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# SESSION Weekly

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INSIDE: TWINS AT THE PLATE, MEMBERS STEPPING DOWN, BONDING BILL BRINGS CHANGE, MORE

This Week's Bill Introductions HF4159-HF4176

# Session Weekly

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

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## CONTENTS

### HIGHLIGHTS

Agriculture • 5  
Budget • 5  
Consumers • 6  
Education • 6  
Elections • 6

Employment • 7  
Environment • 8  
Government • 9  
Local Government • 9

Recreation • 9  
Safety • 10  
Taxes • 10  
Late Action • 21

### BILL INTRODUCTIONS (HF4159-HF4176) • 23

### FEATURES

FIRST READING: Bonding bill brings “change” to small communities • 3-4

AT ISSUE: Stadium bill to the Senate • 11-14

AT ISSUE: Bill aims to increase dental care access in Greater Minnesota • 15

PEOPLE: Bradley steps down to focus on his family • 16

PEOPLE: Johnson says goodbye for the third and final time • 17

RESOURCES: A concise guide to procedural lingo used on the House floor • 18

FEATURE: Trip to Capitol an education in social studies • 19

NOTE: Former representative Brinkman dies • 20

RESOURCES: U.S. House of Representatives roster • 20

RESOURCES: Governor’s Desk • 22

RESOURCES: Frequently called numbers • 22

RESOURCES: Tracking conference committees • 23

MINNESOTA INDEX: Wind energy • 24

**On the cover: An overflow crowd estimated at more than 700 people filled the auditorium at Oak Grove Middle School in Bloomington April 20 to hear the House Taxes Committee take testimony and debate a proposed new outdoor ballpark for the Minnesota Twins. Others watched the proceedings on televisions in the school cafeteria.**

—Photo by: Tom Olmscheid

# Employment stimulant

## Bonding bills do more than fund upkeep of state facilities

By **BAO ONG**

Once the House passes a bonding bill, all members can go home, no questions asked — at least according to the tradition of dedicating the second year of a biennium to consider the bill.

What about the stadiums for the Twins, Vikings and Gophers? That can wait another year. And the U.S. Supreme Court ruling on eminent domain? Nope. And all those health and human services bills? Again, no. Legislators have no duty to approve such legislation this session. In fact, they can pass a bonding bill in the first half of the biennium, or not at all.

But once a bonding bill passes, its impact on jobs and economic development can be felt throughout the state. Whether it is the University of Minnesota requesting millions of dollars to build new research facilities or a few hundred thousand dollars to improve fish

hatcheries, bonding bills can have a significant impact on communities of all sizes.

The House's bonding bill, [HF2959](#), sponsored by [Rep. Dan Dorman](#) (R-Albert Lea), awaits conference committee action. It calls for \$949.27 million in general obligation funds, and includes money for higher education, transportation and the [Department of Natural Resources](#). The Senate bill ([SF3475](#)) is about \$40 million higher; the [governor's plan](#) is \$105 million lower.

Whichever way the dollars are divided and granted for projects, bonding bills can be particularly important for small towns. Even partial funding may mean a new building can

be built or upgrades to sewage systems can be completed.

### Putting money in local pockets

In Mora, there were two bonding requests for a 2.25-mile expansion of paved trails and another project to preserve a ski trail. Currently, there is no funding in any of the three bonding bills for the requests.

Mora City Administrator Joel Dhein said the request of about \$250,000 for both projects could result in \$175,000 going to contractors working on the projects. "It certainly helps the economy when you put money into local people's pockets," Dhein said.

One of the larger bonding requests from Greater Minnesota is in Duluth. The city has requested the state fund \$33.7 million for a new arena. Voters passed a referendum to raise the food and beverage tax to help fund the construction.

Duluth Mayor Herb Bergson said a new arena would help cut unemployment rates. It would also create 300 full-time jobs during the two-year project.

"This would be huge for a city like Duluth," said Bergson, who added the new arena enables Duluth to host larger conventions and concerts. "We stand to benefit in multiple ways."

As one of the larger cities in the state, Bergson said people in Greater Minnesota too far away from the Twin Cities metropolitan area flock to his city because it is "the next major hub." These people are seeking employment and whichever kind of assistance they can find.

However, State Economist Tom Stinson is skeptical.

"If you're expecting a short-term impact, there's not much," said Stinson, about a bonding bill's impact on Greater Minnesota communities. "The fact that the project is located in your community doesn't mean there's an immediate stimulus."

When asked about the Duluth arena, Stinson questioned Bergson's definition of "local" workers. He said if, for example, some workers were from nearby Superior,

***Whether it is the University of Minnesota requesting millions of dollars to build new research facilities or a few hundred thousand dollars to improve fish hatcheries, bonding bills can have a significant impact on communities of all sizes.***



PHOTO BY TOM OLMSCHIED

When projects are funded through the bonding bill, small and large communities can see improvements to their public infrastructure, such as in Pipestone. The 2002 capital investment bill included a \$125,000 appropriation to help with renovations to the Pipestone County Museum. Funds were used to install an elevator, making the facility handicapped-accessible.

**First Reading continued on page 4**

### First Reading continued from page 3

Wis., the money would not benefit Duluth. Supplies such as lumber, concrete, bricks and computers purchased elsewhere also do not result in economic development, Stinson notes.

#### A broader impact

According to Stinson, the economic impact is broad rather than concentrated in local communities. For example, if Duluth's arena is bigger and better, it could take events away from smaller arenas close by. But in the big picture, Minnesota is more competitive with other industries if its infrastructure is improved, Stinson said. He also adds that creating long-term employment opportunities would be a good solution to stagnant economies.

Robin Roland, Farmington acting city administrator, might agree with Stinson. The House approved one item in the bonding bill granting an \$850,000 request for infrastructure costs in Farmington.

Last year Farmington High School sued the city over a dispute about a new high school's location. However, [Rep. Pat Garofalo](#) (R-Farmington) proposed the \$850,000 request as means to settle the dispute; if the county and school can reach a consensus, they could receive funding for such infrastructure costs as sewage and water.

"The bottom line is this is to encourage the city and school to resolve their differences. It's seen as a positive move," Roland said. But that does not mean jobs will be created in the city, she noted. To the town of about 20,000 people on the cusp of major growth, Roland said the project, if completed, may just be part of the inevitable development and growth of the Twin Cities metropolitan area.


A Koochiching County Energy Facility is another bonding request project in Greater Minnesota.

As part of the Renewable Energy Clean Air Project, the facility would gasify 36,000 tons of municipal solid waste per year, or 100 tons per day, to generate synthetic gas that can be used as steam for industrial use or electricity. The

project costs \$30 million and officials seek \$10 million from the state. The House has proposed funding \$2.5 million while the governor and the Senate each recommend \$1 million.

It is a step in the right direction, said Paul Nevanen, Koochiching Economic Development Authority director, who added that the county now spends more than \$700,000 a year to transport waste to a landfill. Besides workers needed to build the facility, Nevanen said 15 to 20 new permanent jobs would be created if the project is successful.

"Of course there would be a significant impact. Any job creation is good," said Nevanen, "Anyone living in Greater Minnesota knows how difficult it can be to find well-paying jobs."

Nevanen said businesses tend to congregate around major metropolitan areas, making job development difficult for areas like Koochiching, which relies on its natural resources for revenue. Even with programs such as JOBZ, the governor's plan to stimulate the economy in Greater Minnesota, there are shortcomings. "We're 300 miles from St. Paul, but sometimes it feels like 3,000." 

### DOUBLE VISION



PHOTO BY SARAH STACKE

The reflection of the State Capitol is captured April 25 by a 1940 Ford Four-Door Deluxe. This car is owned by Fred Romo of St. Paul, who participated in the Minnesota Street Rod Association's annual visit to the Capitol.

## ★ AGRICULTURE

**Proper aquaculture planning**

Trout, catfish, walleye and other kinds of fish are hatched and raised at various sites in Minnesota. Such agriculture — called aquaculture, the fastest growing segment of agriculture worldwide — is not new to Minnesota, but [Rep. Greg Davids](#) (R-Preston) wants it to be “done right.”

“When aquaculture farms are permitted, they’re going to be permitted properly,” said Davids, whose bill, [HF4041](#) would limit water use permitting fees to aquacultural endeavors. A companion ([SF3773](#)), sponsored by [Sen. Bob Kierlin](#) (R-Winona), awaits action in the Senate Agriculture, Veterans and Gaming Committee.

Discussion of the bill is to include much more than limiting permitting fees, however, as Davids explained to the committee April 19. The discussion is expected to continue through multiple hearings. The next is scheduled for May 3.

“The discussion will also include the state of aquaculture in the state of Minnesota, what’s going on, where it’s headed, if with the current [Department of Natural Resources](#) and [Minnesota Pollution Control Agency](#) rulings, if you could even start an aquaculture farm today,” he said.

Prompting the discussion is the situation of a fishery near Spring Valley, in southeast Minnesota. Originally licensed in the mid-1940s, the site was purchased in 2002 by John Bondhus. Renovations were then undertaken to create a recreational fishing model unlike any existing in the state.

“We’re going to make this something that handicapped people could use, older people could use,” Bondhus said. But the renovations were undertaken without a water appropriation permit or a storm water permit, unintentional missteps Bondhus said he’s paid for with costly fees and fines.

After the original permit problems surfaced, Bondhus said the enterprise’s continuing difficulties with state agency actions are a concerted effort to halt the project completely.

