legislation for the veterans in Minnesota."

### Web Sites To Note

House of Representatives: [www.house.mn](http://www.house.mn)

Senate: [www.senate.mn](http://www.senate.mn)

Legislative home page: [www.leg.mn](http://www.leg.mn)

Governor's office: [www.governor.state.mn.us](http://www.governor.state.mn.us)

State Government: [www.state.mn.us](http://www.state.mn.us)

Find out who represents you:

[www.leg.state.mn.us/leg/Districtfinder.asp](http://www.leg.state.mn.us/leg/Districtfinder.asp)

Legislative meeting schedule:

[www.house.leg.state.mn.us/hinfo/hinfosched.asp](http://www.house.leg.state.mn.us/hinfo/hinfosched.asp)

# JOBZ well done

Governor-supported program hopes to improve employment throughout state

By BAO ONG

**J**udy Shelman moved to Luverne, Minn., nine years ago from Washington, D.C. hoping to find one of those quaint and perfect postcard Midwestern towns. She would take care of her horses and enjoy a more relaxed lifestyle.

Shelman, who was in her early 60s, had one problem: she had a difficult time finding a job that paid well enough to even survive, let alone maintain that picturesque lifestyle. Before landing a decent paying job at Citibank in nearby Sioux Falls, S.D., she only found part-time jobs paying paltry salaries of \$4 to \$5 an hour with no benefits.

"I think the job market in the Midwest is terrible," Shelman said. "The wages are poor. Most of the places don't have benefits. You have no holidays off."

Enter Minnesota's Job Opportunity Building Zone (JOBZ) program in 2004. JOBZ is Gov. Tim Pawlenty's initiative to increase employment and economic development in Greater Minnesota through local and state tax exemptions to new and expanding businesses.

The program is now more than 2 years old, but [Rep. Dean Simpson](#) (R-New York Mills) is sponsoring [HF4145](#), which would add three more years to the 12-year life of the JOBZ program for qualifying businesses. The bill awaits action by the House Taxes Committee. It has no Senate companion.

In 2004, Sioux Falls-based Total Card, Inc., a third-party credit card service provider, was looking for a second location to house additional customer service and collections positions. A Luverne location was a possibility.

"Without JOBZ, we probably wouldn't have come to Minnesota," said Greg Ticknor, Total Card president. "This made the difference to us."

Ticknor said the Luverne location was desirable, but his company was looking at other options in South Dakota. However, the JOBZ tax breaks were too good to pass up.

Today, Total Card employs approximately 100 people in Luverne, mostly from the area, and is looking to grow, Ticknor said.

One of those employees is Shelman. "I love it here. I'll be here till death," she said. Shelman, left Citibank after seven years to work closer to home. She said the benefits are good and the full-time work answering phones in her

customer service position is enjoyable.

For Total Card Human Resources Manager Rachel Ask, JOBZ allowed her to pursue a career other than manufacturing or agricultural work while living in Greater Minnesota. It also allowed her husband to stay in the area because he wanted to farm.

Supporters of JOBZ said preliminary



PHOTO BY TOM OLMSCHIED

The 126,000 square foot Polaris Product Development Center in Wyoming, Minn., is responsible for research and development of Victory Motorcycles, ATVs, Ranger utility vehicles and Polaris engines.



PHOTO BY TOM OLMSCHEID

The Polaris Product Development Center opened in Wyoming, Minn., in April 2005, thanks in part to the JOBZ program.

*At the end of 2005, its second year of operation, the JOBZ initiative had resulted in 208 deals in communities around the state, according to the Department of Employment and Economic Development Web site. For a complete listing of the projects, go to [www.deed.state.mn.us/bizdev/PDFs/jobzDeals.pdf](http://www.deed.state.mn.us/bizdev/PDFs/jobzDeals.pdf)*

numbers indicate the program is working for many more Minnesotans like Ask and Shelman.

Minnesota's unemployment rate is nothing to be ashamed of either. In March 2006, the [Department of Employment and Economic Development](#) (DEED) reported that Minnesota's unemployment rate was 4.1 percent, one of the lowest in the nation. The national unemployment rate was 4.7.

According to the department, more than 200 JOBZ projects have been completed and 3,000 jobs created. Meanwhile, businesses have saved \$6.4 million from tax benefits and breaks. The department predicts "associated businesses and employee spending are expected to create 2,100 more jobs."

### Too friendly to corporates

But not everyone supports JOBZ. Some say the numbers look better than they appear. Others have claimed the program to be unconstitutional and too friendly toward corporate businesses.

Mark Lofthus, DEED director of business development, said it is difficult to track which jobs are actually filled with workers and which are just jobs that employers have committed to filling. Still, he said DEED will begin

monitoring businesses for compliance more closely this year.

Currently, JOBZ businesses do not have to pay property tax on improvements of the land they use, sales tax on what they use or consume in the JOBZ zone, or corporate income tax, and they may also receive tax credits if they pay their workers a high enough wage. But if they do not fulfill their commitment, DEED could take back the benefits, look for repayment or provide a yearlong extension.

In his e-mail newsletter, Simpson said JOBZ is working. "I've seen nothing more

rewarding than having a company relocate to a community and create needed jobs," he wrote. "This bill will simply allow more time for the businesses to benefit our community.

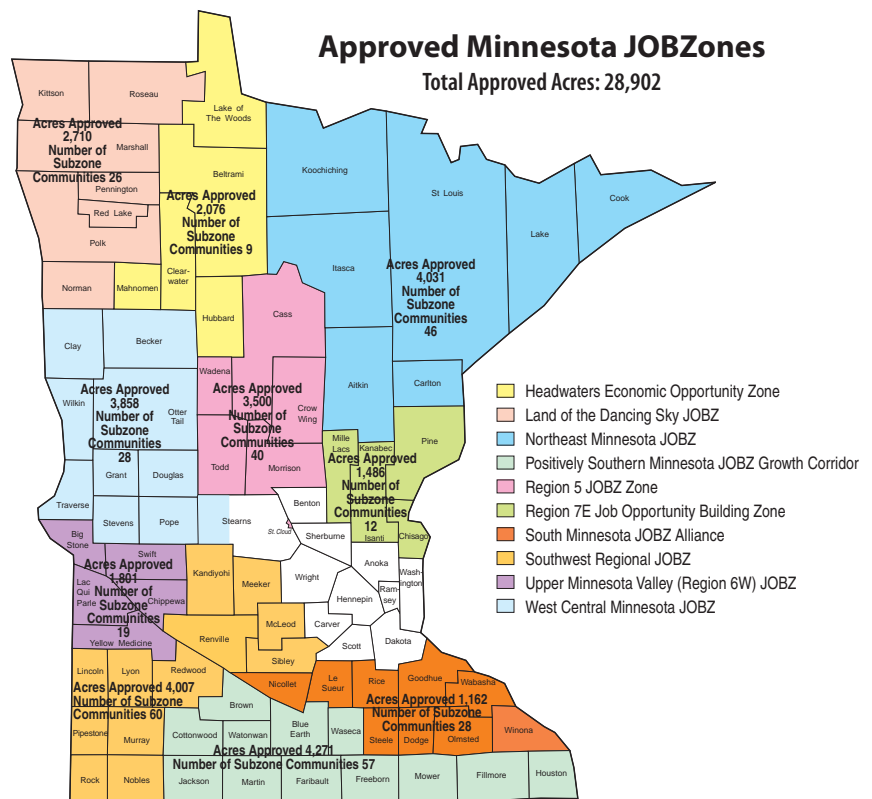
That's good news for Steven Muzzy, a controller at Central Boiler in Greenbush, located in the northwest corner of the state. Central Boiler manufactures outdoor food furnaces.

Muzzy said JOBZ allowed the company to keep its business in Minnesota instead of going to Canada or North Dakota.

"We think it's good for us," s Muzzy said. "And good for the state, too."

## Approved Minnesota JOBZones

Total Approved Acres: 28,902



Graphic courtesy of the Minnesota Department Employment and Economic Development



## Determining tuition reciprocity

Student's rates under examination

By PATTY JANOVEC

**L**et's say you're a Minnesota student attending the University of Minnesota-Duluth during the 2005-06 school year, you'd be paying \$7,157 in tuition. Let's say your roommate is from Wisconsin, you might be shocked to know that their tuition is \$5,494.

Now, let's flip that scenario around; you're a Minnesota student going across the harbor to attend the University of Wisconsin-Superior. You'd find your tuition about \$343 higher than a Wisconsin student.

Confused? Well, continuing on with information from the Office of Higher Education, let's look at some more scenarios. If you were a Minnesotan attending the Morris campus of the University of Minnesota in the 2005-06 school year, you'd be paying \$2,586 more than a Wisconsin student; at Crookston the difference is \$1,507 and at the Twin Cities campus it was \$1,140 for an undergraduate. Conversely, a Minnesota student at the University of Wisconsin-Madison paid \$1,522 more than a Wisconsin student.

These examples show the problems that some see with the tuition reciprocity system.

Throughout the university and Minnesota State Colleges and Universities (MnSCU) systems, many students from our neighbor state to the east pay less than a student that may call the "Land of 10,000 Lakes" home. However, it is not the case at every school.

For example, a Minnesotan at Anoka-Ramsey Community College pays \$779 less than a Wisconsin student, and at Mesabi Range College the difference is \$378 in favor of the Minnesotan.

The 2005 Legislature instructed the Office of Higher Education to examine tuition reciprocity agreements and interstate payments between South Dakota and Wisconsin. Currently Minnesota has full agreements with those states, plus North Dakota and Manitoba. A limited agreement also exists between Iowa Lakes Community College and Minnesota West Community and Technical College. The Iowa Board of Regents

has not expressed an interest to expand the agreement.

Legislators have questioned whether Minnesota benefits by allowing other states' students to attend Minnesota universities for potentially less cost.

"What's most important is the state provides opportunities, essentially expands markets for students, at a price they would pay at a similar home state institution," said Jack Rayburn, a research and policy analyst with the Office of Higher Education. By and large, the tuition agreements with surrounding states are very similar other than the varying tuition rates, and current agreements with South Dakota do not include interstate payments, he said.

The Legislature said that the 2005 study must include the examination of "reinstating payments in the Minnesota-South Dakota tuition reciprocity program and reducing the difference in tuition payments made by Minnesota resident undergraduates and Wisconsin resident undergraduates attending the University of Minnesota under the Minnesota-Wisconsin tuition reciprocity agreement." Its [results](#) were released Jan. 14.

### Reinstating payments, changing rates

When reciprocity students from one state impose a larger burden on the other state's taxpayers, the first state makes a reimbursement payment. For example, Wisconsin paid Minnesota \$6.5 million in

### Tuition Rates: Minnesota-North Dakota Tuition Reciprocity

2005-2006 tuition rates at North Dakota institutions in the Minnesota-North Dakota tuition reciprocity agreement.

North Dakota Institutions	MN/ND		
	Resident	Reciprocity	Non-Resident
Bismarck State College - Undergraduate	\$3,356	\$4,169	\$8,010
NDSU-Fargo - Graduate	\$5,580	\$6,728	\$13,389
University of ND - Grand Forks - Undergraduate	\$5,327	\$5,693	\$12,659

Source: Minnesota Office of Higher Education

2005-2006 tuition rates at Minnesota institutions in the Minnesota-North Dakota tuition reciprocity agreement.

Minnesota Institutions	MN/ND		
	Resident	Reciprocity	Non-Resident
Bemidji State University	\$6,016	\$6,016	\$6,016
Hibbing Community & Technical College	\$3,957	\$3,957	\$5,259
Lake Superior College	\$3,474	\$3,474	\$6,699
Northland Community & Technical College	\$4,222	\$4,222	\$4,222
Rochester Community & Technical College	\$4,268	\$4,268	\$8,012
St. Cloud State University	\$5,330	\$5,330	\$10,902
U of M - Crookston	\$8,119	\$8,119	\$8,119
U of M - Duluth	\$8,914	\$8,914	\$20,021
U of M - Morris	\$9,722	\$9,722	\$9,722
U of M - Twin Cities	\$8,855	\$8,855	\$20,485
Winona State University	\$6,673	\$6,673	\$10,619

Source: Minnesota Office of Higher Education

academic year 2004-05.

According to the report, "An interstate payment calculation has the advantage of assigning some or all of the instructional costs associating with educating a reciprocity student to the student and to the student's home general fund." While a student pays a portion of their education through tuition and fees, the general fund pays for a portion through an interstate payment calculation. The advantage to the process is that neither state is burdened with the costs of educating students from other states, the report notes.

The burden for calculating those costs and collecting tuition data is done by the public post-secondary education institutions and public agencies in the state.

Minnesota and South Dakota have not



PHOTO BY TOM OLMSCHEID

The Office of Higher Education released a study of tuition reciprocity agreements with South Dakota and Wisconsin Jan. 14. One proposal by legislators would create a single tuition rate for all students.

### Tuition Rates: Minnesota-Wisconsin Tuition Reciprocity

2005-2006 tuition rates at Wisconsin institutions in the  
Minnesota-Wisconsin tuition reciprocity agreement

Wisconsin Institutions	Resident	MN/WI	
		Reciprocity	Non-Resident
University of WI – Eau Claire - Undergraduate	\$4,414	\$4,780	\$14,459
University of WI - LaCrosse - Undergraduate	\$4,331	\$4,780	\$14,377
University of WI - Madison - Undergraduate	\$5,618	\$7,140	\$19,618
University of WI - River Falls - Undergraduate	\$4,277	\$4,780	\$14,323
University of WI - Superior - Graduate	\$5,619	\$5,823	\$16,229

Source: Minnesota Office of Higher Education

2005-2006 tuition rates at Minnesota institutions in the  
Minnesota-Wisconsin tuition reciprocity agreement.

Minnesota Institutions	Resident	MN/WI	
		Reciprocity	Non-Resident
Bemidji State University	\$5,246	\$4,358	\$5,246
Hibbing Community & Tech College	\$3,498	\$3,977	\$4,800
Lake Superior College	\$3,225	\$3,977	\$6,450
Northland Community & Tech College	\$3,840	\$3,977	\$3,840
Rochester Community & Tech	\$3,742	\$3,977	\$7,486
St. Cloud State University	\$4,760	\$4,358	\$10,332
U of M - Crookston	\$5,865	\$4,358	\$5,865
U of M – Duluth	\$7,157	\$5,494	\$18,264
U of M – Morris	\$8,204	\$5,618	\$8,204
U of M - Twin Cities	\$7,140	\$6,000	\$18,770
Winona State University	\$4,940	\$4,358	\$8,886

Source: Minnesota Office of Higher Education

exchanged payments since a 1988 agreement not to do so.

### Potential changes

The study offers no conclusions because “discussion between the agency and the Wisconsin Higher Education Aids Board are continuing.” Similar wording applies to negotiations with the South Dakota Board of Regents.

According to the report, the Minnesota-Wisconsin rate was altered in 1998 “to have graduate and professional students pay the higher of the two-state tuition rates at comparable institutions and have Wisconsin undergraduate students attending the University of Minnesota-Twin Cities pay the University of Wisconsin-Madison undergraduate tuition rate plus 25 percent of the difference” between the two.

The study reports that Minnesota’s tuition rates are now increasing faster than Wisconsin. “Although the difference in tuition paid and the marginal instruction costs of educating tuition reciprocity students is paid by each state’s general fund, the difference in student tuition rates paid by Wisconsin undergraduates attending the University of Minnesota have become a lightning rod.”

In 2004, the number of Wisconsin students attending Minnesota universities was 11,409;

the number of Minnesotans at Wisconsin universities totaled 13,139.

As for potentially enforcing payments with South Dakota, the study says, “If Minnesota were to insist on reactivating an interstate payment, it risks South Dakota terminating the agreement and attracting Minnesota residents with prices lower than comparable Minnesota institutions.” Should the initial tuition reciprocity end, Minnesota residents would “have a financial incentive to leave” the state.

According to the report, “In fall 2004, there were 2,152 South Dakota residents enrolled in Minnesota public post-secondary institutions and 2,003 Minnesota residents enrolled in South Dakota public post-secondary institutions.”

### Legislative action

The House Higher Education Finance Committee didn’t address the tuition reciprocity study this year.

Committee Chair [Rep. Bud Nornes](#) (R-Fergus Falls), said while there was some passing discussion on the issue, “It probably just didn’t rise to the top of our agenda for a short session and practically nobody brought it to the committee as a concern that we should deal with this year.” Additionally, former Rep. Joe Opatz (DFL-St. Cloud), who was a champion for the issue left the Legislature for another opportunity, he said.

One proposal several legislators have been discussing, Nornes said, is eliminating the reciprocities and creating one tuition rate for all.

“That’s a goal that some have because it certainly simplifies things, clarifies that. They could come from Iowa they’d pay the same, they could come from South Dakota they’d pay the same, and as time goes on and perhaps there’s more competition to attract students that may become more of an issue as we go forward,” Nornes explained.

“I think it would be the right thing to do if it’s workable. We’d probably ask next session the two systems (University of Minnesota and Minnesota State Colleges and Universities) to at least give us their feedback and maybe do some kind of a study to see what the impact might be,” he said.

By creating one tuition rate for all, it would eliminate the requirement for the Office of Higher Education to negotiate contracts and free them up for some other things, Nornes said.



## Potential transit boost

House approves more than \$2 billion transportation package

By PATTY JANOVEC

The House passed its omnibus transportation finance bill May 16 after nearly six hours of debate and more than a dozen amendments. The vote was 100-31.

**HF3761\*/SF3764**, sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville) and [Sen. Steve Murphy](#) (DFL-Red Wing), appropriates \$88.8 million in trunk highway fund money and another \$43.4 million in bonds into Minnesota's transportation system. Also included is the governor's nearly \$2.5 billion bonding proposal for trunk highway projects that hinges on the November passage of a constitutional amendment.

The Senate amended its language onto the bill one day later, so a conference committee was called. As of press time, there was no agreement.

### Appropriations

Of the \$131.4 million that would be appropriated for various projects, including in fiscal year 2007, \$83 million would be spent on state road construction, including payment to landowners for lands acquired for highway right-of-way; \$18.2 million would go toward a new district facility in Mankato; \$10.2 million would be used for an exterior renovation of a [Department of Transportation](#) building in St. Paul; and \$5 million is for the design and engineering of trunk highway projects identified in the federal [High Priority Projects Program](#) for projects of regional significance.

The bill also creates a Transit Fund in which the money received upon approval of the constitutional amendment would be placed. Also, beginning on or after July 1, 2007, all revenues collected from the sales tax on leased vehicles would go to the transit funds.

The governor's bonding package calls for \$2.45 billion for construction, reconstruction and improvements to trunk highways, \$35 million for program delivery; and payments to landowners for acquiring right-of-way.

The governor's plan also creates a fund for money generated if the constitutional

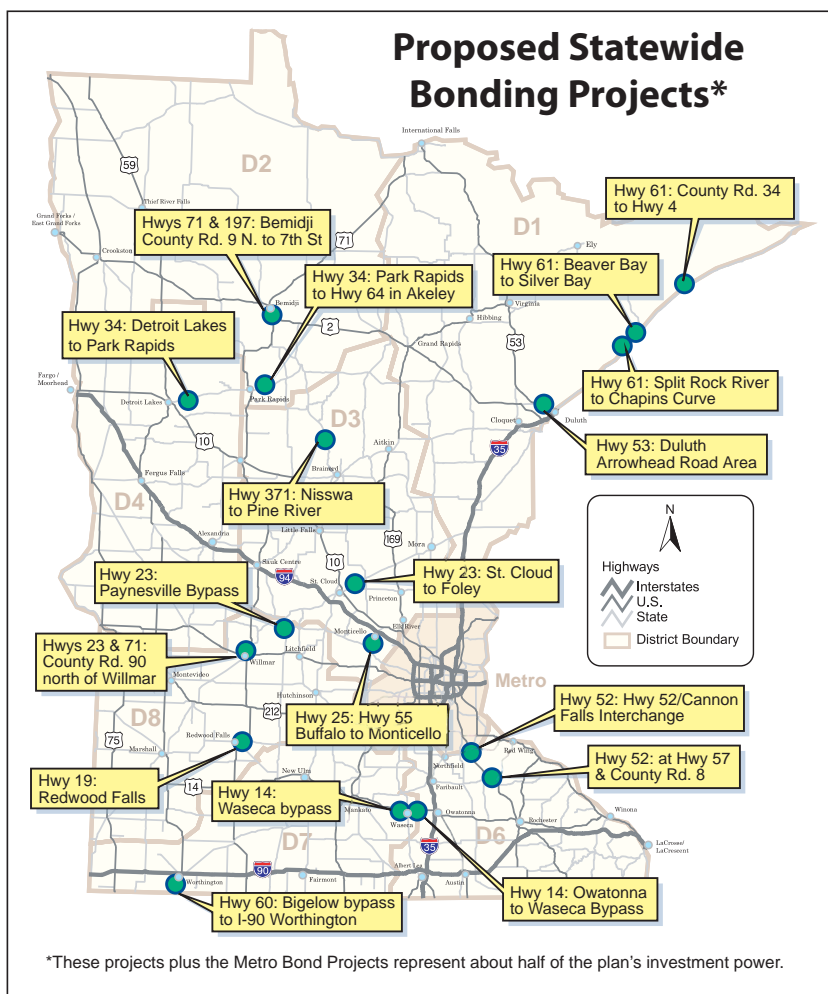
amendment passes. By the year 2012, all the motor vehicles sales tax revenues would be going into the created fund.

### Dividing constitutional monies

Under the bill, the November constitutional amendment language would be changed to ask: "Shall the Minnesota Constitution be amended so that after June 30, 2011, all of the revenues from existing tax on the sale of new and used motor vehicles are dedicating to highways and public transit?"

The language approved by the 2005 Legislature required at least 60 percent of the funding to go toward highways and at least 40 percent toward public transit assistance. The 2006 bill would change the division to a solid 60/40 split.

An unsuccessful amendment offered by



Graphic courtesy of the Minnesota Department of Transportation



### Sample priority projects in the governor's bonding plan:

Project	Cost
Hwy. 610 - Brooklyn Park/Maple Grove	\$160 million
I-494/Highway 169 interchange	\$145 million
Hwy. 100 - St. Louis Park	\$145 million
Hwy. 14 - Waseca to Owatonna (2 projects)	\$130 million
I-35E - University Ave. to Maryland Ave.	\$110 million
Hwy. 371 - Nisswa to Pine River	\$90 million
Hwy. 52 interchanges at Hadar and Cannon Falls	\$70 million
Hwy. 60 - Worthington to Iowa border	\$53 million
Hwy. 23 - Paynesville bypass	\$35 million
Hwy. 25 - Buffalo to Monticello	\$34 million
Hwy. 34 - Detroit Lakes to Park Rapids (2 projects)	\$28.4 million
Hwy. 61 - North Shore (3 projects)	\$26 million
Hwy. 23 - St. Cloud to Foley	\$25 million
Hwy. 19 - Redwood Falls	\$12 million
Hwy. 53 - Duluth Arrowhead Rd.	\$11.1 million
Hwy. 71/197 - Bemidji	\$11 million
Hwy. 23/71 - Willmar	\$7 million

Source: Pawlenty-Molnau 2006 Transportation Investment Proposal

[Rep. Ron Abrams](#) (R-Minnetonka) would have changed the language back to the 2005 original form.

[Rep. Morrie Lanning](#) (R-Moorhead), a proponent of the solid 60/40 split, said putting in a sliding scale, a moving target, would be confusing for voters. "If we don't change this language, you're going to have a very difficult time passing that amendment. There are a lot of us around this state who will advise our constituents to vote against this amendment," he said.

"Transit may double in 10 years.... Well, part of the problem is that we haven't funded transit," said [Rep. Bernie Lieder](#) (DFL-Crookston). He said flexibility would allow the Legislature to determine where the funding would best be used. If the constitutional amendment doesn't pass, "it's going to be a long dry spell for highway funding," he said.

Another concern is whether the Legislature can even make language changes to the constitutional amendment passed in the 2005 session. According to an opinion by the [Office of the Attorney General](#), "The legislature is not authorized to modify the language of the MVST amendment as proposed" in the

2005 session, although "wording of the ballot questions may be modified so long as the question presented is not misleading."

Proponents of the changes say a report by the nonpartisan House Research Department reaches a different conclusion. "All the judicial opinions in other states" allow for modification of previously approved amendments before they are placed on the ballot and it "is very strong, if not overwhelming," it states.

A successful amendment offered by Abrams clarified that if a court finds that the Legislature did not have the authority to make the changes, the constitutional amendment under the 2005 language would then take effect.

