

A NONPARTISAN PUBLICATION ★ ★ ★

SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES

VOLUME 23, NUMBER 13 • MAY 26, 2006

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.

To subscribe, contact:
Minnesota House of Representatives
Public Information Services
175 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1298
(651) 296-2146 or
1-800-657-3550
TTY (651) 296-9896
<http://www.house.mn/hinfo/subscribesw.asp>

Director
Barry LaGrave

Editor/Assistant Director
Lee Ann Schutz

Assistant Editor
Mike Cook

Art & Production Coordinator
Paul Battaglia

Writers
Nick Busse, Patty Janovec,
Irene Voth

Chief Photographer
Tom Olmscheid

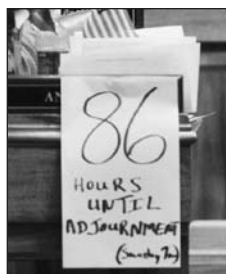
Photographers
Andrew VonBank, Sarah Stacke

Staff Assistants
Christy Novak, Joan Bosard

Session Weekly (ISSN 1049-8176) is published weekly during the legislative session by Minnesota House of Representatives Public Information Services office, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298. Periodicals postage paid at Minneapolis, Minn.

POSTMASTER: Send address changes to *Session Weekly*, Public Information Services office, Minnesota House of Representatives, 175 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled,
30% post-consumer content.



CONTENTS

HIGHLIGHTS

Agriculture • 5
Children • 6
Consumers • 7
Crime • 7
Education • 8
Elections • 9
Employment • 9

Environment • 9
Family • 11
Game & Fish • 12
Government • 12
Health • 13
Higher Education • 14
Human Services • 14

Insurance • 14
Law • 15
Local Government • 15
Retirement • 16
Technology • 16
Transportation • 17

NEW LAWS

Consumers • 19
Environment • 19
Gambling • 19

Government • 20
Insurance • 21
Law • 21

Local Government • 21
Transportation • 22
Veterans • 22

BILL INTRODUCTIONS (HF4219-HF4223) • 23

FEATURES

- FIRST READING:** End of a historic biennium • 3
- AT ISSUE:** Bonding bill allocates nearly \$1 billion • 23-24
- AT ISSUE:** Gophers to come home • 25
- AT ISSUE:** Twins to finally get a new stadium • 26-27
- AT ISSUE:** Budget has a little something for just about everyone • 28
- AT ISSUE:** Data privacy is never a black and white issue • 29
- AT ISSUE:** Detractors say tax bill includes little relief • 30
- AT ISSUE:** Mandated reports give members needed information • 31
- PEOPLE:** Seventeen say they won't return to the House • 32-33
- RESOURCES:** Listing of Constitutional Officers • 33
- RESOURCES:** Tracking new laws, vetoes • 34
- RESOURCES:** Governor's Log • 35-38
- RESOURCES:** Roster of House Members • 39
- MINNESOTA INDEX:** Session 2006 • 40

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

When 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

In the center of this magazine, you will find a pull-out containing information about renewing your subscription and the annual information survey. New this year, you will learn about an opportunity to make a donation to help cover the production costs of *Session Weekly*. Please take the time to review the information, renew your subscription, fill out the survey, and, if you choose, make a donation.

Your continued interest and feedback is very important to us. The time you take in responding to the survey helps us plan for next year's *Session Weekly*, as well as other services that we provide.

You can always renew your subscription on online by going to www.house.mn/swform.htm, after renewing your subscription, you will be directed to complete the survey, if you choose. If you have questions about your subscription, or our request for a donation, please call us at 651-296-0337.

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 Stumpf](#) (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

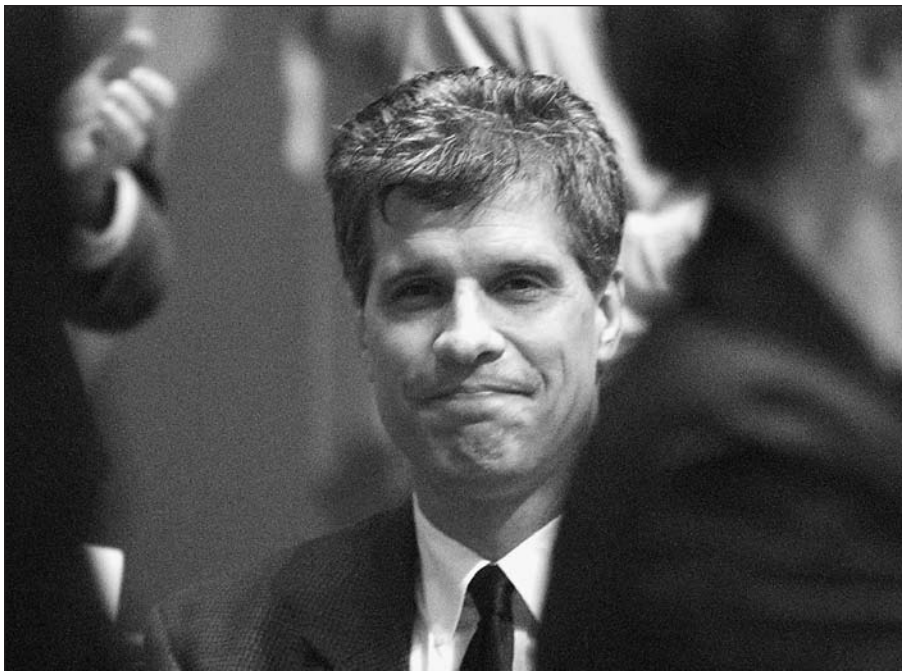


PHOTO BY ANDREW VONBANK

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.

