SESSION WEEKLY

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REALITY OF REENTRY

More for mother nature

OMNIBUS BILLS ON THE ROLL

HF2399- HF2421

SESSION WEEKLY

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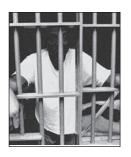
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On the cover: Rep. Tom Rukavina, chairman of the House Higher Education and Work Force Development Policy and Finance Division, presents his committee's omnibus finance bill during a hearing of the House Finance Committee on April 12.



PHOTO BY TOM OLMSCHEID

Members of the St. Paul-based 2nd Battalion, 147th Assault Helicopter Battalion salute as the colors are posted during a departure ceremony April 10. The 287 soldiers have been ordered to active duty in support of Operation Iraqi Freedom.

BY LEE ANN SCHUTZ

hen it comes to advocating for the state's veterans, party affiliation means nothing to Rep. Larry Haws (DFL-St. Cloud) and Rep. Dan Severson (R-Sauk Rapids).

The two became a familiar duo at committee tables this session as the sponsors of bills reflecting Gov. Tim Pawlenty's historic \$74.8 million military and veterans support package. Overall, this translates into a 51 percent increase for the departments of Military Affairs and Veterans Affairs over the previous biennium.

From education aid to tax breaks, the veterans and military initiatives put forth by Haws, Severson and others can be found sprinkled throughout several omnibus finance bills now making their way through the process.

A pairing by design

Severson's interest in veterans affairs is notable. Now serving his third term in the House, he is retired from the U.S. Navy after 25 years of service. He served as vice chairman

of the House Governmental Operations and Veterans Affairs Committee during the last biennium, when he sponsored at least nine bills relating to veterans affairs. He is outspoken about his view that the federal government does not live up to its "recruitment promises of education benefits and health care." He wants the state to help fill in the gap.

This year, with the unprecedented redeployment and scheduled August return of 2,500 Minnesota National Guard members — the greatest number of vets returning en masse in the state's history — veterans issues took on new urgency for Severson. He had a problem, however: his party lost control of the House. He began looking for a DFLer who would have as much passion as he did for "making things right for the veterans, and Minnesota a veteran-friendly state." He found it in Haws.

"He sought me out," Haws said. "We serve neighboring districts, and he knew about me because of my work with veterans when I was

First Reading continued on page 4



PHOTO BY ANDREW VONBANK

Rep. Dan Severson, *left*, and Rep. Larry Haws crossed party lines and teamed up to sponsor more veterans and military-related bills than any other representatives so far this session. They could often be found together at the committee table presenting information.

First Reading continued from page 3

a Stearns County Commissioner."

Haws said that over the years, he would visit missions and anywhere else homeless and down-on-their-luck veterans might be, "just to let them know someone cares" and to inform them of programs that might be of assistance.

And thus the team was formed.

So far this session, Haws is chief sponsor of 13 military or veterans-related bills, more than any other representative, and Severson sponsors seven, the second-most. Both have signed onto numerous other bills on the subject.

Vets ideas turn to bills

When a bill was up for discussion, as if warming up committee members for Severson's more informational, to-the-point approach, Haws would oftentimes rattle off one-liners, grabbing the bill's essence as well as the audience's attention. "Iloosen the crowd up and Severson comes in with information," he said.

Haws said ideas for the proposed legislation came from veterans themselves. He characterized the bills picked to be included in Gov. Tim Pawlenty's proposals "as moving from the grassroots up and from the top of the tree down." Ideas from the Military Action Group, a consortium of veterans organizations, played a key role in the governor's initiatives, Severson said.

Reaching out

A good share of the veterans provisions are contained in the omnibus agriculture, rural economies and veterans affairs finance bill, HF2227, which received division approval

March 28 and is on its way to the House floor via the House Ways and Means Committee. Sponsored by Rep. Al Juhnke (DFL-Willmar), it would allot more than \$28.1 million in spending to the Department of Veterans Affairs and \$41.9 million to the Department of Military Affairs over the biennium. The bill's companion, SF1925, sponsored by Sen. Jim Vickerman (DFL-Tracy), was tabled after being passed by the Senate 66-0 on March

Most of the new programming proposed in the bill is targeted to outreach and helping returning vets get re-established in their communities.

County veteran service offices, considered the local contact points for veterans, would see programs expanded under the bill. While all 87 counties provide the service, it was an unfunded state mandate until 2006, when \$200,000 was budgeted.

More than \$2.8 million would be provided over the biennium to the base for programs and services at the county level.

According to Clark Dyrud, commissioner of veterans affairs, only about 50 percent of the veterans apply for benefits they have coming, and outreach on the local level is necessary to help the veterans reintegrate and learn about available programs.