### Policy changes

[Rep. Tom Rukavina](#) (DFL-Virginia) successfully offered an amendment that would require all public contracts for construction, reconstruction or maintenance of a road to be awarded to a Minnesota-based company.

A concern was raised by [Rep. Jim Knoblach](#) (R-St. Cloud) that this provision could cost the state more money if, for example, an out-of-state company bids \$210 million to

complete a project and an in-state company bids \$250 million.


[Rep. Ray Vandevor](#) (R-Forest Lake) offered a successful amendment that would prohibit toll collections for the use of a bridge, highway or highway lane except for a bridge connecting a highway with a neighboring state, or any highway or lane having a toll imposed on or before July 1, 2006.

Owners of impounded motor vehicles would be able to retrieve goods from inside their vehicle without having to first pay impounding fees, under a policy change in the bill.

[Rep. Pete Nelson](#) (R-Lindstrom), the original sponsor of the change, unsuccessfully attempted to remove the provision on the floor. "I'm continuing to work on it by all the stakeholders," and would rather come back and tweak those provisions next session, he said. Nelson said the issue comes up less than a dozen times in a year.

[Rep. Ron Latz](#) (DFL-St. Louis Park) spoke in support of keeping the change. "If someone had left some medications in the vehicle, they would be able to go directly to the impound and get those medications right away." Now, a person must get the vehicle to have access to its contents.

[Rep. Steve Simon](#) (DFL-St. Louis Park) successfully added a provision that would require the transportation department to submit a yearly report on the prioritization project list if a district list exists, he said. The report would include a description of the project sufficient to specify its scope and location, a history of the project and any anticipated problems in getting a project let or delaying its completion, and a project's priority listing or rank within its construction district.

The department would also be required to conduct a study on the long-range needs of the state's transportation system and investigate strategies to meet those needs, under the bill. The study would include analysis and quantification of needs for the next 20 years of the state's highways and bridges; comparison of revenues raised by current transportation funding sources; and potential options for maintenance and improvement to the state's system with specific reference to factors such as changes in vehicle fuel economy, availability of alternative modes of transportation, and the nation's attempts to decrease dependence on foreign oil. 

### 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

# Test your knowledge

Should legislators be required to pass a standardized test?

BY LEE ANN SCHUTZ

**S**hould legislators be required to pass a standards test of knowledge before taking a seat in the House? [Rep. Phyllis Kahn](#) (DFL-Mpls) thinks so, even if it is only as a means to “test your own level of knowledge.”

1. How many amendments are there to the U.S. Constitution?
2. What does “nano” mean in nanotechnology?
3. Name at least six parts of the Bill of Rights.
4. Spell the word that means “150th anniversary.”
5. What was the significance of section 16 in every township under the land ordinance of 1787?
6. Who were the major French explorers in Minnesota?
7. Name the two largest racial/ethnic minority communities in the U.S.; in Minnesota.
8. Name the major provisions of the U. S. Civil Rights Act.
9. Which U.S. Constitutional amendment establishes voting rights for women?
10. What are the two most spoken languages in the U.S.? In Minnesota?
11. What are the three major agricultural products of Minnesota?
12. Name the ethnic communities that influenced the establishment of the following towns: Ely, Virginia, New Ulm, Pipestone, Worthington, and St. Cloud.
13. How many American Indian reservations are there in Minnesota?
14. What American Indian languages predominate in state?
15. Name three birds and three flowers native to Minnesota.
16. “Mahnomen” is what?
17. In what Civil War battle did a Minnesota regiment play a dominant role?
18. What is reparation security?
19. How many cities are in Minnesota?
20. How many school districts? How many 10 years ago?
21. What was originally in the State Office Building before the House took it over?
22. Before mimeo machines, copying and laptops, were the bills literally read on the floor?
23. Where is the “well” in the House Chambers and what purpose did or does it serve?
24. Explain the Treaty of 1837, both historically and in terms of current effects.

She e-mailed House members and staff the last few days of session seeking questions that could be considered for such a test. As might be expected, some of the questions she received back were serious, while others were in jest.

Test your own knowledge from this sampling.

25. Briefly define “tribal sovereignty.”
26. How did St. Paul manage to become the capital city despite legislation in 1857 to establish St. Peter as the capital?
27. How much does it cost to raise a child through 12th grade?
28. How do we bring business to Minnesota?
29. Name the counties in Minnesota, in alphabetical order.
30. Is it time to think global?
31. Which river flows north?
32. What age is a good retirement age?
33. Does money grow on trees?
34. How many animals are in the Minnesota Zoo?
35. What place is known as the Cradle of Civilization?
36. What things were invented thousands of years ago in Mesopotamia?
37. Which five religions are considered the major religions of the world?
38. Name the three branches of our federal and state governments; what are their functions?
39. From whom did the United States buy Alaska?
40. Spell Rep. Ann “from Bloomington’s” last name.
41. Name the member with the most per diem per year; the least.
42. Explain what is in Mason’s sections 123 and 124.
43. Put these historical-religious figures in chronological order: Confucius, Moses, Mohammed, Buddha, Jesus, the First Dalai Lama, Augustine and Martin Luther.
44. What do the numbers on the periodic table of elements indicate?
45. Why is the sky blue, sunsets orange, rainbows mixed and leaves in fall colorful?
46. What do the colors, stripes and stars symbolize on U.S. flags?
47. Which states did the U.S. acquire for \$15 million from Mexico after the Mexican-American War?

# Support falls short

Lagging plate sales could spell trouble for veterans' programs

By Nick Busse

**W**hen Gov. Tim Pawlenty unveiled the "[Support Our Troops](#)" license plates in December, he touted them as more than just a fashionable automotive accessory. The plates, which feature a bald eagle against an American flag backdrop, were designed to provide Minnesotans with a chance to not only show support for the troops, but to also actually give their support by helping fund outreach and support programs for military veterans and their families.

Unfortunately, sales of the new plates are lagging behind projections, and unless they pick up, many of the programs depending on revenue from the plates might be in financial jeopardy.

"It's a concern," said Helen Roberts, fiscal analyst with the House Fiscal Analysis Department.

According to Roberts, the plates were expected to have generated \$450,000 by the end of April. The actual figure, she said, falls short by almost \$155,000.

Plate owners are required to pay a one-time \$10 plate fee and \$8.50 filing fee, as well as provide a minimum yearly contribution of \$30 — money which is split between the Department of Military Affairs for financial support of military families and the [Department of Veterans Affairs](#) for veterans

outreach programs, grants to veterans' service organizations and rehabilitation programs.

With so many programs and initiatives depending on the license plate revenue, Roberts said that if something doesn't change, many of them might not get funding at all.

"I don't think it's necessarily going to be a big problem in 2006, because we did give them a one-time General Fund appropriation to cover some of that. But if the sales continue below projections, certainly, when we get into 2007, they're going to have some issues with being able to meet those commitments," she said.

## Holding out hope

Department of Veterans Affairs Deputy Commissioner Mike Pugliese said that since most Minnesotans renew their registration in the late spring and early summer, it's possible

Those interested in ordering the Support Our Troops plates should contact Minnesota Driver and Vehicle Services at: (651) 4-TROOPS or on the Web at [www.mndriveinfo.org](http://www.mndriveinfo.org). They are also available at deputy registrar offices around the state.

that sales might increase in the coming months.

"We're hopeful that in these next couple of months, maybe the numbers will shoot up dramatically and get us where we need to be," Pugliese said, adding that all [Driver and Vehicle Services](#) renewal notices this year will be sent out with a section promoting the plates.

Roberts said she is uncertain how much of a difference the next couple of months will make.

"We don't know if there's any seasonal fluctuation in these plate sales. It could be that May and June might be bigger months and we can make up some of the shortfall. I just don't know," she said.

Pugliese said the department has ranked programs funded by the license plate revenues in order of priority. In the event of a shortfall, programs at the top of the list might still be safe, but others would suffer.

"We'll probably be OK with our outreach program, because that's the highest priority, and we would use whatever revenue comes in for that, and it would provide enough to keep that program going," he said. "But then we have a homeless program that we fund through it, and there's a vocational rehabilitation program that we expect to use funds for as well. Those might not get any funds."

The only alternative for funding those programs in the event of a lack of license plate revenue would be an appropriation from the General Fund. In its version of the supplemental budget bill for this session, the Senate has proposed doing just that for one of the department's outreach programs; the House, however, has not.

"If that's accomplished this session, then we're in a lot better shape," Pugliese said of the Senate proposal. "Then, the funds that come in for the Support Our Troops plate will be able to be used for lower-priority programs. But if that doesn't happen, then we're in some trouble."



Sales of the Support Our Troops license plates, which help fund veterans' programs, have fallen nearly \$155,000 short of projections as of April.



## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and

files them with the secretary of state, but his signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor

receives the bill.

Policy items contained in appropriation bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

### Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.	4/20/2006	
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.	4/20/2006	
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.	4/20/2006	
180	2994*	2736	Watercraft storage structure repair authorized on public waters.	4/20/2006	
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.	4/20/2006	
182	2998*	1553	Firefighter labor arbitration provision sunset repealed.	4/27/2006	
183	680*	1217	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	4/27/2006	
184	2645*	2622	Swift County rural development finance authority board membership increased.	4/27/2006	
185	3169*	3254	Local government units prohibited from imposing fees related to students at postsecondary institutions.	4/27/2006	
186	1480*	1364	Red Lake County drainage system outlet fee authorized for drainage originating in Pennington County.	5/5/2006	
187	3142*	2754	Hennepin County regional park district provisions modified.	5/5/2006	
188	2745*	2721	Medical license provisions modified.	5/5/2006	
189	1838*	1811	Local governments authorized to permit low-speed neighborhood electric vehicles to be operated on residential roadways.	5/4/2006	
190	2810	2532*	Radiation therapy facility construction limitations expiration date extended.	5/4/2006	
191	3944	3615*	Child care assistance parent fees modified.	5/5/2006	
192	3401	2646*	Driver education required to contain education on organ and tissue donation, and vehicle insurance sampling program statutes permanently suspended.	5/11/2006	
193	3111*	2881	Interstate contracts for chemical health services provided.	5/10/2006	
194	3285*	2929	Metropolitan Council review of school district capital improvement programs requirement repealed.	5/11/2006	
195	2985*	2614	Funeral, memorial, and burial service disruption prohibited; penalties imposed; and civil remedy provided.	5/9/2006	
196	2514*	2319	Uniform Securities Act of 2002 adopted and modified, and criminal penalties prescribed.	5/11/2006	

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

CH	HF	SF	Description	Signed	Vetoed
197	3464*	3079	Barber and cosmetologist licensing provisions modified.		5/11/2006
198	3665*	3096	Veterans Homes Board authorized to conduct certain meetings by telephone or other electronic means.	5/10/2006	
199	3771*	3457	Medical practice board examination provision modified relating to active military service.	5/10/2006	
200	3449*	2887	Manufactured home park conversions regulated.	5/10/2006	
201	3712*	3398	Mercury Emissions Reduction Act of 2006 adopted.	5/11/2006	
202	1375	1287*	Competency criteria required for construction code inspectors, residential housing construction defects actions regulated, and notice and opportunity to repair provided.	5/16/2006	
203	3670*	3334	Food law provisions modified.	5/16/2006	
204	2876*	2527	Mutual insurance companies conversions and reorganization provisions modified, and exception modified to the restriction on insuring property in certain cities.		
205	3194	2953*	Lawful gambling provisions and breeders' fund apportionments modified.		
206	3656	3246*	Commuter rail railroad right-of-way contracting authorized and civil liability regulated.		
207	2977	2883*	Child care licensing provisions modified.	5/16/2006	
208	2697*	2474	Firefighters authorized to use communication headsets while operating an emergency vehicle during an emergency.	5/16/2006	
209	3477*	3159	Credit letter release municipal action timelines established.		
210	3940*	3081	Farm winery production of certain fortified wines authorized, on-sale licenses authorized, licensing provisions modified and established, sale hours clarified and alcohol without liquid devices prohibited.		
211	1466	1039*	Farm tractor clock-hour meter tampering prohibited and civil penalty and private right of action prescribed.	5/16/2006	
212	3488*	3128	Revisor's bill providing erroneous, ambiguous and omitted text and obsolete references.		
213	3805	3526*	Shawn Silvera Memorial Highway designated.		
214	2846	2750*	Eminent domain public use or purpose defined and modified, evidence for certain takings required, attorney fees provided and other changes provided.		

## BILL INTRODUCTIONS

MAY 15 - 18, 2006

HOUSE FILES 4200 - 4218

### Monday, May 15

#### HF4200-Sailer (DFL) Health Policy & Finance

Department of Human Services directed to file release of liens.

#### HF4201-Westerberg (R) Governmental Operations & Veterans Affairs

Minnesota Amateur Sports Commission authorized to renew leases for certain property.

#### HF4202-Seifert (R) Education Policy & Reform

Pledge of Allegiance recitation required in English.

#### HF4203-Olson (R) Local Government

Dual purpose professional sports complex study provided.

#### HF4204-Otremba (DFL) Health Policy & Finance

Prenatal and maternity health insurance benefits waiting periods prohibited; abortion parental notice requirements modified; pregnancy and adoption information hotline established; adoption tax credit established; and money appropriated.

### Tuesday, May 16

#### HF4205-Abeler (R) Health Policy & Finance

Naturopathic doctor licensing provided and criminal penalties imposed.

#### HF4206-Gazelka (R) Taxes

Duluth food and beverage tax increase authorized; and Austin, Baxter, Brainerd and Nisswa local sales tax authorized.

#### HF4207-Klinzing (R) Taxes

Taxpayer's bill of rights provided limiting state and local spending and tax increases, and constitutional amendment proposed.

#### HF4208-Klinzing (R) Taxes

Working Families Tax Relief Act of 2004 marriage penalty relief conformity provided in the standard individual income tax deduction.

#### HF4209-Klinzing (R) Education Finance

Basic education revenue increased.

#### HF4210-Klinzing (R) Education Finance

Early childhood family education funding increased.

### Wednesday, May 17

#### HF4211-Kahn (DFL) Rules & Legislative Administration

Stem Cell Research Act of 2005; passage of the act by the United States Senate urged by resolution of the Legislature.

### Thursday, May 18

#### HF4212-Dittrich (DFL) Commerce & Financial Institutions

Senior volunteer drivers' no-fault motor vehicle insurance primary source modified.

#### HF4213-Loeffler (DFL) Transportation

Motor vehicle insurance database established.

#### HF4214-Peterson, A. (DFL) Transportation

National Guard or reserves designation signs authorized for cities that are home to units and armories.

#### HF4215-Sertich (DFL) Jobs & Economic Opportunity Policy & Finance

Small and emerging business entrepreneurial assistance provided.

#### HF4216-Hansen (DFL) Rules & Legislative Administration

Great Lakes; resolution memorializing the president, Congress and others to protect the Great Lakes from aquatic invasive species.

#### HF4217-Johnson, S. (DFL) Regulated Industries

St. Paul liquor license authorized near Metropolitan State University.

#### HF4218-Juhnke (DFL) Agriculture & Rural Development

Waste pesticide collection study required.

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PUBLIC INFORMATION SERVICES  
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MINORITY LEADER: MATT ENTENZA

## MINNESOTA INDEX

### Lighting up young

Estimated number of students in grades 6-12 who used tobacco in 2005 .....	96,600
Estimated number in 2000.....	124,600
Legislative goal, as percent, of reducing youth tobacco use from 2000 to 2005.....	25
Reduction by middle school (grades 6-8) students during that time.....	25
Reduction by high school (grades 9-12) students during that time.....	24
High school students in 2000 and 2005, as percent, who used tobacco in previous 30 days.....	38.7, 29.3
Middle school students in 2000 and 2005, as percent, who used tobacco in previous 30 days.....	12.6, 9.5
Middle school students in 2000 and 2005, as percent, who used cigarettes at least once in previous 30 days.....	9.2, 5.2
High school students in 2000 and 2005, as percent, who used cigarettes at least once in previous 30 days.....	32.4, 22.4
Percent reduction from 2000 to 2005 of high school students who smoked on 20 or more of the previous 30 days.....	40
Approximate percent of smoking adults that took their first puff at or before age 18.....	90
Approximate millions of packs of cigarettes bought or smoked by state youth each year .....	16.9
Millions, as estimate, spent by tobacco industry marketing in Minnesota each year .....	\$274.3
Millions in state tobacco settlement funds allocated for tobacco prevention in fiscal year 2006.....	\$22.1
Millions allocated in fiscal year 2005 .....	\$18.7
Middle school students, as percent, exposed in 2000 and 2005 to secondhand smoke in previous week.....	58, 48.7
High school students, as percent, exposed in 2000 and 2005 to secondhand smoke in previous week.....	75.8, 64.8
Children in the United States who become new, regular daily smokers each day.....	2,000
Percent expected to die prematurely from smoking-caused illnesses .....	33.3
Minnesota adults, as estimate, that die each year from their own smoking.....	5,500
Estimated number of Minnesotans, under age 18, who will die prematurely from smoking.....	123,300
Annual smoking-caused productivity losses in Minnesota, as estimate, in billions.....	\$1.14
Annual state health care costs directly related to smoking, in billions.....	\$1.9

Sources: [Changes in Tobacco Use by Minnesota Youth, 2000-2005: Results from the Minnesota Youth Tobacco Survey, December 2005, Department of Health Center for Health Statistics; Behavioral Risk Factor Surveillance System, National Center for Chronic Disease Prevention & Health Promotion; Campaign for Tobacco-Free Kids.](#)

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# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

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*Session wrap-up 2006*

**INSIDE: NEARLY \$1 BILLION TO SPEND, BASEBALL, FOOTBALL AND BOXING, GOVERNOR BRINGS OUT HIS PEN, AND MORE**

This Week's Bill Introductions HF4219-HF4223

# Session Weekly

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

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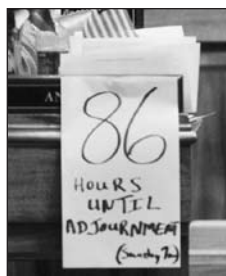
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**On the cover:** The Rotunda emptied while the House took a recess around 1 a.m. May 21, forcing lobbyists outside the Senate Chamber to track action on pending legislation.

— Photo by: Tom Olmscheid





## End to a historic biennium

Sides differ on successfulness of 2006 session

**W**hen the 26 newly-elected members to the House of Representatives took their seats Jan. 4, 2005, they were part of a partisan divide the likes of which the body hadn't seen in a long time. With 68 Republicans and 66 Democrats, it only took a few minutes for any opening-day goodwill to fade away, as

members passed temporary rules along a party-line vote.

"We will overcome the rancor of the first day," [House Speaker Steve Sviggum](#) (R-Kenyon) said looking to the future. But it was not to be. The first session of the 84th biennium resulted in a special session leading to an eight-day partial government shutdown.



With that as a backdrop, the 2006 session began on March 1, the latest start date in eight years. The make or break bill of the session was the bonding bill. In an election year, the last thing members needed was for the bill to go down in flames as it did in 2004 (it was acted on during the 2005 session, along with the budget). Sviggum predicted that the legislative session would be adjourned as soon as the bill was acted upon. But stadium talk quickly took over, with several committee and floor sessions devoted to the Gophers, Twins and Vikings proposals.

With so much to do, talk of early adjournment fizzled. Final adjournment came after a rare Sunday meeting of the Legislature, the last day any bill could be acted on for the session, but one day before the constitutional deadline for adjournment.

Among the topics addressed in the final hours were supplemental spending, tax provisions, natural resources, teacher pensions, stadia and the capital investment bill, which passed at about 4:15 a.m. May 21.

And now, all is well that ends well — sort of, depending on which side of the aisle you sit on or issue you support.

“The session certainly had a better mood and we got along better than 2004 and 2005, but the results were no better. Stadiums dominated. Minnesota health care gets more expensive and Minnesota roads are more congested. We need a new direction and new leadership to move Minnesota forward,” reflected [Minority Leader Matt Entenza](#) (DFL-St. Paul), a candidate for attorney general.

Sviggum was more upbeat, “When you assess this session, it was very, very positive;

very, very good results for the citizens of Minnesota. We actually got something done. The thing that hangs on your neck — the do-nothing Legislature — certainly was not about this year.”

So now after 1,661 bill introductions and 3,851 pages added to the House Journal, 17 House members are saying they won’t seek re-election.

The halls of the Capitol and the State Office Building are once again quiet. Until next year, when the 85th session convenes on Jan. 3, 2007, the staff of *Session Weekly* also says “sine die,” and we’ll see you at the Minnesota State Fair.

(SESSION WEEKLY STAFF)



## HIS MASTER’S CHAIR



Lacey, the pet Wire Hair Fox Terrier of Rep. Ron Erhardt, got an opportunity to sit in his master’s chair during a visit to the State Office Building while members met May 19 in the House Chamber.

### Attention Session Weekly subscribers

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*Thank you for your loyalty to Session Weekly.*

**Editor's note:** This section contains bills passed by the House and Senate during the final days before adjournment, and, as of May 25, had not been acted upon by the governor. A comprehensive summary of all bills signed into law or vetoed will be available on the House Web Site after July 1. Check it out at <http://www.house.leg.state.mn.us/hinfo/newlaws/newlawsmain.asp>.

## ★ AGRICULTURE

### Dairy tax credit fails

A last-ditch attempt by [Rep. Dean Urdahl](#) (R-Grove City) to provide dairy farmers with a tax credit to help them modernize their dairy cattle operations failed in the waning hours of the 2006 session when it was ruled that a delete-all amendment was not in proper order.

Urdahl attempted to amend an agriculture finance bill ([HF3546/SF3184](#)), sponsored by [Rep. Dennis Ozment](#) (R-Rosemount) and [Sen. Rod Skoe](#) (DFL-Clearbrook), with a delete-all amendment that would have provided a one-time tax credit of up to \$50,000 for expenditures made by Minnesota dairy cattle farmers to modernize their operations.

The bill originally incorporated several policy items heard by the House Agriculture, Environment and Natural Resources Finance Committee this session. Urdahl's

### BUT WHO'S COUNTING . . .



PHOTO BY TOM OLMSCHIED

**Rep. Kathy Tingelstad posts an hourly countdown on her Chamber desk for adjournment sine die at 7 a.m. May 21. However, the Legislature was forced to finish its business later that day in an unusual Sunday evening session.**

amendment would have allowed a dairy investment credit against individual income and corporate franchise taxes. The credit would have been equal to 10 percent of the first \$500,000 of qualifying expenditures for improvement of buildings or facilities or acquisition of equipment used for dairy cattle in Minnesota.

Although Urdahl said the tax credit had the support of the House and Senate as well as Gov. Tim Pawlenty, [Rep. Joe Atkins](#) (DFL-Inver Grove Heights) and [House Speaker Steve Sviggum](#) (R-Kenyon) pointed out to Urdahl that his amendment had been incorrectly drafted as a standard amendment to the bill, not a delete-all amendment as he intended.

Ozment moved to temporarily lay the bill over, but there was not enough time left for it to come up again on the House floor.

Under the provisions of the amendment, qualifying expenditures would have included: barns; fences; watering facilities; feed storage and handling equipment; scales; milking, robotic and milk-storage equipment; and manure management facilities, including digesters and energy production equipment.

### Loan program study

Minnesota will have to be more creative than Wisconsin, according to [Rep. Andy Welti](#) (DFL-Plainview).

On the Legislature's final day, Welti urged the House to pass [HF3366/SF3017](#)\*, which he sponsors with [Sen. Paul Koering](#) (R-Fort Ripley). It did, 109-22. Previously passed by the Senate, it now awaits action by the governor.

The bill would require the Departments of [Agriculture](#) and [Employment and Economic Development](#) to study how to fund a revolving loan program for the purchase of dairy stock.

Wisconsin used excess HUD money in 2000-2001 to set up their revolving loan program, and since Minnesota doesn't have any excess HUD funds, "the creativity comes from trying to establish a loan where we're going to have a private-public partnership," Welti said.

Citing statistics that indicate the state's need for the loan program, Welti said Minnesota has 135,000 fewer dairy cows than it had in 1996 and produces 100 million fewer pounds of milk.

Welti said agricultural economists estimate that one dairy cow produces about \$14,000 of economic activity per year, and thus Minnesota has lost between \$1 billion and \$2 billion in dairy economic activity since 1996.

If the study produces recommendations that can be implemented next year, Minnesota's dairy industry may be maintained or perhaps strengthened, he said.

## Grain buyers and beekeepers

A bill that modifies grain buyer reporting options awaits the governor's signature.

