Inside: Eminent Domain, State of Innovation, Frontier Trails to Highways, More

This Week's Bill Introductions HF3143-HF3336
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On the cover: Gov. Tim Pawlenty addresses a joint convention of the Legislature to give his State of the State address.

— Photo by: Tom Olmscheid
Taking aim at eminent domain

When is it OK for the government to take your land?

By Nick Busse

When a St. Cloud trucking firm told LeRoy Hanisch he would be evicted from his property to make way for their new corporate offices, he didn’t believe it. “I said, ‘We don’t live in Russia; you can’t do that,’” Hanisch said at a March 3 meeting of the House Public Safety Policy and Finance Committee.

Two months later, Hanisch said, the St. Cloud Housing and Redevelopment Authority called to let him know he had 90 days to move his home, his business, his wife and their five children off of his property. The city, he learned, was going to use eminent domain to take his land.

“I spent an awful lot of my retirement money to keep my property and keep my business at the location it is, only because a big trucking firm decided they wanted to build their corporate offices there,” Hanisch said. “The system is broken.”

Hanisch isn’t the only one who thinks so. A growing number of activists and legislators say that eminent domain — intended to put limits on the use of eminent domain in Minnesota. It has no Senate companion.

Johnson’s bill and others like it follow in the wake of a controversial U.S. Supreme Court decision in June 2005. In Kelo v. New London, the court ruled that taking private property away from one owner and transferring it to another private owner for economic development is constitutional if the community as a whole benefits.

But the Kelo decision didn’t give local governments carte blanche to take whatever homes and businesses they want — not necessarily. In its decision, the court recognized the “hardship that condemnations may entail,” and emphasized that “nothing in [the court’s] opinion precludes any State from placing further restrictions on its exercise of the takings power.”

That touched off a national race to pass state laws restricting the use of eminent domain. In February, USA Today reported that more than 30 state legislatures were considering eminent domain reform legislation. Five states — Alabama, Delaware, Michigan, Ohio and Texas — have already enacted laws.

In Minnesota, no fewer than seven House bills and seven Senate bills have been introduced on the subject so far this session. Johnson’s bill has rapidly emerged as the leader of the pack.

Among other things, the bill would prevent governments from using eminent domain for economic development purposes such as increasing tax revenues, creating jobs or other redevelopment initiatives. It also creates a strict definition of what constitutes a “blighted” property, so that governments may not arbitrarily use the term to condemn private properties.

First Reading continued on page 4
The core issue in eminent domain, and one that Johnson's bill attempts to address, is what constitutes a "public use." In the Kelo decision, the Supreme Court held that economic development benefits the community as a whole, and therefore satisfies the "public use" requirement.

Proponents of eminent domain reform, however, strongly disagree with that notion. "If a home or business can be taken just because someone else can make more money, then no one's home, farm or small business is safe," says Lee McGrath, spokesman for Minnesotans for Eminent Domain Reform, a broad coalition opposed to the use of eminent domain for economic development.

In an e-mail, McGrath wrote that it is illegitimate for the government to force a property owner to "sacrifice his or her land for someone else's private profits." He wrote that Johnson's bill would still allow condemning authorities to take property for utilities, mitigation of public health risks and "things the public owns," such as roads, parks and government buildings.

"As a matter of public policy, there are many ways for government to encourage economic growth that do not involve taking someone's property," McGrath wrote, mentioning economic development districts, tax incentives, bonding, infrastructure improvements, grants and loans as examples.

**Going too far?**

While the image of ordinary, hardworking Americans getting kicked off their own land to make way for a new Wal-Mart or a fancy hotel pulls at many people's heartstrings, opponents of eminent domain reform say new restrictions might prevent communities from making needed improvements.

*The bill's definition of blight is a common complaint among its critics. Grundhoefer says that in order to be condemned, a house "pretty much has to be all but falling down" under the proposed legislation.*

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Rep. Keith Ellison (DFL-Mpls) has also expressed misgivings about the bill's definition of blight. As a representative of an inner-city district, Ellison worries that the bill might inadvertently prevent urban communities from cleaning up troubled neighborhoods.

Johnson, whose bill has gone from one sentence up to 16 pages and then back down to five-and-a-half pages in length, admits that his bill is a "work in progress." But he says the current incarnation of the bill represents a "reasonable middle ground," and he dismisses any notions that it would stop municipalities from building roads and other public projects.

"That's ludicrous, and I think even the people who are saying that know it's ludicrous, but they're hoping it sticks," Johnson says.

Johnson admits the bill will make it more difficult and costly for governments to initiate eminent domain proceedings, no matter what the purpose is. But as far as he's concerned, that's a good thing.

"I think it will make some of them harder, and it should," he says.
Building a bio future

Location, location, location dominated the discussion about a request for $2.5 million to partially fund the creation of the National Center for Biofuels Research at the University of Minnesota.

“Research should be where the resources are, at Morris,” said Rep. Bud Heidgerken (R-Freeport). His remarks followed a presentation by Dick Hemmingson, director of the university’s Initiative for Renewable Energy and the Environment to the House Agriculture and Rural Development Committee March 8.

In striking “on the Twin Cities campus” from HF2781, sponsored by the committee chair, Rep. Greg David (R-Freeport), the committee chose to pass the location decision to the House Higher Education Finance Committee, which will consider the bill next. It has no Senate companion.

Hemmingson’s presentation focused on the goals of the proposed center and the plan to locate it on the Twin Cities campus in order to involve a variety of departments, including the Institute of Technology, the Hubert H. Humphrey Institute of Public Affairs and the Carlson School of Management.

How to efficiently produce the “next generation” of biofuels and bioproducts from the fibrous parts of crops such as corn is slated to be a primary objective of the center, Hemmingson said. He described the center’s potential development of a technology called biocatalysis which can “drive out an even more robust and substantially higher-yielding set of sugars that would then be fermented to an increasing array of products” including ethanol.

While construction and operation of the center would require funds from state, federal and other sources, Hemmingson spoke of the university as “a world class, comprehensive, public and land grant research university” with all of the components necessary to not only conduct the necessary research but to realize the commercial aspects of the technology and products.

Hemmingson said that while the Morris and Crookston campuses would provide researchers easy access to the biomass resources, the variety of human resources needed to do the research itself and to “lead to the commercialization of these technologies are on the Twin Cities campus.” Rep. Al Juhnke (DFL-Willmar) was not convinced.

“I understand the collaborative aspect you’re talking about, but in this day and age of communications and e-mail and ITV and all the other things, I guess I’m missing the reasoning why this building would have to be on the Twin Cities campus,” he said.

BONDING

Medtronic dollars

Technical changes are being requested on nearly $18 million in appropriations approved last year for a commercial and industrial project that includes an expansion of Medtronic, a medical technology company headquartered in Fridley.

Sponsored by Rep. Dan Dorman (R-Albert Lea), HF2623 was approved 125-6 by the House March 9. It now goes to the Senate, where Sen. Keith Langseth (DFL-Glyndon) is the sponsor.

Instead of having the appropriation go to the city of Mounds View, the dollars are directed to Anoka and Ramsey counties dependent on roadwork and other infrastructure costs within their borders.

“This is just cleaning up some language that didn’t work with the bondholders and numerous attorneys have had their hand at making sure it is right this time,” said Tony Bennett, chair of Ramsey County Board of Commissioners. “Ramsey County will be the lead agency in getting the project done. That is why it’s back here.”

Bennett said expediency is needed. “It needs to be out of this body and out of the Senate and signed by the governor by March 15 so we don’t hold up the project. We need to let some contracts and put some people to work.”

Bennett said that Medtronic has expedited its expansion project, and its second phase is expected to begin this year instead three years from now.

CONSUMERS

Cable competition

Communities across Minnesota would have an easier time giving their local cable television provider a dose of competition.

Sponsored by Rep. Michael Beard (R-Shakopee), HF1319 was held over March 8 by the House Regulated Industries Committee for further discussion.

A companion bill (SF688), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action by the Senate Jobs, Energy and Community Development Committee.

Currently, according to proponents of the bill, only 35 cities in Minnesota, or 4 percent of the total, have competing cable companies.

They say that lack of competition can be blamed on state law, which bars cities...
from negotiating deals less burdensome than the deal they have negotiated with their existing cable franchise. That means that local governments must require that any new competitor serve the entire physical area served by the existing franchise. Many small companies are hesitant to make the large investment necessary to cover a whole city with fiber optic network before they land their first customer.

Under Beard’s bill, municipalities could negotiate a deal covering only one part of the service area, which would greatly reduce their up-front investment.

Proponents say it would end the virtual stranglehold large cable companies have on the market, allowing them to raise their prices by 86 percent in the past 10 years.

In addition, it will create a level playing field that would allow small telecom businesses to compete for cable customers, and add jobs.

Not surprisingly, cable companies disagree.

Mike Martin, executive director for the Minnesota Cable Communication Association, said the bill would create an uneven playing field that puts large cable companies at a disadvantage. He said the Legislature should scrap the bill and instead develop a comprehensive policy to address telecom.

**Homeowners vs. home builders**

While some homeowners feud with home builders over who should pay for poor construction jobs, legislators are trying to find a solution for both parties.

