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SESSION Weekly

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INSIDE: EMINENT DOMAIN, STATE OF INNOVATION, FRONTIER TRAILS TO HIGHWAYS, MORE

This Week's Bill Introductions HF3143-HF3336

Session Weekly

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On the cover: Gov. Tim Pawlenty addresses a joint convention of the Legislature to give his State of the State address.

— Photo by: Tom Olmscheid

Taking aim at eminent domain

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

By Nick Busse

When a St. Cloud trucking firm told LeRoy Hanisch he would be evicted from his property to make way for their new corporate offices, he didn't believe it.

"I said, 'We don't live in Russia; you can't do that,'" Hanisch said at a March 3 meeting of the [House Public Safety Policy and Finance Committee](#).

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

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

"The system is broken."

Hanisch isn't the only one who thinks so. A growing number of activists and legislators say that eminent domain — the

intended to put limits on the use of eminent domain in Minnesota. It has no Senate companion.

"I spent an awful lot of my retirement money to keep my property and keep my business at the location it is, only because a big trucking firm decided they wanted to build their corporate offices there,"

— LeRoy Hanisch

Johnson's bill and others like it follow in the wake of a controversial U.S. Supreme Court decision in June 2005. In *Kelo v. New London*, the court ruled that taking private property away

from one owner and transferring it to another private owner for economic development is constitutional if the community as a whole benefits.

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

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

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

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

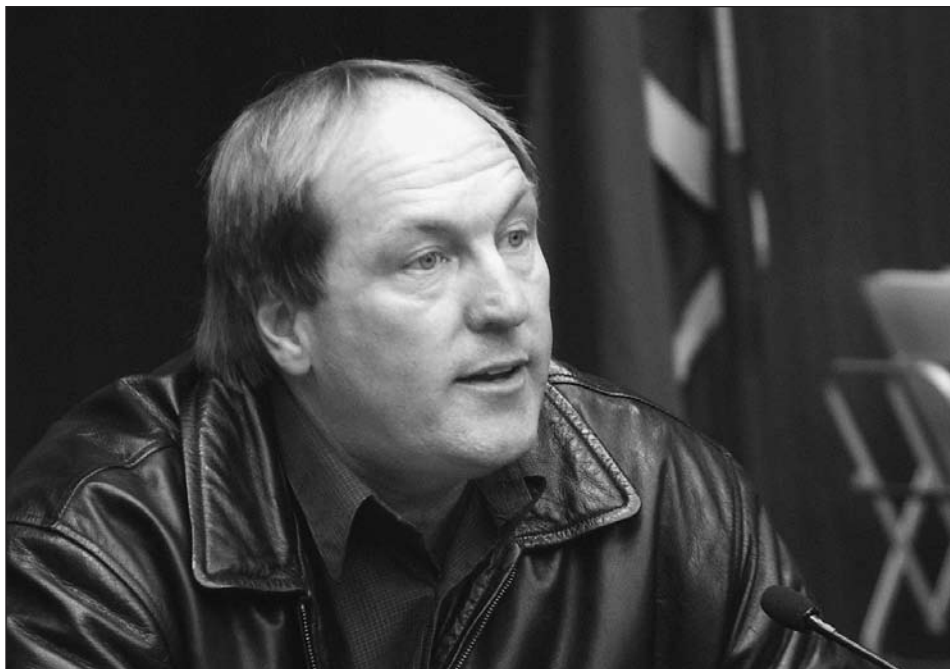


PHOTO BY ANDREW VONBANK

St. Cloud property owner LeRoy Hanisch testifies March 3 before the House Public Safety Policy and Finance Committee in support of a bill that would define and modify eminent domain public use or purpose and require evidence for certain takings.

Despite warnings from his attorney about the odds of winning in court, Hanisch fought the city and the trucking company. He eventually won, but keeping his own property cost him dearly — to the tune of \$80,000.

right of government to take private property under certain conditions — is being abused, and they're calling for reform.

[HF2846](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth), is one among several bills

First Reading continued on page 4



PHOTO BY TOM OLMSCHIED

Jim and Beverly Meide of Champlin are afraid their home and several apartment buildings around them will be taken by the city to be developed into a park, marina and condos along the Mississippi River.

First Reading continued from page 3

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

Proponents of eminent domain reform, however, strongly disagree with that notion.

"If a home or business can be taken just because someone else can make more money, then no one's home, farm or small business is safe," says Lee McGrath, spokesman for Minnesotans for Eminent Domain Reform, a broad coalition opposed to the use of eminent domain for economic development. In an e-mail, McGrath wrote that it is

illegitimate for the government to force a property owner to "sacrifice his or her land for someone else's private profits."

He wrote that Johnson's bill would still allow condemning authorities to take property for utilities, mitigation of public health risks and "things the public owns," such as roads, parks and government buildings.

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

Going too far?

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

needed improvements.

League of Minnesota Cities General Counsel Tom Grundhoefer says Johnson's bill could put a stop to all kinds of uses of eminent

domain, not just the ones involving economic development. Moreover, Grundhoefer says forbidding governments from using eminent domain for economic development overlooks the rights of property owners who stand to benefit from that development.

"Part of the point we're making is, what

about the rights of those citizens to have their area, their neighborhood improved?" Grundhoefer says. "How does that compare to the one or two properties that might have to suffer a taking?"

St. Louis Park Mayor Jeff Jacobs agrees.

"This is not simply about private property rights," Jacobs told members of the [House Civil Law and Elections Committee](#) March 1. "It is about the rights of Minnesota communities to reinvent themselves, to redevelop their main streets and to retain and attract businesses that will come to their communities."

Jacobs said it is already difficult for cities to use eminent domain, and that the practice is used "very sparingly." He added that his city is currently trying to redevelop an environmentally blighted property that might not meet the criteria for blight as defined in Johnson's bill.

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

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

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

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

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

"I think it will make some of them harder, and it should," he says. 🙏

★ AGRICULTURE

Building a bio future

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

Fund it, but build it on which campus?

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

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

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

How to efficiently produce the "next generation" of biofuels and bioproducts from

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

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

Hemmingson said that while the Morris and Crookston campuses would provide researchers easy access to the biomass resources, the variety of human resources needed to do the research itself and to "lead to the commercialization of these technologies are on the Twin Cities campus."

[Rep. Al Juhnke](#) (DFL-Willmar) was not convinced.

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

★ BONDING

Medtronic dollars

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

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

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

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

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

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

★ CONSUMERS

Cable competition

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

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

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

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

They say that lack of competition can be blamed on state law, which bars cities

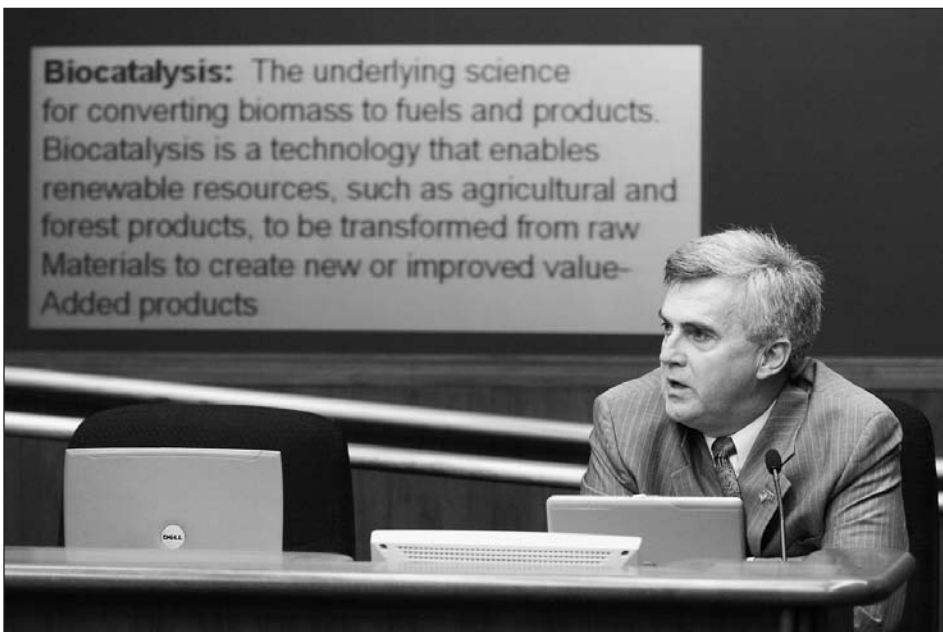


PHOTO BY TOM OLMSCHIED

Dick Hemmingson, director of the University of Minnesota's Initiative for Renewable Energy and the Environment, testifies for the establishment of a National Center for Biofuels Research at the university during a March 8 hearing of the House Agriculture and Rural Development Committee.

from negotiating deals less burdensome than the deal they have negotiated with their existing cable franchise.