Sponsored by [Rep. Doug Magnus](#) (R-Slayton) and [Sen. Julie Rosen](#) (R-Fairmont), [HF3376/SF3236](#)\* allows grain buyers who purchase less than 150,000 bushels of grain per calendar year the option of submitting a financial statement rather than an audit to the commissioner of agriculture. The bill further allows that any grain buyer having a net worth in excess of \$500 million need not file the required financial statement, but instead provide the commissioner with a certified net worth statement.

The bill was passed 122-10 by the House May 20 and 64-0 by the Senate the same day.

Two items were successfully amended to the bill on the House floor. The first was the content of [HF3442](#), sponsored by [Rep. Al Juhnke](#) (R-Willmar), that would replace a statute regarding the apiary industry that he said was "accidentally sunsetted" last year. It was passed 133-0 by the House May 18, but had no Senate companion.

The second amendment, moved by [Rep. Dean Urdahl](#) (R-Grove City), authorizes the University of Minnesota to establish a task force to study the impact of its licensing practice of listing genetic resources of Minnesota-produced agricultural products. The task force is also to make recommendations to the Legislature and the Board of Regents on ways to mitigate any negative impacts on Minnesota businesses that arise from the university's license agreements.

## ★ CHILDREN

### Crib usage

The list of cribs suitable for use by a licensed child care provider may be expanding.

Sponsored by [Rep. Mary Ellen Otremba](#) (DFL-Long Prairie) and [Sen. Dallas Sams](#) (DFL-Staples), [HF3538\\*/SF3337](#) would allow a provider to use a mesh-sided playpen or crib that has not been identified as unsafe on the [United States Consumer Product Safety Commission](#) Web site for the care or sleeping of infants.

"This would prevent the counties from getting a waiver, and 82 of 87 counties have been giving waivers, so this would free up some time and money with the counties," Otremba said.

The bill was passed by the House, but not the Senate. However, the provision is also in [HF2807/SF2833](#)\*, sponsored by [Rep. Jim Abeler](#) (R-Anoka) and [Sen. John Hottinger](#)

(DFL-St. Peter). That bill awaits the governor's signature.

According to the [Minnesota Rule](#) that addresses sleeping space for each infant and newborn, equipment must "have a bar or rail pattern such that a 2-3/8 inch diameter sphere cannot pass through. Playpens with mesh sidings must not be used for the care or sleeping of infants or newborns."

### Safety first

A bill that would change requirements to child passenger restraint systems used on school-aged children awaits action by the governor.

[Rep. Brad Finstad](#) (R-New Ulm), who sponsors [HF3368/SF3087](#)\* with [Sen. John Hottinger](#) (DFL-St. Peter), said the bill "loosens up the requirements for those child care providers that (a) are not transporting children, and (b) those that are transporting school age children in buses. The buses have their own safety law."

Child care providers that only transport school-aged children in school buses are exempt from the proper training requirements of certain staff members in installation of a car seat or booster seat in a motor vehicle. School-aged children are defined in state law as a child who is at least of sufficient age to have attended the

## The Political Calendar

**June 1-3:** Republican endorsing convention in Minneapolis

**June 9-11:** DFL endorsing convention in Rochester

**July 4-18:** [Filing period](#) for the 2006 state primary and general elections and municipal elections for which a primary will be held

**July 20:** Final day for candidates to withdraw

**Sept. 12:** Primary election

**Nov. 7:** Election Day

**Jan. 3, 2007:** Legislature begins

first day of kindergarten, or is eligible to enter kindergarten within the next four months, but is younger than 13 years of age.

The bill maintains the requirement that programs licensed by the [Department of Human Services](#) serving children less than 9 years old have a staff person or caregiver that has completed child passenger restraint training.

The training must be at least one hour in length, completed at orientation or initial training, and repeated at least once every five years. At the minimum, the training must address the child restraint systems based on the child's size, weight, age and proper installation of a car seat or booster seat in the motor vehicle used by the license holder to transport the child or children.

## KNOBLACH FAREWELL



PHOTO BY ANDREW VONBANK

**A tearful Rep. Jim Knoblach gets an embrace from Rep. Ron Abrams after giving his farewell speech May 21. Knoblach spent 12 years in the House. "It has been the greatest honor and privilege of my life to represent the city of St. Cloud, my boyhood home, and to represent Stearns County, where my family has actually lived for 150 years," he said.**



## ENTENZA FAREWELL



PHOTO BY ANDREW VONBANK

House Minority Leader Matt Entenza gets a farewell hug from Rep. Jim Davnie after giving his May 21 farewell speech. Entenza hopes to be in another wing of the Capitol next year as attorney general.

## ★ CONSUMERS

### Tools for fighting identity theft

Called a “real tool for consumers” in the fight against identity theft, [HF2843/SF2002](#)\* passed the House May 19. One day later it was passed by the Senate, and now awaits action by the governor.

Sponsored by [Rep. Paul Kohls](#) (R-Victoria) and [Sen. Tom Neuville](#) (R-Northfield), the bill would allow consumers who suspect they may be a victim of identity theft to put a security freeze on any distribution of their credit report. The consumer reporting agency would be required to impose the freeze no later than three business days after receiving the request.

Additionally, under the bill, creditors would no longer be able to offer or provide credit to someone under the age of 18 without a written request from a parent or guardian.

Credit card solicitations through the mail are also addressed. If a credit card company receives a completed application with an address that is different from the address on the offer or solicitation, it would need to be verified.

The bill also establishes safeguards for how private data should be handled and destroyed. It calls for entities to establish procedures for handling consumer information that is not public. It also specifies that once the data is no longer needed, “it must be destroyed in a way that prevents its contents from being determined.”

If you have Internet access, visit the  
Legislature’s Web page at:  
<http://www.leg.mn>

### Poisonous plant awareness

Some plants and shrubs are poisonous to children and animals, but people who buy them often don’t know that.

[HF3066\\*/SF3345](#), sponsored by [Rep. Gene Pelowski, Jr.](#) (DFL-Winona) and [Sen. Steve Murphy](#) (DFL-Red Wing), would have required the departments of [Health](#) and [Agriculture](#) to see how best to inform people about the dangers of the plants they purchase.

The House passed the bill 133-0 May 19, but it was tabled by the Senate.

The bill originally would have required Minnesota’s agriculture commissioner to consult with nursery stock growers, dealers, retailers and other interested parties to compile a list of appropriate procedures and display materials for increasing public awareness of toxic hazards to livestock, pets and people posed by nursery stock at the point of retail sale.

But [Rep. Denny McNamara](#) (R-Hastings) successfully amended it to require the agencies to study the situation instead.

“If we were to pass this law, it would put our nurseries at a competitive disadvantage since we’d be the only state in the nation that has us label our plants,” McNamara said.

[Rep. Bud Heidgerken](#) (R-Freeport) asked McNamara to clarify what the bill as amended would do.

“I come from Lake Wobegon where our children are all above average, and we’re trying to get the cows up and reading as in *Animal Farm* but we haven’t gotten that far yet,” Heidgerken said.

The bill requires the commissioners of agriculture and health to evaluate the potential hazards posed by plants to retail

consumers and livestock and report the findings by March 1, 2007, to the Senate and the House committees that have jurisdiction over agriculture policy.

## ★ CRIME

### Public safety, part II

An omnibus public safety bill that now encompasses more than four dozen bills awaits action by the governor.

Sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Jane Ranum](#) (DFL-Mpls), [HF2656\\*/SF2633](#) is the result of the inclusion of a few provisions the Senate requested to a bill ([HF2085/SF1525\\*](#)) previously passed by the House 125-7.

The final product, offered as a delete-all amendment by Smith, contains 50 of the 52 provisions previously passed by the House. According to Smith, the bill provides tougher sentences for career criminals; stricter supervision of sex offenders; a crackdown on drug pushers; and improvement in our courts, police and law enforcement agencies.

Added to the bill during a pre-conference with the Senate were: an adjustment to the municipal fine schedule for Hennepin County; creation of a forensics laboratory board; recommendations from the legislative auditor on assessing chemical dependency treatment efforts; gross misdemeanor crimes for livability crimes such as prostitution, drugs and loitering; language regarding fees charged for work release participants; human trafficking provisions; background checks for appointees and resident staff at the governor’s mansion; and carbon monoxide detector usage, but without punishment for non-compliance.

Omitted from the final product was a bill sponsored by [Rep. Joyce Peppin](#) (R-Rogers) that would increase penalties for criminal neglect of a vulnerable adult by a family member caring for that person.

Smith previously said the bill contains provisions that are a “no cost, no controversy approach to important public safety issues.”

Other provisions address domestic abuse and predatory offenders, including enhanced penalties for violations of no contact orders that occur within 10 years of a previous conviction for a qualified domestic violence related offense; lifetime registration for predators sentenced to the same in another state; an expansion of parental notice of predatory offenders to include school areas and day care facilities; penalties for computer crimes and modernized counterfeiting; establishing safety and security protections

at secured state treatment facilities; and the creation of an account for the [Department of Corrections](#) to accept federal funds to help mentally ill prisoners to plan for their release.

### Video game rentals

A person under age 17 who knowingly rents or purchases a video game not targeted toward them may be subject to a \$25 civil penalty.

Awaiting the governor's signature, [HF1298/SF785](#)\* is aimed at games rated "Adults Only" or "Mature" by the Entertainment Software Rating Board.

Sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Sandy Pappas](#) (DFL-St. Paul), the bill requires retailers to post a sign in a location clearly visible to consumers informing them of the penalty. The sign must be in at least 30-point type.

"This is a bill that is trying to place some very small restrictions on kids getting access to some very violent video games," Johnson said. He gave examples of some popular games rated "Mature" that, for example, allow users to kill cops and cut them up with a chainsaw, let users have sex with a prostitute before beating them to death and taking their money back, or allow players to be a serial killer that dresses up as a clown that kills people in a variety of ways.

Johnson admits the law may never be enforced because the clerk that sold the game will have to call the authorities, but he hopes that once stores put the signs up, "some painfully oblivious parents in this state who are letting their kids play this garbage may take a little bit of notice before they let them do that."

Opponents said that the bill should be directed at the retailer, which, under the bill, is not penalized for the sale or rental.

"I don't understand how the retailer would not be held liable in this case, but if a retailer in a bar sells alcohol to a minor they are charged with a crime and fined. And that, as I understand it, hasn't been challenged," said [Rep. Andy Welti](#) (DFL-Plainview).

Refusing to disagree, Johnson said courts in other states have found video game laws aimed at the retailer unconstitutional. "The argument is that kids and these companies that make the violent video games have a first amendment right, and you have to meet a very high standard to place any restrictions on that. The first amendment doesn't really apply to drinking alcohol so that's the difference constitutionally.

"What I'm trying to do is craft a narrowly tailored law that can withstand constitutional objections. ... If the industry had not come

## JOHNSON FAREWELL



PHOTO BY ANDREW VONBANK

**Rep. Jeff Johnson, who is running for attorney general, gets applause from his fellow members after giving his farewell speech May 21. Johnson sponsored legislation this year that will limit the use of eminent domain.**

in and successfully challenged all these other laws, that's probably the way we'd be doing it, but I'm trying to make this work."

## ★ EDUCATION

### Education bill by default

Long on policy and short on funding, [HF3179/SF2994](#)\*, ended up as the session's omnibus education bill by default. Sponsored by [Rep. Mark Buesgens](#) (R-Jordan) and [Sen. Steve Kelley](#) (DFL-Hopkins), the bill awaits action by the governor.

The bill became a compromise attempt at getting some policy provisions passed after an earlier bill ([HF4040](#)) got hung up in the House Taxes Committee, taking the bill's sponsor by surprise. That bill contained some "money" provisions, including \$117 million in property tax relief by eliminating and scaling back some levies. The bill's fate was sealed when it was successfully amended to change how foreign operating companies are taxed. At that point, Committee Chair [Rep. Phil Krinkie](#) (R-Lino Lakes) abruptly adjourned the meeting, putting the bill into the dead pile.

The new omnibus bill would:

- create a task force to make recommendations to the Legislature on strengthening school crisis management and safety efforts, which could include preparedness training to currently licensed K-12 teachers

- and school administrators;
- add algebra and chemistry to the academic credits required for graduation;
- call for districts to develop a crisis management policy, which would include at least five school lock-down drills, five school fire drills and one tornado drill; and
- include blindness in the definition of disability.

The bill also addresses the issue of nontraditional students (students over the age of 21), relating to which programs they are eligible for participation, and when their education would no longer be paid by the state.

### Splitting a school district

As Minnesota's rural population decreased in the late-1970s and early-1980s, the Legislature consolidated school districts. Now, as the Twin Cities metropolitan area expands and growth pressure is on outlying districts, at least one district is looking to split.

Awaiting action by the governor, [HF3237](#)\*/[SF2894](#), sponsored by [Rep. Joyce Peppin](#) (R-Rogers) and [Sen. Warren Limmer](#) (R-Maple Grove), deals specifically with the Elk River School District. It is the 10th largest in the state with 11,000 students, and it is expected to nearly double in the next 10 years.

The bill establishes a task force to look at issues surrounding a possible split.

The task force's purpose would be to examine and make recommendations regarding the governance, facilities and programming of the district. A written report with findings and recommendations must be submitted to the Elk River School Board by Sept. 1, 2006. The board, in turn, would be required to submit the task force report and any board recommendations to the Legislature by Jan. 15, 2007.

## ELECTIONS

### Paper ballot remains official record

Although votes will be cast electronically in this fall's elections, the paper ballot generated in the process will remain the official record of the voter's choices, according to a bill ([HF3110/SF2743](#)\*) passed May 20 by the House and the Senate. Sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake) and [Sen. John Hottinger](#) (DFL-St. Peter), it now awaits action by the governor.

Dubbed the omnibus elections bill, it contains bits and pieces of several elections-related bills approved by House and Senate committees during the session.

Under the bill, victims of domestic violence could have assurance that their address will remain out of the hands of their perpetrator. While information contained on voter registration forms is public, this bill makes an exception to protect victims of domestic violence, sexual assault or stalking. They would be able to apply for participation in a confidentiality program where an alternative address, designated by the secretary of state, could be used.

In earlier committee testimony, it was pointed out that some women in abuse situations will go to safe houses, or keep their contact information confidential. They would not vote in elections for fear that the perpetrator would learn their address.

On the other hand, the bill makes some election-related information more accessible. In an effort to consolidate information about candidates, the election-related Web site maintained by the [Office of the Secretary of State](#) will provide links to various campaign Web sites including candidates for legislative, constitutional, judicial or federal office.

In an effort to protect the integrity of the polling place, the bill makes it a misdemeanor to knowingly deceive another regarding the time, place or manner of conducting an election or the qualifications for voter eligibility.

The bill also establishes a working group to investigate and recommend to the Legislature

requirements for additional options for voting equipment that complies with Help America Vote Act.

A provision brought forward by [Rep. Jean Wagenius](#) (DFL-Mpls) would make it easier for people to vote in the case of a pandemic or other state emergency. Once the governor calls a state of emergency, making it difficult for voters to get to the polls on Election Day, provisions for absentee balloting would be put in place.

### Minneapolis Board of Education

A bill specifically dealing with the configuration of the Minneapolis Board of Education was passed by the House 132-0 May 20, after passing the Senate 59-5 May 4. The bill now awaits action by the governor.

Sponsored by [Rep. Jim Davnie](#) (DFL-Mpls) and [Sen. Wes Skoglund](#) (DFL-Mpls), [HF295/SF358](#)\* would allow for six board seats to be filled from three election districts that correspond to those of the Minneapolis Park Board and three at-large seats. Currently the board has seven at-large members. Davnie said that the change to district representation would allow for more inclusion on the board from all parts of the city.

## EMPLOYMENT

### Disabled worker study extension

The completion date for a pilot project for employment of individuals with severe disabilities may be extended for one year.

Awaiting the governor's signature, [HF3172/SF2706](#)\* would make the completion date June 30, 2007. [Rep. Maxine Penas](#) (R-Badger) and [Sen. LeRoy Stumpff](#) (DFL-Plummer) are the sponsors.

Established by the commissioner of employment and economic development, the project in Thief River Falls is implemented by the non-profit Occupational Development Center Inc. The project is designed to provide the state with information to clarify the distinction between center-based and community employment subprograms.

The center's Custom Products Division provides the employment. The company must pay at least minimum wage to all employees with a severe disability and provide benefits equal to those provided to non-disabled employees. All work teams are to be integrated and the project is to maintain a minimum 60 percent ratio of disabled people.

The project must also provide the extended employment program with useful information to clarify the distinction between center-based and community employment subprograms.

"This program has been a success and I'm glad to see it extended," Penas said in a [press release](#).

## ENVIRONMENT

### Cleaning up state waters

What is described by [Rep. Dennis Ozment](#) (R-Rosemount) as "significant policy" for Minnesota awaits the governor's signature.

Ozment said [HF826/SF762](#)\*, which was developed with the input of groups and individuals across the state, sets forth a process "for protecting and cleaning up the state's waters that are found to be in violation of the federal [Clean Water Act](#), and it clarifies procedures necessary to permit the water discharges important for economic development around the state during this time." Ozment sponsors the bill with [Sen. Dennis Frederickson](#) (R-New Ulm).

[Rep. Jean Wagenius](#) (DFL-Mpls) urged the House to oppose the legislation.

"The best that could have been said about this bill is that it is a frame for getting going," Wagenius said. She cited the legislation's shortcomings, including a wastewater nutrient offset provision "that will need to go through a long rulemaking process" and the decision to build wastewater treatments plants "before there is a phosphorus rule."

She said these provisions will subject the state to numerous lawsuits.

"I want clean water for my children and for yours. I want clean water for my grandchildren and for yours. Unfortunately this bill does not get the job done. It spends money on lawyers, not on waters."

[Rep. Al Juhnke](#) (DFL-Willmar) disagreed with the bill's critics, saying it is "absolutely needed in this state. This is absolutely the biggest thing we've done in the last couple years environmentally. This is absolutely something we need to pass, and we need to pass it now."

Juhnke said the bill gives farmers input into the cleanup process of waters in their watersheds, sets up cost-share programs and provides technical assistance to farmers to develop cleanup plans. He said the bill provides for small cities to save money by implementing cleanup plans developed for similarly situated cities.

Ozment said he hoped that despite the limited funding available to implement it, the Clean Water Legacy Act will bring about progress sufficient to discourage lawsuits.

"There is no magic bullet that can all of a sudden bring us into federal compliance," he said.



## Natural resource provisions

Successful amendments May 20 brought most of the provisions of two natural resources bills into one that [Rep. Tom Hackbarth](#) (R-Cedar) described as “the DNR (Department of Natural Resources) technical bill.” Another amendment added economic development provisions.

The package, [HF3200/SF2973\\*](#) awaits the governor’s signature.

If the bill is signed into law, visitors to the state’s parks will enjoy a \$2 reduction in the price of one-day vehicle permits for individuals and groups. Another component of the bill institutes a \$20 annual motorcycle pass, \$5 less than a regular vehicle pass. The bill also drops the requirement that campers purchase a second vehicle permit when they tow a vehicle behind their recreational vehicle.

In action on the House floor May 18, [Rep. Larry Hosch](#) (DFL-St. Joseph) successfully amended one of the natural resource bills to remove the bond required to receive a hearing from the [Board of Soil and Water Resources](#) regarding a watershed district termination.

“In my mind, this is a very undemocratic requirement that we have,” he said, adding that the requirement of a petition containing signatures of 25 percent of the homestead owners in the district “should be enough” to remove any frivolous termination hearing requests.

[Rep. Larry Howes’](#) (R-Walker) amendment to correct a previous day’s amendment onto another environmental bill was defeated. The amendment would have restricted the establishment of trails within the state’s parks for monster mudder trucks — four-wheel drive vehicles that have been altered with oversized tires.

Another feature of the bill allows the Lower Minnesota River Watershed to own and operate a dredge material site in order to keep the river navigable. The watershed already leases or acquires property on which to deposit dredge materials as required by the Army Corps of Engineers. The new 17-acre site would provide a disposal area for materials dredged by commercial interests that navigate the river.

## LCMR reorganization

A situation that set some legislators in opposition to each other last year and resulted in use of the governor’s line-item veto may be put to rest if [HF2972/SF2814\\*](#) becomes law.

Sponsored by [Rep. Kathy Tingelstad](#) (R-Andover) and Sen. Dallas Sams (DFL-Staples), the bill was passed 54-3 by the Senate May 18 and 112-11 by the House May 20. It

now goes to the governor for his signature.

Described by Tingelstad as “compromise language,” the bill sets in statute the reconfiguration of the [Legislative Commission on Minnesota Resources](#) (LCMR). It changes its composition and re-names it the Legislative-Citizen Commission on Minnesota Resources (LCCMR).

Among its various provisions is one mandating that the LCMR trust fund amounts that may be appropriated each year be appropriated by law. In addition, the funds may only be appropriated for the public purpose of protection, conservation, preservation and enhancement of the state’s air, water, land, fish, wildlife and other natural resources.

[Rep. Loren Solberg](#) (DFL-Grand Rapids) co-chaired a task force that met during the Legislature’s interim to develop the bill’s contents after a controversy arose in 2005 regarding the commission’s decisions on funding and priorities.

“There’s nothing wrong with having some controversy, having some discussion,” Solberg said.

“Let everybody have their say,” he said, commending the task force members for the way they worked together.

Solberg said the bill is “an example of what can be done” even when many members are “standing in opposition.”

The bill also contains a list of projects, and designates the amount of funding each will receive during the 2006-07 biennium.

In action on the floor, reservations to language in the bill were expressed by [Rep. Tom Hackbarth](#) (R-Cedar) who said he hoped the “plan” referenced in the bill was

about “how to spend LCMR dollars and not a conservation plan for the entire state of Minnesota.”

[Rep. Mark Buesgens](#) (R-Jordan) asked for assurance that the fund expenditures were not written into the bill in such a way that the governor could not exercise his line-item veto.

[Rep. Joe Hoppe](#) (R-Chaska) urged legislators to vote “for this important reform legislation” while stating he was “not wild about all the projects that were put back in there.”

He added he wished the governor would “line-item veto some of the projects. But if that’s the deal that it took to get this reform, I think it’s a small price to pay.”

## Dedicated funding fizzles

The embattled legislation that would have dedicated a portion of the state’s general sales and use tax to environmental and cultural initiatives fizzled out in the final hours of the session when a conference committee failed to reach a compromise on the House and Senate versions of the bill.

[HF1909/SF2734\\*](#), sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. Dallas Sams](#) (DFL-Staples), would have proposed a constitutional amendment dedicating a percentage of state sales tax proceeds to funding the improvement, enhancement or protection of fish and wildlife habitat and tourism; parks, trails and zoos; protection and restoration of water resources; and arts, humanities, museums and public broadcasting. It would have gone on the ballot in November as a referendum and would have required approval by a majority of voters.

## VANDEVEER FAREWELL



PHOTO BY ANDREW VONBANK

**Rep. Ray Vandevier, left, gives seatmate Matt Dean a good-natured ribbing during a farewell speech on the House floor May 21. Vandevier plans to be in the Senate next year, taking over for Sen. Michele Bachmann, who is running for Congress.**

## DESK DISPLAY



PHOTO BY ANDREW VONBANK

**Rep. Joyce Peppin let her feelings to fund a Twins ballpark be known on her Chamber desk May 20.**

The stage was set for disagreement early on, with the House and Senate passing very different versions of the bill. The House version called for dedicating three-sixteenths of 1 percent of the existing tax, while the Senate version would have raised the tax by three-eighths of 1 percent to provide the dedicated funding.

Hackbarth proposed what he saw as a reasonable compromise: splitting the ballot question in two. The idea was endorsed by Gov. Tim Pawlenty, but the Senate rejected it. With the House conferees refusing to support a tax increase in a single ballot question, and the Senate conferees refusing to allow

two questions on the ballot, the committee reached an impasse that eventually killed the bill.

"You brought us nothing. This is a slap in the face to the House of Representatives," Hackbarth told Sams May 16. Angered by the Senate's refusal to discuss his two-question proposal, Hackbarth accused Sams and the other Senate conferees of being unwilling to compromise.

[Rep. Mike Charron](#) (R-Woodbury) agreed, saying that Hackbarth's proposal was a reasonable middle ground to two very different positions and that the Senate simply refused to budge.

"What I'm seeing [from the Senate] meeting after meeting after meeting is a restating of the original Senate position, and nothing more," Charron said May 20.

That evening, the House and Senate conferees negotiated well past midnight, but could not find common ground. Sams stated that he expects the Democrats to control the House next year, and that will get an amendment on the ballot in the future.

## FAMILY



### Parenting time clarified

Unless there is evidence to prove otherwise, courts could presume that a parent is entitled to receive at least 25 percent of the parenting time in child custody cases.