The House Commerce and Financial Institutions Committee listened to testimony March 2 on HF1375, which would give contractors a “right to repair.” Approved by the committee, it now goes to the House Civil Law and Elections Committee.

The bill, sponsored by Rep. Dan Severson (R-Sauk Rapids), requires homeowners to give contractors 30 days to inspect an issue and offer to fix a problem upon receiving written notice.

“We want to simplify this process,” said Severson, who described the 30 days as a sanctuary period for both parties to find a solution other than litigation.

Rep. Barb Goodwin (DFL-Columbia Heights) said the bill would be a moot point unless an amendment was made to hold contractors liable for construction defects even after their business dissolves.

Currently, in cases where builders dissolve and reopen under a different name when a claim is made against them, it’s impossible for consumers to seek action, Goodwin said. She cited the Minnesota Supreme Court’s decision in Camacho v. Todd and Leiser Homes as stating that it was the Legislature’s responsibility to protect homeowners against such dissolution. Goodwin’s amendment was voted down 13-11.

Although Rep. Ray Vandeveer (R-Forest Lake) agreed there was a problem, he said, “I think the whole warranty program offers a kind of false hope to people in Minnesota. But as Rep. Severson said, we should move this along. But I think this committee really needs to look at the home warranty program and what’s backing it and what’s backing the claims so that it actually has some value to people.”

A companion bill (SF1287), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Judiciary Committee.

**CRIME**

**No private prisoners**

Minnesota would not house any inmates in privately owned or operated prisons, under a bill before the House Public Safety Policy and Finance Committee March 8.

The committee held HF3004, sponsored by Rep. Steve Smith (R-Mound), for further discussion. SF2615, a companion bill, is sponsored by Sen. Thomas Bakk (DFL-Cook). It awaits action by the Senate Crime Prevention and Public Safety Committee.

Smith’s bill would bar the Department of Corrections from using private firms after Aug. 1, 2007. It would also require the corrections commissioner to enter into negotiations to buy the state's only privately owned or operated prison, the Prairie Correctional Facility in Appleton, from the Corrections Corporation of America.

While nobody spoke in opposition, proponents said the Legislature must take action on the bill soon.

“This is a critical time for your prison system,” said Kerry Korpi, national director of research for the American Federation of State, County and Municipal Employees. Korpi said Minnesota has one of the best prison systems in the nation, partly because it does not rely heavily on private prisons.

However, she said, the facility in Appleton is expected to boost its inmate population from a few hundred prisoners to 1,700 by 2008.

That happens, Minnesota would suddenly become one of the states most reliant on private prisons. She said private facilities have “mixed” safety records, fewer educational and substance abuse treatment programs, and generally lower wages.

One state that has found success by relying on public prisons is Illinois, said Buddy Maupin, a regional director for AFSCME's Illinois organization.

Maupin said that Illinois decided in 1990 to make state law its longstanding practice of using public prison facilities.

He also warned that private prison employees have the right to strike.

“Neither the governor nor the president of the United States has the statutory authority to get an injunction to stop such a strike,” he said.
Justice center funding

Leaders from a north-central Minnesota county say their county is too poor to pay for a new jail, so the state should pick up the $16.6 million tab.

That’s what members of the Wadena County Board of Commissioners told the House Public Safety Policy and Finance Committee March 8. The proposal will be considered in the committee’s bonding recommendations.

Rep. Dean Simpson (R-New York Mills) and Sen. Cal Larson (R-Fergus Falls) are promoting HF2949/SF2522 to fund the facility. The Senate version awaits action by the Senate Finance Committee.

Wadena County officials, whose 22-bed jail is bursting at the seams, want to build a new facility with a 66-bed jail, two courtrooms and a law enforcement center.

Rep. Doug Meslow (R-White Bear Lake) pointed out that the state normally requires that local governments pay 50 percent of the cost of such a facility.

But the supervisors said they couldn’t afford to pay any money. “Due to our poor economy, we cannot put additional taxes on our citizens,” said Commissioner Lane Waldahl.

Commissioner Mary Harrison said the county has no tourism or major industries, which means a paltry tax base. She said some locals would move if taxes increase.

According to their calculations, of the 87 counties in the state, Wadena officials would preside over the county with the 25th highest property tax burden, if they approved the facility.

However, Rep. Scott Newman (R-Hutchinson) said people in his district faced the same problem and found a way to build a new jail without such extensive state funding. He wondered how his constituents would react if he supported state funding for Wadena’s entire proposed facility.

EDUCATION

Red Lake funding

The Red Lake School District is asking for $55.3 million for building additions and renovations.

District officials presented their request to the House Education Finance Committee March 8.

The committee will consider including the proposal in its bonding recommendations.

The district plans to spend $29.8 million to renovate and add classrooms at the high school, part of which dates to 1949; and the middle school, part of which dates to 1956. It would spend $23.5 million to add classrooms at a newer local early childhood center. The remaining $3 million would go toward new classrooms for an elementary school.

Sponsored by Rep. Brita Sailer (DFL-Park Rapids), HF2699, which has no Senate companion, is the fourth request for state money Red Lake has made since 1999.

School building construction is normally the responsibility of local school districts, but state officials allow exceptions for districts with small tax bases. The district received $18 million in last year’s bonding law “to design, construct, renovate, furnish, and equip a new middle school and the existing high school.”

Superintendent Stuart Desjarlait said that the district needs to expand its infrastructure to accommodate expected growth in school population, as members of the local Native American community return to the community.

Committee Chair Rep. Barb Sykora (R-Excelsior) asked Desjarlait to promise that Red Lake officials would not return for funding soon, if the state grants the $55.3 million request.

He promised, but added that the request would have been much smaller if legislators had granted it several years ago, before inflationary costs forced it up from $40 million.

Gov. Tim Pawlenty has allocated $10 million to the district in his capital investment proposal.

Making schools safer

Schools may be required to create lockdown plans to respond to school shootings and other acts of violence involving K-12 students.

HF2492, sponsored by Rep. Dean Urdahl (R-Grove City), would require both public and private schools to develop and implement crisis response plans with local police and emergency responders.

The bill was approved by the House Governmental Operations and Veterans Affairs Committee March 8 and referred to the House Education Policy and Reform Committee.

“We must become more prepared with how we deal with violence in our schools,” Urdahl said, citing 24,764 acts of school violence reported to the Minnesota Department of Education during the 2004-05 school year, including assaults, harassment, threats and weapons-related acts.

Under the bill’s provisions, the education commissioner would be required to develop a model crisis management plan. School districts and charter schools would be responsible for coming up with their own plans with local authorities, and required to conduct at least five lock-down drills, five fire drills and one tornado drill each school year.

The bill also establishes an advisory task force made up of law enforcement, school principals, counselors, state agencies and education organizations to be appointed by the commissioner. The task force would report to the Legislature on school safety issues and recommend legislation.
Covering drug costs

A new law will provide for continuing coverage for Minnesotans who have difficulty getting their prescriptions because of problems with a new federal prescription drug benefit.

A governor’s executive order in January continued to cover the $4.57 million in prescription drug costs, but now the state seeks federal reimbursement. The law is retroactive to Jan. 1.

“This is a continuation of our attempt to protect the people who are eligible for Medical Assistance and Medicare who, for one reason or another — and we are only talking about a few hundred people — come to get their prescriptions and discover that the eligibility documentation is not there,” said [Rep. Fran Bradley](R-Rochester), who sponsored the law with [Sen. Linda Berglin](DFL-Mpls). Gov. Tim Pawlenty signed the law March 8.

In such cases, the pharmacist either covered the costs or the prescription was not filled.

“The real heroes in this situation were the pharmacists. Some of them just gave the drugs without being reimbursed and causing them huge cash flow problems,” said [Rep. Thomas Huntley](DFL-Duluth).

“In January when this Medicare Part D kicked in and we discovered these kind of issues in Minnesota and other places, the governor issued an executive order that made us the payer of last resort and then empowered us to seek federal reimbursement when that was made available, and that did happen, but that was limited,” Bradley said. “Then we had the Legislative Advisory Commission get together, and we allocated up to $4 million to extend it to as late as March 8 and again empower the state to get reimbursements from the federal government if that (money) were made available.”

That money was made available and that section is no longer necessary, but remains in the bill because the Senate felt it would be good to reaffirm that.

Bradley said “the real meat of this bill” is to make up to $570,000 available so the state can be the payer of last resort from March 9 until April 15.

“We need to protect our constituents whether they are pharmacists or the people that are receiving the prescriptions,” he said.

If the federal government does not allocate the necessary funds, [Rep. Ron Erhardt](R-Edina) said the Legislature will have to revisit this issue later in the session to continue the funds.

**ENVIRONMENT**

More citizen involvement

A bill designed to reform the Legislative Commission on Minnesota Resources and encourage greater citizen involvement was approved March 2 by the House Governmental Operations and Veterans Affairs Committee.

HF2972 next goes to the House Environment and Natural Resources Committee for further review. Its Senate companion, SF23814, sponsored by [Sen. Dallas Sams](DFL-Staples), awaits action in the Senate State and Local Government Operations Committee.