That means that local governments must require that any new competitor serve the entire physical area served by the existing franchise. Many small companies are hesitant to make the large investment necessary to cover a whole city with fiber optic network before they land their first customer.

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

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

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

Not surprisingly, cable companies disagree.

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

Homeowners vs. home builders

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

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

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

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

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

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

Although [Rep. Ray Vandevor](#) (R-Forest Lake) agreed there was a problem, he said, "I think the whole warranty program offers a kind of false hope to people in Minnesota. But as Rep. Severson said, we should move this along. But I think this committee really needs to look at the home warranty program and what's backing it and what's backing the

claims so that it actually has some value to people."

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

★ CRIME

No private prisoners

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

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

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

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

"This is a critical time for your prison system," said Kerry Korpi, national director of research for the American Federation of State, County and Municipal Employees.

Korpi said Minnesota has one of the best prison systems in the nation, partly because it does not rely heavily on private prisons. However, she said, the facility in Appleton is expected to boost its inmate population from a few hundred prisoners to 1,700 by 2008.

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

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

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

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

"Neither the governor nor the president of the United States has the statutory authority to get an injunction to stop such a strike," he said.



PHOTO BY ANDREW VONBANK

Rep. Dan Severson, left, listens to testimony by forensic mold investigator Jack Rossbach on an amendment to HF1375 during the March 2 House Commerce and Financial Institutions Committee meeting. The bill would regulate construction defects in residential housing causes of action and provide notice and opportunity to repair.

Justice center funding

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

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

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

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

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

But the supervisors said they couldn't afford to pay any money.

"Due to our poor economy, we cannot put additional taxes on our citizens," said Commissioner Lane Waldahl.

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

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

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

EDUCATION



Red Lake funding

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

District officials presented their request to the [House Education Finance Committee](#) March 8.

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

The district plans to spend \$29.8 million to renovate and add classrooms at the high school, part of which dates to 1949; and the middle school, part of which dates to 1956. It

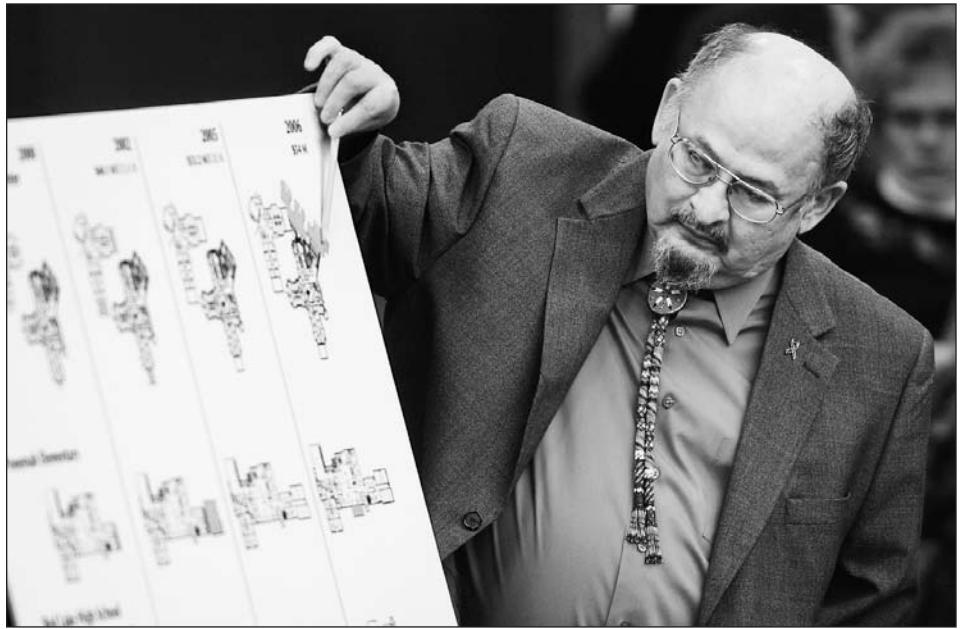


PHOTO BY TOM OLMSCHIED

During a presentation to the House Education Finance Committee March 8, Red Lake Schools Superintendent Stuart Desjarlait points out improvements that would be made to one of Red Lake's schools with the \$55.3 million the district is seeking.

would spend \$23.5 million to add classrooms at a newer local early childhood center. The remaining \$3 million would go toward new classrooms for an elementary school.

Sponsored by [Rep. Brita Sailer](#) (DFL-Park Rapids), [HF2699](#), which has no Senate companion, is the fourth request for state money Red Lake has made since 1999. School building construction is normally the responsibility of local school districts, but state officials allow exceptions for districts with small tax bases. The district received \$18 million in [last year's bonding law](#) "to design, construct, renovate, furnish, and equip a new middle school and the existing high school."

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

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

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

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

Making schools safer

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

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

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

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

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

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

Bloomington Homeland Security Coordinator Dan Murphy said it is in everyone's best interests to take a "proactive stance" by training students, faculty and police how to respond to incidents of violence.

"In that moment of crisis, we will revert to how we have been trained. If we have no training to fall back on, we're going to perform unpredictably," Murphy said.

A companion bill, [SF2292](#), sponsored by [Sen. John Marty](#) (DFL-Roseville), awaits action in the [Senate Education Committee](#).

★ ENVIRONMENT

More citizen involvement

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

[HF2972](#) next goes to the [House Environment and Natural Resources Committee](#) for further review. Its Senate companion, [SF2814](#), sponsored by [Sen. Dallas Sams](#) (DFL-Staples), awaits action in the [Senate State and Local Government Operations Committee](#).

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

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

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

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

★ HEALTH

Covering drug costs

Signed
by
the
governor
★ ★ ★

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

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

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

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

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

"In January when this Medicare Part D kicked in and we discovered these kind of issues in Minnesota and other places, the

governor issued an executive order that made us the payer of last resort and then empowered us to seek federal reimbursement when that was made available, and that did happen, but that was limited," Bradley said. "Then we had the [Legislative Advisory Commission](#) get together, and we allocated up to \$4 million to extend it to as late as March 8 and again empower the state to get reimbursements from the federal government if that (money) were made available."

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

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

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

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

[HF3015/SF2653](#)*/CH170

★ HUMAN SERVICES

Defining assisted living

The baby boomer generation, although still going strong, will eventually slow down.

YES, MAN



PHOTO BY TOM OLMSCHIED

Darian Morrison, a sixth grader and student council president at Nett Lake School, had a short answer of "Yes" when a member of the House Education Finance Committee asked if he felt the Head Start program had helped him with his later learning in grade school.

And once they do, they may be looking for different living arrangements – such as assisted living.

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

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

"There's no uniform understanding of assisted living," said Freeman. "We're taking a very sound approach."

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

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

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

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

★ IMMIGRATION

Visitors' driver's licenses

To help the state do its part in moving the country to greater security in a post-Sept. 11 era, a bill changing into law current state practices regarding driver's licenses is moving to the House floor.

"I sincerely believe this bill is one step we can do as a state that will help move our state and our nation toward a system that will

strengthen our security," [Rep. Steve Smith](#) (R-Mound), sponsor of [HF3014](#), told the House Civil Law and Elections Committee March 8. The bill has no Senate companion.

Provisions in the bill have been part of the [Department of Public Safety's](#) rules since 2002 when legislation was first proposed, but never enacted. Smith is asking that it now be written into law.

Smith said that the driver's license has become a "gateway document" to many of society's rights and privileges. Since 2002, a status check has been placed at the bottom of visiting non-citizens' licenses indicating the date for which they are legal to stay in the United States.