The provision is part of [HF3585/SF3199\\*](#), sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Tom Neuville](#) (R-Northfield), passed by the House and Senate May 20. It now awaits action by the governor.

The bill is largely clarification to last year's child support/custody legislation, which was billed at the time as the most significant change to the state's family law in decades.

Several changes are proposed to the child support calculation that, for the first time last year, allowed for both parents' incomes to be included in determining the amount to be awarded. Added this year is a provision that states if a parent is voluntarily unemployed or underemployed, child support must be calculated based on a determination of potential income.

Additionally, a provision in the bill requires a custodial parent who marries or lives in the same residence with someone convicted of a crime to notify the child's other parent or the county social service agency of the situation if the parent cannot be located.

The bill also clarifies language relating to the definition of paternity. If paternity is challenged, the party opposing the alleged biological father's claim has the burden of proving by clear and convincing evidence that the man making the claim is not the father of the child. If a court decides that a man is the biological father, it does not mean that he is the "legal" father under the statute. Nor does it allow the donor of genetic material for assisted reproduction to claim to be the child's biological or legal parent.

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

## ★ GAME & FISH

### A missing moratorium

[Rep. Jean Wagenius](#) (DFL-Mpls) often speaks of ducks disappearing from Minnesota. But she was greatly puzzled by their disappearance from the conference committee report on [HF3116/SF2974](#)\*, this session's game and fish bill.

Nevertheless, the report was adopted by the House May 20.

"Are you saying there is something wrong with our process?" Wagenius asked [Rep. Denny McNamara](#) (R-Hastings), the sponsor of HF3116 and co-chair of the conference committee.

"The language was in the Senate file; the senators voted for it. The language was in the House file; the representatives voted for it," she said, referring to a [Department of Natural Resources](#) provision for a moratorium on permitting more fish farms in Minnesota's wetlands. The farms produce bait fish, most of which are sold in other states, and the bait fish compete with ducks for food. The result is a declining duck population.

When nearly identical provisions are in both bills, how can it be absent from the conference committee's final report, she said, asking for clarification about conferees not protecting provisions for which both the House and Senate voted.

Referring to the rules that guide conference committee proceedings, [Rep. Bev Scalze](#) (DFL-Little Canada) also voiced concern over removing provisions common to both bodies' versions of the bill.

The "other side of the same coin" was presented by [Rep. Alice Hausman](#) (DFL-St. Paul) who spoke of a provision in the Gopher stadium conference committee report that had not been in either the House or Senate version.

Also taking issue with the conference committee proceedings and members was [Rep. Frank Moe](#) (DFL-Bemidji) who said, "The will of this body and of the Senate was taken out of the bill" regarding reasonable protection for habitat, while "something was put in, which was hardly wildlife or habitat protection."

Speaking to those who had also protested the committee's actions, Moe said he hoped they would be back next session "and we'll learn the rules a little better of this game and we will come back next year and I think carry the will of this body, which is true habitat protection, not just technical changes on fish and game."

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

## LARSON FAREWELL



PHOTO BY ANDREW VONBANK

After his emotional farewell speech, Rep. Dan Larson is applauded by fellow members with his son, Joe, and daughter, Jennifer, by his side. Larson hopes to replace retiring Sen. Jane Ranum in the Minnesota Senate.

## ★ GOVERNMENT

### State employee contracts ratified

A bill that would ratify labor agreements and compensation plans governing state employees awaits action by Gov. Tim Pawlenty after being passed 65-0 by the Senate April 6 and 130-0 by the House May 20.

Sponsored by [Rep. Chris DeLaForest](#) (R-Andover) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), [HF3114/SF2634](#)\* would ratify labor contracts between the state and the following exclusive representatives:

- American Federation of State, Municipal and County Employees (AFSCME) Council 5;
- the Minnesota Association of Professional Employees;
- the Middle Management Association;
- the Minnesota State College Faculty;
- the Minnesota Government Engineers Council;
- the State Residential School Association;
- the Inter Faculty Organization; and
- Minnesota State University Administrative and Service Faculty.

Additionally, the bill would ratify compensation plans for unrepresented state employees.

### Audit commission membership

A bill that would make changes to the makeup of the Legislative Audit Commission awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Tim Wilkin](#) (R-Eagan) and [Sen. Ann Rest](#) (DFL-New Hope), [HF3507/SF2735](#)\* was passed 133-0 by the House and 64-0 by the Senate May 20. It would alter the commission's membership to include three members appointed by the Committees Subcommittee of the Senate Rules and Administration Committee, three members appointed by the Senate minority leader, three members appointed by the speaker of the House, and three members appointed by the House minority leader.

According to its [Web site](#), "The LAC is a bipartisan commission with eight members from the House of Representatives and eight from the Senate, equally divided between the majority and minority parties. ... The commission appoints the Legislative Auditor and selects topics for the Program Evaluation Division to review. It also periodically holds hearings to review audit and evaluation reports."

It would also redefine commission members' terms as follows: "Members shall serve until replaced or until they are not members of the legislative body from which they were appointed. Appointing authorities shall fill vacancies on the commission within 30 days of a vacancy being created."

Wilkin said the 30-day provision would ensure "continuity between terms."



## Claims bill approved

Nearly \$64,000 would be paid out to settle claims against the state under a bill awaiting the governor's signature.

Sponsored by [Rep. Bruce Anderson](#) (R-Buffalo Township) and [Sen. Wes Skoglund](#) (DFL-Mpls), allocations included in [HF3995](#)\*/[SF3631](#) go to settle 14 claims brought "against the state for injuries suffered by, and medical services provided to persons injured while performing community service or sentence-to-service work for correctional purposes or while incarcerated in a correctional facility."

The largest claim is a combined \$23,790.73 for Jostiene Windish, who was hurt while performing work at the Shakopee correctional facility. Included in the amount is \$5,002 for lost wages while recovering from surgery, \$4,500 for permanent injuries and \$289.34 for costs of obtaining required medical records. The remainder is payments to medical providers.

Each year, a joint [House-Senate Subcommittee on Claims](#) meets to determine which petitions will be funded. All state agencies are eligible to receive funding to cover the claims. This year more than 100 claims were submitted by people who believe the state did not properly reimburse them or take care of their financial needs.

## HEALTH



### Cost containment bill passes

A bill that aims to reduce the cost of health care awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Jim Abeler](#) (R-Anoka) and [Sen. Sheila Kiscaden](#) (DFL-Rochester), [HF1010/SF367](#)\* represents a number of health care cost containment initiatives that were originally included in a more comprehensive bill [HF1862](#)\*/[SF1640](#), also sponsored by Abeler and Kiscaden. It was passed 108-25 by the House and 65-0 by the Senate May 20.

Abeler said the new bill contained roughly half of the provisions of the original bill — the other half having already been passed in a different bill — including:

- encouraging health care providers to provide electronic billing;
- posting health care quality and cost information on state agency Web sites;
- encouraging medical clinics to provide free information on prescription drug programs;
- promoting the exploration of alternative health care methods; and
- initiating a number of health care-related studies.

Abeler amended the bill on the House floor with two new provisions. One states that a

female seeking an abortion of her unborn child because it has been diagnosed with a fetal anomaly that will inevitably result in the death of the infant must be informed of available perinatal hospice services and offered this care as an alternative to abortion. "If perinatal hospice services are declined," the provision states, "voluntary and informed consent by the female seeking an abortion is given if the female receives the information required" — a requirement for performing an abortion in Minnesota.

The second part of the amendment relates to audiologist licensing requirements. It allows an audiologist applicant who obtains a temporary license to only dispense hearing aids under supervision of a licensed audiologist who dispenses hearing aids.

### Omnibus bill dies, gets revived

The House passed an omnibus bill designed to bring Minnesota's health and human services practices into compliance with federal law.

[HF3697](#)\*/[SF3554](#), sponsored by [Rep. Fran Bradley](#) (R-Rochester) and [Sen. Brian LeClair](#) (R-Woodbury), was passed 133-0 on May 18. However, once received by the Senate it was referred to the Senate Finance Committee, where it remained at adjournment. Most of the bill's provisions were subsequently amended onto the omnibus supplemental appropriations bill ([HF4162](#)), sponsored by [Rep. Jim Knoblach](#) (R-St. Cloud), which currently awaits the signature of Gov. Tim Pawlenty.

The bill, which covers Medical Assistance asset availability and transfers, the state long-term care partnership program and asset recovery, and state health care program citizenship verification, would have brought Minnesota into compliance with the federal Deficit Reduction Act of 2005. Bradley touted it as mostly non-controversial and absolutely necessary.

"This bill is simply a piece of the health omnibus bill that needs to be passed," he said. "The federal deficit reduction bill had a number of elements in it that we are required in our state to comply with or we face the risk of losing millions of dollars of federal matching money."

[Rep. Brita Sailer](#) (DFL-Park Rapids) tried unsuccessfully to amend the bill with a provision that would have appropriated \$3.2 million for reimbursement to critical access dental providers around the state. She said the money would be used to pay for dental care for Medical Assistance patients, mostly those who are developmentally disabled.

Bradley said he is "fully sympathetic" to

the issue but urged members not to "start down the path of spending health care access money."

[Rep. Keith Ellison](#) (DFL-Mpls) also tried unsuccessfully to amend the bill. His amendment would have required a warning label on jewelry and other trinkets that contain more than 600 parts per million of lead, and also banned the sale and/or free distribution of such jewelry and trinkets if intended for use by children under the age of 12.

The amendment was ruled out of order on the basis that it would greatly expand the scope of the bill and was therefore not germane.

### Hospital, ambulance changes

A bill that would create a new hospital, change the approval process for new hospital construction, require the commissioner of health to study a new process for constructing medical facilities and regulate the purchase and lease of new ambulances awaits action by the governor.

Sponsored by [Rep. Greg Davids](#) (R-Preston) and [Sen. Dan Sparks](#) (DFL-Austin), [HF3049](#)\*/[SF2576](#)\* allows for "construction of a hospital with up to 25 beds in Cass County within a 20-mile radius of the state Ah-Gwah-Ching facility, provided the hospital's license holder is approved by the Cass County Board." It also provides for "an acute care hospital in Fergus Falls that will increase the bed capacity from 108 to 110 beds by increasing the rehabilitation bed capacity from 14 to 16 and closing a separately licensed 13-bed skilled nursing facility."

The health commissioner would be required to conduct a public hearing in the affected hospital service area for a hospital seeking to increase its number of licensed beds or an organization seeking to obtain a hospital license, under the bill.

The bill includes an alternative approval process for new hospital construction. The process is set to expire Jan. 1, 2009.

Under the process, an organization seeking to obtain a hospital license must submit a letter of intent to the commissioner specifying which community it would be in and the number of beds. Once the commissioner receives the letter, there must be publication of a notice in the State Registrar, and if more than one organization is interested, the notice must state another organization is doing so and notify the commissioner within 30 days. After further review, if the commissioner determines that a new hospital is needed, a market-specific list of criteria would be used to evaluate all proposals.

The commissioner is also required to report to the Legislature by Feb. 15, 2007, on the need

for a new process of approving the construction of medical facilities or the addition of services at existing medical facilities.

The bill also adds ambulances to the so-called “lemon law” that mandates a manufacturer’s duty to repair, refund or replace a vehicle.

## HIGHER EDUCATION

### Permission granted

A bill granting permission to construct a new building at Minnesota State University, Mankato awaits the governor’s signature.

[HF2892\\*/SF2716](#) allows the university to “raise \$24 million to build a 95,000-square foot building and give it to the state. They will also raise \$8 million to provide facility operations and maintenance endowment,” said [Rep. John Dorn](#) (DFL-Mankato), who sponsors the bill with [Sen. John Hottinger](#) (DFL-St. Peter). Additional money would be used for faculty costs and scholarships, he said.

The bill was approved 58-0 by the Senate May 20, one day after the House gave its approval 133-0.

Basically, the role of the Legislature is to consent to the agreement to allow \$57 million in private dollars to be used by the Minnesota

State Colleges and Universities system to build the addition for the College of Business, said Dorn.

The college is running out of room for classrooms and space with the growth of programs, University President Richard Davenport told a House committee.

## HUMAN SERVICES

### Child care changes

Imagine having to post a sign at the entrance of your home day care center that your child has committed a misdemeanor, — stealing from a grocery store — even though it happened nearly three years ago.

This is the situation facing a constituent of [Rep. Jim Abeler](#) (R-Anoka). Along with [Sen. John Hottinger](#) (DFL-St. Peter), Abeler sponsors [HF2807/SF2833\\*](#) that would change the posting requirement.

Passed 101-30 by the House May 20, and 55-10 by the Senate later that day, the bill awaits action by the governor.

“There was a young girl that was 13 years old and she stole something from a grocery store ... all was forgotten until her mother applied to get her child care license renewed,” Abeler said. He equated the situation to having to post a sign stating there is a “thief

in the house.” The bill would change the requirement so that those under the age of 18 living in a child care facility would not be subject to the posting requirements for a misdemeanor theft crime.

Other provisions in the bill include:

- requiring all teachers, assistant teachers and at least one staff person chaperoning field trips or transporting children in their care to have satisfactorily completed first aid training within 90 days of the start of work, unless the training has been completed within the previous three years;
- creating a runaway and homeless youth act, and requiring the commissioner of human services to develop a report on homeless youth, youth at risk of homelessness and runaways, requiring youth drop-in centers to provide access to crisis intervention and support services and transitional living programs to help the youth find safe and dignified housing;
- granting a variance to certain alcohol and drug counselors that have been disqualified for certain crimes or conduct to allow them to continue working in their current positions and allowing them to change employers with a letter of recommendation; and
- requiring the commissioner of human services to approve a pilot project in Ramsey County to help teen parents remain in school and complete their education while providing child care assistance.

## INSURANCE

### Policy changes

Legislation described as the [Department of Commerce](#) insurance bill awaits signature by the governor.

Sponsored by [Sen. Linda Scheid](#) (DFL-Brooklyn Park) and [Rep. Tim Wilkin](#) (R-Eagan), [HF3760/SF3480\\*](#) would regulate licensee education, certain insurance forms and rates, coverage, filing and reporting, utilization reviews and claims.

The House passed the bill 129-4 May 20, and the Senate 51-12 shortly thereafter.

Before its House passage, the bill was amended several times to include legislation, most of which had been passed by the House earlier in the session.

Wilkin first amended the Senate file to insert the House language, which “takes out unnecessary sections” and “brings in some changes in Medicare Part D which were necessary to make that program work well with the supplements,” he said.

Wilkin amended the bill a second time

## MESLOW FAREWELL

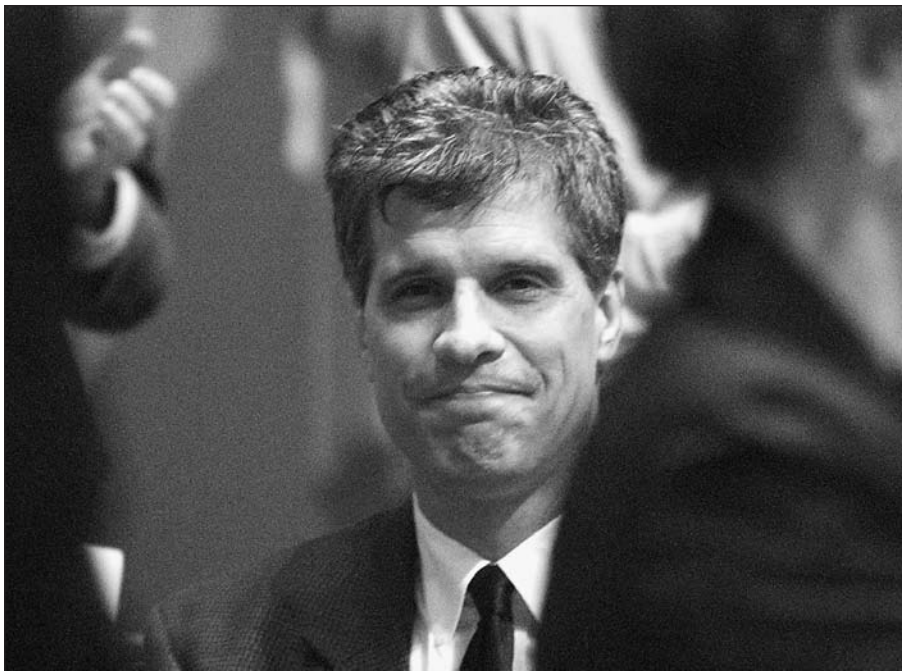


PHOTO BY ANDREW VONBANK

An emotional Rep. Doug Meslow is applauded by fellow House members after giving his farewell speech May 21. Meslow especially thanked members for all their support, kindness and prayers towards himself and his family, especially during the death of his son, Peter. “Thank you for your sharing and thank you for your service. Bless you all,” he told members.

to include the “loss ratio,” which, in general terms, is the percentage of premium dollars paid out in claims to policyholders.

“Members, you’ll recognize this amendment. This is the same as [HF2500](#), that was passed about two and a half weeks ago off this floor with no dissenting votes with a couple minor changes,” Wilkin said.

The amendment also contained a provision for a Duluth pilot project to address the uninsured, cooperative service language and pricing transparency language regarding hospital and pharmacy services and a provision for reinsurance of public employees through service cooperatives.

[Rep. Tom Rukavina](#) (DFL-Virginia) also amended the bill to exempt retired people from having to pay for lost-wages benefits on their auto insurance policies.

Finally, [Rep. Jim Abeler](#) (R-Anoka) amended the bill to include “the commerce portion of [HF1862](#),” which had also passed unopposed in the House earlier this session. The amendment includes health care cost containment measures, including a report of medical malpractice insurance, as well as provisions on prior authorizations and limitations on deductibles and out-of-pocket maximums.

## LAW



### Medical personnel not liable

Medical personnel could not be held civilly liable for the conduct of a prisoner or a civilly committed person, once released, related to the use or nonuse of medicines they may have prescribed during their incarceration.

[HF1106/SF1040\\*](#), sponsored by [Rep. Mindy Greiling](#) (DFL-Roseville) and [Sen. Don Betzold](#) (DFL-Fridley), was passed May 20 by the House 131-1 and the Senate 65-0. It now awaits action by the governor.

The limitation on liability applies from the date of release from confinement, or until the person is scheduled to receive new medicine prescribed after release.

## LOCAL GOVERNMENT



### Two cities may own stores

Two small cities in rural Minnesota say they want to buy or operate small businesses, and a bill awaiting action by Gov. Tim Pawlenty would allow them to do that.

Sponsored by [Rep. Al Juhnke](#) (DFL-Willmar) and [Senate Majority Leader Dean Johnson](#) (DFL-Willmar), [HF3446/SF2939\\*](#) was passed May 20 by the House

103-30 and the Senate 54-9. It would allow the city of Pennock to purchase and make improvements to a gas station/convenience store, and allow the city of Kiester to buy inventory for and operate a grocery store it currently owns.

In both cases, the establishments in question are the only source of gas and/or groceries in their respective towns.

“This is small-town Minnesota, and this is what’s happening. There’s nowhere in this town of 500 to buy milk, bread or a gallon of gas,” Juhnke said of Pennock, which hopes to renovate the gas station and then sell it to a private party. Juhnke said the city cannot currently find a buyer because no one wants to pay for the necessary improvements to the property.

In its original form, the bill dealt only with Pennock, but [Rep. Tony Cornish](#) (R-Good Thunder) successfully amended it on the House floor to provide a similar opportunity for the residents of Kiester, a town of approximately 500 near the Iowa-Minnesota border. The city currently owns the only grocery store in town, which it leases out to a private operator. That individual has become sick, however, and the city wants to run the store.

“We’re just looking for some creativity for our rural towns, members,” Juhnke said. “We’re losing population, we’re struggling.”

A few members spoke out strongly against the bill. [Rep. Ron Abrams](#) (R-Minnetonka) called Juhnke’s bill “the communist grocery store bill” and said that Cornish’s amendment amounted to having “property taxes stand for grocery inventory, without a referendum.”

[Rep. Dean Simpson](#) (R-New York Mills) questioned the wisdom of letting cities reopen stores that had already failed under private management.

“I would really question why we would want to open these facilities without having a plan. I think these people are desperately searching for a solution to a problem, but I’m not sure this is the answer. If the community would’ve supported the present owners that were there, they wouldn’t be in this situation,” he said.

### ‘Piggybacking’ road projects

A bill designed to save townships money by allowing them to “piggyback” onto county road construction projects awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Sondra Erickson](#) (R-Princeton) and [Sen. Claire Robling](#) (R-Jordan), [HF2677\\*/SF2602](#) was passed 67-0 by the Senate and re-passed 133-0 by the House May 20. It would allow townships to contract for road construction without competitive

bidding, under certain circumstances.

For example, when a county builds a road through or near a township that is itself in need of new roads or road maintenance, the township would be able to “piggyback” onto the county’s project by simply agreeing to the same terms and conditions as were agreed upon by the county and vendor.

Currently, townships are forbidden by law to contract with vendors without first setting up a joint powers agreement or carrying out a competitive bid process. The bill would allow townships to save the costs associated with seeking out and finding a vendor of their own.

### Zoning provisions modified

A bill modifying municipal and county planning and zoning provisions by providing standards for preliminary plat approval in a proposed development awaits action by Gov. Tim Pawlenty.

As amended by a conference committee, [HF3302\\*/SF2934](#), sponsored by [Rep. Laura Brod](#) (R-New Prague) and [Sen. David Senjem](#) (R-Rochester), was re-passed 123-9 by the House May 20 and 66-0 by the Senate the same day.

The bill would require a county or city to approve a preliminary plat that meets the county’s or city’s zoning and subdivision regulations, standards and criteria unless the county or city adopts written findings, based on the public record, as to why the application should not be approved.

Brod said the conference committee amended the bill by adopting some technical language amended in the Senate version of the bill.

“The Senate had passed out a bill that simply dealt with some nonconforming use language for seasonal recreational property. We have extended that to homestead and non-homestead residential property as well as seasonal recreational property for residential purposes,” Brod said.

### Strip clubs undressed

A bill that would require strip club owners to give local governments 60 days’ notice of their intent to open such an establishment awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Dean Urdahl](#) (R-Grove City) and [Sen. Steve Dille](#) (R-Dassel), [HF3779\\*/SF3394](#) was drafted in response to complaints that owners of adult-oriented businesses frequently mislead local officials as to what kind of establishment they intend to open. As amended by a conference committee, it was passed 129-1 by the House



and 57-1 by the Senate May 20.

In addition to the 60 days' notice requirement, the bill also contains a number of other provisions that give municipal and county governments extra leverage against anyone looking to open a business that features live performances or depictions of sexually-oriented material, including:

- local governments are not required to provide, by zoning or otherwise, for a location in which an adult entertainment establishment may be located;
- such establishments are prohibited from operating within 1,500 feet from another adult entertainment establishment, 500 feet of residential property or 2,800 feet of an elementary or secondary school, church, synagogue, mosque or other place of worship;
- such establishments that operate in a municipality that does not regulate hours of operation may not be open for business before 10 a.m. or after 10 p.m. Monday through Saturday and may not be open for business on a Sunday or legal holiday;
- people convicted of certain crimes may not operate or manage an adult business establishment for three years after discharge of the sentence for the offense; and
- local governments may choose to adopt their own set of rules and regulations on the subject, and may override state law to create ordinances that are either more or less restrictive as they see fit.

"If a local government wants to have a strip club, they can," Urdahl said. "They can make this bill more restrictive, less restrictive or use the bill the way it is. It's a good thing for business, it's a good thing for the people of Minnesota, and a good thing for our small towns."

## ★ RETIREMENT

### Public employees' pensions

A bill that would modify public employees' retirement benefits awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Steve Smith](#) (R-Mound) and [Sen. Larry Pogemiller](#) (DFL-Mpls), [HF2362/SF2239](#)\* increases employer and employee contributions to the Minnesota State Retirement System (MSRS) plans and makes a number of changes relating to the Public Employees Retirement Association (PERA), Minneapolis Employees Retirement Fund and others. It was passed 104-27 by the House and 63-3 by the Senate May 20.

Smith said the bill, which represents the work of the [Legislative Commission on](#)

[Pensions and Retirement](#), takes steps to decrease the funding liability problems in the state's public pension plans, makes minor changes to the plan structures, recodifies and updates certain areas, and makes small, one-person policy changes.