To help support outreach, \$4 million in each year of the biennium would be available for tribal veterans service offices and a grant to the Minnesota Assistance Council for Veterans and other outreach programs.

The bill would also provide \$1 million over the biennium for expansion of the higher education veterans assistance programs, which include informational offices on various campuses of higher education.

In each year of the biennium, \$1 million would be added to the base for the state soldier's assistance program, which provides cash assistance in the form of shelter payments (rent and mortgage), utilities and personal needs grants to veterans who are unable to work as a result of temporary disability.

The bill would allocate \$80,000 in the first year of the biennium for suicide prevention and psychological support for veterans, along with \$30,000 for a telephone hotline to refer veterans to available psychological counseling services.

A one-time allocation of \$250,000 would be available for grants to assist World War II veterans to attend the dedication of the Minnesota World War II Veterans Memorial on the Capitol Mall on June 9, 2007.

The bill would also provide in each year of the biennium:

- More than \$300,000 for grants to veterans service organizations and for outreach to underserved veterans;
- \$500,000 for health screening exams for depleted uranium in Minnesota veterans;
- \$100,000 for compensation for honor guards at the funeral of veterans; and
- \$26,000 for an educational stipend for eligible spouses and children of deceased veterans.

Tax exemption for veterans

Called the "highlight of the governor's bill" by Severson, HF300, sponsored by Haws, is being considered for possible inclusion in the omnibus tax bill. The bill expands the income tax subtraction for military service performed in Minnesota to all military pay effective for tax year 2007 and phased in over tax years 2007 to 2010.

"It is not just about rewarding service members for their service; this is about an investment in Minnesota's future," Severson said. Other states are exempting military benefits, and Minnesota will lose this pool of future employees as "this state will very quickly be one of the few states that tax veterans' pensions," he said.

The bill would also create a new income

Veterans continued on page 22

Editor's note: The following Highlights are coverage of select bills heard in House committees held March 29-April 12 and other House activity. To track the progress of a bill, go to www.leg.mn and click on Bill Search, Status and MyBills. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and *- the bill version considered by the House, or the bill language signed by the governor.

AGRICULTURE

Loan program for farmers gets funds

Signed by the governor Planting season is right around the corner, and a program that farmers, especially new farmers, look to for help in funding their operations will receive a fresh infusion of cash.

The <u>Rural Finance Authority</u> partners with local lenders to provide affordable credit to eligible farmers. During fiscal year 2006, more than \$14.7 million was loaned out through the program, effectively depleting its resources. As a result, the authority was unable to accept applications for five of its programs.

The new law, signed by Gov. Tim Pawlenty March 30, allows for a \$30 million bond issuance to fund the program this year.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Jim Vickerman (DFL-Tracy), loan participants are charged full interest along with the principal. A reserve is also built into the program to cover potential losses. The law, effective March 31, 2007, gives first priority to the beginning farmer loan program.

HF274*/SF227/CH16

— **L. S**снитz

BUSINESS

Trust company wording changes

Signed by the governor A new law, signed by the governor March 30, makes technical changes to statute relating to trust companies.

Effective Aug. 1, 2007, the law, put forth by the Minnesota

State Bar Association, inserts updated terms in state statute.

"The only two examples here are that the terms 'executor' and 'administrator' are removed because they are no longer in use, and the term 'conservator' and 'personal representative' is substituted because that is

what is used now," said <u>Rep. Steve Simon</u> (DFL-St. Louis Park), who sponsors the law with <u>Sen. Linda Scheid</u> (DFL-Brooklyn Park).

A trust company specializes in being a trustee of various kinds of trusts and managing estates.

HF1441*/SF792/CH12

— М. Соок

Closed wood plant maintenance

Ainsworth Lumber Co. recently announced that it is indefinitely suspending operations at its Grand Rapids facility.

Instead of letting the oriented strand board facility fall into disrepair, some would like to see the plant maintained for at least two years in hopes that another business would purchase and operate the facility.

A bill to require that was approved April 2 by the House Higher Education and Work Force Development Policy and Finance Division. <u>HF2385</u> now awaits action by the House Rules and Legislative Administration Committee.

"This is an attempt to do what we have done in the taconite industry, and we are attempting to do with the Ford plant (in St. Paul), to at least make sure that if they do suspend operations permanently, that we're able to have that plant in working condition," said Rep. Loren Solberg (DFL-Grand Rapids), the bill's sponsor. He said the plant employed 130 people.

Representing the company, Kevin Walli said the plant has "some competitive disadvantages" because of its press conditions.