The bill, sponsored by [Rep. Kathy Tingelstad](R-Andover), is based on recommendations from the Environment and Natural Resources Trust Fund Task Force. The task force, established in 2005 to review the process by which the state’s environmental trust fund money is spent, released a report that calls for a number of changes to the LCMR, including:

- restructuring the commission to include seven citizens and 10 legislators;
- requiring a two-thirds majority vote for all funding decisions, thereby empowering the commission’s citizen members;
- changing the commission’s name to the Legislative and Citizen Commission on Minnesota Resources;
- setting up a fund for “emerging issues;” and
- encouraging regional block grants.

The regional grants became a subject of debate for the committee. [Rep. Diane Loeffler](DFL-Mpls) expressed concern that distributing commission funds to regionally controlled entities might create accountability issues.

[Rep. Phyllis Kahn](DFL-Mpls) answered that in her experience, regional grants work well because they “put smaller decisions where they belong” and end up being cost-effective.

**HUMAN SERVICES**

Defining assisted living

The baby boomer generation, although still going strong, will eventually slow down.
And once they do, they may be looking for different living arrangements — such as assisted living.

Assisted living, which provides extra help in day-to-day living but not necessarily 24-hour skilled nursing care, is becoming increasingly popular across the country. According to Iris Freeman, a public policy consultant for the Alzheimer’s Association, Minnesota had 150 assisted living facilities in 1996. Today there are nearly 1,050.

The House Health Policy and Finance Committee held an informational hearing March 8 on HF3144, which would establish a definition of assisted living in Minnesota, but took no action. The bill, sponsored by Rep. Fran Bradley (R-Rochester), would provide a framework for assisted living that doesn’t exist in Minnesota.

“There’s no uniform understanding of assisted living,” said Freeman. “We’re taking a very sound approach.”

Jon Lips, legal affairs director for Care Providers of Minnesota, said the two goals of the bill are to provide title protection for providers and set clear expectations for consumers. Individual providers wouldn’t be forced to comply with the bill. Instead, they just wouldn’t be labeled as assisted living providers.

The bill would streamline such things as the definition of assisted living, required healthcare-related services, response systems for residents, supportive services and accountability. Lips and Freeman added that a standard brochure on assisted living available to the public would also be helpful.

“How do we write and agree on standards that are clear enough to make a difference to consumers and yet elastic enough to allow varied and unique and special approaches to programming?” said Freeman, offering the bill as a solution. “You can’t answer big questions with small participation.”

A companion bill (SF2888), sponsored by Sen. Linda Berglin (DFL-Mpls), awaits action by the Senate Health and Family Security Committee.

IMMIGRATION

Visitors’ driver’s licenses

To help the state do its part in moving the country to greater security in a post-Sept. 11 era, a bill changing into law current state practices regarding driver’s licenses is needed. It’s expected that the current account will accrue nearly $8 million for 2005. But the new bill would bring in almost double that amount.

Rep. Tom Rukavina (DFL-Virginia) believes that fire departments need more money, but he questioned the new rates. Rukavina is concerned that home owners and small businesses would feel the bulk of the rate increases. Rep. Diane Loeffler (DFL-Mpls) said she wanted to know if the burden would be the same for all current policyholders.

The bill would also provide a fire advisory committee that would report to the Public Safety Board. Rep. Barb Goodwin (DFL-Columbia Heights) said she would like to see regular consumers on the committee, which is only comprised of fire experts.

“It’s the consumers who are paying,” said Goodwin. “I would like to see somebody other than industry specialists that have input in this.”

The bill, which has no Senate companion, awaits a hearing in the House Public Safety Policy and Finance Committee.

LOCAL GOVERNMENT

‘Piggybacking’ road projects

A bill could save townships money by allowing them to “piggyback” onto county road construction projects.

HF2677, sponsored by Rep. Sondra Erickson (R-Princeton), was approved March 2 by the House Local Government Committee and referred to the House Transportation Committee. Its Senate companion, SF2602, sponsored by Sen. Claire Robling (R-Jordan), awaits action in the Senate State and Local Government Operations Committee.

The bill would allow townships to contract for road construction without competitive bidding in certain circumstances. For example, when a county builds a road through or near a township in need of road construction or maintenance, that township could “piggyback” onto the county’s project by agreeing to the vendor’s same terms and conditions.

Currently, townships are forbidden by law to contract with vendors without first setting up a joint powers agreement or carrying out a competitive bid process. The bill would allow townships to save the costs associated with seeking out and hiring a vendor of their own.

INSURANCE

Funds for fighting flames

If Rep. Steve Smith (R-Mound) has his way, firefighters across the state will have more funds to help put out fires.

The sponsor of HF2916, Smith said Minnesota’s fire safety fund needs more money. For example, it costs $32,000 to outfit a new firefighter with proper equipment and $3,000 a year to train them, Smith said.

On March 8, the House Commerce and Financial Institutions Committee approved the bill, which would increase the surcharge on home and commercial policyholders of fire insurance. The extra revenue would establish a fire safety account in the state treasury. The money would also help fund safety programming and fire services.

Mike Stockstead, the Minnesota Professional Fire Fighters president, said the money is needed. It’s expected that the current account will accrue nearly $8 million for 2005. But the new bill would bring in almost double that amount.
“Most of these rural areas, you’re lucky if you can get one contractor to put out a bid anyhow,” said Kent Sulem, attorney with the Minnesota Association of Townships. “This just really does help save taxpayer dollars.”

**METRO AFFAIRS**

**Increasing MAC oversight**

A bill to increase legislative oversight of the Metropolitan Airports Commission (MAC) was approved by a House committee March 8. HF2553, sponsored by Rep. Paul Thissen (DFL-Mpls), was approved by the House Local Government Committee and referred to the House Governmental Operations and Veterans Affairs Committee. It has no Senate companion.

The bill would extend the oversight responsibilities of the Legislative Commission on Metropolitan Government, which currently oversees the Metropolitan Council, to include the MAC as well.

Thissen said the commission should oversee the MAC for the same reasons it oversees the council: to have a state entity formally charged with making sure the MAC’s policy decisions are consistent with those of the Legislature.

“It’s not approval; it’s not a veto power. It’s just having someone say, ‘This is our job,’” Thissen said. He cited a 2003 report from the Office of the Legislative Auditor that recommended increased oversight of the MAC.

MAC Executive Director Jeffrey Hamiel said the bill is unnecessary because the MAC already reports directly to nine separate government bodies, including four House committees.

“We have a lot of oversight, we have a lot of governance, a great deal of scrutiny, we have numerous reports annually,” Hamiel said. “And what this will do is add to that list of reports and accountability and testimony — which we’re not opposed to, in spirit. But we find the workload of reporting to 10 agencies every year multiple times as being increasingly challenging.”

Hamiel also noted that the MAC does not receive state funding.

Thissen countered that the four House committees to which the MAC reports look only at specific issues related to the airport and do not look at the broader context of the MAC’s overall policies. He said legislative discussion of airport-related issues is often confined to “narrow slices.”

Rep. Mike Charron (R-Woodbury) said he did not support the bill because the MAC is a well-run organization and it already reports to the Legislature.

**RECREATION**

**Reduced park fees**

State Parks Director Courtland Nelson says he is convinced reducing admission fees will get more people to visit the state’s parks and perhaps become lifelong park users.

New fees are part of what he described as “a very aggressive marketing campaign” to get more people to visit the state’s parks.

HF3012, sponsored by Rep. Dennis Ozment (R-Rosemount), includes a $2 reduction in the price of one-day vehicle permits for individuals and groups.

“We believe that we have a good opportunity to get a hold of new customers, to contact new user groups, and that we will use this as one of those incentives,” Nelson told the House Environment and Natural Resources Committee March 2.

“We had an expectation when the fee was raised in 2003 that our annual permit sales would rise,” Nelson said. Instead, annual permit sales have remained the same.

Another component of the bill, the institution of a $20 annual motorcycle pass — $5 less than a regular vehicle pass — “is to target a specific group of users our research shows is underutilizing the state park system,” Nelson said. Minnesota is home to more than 160,000 over-the-road motorcyclists who might consider the state’s parks a recreational option “if we approach them in a positive way,” he said.

The parks commissioner is working with members of this group to find a way to display the permit on something other than the bike itself.

“When you have spent $20,000 or more on a motorcycle, you don’t want to take a piece of anything and stick it on your bike,” Nelson said.

The bill also drops the requirement that campers purchase a second vehicle permit when they tow a vehicle behind their recreational vehicle, and it grants free admission to the Soudan Underground Mine State Park in St. Louis County, since the park basically consists only of the mine, which charges a tour fee.

Approved by the committee, the bill, which has no Senate companion, now moves to the House Agriculture, Environment and Natural Resources Finance Committee.

**TECHNOLOGY**

**Funding waste recovery technologies**

Waste used to be waste; now, it is a resource, and two bills considered March 2 by the House Agriculture, Environment and Natural Resources Finance Committee would partially fund the recovery of varying amounts of that resource.

Sponsored by Rep. Dean Simpson (R-New York Mills), HF2590 requests $3 million to build an incinerator in Perham. The new construction would expand the city’s current capacity to burn municipal solid waste — the garbage collected by communities from its residents and businesses — and produce steam that is then sold to local industries.