Among the bill's various provisions:

- Employee and employer contributions to the MSRS general plan would both increase from 4 percent to 5 percent;
- Employee contributions to the MSRS correctional plan would increase from 5.69 percent to 8.6 percent of salary, while employer contributions would increase from 7.98 percent to 12 percent;
- Employee contributions to the MSRS State Patrol plan would increase from 8.4 percent to 10.4 percent of salary, while employer contributions would increase from 12.6 percent to 15.6 percent;
- Employee contributions to the MSRS unclassified plan would remain at the current rate of 4 percent of salary; and
- More than 100 employees in specified positions would switch from the MSRS general plan to the MSRS correctional plan.

A provision in the bill that would allow former St. Paul Mayor Randy Kelly to retroactively change his pension plan was the subject of much controversy on the floor.

[Rep. Phyllis Kahn](#) (DFL-Mpls) tried unsuccessfully to amend the bill by removing the provision. She said it was unfair for Kelly to be allowed to change his plan when others are not, and implied that he is getting preferential treatment because of his public status.

[Rep. Alice Hausman](#) (DFL-St. Paul) argued in favor of the amendment. She said that at the same meeting the pension commission approved Kelly's request, it denied two nearly identical requests from two widows.

"I'll tell you, that was a great education for me that day," Hausman said. "I saw the pension commission say 'no' to the 'mistake' of two widows and say 'yes' to the mistake of this gentleman."

### Teachers' pensions merged

A bill that would merge the Minneapolis Teachers' Retirement Fund Association (MTRFA) into the Minnesota Teachers Retirement Association (MTRA) awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Dennis Ozment](#) (R-Rosemount) and [Sen. Larry Pogemiller](#) (DFL-Mpls), [HF1120/SF1057](#)\* would transfer the membership, service credit, records, assets and allocated state aid from the Minneapolis fund, which has experienced financial difficulties and incurred a large debt, to the state fund. It was passed 95-34 by the House

and 37-26 by the Senate May 20.

The bill would increase the contributions of both teachers and school districts by 0.5 percent each beginning July 1. The teachers' increase would go toward their own retirement benefits, while the employers' increase would go toward paying off the MTRFA's debt.

In addition, a 5 percent per year cap on postretirement benefit adjustments would be placed on all state-operated pension funds — not just the MTRA.

[Rep. Dan Dorman](#) (R-Albert Lea) questioned whether the pensions of teachers around the state were being hurt at the expense of fixing Minneapolis teachers' pensions.

[Rep. Paul Thissen](#) (DFL-Mpls), whom Ozment said had spent considerable time on the issue, replied that the MTRA would remain fully funded after the merger takes place, and no teachers would be hurt by the merger.

"The [MTRA] is a well-managed fund, and that's one of the reasons it makes sense to merge Minneapolis into that fund, because we can have a lot more confidence in how that fund will be operated," he said. Ozment added that merging the funds would be cheaper than paying off the Minneapolis fund's deficiencies.

[Rep. Tom Emmer](#) (R-Delano) said it wasn't fair that a retirement fund that had been "mismanaged" was going to be bailed out by a fund that wasn't. He referred to a situation involving the MTRFA's executive director, whom Emmer said had been given a "golden parachute" in the form of a \$215,000 severance pay package.

"When you reward someone an amount in excess of a quarter of a million dollars for taking a fund and driving it down to about 47 cents on the dollar, and then the answer — which is typical around here — is 'let's just step in and throw money at it.' ... I don't call that reform; I call that patching a hole in the wall and waiting until the leak starts all over again," he said.

Ozment replied, "This bill is about reform and making positive changes for the future, not trying to find who is responsible for what has happened in the past."

## ★ TECHNOLOGY

### Biotechnology zone creation

The employment and economic development commissioner may soon have the authority to create one or more biotechnology and health sciences industry zones.

[HF3561/SF3260](#)\*, sponsored by [Rep. Dan Severson](#) (R-Sauk Rapids) and [Sen. Tarryl](#)

[Clark](#) (DFL-St. Cloud), awaits gubernatorial action.

“About two years ago we established a zone between St. Paul, Minneapolis and Rochester that established a biotechnology zone to create some incentives for biotechnology,” Severson said. “This bill is permissive language that says if the commissioner and the long-term planning agency determine that there needs to be another biotech zone within the state that they can do that.”

Severson said the state has intellectual property to generate patents that will move biotechnology forward. “This just brings the possibility that in other parts of the state, where we have some agriculture and we have some manufacturing, that we can actually designate those as biotech zones; give them a tax break and allow those industries to operate within the manufacturing phase of that biotechnology.”

Qualifying businesses in a zone may be eligible for sales, corporate franchise and some property tax exemptions, and job and research credits.

## ★ TRANSPORTATION

### Transportation funding: No deal

A conference committee met several times before the end of session to discuss respective omnibus transportation proposals, but no agreement was reached.

The bills, [HF3761/SF3764](#), were sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville) and [Sen. Steve Murphy](#) (DFL-Red Wing). When the final gavel dropped to end session, the bills were squashed like a bug on a windshield.

Contentious Senate items included a proposed half-cent sales tax increase for transportation services that would apply to the seven-county Twin Cities metropolitan area and several traffic violation provisions regarding seatbelts and booster seats.

The House proposal included the governor’s \$2.5 billion bonding proposal to fund transportation projects that depend upon the passage of a constitutional amendment by voters in November, which Murphy said was a hard policy for his caucus to accept.

Items included by both bodies: a change to the constitutional amendment to be put before November voters allotting a hard 60/40 split in highway and transit money; bonding for a Mankato transportation headquarters and exterior repairs to the St. Paul transportation building; a Supreme Court expedited hearing of a constitutional challenge to the change of the constitutional amendment; and retrieval of vehicle contents upon the impounding of a vehicle.

### Amtrak resolution

A resolution memorializing the president and Congress to support Amtrak funding awaits action by the governor.

[HF1730/SF1604](#)\* is in response to the unique service that Amtrak provides to Minnesota, said [Rep. Bernie Lieder](#) (DFL-Crookston). Sponsored by [Rep. Michael Beard](#) (R-Shakopee) and [Sen. Steve Murphy](#) (DFL-Red Wing), the bill was passed 81-15 by the House and 44-17 by the Senate, May 20.

“One out of every five passengers travels by rail not by air,” said Lieder. Not only is Amtrak good for Minnesota’s economy, but it’s also the largest, most efficient mover of people, he said.

“Whereas Amtrak serves more than 25 million passengers every year, transporting people to 500 stations in 46 states ... Amtrak’s Empire Builder, which runs from Chicago through Minnesota to the West Coast, provides significant employment and wages to Minnesota residents, wages which help support main street economies,” the bill states.

A letter from the United Transportation Union states, “We believe Minnesota needs to send a strong message to our federal government to continue their support of this important national service.” The union represents active and retired railroad, bus and mass transit workers in the United States and Canada.

### License suspension failed

A bill that would have suspended the license of a person who attempts to pay vehicle taxes and fees with a bad check failed to pass the House May 18. The vote was 84-48.

“What’s happening is that when a person registers their car and then they sell the car, the deputy registrar gets stuck holding the bill. That is not fair to our deputy registrars,” said [Rep. Connie Ruth](#) (R-Owatonna), who sponsored the bill with [Sen. Sharon Marko](#) (DFL-Cottage Grove).

The Senate passed [HF3438/SF3106](#)\* 63-0 May 3.

Current law allows the suspension of driver’s licenses for several reasons, including habitually reckless or negligent driving, habitual violation of traffic laws and permitting an unlawful or fraudulent use of the license.

“I don’t think this is a very good progression to go down here. Somebody who can’t afford a check and somehow bounces a check to get their tabs, and now we’re going to take their driver’s license away. So, now we have people driving again without driver’s license, and now we’ve got costs to our courts,” said [Rep. Al Juhnke](#) (DFL-Willmar) in opposition.

[Rep. Doug Meslow](#) (R-White Bear Lake) spoke in support of the bill.

“What we’re talking about in this situation is not somebody that doesn’t pay the tabs, but someone who actually comes in and writes an insufficient check for it.” Registrar’s offices are facing an unfunded mandate by the state because of having to process insufficient checks, he said.

### MAC may get a makeover

A bill that would make a number of changes related to the terms, appointment and operations of the Metropolitan Airports Commission awaits action by Gov. Tim Pawlenty.

Sponsored by [Rep. Michael Beard](#) (R-Shakopee) and [Sen. Ann H. Rest](#) (DFL-New Hope), [HF2086/SF1940](#)\* would make a number of mostly small changes, including stipulating that commissioners must have lived in their districts for at least six months at their time of appointment, declaring the operation and maintenance of airports an “essential public service,” and mandating the disclosure of airport zoning restrictions in certain real estate transfers. It was passed 122-11 by the House and 61-2 by the Senate May 20.

Beard said the bill’s provisions are based, in part, on a 2001 [report](#) from the [Office of the Legislative Auditor](#) that recommended increasing accountability of the commissioners to the people they represent. He said the bill was “a step in that direction.”

Municipalities that adopt comprehensive plans that the state airports fund commissioner finds incompatible with the state aviation plan would be ineligible for assistance from the fund. Additionally, the bill would make minor changes in the terms and conditions by which the MAC must report to the Legislature.

### Service requirements

A bill that would guarantee the same metro mobility transit service as last year to those with disabilities in the taxable district of the Metropolitan Council awaits action by the governor.

[Rep. Mary Liz Holberg](#) (R-Lakeville), who sponsors [HF3637/SF3450](#)\* with [Sen. Steve Murphy](#) (DFL-Red Wing), said the bill prohibits the council from reducing the service area from what was in effect last year. “This special needs population uses this service to get to work or other places that are important for their lifestyle.”

Holberg said when the council was facing budget cuts in 2005 the paratransit service was facing drastic reductions. “If you as a community

are paying into the transit taxing district, you, at the very least, should have a guarantee of the paratransit service,” she said.

Joel Ulland, a representative for the National Multiple Sclerosis Society, told a House committee, “We’re trying to make sure that if people are living in the out edges of the metropolitan area that they can know with some level of confidence that they will continue to be able to receive service through metro mobility program.” He said the service allows those with disabilities to stay independent, stay in their own homes and stay out of nursing homes, thus reducing some costs to the state.

### Land and council changes

A bill awaiting gubernatorial action would transfer state lands to the United States Fish and Wildlife Service and change the membership of the state Indian Affairs Council.

[HF3202/SF3213](#)\* is “a really simple technical bill brought forward by the [Department of Transportation](#),” said [Rep. Andy Westerberg](#) (R-Blaine), who sponsored the bill with [Sen. Gary Kubly](#) (DFL-Granite Falls). Land changes would include one “located in Houston County, known as the Four Seasons Wetland and Boots Bog,” and another section located in Lac Qui Parle County, according to the bill.

The House passed the bill 133-0 May 19, and the Senate 55-0 May 20.

### SIEBEN FAREWELL



PHOTO BY ANDREW VONBANK

**Rep. Katie Sieben is applauded by fellow House members after giving her goodbye speech May 21. After two terms in the House, she plans to replace the retiring Sharon Marko in the Senate.**

A successful amendment by [Rep. Kathy Tangelstad](#) (R-Andover) would make the commissioners of transportation and administration ex-officio members of the Indian Affairs Council. Other department commissioners already designated include education, human services, natural resources,

human rights, and employment and economic development.

The bill would also allow the department to enter into agreements with Iowa for a connecting highway during the Trunk Highway 60 and Bigelow bypass construction project.

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### Eighth District

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## New Laws 2006

Presented here are stories on selected bills that were signed into law during the 2006 session of the Minnesota Legislature.

Also contained in this issue of *Session Weekly* are longer, At Issue stories about some of the major bills passed during the final hours of the session. As of 5 p.m. May 25, Gov. Tim Pawlenty had yet to take action on some of them.

After July 1, for a complete review of all the new laws passed this year, please visit our New Laws 2006 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.

## CONSUMERS

### Alcohol machine banned

A machine, relatively new to the market, that vaporizes alcohol and is advertised to give a quicker high, will be banned in Minnesota beginning Aug. 1, 2006, under a new law signed by Gov. Tim Pawlenty May 18.

The Alcohol Without Liquid machine mixes alcohol with oxygen, creating a vapor that can be inhaled. Minnesota now joins 12 other states that have banned possession or sale of the machine.

The new law excludes nebulizers, inhalers and atomizers from the AWOL definition; but it will be unlawful to utilize these devices for the purpose of inhaling alcohol.

Several local liquor issues are addressed in the new law, sponsored by [Rep. Joe Hoppe](#) (R-Chaska) and [Sen. Sandy Pappas](#) (DFL-St. Paul), which has various enactment dates.

As of May 19, 2006, Minnesota wineries are allowed to produce fortified wines, which by definition is any product that has alcohol or spirits added. According to Hoppe, the University of Minnesota has developed strains of grapes that can be successfully grown in this climate and are now being exported to other parts of the world, and having the ability to fortify wines will make Minnesota wineries more viable.

Culinary schools and retail stores selling kitchen products will benefit, as well, under the new law.

Beginning May 19, 2006, these facilities will be allowed to apply for a limited on-sale

liquor license, which allows for offering up to a maximum of 6 ounces of wine or 12 ounces of intoxicating malt liquor as part of class for consumption on the licensed premises only.

Other provisions include the granting of several liquor licenses to various businesses. It also allows municipalities to restrict further the hours of on and off sales of alcoholic beverages.

[HF3940\\*/SF3081/CH210](#)

## ENVIRONMENT

### Sewage treatment system usage

Been putting off buying a septic system because it's cheaper to use the old straight-pipe system? Better go shopping.

Owners of straight pipe systems — systems that discharge sewage directly onto the ground or into a lake or stream — have been in violation of the federal Clean Water Act since 1972. According to the law signed by the governor May 24, continued use will result in prohibitive financial consequences. The law takes effect Aug. 1, 2006.

[Sen. Michael Jungbauer](#) (R-East Bethel) and [Rep. Kathy Tinglestad](#) (R-Andover) are the sponsors.

"This should have been done in 1972," said [Rep. Mark Olson](#) (R-Big Lake).

Olson said he is puzzled that the state is currently concerned with implementing some extremely complicated and expensive aspects of the Clean Water Act and yet has "overlooked something as elementary as this" for 30 years.

[Rep. Dennis Ozment](#) (R-Rosemont), sponsor of the Clean Water Legacy Act, said the straight pipe situations had not been overlooked, but opposed by local governments that for years didn't want "to put the costs upon individuals" of replacing their straight pipes with septic systems.

"It's about time we wake up and get this corrected," he said.

According to the law, owners of straight-pipe systems who do not replace or discontinue the use of the system within 10 months after receiving notice of non-compliance will be subject to an administrative penalty of \$500 per month of continued noncompliance.

The legislation also stipulates that half of the proceeds collected from non-compliant owners be remitted to the local unit of government that has jurisdiction over the noncompliant straight-pipe system.

[HF2839/SF2437\\*/CH224](#)

## GAMBLING

### Minor gaming changes

Language relating to bingo and some modifications of the pull tab statutes is the substance of a law relating to gambling signed by Gov. Tim Pawlenty.

The sponsors, [Rep. Andy Westerberg](#) (R-Blaine) and [Sen. Ann Rest](#) (DFL-New Hope), term the law as "technical," with "no expansion of gambling." It takes effect May 19, 2006.

State breeders of Arabian horses will be happy to know they have been added to the list of those who are available for proceeds from the Minnesota Breeders' Fund. Supported by a specific tax paid by Canterbury Park, the fund is used as an incentive to encourage horseracing and breeding of certain horses used for racing at licensed Minnesota race tracks.

Other provisions of the law allow those conducting raffles to legally sell a button for up to \$5 as part of the game.

[HF3194/SF2953\\*/CH205](#)

### Prevention grant

A bill signed by Gov. Tim Pawlenty provides \$150,000 this biennium for a grant to help compulsive gamblers. The law is effective May 25, 2006

Sponsored by [Rep. Laura Brod](#) (R-New Prague) and [Sen. Gary Kubly](#) (DFL-Granite Falls), the new law calls for the money from the lottery prize fund to go toward "a state affiliate recognized by the National Council on Problem Gambling." The funding is contingent upon an equal non-state match.

The affiliate must provide services to increase public awareness of problem gambling, training for people or organizations that help problem gamblers and their families, and problem gambling research.

"We all know gambling is not going away in Minnesota," Brod said. "There are many opportunities around the entire state to gamble in a recreational manner. But unfortunately, sometimes it goes too far."

Brod said the state has provided money to the state affiliate since 1997, but this bill is different in that it will provide for significant oversight by the [Department of Human Services](#). "It also will provide that the organization will have to contract with the department to make sure the money is spent in a way that is complementary and not duplicative," she said.

[HF934/SF930\\*/CH225](#)



## Credit card task force

A new law will designate an eight-member task force to study the use of credit and debit cards for transactions with state and local governments.

Sponsored by [Rep. Katie Sieben](#) (DFL-Newport) and [Sen. Sharon Marko](#) (DFL-Cottage Grove), the law is effective May 22, 2006.

The task force will study the use of such cards for transactions involving “taxes, licenses, permits, or other statutory fees” from both the governments’ and the consumers’ point of view and report back to the Legislature in 2007. The task force members will be:

- the commissioner of public safety or a designee;
- the commissioner of natural resources or a designee;
- the commissioner of finance or a designee;
- a representative designated by the League of Minnesota Cities;
- a representative designated by the Association of Minnesota Counties;
- a representative designated by the Minnesota Deputy Registrar Association;
- a representative designated by the Minnesota Association of County Auditors, Treasurers, and Finance Officers; and
- a representative of the Consumer Division of the Office of the Attorney General.

[HF2944/SF2528\\*/CH219](#)

## Eminent domain use restricted

Local governments can no longer use powers of eminent domain to take private property for economic development purposes.

Sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Tom M. Bakk](#) (DFL-Cook), a new law states that eminent domain may only be used for a “public use or public purpose,” which is defined to include only such things as the construction of parks, public utilities or other publicly-owned facilities, as well as the mitigation of blight and the remediation of environmentally contaminated areas.

It also specifically states that the public benefits of economic development, including “an increase in tax base, tax revenues, employment, or general economic health,” do not constitute a public use or purpose.

The law was drafted as a response to a controversial 2005 U.S. Supreme Court decision. In *Kelo v. New London*, the court upheld the right of governments to take property from one private owner and transfer it to another private owner as long as the

community as a whole benefits; however, the court’s decision also recognized the right of states to restrict the use of eminent domain as they see fit.

Other provisions of the law include:

- courts may — and in some cases, must — award compensation for attorney fees, appraisals and other expenses to those whose property is the subject of eminent domain proceedings, under certain circumstances;
- public hearings must be held for all eminent domain takings involving blight mitigation or environmental remediation;
- “a preponderance of evidence” is now the evidentiary standard for eminent domain takings for blight or environmental contamination reasons; and
- property owners whose businesses are destroyed by an eminent domain taking must be compensated for loss of going concern.

Most of the law was effective May 21, 2006, but it provides some exceptions for tax increment financing districts and a few other situations.

[HF2846/SF2750\\*/CH214](#)

## State fruit bill passes

A new law designates the Honeycrisp apple as the state fruit.

First introduced in 2005, the bill originated as a writing assignment for a class of students from Andersen Elementary School in Bayport. The students and their teacher, Laurel Avery, decided to take the idea further, and eventually convinced [Rep. Mike Charron](#) (R-Woodbury) and [Sen. Brian LeClair](#) (R-Woodbury) to carry the actual legislation.

Charron said that Avery and her students, who were present in the House gallery for the bill’s passage, had testified and sat in on House and Senate committee hearings on the



PHOTO BY ANDREW VONBANK

**Rep. Mike Charron displays a Honeycrisp apple to members on the House floor May 19 to garner support for a bill that would make the variety Minnesota’s state fruit. The bill passed overwhelmingly and was signed into law May 24.**

bill throughout the process.

“I don’t want you to dismiss this offhand as, ‘This is a nice thing to do for the kids,’” he said. “These students really did do their research. The Honeycrisp apple is worthy of designation as our state fruit.”

The Honeycrisp, a genetically engineered hybrid of the Macoun and Honeygold apple varieties, was developed at the University of Minnesota’s Horticultural Research Center starting in the 1960s and formally introduced in 1991. Charron said the apple has become “one of the chief agricultural products in the fruit industry,” and that there are now tens of thousands of trees planted across the United States and more than a million worldwide.

Minnesota is the 21st state to adopt an official state fruit.

[HF2516/SF2302\\*/CH229](#)

## Board membership change

A new law changes the makeup of the [Statewide Radio Board](#).

Sponsored by [Rep. Mary Liz Holberg](#) (R-Lakeville) and [Sen. Linda Higgins](#) (DFL-Mpls), the law makes the chair of the Metropolitan Council or a designee a board member, and the health commissioner or their designee will be removed.

“This will allow the Met Council, which has a very large investment in this program, to have representation on the board,” Holberg said.

The board is responsible for developing a project plan for a statewide, shared, trunked public safety radio communication system, applying statewide standards for interoperability and initiating an education plan to stakeholders.

[HF3288\\*/SF3099/CH230](#)

## Leave for organ donation

Public employees wanting to donate an organ or partial organ to another person must be granted a paid leave of absence, under a new law.

Effective Aug. 1, 2006, any public employer (state, county, city, town, school district or other governmental subdivision) with more than 20 employees must grant paid leave of absence to an employee who seeks to undergo a medical procedure to donate an organ or partial organ — up to 40 hours of leave per donation, unless otherwise agreed to by the employer.

“This is a good bill that restores a provision in law that lapsed in 2001. It wasn’t caught, with the lapse that occurred, until there were contract negotiations,” said [Rep. Rick Hansen](#) (DFL-South St. Paul), who sponsors the law with [Sen. Linda Scheid](#) (DFL-Brooklyn Park).

The law also forbids an employer from retaliating against an employee for requesting or obtaining such leave, and provides that employees' other benefits are not affected.

[HF3217/SF2840](#)\*/CH220

### **Cleaning up statutes**

A law making technical corrections to state statutes was signed by the governor May 18.

The annual so-called "revisor's bill" corrects erroneous and ambiguous language, including obsolete references in state statutes. The law is sponsored by [Rep. Pete Nelson](#) (R-Lindstrom) and [Sen. Don Betzold](#) (DFL-Fridley) and takes effect Aug. 1, 2006.

Nelson said that the [Office of the Revisor of Statutes](#) is asked to do a lot of work in a short amount of time during session, and this bill "is a cleanup, fix-up, straighten up" for errors that were made.

[HF3488\\*/SF3128](#)/CH212

## **INSURANCE**



### **Township mutual insurance**

A new law permits township mutual insurance companies to provide coverage in all or a portion of a city of the second class that was within the company's authorized territory before that area became all or part of a city of the second class. These cities have populations between 20,000 and 100,000.

Previous law permitted this only if the company was selling coverage in the area at that time. This part of the law is effective May 19, 2006.

Owned by their policyholders, township mutual insurance companies are typically restricted to serving rural areas. But [Rep. Dan Severson](#) (R-Sauk Rapids), who sponsors the law with [Sen. Linda Scheid](#) (DFL-Brooklyn Park), said that, as more people move outside the metropolitan area, these smaller businesses should be able to provide insurance to customers. The commerce commissioner would have to approve the township mutual insurance company doing business in a city of the second class.

The law also permits a domestic insurance company that previously reorganized into a stock subsidiary of a mutual insurance holding company to convert back into a mutual insurance company with approval of the commerce commissioner. Also effective May 19, 2006, Severson said this would provide Minnesota mutual insurance companies with job growth in the future.

Among other provisions, the law allows insurance agents to satisfy continuing

education requirements with courses on ethics and privacy protections, and it authorizes fraternal benefit societies reinsure an affiliated entity under circumstances approved by the commissioner. These are effective Aug. 1, 2006.

[HF2876\\*/SF2527](#)/CH204

## **LAW**



### **Lien holder notification**

Sometimes, when a car is towed and not claimed, the storage fees can amount to more than the car's worth.

Sponsored by [Rep. Greg Davids](#) (R-Preston) and [Sen. Ellen Anderson](#) (DFL-St. Paul), a new law makes sure that in this situation any lien holder would be notified within 15 days of the car's storage.

[Rep. Melissa Hortman](#) (DFL-Brooklyn Park) amended the law so that charitable organizations that receive donated cars would be allowed to put a lien on the vehicles. Hortman said that after cars are received by these charitable organizations, they are given to people who need them for employment or medical purposes. The lien would prevent people from taking the donated cars and selling them for monetary gain.

[HF3282/SF2995](#)\*/CH228

### **When Fido gets loose**

If Fido is unlicensed, with no identification tags, and gets loose and then picked up by animal control, the procedure is to have the dog's description posted around town in at least three locations.