"The company does intend to secure and maintain the mill in its current condition, so for that reason we are on a path to do very much what is required in this act," he said. "We are continuing to look for opportunities to reopen the plant, and our hope would be that we could do it yet this year."

A companion bill, <u>SF2186</u>, sponsored by <u>Sen. Tom Saxhaug</u> (DFL-Grand Rapids), awaits action by the Senate Business, Industry and Jobs Committee.

— М. Соок

ENVIRONMENT

Recycling e-waste

A bill that aims to solve the state's e-waste problem by establishing a system to recycle old TVs and other unwanted electronics devices is on a fast track to the House floor.

HF854, sponsored by Rep. Brita Sailer (DFL-Park Rapids), would force consumer

electronics manufacturers to collect and recycle an amount of devices proportional to the weight sold during the previous year. The House Finance Committee approved the bill April 12 and sent it to the House Taxes Committee. From there, it is expected to go to the House Ways and Means Committee and then to the House floor.

Rep. Lyndon Carlson (DFL-Crystal), House Finance Committee chairman, said the bill is being "fast-tracked," with the goal of presenting it to Gov. Tim Pawlenty for signature before Earth Day, April 22.

Since July 2006, it has been illegal to discard TVs and other video display devices into the normal municipal solid waste stream. The devices, which often contain lead, cadmium and other pollutants, must be recycled.

Unfortunately, Sailer said, the state failed to provide people with a reasonable way to recycle them. As a result, the problem has been left for county and local governments to deal with, resulting in illegal dumping, high recycling fees and increased property taxes, in some cases.

The bill would force manufacturers to collect an amount of devices equal to 80 percent of the weight of products sold during the previous year — except for the first year, in which the requirement would be 60 percent. Devices collected outside the Twin Cities metro area would count for 1.5 times their actual weight.

In addition, manufacturers would have to pay a base fee of \$2,500 per year (\$5,000 in the first year), plus a variable fee ranging from 30 cents to 50 cents per pound of product for each pound they fall short of their target.

Sailer said the goal of the legislation is to address the problem, but "keep government intervention at a minimum."

Rep. Tom Hackbarth (R-Cedar) spoke vehemently against the bill, calling it a "manufacturer's punishment bill" and a "convoluted plan to build bureaucracy" at the Minnesota Pollution Control Agency, which would help administer the program.

A companion bill, <u>SF235</u>, sponsored by <u>Sen. Linda Higgins</u> (DFL-Mpls), awaits action by the Senate Finance Committee.

— N. Busse

GAME & FISH

Game and fish bill

Cock pheasant bag limits, smokeless gunpowder, night vision goggles, crossbow hunting and nonresident hunting fees are just a few of the topics covered in the 2007 omnibus game and fish bill, approved March 29 by the House Environment and Natural Resources Finance Division.

Sponsored by Rep. David Dill (DFL-Crane Lake), the bill (HF1116) represents the work of the House Game, Fish and Forestry Division, which Dill chairs. It is now headed for the House Finance Committee.

Under the bill's provisions, modifications would be made to the state's hunting and fishing laws, including:

- increasing the pheasant hunting bag limit to three cock pheasants per day after the 16th day of the pheasant season;
- repealing a prohibition on the use of smokeless gunpowder during the state's muzzleloader hunting season;
- banning the use of night vision goggles while hunting;
- establishing a crossbow deer hunting season and creating a crossbow deer hunting license;
- allowing the use of remote-controlled animal noise callers for hunting foxes and coyotes;
- creating an apprentice hunter validation that would allow individuals who do not possess a firearms safety certificate to hunt small game and deer if accompanied by an adult with a valid hunting license;
- directing the Department of Natural Resources to develop a program to encourage private landowners to make their land available for public hunting and fishing use:
- eliminating the reciprocal nonresident deer archery license fee and lowering nonresident deer hunting fees for individuals between 12 and 18 years of age;
- eliminating a ban on transporting raccoon, beaver and rabbit meat out of state; and
- exempting military personnel and veterans from the range and shooting exercise portion of the state's firearm safety certification requirements.

Dill said the bill had been put together in a bipartisan fashion, with an equal number of amendments coming from Democrats and Republicans.

"In terms of the bill, it's pretty balanced between the two sides of the aisle," he said.

A companion, <u>SF1184</u>, sponsored by <u>Sen.</u> <u>Dan Skogen</u> (DFL-Hewitt), awaits action by the Senate Environment and Natural Resources Committee.

— N. Busse

If you have Internet access, visit the Legislature's Web page at: www.leg.mn

AMENDMENT SEARCH



PHOTO BY ANDREW VONBANK

Lobbyists and spectators scramble for copies of amendments to the various omnibus bills being heard in the House Finance Committee April 10.