Bob Louiseau, Perham city manager, said the city’s current facility, in operation since 2002, already collects and burns refuse from four counties. With the expansion, additional refuse could be burned, including all of what had been incinerated at Fergus Falls until that city’s facility shutdown Feb. 28. Collected from seven counties, a small amount of that refuse has already been contracted to the current incinerator in Perham as well as to an incinerator in Alexandria. The remaining is being transferred to landfills in Gwinner, N.D., and Elk River.

Termed an innovative project — the first of its kind to be built in the United States, according to Steve Nyhus, attorney for Koochiching County — HF2789, sponsored by Rep. Irv Anderson (DFL-Int’l Falls), requests $10 million as partial funding for a $30 million plasma torch gasification facility to be constructed in International Falls and owned by Koochiching County.

Nyhus said the Renewable Energy Clean Air Project (RECAP) would produce synthetic gas, steam, electricity and vitrified slag, a non-leachable product that can be used to make insulation. The project is requesting matching funds from federal, state and local sources.

The facility would be fed with municipal solid waste from at least eight counties in northeast Minnesota and produce no waste of its own.

Both bills are slated to receive additional consideration as part of the committee’s bonding recommendations.

Two companion bills, SF2354, sponsored by Sen. Cal Larson (R-Fergus Falls), and SF2391, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), await action by the Senate Finance Committee.

**TRANSPORTATION**

**Craning around changes**

A Department of Transportation housekeeping bill with simple intentions became controversial over exemptions for department crane operators that were included and eventually removed March 8 by...
the House Transportation Committee, HF3203, sponsored by Rep. Connie Ruth (DFL-Owatonna), would include:
• maintaining a screening board set to expire June 30, 2006, to advise the transportation commissioner on county state-aid projects,
• establishing a minimum age of 18 for drivers of motor vehicles with a gross weight of 10,000 pounds or less, and not transporting hazardous material other than those that protect the health and safety of the operator or passengers, support the operations or maintenance of the motor vehicle, or that support the principle business other than transportation of a private motor carrier; and
• removing the requirement that aeronautics rules be mailed to all airports and air schools.

The requirement is expected to save the state about $20,000 a year by just posting the information on the department’s Web site, Ruth said.

A more controversial potential change would have allowed department employees to be exempt from certification requirements of crane operators. Beginning in June 2007 those include 1,000 hours of crane operation every five years on cranes with a lifting capacity of 5 tons or more.

State employees infrequently use larger cranes, said Erik Rudeen, project specialist in the department’s Government Affairs division. Nor do employees generally log enough hours to meet the certification, he added.

Representing certified crane operators, Robert Leighton said the change equals the state saying, “Do as I do, not as I say.” Crane accidents lead to deaths and serious injuries and the exemption shouldn’t be taken lightly, he said.

A committee voice vote removed the section with the expectation that Ruth and others would work a more amenable approach.

Approved by the committee, the bill now moves to the House Governmental Operations and Veterans Affairs Committee. It has no Senate companion.

Reporting transparency or duplication

The state spends millions of dollars a year on transportation and Rep. Steve Simon (DFL-St. Louis Park) would like a better understanding on how the money is spent.

Sponsored by Simon, HF2380 would require the transportation commissioner to issue a report by Jan. 15 of each year detailing major highway projects costing at least $5 million slotted for the next 15 years, and those equaling 100 percent of the total construction budget of a district in the year in which the report is made or any of the previous five years.

The bill was tabled March 8 by the House Transportation Committee until changes could be made by Simon and Department of Transportation representatives. A Senate companion, SF2874, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the Senate Transportation Committee.

For each major project the bill would require:
• Rep. Mary Liz Holberg (R-Lakeville) said she’s “much more interested in paying for asphalt and cement,” than the costs of duplicating information the department already has or distributes.

Simon said the information is scattered, making it very difficult for the public to obtain the information.

Betsy Parker, director of the department’s Government Affairs Division, said that although many of the bill’s requirements are now available in various areas, the bill would require extracting material from a diverse information database and collecting information from current publications such as the State Transportation Improvement Plan.

Veterans projects

More than $42 million in bonding requests from the Minnesota Veterans Homes Board will be considered by a House committee for inclusion in its bonding recommendations.


McNamara told the House Health Policy and Finance Committee March 3 that the facility would provide for a better transition area for veterans leaving the home.

The largest portion of the Nornes bill is $20.1 million to construct a 45-unit assisted living facility and renovate another building for relocation of the domiciliary program at the Minneapolis Veterans Home.

“It would help provide services to older veterans and younger ones who leave military hospitals,” said Steve Musser, executive director of the Minnesota Veterans Homes Board.

Nearly $7.7 million is requested to construct a 21-bed special care unit at the veterans home in Fergus Falls. He said the unit would cater to veterans who suffer from Alzheimer’s disease and dementia.

Other requests include $4.85 million for the Silver Bay facility to renovate some space and construct an addition; $2.26 million to equip a building at the Minneapolis home for an adult day care program; and $175,000 to pre-design phase III of the master plan for skilled nursing care at the Minneapolis home.

Gov. Tim Pawlenty has recommended $15 million in veterans bonding: $6 million for asset preservation; $5.3 million for a dining/kitchen renovation and capacity addition at the Minneapolis home; a $2.5 million emergency power upgrade at the Minneapolis campus; and $600,000 each for the Fergus Falls special care unit and to cover the remaining cost of a nursing care addition at the Luverne facility.
Gov. Tim Pawlenty touted Minnesota as strong and prosperous as the 2006 legislative session begins on the heels of what he called the biggest financial turnaround in state history. But, in his State of the State address March 9, he also said focusing on innovation would be key to the state’s future success.

When Pawlenty gave his first State of the State address in 2003, the state had a $4.5 billion deficit. Today there is nearly $1 billion surplus. However, he said there is more to do.

Minnesota’s performance pay for teachers and a program for seniors to buy affordable prescription drugs from Canada are just some of the innovations contributing to the state’s triumph, Pawlenty said. “My goal as governor is to make Minnesota the best state in which to live, work and raise a family. But we can’t succeed unless we prosper economically.”

Pawlenty said technological innovation would lead the way to more economic success.

“Technology, today, gives almost everybody access to almost everything, everywhere, at any time. It gives people previously unimaginable freedom and choice. Government must do the same.”

He offered Benson, Minn., as a model.

In the town of 3,300, the Chippewa Valley Ethanol Company produces 45 million gallons of ethanol. The governor signed an executive order earlier in the day requiring state employees to use ethanol while driving state vehicles.

Benson also started burning corn stalks and husks as biomass energy to replace natural gas and is building an energy plant that creates electricity from turkey droppings. “With over 46 million turkeys, Minnesota has a lot of droppings,” Pawlenty joked.

Although Pawlenty said technology was vital to freedom, he said, “Freedom isn’t free.” Pawlenty called for a show of appreciation to fallen troops, including Sen. Becky Lourey’s (DFL-Kerrick) son, Matthew, who died when his helicopter crashed in Iraq last May.

Supporting American troops is an issue both parties rallied around as members and guests on the House floor stood up. Next week Pawlenty will help send off to Iraq 2,600 Minnesotans stationed in Camp Shelby, Miss. The troops were reportedly watching the governor’s speech over the Internet. Pawlenty also wants to pass an income tax exemption for military retirement and fund other assistance programs for military members and veterans.

Pawlenty said his priorities center around four issues this session. They are:

- Education- Pawlenty urged legislators to pass his early childhood education funding increase and to require that at least 70 percent of school funding be spent in classrooms. More resources would be placed on emphasizing academic rigor, especially for math and science. Pawlenty also asked for $7 million in financial incentives for at least 10 school districts to implement Advanced Placement and International Baccalaureate programs for the first time.
- Health care- The working poor don’t tend to carry health insurance. Insurance compa-
nies and health maintenance organizations (HMOs) should better market affordable plans, Pawlenty said. He added there should be a focus on chronic conditions like childhood obesity and diabetes, which would not only save lives, but reduce costs for health insurance carriers. Pawlenty also proposed a $12 million program to help small health care providers make the switch to electronic medical records. “We need to help health care administration enter the 21st century,” Pawlenty said. Preparing for a possible bird flu pandemic was also on his list.

• Natural resources- Besides recent reform efforts to the governance of the great outdoors and Environmental Trust Fund, Pawlenty asked for funding of a long-term, statewide strategic plan for conservation. Additionally, he wants a constitutional amendment dedicating funds for conservation and clean water. Pawlenty also has a proposal to reduce mercury emissions in the air and water — a threat to younger children — by 90 percent. Pawlenty said Minnesota should have a goal that 25 percent of all types of energy used will come from renewable sources by 2025.

• Jobs- The best way to generate revenue is to keep job providers growing, Pawlenty said. He suggested imposing a property tax cap and readjusting the corporate tax “so we don’t punish job creation and plant expansion in Minnesota.”

The last legislative session saw a special session and partial state government shutdown. Pawlenty’s remedy: pass a performance pay bill for politicians. If legislators don’t finish their work on time, they receive no pay during a special session and possibly later.

Referring to those paying higher college tuition and property taxes, during a press conference following the governor’s speech, Senate Majority Leader Dean Johnson (DFL-Willmar) said Pawlenty was picking “winners and losers in the state.”