Paul Strandberg, project manager for the [Department of Agriculture](#), said that although aquaculture is an agricultural issue, the agency’s primary duties are helping

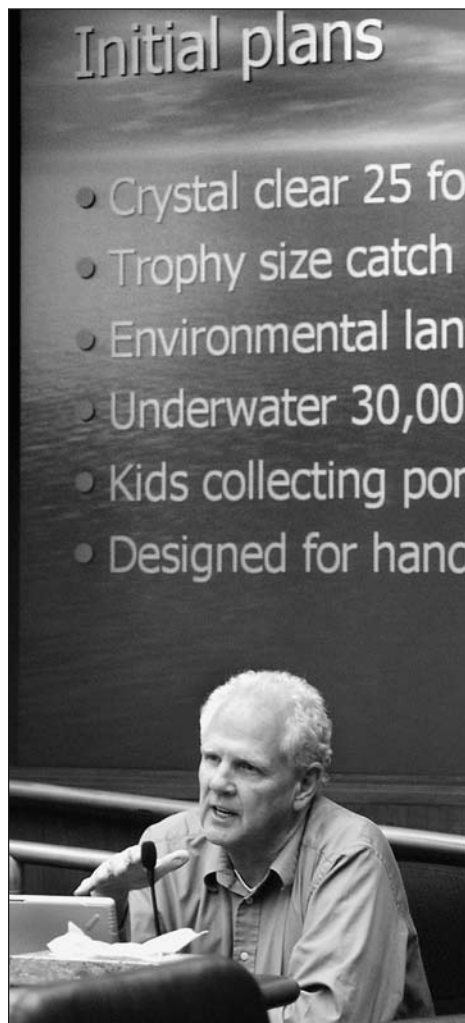


PHOTO BY ANDREW VONBANK

**John Bondhus, owner of Spring Valley Ponds in Spring Valley, testifies before the House Agriculture and Rural Development Committee April 19 in support of a bill that would limit aquaculture water use permitting fees.**

aquaculturalists market their products.

“We do not issue permits in situations like this,” he said, adding the department had no position on the bill because the DNR and the PCA issue the permits required for aquacultural endeavors.

## ★ BUDGET

**Supplemental spending bill**

The omnibus finance bills are likely shelved for the session, but some needs could still get funded through a different measure.

Approved April 26 on a voice vote by the

House Ways and Means Committee, [HF4162](#) now goes to the House floor. There is no Senate companion.

“This is the deficiency budget bill,” said [Rep. Jim Knoblach](#) (R-St. Cloud), the bill’s sponsor. “There is no policy that I am aware of that is in the bill, except to the extent it is attached to an appropriation or, in some way, deals with some money.”

The net \$88.9 million bill spends a little bit more in some areas and a little bit less in others compared to what was in a target finance resolution approved by the committee earlier this month. Knoblach said House rules indicate that if there is no omnibus bill, the money directed to that area does not apply.

Knoblach said the bill deals with items such as: deficiencies; emergency situations; where a change is needed to comply with a federal mandate; or a situation where something may not be a deficiency now, but has a good chance of becoming a deficiency of some kind in the future.

Among the items in the bill are:

- \$33.7 million for sex offender programs;
- \$31 million for the shortfall for mentally ill and dangerous people;
- \$24.8 million for the salary supplement in the [Department of Corrections](#), which is offset by about \$14.7 million in bed savings;
- \$10 million of water quality initiatives to comply with the federal Clean Water Act;
- \$7.5 million for the salary supplement in State Operated Services;
- \$5.8 million in Veterans Homes expenditures;
- \$5 million to establish a University of Minnesota branch campus in Rochester; and
- \$2.3 million in state soldiers assistance program grants.

[Rep. Jean Wagenius](#) (DFL-Mpls) said money for influenza pandemic preparedness is not enough. “The governor is recommending \$10.5 million each of the next three years, and it looks like we’re doing \$1 million a year. Scientists expect birds in the United States sometime this summer or fall that will have the flu, so I wonder what it is we’re not funding.”

There are wide ranges for what people think must be spent to be adequately prepared, said [Rep. Fran Bradley](#) (R-Rochester). “This is about as reasonable a compromise with the resources available. It certainly doesn’t mean

there is not a lot of attention. ... Hopefully we won't need to spend any of it."

Dennis Benson, deputy corrections commissioner, said much of the money allocated for corrections programs is in response to sentencing enhancements that put more people in prison. "Our daily costs for incarcerating offenders are going down," he said. "We have zero control over our growth."

## ★ CONSUMERS

### Alcohol machine could be banned

A machine, relatively new to the market, that vaporizes alcohol and is advertised to give a quicker high, would be banned in Minnesota under [HF3940](#), sponsored by [Rep. Joe Hoppe](#) (R-Chaska), and passed April 24 by the House 122-11.

The amendment to the omnibus liquor bill was presented by [Rep. Morrie Lanning](#) (R-Moorhead) as a step to address the problem of binge drinking, which contributed recently to the death of two college students in his district.

The Alcohol Without Liquid machine mixes alcohol with oxygen, creating a vapor that can be inhaled. Lanning said 12 states have banned possession or sale of the machine, with 18 others, including Minnesota, considering similar legislation.

The bill would also help Minnesota wineries become more competitive by allowing them to produce fortified wines, which by definition is any product that has alcohol or spirits added. The University of Minnesota has developed strains of grapes that can be successfully grown in this climate, and are now being exported to other parts of the world, Hoppe said. "Some of the grapes the university has developed are particularly good for making fortified wine," making Minnesota wineries more viable.

Culinary schools and retail stores selling kitchen products would benefit as well, under the bill.

The bill would allow for a limited on-sale liquor license and allow the licensee to offer up to a maximum of 6 ounces of wine or 12 ounces of intoxicating malt liquor as part of the class, for consumption on the licensed premises only.

The bill also includes a provision allowing for on-sale liquor licenses to concessionaires, caterers or restaurant operators at the Minnesota Book and Literary Arts Building; and for wine licenses to be issued to bed and breakfasts with a licensed commercial kitchen, to serve guests attending events at the facility.

[Rep. Paul Thissen](#) (DFL-Mpls) successfully offered an amendment to allow the Minneapolis City Council the ability to grant an on-sale intoxicating liquor license for a restaurant in south Minneapolis.

The bill now goes to the Senate where [Sen. Sandy Pappas](#) (DFL-St. Paul) is the sponsor.

## ★ EDUCATION

### Education bill reworked

To avoid another unsuccessful round in the House Taxes Committee, the House Education Finance Committee approved a trimmed down version of its omnibus education finance bill April 26 and sent it on to the House Rules and Legislative Administration Committee.

Sponsored by [Rep. Mark Buesgens](#) (R-Jordan), HF3179 is void of spending provisions. The policy additions compare closely to its Senate companion ([SF2994](#)), sponsored by [Sen. Steve Kelley](#) (DFL-Hopkins), which awaits action by the Senate Finance Committee.

The stripped down version contains administrative changes proposed by the Department of Education.

"There are folks who need some of the things that are in this bill. ... Whether our committee's finance bill is brought up in Taxes again, I can't be sure. We are moving forward with this bill to try and get as much done as we can," [Rep. Barb Sykora](#) (R-Excelsior), committee chair, said.

Sykora was taken by surprise one week earlier in front of the House Taxes Committee, when an amendment was successfully added to the original omnibus bill ([HF4040](#)) which would have changed how foreign operating companies are taxed as a way to buy down property taxes. This led the chair of the committee, [Rep. Phil Krinkie](#) (R-Lino Lakes), to adjourn the meeting abruptly, leaving the future of the bill in doubt.

When passed by the House Education Finance Committee April 11, the bill provided for \$117 million in property tax relief by eliminating and scaling back some levies.

The new omnibus bill would:

- create a task force to make recommendations to the Legislature on strengthening school crisis management and safety efforts, which could include preparedness training to currently licensed K-12 teachers and school administrators;
- allow school boards to charge a fee to part-time students over age 20 or high school graduates;
- add algebra and chemistry to the academic credits required for graduation; and

- include blindness in definition of disability.

While a bill isn't dead the end of the biennium, Sykora is not sure if any of the provisions in the previous omnibus bill will be added back in during a possible conference committee or be resurrected as individual bills, including:

- a \$750,000 allocation to fund a 10-year grant program for interested schools to improve the quality and student access to science, technology, engineering and mathematics instruction;
- a one-time allocation to help make the language of Mandarin available in state schools; and
- an appropriation in fiscal year 2007 to enable fourth- and eighth-grade students to participate in an international comparative math and science assessment.

## ★ ELECTIONS

### Instant runoff voting debated

The House Civil Law and Elections Committee debated whether cities should be allowed to use instant runoff elections as an alternative voting method, but took no action April 26.

[HF3909](#), sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park), would allow cities to use instant runoff voting (IRV) — also known as "ranked voting" — or other alternative voting methods for electing local officials.

In IRV, citizens rank candidates for a particular office in order of preference. According to FairVote Minnesota, a group that advocates for IRV, the process then works as follows: "First choices are counted. If no candidate receives a majority, the candidate with the fewest votes is defeated, and those votes are transferred to the next ranked candidate on each ballot. The votes are recounted. The process continues until one candidate has a majority of the votes and is declared the winner."

FairVote Minnesota Policy Advocate Bruce Kennedy said cities should have the right to experiment with alternative voting methods like IRV, which has proven effective in countries like Ireland.

"I'm not asking to force this on any city," he said.

A number of committee members expressed doubts and concerns.

[Rep. Pete Nelson](#) (R-Lindstrom) said he worried that having IRV elections for local offices and normal elections for state and federal offices would confuse citizens.

"If you're going to have a couple of different types of ballots, I don't think it's going to be a very voter-friendly system," he said.

Kennedy responded that no city would be forced to use IRV, and some cities might simply like to try it.

Minneapolis Park and Recreation Board Attorney Brian Rice said that the board had discovered a number of logistical problems with using IRV, and also said it is debatable whether IRV is constitutional.

A companion bill (SF642), sponsored by [Sen. John Marty](#) (DFL-Roseville), awaits action by the full Senate.

### Elections bill forthcoming

An omnibus elections reform bill might be on the way.

[Rep. Bill Hilty](#) (DFL-Finlayson) is the author of a delete-all amendment that would greatly expand the scope of [HF3110](#), sponsored by [Rep. Torrey Westrom](#) (R-Elbow Lake).

In its original form, the bill would have set up a legislative working group on voting machines; as amended, the bill now includes an elections reform package made up of pieces of other elections bills.

The House Civil Law and Elections Committee briefly discussed Hilty's amendment April 26 before adopting it and referring the bill to the House Rules and Legislative Administration Committee. A companion, [SF2743](#), sponsored by Sen. Pat Pariseau (R-Farmington), awaits action by the full Senate.

"We've been on-again, off-again all session as to whether we're going to have an elections bill," Committee Chair [Rep. Jeff Johnson](#) (R-Plymouth) said, adding that he expected the language of the bill to be non-controversial and agreed to by the House, Senate and Secretary of State before the bill reaches the House floor.