The posting process will no longer be required under a new law.

Sponsored by [Rep. Doug Meslow](#) (R-White Bear Lake) and [Sen. Don Betzold](#) (DFL-Fridley), the law takes effect Aug. 1, 2006. It states that if the owner of a dog can be identified, they would be called, and the dog would still have five business days in which to be claimed. If after five days the owner does not claim the dog, the dog may be disposed of in a "proper and humane manner," which could mean putting the dog up for adoption.

[HF3691/SF2374](#)\*/CH223

### **Property law language clarified**

Sponsored by [Rep. Paul Thissen](#) (DFL-Mpls) and [Sen. Thomas Neuville](#) (R-Northfield), a new law makes technical changes to the state's property law and provisions passed last year relating to foreign judgments.

Language, already in practice, spells out

in law how the sale of a homestead should be treated when there is no surviving spouse. The new law states that a homestead can only be sold with the consent of a surviving spouse, but if there is no surviving spouse, a sale can be made by the estate's personal representative without the input of other heirs, unless there is a provision in the will stating otherwise. This provision is retroactive to June 1989.

The law, effective Aug. 1, 2006, also modifies language passed last year requiring monetary court judgments transferred to Minnesota to be paid in U.S. dollars. They must also conform to state law as to the length of the judgment and the interest rate being charged. The new law clarifies that the date of the judgment is the date the foreign judgment was entered.

[HF3073\\*/SF2519](#)/CH221

## **LOCAL GOVERNMENT**



### **Letters of credit deadline**

Municipalities are required to release a letter of credit or other financial security within 30 days of the completion of a project by a builder or developer, under a new law that takes effect Aug. 1, 2006.

Sponsored by [Rep. Larry Hosch](#) (DFL-St. Joseph) and [Sen. Sharon Marko](#) (DFL-Cottage Grove), the law permits cities and townships to require developers to establish escrow accounts or other financial securities to reimburse them for direct costs related to the review and approval of projects. Upon completion of such projects, the municipalities have 30 days to release and return the letters of credit or financial securities.

It also requires that the charge on any such securities be equal to the value of the professional services supplied to the municipality, and provides that municipalities failing to meet the 30-day deadline must pay any accrued interest to the developers.

Hosch said the provisions of the new law are already common practice. He added that it is supported by both the municipalities and the developers.

[HF3477\\*/SF3159](#)/CH209

### **Grand Rapids bonds OK'd**

The city of Grand Rapids will be allowed to refinance bonds that it had issued for public utilities projects, under a new law.

Sponsored by [Rep. Loren Solberg](#) (DFL-Grand Rapids) and [Sen. Tom Saxhaug](#) (DFL-Grand Rapids), the law is effective upon local compliance.

Solberg said city officials approached him



about the idea of issuing general obligation bonds to refund outstanding revenue bonds in the hope of saving money on interest rates.

"It will give them an opportunity to save some interest rates on their revenue bonds that they have with the public utilities commission," he said.

[HF3383\\*/SF3148/CH216](#)

### County recorder, registrar changes

A new law makes miscellaneous changes to legislation passed in 2005 that updated the county recorder and registrar of titles statutes.

Sponsored by [Rep. Connie Ruth](#) (R-Owatonna) and [Sen. Steve Murphy](#) (DFL-Red Wing), it takes effect Aug. 1, 2006.

Ruth said the bill merely "cleans up statutory language." Some of its various provisions modify requirements for the first page of a document to be recorded or filed, permit a person to attach an administrative page in front of a document to meet the requirements of the first page, strike language relating to a pilot project for the electronic filing of real estate documents, and add two fees to the list of fees of which a portion is paid to the state General Fund.

[HF3454/SF3105\\*/CH222](#)

## ★ TRANSPORTATION

### A police officer remembered

A new law designates portions of Interstates 35, 35E and 35W as the Shawn Silvera Memorial Highway.

Sponsored by [Rep. Ray Vandever](#) (R-Forest Lake) and [Sen. Michele Bachmann](#) (R-Stillwater), the law requires the transportation commissioner, in consultation with the Shawn Silvera Foundation, to adopt a suitable marking design and placement of four signs to memorialize the Lino Lakes police officer killed in the line of duty.

On Sept. 6, 2005, Silvera, a Forest Lake resident, was killed along Interstate 35 while in the line of duty. The law, effective Aug. 1, 2006, will designate the portion of I-35 from the site of the accident at Lake Drive in Lino Lakes to Broadway Street in Forest Lake in his honor.

[HF3805/SF3526\\*/CH213](#)

### Golf carts on trailers

A golfer heading out to an afternoon round will be able to pull a golf cart behind a fifth-wheel trailer, under a new law.

The law adds the motorized golf cart to the list of vehicles permitted to be pulled by a

recreational vehicle combination, said House sponsor [Rep. Al Juhnke](#) (DFL-Willmar).

According to nonpartisan House Research, a combination consists of a truck attached via a fifth-wheel to a camper-semi trailer that is towing a trailer with certain types of vehicles on it. The Senate sponsor is [Majority Leader Dean Johnson](#) (DFL-Willmar).

Juhnke said the issue was brought to his attention by a disabled constituent who uses a golf cart to move about at parks and recreation areas. The constituent went to renew his trailer license and was told it was not legal to pull the golf cart with a fifth-wheel trailer.

Other vehicles currently legal to be pulled include snowmobiles, boats and watercraft.

[HF3472\\*/SF3083/CH231](#)

### Commuter rail liability

With an expectation that commuter rail lines will use already existing, privately owned freight railroad lines, a new law will give private companies performing public services the same kind of liability protection as governmental entities.

Sponsored by [Rep. Kathy Tingelstad](#) (R-Andover) and [Sen. Don Betzold](#) (DFL-Fridley), and effective Aug. 1, 2006, the law allows the transportation commissioner, or a public entity contracting with the commissioner, to contract with a railroad for use of the track.

Additionally, the law applies governmental tort liability law to a private railroad acting under state contract to provide commuter rail service, and allows for the purchasing of insurance for all types of claims or damages. "We look to the other states with the liability issues they have in place and this legislation mimics that," said Tingelstad.

According to the nonpartisan [House Research Department](#) the result is twofold: the law applies the \$300,000 per person and \$1 million per incident damage cap to the railroad operation, and it exempts a railroad from liability for punitive damages.

[HF3656/SF3246\\*/CH206](#)

## ★ VETERANS

### War dogs plaque authorized

A new law authorizes a memorial plaque honoring military war dogs and their handlers on Capitol grounds, and creates a task force to plan for restoration of the Victory Memorial Drive Historic District.

The law, effective May 22, 2006, is sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake) and [Sen. Jim Vickerman](#) (DFL-Tracy).

The plaque would be placed in the Court of Honor, near the Veterans Service Building on the Capitol Mall. It would recognize "the valiant service to our nation by the thousands of brave military war dogs and their handlers who served honorably as members of the United States armed forces during all of our nation's wars and during peacetime," according to the language of the law.

The law also stipulates that the plaque be funded privately and that it be approved by both the [Department of Veterans Affairs](#) and the [Capitol Area Architectural and Planning Board](#).

The original bill only dealt with the war dogs plaque, but it was amended on the House floor by [Rep. Joe Mullery](#) (DFL-Mpls) to include the Victory Memorial Drive task force, which will "develop strategies around the master plan for restoration" of the historic rows of trees and markers that commemorate the Hennepin County servicemen of World War I.

The task force will be made up of a number of local officials as well as state legislators, and will report its actions to the Legislature once each biennium.

[HF2688\\*/SF3410/CH218](#)

## RESERVED SPACE



PHOTO BY TOM OLMSCHIED

**Lobbyist and former House Speaker Bob Vanasek goes through a funding proposal as other lobbyists and department staff reserve chairs with their paperwork during a May 19 recess of the supplemental budget conference committee.**

## Bonding for the future

Plan seeks to spend nearly \$1 billion

By **MIKE COOK**

The final bonding package approved by the House and Senate stayed just under the \$1 billion mark, but still provides an infusion of money for projects throughout the state.

[HF2959\\*/SF3475](#), sponsored by [Rep. Dan Dorman](#) (R-Albert Lea) and [Sen. Keith Langseth](#) (DFL-Glyndon), totals \$999.98 million, of which \$948.64 million is in general obligation bonds.

After a behind closed doors agreement was reached by spending much of May 19 working with the governor's staff, the bill was passed by the House 111-21 and the Senate 60-6 in the early-morning hours May 21. Intervention was needed because an at-times contentious conference committee continued to struggle as the session clock wound down.

"It feels really good to get it done. Really good," Dorman said.

The final product — strong in the areas of higher education, environment, infrastructure and transportation — is close to the proposal passed by the House, about \$41 million less in general obligation bonds passed by the Senate and \$104 million more than originally offered by Gov. Tim Pawlenty, who now has the bill for his signature.

More than \$2.3 billion in requests were sought before the session began.

"I think this is a great bill," said [Rep. Denny McNamara](#) (R-Hastings), one of the House conferees. "We ran the table on the colleges again. We've got them lined up for some good design stuff for the schools, and we have good numbers on [asset preservation]. The environment was really a home run, and we got trails and the forest legacy."

A full spreadsheet is available at <http://www.house.leg.state.mn.us/fiscal/files/bond06.pdf>.

The following is a look at parts of the bill.

### Higher Education

Nearly 31 percent of the total bill goes toward postsecondary institutions.

The Minnesota State Colleges and Universities (MnSCU) system is to receive

\$191.43 million, of which \$141.09 million is in general obligation funding with the remainder from user financing.

All 27 projects on the MnSCU request received some funding, with the largest amount going for asset preservation (\$40 million); a Trafton Hall addition at Minnesota State University, Mankato (\$32.9 million); a science instruction and learning resource center at Century College (\$19.9 million); a space renovation for science, nursing and allied health programs at Minneapolis Community and Technical College (\$18.87 million); and a science building addition at St. Cloud State University (\$14 million).

A medical biosciences building (\$40 million) tops the university allocation followed by \$30 million for asset preservation; \$26.6 million for a Carlson School of Management expansion on the Minneapolis campus; \$15.3 million for the construction of the Labovitz School of Business on the Duluth campus; \$3.5 million for three university research centers; and

\$300,000 for renovations at the Minnesota Poultry Testing Laboratory in Willmar.

### Other education

The Nett Lake School District is to receive \$10.7 million for construction of a K-6 facility; \$5 million is directed for construction of a new MacPhail Center for Music in Minneapolis, contingent on the center raising \$15 million privately; \$2.5 million is for asset preservation at the state academies for the deaf and blind; and \$1.05 million for asset preservation at the Perpich Center for Arts Education.

### Environment/Natural Resources

Among the \$100.7 million in the natural resources area, \$25 million is "for the state share of flood mitigation grants for publicly-owned capital improvements to prevent or alleviate flood damage."

The bill also contains \$14 million to acquire land, develop and make improvements for wildlife management area purposes; \$10.8 million for state trail acquisition and development; \$7 million to acquire forest easements on private forest lands and within Forest Legacy Areas to guarantee public access, including for hunting and fishing; \$4 million for state reforestation activities; and \$3 million each for state park



PHOTO BY TOM OLMSCHEID

Drawing students at the Perpich Center for the Arts work in a hallway during a class. The omnibus capital investment bill allocates \$1.05 million for asset preservation at the Golden Valley school.

infrastructure rehabilitation and natural resource restoration, state park building construction and restoration, state park and recreation area land acquisition, and to improve public access and small craft harbors on Lake Superior.

### Corrections

The bill tries to help with the rapid increase in the state's aging prison population by providing nearly \$28 million for an expansion at the Faribault facility and renovation of an existing unit into a long-term care facility.

Deputy Commissioner Dennis Benson said corrections officials are concerned about staff and offender safety at the facility. "We are concerned that things can happen without proper buildings to house offenders." Commissioner Joan Fabian said three serious assaults occurred there in recent months.

"I think doing the prison was the right thing to do," McNamara said. "It's tough to bite the bullet, but it's the right thing. It's a security issue and with inflation it just makes sense."

Also in the bill is \$19.58 million for a 150-bed segregation unit at the Stillwater facility and nearly \$5.38 million for a 92-bed expansion at the Shakopee women's prison. The governor's \$5 million request for a fence around the Shakopee facility, which many neighbors do not want, was not included.

The bill also allocates \$41.32 million to construct a facility for 400 more people in the sex offender treatment program at the Moose Lake facility.

### Transportation

Northstar commuter rail line funding should be complete with a \$60 million provision; \$52.5 million is set aside for bridge replacement and rehabilitation grants; and \$7.65 million is allocated for both construction/reconstruction of local roads with statewide or regional significance and to help counties pay for capital improvement projects on county state-aid highways.

The Cedar Avenue Rapid Transit project is given \$5 million for environmental studies, preliminary engineering, bus lane improvements and transit station construction; and \$3.3 million is dedicated to construction of a passenger facility at 46th Street and Interstate 35W in south Minneapolis as part of the I-35W Bus Rapid Transit project.

To connect the downtowns of Minnesota's two largest cities, the bill calls for \$7.8 million to conduct environmental studies, complete preliminary engineering and design the Central corridor transitway. However, because this was not new money, [Rep. Alice Hausman](#) (DFL-St. Paul) did not sign the conference committee



PHOTO BY TOM OLMSCHEID

**The Como Zoo in St. Paul is to receive \$9 million for new polar bear and gorilla exhibits.**

report, nor did she vote for the bill.

She said the money comes from the cancellation of bonds allocated in 2002 for a bus garage that was never built. As part of a negotiated deal, she said leaders of the business community in her area, which includes part of the proposed transitway, were told the project would get the \$2.5 million offered in the House and Senate bills plus the \$7.8 million.

"For me, this was a broken promise to my business community," she said. "I showed all of my St. Paul delegation and a number of them voted no with me." Four of the eight St. Paul representatives voted against the bill.

Hausman was also disappointed that a leadership meeting in the governor's office decreased funding for some other St. Paul projects to numbers below what was earmarked in either the House or Senate bills. Meanwhile, Minneapolis was not cut at all. For example, St. Paul's Union Depot, projected to be a multimodal hub, receives \$3.5 million in the bill, below the \$6.25 million in the Senate bill and the \$5 million in the House bill. The smaller number means fewer federal dollars to help the project.

Overall, Hausman calls the final package "a fabulous bill. Higher education, environment, transit, public safety, it is a great bill. It just seemed I needed to make some statement."

### Events centers

Some of the conference committee problems came from the definition of regional events centers, and the need to fund them.

The House proposal contained money for centers in Bemidji, Duluth and Marshall, while the latter two projects were zeroed out in the final Senate offer presented to the committee May 18. However, the Senate plan called for \$11 million to renovate the Shubert Theater in Minneapolis and \$9 million for the Ordway Center for the Performing Arts in St. Paul. Dorman questioned if they should also be considered events centers.

The final product contains the Shubert

funding and \$7.5 million for the Ordway. It also contains \$11 million to construct the Marshall event center and \$3 million for planning and site development of a Bemidji center. The Marshall project will be supplemented by Schwan's, which committed to raising at least \$5 million toward the project, and Bemidji agreed to fund 70 percent of its facility.

"It was hard to get particularly Southwest (in the final product), but we hung in there for that," Dorman said. "I believed that it truly was the right thing to do. If we were going to do events centers in Minneapolis and St. Paul we should at least get the ones in Greater Minnesota."

However, the Duluth Entertainment and Convention Center was shut out in the final product.

The governor's proposal included \$33.7 million. City officials sliced a few million dollars off the request late in the session, but it still wasn't enough. The House initially had \$3 million for the project as a placeholder in the negotiating process; the Senate zero. "It's unfortunate that we have to drop this, but we just don't have the money," Dorman said.

### Zoos

The Minnesota Zoo in Apple Valley is to receive \$7.5 million each for asset preservation and a new exhibit. Como Zoo in St. Paul is to receive \$9 million for new polar bear and gorilla exhibits; the Lake Superior Zoo is to receive \$600,000 for renovations to the Polar Shores exhibit; and the Little Falls Zoo is allocated \$400,000 for capital improvements.

### Other funding

- \$38.8 million to match federal grants for the water pollution control revolving fund and drinking water revolving fund;
- \$23.3 million for the Wastewater Infrastructure Fund, which provides grants to high priority municipal projects with high cost needs;
- \$17.5 million for permanent supportive housing loans and grants;
- \$12 million for infrastructure to support an Itasca County steel plant or innovative energy project;
- \$10.8 million to the [Pollution Control Agency](#) for its closed landfill program;
- \$3.5 million for an East Phillips Community Center in Minneapolis;
- \$2.4 million to renovate the State Capitol dome and continuing design work for the building's restoration; and
- \$1.5 million to construct a biosafety Level 3 agriculture laboratory. 🐾



## Back to campus

### Football to return home after 25-plus years in Metrodome

By Mike Cook

Close your eyes and focus. Think of the warmth as the sun hits you on a cloud-free fall day. Imagine looking at leaves that have turned to shades of maroon and gold. Listen as “[The Minnesota Rouser](#)” is played as the [University of Minnesota Marching Band](#) strolls past the fraternity and sorority houses on its way to a football game.

If all goes as planned, those visualizations will be realities in fall 2009.

A new law, sponsored by [Rep. Ron Abrams](#) (R-Minnetonka) and [Sen. Larry Pogemiller](#) (DFL-Mpls), provides the necessary funding to construct a \$248 million football stadium on the university’s Minneapolis campus, about a block away from where the team played before moving to the Metrodome in 1982.

University officials said the stadium will also be home to the marching band, be used for intramurals, graduations and other special events, and its conference rooms would be used for events year-round.

“This is a very exciting day for the university,” President Robert Bruininks said after a conference committee agreed on a funding package that will return Division I football to campus.

The law calls for the state to acquire 2,840 acres of university-owned, environmentally sensitive land at UMore Park near Rosemount in Dakota County at an annual cost of \$10.25 million for a maximum of 25 years. The money would go toward retiring debt service on bonds needed to fund construction of the 50,000-seat, open-air facility. A student fee of no more than \$25 per year will also be imposed beginning with the freshman class in 2007, said Richard Pfitzenreuter, the university’s chief financial officer.

A state offer earlier this year called for a \$7.4 million contribution without the land deal. It also had a higher student fee.

“When you take a look at the land in Dakota County, and you think about what this metropolitan area is going to look like

in 15, 20, 30 years, having this land set aside for perpetuity to be used for recreational purposes by the people of Minnesota is really, really an exceptional opportunity,” Abrams said.

[Rep. Denny McNamara](#) (R-Hastings) called it, “a once in a statehood opportunity.”

Before any state money can be used for the project, the finance commissioner must ensure that the university has raised \$110.75 million in non-state revenues for stadium construction.

Two parts of the original Senate plan did not make the law: requiring the stadium be named “Veterans’ Memorial Stadium” and a 13 percent memorabilia tax on wholesalers of apparel and other items licensed by the university and professional sports teams. Gov. Tim Pawlenty indicated he would not accept the tax.

Pogemiller said “the largest flaw in the bill” is not having a dedicated revenue source. “I think the governor has made a mistake by allowing an on-campus stadium to be pitted against the educational mission of the university, health care, and education in general, in our budget. I think that’s a long-term mistake.”

The student fee was the final sticking point in negotiations. The initial House bill was silent on the issue and the Senate bill called for no student fees to help fund the facility.

[Rep. Lyndon Carlson](#) (DFL-Crystal) said the \$25 annual fee in the final product is better than the original proposal ([HF263](#)) passed by the House Higher Education Finance Committee in April 2005. It called for a \$100 annual student fee.

That was still not enough for [Sen. Mee Moua](#) (DFL-St. Paul), the lone conferee to audibly vote against the plan.

“I wish there was a sufficient source of funding so that we didn’t have to tax our students and we didn’t have to allow a corporation to come on campus and get an opportunity to get free advertising for, what it would seem like, is in perpetuity,” she said. Moua and other opponents also questioned

putting millions of dollars into a stadium at a time when tuition continues to increase and it’s a struggle to fund resources for bioscience projects and other academic missions at the university.

“This body is so careful with every dollar of money it spends, but it has been amazingly easy to make this commitment,” said [Rep. Alice Hausman](#) (DFL-St. Paul), noting a university science building had to be removed from the capital investment bill because there wasn’t enough money.

#### Seeking donations

Bruininks is optimistic that enough private dollars will be raised so that the student fee would be further reduced, if not eliminated.

“This might be a great opportunity for somebody to step forward and put in some type of a donation that might alleviate the student fee that Sen. Moua is concerned about,” said [Sen. David Tomassoni](#) (DFL-Chisholm). “I would hope that somebody would maybe step up to the plate and try to take care of the problem for the kids because the university is about teaching.”

Bruininks said about \$55 million has been raised to date, including a \$35 million agreement from TCF Financial Corp. that includes stadium-naming rights. He said more businesses and private individuals have expressed an interest in donating.

“It will be much easier to fundraise because people have faith the job will be done,” Bruininks said.

A late amendment successfully offered in the conference committee by Tomassoni would take 0.20 cents per taxable ton from a taconite distribution fund and make it available to the City of Eveleth from 2007 to 2011 to support the Hockey Hall of Fame so it can continue to operate in the city. The money must be matched with a private donation.

“It seems appropriate to put it on this bill because when you think of the University of Minnesota and you think of Eveleth, Minn., you think of (John) Mayasich and (John) Mariucci, who are big alumnus,” Tomassoni said. The other reason is that the Hall of Fame recently announced its closure, and Tomassoni wanted to attach it on to a bill that will pass.

[HF3423/SF2460\\*/CH247](#) 

# Persistence pays off

The Legislature passes a plan the Twins will act on

By IRENE VOTH

**A**s in any good ballgame, the outcome was uncertain until the end. But when the final votes in both houses were tallied, legislation authorizing the construction of a Twins ballpark was sent to the governor's desk.

Hotly debated in the House throughout the session, the bill's final at bat in the House was more of the same. But the report of a conference committee appointed to reconcile the differences between [HF2480](#) and [SF2297](#) was passed 71-61 by the House May 20. Senate approval, on a 34-32 vote, took place in the early-morning hours of May 21.

The 42,000-seat ballpark-to-be-named-later is to be constructed on the western edge of downtown Minneapolis at a cost of \$522 million, including infrastructure and financing. The Twins will operate the ballpark and contribute \$1 million annually for capital improvements.

The financing plan for the ballpark's construction includes \$130 million from the Twins and sales tax exemptions for construction materials estimated at \$14 million over four years beginning in 2007. Approximately 79 percent of the ballpark costs will be paid through a 0.15 percent Hennepin County sales and use tax increase imposed without a voter referendum. The resulting revenues are expected to raise \$475 million over the next 30 years. The bill also provides \$4 million per year, with a 1.5 percent annual inflation factor, for youth sports and additional public library hours throughout Hennepin County for as long as the tax is collected.

Numerous compromise proposals were exchanged between House and Senate conferees during six meetings.

Co-chaired by [Rep. Brad Finstad](#) (R-Comfrey), sponsor of HF2480, and [Sen. Steve Kelley](#) (DFL-Hopkins), sponsor of SF2297, the committee listened to testimony

on all aspects of both bills. While the House bill contained only the Hennepin County-Twins ballpark plan, the Senate bill included provisions to build a ballpark and an Anoka

County football stadium. It also proposed a referendum in the seven-county Twin Cities metropolitan area to collect a 0.5 percent sales and use tax increase to fund both sports facilities, including roofs, while establishing a permanent source of revenue for the Metropolitan Council's 2030 Transit Plan.

During the first few conference committee meetings, officials from the Vikings and Anoka County explained their plan to construct a football stadium with a retractable roof. Located in Blaine and planned as one anchor of a larger commercial venture called Northern Lights to be developed by Vikings owner Zygi Wilf, the stadium was estimated to cost \$675 million, including onsite infrastructure. Additional costs for offsite road improvements to access the stadium totaled \$115 million. However, the financing worked out between Anoka County and the Vikings, despite the proposed 0.75 percent countywide sales and use tax to be imposed without a referendum, left a gap of \$115 million. Finstad insisted the House would not accept a plan that included state money to fill the gap in the Vikings-Anoka County stadium plan.

The committee also heard testimony on the transit plan, which projects that by 2030 a million more people will live in the Twin



PHOTO BY TOM OLMSCHEID

The Twins opened the season indoors in April 2006. They plan to open the season in their new outdoor stadium in April 2010.