House Minority Leader Matt Entenza (DFL-St. Paul) said Pawlenty “put forth a paltry laundry list.” He held up a $1 bill — as Pawlenty did during his first State of the State address in 2003 when a Northfield woman sent him a $1 bill to pay off the deficit — and said, “The governor raised taxes by $1 billion.”

During his speech, Pawlenty also mentioned letting citizens vote on a constitutional amendment banning same-sex marriage and said he welcomes legal immigration measures.

A reference to last session, Pawlenty said legislators “shouldn’t be afraid of rational and robust debates about these issues. This building was built for such debates and the foundation and the walls are strong.” But Entenza said Pawlenty only wants to debate his issues.

Both Entenza and Johnson said they hope the governor will bring both parties together during the short session. Johnson added Minnesota is a good state to live in but can still improve.
Frontier trails to multi-lane highways
Old days of sweat-equity now replaced with complicated funding formulas

**By Patty Janovec**

From the good ol’ days of horse-drawn wagons to today’s sport utility vehicles, state roads are built with blood, sweat and money — lots of money.

The middle of the 19th century brought legislative and congressional changes so that counties could use property tax dollars to fund roads that were needed for military purposes. Those who could not pay property taxes outright had the option of working on roads for $2 a day. But regardless, all males, ages 21-50, were required to spend two days a year helping build local roads.

The 1890s brought pressure from Minnesota’s dairy farmers who needed better roads for their frequent trips to creameries, markets and to carry supplies, according to a 1953 highway study commission. And by 1917, there were about 200,000 motor vehicles in the state creating a demand for better roads needing to be constructed more quickly. The Legislature created the Office of Commissioner of Highways, and two years later approved a constitutional amendment integrating a system of rural roads and an improvement plan. This amendment created Minnesota’s Trunk Highway System, now the fifth largest in the nation.

**Mapping out funding**

Today, Minnesota has 135,490 miles of roads — some under state responsibility and some under local governments. Funding the cost of construction is no longer so rudimentary. In fact, it is very complicated — based on formulas, use and need.

The federal government pays a large share of the construction costs, especially for roads designated as state highways and those in the interstate highway system. From 2005-2009, Minnesota can expect about $2.5 billion from the feds through the transportation act established Aug. 10, 2005, known as Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy For Users. The money is collected on a reimbursement basis in addition to earmarked monies totaling $465 million.

But to get the roads built, the state carries a financial responsibility as well. Our state roads are constructed with money collected from motor fuel, motor vehicle sales and vehicle license taxes, which are funneled into the Highway Users Tax Distribution Fund. In 2005, $13.2 billion was allocated from this fund for state road construction.

The state’s highway funding dollars are constitutionally divided, by percentage, into four areas.

Three of the areas comprise 95 percent of the fund: the Trunk Highway Fund, the County-State Aid Highway Fund, and the Municipal State-Aid Street Fund. Within those total dollars, funding for each is broken up as follows:

- **62 percent** of Trunk Highway funds are constitutionally set for trunk highway purposes only. According to the nonpartisan House Research department, the money can be used for highway construction, including contracts, administration, engineering, research and purchase of right-of-way; State Patrol law enforcement; operations and maintenance of buildings and storage sheds around the state; and debt service, including repayment of bonds and advances made by local units of government.
- **The 29 percent designated for County State-Aid Highways** is divided in several ways, with 10 percent equally divided among counties; 10 percent distributed according to the total registered motor vehicles per county; 30 percent distributed based on total lane-miles of state-aid highways per county; and 50 percent based on needs in order to bring county roads up to state standards.
- **The remaining 9 percent is Municipal State-Aid Street funds** allocated to cities with populations of more than 5,000 and the grandfathered city of Chisholm. Money is also distributed by formula, with 50 percent...
The other 5 percent of the Highway Users Tax Distribution Fund goes to a Flexible Fund. Currently, 30.5 percent is used for fixing county roads that might not be changed every six years, 16 percent for replacement and 73.5 percent for state highways. The amendment passed by the 2005 Legislature included a Motor Vehicle Sales Tax constitutional amendment question to voters and the General Fund by 2012. Although the governor vetoed the measure, putting a constitutional amendment question to voters does not require gubernatorial approval.

Looking to the future
Over the next 20 years, a $1 billion funding gap per year for state highways is looming, based on federal funding projections, Larsen said. Local funding gaps are also nearing that amount. With the deficit, increased construction costs and a projected population growth, Larsen said the bottom line is that not everyone will be happy because not all projects can be funded.

Swanson tells residents that “We will continue to seal the cracks,” and overlay the road, but there just is not money to rebuild. “Nothing’s easy when it comes to transportation,” said Larsen. “The more resident concerns you have to meet, the more complex the process becomes because there is always a funding issue.”

Map displays how much, and where, money will go for road projects through 2010

Making it onto the project list
So how does citizen input come into play? How do I get the road in front of my house reexamined or added to the project list?

There are a number of ways to get involved, said Brad Larsen, federal relations manager with the department’s Office of Government Affairs.

A visit to the city or county engineer’s office to research the local road plans is a good place to begin. Many times road plans have been established years in advance. Also, talk to the local MnDOT district staff — there are eight in the state — to see if the road of concern can move up higher on the priority list.

Each district determines which projects receive funding through a list of criteria. It also works with area transportation partnerships to determine the best division of state and federal money. The partnerships are MnDOT’s attempt to decentralize federal road funding decisions, and membership includes representatives from county, city and state levels.

Project pressure points
The department’s Metro District represents eight counties and 156 cities.

Planning Director Pat Bursaw said political pressure is “exerted here and there” on the project selection process. But choosing which roads to build still comes down to a list of criteria, including preservation, safety and congestion with major input from the Metropolitan Council.

District 7 is based in Mankato. Transportation District Engineer Jim Swanson said his district’s criteria for funding a road include the volume of traffic, the condition and the overall safety of the road.

Proposed projects are determined and information is publicly published. District officials hold public information meetings throughout the district about 12 times a year. “It’s a very open process and people are always glad about that,” Swanson said.

It can be hard speaking to residents, Swanson said, because his district is frequently short of dollars to address all the road needs. Swanson tells residents that “We will continue to seal the cracks,” and overlay the road, but there just is not money to rebuild.

“Nothing’s easy when it comes to transportation,” said Larsen. “The more resident concerns you have to meet, the more complex the process becomes because there is always a funding issue.”

Based on needs to meet state standards and 50 percent based on population. According to the nonpartisan House Research department, the formula results in 69 percent of the money going to the seven-county Twin Cities metropolitan area, which is approximately the same percentage of the area’s share of municipal state-aid street mileage and vehicle miles traveled on the system.

The other 5 percent of the Highway Users Tax Distribution Fund goes to a Flexible Fund. Currently, 30.5 percent is used for town roads, 16 percent for replacement and repair of town bridges and 53.5 percent for fixing county roads that might not make it onto the Minnesota Department of Transportation repair list. Determined by the Legislature, the percentages can only be changed every six years.

Photographer Charles Lincoln Merryman, photo courtesy of the Minnesota Historical Society

March 10, 2006
Choosing to fill
House committee approves pharmacists’ right of refusal

BY BAO ONG

The House has another balancing act on its hands — trying to find a solution to the clash between patient demands and pharmacists refusing to prescribe certain drugs.

Rep. Tom Emmer (R-Delano) believes he has the right answer.

He is the sponsor of HF3032, approved by the House Health Policy and Finance Committee March 8. Under his proposal, pharmacists are prohibited from denying prescribed drugs or devices to patients except in certain instances. The bill was sent to the full House.

“This is a balancing of the liberty of pharmacists versus the right and necessity of the patient to get their legally prescribed medication,” said Emmer. The proposal is a compromise on his original bill, HF2597, and has received more all-around support, Emmer added.

Under the bill, pharmacists would not be required to fill prescriptions if they have an objection – ethical, moral or religious – to a prescribed drug or device.

Michael Barrett, a Long Prairie Memorial Hospital and Home pharmacist, disagrees with requiring pharmacists to fill all prescription requests. He said the number of people pursuing pharmaceutical careers would decline if they were made to feel like “second-class citizens” who couldn’t hold onto their values and beliefs.

“Can we at the same time think of legislating that all Muslim and Jewish butchers must carry pork?” said Barrett. “I don’t think this is the place for government to get into.”

Abortion, always a contentious issue, came up almost from the outset.

Rep. Barb Goodwin (DFL-Columbia Heights) said the bill could be futile for patients seeking birth control, especially in cases of rape or incest. Goodwin

and Barrett disagreed on whether using certain birth control methods, such as the morning-after pill, would constitute an abortion.

Rep. Mary Ellen Otremba (DFL-Long Prairie) said under current law, pharmacists can already refuse prescriptions for abortion issues. But Barrett said the threshold of pregnancy is not clearly defined in Minnesota.

Meanwhile, Rep. Cy Thao (DFL-St. Paul) questioned whether there was even a need for the bill. He said patients denied prescriptions today already go to other pharmacies or sources.