The amended bill now includes elements of legislation originally sponsored by a number of House members, including [Rep. Tom Emmer](#) (R-Delano), [Rep. Keith Ellison](#) (DFL-Mpls) and Hilty. Among the issues it deals with are election-day registration, absentee ballot voting, Help America Vote Act compliance, penalties for deceptive practices in elections and post-election review of voting systems.

[Rep. Chris DeLaForest](#) (R-Andover) said he was concerned about a provision of the bill that would require county attorneys to investigate allegations of election fraud within a 48-hour time period.

"Do they have the resources?" DeLaForest said.

Johnson said the section of the bill would have to be examined in greater detail later.

## READING EARLY AND OFTEN



PHOTO BY SARAH STACKE

Three students from Bethlehem Child Care Center nursery class listen to a Dr. Seuss story told by "The Cat in the Hat." Dana Scott-Hovland, Haley Carlson and MacKenzie Bergeman, all 4 years old, participated in the fourth annual Early Childhood Read-A-Thon at the Capitol April 25. The event emphasizes the benefits of reading early and often to young children.

## EMPLOYMENT



### Workers compensation appeal process

Signed  
by  
the  
governor  
\*\*\*

A new law makes minor changes to the existing statute relating to the workers compensation appeal process.

Signed April 20 by Gov. Tim Pawlenty, and effective Aug. 1, 2006, the law will allow for fax filing of a notice of appeal to the workers compensation court. In past practice, the

notice would need to be hand-delivered or mailed. The fax, however, must be 15 pages or less. If the appeal is received after 4:30 p.m. on a state business day, it is considered to be filed on the next state business day.

The law also clarifies language regarding notification of policy cancellation, termination or renewal.

[Rep. Denny McNamara](#) (R-Hastings) and [Sen. Thomas Bakke](#) (DFL-Cook) are the sponsors.

[HF3780/SF3465\\*/CH178](#)

## ★ ENVIRONMENT

### Dedicated funding passes House

After more than five hours of debate April 25, the House voted 78-55 to approve the so-called dedicated environmental funding bill.

The Senate refused to concur April 27 on [HF1909/SF2734\\*](#), sponsored by [Rep. Tom Hackbarth](#) (R-Cedar) and [Sen. Dallas Sams](#) (DFL-Staples). A conference committee has been requested to work out the differences. That agreement must then be passed by the House and Senate in order to appear on the November ballot.

Conferees will need to compromise on a central point in order to put the bill's constitutional amendment before the voters: The Senate's version would raise the sales and use tax rate by three-eighths of 1 percent to provide the dedicated funding; the House version would dedicate three-sixteenths of 1 percent of the existing sales and use tax.

Other differences: the Senate bill would dedicate the funding beginning in 2007 with a sunset in 2032; the House bill's dedication would begin in 2009, with no sunset. In addition, the Senate version provides for the creation of a Heritage Enhancement Council and a Clean Water Council. The House version does not, but it does include a prohibition against increasing taxes or fees or imposing new taxes for seven years.

Both bills provide for dedicated funding for game and fish habitat and hunting and fishing access, parks and trails, the Clean Water Legacy Act, arts and public broadcasting.

Hackbarth originally proposed to dedicate funding just for game and fish habitat.

Among the numerous amendments not included in the final version was one offered by [Rep. Tony Sertich](#) (DFL-Chisholm) to adopt the Senate's version of the bill in order to "guarantee" the bill would go to the voters.

Two amendments having to do with highway funding were also not included.

Opposition to the dedicated funding concept was voiced throughout the debate and just prior to the final vote.

"I don't believe it is good budget policy for the state of Minnesota to be dedicating a portion of our sales tax," said [Rep. Ron Abrams](#) (R-Minnetonka), explaining that when there's a budget shortfall, legislators need "all the tools available" to cope with the shortfall.

Abrams also said that if the funds are dedicated, legislators can expect pressure from numerous sources to expand the base of the sales tax. Taxing items that are currently non-taxable, such as food and clothing, is one way of expanding the base.

[Rep. Mark Olson](#) (R-Big Lake), who

succeeded in amending the seven-year tax prohibition to the bill, also repeatedly warned of the effects of dedicated funding on the budgeting situation.

Several House members, including [Rep. Jean Wagenius](#) (DFL-Mpls), voiced their disappointment with the bill as "too little too late" for cleaning up the state's waters.

### Trying to get issues through

Bills with fiscal impact and those with only policy provisions approved by the House Agriculture, Environment and Natural Resources Finance Committee and amended

to the committee's omnibus bills were reconsidered separately April 25.

"As you know, we have a supplemental bill that's being put together, and that bill is going to be focusing on just the dollars that are needed for state government finance," said [Rep. Dennis Ozment](#) (R-Rosemount), chair of the committee.

The supplemental bill Ozment referred to is [HF4162](#), sponsored by [Rep. Jim Knoblach](#) (R-St. Cloud). It has no Senate companion.

Among the agriculture, environment and natural resources provisions submitted for inclusion in the deficiency and supplemental appropriation bill are funding for bio-contain-

### EARTH DAY CELEBRATION



PHOTO BY ANDREW VONBANK

**An ecology flag appears to fly over the State Capitol April 22 to commemorate Earth Day. About 40 conservation and environmental groups rallied for tax-supported habitat improvements.**

ment facility operations, bio-energy marketing, invasive species staffing, bovine tuberculosis eradication and water clean-up efforts.

The committee's policy omnibus bills, [HF3605](#) and [HF3546](#), sponsored by Ozment, contain provisions to modify the state Timber Act and the noise standards exemptions for speedways, authority for the Port of Savage to acquire and operate a dredge material site, and changes to the Legislative Commission on Minnesota Resources.

Other policy bills that are moving forward separately are the Clean Water Legacy Act and a hybrid vehicle purchase recommendation.

Two additional bills with fiscal implications were approved to be sent separately to the House floor.

"What I'd not want to do is to put all of our eggs again in the same basket, and have them stop short and then we end up not having a major vehicle that we can kind of climb on board," Ozment said, explaining that having several bills move separately means "more vehicles - more places to carry our issues forward."

## GOVERNMENT



### Boat slips for DNR

Signed  
by  
the  
governor  
\*\*\*

A three-word change in state law will make it a lot easier for the [Department of Natural Resources](#) to find docking space for its boats.

Sponsored by [Rep. Tony Cornish](#) (R-Good Thunder) and [Sen. Satveer Chaudhary](#) (DFL-Fridley), the law, signed April 20 by Gov. Tim Pawlenty, authorizes the DNR to make advance deposits and payments on boat slips, which are reserved spaces for boats on docks.

Col. Mike Hamm, chief of the DNR's enforcement division, said most marinas require prepayment to reserve boat slips. Until the new law was passed, the DNR was not legally authorized to prepay for boat slips, which made it very difficult to reserve spaces on already overcrowded docks.

"They have more boats out there than they have slips for," Hamm said.

Marina owners had been giving the DNR a break until now, Cornish said, but boat slip rental has finally become so competitive that slips could not be purchased without prepayment.

"They want their money ahead of time, but the state isn't allowed to do that legally. So, we made a legal exception," he said.

The law is effective Aug. 1, 2006.

[HF3310\\*/SF2969/CH181](#)

### Two bills approved

Two bills that had been incorporated into a now-stalled omnibus state government finance bill were passed as standalone bills by a House committee April 27 — one appropriating money for a legislative training forum, and one ratifying public employee labor contracts. No discussion was held on either of the bills.

[HF3693](#), sponsored by [Rep. Morrie Lanning](#) (R-Moorhead), appropriates \$10,000 for a joint legislators' forum between Minnesota, South Dakota, North Dakota and Manitoba, Canada. It was recommended to pass by the House State Government Finance Committee and referred to the House Ways and Means Committee. It has no Senate companion.

[HF3114/SF2634\\*](#), sponsored by [Rep. Chris DeLaForest](#) (R-Andover) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), ratifies a number of public employees labor agreements that have been approved and implemented on an interim basis by the Legislative Coordinating Commission's Subcommittee on Employee Relations. They include the American Federation of State, County and Municipal Employees (AFSCME) Council 5, the Minnesota Association of Professional Employees (MAPE), the Middle Management Association, Minnesota State College Faculty, Minnesota Government Engineers Council, State Residential School Association, Inter Faculty Organization, and Minnesota State University Administrative and Service Faculty. It also ratifies compensation plans for unrepresented state employees. It was recommended to pass and referred to the House Rules and Legislative Administration Committee.

### Eminent domain discussion begins

A joint House and Senate conference committee has begun working out differences between the House and Senate versions of the eminent domain reform bill.

[HF2846/SF2750\\*](#), sponsored by [Rep. Jeff Johnson](#) (R-Plymouth) and [Sen. Thomas Bakk](#) (DFL-Cook), seeks to curb governments' ability to use eminent domain powers to take away private property.

At the first meeting April 21, Bakk said that the bill's definition of blight and its standard of proof are likely to be focal points of the committee's forthcoming discussions. Other areas of discussion will likely include provisions in the House version relating to the extraterritorial use of eminent domain and municipal solid waste services. The committee was scheduled to meet again April 27.

## LOCAL GOVERNMENT



### Annexation bill passed

The House passed an annexation reform bill 133-0 April 24.

[HF3925](#), sponsored by [Rep. Mark Olson](#) (R-Big Lake), would make a number of changes to state law relating to municipal boundary adjustments. It also would set up a task force to further investigate annexation issues and report back to the Legislature by Jan. 1, 2007.

Olson said the bill was drafted collectively as a consensus bill by representatives of cities and townships during meetings of the House Local Government Committee, which he chairs.

"We did do something very different, members. We had an open negotiation process right there in committee," he said.

Olson added that the most significant change the bill would make would be to add a number of factors to the list of things a judge must consider when evaluating an annexation dispute. Judges would have to consider whether an annexing party has plans to develop the land in a "cost effective and feasible manner within a reasonable amount of time," among other things.

[Rep. Paul Marquart](#) (DFL-Dilworth) praised the bill as a "good start."

"I can confidently say that this is a good bill for both cities and townships," he said.