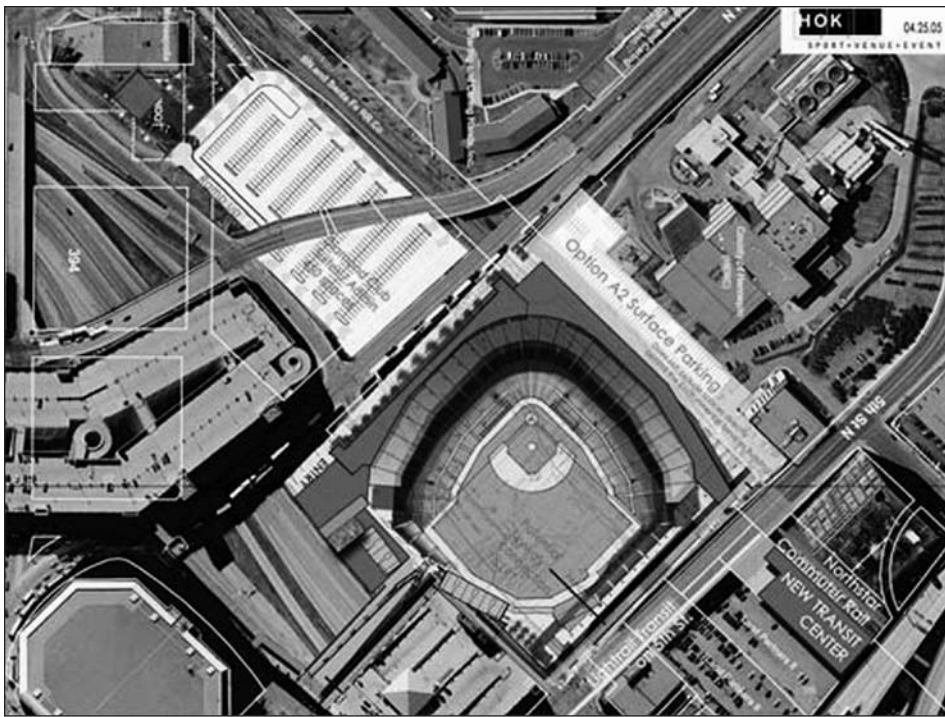


Image courtesy of the Minnesota Twins

**A composite aerial view showing how the proposed stadium would look at the site west of the Target Center.**

Cities metropolitan area. The plan is to slow the congestion of existing roadways by growing the transit system, including additional express bus routes and a comprehensive network of bus, commuter rail and light rail systems.

But the transit funding discussion took a left turn when Peter Bell, chair of the Metropolitan Council, testified that he did not favor the Senate funding plan for transit because it would adversely affect the region's eligibility for federal funding.

Meanwhile, Finstad remained steadfast that a referendum would "kill" the Twins ballpark plan.

By a committee vote of 9-1, the legislation that emerged was identical in nearly all aspects to the bill passed by the House April 26. It included nothing of the transit plan, placeholder language for the Vikings and Anoka County to return to the Legislature with a more acceptable plan next year, and funding provisions for libraries and youth sports in Hennepin County.

In recommending that the House adopt the conference committee report, Finstad described the final legislation as a "great bipartisan effort," a "great compromise" and a "great bill," but legislators from both parties went to bat with other opinions.

Leading off was [Rep. Ray Vandever](#) (R-Forest Lake) who unsuccessfully moved that the House not adopt the conference committee report.

"Awhile ago the Legislature decided there should be a referendum on sales tax increases. This is a very unusual proposal, and I think the

people of Hennepin County should have a say in this and should be able to vote as was determined by statute, I think, in the late '90s," he said.

Others voicing opposition to imposing the tax increase in Hennepin County included [Rep. Alice Hausman](#) (DFL-St. Paul), [Rep. Karen Klinzing](#) (R-Woodbury), [Rep. Tina Liebling](#) (DFL-Rochester), [Rep. Jean Wagenius](#) (DFL-Mpls), [Rep. Phyllis Kahn](#) (DFL-Mpls), [Rep. Mindy Greiling](#) (DFL-Roseville), [Rep. Ron Erhardt](#) (R-Edina) and [Rep. Barb Goodwin](#) (DFL-Columbia Heights).

But supporters of the bill's tax provision also stepped up to the plate.

[Rep. Randy Demmer](#) (R-Hayfield) said



Image courtesy of the Minnesota Twins

**A conceptual drawing showing a street level view outside the proposed stadium.**

## Conference Committee members

Rep. Brad Finstad (R-Comfrey)  
Rep. Barb Sykora (R-Excelsior)  
Rep. Morrie Lanning (R-Moorhead)  
Rep. Neil Peterson (R-Bloomington)  
Rep. Margaret Anderson Kelliher (DFL-Mpls)

Sen. Steve Kelley (DFL-Hopkins)  
Sen. Don Betzold (DFL-Fridley)  
Sen. Linda Higgins (DFL-Mpls)  
Sen. Sharon Marko (DFL-Cottage Grove)  
Sen. Julie Rosen (R-Fairmont)

locally elected officials are sometimes "smarter than we are" and that such officials, including the Hennepin County commissioners who elected not to hold a referendum regarding the sales tax increase, are "capable of making these kinds of decisions for their constituents."

Addressing what she called "strong feelings on both sides of this issue," [Rep. Barb Sykora](#) (R-Excelsior) said, "Reasonable people do sometimes disagree." She added that the ballpark is an important positive aspect to the future of Minnesota, as it gives the state an advantage over neighboring states that have no professional sports teams.

"Remember, folks, what this is really about. It's about keeping our area a place where people want to come, want to live, want to enjoy all the various amenities that we have here," she said.

[Rep. Margaret Anderson Kelliher](#) (DFL-Mpls) supplied examples of other projects funded by a local option sales tax imposed without referendum, including the Xcel Energy Center in St. Paul and the Minneapolis Convention Center.

Others supported Vandever's motion because of the "placeholder" language in the bill for a future Vikings-Anoka County stadium plan, and some because of the library and sports activities funding.

[Rep. Phil Krinkie](#) (R-Lino Lakes), who chairs the House Taxes Committee, said he has debated Twins ballpark proposals for nine of his 16 years in the Legislature. He reminded his fellow legislators that a Twins ballpark bill was passed in 2002, but that the Twins chose not to act on it. He then assured them the Twins would not leave Minnesota if this ballpark legislation were defeated.

"The Minnesota poll of a week ago, 65 percent of Minnesotans oppose taxes — any taxes, not state taxes, local taxes — they oppose any taxes to build a professional sports stadium. Sixty-five percent. And you call yourselves state representatives," he said.

Vandever's motion not to adopt the report failed 75-57, and Finstad, both starter and closer in the final contest, got the win when the bill passed a short time later.



## 'More than boxing and baseball'

Many legislative budget priorities addressed in supplemental bill

By LEE ANN SCHUTZ

During a historically rare Sunday meeting of the Legislature May 21, the House and Senate passed a bill that would appropriate about \$202 million in supplemental spending through the biennium.

In some way, [HF4162](#)\*/[SF3781](#) can be compared to this year's capital investment bill — there's program funding for just about everyone: early childhood education, a new university in Rochester, a steel plant on the Iron Range and new programming for military personnel.

"We did more than boxing and baseball, and I'm very happy about that," said [Rep. Brita Sailer](#) (DFL-Park Rapids).

Sponsored by [Rep. Jim Knobloch](#) (R-St. Cloud) and [Sen. Richard Cohen](#) (DFL-St. Paul), the bill now awaits action by the governor.

to spend \$127 million, the bill was twice tabled, taken off the table, and then amended before being passed and moved to a conference committee to work out the significant differences with the House.

Knobloch called the bill "largely deficiencies" spending, addressing budget shortfalls such as: \$33.67 million necessitated by more sex offenders than anticipated being locked up in state hospitals; \$31 million to cover the costs of the higher than expected numbers of mentally ill and dangerous people being put into state hospitals; \$10 million for one-time water quality initiatives to meet federal mandates; \$6 million for Veterans Home Boards to correct deficiencies; and \$32.3 million to cover salary deficiencies for state-operated services and corrections employees whose contracts were settled after budgets were set last year. However, nearly \$14.7 million of that comes from other bed savings.

A House provision to transfer \$317 million from the tax relief account to the General Fund, with the hope of using it for tax cuts, did not make it into the final bill.

Advocates for early childhood programming were pleased that many of the initiatives proposed by the bipartisan Early Childhood Caucus made it into the bill. Overall, the bill allocates about \$15 million for early childhood education and help for child care providers.

"It is a thrill to see the money in there for early childhood ... it is really good stuff," said [Rep. Nora Slawik](#) (DFL-Maplewood), co-chair of the Early Childhood Caucus.

The bill provides for the option of several new educational opportunities for parents. In partnership with health care providers and community organizations, the commissioner

of education may work to provide parenting information to parents of newborns at the time of birth. A Web site could be developed to promote information and links to resources on child development, parent education and child care.

There is significant funding for public safety initiatives, including creation of a child pornography investigative unit to assist law enforcement throughout the state; enhancement of a predatory offender database to facilitate public notification of noncompliant sex offenders via the Internet; and expanded operations of the criminal gang strike force and narcotics task force.

Funding is also provided for a Legislative Commission to End Poverty in Minnesota by 2020. The commission, to be appointed no later than Feb. 15, 2007, will be made up of nine members of the Senate and nine members of the House.

The governor's Mandarin Chinese language initiative is also addressed in the bill by giving permissive language for the commissioner of education to contract with the University of Minnesota Board of Regents or other qualified Minnesota public entity to undertake the development of an articulated K-12 Chinese curriculum for Minnesota.

The film production jobs program is also created and operated by the Minnesota Film and TV Board, with administrative oversight and control by the director of [Explore Minnesota Tourism](#).

Other provisions in the bill include:

- \$10 million for water quality improvements;
- \$5 million to for pandemic preparations;
- \$380,000 to the [Department of Transportation](#) for a new radio tower in Roseau County;
- \$312,000 to the State Patrol to outfit vehicles with defibrillators; and
- \$50,000 to re-establish the state boxing commission, which was abolished in 2001.

View the spreadsheet at <http://www.house.leg.state.mn.us/fiscal/files/defic06.pdf>.



PHOTO BY TOM OLMSCHEID

Two-year-old Jayven Allison, left, looks over his shoulder at his 4-year-old sister, Jamilia, as she peeks through the sign she brought to a Capitol Rotunda rally for better early childhood education funding. The children attend Shining Star Learning Center in Minneapolis.

The legislation took a short but winding road to passage. When it was first heard in the House Ways and Means Committee on April 27 and approved by the House on May 1, it was an \$88 million catchall bill containing items from many tabled House committee finance bills.

Over on the Senate side, where they hoped

# Data privacy — never a black and white issue

By LEE ANN SCHUTZ

It took a lot of persuading to get [Rep. Mary Liz Holberg](#) (R-Lakeville) to take up membership on the House Civil Law Committee in 1999. She was just getting used to being a new House member, and wasn't sure she'd fit in with the committee, heavy on attorneys. But the House speaker convinced this small business owner that her common sense, no-nonsense approach was just what was needed.

It wasn't long and she gained a reputation as a standard bearer for consumer privacy and data practices issues — topics covered by the committee. And in 2003 she took over the committee chair for the biennium.

Holberg, who chaired the House Transportation Finance Committee this biennium, is still a frequent testifier on data practices issues. She will draw from her own experience of people asking for information that she thinks is none of their business; or government entities keeping information private she thinks should be public and, even worse, not protecting private information from becoming a public commodity.

"It's a fun area," she said. "It's never black or white when it comes to balancing people's right to know with government's need to keep certain information private."

Holberg has seen a lot of information use abuse over the years, and if she has any advice for people, it's to recognize the power of technology. She said that in the course of doing business, we too freely give out information about ourselves. She cautions, "There is software out there that can integrate information." This capability can take bits of information, string it together and create profiles. "Some people say I am always looking for the 'black helicopter,' but this stuff is very real."

When you look at data practice bill introductions, there is a good chance that she will be the chief sponsor.

Her commitment to openness in

government and keeping personal records private is respected on the other side of the aisle.

"There's not much that Mary Liz and I agree on, except for the importance of data privacy," said [Rep. Keith Ellison](#) (DFL-Mpls) who served on the House Civil Law and Elections Committee. "These are not partisan issues." He said that when Holberg's name is on a data practices bill, he takes a good look at it. "Most likely it will be something that I can support."

Once again this year, as with every year since 2003, Holberg was sponsor of the

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***A cornerstone of this year's omnibus data practices bill is a provision giving customers control over how their phone records can be used.***

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omnibus data practices bill ([HF3378/SF3132\\*](#)) along with [Sen. Wes Skoglund](#) (DFL-Mpls). A cornerstone of this year's bill is a provision giving customers control over how their phone records can be used. The bill awaits gubernatorial action.

It would make it a misdemeanor to solicit, sell or attempt to sell, or receive a telephone record of any resident without authorization from the customer to whom the record pertains. Any violation would be subject to a \$5,000 fine and/or five years in jail. A \$5,000 civil penalty could also apply.

The bill also places new restrictions on how government entities handle public information, as well as private data.

A provision would substantially raise the penalty to any government entity that "willfully" violates

government data practices statutes. Current damage awards range from \$100 to \$10,000. This would be increased to a range of \$5,000 to \$100,000, under the bill.

The bill would also:


- prohibit the [Campaign Finance and Public Disclosure Board](#) from placing any cancelled check, account numbers or Social Security numbers on its Web site in connection with report or statement filings or complaints;
- classify as private data the homeowner's name, telephone number and address of a residence which is tested for lead and copper;
- direct the commissioner of administration to evaluate current law as to how it protects the privacy of individuals as well as promotes transparency in government. It is to report its findings to the House Civil Law and Elections Committee and the Senate Judiciary Committee by Jan. 15, 2007. This should include recommendations on how the state can respond to the changing way data is stored, retained and disseminated; and
- restrict access to individual Social Security numbers held by a person or entity only to employees who require the numbers in order to perform their job duties. 



PHOTO BY TOM OLMSCHEID

**Rep. Mary Liz Holberg has gained a reputation as a standard bearer for consumer privacy issues.**

## For some, a taxing situation

**Detractors say tax bill includes little property tax relief**

By IRENE VOTH

A bill containing the tax provisions considered during the biennium, including raising the standard deduction for married filers, providing refundable tax credits for some military personnel and authorizing local option sales taxes, awaits action by the governor.

HF785\*/SF318 was passed 130-2 by the House May 20 and 66-0 by the Senate the same day.

While property tax reform had frequently been called a legislative priority this session, House members were quick to point out that there is little reform in the bill's final version.

What there is was discussed on the floor by [Rep. Doug Magnus](#) (R-Slayton) and [Rep. Phil Krinkie](#) (R-Lino Lakes), the House Taxes Committee chair, who said the House wanted to do more with indexing agricultural homestead property, but the Senate did not. The bill allows for an annual increase in the agricultural land value in the first tier, which is taxed at a lower rate and had been capped at \$600,000. Adjusted upward at the same rate as the average agricultural land values increase, the cap for 2007 is \$690,000.

[Rep. Randy Demmer](#) (R-Hayfield) said the increase was not everything he had hoped for, but would help. Demmer added he had spoken to the conference committee about another way to ease the property tax load on agricultural land from school capital debt levies — an amendment offered by [Rep. Dean Simpson](#) (R-New York Mills).

"We have some school districts trying to pass capital debt levies where up to 80 percent of the entire levy dollars are being paid by farms," he said. Simpson's amendment would have resulted in more tax relief for farmers by allowing a debt equalization increase of \$9.2 million, thus reducing school levies by about \$11 million.

Simpson said the amendment had been set aside "for further thought" but was never brought back to the table.

The absence of tax incentives in the bill for



**A cornerstone to this year's tax bill is an increase in the standard deduction for married filers.**

the state's dairy industry was lamented by [Rep. Dean Urdahl](#) (R-Grove City).

"As a result, we will continue to lose a dairy a day in this state. We will continue to put in jeopardy tens of thousands of jobs — not just the 5,000 or so who are left farming — while the states around us offer incentives for their dairy farms," Urdahl said.

Simpson said rural Minnesota will benefit from one of the bill's provisions — a three-year extension of the Job Opportunity Building Zone (JOBZ) for ethanol plants.

"Right now, as I've been told by DEED ([Department of Employment and Economic Development](#)), we have nine of those plants on the drawing board, so there's going to be a lot of economic development out in rural Minnesota. So, I think this was a very good provision that we got put in the bill," Simpson said.

HF4142, the property tax rebate bill passed by the House May 2 that would have returned 9 percent of their 2006 tax liability to homeowners in what had been called "Krinkie checks" is not included in the bill.

"The Senate refused to even discuss the idea of a property tax rebate," Krinkie said, but [Rep. Ann Lenczewski](#) (DFL-Bloomington) said the House didn't offer the rebate amendment to the committee.

Krinkie added that \$100 million of the \$317 million in the property tax relief account when the session began "got shifted over to spending, so you can't have property tax relief

if you want to go spend more money."

Krinkie said other attempts by the House toward property tax relief were stymied in conference committee. These included an education levy buyback of \$110 million, which could have allowed school districts to reduce school operating levies, and a rejection by Senate members of the Senate's own 2005 provision for a "hard property tax freeze."

Lenczewski countered that the levy buyback benefited the wealthiest taxpayers more than any others.

In urging legislators to vote for the bill, Krinkie said the lack of property tax relief or reform was "a shortcoming," but said the bill does have "good tax policy" in conforming the state income tax to the increased federal standard deduction and in eliminating some of the "gotcha" impact on middle-class taxpayers caused by the alternative minimum tax.

The bill:

- provides a military service credit of \$59 for each month of active service in a combat zone or supporting area since Sept. 11, 2001;
- provides a refundable credit of 50 percent of cattle owners' expenses of testing cattle for bovine tuberculosis;
- increases the alternative minimum tax exemption amounts for tax year 2006 and indexes them for inflation in subsequent years;
- provides a three-year extension in which JOBZ tax incentives are available for ethanol projects, if the business subsidy agreement is signed after April 30, 2006, and before July 1, 2007; and
- modifies existing local sales tax authorities for Hermantown, Winona and Worthington, and authorizes new local sales taxes for Austin, Baxter, Brainerd and Owatonna.

### Fee vs. tax

The omnibus tax bill ends the debate about the definitions of "tax" and "fee," precipitated by the Health Impact Fee instituted in 2005.

A provision defines "tax" to mean any fee, charge or assessment imposed by a governmental entity, and states that all such must be treated as a tax for all purposes "regardless of whether the statute or law names or describes it as a tax."

The provision goes on to differentiate a tax from a price an individual or entity chooses voluntarily to pay for goods or services provided by the governmental entity.



# Topical requirements

## Mandated reports give members necessary information

By **BRENDA VAN DYCK**

**E**ver wonder how much property is seized by law enforcement in a year, or how much money cities collect in fees? Some legislators previously have and enacted laws requiring state agencies to report back to the Legislature with the information.

The Legislature mandates a variety of reports every year; some are one-time studies and others are ongoing. The 2005 Legislature mandated 127 reports, wanting information about everything from tuition reciprocity to efforts to control beaver damage.

The reasons vary as to why a report might be requested. Many times it's to see how an agency or group followed up on issues. Other times the Legislature simply wants more information before making policy decisions. Sometimes ideas arise that don't have enough immediate support to become law, and a study is one way to gather more information and keep the idea alive. Other times, a study is a way of bringing opposing groups together to work on an issue and reach a compromise.

For example, during the 2005 session, one bill relating to adoption ran into some opposition. [HF659](#) would have changed the laws regarding an adopted person's access to his or her birth certificate. The bill's sponsor, [Rep. Kathy Tinglestad](#) (R-Andover), worked out a compromise by asking the [Department of Human Services](#) to collect data regarding post-adoption searches and to develop best practice guidelines for conducting post-adoption searches.

The report resulted in legislation proposed this year that instructs the commissioner of human services to develop a curriculum to train department, county agency and social service agency staff how to perform post-adoption services with the best practices guidelines stemming from the 2006 report. [HF3123](#) was included in the omnibus jobs and economic opportunity finance bill, which failed to pass the House.

### Becoming legislation

Reports will often evolve into pieces of legislation. For example, a study mandated by the 1994 Legislature on the state's corporate farm law became the basis for a subsequent overhaul and recodification of the law.

Reports can also provide the basis for programs or operating procedures. In the mid-1970s, the state's sentencing practices were criticized as indeterminate, but the Legislature could not agree on how to reform the system. After three sessions of debate, the 1977 Legislature created the Sentencing Guidelines Commission and mandated that it develop guidelines for uniform sentencing standards and report them to the Legislature. The commission began annually reporting its guidelines to the House and Senate in 1980.

In 2001, the Legislature charged the University of Minnesota's Institute on Criminal Justice with developing a research plan to evaluate the implementation and impact of the felony drunken driving law, which went into effect in August 2001. In this case, the Legislature appropriated \$20,000 for the study, but usually money is not appropriated for mandated reports.

### Tracking report costs and progress

The costs of mandated reports are difficult to quantify. Often they are absorbed into an

### Legislative reports

The Legislature mandated 127 reports in 2005, including:

- Comprehensive report on state agency and city fees due
- Implementing an electronic monitoring system for sex offenders
- Recommendations for reducing use of gasoline by the state vehicle fleet
- Feasibility of a statewide standard for certain fees for licensed family child care providers

(For a complete listing, go to <http://www.house.leg.state.mn.us/hrd/pubs/05reports.pdf>)

agency's budget. No one specifically tracks all of the costs.

A state law requires the entity submitting a report to include the cost of preparing it, but only a minority of reports include this information.

Report preparation costs vary widely. In 2006, they range from \$65 for the Minnesota Board of Pardons' annual report to the Legislature to \$145,000 for a report analyzing a business activities tax for the state. The Department of Human Services estimated it spent \$6,475 to prepare the report on post-adoption searches.

As the official government document repository, the [Legislative Reference Library](#) keeps track of reports and catalogues final reports into its collection. Minnesota is one of only a few states that actively tracks mandated reports and ensures that they are easily available to legislators and citizens, according to Library Director Robbie LaFleur. Since 2003, the library has kept archived electronic copies of all mandated reports.

Each year, library staff read session laws to identify new mandates, repealed mandates and changes to existing mandates. That information is put into a database to track the reports.

The library's database includes the publisher of the report, its title, date, preparation costs, the law mandating it and where the reporting requirement is codified in statute. (For additional information on identifying and obtaining mandated reports, see [www.leg.state.mn.us/lrl/mndocs/mandates.asp](http://www.leg.state.mn.us/lrl/mndocs/mandates.asp))

— **Brenda van Dyck** is the editor/publications manager in the nonpartisan House Research Department.



PHOTO BY TOM OLMSCHEID

The Legislative Reference Library tracks mandated reports and catalogues them into its collection.

# Seventeen will not seek re-election

A total of 17 members of the Minnesota House of Representatives have announced they will not seek re-election in November 2006. This includes six DFLers and 11 Republicans.

Over the past few weeks, *Session Weekly* has provided "Stepping Down" profiles on many of the departing members; however, due to the late date of some member announcements, we were not able to write profiles on all

of them. Below is a list of members who have announced they will not return as of May 22, 2006, and their length of service in the House.



**Rep. Ron Abrams**  
R-Minnetonka  
District 43B  
Terms: Nine



**Rep. Matt Entenza**  
DFL-St. Paul  
District 64A  
Terms: Six



**Rep. Jim Knoblach**  
R-St. Cloud  
District 15A  
Terms: Six



**Rep. Fran Bradley**  
R-Rochester  
District 29B  
Terms: Six



**Rep. Barbara Goodwin**  
DFL-Columbia Heights  
District 50A  
Terms: Three



**Rep. Dan Larson**  
DFL-Bloomington  
District 63B  
Terms: Four



**Rep. Jerry Dempsey**  
R-Red Wing  
District 28A  
Terms: Seven



**Rep. Jeff Johnson**  
R-Plymouth  
District 43A  
Terms: Three



**Rep. Doug Meslow**  
R-White Bear Lake  
District 53B  
Terms: Two



**Rep. Keith Ellison**  
DFL-Minneapolis  
District 58B  
Terms: Two



**Rep. Ruth Johnson**  
DFL-St. Peter  
District 23A  
Terms: Three  
(non-consecutive)



**Rep. Scott Newman**  
R-Hutchinson  
District 18A  
Terms: Two



**Rep. Char Samuelson**  
R-New Brighton  
District 50B  
Terms: Two



**Rep. Barb Sykora**  
R-Excelsior  
District 33B  
Terms: Six



**Rep. Andrew  
"Andy" Westerberg**  
R-Blaine  
District 51A  
Terms: Four



**Rep. Katie Sieben**  
DFL-Newport  
District 57A  
Terms: Two



**Rep. Ray Vandevener**  
R-Forest Lake  
District 52A  
Terms: Five

### Abrams to resign seat

Rep. Ron Abrams (R-Minnetonka) will be resigning his House seat June 21. He was appointed to the bench of the Fourth Judicial District in Hennepin County after serving nine terms in the House.