Todd Sorenson, president-elect of the Minnesota Pharmacists Association, said the bill would be a proactive step. “It’s a balanced approach that addresses the needs of the patient and the needs of the pharmacist, personally and professionally,” said Sorenson.

“This issue, for the pharmacists association, is not about abortion. It’s about balancing values and balancing access.”

Others, like Erin Matson, believe the doctor-patient relationship should determine if a prescription is in order. “It is the duty of pharmacists to fill prescriptions,” said Matson, president of the Minnesota National Organization for Women. “It is the duty of this committee to rise above militant, unscientific personal beliefs about birth control.”

Another clause would allow pharmacists to deny patients prescriptions if the drug or device was out of stock. But the pharmacist would have to offer alternatives, such as locating another pharmacy with the prescription in stock. Rep. Tim Wilkin (R-Eagan) said this could still be an issue for Catholic hospitals, which may not want any part in aiding an abortion.

Both Republicans and Democrats said the words “timely” and “reasonable” used to describe how pharmacists would help patients if their prescriptions are denied — could be troublesome.

Under the bill, pharmacists can also refuse to provide prescriptions if they determine a drug or device would cause medical problems for a patient or if payment is not received.

Preserving the past
Ford Building reflects avenue’s history as ‘car row’

BY LEE ANN SCHUTZ

The Ford Building stands quiet along University Avenue with little evidence of the important role it once played in providing jobs in St. Paul.

It had only been 10 years after the Ford Motor Company began producing cars that plans were announced in 1913 for assembly plants in Minneapolis and St. Paul. Construction of these facilities cemented a community partnership with the car company that lasts even to today.

The Minneapolis building still stands at 419 N. Fifth Street. While it is larger in scale, it is the St. Paul building that may hold more historical significance, and its future is now in the hands of state lawmakers.

One of 18 built across the United States of the same design and the same detailing by Ford, the St. Paul building is eligible for placement on the National Register of Historic Places.

“It has tremendous historic significance,” said Brian McMahon, executive director of University UNITED, a coalition of community organizations and business people focusing on redevelopment along University Avenue. He is also a member of a working group making recommendations to the state on the future of the building.

He said the building meets all the criteria necessary to help the revitalization of the area, and it reflects the history of the avenue.

McMahon has put in a labor of love compiling the building’s history and collecting old photos that tell its story.

In an historical overview to the Legislature, McMahon writes of how this building set the tone for University Avenue, making it “car row,” where, in the days before Interstate 94, every car manufacturer had a dealership. “It is a very important artifact of the history of the corridor.”

Over the years, the building has served several uses. The state took ownership in 1952, housing some state agencies and boards there. It was mothballed three years ago for safety reasons, and the cost to repair the structure left some encouraging demolition.

In 2005, the Legislature put a stop, at least temporarily, to any talk of demolishing the building, and charged a task force with recommending future uses for the building.

Instead of demolition, the task force recommends that the building should be maintained at its current status until plans can be developed for its use.

The Department of Administration pays about $25,000 a year for minimal maintenance of the building. But to address some deterioration of the exterior brickwork, the department spent $79,000 for repairs last year.

Jim Rhodes, the department’s legislative director, outlined the details, which call for the building to be evaluated in the context of state government and neighborhood and regional objectives, including historic preservation and sustainable community goals. The working group recommends the building be remodeled for offices, possible leased space for a coffee shop or restaurant, and a one-stop shop for government services.

If a proposal to restore the State Capitol receives the necessary funding, the Ford Building could provide temporary offices for senators and staff who would need to be relocated during the work. It would be a good location, especially since it is already connected to the Capitol Complex tunnel system, Rhodes said. Rep. Phyllis Kahn (DFL-Mpls), a member of the working group, agrees.

“I strongly support the recommendation out of my concern for historic preservation, and the fact that we believe that a very good use of the building will be as swing space to house entities when their current space is being renovated. There are Ford buildings similar to this one all over the country and not one has been torn down.”

The report acknowledges the financial challenges to retaining older buildings, but says they should be viewed as civic assets.

Costs to renovate the building are projected to be $9.3 million.

The task force report is expected to be heard by the House State Government Finance Committee.
Wednesday, March 8

HF3143-Lesch (DFL)
Jobs & Economic
Opportunity Policy & Finance
Large employer health cost payments required.

HF3144-Bradley (R)
Health Policy & Finance
Assisted living services requirements established, procedures specified and home care provider categories modified.

HF3145-Vandeveer (R)
Commerce & Financial Institutions
Licensed mortgage originators and servicers required to know Minnesota lending laws and ethical lending practices.

HF3146-Mahoney (DFL)
Jobs & Economic
Opportunity Policy & Finance
St. Paul; bioscience corridor funding provided, bonds issued and money appropriated.

HF3147-Otremba (DFL)
Transportation Finance
Staples; highway overpass funding provided, bonds issued and money appropriated.

HF3148-Penas (R)
Agriculture, Environment & Natural Resources Finance
Kittson County; flood mitigation funding provided, bonds issued and money appropriated.

HF3149-Penas (R)
Jobs & Economic
Opportunity Policy & Finance
Hallock; economic development grant provided and money appropriated.

HF3150-Penas (R)
Jobs & Economic
Opportunity Policy & Finance
JOBZ zone eligibility provided for qualified businesses.

HF3151-Klinzing (R)
Education Finance
Summit Academy OIC 100 hard hats program funding provided and money appropriated.

HF3152-Charron (R)
Local Government
Washington County tax-forfeited land sale authorized.

HF3153-Finstad (R)
Health Policy & Finance
Nursing facility quarterly resident assessments required, case mix indexes for nursing facility reimbursement modified and rate adjustments provided.

HF3154-Blaine (R)
Agriculture, Environment & Natural Resources Finance
Morrison County; Highway 10 Soo Line Recreational Trail park-and-ride lot funding provided, bonds issued and money appropriated.

HF3155-Blaine (R)
Agriculture, Environment & Natural Resources Finance
Morrison County; Soo Line Recreational Trail at Bowlus trail’s head warming house funding provided, bonds issued and money appropriated.

HF3156-Blaine (R)
Agriculture, Environment & Natural Resources Finance
Little Falls Zoo improvements funding provided, bonds issued and money appropriated.

HF3157-Blaine (R)
Jobs & Economic
Opportunity Policy & Finance
Royalton; wastewater treatment holding pond funding provided, bonds issued and money appropriated.

HF3158-Sykora (R)
Civil Law & Elections
Supervised visitation advisory committee established, marriage dissolution fees adjusted to fund parenting time centers and money appropriated.

HF3159-Ellison (DFL)
Agriculture & Rural Development
Pesticide application notice required.

HF3160-Ellison (DFL)
Rules & Legislative Administration
Congress urged by resolution to reauthorize the Voting Rights Act of 1965.

HF3161-Bradley (R)
Health Policy & Finance
Human services rate adjustments clarified.

HF3162-Finstad (R)
Health Policy & Finance
Home and community-based waiver services program county funding new allocation methodology delayed.

HF3163-Dorman (R)
Agriculture, Environment & Natural Resources Finance
Austin, Albert Lea, and Shell Rock Watershed District flood mitigation grants provided; bonds issued and money appropriated.

HF3164-Beard (R)
Civil Law & Elections
Food and beverage public officials’ gift ban modified.

HF3165-Ozment (R)
Agriculture, Environment & Natural Resources Finance
Minnesota Zoological Garden funding provided, bonds issued and money appropriated.

HF3166-Davids (R)
Commerce & Financial Institutions
Interstate Insurance Product Regulation Compact enacted.

HF3167-Davids (R)
Taxes
Property tax payment required before recording deeds or other conveyances on certain types of property.

HF3168-Davids (R)
Regulated Industries
Soy-based transformer fluid tax refund provided for electric utilities and money appropriated.

HF3169-Seifert (R)
Local Government
Local government units prohibited from imposing fees related to students at postsecondary institutions.

HF3170-Seifert (R)
Civil Law & Elections
Fairness in Restitution for Victims and Judgment Creditors Act adopted allowing certain recoveries.

HF3171-Klinzing (R)
Health Policy & Finance
Parents authorized to obtain a clean certified copy of a deceased child’s birth record under certain circumstances.

HF3172-Penas (R)
Jobs & Economic
Opportunity Policy & Finance
Affirmative-business enterprise employment provided.

HF3173-Cox (R)
Transportation Finance
Motor vehicle sales tax revenues reallocated.

HF3174-Seifert (R)
Governmental Operations & Veterans Affairs
Recipients of state grants and appropriations required to disclose salaries of certain employees.

HF3175-Liebling (DFL)
Education Finance
School districts authorized to include energy efficiency improvement projects in alternative facilities plans.

HF3176-Smith (R)
Agriculture, Environment & Natural Resources Finance
Minnehaha Creek Watershed District funding provided, bonds issued and money appropriated.

HF3177-Olson (R)
Health Policy & Finance
County liability for reimbursement of cost-of-care treatment reduced.

HF3178-Emmer (R)
Education Policy & Reform
Teachers charged with felonies subject to suspension without pay.

HF3179-Buesgens (R)
Education Policy & Reform
General education revenue, education excellence, special programs, nutrition and accounting, self-sufficiency and lifelong learning provided; and money appropriated.