[Rep. Peter Nelson](#) (R-Lindstrom) praised Olson for bringing the bill forward, but expressed concern that the task force would be unable to find consensus and would fail to recommend more extensive changes to the law. He noted that when representatives of the cities and townships have discussed these issues in the past, "the results have been a lot closer to nothing than little."

Received April 25 from the House, the bill awaits action by the Senate State and Local Government Operations Committee. [Sen. Linda Higgins](#) (DFL-Mpls) is the Senate sponsor.

## RECREATION



### Boathouse repair

The owners of boathouses on public waters can now apply to the [Department of Natural Resources](#) for a permit to renovate or replace those structures. The permit is also subject to approval by the local governmental unit.

Signed by [Gov. Tim Pawlenty](#) April 20, the new law, effective April 21, 2006, allows restoration or replacement of existing boathouses. Additionally,

boathouses can be extended in height by 1 foot, although not enlarged in area. Owners can replace the foundational structure as long as they use only materials nontoxic to aquatic life below the high water mark. Boathouses can now also be consolidated or moved off the water onto the owner's property.

No new boathouses have been allowed on public waters since 1997, when owners were also prohibited from maintaining more than 50 percent of an existing structure in any given year.

[Rep. David Dill](#) (DFL-Crane Lake) and [Sen. Thomas Bakke](#) (DFL-Cook) sponsor the law. [HF2994\\*/SF2736/CH180](#)

## SAFETY

### EMT certification

A new law aims to increase the passing rates on the emergency medical technicians (EMT) certification exams.

Signed April 20 by Gov. Tim Pawlenty, the law requires EMT training programs to maintain an average yearly pass rate on state certification exams. Sponsored by [Rep. Duke Powell](#) (R-Burnsville) and [Sen. Gary Kubly](#) (DFL-Granite Falls), it takes effect Aug. 1, 2006.

A program not meeting the yearly standard will be placed on probation and shall be on a performance improvement plan approved by the [Emergency Medical Services Regulatory Board](#). If a program still fails to pass standards it could face disciplinary action.

Powell said the lack of certified EMTs in Greater Minnesota is a problem because emergency medical professionals choose not to work in rural areas.

[HF2731/SF2621\\*/CH177](#)

### Volunteer firefighters

[Rep. Tom Rukavina](#) (DFL-Virginia) said the lack of Minnesota volunteer firefighters is a problem, especially in Greater Minnesota.

However, a new law signed by Gov. Tim Pawlenty April 20 hopes to reverse that trend.

Effective Aug. 1, 2006, it requires the commissioner of public safety to coordinate a task force to study the recruitment and retention of volunteer firefighters, ambulance personnel and emergency responders. A report would be due to the commissioner by Dec. 15, 2006.

Originally, Rukavina proposed a bill that would require employers to allow unpaid leave

for employees who are on duty as volunteer firefighters. He said firefighters need all the help they can receive these days and that young people are not volunteering.

Rukavina and [Sen. David Tomassoni](#) (DFL-Chisholm) are the sponsors. [HF2788/SF2832\\*/CH179](#)

### Public safety provisions

Although the omnibus public safety finance bill is unlikely to be released from confinement before session adjourns, some of its provisions may still be set free.

The House Public Safety Policy and Finance Committee approved an amended bill April 26 that its sponsors, [Rep. Steve Smith](#) (R-Mound) and [Sen. Jane Ranum](#) (DFL-Mpls), hope will enact policy provisions taken from 53 bills.

[HF2085/SF1525\\*](#) next goes to the House Rules and Legislative Administration Committee.

"All bills have previously been heard and approved by this committee. In the five weeks we were up and running we heard over 120 bills, we had over 400 witnesses," Smith said.

However, two key components of the omnibus finance bill ([HF2953](#)) were not included in the policy bill: bias crime provisions, including tougher sentences, and the governor's immigration provisions.

"What we have before us would be, I trust, viewed as no cost, non-controversial, but necessary policy provisions that we've previously worked on as a committee," Smith said.

Among the included provisions are: an expansion of reckless driving to include racing; increased penalties for assaulting an animal control officer; organ donor notification expansion for public safety officers; creation of vulnerable adult criminal neglect penalties; and the penalty for cell phone use by drivers under age 18 becomes a petty misdemeanor.

Smith did not take any amendments or testimony during the meeting, but encouraged members to contact him with potential additions before the rules committee meets.

If issues arise, Smith said Ranum is "on standby" so the two can talk ahead of time and hopefully work out an agreement before the bill is approved by the rules committee, whenever that may be.

"My hope would be that if we get this to the floor that we have a no amended product so it can go right to the Senate, be approved, and get right to the governor for a signature," Smith said.

## TAXES

### Property tax rebates

In the end, the simplicity of the property tax rebate contained in [HF4142](#) prevailed.

On April 25, the House Taxes Committee approved the bill with no amendments. Sponsored by [Rep. Phil Krinkie](#) (R-Lino Lakes), it was scheduled to be taken up April 27 by the House Ways and Means Committee.

A companion ([SF3779](#)), sponsored by [Sen. Brian LeClair](#) (R-Woodbury), awaits action by the Senate Taxes Committee.

As proposed, the rebate would be limited to homeowners and would equal 10 percent of the taxes payable on their homesteads in 2006. The bill provides that the rebate be paid on or before Oct. 1, 2006. However, payment of the rebate is contingent on the Minnesota Supreme Court's reversal of a lower court ruling that the health impact fee enacted last year is unconstitutional, and in violation of the state's tobacco settlement agreement. Despite the uncertainty of the court ruling, of the \$317 million considered to be in the tax relief account, the bill would rebate \$307 million.

Much of the committee discussion focused on the perception that the rebate is politically motivated, that it is not fair to all property taxpayers and that there is a difference between property tax relief and property tax reform.

"This, members, is property tax relief. It is only one-time relief to try to mitigate the impacts of property tax increases in 2006," Krinkie said, citing the average increase as 10 percent.

[Rep. Paul Marquart](#) (DFL-Dilworth) said the rebate would be more acceptable if it were part of a larger plan to provide long-term property tax relief.

Marquart and several other committee members said it is not fair to rebate all homeowners 10 percent of their tax liability. They said it would be better to rebate individual taxpayers in proportion to the amount their property taxes have actually increased. Several amendments to provide a way to do so were voted down.

Marquart said local governments have increased property taxes as a result of cuts in state aid to cities, and that the increases vary because the cuts were not evenly applied.

Members pointed out that the rebate excludes agricultural land and renters.

Some members said the rebate is politically motivated because the rebate checks are to be paid five weeks before November's general election.

Krinkie said voters are unlikely to credit any specific political party or legislator for the rebate and that the checks are timed to provide property tax relief to the homeowners' Oct. 15 property tax payment.

Signed  
by  
the  
governor  
★ ★ ★

Signed  
by  
the  
governor  
★ ★ ★

# Stadium bill to the Senate

Peanuts and Cracker Jack ... and a new ballpark, too!

BY IRENE VOTH

**T**he Minnesota House of Representatives officially supports Hennepin County's agreement with the Minnesota Twins to build an open-air ballpark designed exclusively for baseball and the Twins.

"It's game day! ... They're putting the hotdogs on the grill," [Rep. Al Juhnke](#) (DFL-Willmar) told House members, urging them to vote for the agreement after more than seven hours of discussion April 26.

"It's time for Minnesota legislators to play ball," said [Rep. Brad Finstad](#) (R-Comfrey), the sponsor of [HF2480](#).

Stadium continued on page 14

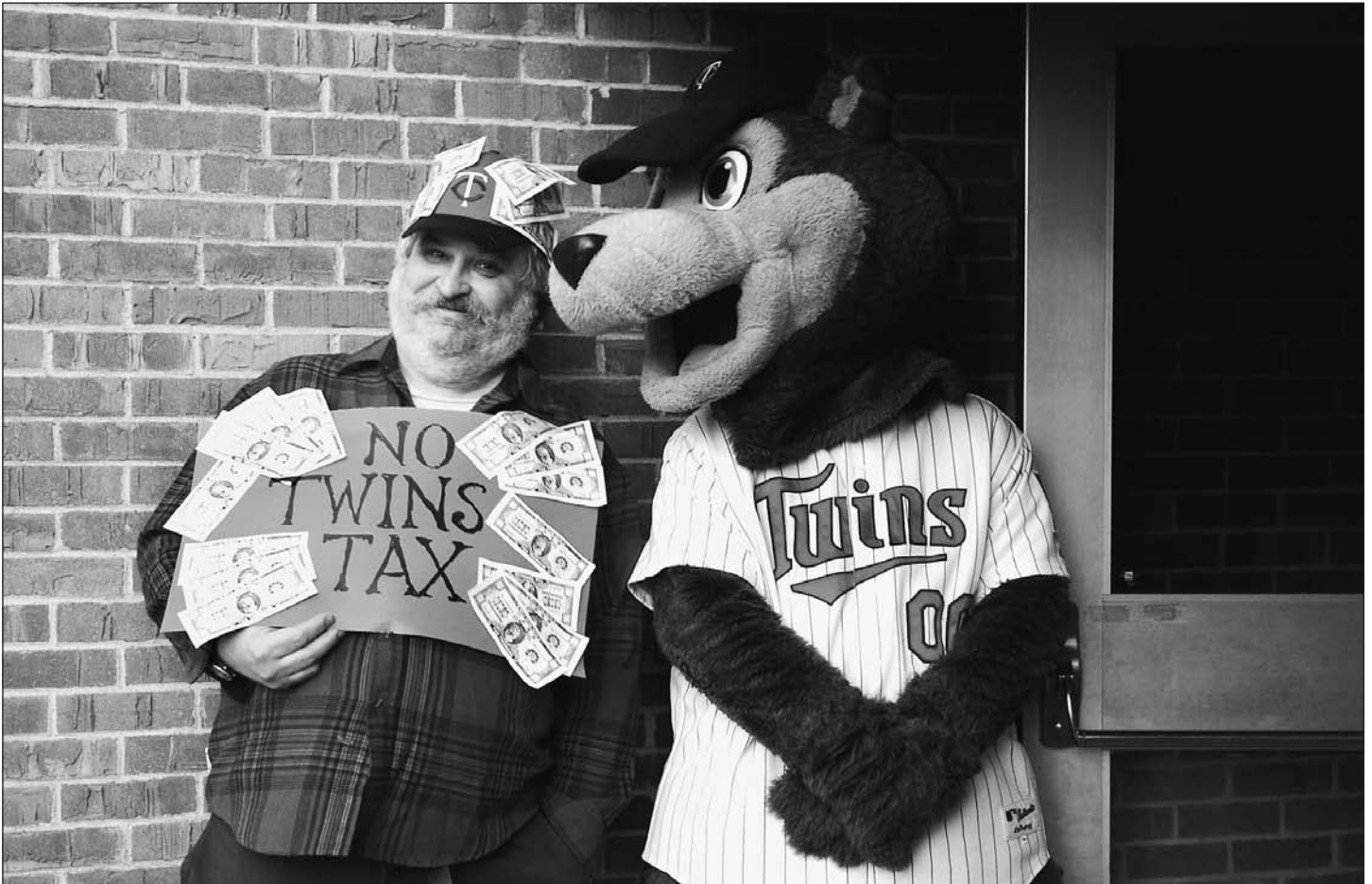


PHOTO BY TOM OLMSCHIED

Dave Garland, left, holds his sign as Twins mascot T.C. holds the door at Oak Grove Middle School in Bloomington to welcome people attending the House Taxes Committee hearing on the proposed new open-air ballpark for the Twins.