He said the bill would also help authenticate a person's identity because it strengthens the requirement for documents necessary to receive a state driver's license.

"First time applicants must present a primary and secondary form of identification to verify both identity and residency," he said. Primary forms of identification could include a U.S. birth certificate and U.S. passport.

Pat McCormack, director of department's Driver and Vehicle Services Division, said that since driver's licenses are issued for four years, they most likely do not correspond to a person's visa expiration date. If the visa had expired, the driver's license would no longer be valid.

[Rep. Keith Ellison](#) (DFL-Mpls) said that trying to "authenticate identity is meritorious, makes some sense." He asked if it was possible to have the status check embedded in the license making it accessible to law enforcement, but not to those who do not need that information.

McCormack said it may be possible to put it on the card's magnetic strip, but not all law enforcement officers have the tools to access it.

★ INSURANCE

Funds for fighting flames

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

The sponsor of [HF2916](#), Smith said Minnesota's fire safety funds need more money. For example, it costs \$32,000 to outfit a new firefighter with proper equipment and \$3,000 a year to train them, Smith said.

On March 8, the [House Commerce and Financial Institutions Committee](#) approved the bill, which would increase the surcharge on home and commercial policyholders of fire insurance. The extra revenue would establish a fire safety account in the state

treasury. The money would also help fund safety programming and fire services.

Mike Stockstead, the Minnesota Professional Fire Fighters president, said the money is needed. It's expected that the current account will accrue nearly \$8 million for 2005. But the new bill would bring in almost double that amount.

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

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

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

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

★ LOCAL GOVERNMENT

'Piggybacking' road projects

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

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

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

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

“Most of these rural areas, you’re lucky if you can get one contractor to put out a bid anyhow,” said Kent Sulem, attorney with the Minnesota Association of Townships. “This just really does help save taxpayer dollars.”

METRO AFFAIRS

Increasing MAC oversight

A bill to increase legislative oversight of the Metropolitan Airports Commission (MAC) was approved by a House committee March 8.

[HF2553](#), sponsored by [Rep. Paul Thissen](#) (DFL-Mpls), was approved by the [House Local Government Committee](#) and referred to the [House Governmental Operations and Veterans Affairs Committee](#). It has no Senate companion.

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

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

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

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

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

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

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

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

RECREATION

Reduced park fees

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

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

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

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

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

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

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

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

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

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

TECHNOLOGY

Funding waste recovery technologies

Waste used to be waste; now, it is a resource, and two bills considered March 2 by the

[House Agriculture, Environment and Natural Resources Finance Committee](#) would partially fund the recovery of varying amounts of that resource.

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

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

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

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

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

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

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

TRANSPORTATION

Craning around changes

A [Department of Transportation](#) housekeeping bill with simple intentions became controversial over exemptions for department crane operators that were included and eventually removed March 8 by

the [House Transportation Committee](#).

[HF3203](#), sponsored by [Rep. Connie Ruth](#) (R-Owatonna), would include:

- maintaining a screening board set to expire June 30, 2006, to advise the transportation commissioner on county state-aid projects,
- establishing a minimum age of 18 for drivers of motor vehicles with a gross weight of 10,000 pounds or less, and not transporting hazardous material other than those that protect the health and safety of the operator or passengers, support the operations or maintenance of the motor vehicle, or that support the principle business other than transportation of a private motor carrier; and
- removing the requirement that aeronautics rules be mailed to all airports and air schools.

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

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

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

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

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

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

Reporting transparency or duplication

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

Sponsored by Simon, [HF2380](#) would require the transportation commissioner to issue a report by Jan. 15 of each year detailing major highway projects costing at least \$5 million slotted for the next 15 years, and those

equaling 100 percent of the total construction budget of a district in the year in which the report is made or any of the previous five years.

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

For each major project the bill would require:

[Rep. Mary Liz Holberg](#) (R-Lakeville) said she's "much more interested in paying for asphalt and cement," than the costs of duplicating information the department already has or distributes.

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

Betsy Parker, director of the department's [Government Affairs Division](#), said that although many of the bill's requirements are now available in various areas, the bill would require extracting material from a

diverse information database and collecting information from current publications such as the State Transportation Improvement Plan.

VETERANS



Veterans projects

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

Sponsored by [Rep. Bud Nornes](#) (R-Fergus Falls), [HF3103](#) seeks \$35.09 million for five projects. [HF2825](#), sponsored by [Rep. Denny McNamara](#) (R-Hastings), seeks \$6.95 million to construct 30 efficiency apartments for single adults at the Hastings Veterans Home. Neither has a Senate companion.

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

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

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

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

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

[Gov. Tim Pawlenty](#) has recommended \$15 million in veterans bonding: \$6 million for asset preservation; \$5.3 million for a dining/kitchen renovation and capacity addition at the Minneapolis home; a \$2.5 million emergency power upgrade at the Minneapolis campus; and \$600,000 each for the Fergus Falls special care unit and to cover the remaining cost of a nursing care addition at the Laverne facility.

LATE ACTION



PHOTO BY ANDREW VONBANK

Merrilee Carlson, whose son, Sgt. Michael Carlson was killed in Iraq in 2005, testified before the House Public Safety Policy and Finance Committee March 3 in support of a bill that would regulate protests at funerals. She was also in the House Gallery March 9 as the bill was approved 133-0 by the House. Sponsored by Rep. Steve Smith (R-Mound), HF2985 now goes to the Senate where Sen. Don Betzold (DFL-Fridley) is the sponsor.

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State of innovation

Pawlenty emphasizes Minnesota's role as an innovator

By BAO ONG

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 a nearly \$1 billion surplus. However, he said there is more to do.

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

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

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

He offered Benson, Minn., as a model.

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

Benson also started burning corn stalks and husks as biomass energy to replace natural gas and is building an energy plant that creates



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty cited Benson, Minn., as a model of innovation during his State of the State address.

electricity from turkey droppings. "With over 46 million turkeys, Minnesota has a lot of droppings," Pawlenty joked.

Although Pawlenty said technology was

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

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

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

- Education- Pawlenty urged legislators to pass his early childhood education funding increase and to require that at least 70 percent of school funding be spent in classrooms. More resources would be placed on emphasizing academic rigor, especially for math and science. Pawlenty also asked for \$7 million in financial incentives for at least 10 school districts to implement Advanced Placement and

International Baccalaureate programs for the first time.

- Health care- The working poor don't tend to carry health insurance. Insurance compa-



PHOTO BY TOM OLMSCHIED

Gov. Tim Pawlenty, center, talks with Rep. Barb Goodwin as he enters the House Chamber March 9 to present his State of the State address to a joint session of the Legislature.

nies and health maintenance organizations (HMOs) should better market affordable plans, Pawlenty said. He added there should be a focus on chronic conditions like childhood obesity and diabetes, which would not only save lives, but reduce costs for health insurance carriers. Pawlenty also proposed a \$12 million program to help small health care providers make the switch to electronic medical records. "We need to help health care administration enter the 21st century," Pawlenty said. Preparing for a possible bird flu pandemic was also on his list.

- **Natural resources-** Besides recent reform efforts to the governance of the great outdoors and Environmental Trust Fund, Pawlenty asked for funding of a long-term, statewide strategic plan for conservation. Additionally, he wants a constitutional amendment dedicating funds for conservation and clean water. Pawlenty also has a proposal to reduce mercury emissions in the air and water — a threat to younger children — by 90 percent. Pawlenty said

Minnesota should have a goal that 25 percent of all types of energy used will come from renewable sources by 2025.

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

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

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

House Minority Leader Matt Entenza (DFL-St. Paul) said Pawlenty "put forth a

paltry laundry list." He held up a \$1 bill — as Pawlenty did during his first State of the State address in 2003 when a Northfield woman sent him a \$1 bill to pay off the deficit — and said, "The governor raised taxes by \$1 billion."

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

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

Both Entenza and Johnson said they hope the governor will bring both parties together during the short session. Johnson added Minnesota is a good state to live in but can still improve. 🙏

Frontier trails to multi-lane highways

Old days of sweat-equity now replaced with complicated funding formulas

By PATTY JANOVEC

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.