According to state statute, since the Legislature is not in session during the time of the vacancy, there will be no special election to fill the seat. All House and Senate members are up for election Nov. 7.

## BILL INTRODUCTIONS

MAY 19 - 20, 2006

HOUSE FILES 4219 - 4223

### Friday, May 19

#### HF4219-Dittrich (DFL)

##### Education Policy & Reform

Financial literacy curriculum incorporated into high school graduation economics course requirements.

### Saturday, May 20

#### HF4220-Sertich (DFL)

##### Jobs & Economic Opportunity Policy & Finance

Taconite economic development fund use requirements modified.

#### HF4221-Brod (R)

##### Health Policy & Finance

Statewide health care system redesign plan development provided.

#### HF4222-Olson (R)

##### Education Policy & Reform

Parent-school partnership pilot program established to assist children with autism spectrum disorders and money appropriated.

#### HF4223-Olson (R)

##### Transportation

Department of Transportation property appraisals required.

## Constitutional Officers

### Governor

#### TIM PAWLENTY (R)

Room 130  
State Capitol  
St. Paul, MN 55155  
(651) 296-3391  
1-800-657-3717  
Fax: (651) 296-2089  
Web site: [www.governor.state.mn.us](http://www.governor.state.mn.us)  
E-mail: [tim.pawlenty@state.mn.us](mailto:tim.pawlenty@state.mn.us)

### Lieutenant Governor

#### CAROL MOLNAU (R)

Room 130  
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St. Paul, MN 55155  
(651) 296-3391  
Fax: 651-296-3587  
E-mail: [carol.molnau@dot.state.mn.us](mailto:carol.molnau@dot.state.mn.us)

### State Auditor

#### PATRICIA ANDERSON (R)

525 Park St.  
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Web site: [www.auditor.state.mn.us](http://www.auditor.state.mn.us)

### Attorney General

#### MIKE HATCH (DFL)

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Fax: 651-297-4193  
E-mail: [attorney.general@state.mn.us](mailto:attorney.general@state.mn.us)  
Consumer Division: (651) 296-3353  
1-800-657-3787  
Bremer Tower, Suite 1400  
445 Minnesota St.  
St. Paul, MN 55101  
Fax: 651-282-2155

### Secretary of State

#### MARY KIFFMEYER (R)

Room 180  
State Office Building  
St. Paul, MN 55155  
Elections Division: (651) 215-1440  
1-877-600-VOTE  
Public Information: 1-877-551-6767 & (651)-296-2803  
Open Appointments: (651) 297-5845  
Business Services  
60 Empire Drive  
St. Paul, MN 55103  
Business Information: (651)-296-2803  
Secure Division: (651) 296-2803  
E-mail: [secretary.state@state.mn.us](mailto:secretary.state@state.mn.us)  
Web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)



# Tracking new laws , vetoes

Exactly 3,139 bills were introduced during the 2006 Legislative Session — 1,661 by the House and 1,478 by the Senate. Of those, 95 bills were passed by both bodies during the session and sent to the governor. Nineteen other bills passed in 2006 were introduced in 2005.

So what happened to the other bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 114 bills that have been sent to the governor? Some were signed into law, some await action by the governor and one was vetoed.

Here's a quick review of the governor's veto authority during the second year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration.

The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

If a bill is passed during the last three days of the session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a pocket

veto, and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the spending items to which he or she objects. The governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — unless it is reintroduced next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. A Web-based version will be available on the House Web site at <http://www.house.mn by July 2006>.

**Editor's note:** The following chart includes the 114 bills that passed both the House and the Senate and have been sent to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin. An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Here are definitions of some of the terms used in the chart.

## Governor's options

### • enactment

The date the governor signed the bill into law.

### • line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

### • veto

The governor did not approve the bill.

## Effective dates

Each act takes effect at 12:01 a.m. on the day stated in the act itself, unless it specifies a different time. Examples:

### • Aug. 1, 2006

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following final enactment, unless the act specifies a different date.

### • July 1, 2006

An appropriations act, an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

### • Day after enactment

The act becomes effective the day after the governor signs it.

### • Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

### • Various

Different parts of the act have different effective dates.

### • with exceptions (we)

Act includes other effective dates.

### • with qualifications (wq)

Act adds conditions to the effective date.

### • retroactive (retro.)

Act goes into effect as of a specified date in the past.

2006 MINNESOTA LEGISLATURE FINAL ACTION (as of May 25, 2006)					CH	Governor's signature	Effective date
HF—House File SF—Senate File R—Resolution		CH—Chapter we—with exceptions wq—with qualifications		*—bill the governor signed or vetoed			
HF	Author	SF	Author	Bill Title			

<b>AGRICULTURE</b>							
3670*	Hamilton	3334	Wergin	Food law provisions modified.	203	5/16	8/1
1466	Koenen	1039*	Kubly	Farm tractor clock-hour meter tampering prohibited and civil penalty and private right of action prescribed.	211	5/16	8/1
3376	Magnus	3236*	Rosen	Grain buyers financial statements modified.	265		
3366	Welti	3017*	Koering	Milk volume production loan program funding study provided.	268		
<b>BANKING</b>							
2709*	Solberg	2523	Saxhaug	Shamrock Township detached banking facility authorized.	174	4/5	Day following local compliance
2514*	Atkins	2319	Betzold	Uniform Securities Act of 2002 adopted and modified, and criminal penalties prescribed.	196	5/11	8/1/2007
<b>BONDING</b>							
959*	Dorman	2718	Langseth	Omnibus bonding bill.	258		
<b>BUSINESS</b>							
3185*	Mahoney	2857	Scheid	Bioprocess piping and equipment data classified as nonpublic, and bioprocess piping included in the definition of high pressure piping.	241		
3076*	Emmer	2520	Michel	Business corporations regulated, terms clarified and updated, limited liability companies regulated, and references to limited liability companies provided.	250		
3747*	Simpson	3650	Sparks	Motor fuel franchises regulation and petroleum fund compensation for transport vehicles provisions modified.	252		
<b>CHILDREN</b>							
3944	Slawik	3615*	Hottinger	Child care assistance parent fees modified.	191	5/5	5/6
3368	Finstad	3087*	Hottinger	Child passenger restraint system use requirements modified to exempt child care providers transporting children in school buses.	254		
<b>CONSUMERS</b>							
3940*	Hoppe	3081	Pappas	Omnibus liquor bill.	210	5/18	various
2843	Kohls	2002*	Sparks	Identity theft protections provided, consumer credit report security freezes regulated.	233		
3378	Holberg	3132*	Skoglund	Data practices, motor vehicle and driver's license records, and tribal identification cards regulated; criminal penalties imposed; and money appropriated.	253		
<b>CRIME</b>							
2985*	Smith	2614	Betzold	Funeral, memorial, and burial service disruption prohibited; penalties imposed; and civil remedy provided.	195	5/9	5/10
1298	Johnson, J.	785*	Pappas	Video game purchase or rental by children under the age of 17 prohibited in certain cases, and penalties provided.	246		
2656*	Smith	2633	Ranum	Omnibus public safety bill.	260		
<b>EDUCATION</b>							
3179	Buesgens	2994*	Kelley	Omnibus education bill.	263		
3237*	Peppin	2894	Limmer	Elk River school district task force established to examine the governance, facilities, and programming of the district.	278		
<b>ELECTIONS</b>							
295	Davnie	358*	Skoglund	Special School District No. 1, Minneapolis, district and at-large school board member elections provided.	239		
3110	Westrom	2743*	Hottinger	Omnibus elections bill.	242		
<b>EMPLOYMENT</b>							
3780	McNamara	3465*	Bakk	Workers' compensation appeal procedures and coverage provisions modified.	178	4/20	8/1
2998*	Hoppe	1553	Kelley	Firefighter labor arbitration provision sunset repealed.	182	4/27	8/1

For complete information on new laws passed in 2006, go to [www.house.mn/hinfo/Newlaws.asp](http://www.house.mn/hinfo/Newlaws.asp)

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3464*	Walker	3079	Higgins	Barber and cosmetologist licensing provisions modified.	197		Vetoed
3217	Hansen	2840*	Scheid	Paid organ donation leave provided for certain public employees.	220	5/21	8/1
3172	Penas	2706*	Stumpf	Thief River Falls vocational rehabilitation pilot project extended.	275		
<b>ENVIRONMENT</b>							
3039*	Blaine	2632	Saxhaug	Timber permit extension in event of adverse surface conditions provided.	175	4/5	4/6
2994*	Dill	2736	Bakk	Watercraft storage structure repair authorized on public waters.	180	4/20	4/21
3712*	Hackbarth	3398	Dibble	Mercury Emissions Reduction Act of 2006 adopted.	201	5/11	various
2839	Tingelstad	2437*	Jungbauer	Sewage disposal straight-pipe systems replacement or discontinued operation required within 10 months of notice.	224	5/24	8/1
3391	Beard	3023*	Rest	Environmental permits deadline for state agency action established.	226	5/24	5/25
2721*	Davids	2564	Kierlin	Individual sewage treatment system pilot program extended and storm water rules application modified.	227	5/24	8/1
3397	Cornish	2851*	Saxhaug	State lands bill.	236		
3722	Howes	2723*	Saxhaug	Public wastewater treatment facilities report required.	244		
826	Ozment	762*	Frederickson	Clean Water Legacy Act established.	251		
3451*	Anderson, B.	2933	Wergin	Land dedications standards provided.	269		
3200	Hackbarth	2973*	Marty	Omnibus natural resources bill.	281		
<b>FAMILY</b>							
3585	Smith	3199*	Neuville	Child support and maintenance provisions modified.	280		
<b>GAMBLING</b>							
3194	Westerberg	2953*	Rest	Lawful gambling provisions and breeders' fund apportionments modified.	205	5/18	5/19
934	Brod	930*	Kubly	Compulsive gambling prevention and education funding provided, and money appropriated.	225	5/24	5/25
<b>GOVERNMENT</b>							
3310*	Cornish	2969	Chaudhary	Advance deposits and payments authorized for boat slip rental.	181	4/20	8/1
3488*	Nelson, P.	3128	Betzold	Revisor's bill providing erroneous, ambiguous and omitted text and obsolete references.	212	5/18	various
2944	Sieben	2528*	Marko	Credit and debit card use task force established relating to the payment of taxes, licenses, permits, and other fees.	219	5/21	5/22
2516	Charron	2302*	LeClair	Honeycrisp apple designated as state fruit.	229	5/24	8/1
3288*	Holberg	3099	Higgins	Statewide Radio Board membership expanded to include Metropolitan Council chair or designee.	230		
3202	Westerberg	3213*	Kubly	State lands conveyed, Trunk Highway 60 construction agreement authorized, Indian Affairs Council membership modified, and routes removed from state highway system.	234	5/24	various
3995*	Anderson, B.	3631	Skoglund	Claims against the state settled, and money appropriated.	238		
2972	Tingelstad	2814*	Sams	Legislative Commission on Minnesota Resources name change and provisions modification; Minnesota resources appropriations.	243		
3114	DeLaForest	2634*	Scheid	State labor agreements and compensation plans ratified.	256		
3507	Wilkin	2735*	Rest	Legislative Audit Commission regulated.	262		
4162*	Knoblach		none	noneState government financing supplemental appropriations provided, and money appropriated..	282		
4157*	Meslow	3780	Betzold	Revisor's bill correcting miscellaneous oversights and providing technical corrections.	283		
<b>HEALTH</b>							
3015	Bradley	2653*	Rosen	Pharmacy and related costs money appropriated.	170	3/8	Retroactively from January 1, 2006
1915*	Zellers	1840	Limmer	Maple Grove hospital construction moratorium exemption provided.	172	3/22	3/23

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3876	Finstad	2749*	Frederickson	County expenditure limit removed for soldiers' rest cemeteries.	176	4/7	4/8
2745*	Abeler	2721	Kelley	Medical license provisions modified.	188	5/5	8/1
2810	Powell	2532*	Berglin	Radiation therapy facility construction limitations expiration date extended.	190	5/4	8/1
3771*	Bradley	3457	Lourey	Medical practice board examination provision modified relating to active military service.	199	5/10	Retroactively from Dec. 1, 2005
3049	Davids	2576*	Sparks	Ambulance purchase and lease regulated; hospital construction authorized.	249		
1010	Abeler	367*	Kiscaden	Health care containment measures.	267		
<b>HIGHER EDUCATION</b>							
2892*	Dorn	2716	Hottinger	Mankato academic building construction authorized.	237		
3423	Abrams	2460*	Pogemiller	University of Minnesota football stadium.	247	5/24	5/25
<b>HOUSING</b>							
680*	DeLaForest	1217	Senjem	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	183	4/27	8/1
3449*	Clark	2887	Dibble	Manufactured home park conversions regulated.	200	5/10	8/1
1375	Severson	1287*	Scheid	Residential housing construction defects actions regulated, and notice and opportunity to repair provided.	202	5/16	various
3890	Soderstrom	3551*	Metzen	Real estate appraiser trainees regulated; and education, experience, and examination requirements modified.	235		
<b>HUMAN SERVICES</b>							
3111*	Dean	2881	Rosen	Interstate contracts for chemical health services provided.	193	5/10	8/1
2977	Poppe	2883*	Sparks	Child care licensing provisions modified.	207	5/16	5/17
2807	Abeler	2833*	Hottinger	Omnibus human services bill.	264		
<b>INSURANCE</b>							
2876*	Severson	2527	Scheid	Mutual insurance companies conversions and reorganization provisions modified.	204	5/18	various
2722*	Solberg	2524	Saxhaug	Home-based adult foster care services insurance coverage regulated.	215	5/21	8/1
3760	Wilkin	3480*	Scheid	Department of Commerce insurance bill.	255		
<b>LAW</b>							
3073*	Thissen	2519	Neuville	Minnesota Common Interest Ownership Act technical and conforming changes provided.	221	5/21	8/1
3691	Meslow	2374*	Betzold	Dogs; disposal notice requirements for unlicensed dogs that are seized modified.	223	5/24	8/1
3282	Davids	2995*	Anderson	Automobile lien cancellations provided under certain circumstances.	228	5/24	various
3079*	Abrams	2648	Rest	Tort claims against the state or a municipality, and liability on claims brought against a municipality participating in a joint venture or enterprise limited.	232	5/24	various
1106	Greiling	1040*	Betzold	Released prisoners and committed persons physicians liability limited relating to use of prescriptions.	266		
<b>LOCAL GOVERNMENT</b>							
2623*	Dorman	2466	Langseth	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	171	3/14	various
3263	Kohls	1878*	Ortman	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	173	3/31	Day following local compliance
2645*	Peterson, A.	2622	Kubly	Swift County rural development finance authority board membership increased.	184	4/27	8/1
3169*	Seifert	3254	Senjem	Local government units prohibited from imposing fees related to students at postsecondary institutions.	185	4/27	4/28
1480*	Lieder	1364	Stumpf	Red Lake County drainage system outlet fee authorized for drainage originating in Pennington County.	186	5/5	5/6
3142*	Hoppe	2754	Rest	Hennepin County regional park district provisions modified.	187	5/5	8/1
3477*	Hosch	3159	Marko	Credit letter release municipal action timelines established.	209	5/18	8/1
2846	Johnson, J.	2750*	Bakk	Eminent domain public use or purpose defined and modified.	214	5/19	various

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3383*	Solberg	3148	Saxhaug	Grand Rapids capital improvement bonds issued.	216	5/21	upon local compliance
3454	Ruth	3105*	Murphy	County recorder document standards and registration fees and provisions modified.	222	5/21	8/1
3779*	Urdahl	3394	Dille	Adults-only businesses required to give notice to cities of intent to begin operating.	240		
3446	Juhnke	2939*	Johnson, D.E.	National historic places property sale or lease restricted, Pennock and Kiester building provisions.	248		
2086	Beard	1940*	Rest	Metropolitan Airports Commission chair Senate confirmation required, Metropolitan Council and Metropolitan Airports Commission residency and terms of office requirements provided, nominating committee established, and reports modified.	261		
3302*	Brod	2934	Senjem	Municipal and county planning and zoning provisions modified.	270		
none		2635*	Scheid	Aitkin County regulation of certain public lands.	272		
2677*	Erickson	2602	Murphy	Towns authorized to contract for roads without competitive bidding in certain circumstances.	274		

#### METRO AFFAIRS

3285*	Holberg	2929	Wiger	Metropolitan Council review of school district capital improvement programs requirement repealed.	194	5/11	8/1
3637	Holberg	3450*	Murphy	Metropolitan special transportation service requirements regulated.	279		

#### RECREATION

2480*	Finstad	2297	Kelley	Minnesota Twins ballpark.	257		
2362	Smith	2239*	Pogemiller	Minneapolis Teachers Retirement Fund Association provisions.	271		
1120	Ozment	1057*	Pogemiller	Retirement provisions modified.	277		

#### SAFETY

2731	Powell	2621*	Kubly	EMT training programs required to meet an average yearly pass rate.	177	4/20	8/1
2788	Rukavina	2832*	Tomassoni	Emergency personnel recruitment and retention task force formed and study required.	179	4/20	8/1
2697*	Bradley	2474	Senjem	Firefighters authorized to use communication headsets while operating an emergency vehicle during an emergency.	208	5/16	8/1
2916*	Smith	2941	Rest	Fire safety account established from fire premium and assessment revenue, and fire insurance tax abolished.	217	5/22	7/1/2007

#### TAXES

785*	Krinkie	318	Pogemiller	Omnibus tax bill.	259		
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#### TECHNOLOGY

3561	Severson	3260*	Clark	Biotechnology and health science industry zones authorized.	276		
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#### TRANSPORTATION

1838*	Blaine	1811	Koering	Local governments authorized to permit low-speed neighborhood electric vehicles to be operated on residential roadways.	189	5/4	8/1
3401	Paymar	2646*	Wiger	Driver education required to contain education on organ and tissue donation.	192	5/11	8/1
3656	Tingelstad	3246*	Betzold	Commuter rail railroad right-of-way contracting authorized and civil liability regulated.	206	5/18	8/1
3805	Vandever	3526*	Bachmann	Shawn Silvera Memorial Highway designated.	213	5/20	8/1
3472*	Juhnke	3083	Johnson, D.E.	Recreational vehicle combination definition modified to include golf carts.	231	5/24	various
3718*	Hornstein	3440	Dibble	State purchasing of plug-in hybrid electric vehicles required in certain bid documents and task force established.	245		

#### VETERANS

3665*	McNamara	3096	Koering	Veterans Homes Board authorized to conduct certain meetings by telephone or other electronic means.	198	5/10	5/11
2688*	Westrom	3410	Vickerman	War dog and handler plaque authorized on the Capitol grounds, and Victory Memorial Drive restoration task force established.	218	5/21	5/22
3664*	Cybart	3333	Vickerman	Military and veterans provisions modified.	273		

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# 2006 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R) .....	509	1729	53A Krinkie, Philip (R) .....	365	2907
43B Abrams, Ron (R) .....	585	9934	9A Lanning, Morrie (R) .....	593	5515
19A Anderson, Bruce (R) .....	437	5063	63B Larson, Dan (DFL) .....	287	7158
3A Anderson, Irv (DFL) .....	321	4936	44B Latz, Ron (DFL) .....	225	7026
39B Atkins, Joe (DFL) .....	217	4192	40B Lenczewski, Ann (DFL) .....	237	4218
35A Beard, Michael (R) .....	577	8872	66A Lesch, John (DFL) .....	223	4224
51B Bernardy, Connie (DFL) .....	233	5510	30A Liebling, Tina (DFL) .....	393	0573
12B Blaine, Greg (R) .....	545	4247	1B Lieder, Bernie (DFL) .....	323	5091
29B Bradley, Fran (R) .....	563	9249	55A Lillie, Leon (DFL) .....	353	1188
25A Brod, Laura (R) .....	581	4229	59A Loeffler, Diane (DFL) .....	307	4219
35B Buesgens, Mark (R) .....	445	5185	22A Magnus, Doug (R) .....	515	5505
45B Carlson, Lyndon (DFL) .....	283	4255	67A Mahoney, Tim (DFL) .....	289	4277
56A Charron, Mike (R) .....	571	4244	65B Mariani, Carlos (DFL) .....	203	9714
61A Clark, Karen (DFL) .....	303	0294	9B Marquart, Paul (DFL) .....	345	6829
24B Cornish, Tony (R) .....	487	4240	57B McNamara, Denny (R) .....	431	3135
25B Cox, Ray (R) .....	413	7065	53B Meslow, Doug (R) .....	531	5363
37A Cybart, Lloyd (R) .....	539	5506	4A Moe, Frank (DFL) .....	369	5516
31B Davids, Gregory M. (R) .....	477	9278	58A Mullery, Joe (DFL) .....	367	4262
62A Davnies, Jim (DFL) .....	309	0173	6B Murphy, Mary (DFL) .....	343	2676
52B Dean, Matt (R) .....	417	3018	46A Nelson, Michael (DFL) .....	317	3751
49A DeLaForest, Chris (R) .....	503	4231	17B Nelson, Peter (R) .....	433	5377
29A Demmer, Randy (R) .....	597	9236	18A Newman, Scott (R) .....	569	1534
28A Dempsey, Jerry (R) .....	575	8635	10A Nornes, Bud (R) .....	471	4946
6A Dill, David (DFL) .....	315	2190	16B Olson, Mark (R) .....	501	4237
47A Dittrich, Denise (DFL) .....	371	5513	11B Otremba, Mary Ellen (DFL) .....	247	3201
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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
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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
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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
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46B Hilstrom, Debra (DFL) .....	375	3709	10B Simpson, Dean (R) .....	525	4293
8A Hilty, Bill (DFL) .....	207	4308	55B Slawik, Nora (DFL) .....	357	7807
36A Holberg, Mary Liz (R) .....	443	6926	33A Smith, Steve (R) .....	543	9188
34B Hoppe, Joe (R) .....	537	5066	8B Soderstrom, Judy (R) .....	439	0518
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67B Johnson, Sheldon (DFL) .....	243	4201	62B Wagenius, Jean (DFL) .....	251	4200
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59B Kahn, Phyllis (DFL) .....	255	4257	38B Wardlow, Lynn (R) .....	491	4128
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15A Knoblauch, Jim (R) .....	453	6316	11A Westrom, Torrey (R) .....	533	4929
20B Koenen, Lyle (DFL) .....	337	4346	38A Wilkin, Tim (R) .....	551	3533
34A Kohls, Paul (R) .....	421	4282	32B Zellers, Kurt (R) .....	557	5502



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MINORITY LEADER: MATT ENTENZA

## MINNESOTA INDEX

### Session 2006

House files introduced during the 2006 session .....	1,661
During the biennium .....	4,223
During the 2003-04 biennium .....	3,212
Senate files introduced during the 2006 session .....	1,478
During the biennium .....	3,822
During the 2003-04 biennium .....	3,073
Bills sent to the governor in 2006 (as of noon, May 25) .....	114
In 2005 .....	169
In 2004 .....	163
In 2000 .....	250
Bills signed into law (as of noon, May 25) .....	63
Bills waiting for gubernatorial action (as of noon, May 25) .....	50
Number of gubernatorial vetoes in 2006 (as of noon, May 25) .....	1
Total during the Pawlenty administration .....	15
In the four years Jesse Ventura was governor .....	54
When Arne Carlson was governor (1991-98) .....	179
Gubernatorial vetoes since 1939 .....	426
Maximum number of legislative days that lawmakers can meet in	
regular session during the biennium .....	120
Number used in 2005-06 .....	112
In 2003-04 .....	111
In 2001-02 .....	116
Pages in the 2006 House Journal .....	3,851
Pages for the biennium .....	8,909
In 2003-04 .....	8,288
In the 2005-06 Senate Journal .....	6,279
Time the House adjourned <i>sine die</i> May 21 .....	9:54 p.m.
Number of House members that have announced they will not be back in 2007	
(as of noon, May 25) .....	17
Those not returning that are DFL, Republican .....	6, 11
Senators announcing they are not seeking re-election .....	8
Those not returning that are DFL, Republican .....	6, 2
Days between the May 21 House adjournment and the Nov. 7 general election .....	170
Time lawmakers are scheduled to convene Jan. 3, 2007 .....	noon

Sources: [House Public Information Services Office](#); [Legislature Web site](#); [Governor's Log 2006](#); [Journal of the House](#); [Journal of the Senate](#).

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