**Photos clockwise top center**

Hennepin County Commissioners Randy Johnson, *left*, and Mike Opat testify on the proposed ballpark for the Twins. Jerry Bell, president of Twins Sports Inc., testifies on the proposed ballpark as Dave St. Peter, team president, looks on. Dave Bicking testifies against the ballpark at the Bloomington hearing. Rep. Brad Finstad, sponsor of the bill proposing the ballpark, testifies before the House Taxes Committee at the Bloomington hearing.



## Twins stadium debate history timeline

From the Metrodome to the current potential stadia trio, the stadium debate has been one of the most constant issues discussed under the Capitol dome in the past 30 years.

**1976-77** – Stadium politics dominate the Legislature.

**1977** – Legislature creates Metropolitan Sports Facilities Commission; includes financing provisions for metropolitan area sports facilities.

**1978** – Commission votes 4-3 to construct Metrodome, which opened in April 1982.



**1981** – Twins play last game at Met Stadium Sept. 30, losing 5-2 to Kansas City.

**1997** – Special session unsuccessfully held for new ballpark. Bipartisan stadium task force formed.



**1998** – Twins owner Carl Pohlad does not sell team to Don Beaver, who planned to move the team to North Carolina.

# Twins stadium bill steps up to the plate

Proponents and opponents of the Twins ballpark bill voiced their views while the bill made its way through two House committees April 19-24. The largest turnout was April 20, when the House Taxes Committee held a five-hour hearing at Bloomington's Oak Grove Middle School, drawing an estimated 700 people on both sides of the issue. The House approved the bill April 26.



Lorraine Pizzella, left, and former Twins first baseman Kent Hrbek testify April 19 before the House Taxes Committee for the proposed outdoor ballpark



Some people attending the hearing in Bloomington brought their signs for a Hennepin County referendum vote on the proposed outdoor ballpark for the Twins.



1999 – [HF87/SF801](#), sponsored by [Rep. Phyllis Kahn](#) and [Sen. Ellen Anderson](#), fails to pass. It would have created public ownership of the Twins. A St. Paul referendum to help fund a Twins facility fails.

Nov. 6, 2001 -- The 30 Major League Baseball owners vote 28-2 to contract two teams. Pohlad reportedly had an agreement to have the Twins contracted.



Feb. 2002 – Commissioner Bud Selig announces that contraction will not occur in 2002. League owners indicate they hope to try again for the 2003 season.



Feb. 2004 – After 11 meetings, a [stadium screening committee](#) issues a [report](#) to [Gov. Tim Pawlenty](#). It recommended action be taken in 2004 for a ballpark and football stadium. No stadia bills pass.

2005 – Discussion begins on a plan for a ballpark on the edge of downtown Minneapolis, to partially be funded with an increase in the Hennepin County sales tax without voter approval.



April 26, 2006 – Twins stadium bill approved by the House.

## Stadium continued from page 11

Legislators, including those eager to see the Twins get out of “the dome,” worked all day inside the Capitol — which has a dome — while the sun shone on the green lawns of the Capitol mall, while the outside temperature reached 70 degrees. At 6:37 p.m. they voted 76-55 to pass the funding measure.

HF2480 is the means by which a Minnesota Ballpark Authority would be created to build a \$390 million ballpark — \$522 million including financing and infrastructure costs. The 42,000-seat stadium would be situated on the western edge of downtown Minneapolis, across from the Target Center and next to the city’s garbage burner.

Jerry Bell, president of Twins Sports Inc., said he was pleasantly surprised by the vote total, as was Doug Carlson of Apple Valley, who stood outside the chamber in a Twins cap and jersey.

“I thought it’d be a little closer,” said Carlson, who estimates he goes to about 20 games a year.

The bill now goes to the Senate, where [Sen. Steve Kelley](#) (DFL-Hopkins) is the sponsor. Bell said [Senate Majority Leader Dean Johnson](#) (DFL-Willmar) and [Senate Minority Leader Dick Day](#) (R-Owatonna) told him they believe the votes are there to pass the measure.

Financing provisions in the bill include raising the sales and use tax collected in Hennepin County by 0.15 of 1 percent, or approximately 3 cents on \$20. Imposed by ordinance rather than a voter referendum, the tax would continue until the county’s share of the construction expenses financed through the sale of bonds is repaid, expected

to be about 30 years.

The Twins’ contribution to the plan includes \$130 million upfront. The team would also be responsible for any cost overruns on the ballpark; \$1 million per year for capital improvements; operations estimated at \$10 million per year; a 30-year user agreement; an additional \$250,000 annual contribution to the Twins Community Fund for amateur and youth activities, and 18 percent of the gross sale amount if the team should be sold during the lifetime of the bonds.

In addition, unlike with tickets to see the Twins play at the Metrodome, a 3 percent entertainment tax would be collected on each Twins ticket at the new ballpark. Twins tickets have historically been exempt from the tax, which was enacted in 1969.

Early in the floor session, legislators who stepped up to the plate to amend the bill to require a referendum received their third strike.

Although Mike Opat, one of seven Hennepin County Commissioners and an architect of the deal, told the House Taxes Committee April 19 there would be no deal if such an amendment succeeded, [Rep. Phil Krinkie](#) (R-Lino Lakes) moved the amendment unsuccessfully in the House Taxes Committee April 19. [Rep. Ann Lenczewski](#) (DFL-Bloomington) moved the amendment on the floor, where it failed 66-64. An amendment offered later by Krinkie to allow Hennepin County a reverse referendum — a process requiring 32,000 signatures — also failed, 70-61.

Amendments offered by [Rep. Ron Latz](#) (DFL-St. Louis Park) to require the Twins to pay a larger share of the project costs also failed, as did numerous other amendments,

some of which would have accomplished the following:

- raise the rate of the sales and use tax statewide to finance the stadium and include a roof;
- rename the team the “Hennepin County Twins;”
- require the Twins to fund Hennepin County youth programs and extended library hours;
- require that proceeds from the sale of the Metrodome go to Hennepin County to repay the bonds;
- ensure that news media would have access to cover sporting events inside the ballpark;
- ensure protections for Hennepin County regarding some of the provisions of the agreement; and
- require the governor to explore whether professional sports teams engage in “monopolistic financing” and what can be done about it.

Those who spoke against the agreement just prior to the vote included [Rep. Jean Wagenius](#) (DFL-Mpls), who said the agreement brings a “culture of greed” into Minnesota; [Rep. Alice Hausman](#) (DFL-St. Paul), who said the bill would pass because the majority of House members want to tell their constituents they kept the Twins in Minnesota without their constituents having to pay for it; and [Rep. Ron Erhardt](#) (R-Edina), who compared the ballpark deal with what he called “the biggest grab of someone else’s property:” the Dutch purchase of Manhattan Island from the Indians in 1626. 🏰

**Assistant Editor Mike Cook contributed to this story.**

## RECENT STADIUM DEVELOPMENTS

**2001-02** – A [Stadium Task Force](#) is charged with preparing recommendations for the 2002 Legislature on funding options for stadiums for the Minnesota Twins, Minnesota Vikings and University of Minnesota. After nine meetings, a [report](#) is issued on Jan. 25, 2002. Included in its report is, “The Task Force recommends that action in 2002 is important for the Twins and the future of professional baseball in Minnesota because there is a real possibility that the Twins could be eliminated through the contraction of the number of major league baseball teams.”

**May 2002** – Legislature passes [HF2214](#), sponsored by Rep. Harry Mares (R-White Bear Lake),

for a \$330 million, roof-ready stadium. It required an upfront contribution of \$120 million from the team and other sources. The state would then issue revenue bonds to make a loan to a city to pay for the ballpark construction. The host city could impose increased lodging and food and alcoholic beverage taxes. The team rejects plans for a St. Paul stadium.

**Feb. 2004** -- After 11 meetings, a [stadium screening committee](#) issues a [report](#) to [Gov. Tim Pawlenty](#). It recommended action be taken in 2004 for a ballpark and football stadium. No stadia bills pass. Among its recommendations were:

- “Professional baseball and football stadiums

should be financed through a combination of team investment, fan contributions and host community revenues.”

- “A metropolitan stadium authority (MSA) should be created to lead stadium negotiations on behalf of the State of Minnesota and be authorized to determine when criteria have been met to move forward with stadium construction.”
- “Taxes imposed by host communities to finance stadiums should not be subject to voter referendum.”
- “The MSA should be encouraged to seek provisions allowing public to share in the increased value of teams upon sale.”

# Filling the gap

## A bill aims to increase dental care access in Greater Minnesota

By **BAO ONG**

**D**ental care is often lost in the debate over improving health care access, and in Greater Minnesota it is an even bigger issue.

The shortage of dentists in Greater Minnesota is causing long waiting lists and fewer dollars to help those on MinnesotaCare or Medical Assistance. Another factor: graduating dental school students gravitate toward working in more metropolitan areas.

However, a bill ([HF2733](#)), sponsored by [Rep. Al Juhnke](#) (DFL-Willmar), would put these students on one-month rotations at a new Rice Regional Dental Clinic, which would primarily serve a 12-county area in west-central and southwest Minnesota.