Photographer Hibbard Studio, photo courtesy of the Minnesota Historical Society

Workers grade Superior Boulevard in Hennepin County in 1921.

Dividing the money

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

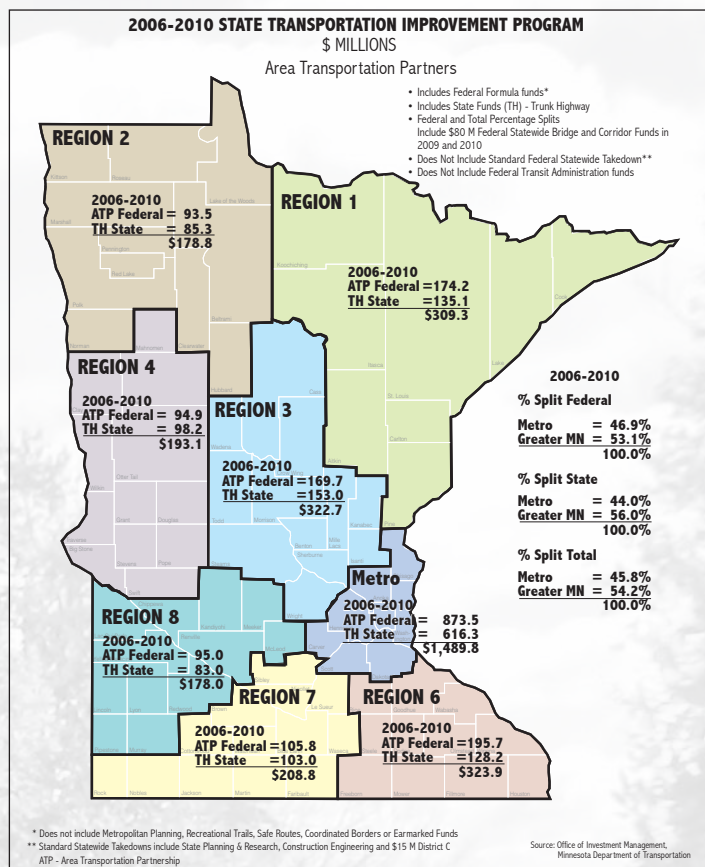
Three of the areas comprise 95 percent of the fund: the Trunk Highway Fund, the County-State Aid Highway Fund, and the Municipal State-Aid Street Fund. Within those total dollars, funding for each is broken up as follows:

- 62 percent of Trunk Highway funds are constitutionally set for trunk highway purposes only. According to the nonpartisan House Research department, the money can be used for highway construction, including contracts, administration, engineering, research and purchase of right-of-way; State Patrol law enforcement; operations and maintenance

of buildings and storage sheds around the state; and debt service, including repayment of bonds and advances made by local units of government.

- The 29 percent designated for County State-Aid Highways is divided in several ways, with 10 percent equally divided among counties; 10 percent distributed according to the total registered motor vehicles per county; 30 percent distributed based on total lane-miles of state-aid highways per county; and 50 percent based on needs in order to bring county roads up to state standards.
- The remaining 9 percent is Municipal State-Aid Street funds allocated to cities with populations of more than 5,000 and the grandfathered city of Chisholm. Money is also distributed by formula, with 50 percent

In the mid-1800s, all males in the state, ages 21-50, were required to spend two days a year helping build local roads.



Map courtesy of the Minnesota Department of Transportation

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

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

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

Making it onto the project list

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

There are a number of ways to get involved, said Brad Larsen, federal relations manager with the [department's Office of Government Affairs](#).

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

Each district determines which projects receive funding through a list of criteria. It also works with area transportation partnerships to determine the best division of state and federal

money. The partnerships are MnDOT's attempt to decentralize federal road funding decisions, and membership includes representatives from county, city and state levels.

Project pressure points

The department's Metro District represents eight counties and 156 cities.

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

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

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

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

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

Looking to the future

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

Swanson said unless voters approve the Motor Vehicle Sales Tax constitutional amendment on the 2006 ballot, there are "a lot of things we won't be doing."

The amendment passed by the 2005 Legislature would allocate all the money to transportation and the General Fund by 2012. Although the governor vetoed the measure, putting a constitutional amendment question to voters does not require gubernatorial approval.

Currently, the money is divided among several areas including the Highway User Tax Distribution Fund, the Metropolitan Council and MnDOT.



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

Street paving in Kerkhoven, Minn., in 1925.

Choosing to fill

House committee approves pharmacists' right of refusal

By BAO ONG

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

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

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

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

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

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

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

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

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

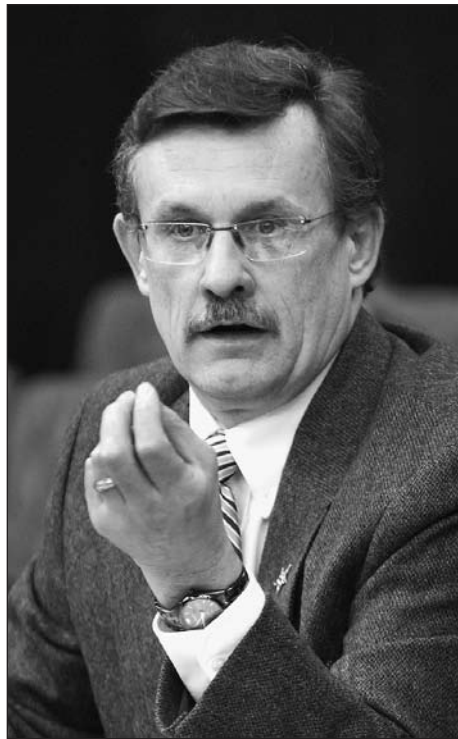


PHOTO BY ANDREW VONBANK

Michael Barrett, a pharmacist with Long Prairie Memorial Hospital and Home, testifies March 8 before the House Health Policy and Finance Committee in support of a bill that would allow pharmacists to refuse to dispense a drug or device on ethical, moral or religious grounds.

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

"It is the duty of pharmacists to fill prescriptions."

—Erin Matson, president of the Minnesota National Organization for Women

[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

"It's a balanced approach that addresses the needs of the patient and the needs of the pharmacist, personally and professionally,"

— Todd Sorenson, president-elect of the Minnesota Pharmacists Association

the bill. He said patients denied prescriptions today already go to other pharmacies or sources.


Todd Sorenson, president-elect of the Minnesota Pharmacists Association, said the bill would be a proactive step. "It's a balanced approach that addresses the needs of the patient and the needs of the pharmacist, personally and professionally," said Sorenson. "This issue, for the pharmacists association, is not about abortion. It's about balancing values and balancing access."

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

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

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

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

A companion bill, [SF2647](#), sponsored by [Sen. Sheila Kiscaden](#) (DFL-Rochester), awaits action by the [Senate Health and Family Security Committee](#). 

Preserving the past

Ford Building reflects avenue's history as 'car row'

By LEE ANN SCHUTZ

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

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

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

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

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

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

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

In an historical overview to the Legislature, McMahon writes of how this building set the tone for University Avenue, making it "car row," where, in the days before Interstate 94, every car manufacturer had a

dealership. "It is a very important artifact of the history of the corridor."

Over the years, the building has served several uses. The state took ownership in 1952, housing some state agencies and boards there. It was mothballed three years ago for safety



Photo courtesy of University UNITED

The Ford Building is one of 18 of similar design built by the Ford Motor Company in the U.S. Because of its historical significance, it is eligible for placement on the National Register of Historic Places.

reasons, and the cost to repair the structure left some encouraging demolition.

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

Instead of demolition, the task force recommends that the building should be maintained at its current status until

plans can be developed for its use.

The [Department of Administration](#) pays about \$25,000 a year for minimal

maintenance of the building. But to address some deterioration of the exterior brickwork, the department spent \$79,000 for repairs last year.

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

If a proposal to restore the State Capitol receives the necessary funding, the Ford Building could provide temporary offices for senators and staff who would need to be relocated during the work. It would be a good location, especially since it is already connected to the Capitol Complex tunnel system, Rhodes said.

[Rep. Phyllis Kahn](#) (DFL-Mpls), a member of the working group, agrees.