HF3180-Hortman (DFL)
Environment & Natural Resources
Fluorescent and high intensity discharge lamps proper disposal, labeling and notices required.

HF3181-Peterson, N. (R)
Higher Education Finance
Normandale Community College funding provided, bonds issued and money appropriated.

HF3182-Jaros (DFL)
Public Safety Policy & Finance
Cell phone use prohibited while operating a motor vehicle.

HF3183-Hortman (DFL)
Environment & Natural Resources
Fluorescent lamps containing mercury; disclosure required regarding disposal of lamps containing mercury.

HF3184-Pelowski (DFL)
Taxes
Winona sales tax additional revenue use authorized.

HF3185-Mahoney (DFL)
Commerce & Financial Institutions
Bioprocess piping and equipment data classified as nonpublic, and bioprocess piping included in the definition of high pressure piping.

HF3186-Jaros (DFL)
Taxes
Duluth Heritage Sports Center construction materials sales tax exemption provided.

HF3187-Peppin (R)
Governmental Operations & Veterans Affairs
Per diem payments to legislators prohibited during certain special sessions.

HF3188-Jaros (DFL)
Local Government
Iron Range; new local government system meeting requested.
HF3198-Smith (R)   Public Safety Policy & Finance
Crime and drug abuse prevention media campaign funding provided and money appropriated.

HF3199-Hackbarth (R)   Environment & Natural Resources
Horse trail pass provided and money appropriated.

HF3200-Hackbarth (R)   Environment & Natural Resources
Natural resources contract, grant, licensing, invasive species, state trail descriptions, water use surcharge and water aeration safety provisions modified.

HF3201-Beard (R)   Transportation
Salvage certificate of title modified, vehicle dismantle or destruction notice required and definition of “motorized foot scooter” modified.

HF3202-Westover (R)   Transportation
State land conveyed and state highway system routes removed.

HF3203-Ruth (R)   Transportation
County state-aid highway fund screening board established, crane operator certification requirements clarified, hazardous material transport minimum age provided and postal rule distribution provision repealed.

HF3204-Clark (DFL)   Jobs & Economic
Opportunity Policy & Finance
Runaway and Homeless Youth Act and out-of-school youth program pilot project established, report required and money appropriated.

HF3205-Clark (DFL)   Public Safety Policy & Finance
Registered predatory offender attendance of chemical abuse treatment groups including members of the same gender as their victims prohibited.

HF3206-Soderstrom (R)   Jobs & Economic
Opportunity Policy & Finance
Mora; recreational trail design bonds issued and money appropriated.

HF3207-Davnie (DFL)   Transportation Finance
Motor vehicle rental tax and fee exemptions provided.

HF3208-Urdahl (R)   Health Policy & Finance
Health policy and finance
Day training and habilitation provider rate reimbursement increased.

HF3209-Loeffler (DFL)   Education Finance
Voluntary full-day kindergarten and pre-kindergarten school readiness services for certain 4-year-old students authorized.

HF3210-Loeffler (DFL)   Education Finance
Education Finance
Extended time program eligibility for 4-year-old students provided.

HF3211-Erickson (R)   Regulated Industries
Horse racing breeders’ fund apportionments modified.

HF3212-Vandeveer (R)   Health Policy & Finance
Licensed residential program requirements modified.

HF3213-Vandeveer (R)   Health Policy & Finance
Health policy and finance
Expanded health care practices for health care professionals authorized.

HF3214-Beard (R)   Transportation
Department of Transportation towing authority within metropolitan district granted.

HF3215-Erickson (R)   Regulated Industries
Video lottery terminals established; state lottery director duties and powers expanded; use of video lottery revenues clarified; lawful gambling taxes modified and conforming changes provided.

HF3216-Olson (R)   Agriculture, Environment & Natural Resources
Health Policy & Finance
Great River Woodland Trail bonds issued and money appropriated.

HF3217-Hansen (DFL)   Jobs & Economic
Opportunity Policy & Finance
Paid organ donation leave for certain public employees provided.

HF3218-Samuelson (R)   Health Policy & Finance
Tanning facilities regulated.

HF3219-McNamara (R)   Transportation
Transportation
Gold Star Family license plates created for family members of military personnel who have died in active military service, and motor vehicle registration fee exemption provided.

HF3220-Larson (DFL)   Governmental Operations & Veterans Affairs
Health Policy & Finance
Veterans Affairs
Operating capital levy reduced and operating capital equalizing factor restored.

HF3222-Abeler (R)   Health Policy & Finance
Human services federal fund replacement money appropriated.

HF3223-Dorman (R)   Education Policy & Reform
Education Policy & Reform
Increased school district heating and transportation fuel cost grant money appropriated.

HF3224-Otremba (DFL)   Environment & Natural Resources
Environment & Natural Resources
Film production tax credit provided and money appropriated.

HF3225-Weber (R)   Rules & Legislative Administration
Film production tax credit provided and money appropriated.

HF3226-Charron (R)   Jobs & Economic
Opportunity Policy & Finance
Film production tax credit provided and money appropriated.

HF3227-Kelliher (DFL)   Taxes
Household income definition in relation to property tax refunds modified.

HF3228-Kelliher (DFL)   Regulated Industries
Taxes
Increased school district heating and transportation fuel cost grant money appropriated.

HF3230-Meslow (R)   Education Finance
Education Finance
Operating capital levy reduced and operating capital equalizing factor restored.

HF3231-Sykor (R)   Education Finance
School district technology funding increased and money appropriated.

HF3233-Anderson, B. (R)   Agriculture, Environment & Natural Resources
Election to form two school districts authorized.

HF3234-Hortman (DFL)   Civil Law & Elections
Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3235-Peppin (R)   Public Safety Policy & Finance
Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3236-Hortman (DFL)   Civil Law & Elections
Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3237-Peppin (R)   Public Safety Policy & Finance
Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3238-Hortman (DFL)   Civil Law & Elections
Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3239-Hortman (DFL)   Jobs & Economic
Opportunity Policy & Finance
Film production tax credit provided and money appropriated.
HF3238-Holberg (R)  
Civil Law & Elections  
Telephone records unlawful conduct crime established and criminal penalties imposed.

HF3239-Simon (DFL)  
Governmental Operations & Veterans Affairs  
Mediation for state legislators required when major budget bills have not been enacted.

HF3240-Brod (R)  
Civil Law & Elections  
Liquefied petroleum gas actions against certain sales and deliveries limited.

HF3241-Erickson (R)  
Governmental Operations & Veterans Affairs  
Final passage of bill or conference report on the day it is received by a body prohibited and certain exceptions provided.

HF3242-Nelson, P. (R)  
Regulated Industries  
Hydrogen sale sales tax exemption relating to internal combustion engines or fuel cells provided.

HF3243-Wardlow (R)  
Governmental Operations & Veterans Affairs  
Protections for persons ordered into active military service provided.

HF3244-Tingelstad (R)  
Public Safety Policy & Finance  
Trafﬁcking data analysis and usage by public safety commissioner required; policy establishment to assist trafﬁcking victims required; human trafﬁcking task force and trafﬁcking coordinator position created and penalties enhanced.

HF3245-Haws (DFL)  
Education Policy & Reform  
Teacher hire and dismissal requirements for school board members clarified.

HF3246-Simon (DFL)  
Public Safety Policy & Finance  
Attorney general money appropriated.

HF3247-Howes (R)  
Education Finance  
Safe schools revenue minimum for small school districts established.

HF3248-Wardlow (R)  
Governmental Operations & Veterans Affairs  
State park admission fees for military personnel on leave waived.

HF3249-Wardlow (R)  
Governmental Operations & Veterans Affairs  
Lifetime state park entrance permits for certain veterans of the global war on terror provided and money appropriated.

HF3250-Wardlow (R)  
Education Policy & Reform  
Rigorous course of study definition clarified.

HF3251-Hausman (DFL)  
Transportation Finance  
St. Paul Union Depot bonds issued and money appropriated.

HF3252-Seifert (R)  
Higher Education Finance  
Postsecondary courses ofﬁered in secondary schools agreement requirements clariﬁed.

HF3253-Hackbarth (R)  
Regulated Industries  
Bar bingo and pull-tab games requirements modiﬁed.

HF3254-Hackbarth (R)  
Regulated Industries  
Sports-themed tipboard games pilot project authorized.

HF3255-Wilkin (R)  
Health Policy & Finance  
Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act established.

HF3256-Davids (R)  
Jobs & Economic Opportunity Policy & Finance  
Bioscience development in Greater Minnesota bonds issued and money appropriated.

HF3257-Mariani (DFL)  
Education Finance  
Pre-kindergarten program funding restored in certain cases.

HF3258-Brod (R)  
Health Policy & Finance  
Reporting on notification required before an abortion is performed on a minor or certain other women required and civil penalties provided.

HF3259-Slawik (DFL)  
Jobs & Economic Opportunity Policy & Finance  
Child care assistance eligibility requirements modiﬁed, sliding fee child care schedule established, reimbursement rates for child care providers modiﬁed, provider rate differential established and money appropriated.

HF3260-Sertich (DFL)  
Education Policy & Reform  
Health and physical education requirements provided.