Plans call for a wing, costing \$1.2 million, to be added to the hospital's current expansion plans. The program also aims to serve people on public assistance who often cannot afford proper dental care.

"Good dental health is a key component of overall well-being," said Lawrence Massa, the hospital's chief executive officer. "This clinic increases access to people who otherwise don't have the option."

The bill is not included in the House bonding bill, but a companion bill ([SF2478](#)), sponsored by [Senate Majority Leader Dean Johnson](#) (DFL-Willmar), is included in the Senate bonding bill and awaits action by the Senate.

Patrick Lloyd, dean of the University of Minnesota School of Dentistry, said that some

Although the University of Minnesota trains about 85 percent of the state's dentists, according to Lloyd, few of them desire practicing in Greater Minnesota. About 96 dentists graduate from the school each year but it is still a struggle to promote them to venture outside of the Twin Cities metropolitan area.

Richard Diercks, Minnesota Dental Association executive director, agrees. Dental care access is good in Minnesota with well-trained professionals but dentists are disproportionately scattered throughout the state from one area to another, Diercks said.

Part of the project is modeled after the Hibbing Community College Dental Clinic, which also has a partnership with the University of Minnesota dating back to 2001. People from as far north as International Falls or as west as Deer River have come to the clinic. Many of them have not had dental checkups for years, resulting in more significant dental needs before they can be put on a typical six-month recall.

"We hope that students working in these areas will realize they can have fulfilling careers and lives in more rural areas," said Lloyd. "They just need to be given a chance to see it firsthand."

In a March House Health Policy and Finance Committee hearing, [Rep. Fran Bradley](#) (R-Rochester) said it may be problematic if a new facility is built and there was a staff shortage.

But Massa said four student dentists would work under a professional during their rotation. The students may also receive housing and incentives, such as lower repayment rates on loans, to participate. Other legislators wanted to know if the project would only target low-income patients, but Massa said the plan was to take everyone.

Both Massa and Lloyd say there has been strong support from the community for such a project. At a meeting held with 40 dentists in the area, Lloyd said nearly everyone raised their hand at the meeting's conclusion when asked to indicate their support.

If the bill passes, the proposed Rice Memorial Hospital-owned clinic will be nearly 5,000 square feet and open in summer 2007. 🏠

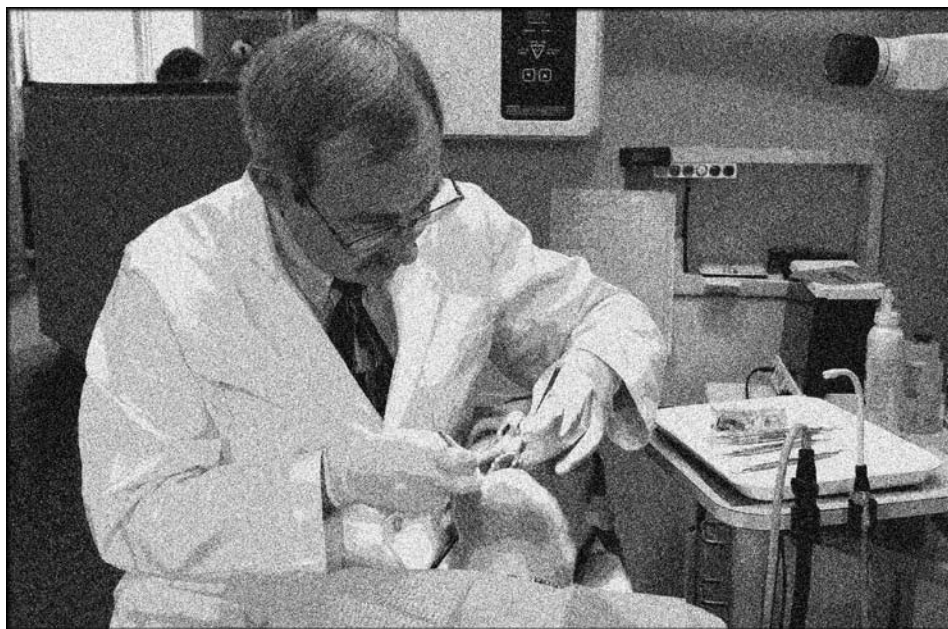


PHOTO ILLUSTRATION BY TOM OLMSCHIED

**A bill sponsored by Rep. Al Juhnke would address the shortage of practicing dentists in Greater Minnesota. It would partner the University of Minnesota School of Dentistry, the city of Willmar and the state in constructing a new regional dental clinic.**

The bill would appropriate \$500,000 to the city of Willmar to construct the clinic at Rice Memorial Hospital. The project represents a partnership between the hospital, University of Minnesota School of Dentistry and the state.

studies have begun to link poor dental health to heart disease and diabetes. Furthermore, Lloyd notes, people who go without treatment often end up in emergency rooms for more expensive treatment of toothaches.

# No regrets

## Bradley steps down to focus on family

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By Nick Busse

**R**ep. Fran Bradley (R-Rochester) admits that his area of focus as a legislator doesn't match his vocation.

"I'm an engineer by training, and that's not necessarily where you might see someone in health and human services," he said.

Nevertheless, he has spent most of his six terms in the House working on health care and welfare reform initiatives — with considerable

home and of whom Bradley is guardian.

"The job here is taking so much of me that some of the very special family needs that have developed are just not getting the time that I feel I should be giving them," he said.

Bradley, a retired IBM computer engineer, said that he has always tried to maintain a balance between what he calls the "four cornerstones" of his life: faith, family, career and community. That balance, he said, is currently lacking.

"It's a matter of family priorities. It's also a matter of when I joined I never expected to make it sort of a lifetime career. Twelve years is a pretty significant amount of time," he said.

But after all that time, he can at least look back and feel satisfied about his accomplishments.

"I have no regrets," he said. "I don't look back with anything but a sense of awe and pride and gratitude for the opportunity. But it's just time for me and my wife, Mary, and our family to move on."

### A legacy of reform

Much of Bradley's career in the House has been devoted to

helping improve the lives of Minnesota's elderly and disabled. In his own words, he has tried to be a "champion of vulnerable people."

Among his favorite pieces of legislation, Bradley is proud to have sponsored and successfully passed a bill known as "Unlock the Waiting List," which helped developmentally disabled people get services for which they might have otherwise had to wait eight to 10 years to access.

"I think, at last count, there were something like 5,000 more people who were able to get access waiver services because of that bill," he said.

Bradley, who chairs the House Health Policy and Finance Committee, and has chaired a health and human services committee since 1999, said his approach to reforming health care has been to try to help the disabled become independent and self-sufficient, thereby benefiting both health care consumers and taxpayers. He believes that his engineering background helped him to instill a sense of rigor and discipline to the programs and legislation he has worked on.

"There does need to be more than just that it 'feels good.' There's got to be really a focus on spending our precious taxpayer dollars wisely on programs that help people move out of dependence and into independence.

"Of course, I've had the pleasure of being part of significant welfare reform during my career. And I feel good not only for the taxpayers but also for the people we're helping that we're focused really on helping people get on their feet — not keeping them multi-generational dependent."

His efforts have not gone without recognition. He said he is especially proud to have twice earned the title of "Legislator of the Year" from Arc Minnesota, a support and advocacy group for the developmentally disabled. He added that he has always viewed his work with groups like Arc Minnesota as a "partnership."

"I really feel good when I go to a rally or go to a meeting and there are consumers with disabilities expressing appreciation. So, I think I will long remember and cherish and probably will continue to be actively involved, as a matter of fact, in issues for those great people."



PHOTO BY ANDREW VONBANK

**After 12 years of service, Rep. Fran Bradley is stepping down to spend more time caring for family members.**

success, in his opinion. Perhaps it's fitting, then, that he's stepping down to focus on caring for his own family members.

Bradley and his wife of 37 years, Mary, have four children and three grandchildren. Three of their family members currently have deteriorating health conditions: their eldest grandson, who suffers from muscular dystrophy; Bradley's mother, who is in adult foster care; and his brother, who lives in a group

## STEPPING DOWN

**Rep. Fran Bradley  
Republican**

**District 29B — Rochester  
Terms: 6 (elected 1994)**

**Advice to successor: "If there's anything that's important in this legislative process, it's honesty and integrity. If your word is not good, no matter how good your intentions, it's very hard to get things done."**

# One last farewell

Ruth Johnson says goodbye for the third and final time

**Editor's Note: As the 2006 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.**

By Nick Busse

In January, [Rep. Ruth Johnson](#) (DFL-St. Peter) will retire as a state representative — for the third time. This time, however, she said she'll be leaving for good.

Johnson, who was elected state representative three out of the four times she ran, holds the distinction of being the only current House member to have been elected to three separate, non-consecutive terms: 1997-1998, 2001-2002, and 2005-2006.

Now, she said, she will be passing the torch.

"I felt it was my job to stay with my responsibilities until I found someone that I thought would be a good representative of our area and stand for the values that I shared, that I think are most important to our area," she said.

Johnson said she has found such a person in Terry Morrow, who is currently chair of the St. Peter Board of Education. This year, Morrow will be running for Johnson's seat in her stead.

Johnson, a former college administrator, said she is running about four years behind schedule of her original plan to retire at 55. But when she finally does retire, she will at least retain some fond memories of being a legislator.

Among other things, Johnson cited being the chief sponsor of a \$27.6 million tornado relief bill as one of her biggest achievements.

In the waning days of the 1998 legislative session, a major tornado struck St. Peter and the surrounding areas. Johnson had just days — a few hours, really — to put together a bill to fund the rebuilding of the area.

"That, to me, is a perfect example of government at all levels — federal, state, regional, county, city — working together to help people at the time of the very greatest

difficulty we could ever imagine. And the results speak for themselves," she said.

Johnson said the reconstruction of the area has brought enormous growth, and St. Peter is more beautiful than ever.

"We still miss our trees," she said. "It will

take decades for the replacement trees to reach anything like the height of the trees that were lost. But the buildings, the public services and homes were restored beyond anyone's best hope."

The first bill of Johnson's passed by the House made American Sign Language (ASL) a recognized language for which high school and Minnesota State Colleges and Universities students could receive school credits. She said the purpose of the bill was to encourage greater use of ASL. It passed "without any difficulty whatsoever," she said.