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

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

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

The task force report is expected to be heard by the [House State Government Finance Committee](#).

Wednesday, March 8

HF3143-Lesch (DFL)

Jobs & Economic Opportunity Policy & Finance

Large employer health cost payments required.

HF3144-Bradley (R)

Health Policy & Finance

Assisted living services requirements established, procedures specified and home care provider categories modified.

HF3145-Vandever (R)

Commerce & Financial Institutions

Licensed mortgage originators and servicers required to know Minnesota lending laws and ethical lending practices.

HF3146-Mahoney (DFL)

Jobs & Economic Opportunity Policy & Finance

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

HF3147-Otremba (DFL)

Transportation Finance

Staples; highway overpass funding provided, bonds issued and money appropriated.

HF3148-Penas (R)

Agriculture, Environment & Natural Resources Finance

Kittson County; flood mitigation funding provided, bonds issued and money appropriated.

HF3149-Penas (R)

Jobs & Economic Opportunity Policy & Finance

Hallock; economic development grant provided and money appropriated.

HF3150-Penas (R)

Jobs & Economic Opportunity Policy & Finance

JOBZ zone eligibility provided for qualified businesses.

HF3151-Klinzing (R)

Education Finance

Summit Academy OIC 100 hard hats program funding provided and money appropriated.

HF3152-Charron (R)

Local Government

Washington County tax-forfeited land sale authorized.

HF3153-Finstad (R)

Health Policy & Finance

Nursing facility quarterly resident assessments required, case mix indexes for nursing facility reimbursement modified and rate adjustments provided.

HF3154-Blaine (R)

Agriculture, Environment & Natural Resources Finance

Morrison County; Highway 10 Soo Line Recreational Trail park-and-ride lot funding provided, bonds issued and money appropriated.

HF3155-Blaine (R)

Agriculture, Environment & Natural Resources Finance

Morrison County; Soo Line Recreational Trail at Bowlus trail's head warming house funding provided, bonds issued and money appropriated.

HF3156-Blaine (R)

Agriculture, Environment & Natural Resources Finance

Little Falls Zoo improvements funding provided, bonds issued and money appropriated.

HF3157-Blaine (R)

Jobs & Economic Opportunity Policy & Finance

Royalton; wastewater treatment holding pond funding provided, bonds issued and money appropriated.

HF3158-Sykora (R)

Civil Law & Elections

Supervised visitation advisory committee established, marriage dissolution fees adjusted to fund parenting time centers and money appropriated.

HF3159-Ellison (DFL)

Agriculture & Rural Development

Pesticide application notice required.

HF3160-Ellison (DFL)

Rules & Legislative Administration

Congress urged by resolution to reauthorize the Voting Rights Act of 1965.

HF3161-Bradley (R)

Health Policy & Finance

Human services rate adjustments clarified.

HF3162-Finstad (R)

Health Policy & Finance

Home and community-based waived services program county funding new allocation methodology delayed.

HF3163-Dorman (R)

Agriculture, Environment & Natural Resources Finance

Austin, Albert Lea, and Shell Rock Watershed District flood mitigation grants provided; bonds issued and money appropriated.

HF3164-Beard (R)

Civil Law & Elections

Food and beverage public officials' gift ban modified.

HF3165-Ozment (R)

Agriculture, Environment & Natural Resources Finance

Minnesota Zoological Garden funding provided, bonds issued and money appropriated.

HF3166-Davids (R)

Commerce & Financial Institutions

Interstate Insurance Product Regulation Compact enacted.

HF3167-Davids (R)

Taxes

Property tax payment required before recording deeds or other conveyances on certain types of property.

HF3168-Davids (R)

Regulated Industries

Soy-based transformer fluid tax refund provided for electric utilities and money appropriated.

HF3169-Seifert (R)

Local Government

Local government units prohibited from imposing fees related to students at postsecondary institutions.

HF3170-Seifert (R)

Civil Law & Elections

Fairness in Restitution for Victims and Judgment Creditors Act adopted allowing certain recoveries.

HF3171-Klinzing (R)

Health Policy & Finance

Parents authorized to obtain a clean certified copy of a deceased child's birth record under certain circumstances.

HF3172-Penas (R)

Jobs & Economic Opportunity Policy & Finance

Affirmative-business enterprise employment provided.

HF3173-Cox (R)

Transportation Finance

Motor vehicle sales tax revenues reallocated.

HF3174-Seifert (R)

Governmental Operations & Veterans Affairs

Recipients of state grants and appropriations required to disclose salaries of certain employees.

HF3175-Liebling (DFL)

Education Finance

School districts authorized to include energy efficiency improvement projects in alternative facilities plans.

HF3176-Smith (R)

Agriculture, Environment & Natural Resources Finance

Minnehaha Creek Watershed District funding provided, bonds issued and money appropriated.

HF3177-Olson (R)

Health Policy & Finance

County liability for reimbursement of cost-of-care treatment reduced.

HF3178-Emmer (R)

Education Policy & Reform

Teachers charged with felonies subject to suspension without pay.

HF3179-Buesgens (R)

Education Policy & Reform

General education revenue, education excellence, special programs, nutrition and accounting, self-sufficiency and lifelong learning provided; and money appropriated.

HF3180-Hortman (DFL)

Environment & Natural Resources

Fluorescent and high intensity discharge lamps proper disposal, labeling and notices required.

HF3181-Peterson, N. (R)

Higher Education Finance

Normandale Community College funding provided, bonds issued and money appropriated.

HF3182-Jaros (DFL)

Public Safety Policy & Finance

Cell phone use prohibited while operating a motor vehicle.

HF3183-Hortman (DFL)

Environment & Natural Resources

Fluorescent lamps containing mercury; disclosure required regarding disposal of lamps containing mercury.

HF3184-Pelowski (DFL)

Taxes

Winona sales tax additional revenue use authorized.

HF3185-Mahoney (DFL)

Commerce & Financial Institutions

Bioprocess piping and equipment data classified as nonpublic, and bioprocess piping included in the definition of high pressure piping.

HF3186-Jaros (DFL)

Taxes

Duluth Heritage Sports Center construction materials sales tax exemption provided.

HF3187-Peppin (R)

Governmental Operations & Veterans Affairs

Per diem payments to legislators prohibited during certain special sessions.

HF3188-Jaros (DFL)

Local Government

Iron Range; new local government system meeting requested.

HF3189-DeLaForest (R)**Taxes**

Capital equipment upfront sales tax exemption provided.

HF3190-Dill (DFL)**Environment & Natural Resources**

St. Louis County; tax-forfeited land sale authorized and prior authorized public sale terms modified.

HF3191-Thissen (DFL)**Local Government**

Metropolitan Airports Commission included in the oversight responsibilities of the Legislative Commission on Metropolitan Government.

HF3192-Erickson (R)**Education Policy & Reform**

Qualified teachers granted licensure in additional subject areas.

HF3193-Entenza (DFL)**Governmental Operations & Veterans Affairs**

State employees compensated for time they were not able to work due to the 2005 partial government shutdown.

HF3194-Westerberg (R)**Regulated Industries**

Lawful gambling clarifying, conforming and technical changes provided; and expenditure restriction requirements modified.

HF3195-Hilstrom (DFL)**Civil Law & Elections**

Sexual harassment claims statute of limitations suspended while employer investigations are pending.

HF3196-Wagenius (DFL)**Governmental Operations & Veterans Affairs**

Legislative Water Commission established.

HF3197-Smith (R)**Public Safety Policy & Finance**

Domestic fatality review team pilot project in the fourth judicial district extended.

HF3198-Smith (R)**Public Safety Policy & Finance**

Crime and drug abuse prevention media campaign funding provided and money appropriated.

HF3199-Hackbarth (R)**Environment & Natural Resources**

Horse trail pass provided and money appropriated.

HF3200-Hackbarth (R)**Environment & Natural Resources**

Natural resources contract, grant, licensing, invasive species, state trail descriptions, water use surcharge and water aeration safety provisions modified.

HF3201-Beard (R)**Transportation**

Salvage certificate of title modified, vehicle dismantle or destruction notice required and definition of "motorized foot scooter" modified.