HF3261-Hilstrom (DFL)  
Regulated Industries  
Customer call records regulated, sale of telecommunications customer call information prohibited without consent, duty to secure call information prescribed and criminal and civil penalties imposed.

HF3262-Erickson (R)  
Governmental Operations & Veterans Affairs  
Length of time a conference committee report must be on members’ desks before it is voted upon increased.

HF3263-Kohls (R)  
Local Government  
Carver County recorder, auditor and treasurer ofﬁces combined and referendum provided.

Thursday, March 9

HF3264-Abeler (R)  
Health Policy & Finance  
Qualified long-term care insurance program established.

HF3265- Ellison (DFL)  
Transportation  
Cities of the ﬁrst class authorized to allow advertising on trash and recycling receptacles placed in rights-of-way of streets and highways.

HF3266-Hornstein (DFL)  
Education Finance  
Elementary and secondary class sizes reduced through voluntary incentive-based funding program and money appropriated.

HF3267-Atkins (DFL)  
Transportation Finance  
Inver Grove Heights; Heritage Village Park development funding provided, bonds issued and money appropriated.

HF3268-Abrams (R)  
Governmental Operations & Veterans Affairs  
Minnesota Biomedical Sciences Research Facilities Authority and project funding program established, fund application process provided for the University of Minnesota and bonds issued.

HF3269-Ozment (R)  
Environment & Natural Resources  
Natural and cultural resource funding provided through dedicated sales tax portion; arts and humanities fund, heritage enhancement fund and other funds and councils established; and constitutional amendment proposed.

HF3270-Davids (R)  
Higher Education Finance  
University of Minnesota Veterinary Diagnostic Laboratory building addition funding provided, bonds issued and money appropriated.

HF3271-Atkins (DFL)  
Commerce & Financial Institutions  
Barbers and barbering schools regulation modiﬁed.

HF3272-Hoppe (R)  
Agriculture, Environment & Natural Resources Finance  
Metropolitan greenways program and natural area protection funding provided, bonds issued and money appropriated.

HF3273-Davids (R)  
Agriculture & Rural Development  
Soy-based transformer ﬂuid conversion allowance program established and money appropriated.

HF3274-Simpson (R)  
Local Government  
Commercial advertising regulation limited.

HF3275-Brod (R)  
Regulated Industries  
New Prairie Gold Club liquor license authorized.

HF3276-Nelson, P. (R)  
Transportation  
Impounded vehicle contents retrieval regulation and notices provided.

HF3277-Nelson, P. (R)  
Jobs & Economic Opportunity Policy & Finance  
Askov; wastewater treatment facility funding provided, bonds issued and money appropriated.

HF3278-Lanning (R)  
Public Safety Policy & Finance  
Procedures modiﬁed for community notification for out-of-state sex offenders.

HF3279-Powell (R)  
Health Policy & Finance  
Psychiatric consultation deﬁnition modiﬁed to include psychologists.

HF3280-Demmer (R)  
Education Policy & Reform  
School boards authorized to unilaterally contract for district services.

HF3281-Carlson (DFL)  
Commerce & Financial Institutions  
Dependent health coverage time limit for students extended to compensate for time spent in active military service in the reserves or National Guard.

HF3282-Davids (R)  
Civil Law & Elections  
Liens for storage charges on certain motor vehicles regulated.

HF3283-Abeler (R)  
Health Policy & Finance  
Qualified long-term care insurance regulatory changes provided and long-term care partnership program requirements modiﬁed.

HF3284-Wardlow (R)  
Local Government  
Towns prohibited from assessing certain fees in an annexation proceeding.
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*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155.

## 2006 Minnesota Senate Members

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<th>Room*</th>
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### Minnesota House and Senate Membership

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<td>40 Belanger, William (R)</td>
<td>113 SOB</td>
<td>5975</td>
</tr>
<tr>
<td>61 Berglin, Linda (DFL)</td>
<td>309 Cap.</td>
<td>4261</td>
</tr>
<tr>
<td>51 Betzold, Don (DFL)</td>
<td>111 Cap.</td>
<td>2556</td>
</tr>
<tr>
<td>43 Bonoff, Terri (DFL)</td>
<td>325 Cap.</td>
<td>4314</td>
</tr>
<tr>
<td>51 Chaudhary, Satveer (DFL)</td>
<td>317 Cap.</td>
<td>4334</td>
</tr>
<tr>
<td>15 Clark, Tarryl (DFL)</td>
<td>303 Cap.</td>
<td>6455</td>
</tr>
<tr>
<td>64 Cohen, Richard (DFL)</td>
<td>121 Cap.</td>
<td>4229</td>
</tr>
<tr>
<td>26 Day, Dick (R)</td>
<td>147 SOB</td>
<td>9457</td>
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<tr>
<td>60 Dibble, D. Scott (DFL)</td>
<td>111 Cap.</td>
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<td>18 Dille, Steve (R)</td>
<td>103 SOB</td>
<td>4131</td>
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<tr>
<td>52 Fischbach, Michelle (R)</td>
<td>G-15 SOB</td>
<td>2084</td>
</tr>
<tr>
<td>47 Foley, Leo (DFL)</td>
<td>G-24 Cap.</td>
<td>4154</td>
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<tr>
<td>21 Fredericksen, Dennis (R)</td>
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<td>8138</td>
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<td>37 Gerlach, Chris (R)</td>
<td>107 SOB</td>
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<td>40 Hann, David (R)</td>
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<td>1749</td>
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<tr>
<td>55 Higgins, Linda (DFL)</td>
<td>328 Cap.</td>
<td>2746</td>
</tr>
<tr>
<td>23 Hottinger, John (DFL)</td>
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<td>6153</td>
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<td>13 Johnson, Dean (DFL)</td>
<td>208 Cap.</td>
<td>3826</td>
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<td>49 Johnson, Debbie (R)</td>
<td>135 SOB</td>
<td>3189</td>
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<td>44 Junglaender, Michael (R)</td>
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<td>44 Kelley, Steve (DFL)</td>
<td>205 Cap.</td>
<td>7-8065</td>
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<tr>
<td>51 Kielin, Bob (R)</td>
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<td>5649</td>
</tr>
<tr>
<td>52 Kiscaden, Sheila (DFL)</td>
<td>325 Cap.</td>
<td>4848</td>
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<td>9 Ko, Amy T. (DFL)</td>
<td>113 SOB</td>
<td>4298</td>
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<td>12 Koering, Paul (R)</td>
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<td>20 Kubly, Gary (DFL)</td>
<td>306 Cap.</td>
<td>5094</td>
</tr>
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<td>9 Langseth, Keith (DFL)</td>
<td>122 Cap.</td>
<td>3205</td>
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<tr>
<td>52 Larson, Cal (R)</td>
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<td>65 Lee, Brian (R)</td>
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<td>52 Limmer, Warren (R)</td>
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<td>2159</td>
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<tr>
<td>8 Lourey, Becky (DFL)</td>
<td>G-29 Cap.</td>
<td>0293</td>
</tr>
</tbody>
</table>

### Session Weekly

- March 10, 2006

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Substance abuse treatment

Substance abuse treatment programs on July 1, 2005, licensed by the Department of Human Services .................................................. 280
On July 1, 2000 .................................................................................................................. 204
Admissions of Minnesota residents to state chemical dependency treatment programs in 2004 ................................................................. 41,519
Percent increase from 1995 .................................................................................. 29
State's population increase, as percent, from 1995-2004 ....................................... 11
Minnesotans who entered at least one treatment program in 2004 .......................... 33,383
Percent increase from 1995 .................................................................................. 28
Percent of 2004 treatment on an outpatient basis .................................................. 52.9
Percent in 1995 ........................................................................................................ 47.5
Respective 2004 and 1995 percents admitted for alcohol treatment .................. 50.5, 64.9
Per cents for methamphetamine ..................................................................... 13.5, 2.4
Per cents for crack cocaine .............................................................................. 7.3, 10.2
Percent of all substance abuse treatment admissions in 2004 that were minors ...... 11
Methamphetamine treatment grants appropriated by 2005 Legislature for 2006-07 biennium, in millions ........................................... $1.5
Offenders sentenced in 2004 for felony-level drug offenses .................................. 4,038
Percent increase from 2001 .................................................................................. 56
Percent increase between 2001 and 2004 for methamphetamine offenses ......... 132
Percent increase from 1990 to 2004 of state prison inmates doing time for drug offenses ................................................................. 689
Chemically dependent inmates that did not participate in prison-based substance abuse treatment prior to their 2004 release ........................................... 75
Percent of admissions to treatment programs in 2004 funded by clients or private health insurance ......................................................... 45
Percent paid by the Consolidated Chemical Dependency Treatment Fund, an income-based treatment fund ............................................. 44
Percent paid by prepaid health care plans that contract with the Department of Human Services to serve Medical Assistance, General Assistance and MinnesotaCare enrollees .................................................. 11
State appropriations, in millions, for Chemical Dependency Treatment Fund in 2006 $63.2
In 2000 ..................................................................................................................... $37.2
Percent of persons who entered publicly funded treatment that completed their program in 2004 ......................................................... 61
Percent of inpatient/residential care clients completing a program ..................... 67
Average length of days in treatment for inpatient/residential care clients ............. 22.8


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