Johnson said she is leaving an institution that is more sharply divided along partisan lines than when she was first elected, but that doesn't really worry her.

"This is a democracy, and ultimately the tides of history, as they flow back and forth, will bring us to a place where we will be able to find compromise in the future."

To be an effective legislator, Johnson said one must understand the "basic strengths" of the state that have led Minnesotans to enjoy the highest quality of life in the

nation, and must have an ability to work for compromises.

After she retires, Johnson plans to spend as much time as possible speaking to the public about their role in a democracy.

"Having had this magnificent experience as a member of the Minnesota House of Representatives, I want to take all that I have learned and share it with other citizens. Because I truly believe that in a democracy, it is the people who govern, and I want to help people see how that works, how they can be engaged, and how we can make democracy in



PHOTO BY TOM OLMSCHIED

**Rep. Ruth Johnson is retiring about four years behind her original schedule. She plans to spend much of her time talking to people about democracy.**

Minnesota be even stronger."

Johnson said she is often asked to speak to public organizations and groups of young people — to whom she said it is particularly important to "help inspire them, as I was inspired as a young person, to the highest values of citizenship." 🐼

## STEPPING DOWN

**Rep. Ruth Johnson**

**DFL**

**District 23A — St. Peter**

**Terms: 3 (non-consecutive, elected 1996)**

**Advice for successor: "Keep in touch with the citizens, and find as many opportunities as possible to engage citizens in discussion of public policy."**

# Say what?

## A concise guide to procedural lingo used on the House floor

**Amend** — The action a legislator takes to change or propose a change in a bill, motion, report or even another amendment by adding, omitting or altering its language.

**Calendar for the day** — The list of bills that may be considered for final passage by the House on any given day.

**Call of the House** — At the speaker's order, all absent House members must return to the House floor to vote on a bill or amendment. This is also referred to as putting the House under call.

**Caucus** — A caucus, in the context of the Legislature, means a group of legislators of the same political party and/or legislative body — i.e. the House DFL Caucus or Senate Republican Caucus. Oftentimes on the floor, members will recess to caucus with members of their party to discuss legislation up for consideration on the floor.

**Conference committee** — A group of six or 10 members, with equal numbers from the House and Senate, appointed to reach a compromise between the House and Senate versions of a bill.

**Conference committee report** — Language of a bill as agreed upon by a conference committee.

**Consent Calendar** — A list of non-controversial bills that may be considered for final passage by the House on any given day.

**Engrossment** — The current text of a bill or resolution which includes or incorporates all adopted amendments to the title and/or text.

**Final passage** — The vote taken on a bill after its third reading, requiring a majority of all elected members of a legislative body for approval.

**First reading** — The reporting of a bill to the body at the time of its introduction and referral to the relevant committee.

**Floor** — After a bill passes through the committee process, it is sent to the floor in either the House or Senate, meaning it is placed on any of the various bill lists while awaiting debate by all members.

**Germaneness** — Relevance of issue raised to the topic being discussed. Most often asked after the offering of an amendment.

**House file** — The number assigned to a bill before it is introduced by a member of the House.

**Journal** — Refers to either the Journal of the Senate or the Journal of the House, which are the official records of the respective bodies.

**Motion to adjourn** — Members use this motion to try to end a floor session. This is usually made by the House majority leader.

**Motion to recess** — A motion for the body to take a break during a floor session and continue it at a specified time on the same day.

**Motion to suspend the rules** — This motion allows House members to suspend the formal legislative process for a specified reason and time period. It requires a two-thirds majority vote.

**Omnibus** — A term used to describe tax, education, appropriations and other bills that contain many different proposals.

**Page** — A person employed by the House or Senate to run errands, assist committees and to perform a variety of other legislative tasks.

**Point of order** — Members often use this to challenge motions, actions or conduct by other members. A member may raise a point of order when they feel that House rules have been broken and need to be enforced by the speaker.

**Point of personal privilege** — Members often use this motion to introduce family members, constituents or distinguished guests in the House chamber, or to announce personal news.

**Point of parliamentary inquiry or point of parliamentary procedure** — Members may use this motion to request information on the proper way of proceeding with a particular motion.

**Recommendation** — The action a committee takes on a bill. Although in common usage a committee is said to “pass” a bill, technically, it recommends a bill to pass.

**Repassage** — A final vote on a bill previously passed in another form to include amendments of the other chamber, a conference committee or amendments.

**Resolution** — A proposal, introduced as a House or Senate file, that urges another governmental body to take or refrain from a certain action. A resolution can also simply express the opinion, sentiments or intent of a body (or both, if the resolution is a joint one).

**Second reading** — Reporting of a bill to the body, following the adoption of the committee report, that places it on General Orders or the Consent Calendar.

**Senate file** — The number assigned to a bill before it is introduced by a member of the Senate.

**Sine die** (*sigh-nee dye*) — When the Legislature adjourns, without a scheduled date to reconvene, in an even-numbered year (the second year of the biennium).

**Third reading** — The final reporting of a bill to the body before its final passage. No amendments, except amendments to the title, may be offered after the third reading unless unanimous consent is granted.

**Unofficial engrossment** — Amendment, by the other legislative body, of a bill which has been passed by its body of origin. For example, the House cannot officially amend a Senate bill, so when the House considers a Senate bill and makes changes, that engrossment is unofficial until the bill returns to the Senate and the Senate adopts the engrossment.

**Yield** — To surrender the floor temporarily to another member for the purpose of hearing a question or inquiry.



# Education standards

## Capitol tour brings social studies to its source

By PATTY JANOVEC

State Capitol visitors might wonder what is going on when they see a dozen third grade students lying on their backs on the Rotunda floor encircling the glass and brass star, a symbol of the North Star State.

Actually, the tour guides are getting the students to look up at the 60-foot interior dome and notice the nuances of the paintings and stone ribs in the famously designed Cass Gilbert architectural delight.

While some might view a tour of the Capitol for school-age children as a day off from the regular classes, schools could be fulfilling the state-mandated Minnesota Department of Education social studies standard that requires students to know the functions of Minnesota state and local governments, and be able to describe that relationship with the federal government.

The social studies standard is defined in state law to include the subjects of history, geography, economics, and government and citizenship.

More specifically, the government and citizenship list includes student requirements to:

- explain the major purposes of the Minnesota Constitution as stated in its preamble;
- understand the basic structure and functions of state and local governments;
- identify the major state offices; the primary duties associated with them, and know the names of the major local, state and federal elected officials and describe how they are chosen;
- describe the procedures involved in the state and national voting process including the Minnesota caucus system; and
- explain that authority for making laws rests with the people, through their elected officials.

What better way to master the standards than by going straight to the state's source, the Capitol.

Many legislators act as tour guides, leading students from their district through the House and Senate chambers. If they are lucky,

they might see a live floor session, or maybe even a governor's press conference.

[Rep. Matt Dean](#) (R-Dellwood) said the question most often asked by students from his district is, "Are the horses really made of gold?" The gold sculpture known as "Progress of the State," or the Quadriga, is at the outside base of the dome. The four horses represent the power of nature: earth, wind, fire and water.

An architect by occupation, Dean happily gives tours regularly to students from his district. "There is no replacement for actually being here," he said, noting that students are better able to experience the "flavor of relationships" between the House, Senate, governor and constituents in person.

Another learning experience involves having the "class troublemaker" sponsor a bill to continue school year-round and have other students vote on the action in the House chamber, Dean said with a chuckle.

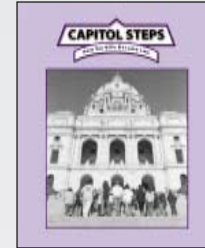
While some students may view a visit to the Capitol as a day away from learning, members do not agree. "I think it's very valuable if it's connected to the curriculum that the kids are doing in the classroom," said [Rep. Karen Klinzing](#) (R-Woodbury).

Klinzing, a high school social studies teacher, said she would conduct a mock legislature with her students to reveal the process in a more direct way. "A trip to the Capitol even without the concept of understanding is well worth it if for the sheer beauty of the building," she said.

Elementary school students ask much more complex questions, such as "What bill have you had that's passed into law? Do you like your job?" or about supporting an issue that their kids may be following, she said.

"I love it when they come down and I'm really proud of this building," said [Rep. Leon Lillie](#) (DFL-North St. Paul). The children ask random questions that range from the building's architecture to the job of being a legislator. "You need to be ready for anything," he said. 🐾

## Resources for students



### Capitol Steps

*Capitol Steps: How Six Bills Became Law* is a 34-page booklet created to explain the legislative process in a simple, straightforward manner.

It is crafted to be a resource for junior and senior high school students, but it is of interest to anyone seeking to understand the basics of how the Legislature works.



### Minnesota Government Series

The eight-part Minnesota State Government series is an easy-to-understand series of publications about the state, its history, its symbols and its three branches of government.

The series also explains how bills become law and how to contact representatives to the Legislature and U.S. Congress.

### Tours for students

Tours of the Capitol Building are offered through the [Capitol Historic Site Program](#) of the [Minnesota Historical Society](#). For more information on tours or to reserve a special tour for your class, call (651) 296-2881. Contact your legislator directly to schedule a time to have your class meet and greet. To find out whom your legislator is, call the House Public Information Services office at (651) 296-2146 or (800) 657-3550.

## Former representative Brinkman dies



Rep. Bernard "B.J." Brinkman, 79, who represented Morrison, Stearns and Wright counties in the House from 1964-1986, died April 24 after suffering a heart attack.

"He was a nice guy, who could be feisty," said [Rep. Irv Anderson](#) (DFL-Int'l Falls) who came to the House the same year as Brinkman,

also a Democrat. The two quickly became good friends, and that remained through the years.

Brinkman, who lived in Richmond, owned and operated Brinky's Liquor and Gas Station from 1957-1986, and was a member of the current board of directors of the State Bank of Richmond.

His small business experience made him an advocate as chair of the House Financial Institutions and Insurance Committee for eight years. He also served on the House

Agriculture, Rural Economy, Insurance and Taxes committees.

When he announced his intentions to retire from the House in 1986, a Minneapolis Star Tribune article pointed to Brinkman's "independence and fiscal conservatism which led him to join or quietly lead other rural DFLers called 'woodticks' in voting against his party's House leadership."