HF3202-Westerberg (R)**Transportation**

State land conveyed and state highway system routes removed.

HF3203-Ruth (R)**Transportation**

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

HF3204-Clark (DFL)**Jobs & Economic Opportunity Policy & Finance**

Runaway and Homeless Youth Act and out-of-school youth program pilot project established, report required and money appropriated.

HF3205-Clark (DFL)**Public Safety Policy & Finance**

Registered predatory offender attendance of chemical abuse treatment groups including members of the same gender as their victims prohibited.

HF3206-Soderstrom (R)**Jobs & Economic Opportunity Policy & Finance**

Mora; recreational trail design bonds issued and money appropriated.

HF3207-Davnie (DFL)**Transportation Finance**

Motor vehicle rental tax and fee exemptions provided.

HF3208-Urdahl (R)**Health Policy & Finance**

Day training and habilitation provider rate reimbursement increased.

HF3209-Loeffler (DFL)**Education Finance**

Voluntary full-day kindergarten and pre-kindergarten school readiness services for certain 4-year-old students authorized.

HF3210-Loeffler (DFL)**Education Finance**

Extended time program eligibility for 4-year-old students provided.

HF3211-Erickson (R)**Regulated Industries**

Horse racing breeders' fund apportionments modified.

HF3212-Vandever (R)**Health Policy & Finance**

Licensed residential program requirements modified.

HF3213-Vandever (R)**Health Policy & Finance**

Expanded health care practices for health care professionals authorized.

HF3214-Beard (R)**Transportation**

Department of Transportation towing authority within metropolitan district granted.

HF3215-Erickson (R)**Regulated Industries**

Video lottery terminals established; state lottery director duties and powers expanded; use of video lottery revenues clarified; lawful gambling taxes modified and conforming changes provided.

HF3216-Olson (R)**Agriculture, Environment & Natural Resources Finance**

Great River Woodland Trail bonds issued and money appropriated.

HF3217-Hansen (DFL)**Jobs & Economic Opportunity Policy & Finance**

Paid organ donation leave for certain public employees provided.

HF3218-Samuelson (R)**Health Policy & Finance**

Tanning facilities regulated.

HF3219-McNamara (R)**Transportation**

Gold Star Family license plates created for family members of military personnel who have died in active military service, and motor vehicle registration fee exemption provided.

HF3220-Larson (DFL)**Governmental Operations & Veterans Affairs**

Persian Gulf War, Operation Enduring Freedom and Operation Iraqi Freedom veteran health protected.

HF3221-Goodwin (DFL)**Transportation**

Comparison of state employee performance cost with privatization contract cost required before entering into privatization transportation contract, privatization cost savings minimum specified and report required.

HF3222-Abeler (R)**Health Policy & Finance**

Human services federal fund replacement money appropriated.

HF3223-Dorman (R)**Education Policy & Reform**

Increased school district heating and transportation fuel cost grant money appropriated.

HF3224-Otremba (DFL)

Environment & Natural Resources
Snowmobile state trail sticker requirement for landowners exemption provided.

HF3225-Tingelstad (R)**Rules & Legislative Administration**

President and Congress memorialized by resolution to rename the Rochester Veterans Outpatient Clinic the Corporal Chuck Lindberg Clinic.

HF3226-Charron (R)**Jobs & Economic Opportunity Policy & Finance**

Film production tax credit provided and money appropriated.

HF3227-Kelliher (DFL)**Taxes**

Household income definition in relation to property tax refunds modified.

HF3228-Kelliher (DFL)**Regulated Industries**

Liquor advertisement within a school zone prohibited.

HF3229-Otremba (DFL)**Health Policy & Finance**

Nursing home payment rates modified.

HF3230-Meslow (R)**Education Finance**

School district technology funding increased and money appropriated.

HF3231-Sykora (R)**Education Finance**

Operating capital levy reduced and operating capital equalizing factor restored.

HF3232-Charron (R)**Education Finance**

Cost factor and wage rate difference in school districts examination required.

HF3233-Anderson, B. (R)**Agriculture, Environment & Natural Resources Finance**

Wright County; regional park bonds issued and money appropriated.

HF3234-Hortman (DFL)**Civil Law & Elections**

Motor vehicle donation one-year lien imposition by nonprofit charitable organizations authorized.

HF3235-Peppin (R)**Public Safety Policy & Finance**

Vulnerable adult criminal neglect penalties created.

HF3236-Hortman (DFL)**Education Finance**

Reestablishing funding for hazardous transportation

HF3237-Peppin (R)**Education Policy & Reform**

Independent School District No. 728, Elk River, election to form two school districts authorized.

HF3238-Holberg (R)
Civil Law & Elections

Telephone records unlawful conduct crime established and criminal penalties imposed.

HF3239-Simon (DFL)
Governmental Operations & Veterans Affairs

Mediation for state legislators required when major budget bills have not been enacted.

HF3240-Brod (R)
Civil Law & Elections

Liquefied petroleum gas actions against certain sales and deliveries limited.

HF3241-Erickson (R)
Governmental Operations & Veterans Affairs

Final passage of bill or conference report on the day it is received by a body prohibited and certain exceptions provided.

HF3242-Nelson, P. (R)
Regulated Industries

Hydrogen sale sales tax exemption relating to internal combustion engines or fuel cells provided.

HF3243-Wardlow (R)
Governmental Operations & Veterans Affairs

Protections for persons ordered into active military service provided.

HF3244-Tingelstad (R)
Public Safety Policy & Finance

Trafficking data analysis and usage by public safety commissioner required; policy establishment to assist trafficking victims required; human trafficking task force and trafficking coordinator position created and penalties enhanced.

HF3245-Haws (DFL)
Education Policy & Reform

Teacher hire and dismissal requirements for school board members clarified.

HF3246-Simon (DFL)
Public Safety Policy & Finance

Attorney general money appropriated.

HF3247-Howes (R)
Education Finance

Safe schools revenue minimum for small school districts established.

HF3248-Wardlow (R)
Governmental Operations & Veterans Affairs

State park admission fees for military personnel on leave waived.

HF3249-Wardlow (R)
Governmental Operations & Veterans Affairs

Lifetime state park entrance permits for certain veterans of the global war on terror provided and money appropriated.

HF3250-Wardlow (R)
Education Policy & Reform

Rigorous course of study definition clarified.

HF3251-Hausman (DFL)
Transportation Finance

St. Paul Union Depot bonds issued and money appropriated.

HF3252-Seifert (R)
Higher Education Finance

Postsecondary courses offered in secondary schools agreement requirements clarified.

HF3253-Hackbarth (R)
Regulated Industries

Bar bingo and pull-tab game requirements modified.

HF3254-Hackbarth (R)
Regulated Industries

Sports-themed tipboard game pilot project authorized.

HF3255-Wilkin (R)
Health Policy & Finance

Minnesota Starvation and Dehydration of Persons with Disabilities Prevention Act established.

HF3256-Davids (R)
Jobs & Economic Opportunity Policy & Finance

Bioscience development in Greater Minnesota bonds issued and money appropriated.

HF3257-Mariani (DFL)
Education Finance

Pre-kindergarten program funding restored in certain cases.

HF3258-Brod (R)
Health Policy & Finance

Reporting on notification required before an abortion is performed on a minor or certain other women required and civil penalties provided.

HF3259-Slawik (DFL)
Jobs & Economic Opportunity Policy & Finance

Child care assistance eligibility requirements modified, sliding fee child care schedule established, reimbursement rates for child care providers modified, provider rate differential established and money appropriated.

HF3260-Sertich (DFL)
Education Policy & Reform

Health and physical education requirements provided.

HF3261-Hilstrom (DFL)
Regulated Industries

Customer call records regulated, sale of telecommunications customer call information prohibited without consent, duty to secure call information prescribed and criminal and civil penalties imposed.

HF3262-Erickson (R)
Governmental Operations & Veterans Affairs

Length of time a conference committee report must be on members' desks before it is voted upon increased.

HF3263-Kohls (R)
Local Government

Carver County recorder, auditor and treasurer offices combined and referendum provided.

Thursday, March 9

HF3264-Abeler (R)
Health Policy & Finance

Controlled substances reporting program established.