Congress

Senator

Norm Coleman (R)

320 Hart Senate Office Building
Washington, D.C. 20510
(202) 224-5641
Fax: (202) 224-1152

Senator

Mark Dayton (DFL)

SR-123, Russell Senate Office Building
Washington, D.C. 20510
(202) 224-3244
Fax: (202) 228-2186

First District

Gil Gutknecht (R)

425 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2472
Fax: (202) 225-3246

Second District

John Kline (R)

1429 Longworth House Office Building
Washington, D.C. 20515
(202) 225-2271
Fax: (202) 225-2595

Third District

Jim Ramstad (R)

103 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2871
Fax: (202) 225-6351

Fourth District

Betty McCollum (DFL)

1029 Longworth House Office Building
Washington, D.C. 20515
(202) 225-6631
Fax: (202) 225-1968

Fifth District

Martin Olav Sabo (DFL)

2336 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-4755
Fax: (202) 225-4886

Sixth District

Mark Kennedy (R)

1415 Longworth House Office Building
Washington, D.C. 20515
(202) 225-2331
Fax: (202) 225-6475

Seventh District

Collin Peterson (DFL)

2159 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

Eighth District

James L. Oberstar (DFL)

2365 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-6211
Fax: (202) 225-0699

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

As 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

A cornerstone of this year's omnibus data practices bill is a provision giving customers control over how their phone records can be used.

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**

Ever 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)

— **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
E-mail: tim.pawlenty@state.mn.us

Lieutenant Governor

CAROL MOLNAU (R)

Room 130
State Capitol
St. Paul, MN 55155
(651) 296-3391
Fax: 651-296-3587
E-mail: carol.molnau@dot.state.mn.us

State Auditor

PATRICIA ANDERSON (R)

525 Park St.
Suite 500
St. Paul, MN 55103
(651) 296-2551
Fax: 651-296-4755
E-mail: state.auditor@state.mn.us
Web site: www.auditor.state.mn.us

Attorney General

MIKE HATCH (DFL)

Room 102
State Capitol
St. Paul, MN 55155
(651) 296-6196
Fax: 651-297-4193
E-mail: 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
Web site: 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			

AGRICULTURE							
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		
BANKING							
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
BONDING							
959*	Dorman	2718	Langseth	Omnibus bonding bill.	258		
BUSINESS							
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		
CHILDREN							
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		
CONSUMERS							
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		
CRIME							
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		
EDUCATION							
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		
ELECTIONS							
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		
EMPLOYMENT							
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

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			

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		
ENVIRONMENT							
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		
FAMILY							
3585	Smith	3199*	Neuville	Child support and maintenance provisions modified.	280		
GAMBLING							
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
GOVERNMENT							
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		
HEALTH							
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

For complete information on new laws passed in 2006, go to www.house.mn/hinfo/Newlaws.asp

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			

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		
HIGHER EDUCATION							
2892*	Dorn	2716	Hottinger	Mankato academic building construction authorized.	237		
3423	Abrams	2460*	Pogemiller	University of Minnesota football stadium.	247	5/24	5/25
HOUSING							
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		
HUMAN SERVICES							
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		
INSURANCE							
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		
LAW							
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		
LOCAL GOVERNMENT							
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

For complete information on new laws passed in 2006, go to www.house.mn/hinfo/Newlaws.asp

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			

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		
------	---------	-----	------------	-------------------	-----	--	--

TECHNOLOGY

3561	Severson	3260*	Clark	Biotechnology and health science industry zones authorized.	276		
------	----------	-------	-------	---	-----	--	--

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		

For complete information on new laws passed in 2006, go to www.house.mn/hinfo/Newlaws.asp

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
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 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

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION SERVICES
100 REV. DR. MARTIN LUTHER KING JR. BLVD.
175 STATE OFFICE BUILDING
ST. PAUL, MN 55155-1298

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

MINNESOTA

I N D E X

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](#).

FOR MORE INFORMATION

For general information, call:
House Public Information Services office
(651) 296-2146 or
1-800-657-3550

To have a copy of *Session Weekly* mailed to you, subscribe online at: <http://www.house.mn/hinfo/subscribesw.asp> or call (651) 296-2146 or 1-800-657-3550

Subscribe to Session Daily e-mail alerts at <http://www.house.mn/list/join.asp?listname=sessiondaily>

To obtain a copy of a bill, call:
Chief Clerk's Office
(651) 296-2314

To find out about bill introductions or the status of a specific bill, call:
House Index Office
(651) 296-6646

For an after-hours recorded message giving committee meeting times and agendas, call:
Committee Hotline
(651) 296-9283

The House of Representatives can be found on the Web at: <http://www.house.mn>

Teletypewriter for the hearing impaired.
To ask questions or leave messages, call:
TTY Line (651) 296-9896 or
1-800-657-3550

Check your local listings to watch television coverage of House committees, floor sessions and select press conferences.

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