He is survived by his wife of 56 years, Viola, five children and nine grandchildren.

# U. S. House of Representatives

## U.S. Representatives

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Fax: (218) 253-4373

SW/WC 1420 East College Drive  
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## HOMELESS VIGIL



PHOTO BY TOM OLMSCHIED

**Megan Schow, a ninth grader at Rosemount High School, reads outside the cardboard box where she'll spend the night during the Box City Vigil for Youth Homelessness on the front lawn of the Capitol April 22.**

## LATE ACTION

### Abortion regulations

A controversial abortion bill overcame a huge hurdle April 27.

[HF3258](#), sponsored by [Rep. Laura Brod](#) (R-New Prague), would prohibit state-funded abortions except in cases of rape or incest. It also requires data collection and reporting on

the already existing requirement for minors seeking to have abortions. Brod said the bill also protects women's health by restricting certain hospital privileges of physicians.

The House passed the bill 81-50 and sent it to the Senate, where [Sen. Thomas Neuville](#) (R-Northfield) is the sponsor.

There was considerable debate on the fiscal note of the bill.

[Rep. Thomas Huntley](#) (DFL-Duluth) said

there would be costs to taxpayers because if the bill becomes law, it will likely be challenged in court. But Brod said the Legislature should avoid voting for bills based on possible court challenges.

A handful of opponents to the bill said a better solution to preventing unwanted pregnancies would be better achieved through improving family planning programs.

## Frequently called numbers

(Area code 651)

Information Services, House Public  
175 State Office Building .....296-2146  
Chief Clerk of the House  
211 Capitol.....296-2314  
Index, House  
211 Capitol.....296-6646

TTY, House .....296-9896  
Toll free.....1-800-657-3550  
Information, Senate  
231 Capitol.....296-0504  
TTY, Senate .....296-0250  
Toll free.....1-888-234-1112

Secretary of the Senate  
231 Capitol.....296-2344  
Voice mail/order bills .....296-2343  
Index, Senate  
110 Capitol.....296-5560

## Tracking new laws, vetoes

Once a bill passes the House and Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium, (even-numbered years) a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. (Sundays are not counted in the three-day time limit, but holidays are.)

The governor normally signs the bills and files them with the secretary of state, but his

signature is not required. If a bill is passed during the last three days of session, the governor has a longer time to act. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die." If the governor does not sign a bill within this time frame, it will not become law — an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. With the exception of pocket vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriation

bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the [Minnesota Constitution](#) (Article IV, Section 23).

More information is available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislation" link.

**Key:**

**CH=Chapter; HF=House File; SF=Senate File**

CH	HF	SF	Description	Signed	Vetoed
170	3015	2653*	Pharmacy and related costs money appropriated.	3/8/2006	
171	2623*	2466	Previous redevelopment account appropriation modified relating to the city of Mounds View, and Ramsey and Anoka counties.	3/14/2006	
172	1915*	1840	Maple Grove hospital construction moratorium exemption provided.	3/22/2006	
173	3263	1878*	Carver and Renville county recorder, auditor and treasurer appointment provided, and referendum option established.	3/31/2006	
174	2709*	2523	Shamrock Township detached banking facility authorized.	4/5/2006	
175	3039*	2632	Timber permit extension in event of adverse surface conditions provided.	4/5/2006	
176	3876	2749*	County expenditure limit removed for soldiers' rest cemeteries.	4/7/2006	
177	2731	2621*	EMT training programs required to meet an average yearly pass rate.	4/20/06	
178	3780	3465*	Workers' compensation appeal procedures and coverage provisions modified.	4/20/06	
179	2788	2832*	Emergency personnel recruitment and retention task force formed and study required.	4/20/06	
180	2994*	2736	Watercraft storage structure repair authorized on public waters.	4/20/06	
181	3310*	2969	Advance deposits and payments authorized for boat slip rental.	4/20/06	
182	2998*	1553	Firefighter labor arbitration provision sunset repealed.	4/27/06	
183	680*	1217	Utility metering and billing provisions relating to landlord and tenant regulations clarified.	4/27/06	
184	2645*	2622	Swift County rural development finance authority board membership increased.	4/27/06	
185	3169*	3254	Local government units prohibited from imposing fees related to students at postsecondary institutions.	4/27/06	

\*The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Friday, April 21

### HF4159-Thissen (DFL)

#### Taxes

Tax preparers; list of penalties expanded that subject the names of tax preparers to publication by the commissioner of revenue.

### HF4160-Heidgerken (R)

#### Education Finance

Integration revenue modified relating to education finance.

## Monday, April 24

### HF4161-Hilty (DFL)

#### Civil Law & Elections

Minnesota Responsible Business Corporation Act adopted providing for incorporation of socially responsible for-profit business corporations.

### HF4162-Knoblach (R)

#### Ways & Means

Deficiency and supplemental appropriations provided.

## Tuesday, April 25

### HF4163-Anderson, I. (DFL)

#### Transportation

Railroad remote-control operation of trains over highway intersections and bridges and near international border regulated.

### HF4164-Urdahl (R)

#### Education Finance

Pupil transportation costs categorical funding reestablished.

### HF4165-Davids (R)

#### Agriculture & Rural Development

Biomass-powered ethanol plant tax incentives provided.

## Wednesday, April 26

### HF4166-Seifert (R)

#### Higher Education Finance

Citizenship eligibility requirement established for higher education financial aid.

### HF4167-Abrams (R)

#### Taxes

Tax increment financing technical, minor policy changes and bond procedures modified.

### HF4168-Abrams (R)

#### Taxes

Electric generating facility property tax exemption and construction materials sales tax exemption provided.

### HF4169-Abrams (R)

#### Taxes

June accelerated sales and use tax payments repealed.

### HF4170-Abrams (R)

#### Taxes

Telecommuting equipment tax credit provided.

### HF4171-Hortman (DFL)

#### Transportation Finance

Highway user fee imposed on gasoline and special fuel, accounts established, bonds issued and money appropriated.

### HF4172-Dittrich (DFL)

#### Environment & Natural Resources

Minnesota Cleanup Day designated and minimum fine for littering imposed.

## Thursday, April 27

### HF4173-Sykora (R)

#### Education Finance

Early childhood family education funding increased.

### HF4174-Lenczewski (DFL)

#### Taxes

Foreign operating corporation income tax treatment modified.

### HF4175-Bernardy (DFL)

#### Education Finance

School district levies reduced, state tax treatment of foreign operating corporations clarified and money appropriated.

### HF4176-McNamara (R)

#### Regulated Industries

Lawful gambling purpose definition broadened relating to support of military families.

## What is a conference committee?

A conference committee is called to reconcile differences between versions of a bill passed by the House and the Senate. Each body of the Legislature appoints three or five members to the committee. So far this year, five conference committees have been called to hammer out differences on the respective bills.

1. New Maple Grove hospital HF1915*/SF1840		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 5/20/2005	3/16/2006	3/16/2006
Senate: 5/23/2005	3/20/2006	3/20/2006
SIGNED INTO LAW: CH172 3/20/2006		
2. Funeral, memorial and burial service disruption prohibited. HF2985*/SF2614		
Motion for conference	Adoption of conference committee report	Repassage of bill
House: 3/20/2006	Met 4/27/2006	
Senate: 3/23/2006		
3. Eminent domain changes provided. HF2846/SF2750*		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/12/2006	Met 4/21/06; scheduled to meet 4/28/2006	
Senate: 4/12/2006		
4. Omnibus bonding bill providing for capital improvements. HF2959/SF2718		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/18/2006	COMMITTEE HAS NOT MET	
Senate: 4/18/2006		
5. Constitutional amendment for sales tax dedication to natural and cultural resources purposes, arts, humanities, museum and public broadcasting, heritage enhancement, parks and trails funds and clean water and heritage enhancement councils. HF3269/SF2734*		
Motion to conference	Adoption of conference committee report	Repassage of bill
House: 4/27/2006	COMMITTEE HAS NOT MET	
Senate: 4/27/2006		

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

## MINNESOTA INDEX

### Wind energy

Percent of energy Minnesotans use that comes from wind .....	less than 1
Percent from coal .....	75
Wind projects in the state as of July 2005 .....	51
Number of turbines operated at those projects .....	683
Approximate megawatts produced at those .....	600
Approximate number of homes those megawatts can power .....	230,000
Megawatts of installed wind capacity in Minnesota, as of December 2004 .....	615
State rank .....	4
In general, average wind speeds required for grid-connected applications .....	11 mph
Estimated cost per turbine, in millions .....	\$1-\$2
Life expectancy of a turbine, in years .....	20-30
Height, in feet, of modern utility-scale wind turbines .....	164-328
Maximum blade length, in feet .....	100
Approximate acreage needed for one turbine footprint and access road .....	0.5
Estimated annual profit to farmers who own and operate one or two turbines once the capital expense of the turbines is fully paid .....	\$100,000
Approximate percent of the state's wind power production that occurs in a six-county area (Lincoln, Lyon, Murray, Nobles, Pipestone and Rock) in southwestern Minnesota .....	70
Number of projects in the Buffalo Ridge area, near Lake Benton .....	11
Combined capacity, in megawatts, of Lake Benton I and II projects .....	210.75
Combined capacity, in megawatts, of other nine projects .....	234.55
Estimated amount annually received by Lincoln County landowners for land leased and purchased by wind energy developers .....	\$500,000
Typical amount annually received per turbine by farmers in southern Minnesota who lease their land to wind developers .....	\$2,500-\$5,000
Amount in direct lease payments to landowners expected to be generated for each 100 megawatts of new wind development in southwest Minnesota .....	\$250,000
Personal income across all economic sectors (primarily transportation, communication, public utilities and services) that resulted in operation and maintenance phase of 143 turbines in Lincoln County .....	\$909,000
Per unit of energy generated, approximate percent greater jobs created in the state by wind energy versus a coal plant .....	33.3
Approximate percent versus a nuclear power plant .....	66.7

Sources: Minnesota's Wind Power Industry: A Fact Sheet for Business, [Department of Employment and Economic Development](#); American Wind Energy Association; Great Plains Windustry Project; Minnesotans for an Energy-Efficient Economy.

### FOR MORE INFORMATION

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