HF3265-Ellison (DFL)
Transportation

Cities of the first class authorized to allow advertising on trash and recycling receptacles placed in rights-of-way of streets and highways.

HF3266-Hornstein (DFL)
Education Finance

Elementary and secondary class sizes reduced through voluntary incentive-based funding program and money appropriated.

HF3267-Atkins (DFL)
Transportation Finance

Inver Grove Heights; Heritage Village Park development funding provided, bonds issued and money appropriated.

HF3268-Abrams (R)
Governmental Operations & Veterans Affairs

Minnesota Biomedical Sciences Research Facilities Authority and project funding program established, fund application process provided for the University of Minnesota and bonds issued.

HF3269-Ozment (R)
Environment & Natural Resources

Natural and cultural resource funding provided through dedicated sales tax portion; arts and humanities fund, heritage enhancement fund and other funds and councils established; and constitutional amendment proposed.

HF3270-Davids (R)
Higher Education Finance

University of Minnesota Veterinary Diagnostic Laboratory building addition funding provided, bonds issued and money appropriated.

HF3271-Atkins (DFL)
Commerce & Financial Institutions

Barbers and barbering schools regulation modified.

HF3272-Hoppe (R)
Agriculture, Environment & Natural Resources Finance

Metropolitan greenways program and natural area protection funding provided, bonds issued and money appropriated.

HF3273-Davids (R)
Agriculture & Rural Development

Soy-based transformer fluid conversion allowance program established and money appropriated.

HF3274-Simpson (R)
Local Government

Commercial advertising regulation limited.

HF3275-Brod (R)
Regulated Industries

New Prague Gold Club liquor license authorized.

HF3276-Nelson, P. (R)
Transportation

Impounded vehicle contents retrieval regulation and notices provided.

HF3277-Nelson, P. (R)
Jobs & Economic Opportunity Policy & Finance

Askov; wastewater treatment facility funding provided, bonds issued and money appropriated.

HF3278-Lanning (R)
Public Safety Policy & Finance

Procedures modified for community notification for out-of-state sex offenders.

HF3279-Powell (R)
Health Policy & Finance

Psychiatric consultation definition modified to include psychologists.

HF3280-Demmer (R)
Education Policy & Reform

School boards authorized to unilaterally contract for district services.

HF3281-Carlson (DFL)
Commerce & Financial Institutions

Dependent health coverage time limit for students extended to compensate for time spent in active military service in the reserves or National Guard.

HF3282-Davids (R)
Civil Law & Elections

Liens for storage charges on certain motor vehicles regulated.

HF3283-Abeler (R)
Health Policy & Finance

Qualified long-term care insurance regulatory changes provided and long-term care partnership program requirements modified.

HF3284-Wardlow (R)
Local Government

Towns prohibited from assessing certain fees in an annexation proceeding.

HF3285-Holberg (R)**Local Government**

Metropolitan Council review of school district capital improvement programs requirement repealed.

HF3286-Westerberg (R)**Environment & Natural Resources**

All-terrain vehicle permits authorized for use on public trails when vehicle is used to transport disabled passengers.

HF3287-Beard (R)**Transportation**

State airports fund reimbursement accelerated.

HF3288-Holberg (R)**Public Safety Policy & Finance**

Statewide Radio Board membership expanded to include Metropolitan Council chair or designee.

HF3289-Abeler (R)**Local Government**

Ramsey; port authority powers granted.

HF3290-Vandever (R)**Health Policy & Finance**

Health impact fee repealed.

HF3291-Vandever (R)**State Government Finance**

Minnesota Peace Officers Memorial repairs provided, bonds issued and money appropriated.

HF3292-Vandever (R)**Taxes**

Delinquent property tax interest rate modified.

HF3293-Vandever (R)**Civil Law & Elections**

Eminent domain; definition of public use provided.

HF3294-Greiling (DFL)**Jobs & Economic Opportunity Policy & Finance**

Mandatory retirement prohibited.

HF3295-Westerberg (R)**Education Finance**

Hazardous pupil transportation levy reestablished.

HF3296-Greiling (DFL)**Education Finance**

Independent School District No. 623, Roseville, fund transfer authorized.

HF3297-Hortman (DFL)**Education Policy & Reform**

Public residential high school established for science, math and technology.

HF3298-Anderson, B. (R)**Public Safety Policy & Finance**

Drug paraphernalia crime modified, possession of certain items associated with controlled substances prohibited and criminal penalties imposed.

HF3299-Powell (R)**Public Safety Policy & Finance**

Secondary public safety answering points added to 911 emergency communication system.

HF3300-Peterson, N. (R)**Local Government**

Municipal and county planning and zoning provisions modified, and interim ordinance standards provided.

HF3301-Huntley (DFL)**Health Policy & Finance**

Family planning special projects grants reduction repealed.

HF3302-Brod (R)**Local Government**

Municipal and county planning and zoning provisions modified.

HF3303-Huntley (DFL)**Health Policy & Finance**

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

HF3304-Soderstrom (R)**Education Finance**

Debt service equalization aid and referendum equalization aid program factors increased and indexed.

HF3305-Magnus (R)**Agriculture, Environment & Natural Resources Finance**

Minnesota River Basic Area II flood-water retention systems funding provided, bonds issued and money appropriated.

HF3306-Soderstrom (R)**Public Safety Policy & Finance**

Equal protection provided for male and female victims of domestic abuse.

HF3307-Erickson (R)**Education Policy & Reform**

Teaching standards of effective practice expanded to include technology and information literacy standards.

HF3308-Smith (R)**Public Safety Policy & Finance**

Immigration, human trafficking, drivers' license and identification, and sanctuary cities regulation and enforcement provided; and money appropriated.

HF3309-Nelson, P. (R)**Environment & Natural Resources**

Chisago County tax-forfeited land sale authorized.

HF3310-Cornish (R)**Governmental Operations & Veterans Affairs**

Advance deposits and payments authorized for boat slip rental.

HF3311-Gazelka (R)**Taxes**

Pequot Lakes; sales tax authorized to pay city share of Trunk Highway 371 improvements and local bonds issued.

HF3312-Holberg (R)**Transportation**

Commercial driver's license revocation provision federal conformity provided, and definitions and driver's license content modified.

HF3313-Howes (R)**Jobs & Economic Opportunity Policy & Finance**

Wastewater infrastructure funding provided, bonds issued and money appropriated.

HF3314-Samuelson (R)**Health Policy & Finance**

Temporary energy assistance grants provided for nursing facilities.

HF3315-Samuelson (R)**Health Policy & Finance**

Nursing facilities authorized to receive reimbursement for sprinkler system projects or compliance with Life Safety Code Standards.

HF3316-Ellison (DFL)**Health Policy & Finance**

Lead poisoning child screening provided.

HF3317-Ellison (DFL)**Health Policy & Finance**

Elevated blood lead level prevention program established and money appropriated.

HF3318-Nelson, P. (R)**Transportation Finance**

Rush Line Corridor parking lots funding provided, bonds issued and money appropriated.

HF3319-Holberg (R)**Jobs & Economic Opportunity Policy & Finance**

Employee right to access personnel records notification required.

HF3320-Paymar (DFL)**Public Safety Policy & Finance**

Ramsey County; safe harbor for sexually exploited youth pilot project established and money appropriated.

HF3321-Erickson (R)**Public Safety Policy & Finance**

Mille Lacs band police powers amended.

HF3322-Hoppe (R)**Regulated Industries**

Municipal on-sale liquor sales restrictions clarified.

HF3323-Cox (R)**Education Finance**

General education basic formula allowance increased and money appropriated.

HF3324-Gazelka (R)**Taxes**

Baxter, Brainerd and Nisswa sales tax authorized, bonds issued and revenue use specified.

HF3325-Erickson (R)**Governmental Operations & Veterans Affairs**

English designated as the official state language.

HF3326-Erickson (R)**Education Policy & Reform**

Qualified teachers granted licensure in additional subject areas.

HF3327-Gunther (R)**Public Safety Policy & Finance**

Criminal background checks authorized for organizations providing mentoring services.

HF3328-Haws (DFL)**Higher Education Finance**

National Hockey Center renovation funding provided, bonds issued and money appropriated.

HF3329-Haws (DFL)**Public Safety Policy & Finance**

County booking fee increase authorized.

HF3330-Emmer (R)**Public Safety Policy & Finance**

Attorney general's power of investigation modified.

HF3331-Bernardy (DFL)**Jobs & Economic Opportunity Policy & Finance**

Mounds View; previous capital improvements appropriations modified to provide grants to Ramsey and Anoka counties.

HF3332-Greiling (DFL)**Education Policy & Reform**

School performance report cards required to indicate the cut scores and corresponding percentages of items students must answer correctly at set performance levels.

HF3333-Jaros (DFL)**Taxes**

Duluth food and beverage tax increase authorized.

HF3334-Erickson (R)**Education Policy & Reform**

Teacher preparation program report card established for colleges and universities.

HF3335-Nornes (R)**Ways and Means**

Fergus Falls interfund loans retirement funding provided and money appropriated.

HF3336-Lanning (R)**Public Safety Policy & Finance**

Alcohol without liquid devices prohibited.

2006 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R)	509	1729	53A Krinkie, Philip (R)	365	2907
43B Abrams, Ron (R)	585	9934	9A Lanning, Morrie (R)	593	5515
19A Anderson, Bruce (R)	437	5063	63B Larson, Dan (DFL)	287	7158
3A Anderson, Irv (DFL)	321	4936	44B Latz, Ron (DFL)	225	7026
39B Atkins, Joe (DFL)	217	4192	40B Lenczewski, Ann (DFL)	237	4218
35A Beard, Michael (R)	577	8872	66A Lesch, John (DFL)	223	4224
51B Bernardy, Connie (DFL)	233	5510	30A Liebling, Tina (DFL)	393	0573
12B Blaine, Greg (R)	545	4247	1B Lieder, Bernie (DFL)	323	5091
29B Bradley, Fran (R)	563	9249	55A Lillie, Leon (DFL)	353	1188
25A Brod, Laura (R)	581	4229	59A Loeffler, Diane (DFL)	307	4219
35B Buesgens, Mark (R)	445	5185	22A Magnus, Doug (R)	515	5505
45B Carlson, Lyndon (DFL)	283	4255	67A Mahoney, Tim (DFL)	289	4277
56A Charron, Mike (R)	571	4244	65B Mariani, Carlos (DFL)	203	9714
61A Clark, Karen (DFL)	303	0294	9B Marquart, Paul (DFL)	345	6829
24B Cornish, Tony (R)	487	4240	57B McNamara, Denny (R)	431	3135
25B Cox, Ray (R)	413	7065	53B Meslow, Doug (R)	531	5363
37A Cybart, Lloyd (R)	539	5506	4A Moe, Frank (DFL)	369	5516
31B Davids, Gregory M. (R)	477	9278	58A Mullery, Joe (DFL)	367	4262
62A Davnie, Jim (DFL)	309	0173	6B Murphy, Mary (DFL)	343	2676
52B Dean, Matt (R)	417	3018	46A Nelson, Michael (DFL)	317	3751
49A DeLaForest, Chris (R)	503	4231	17B Nelson, Peter (R)	433	5377
29A Demmer, Randy (R)	597	9236	18A Newman, Scott (R)	569	1534
28A Dempsey, Jerry (R)	575	8635	10A Nornes, Bud (R)	471	4946
6A Dill, David (DFL)	315	2190	16B Olson, Mark (R)	501	4237
47A Dittrich, Denise (DFL)	371	5513	11B Otremba, Mary Ellen (DFL)	247	3201
27A Dorman, Dan (R)	517	8216	37B Ozment, Dennis (R)	479	4306
23B Dorn, John (DFL)	201	3248	42B Paulsen, Erik (R)	459	7449
17A Eastlund, Rob (R)	449	5364	64B Paymar, Michael (DFL)	253	4199
2A Eken, Kent (DFL)	329	9918	31A Pelowski, Jr., Gene (DFL)	295	8637
58B Ellison, Keith (DFL)	229	8659	1A Penas, Maxine (R)	579	9635
19B Emmer, Tom (R)	523	4336	32A Peppin, Joyce (R)	411	7806
64A Entenza, Matt (DFL)	267	8799	20A Peterson, Aaron (DFL)	351	4228
41A Erhardt, Ron (R)	591	4363	41B Peterson, Neil W. (R)	527	7803
16A Erickson, Sondra (R)	473	6746	45A Peterson, Sandra (DFL)	213	4176
21B Finstad, Brad (R)	379	9303	27B Poppe, Jeanne (DFL)	231	4193
26B Fritz, Patti (DFL)	239	8237	40A Powell, Duke (R)	407	4212
36B Garofalo, Pat (R)	429	1069	5A Rukavina, Tom (DFL)	279	0170
12A Gazelka, Paul (R)	529	4333	26A Ruth, Connie (R)	565	5368
50A Goodwin, Barbara (DFL)	331	4331	42A Ruud, Maria (DFL)	311	3964
54A Greiling, Mindy (DFL)	259	5387	2B Sailer, Brita (DFL)	327	4265
24A Gunther, Bob (R)	559	3240	50B Samuelson, Char (R)	415	0141
48A Hackbarth, Tom (R)	409	2439	54B Scalze, Bev (DFL)	241	7153
22B Hamilton, Rod (R)	423	5373	21A Seifert, Marty (R)	381	5374
39A Hansen, Rick (DFL)	221	6828	5B Sertich, Anthony "Tony" (DFL)	273	0172
66B Hausman, Alice (DFL)	245	3824	14A Severson, Dan (R)	553	7808
15B Haws, Larry (DFL)	277	6612	57A Sieben, Katie (DFL)	215	4342
13A Heidgerken, Bud (R)	507	4317	44A Simon, Steve (DFL)	313	9889
46B Hilstrom, Debra (DFL)	375	3709	10B Simpson, Dean (R)	525	4293
8A Hilty, Bill (DFL)	207	4308	55B Slawik, Nora (DFL)	357	7807
36A Holberg, Mary Liz (R)	443	6926	33A Smith, Steve (R)	543	9188
34B Hoppe, Joe (R)	537	5066	8B Soderstrom, Judy (R)	439	0518
60B Hornstein, Frank (DFL)	227	9281	3B Solberg, Loren (DFL)	349	2365
47B Hortman, Melissa (DFL)	377	4280	28B Sviggum, Steve (R)	463	2273
14B Hosch, Larry (DFL)	211	4373	33B Sykora, Barb (R)	485	4315
4B Howes, Larry (R)	451	2451	65A Thao, Cy (DFL)	359	5158
7A Huntley, Thomas (DFL)	335	2228	63A Thissen, Paul (DFL)	301	5375
7B Jaros, Mike (DFL)	291	4246	49B Tingelstad, Kathy (R)	403	5369
43A Johnson, Jeff (R)	401	5511	18B Urdahl, Dean (R)	521	4344
23A Johnson, Ruth (DFL)	389	8634	52A Vandever, Ray (R)	583	4124
67B Johnson, Sheldon (DFL)	243	4201	62B Wagenius, Jean (DFL)	251	4200
13B Juhnke, Al (DFL)	281	6206	61B Walker, Neva (DFL)	209	7152
59B Kahn, Phyllis (DFL)	255	4257	38B Wardlow, Lynn (R)	491	4128
60A Kelliher, Margaret Anderson (DFL)	261	0171	30B Welti, Andy (DFL)	387	4378
56B Klinzing, Karen (R)	567	1147	51A Westerberg, Andrew "Andy" (R)	549	4226
15A Knoblach, Jim (R)	453	6316	11A Westrom, Torrey (R)	533	4929
20B Koenen, Lyle (DFL)	337	4346	38A Wilkin, Tim (R)	551	3533
34A Kohls, Paul (R)	421	4282	32B Zellers, Kurt (R)	557	5502

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mem. as of Jan. 24, 2006

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

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Sources: **[Substance Abuse Treatment](#)**, Office of the Legislative Auditor, February 2006; **[Sentencing Practices, Controlled Substance Offenses: Offenders Sentenced in 2004](#)**, Minnesota Sentencing Guidelines Commission, October 2005.

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