GOVERNMENT

Duluth retiree benefits

Signed by the governor A new law that attempts to curb the impending \$300 million health care liability for retired Duluth city employees was signed by Gov. Tim Pawlenty March 30.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law allows the Public Employees Retirement Association to establish an irrevocable fund for the city to help pay for post-employment benefits promised to retirees. The city of Duluth investment committee will serve as the trustee of the fund.

Under the bill, the Minnesota State Board of Investment could also invest money from the city's community investment fund to help with debt service payments for the city's street improvement program.

In 1983, the state auditor told Duluth city officials to be more thorough in their accounting practices after learning employees were retiring with large amounts of sick leave time. Negotiations with unions resulted in free health care for retirees in exchange for giving up the sick leave, Huntley said in a previous committee.

"Unfortunately the city never set aside any money to pay for that." The change will reduce the liability to about \$150 million, he said.

The bill comes on the heels of a Jan. 22 report issued by the Office of the Legislative

Auditor that expressed serious concerns with post-employment benefits by local jurisdictions that are not adequately funded.

Concerns were raised by several legislators that the legislature is setting a precedent by intervening in the jurisdiction's funding issues. The new law states, "Nothing in sections 1 and 2 may be interpreted as establishing a precedent for potential solutions to postemployment benefit expenditure and funding problems in other jurisdictions...."

The law is effective the day following local approval.

HF163/SF60*/CH14

— P. OSTBERG

State government spending

Not much changed for state government agencies' budgets as the House State Government Finance Division's omnibus finance bill made its way through the House Finance Committee April 11. It was scheduled to be heard in the House Taxes Committee April 12.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), HF953/SF1997* would appropriate total net General Fund spending of \$544.5 million, compared to the governor's recommendation of \$646.7 million. The bill assumes \$104 million in revenue gains from technology carry-forward funds, the governor's and House tax compliance initiatives and audit fees. Much of the money would go to support the initial staffing and general costs associated with state agencies. The Senate approved the bill 42-20 March 24.

Also included in the bill are policy changes regarding elections. These would include automatic voter registration when applying for a driver's license; allowing for lease agreements to be used as forms of identification for Election Day registration; providing voter registration and active status information on the Office of the Secretary of State Web site; and allowing for ongoing absentee status for any eligible voter.

New commissions would be created, including the Minnesota Office of Ethnic Heritage and New Americans and the Legislative Commission on Terrorism and Disaster Preparedness. According to the bill, the heritage office would "assist state government to foster an understanding and appreciation of ethnic and cultural diversity in Minnesota."

The House and Senate would be required to adopt rules requiring committees of the same jurisdictions to meet at coordinating times, and a regular hour of convening daily sessions in both houses. Also under the bill, the parking in front of the Capitol would be reserved for the public. Currently the area is reserved for Senate members and some staff during session.

Under the House plan, the governor would be required to reduce the number of state commissioners to save more than \$8 million over the next two biennia. The governor would also be "encouraged to submit" a State of the State address in January of each odd-numbered year and announce any major policy initiatives.

An amendment, offered unsuccessfully by Rep. Bruce Anderson (R-Buffalo Township), would have removed a provision that would give domestic partners health benefits.

Supporting the amendment, House Minority Leader Rep. Marty Seifert (R-Marshall) said adding the provision equates to a "poison pill" and would result in a gubernatorial veto of the entire bill.

Rep. Karen Clark (DFL-Mpls) said giving benefits to domestic partners results in equal rights for all Minnesotans.

— P. OSTBERG

Meeker County EDA expands

Signed by the governor The Meeker County Economic Development Agency was established in 1998 by a special law. A general law authorizing county EDAs was passed in 2000, and the authority to have a nine-

member county EDA was passed in 2005.

Since the Meeker County EDA was established under a different statute, a special law was needed to allow for a nine-member board. This new law, signed by Gov. Tim Pawlenty March 30, gives the county the needed authorization to expand its EDA.

Sponsored by <u>Rep. Dean Urdahl</u> (R-Grove City) and <u>Sen. Steve Dille</u> (R-Dassel), the law takes effect the day after local compliance.

HF1429/SF1332*/CH15

— C. GREEN

Revisor's bill becomes law

Signed by the governor The yearly version of what is commonly known as the Revisor's Bill was signed into law by Gov. Tim Pawlenty March 30.

Sponsored by Rep. Scott Kranz (DFL-Blaine) and Sen. Mee Moua (DFL-St. Paul), the law corrects errors, ambiguities, omissions, obsolete references and any other technical changes that need to be made to Minnesota Statutes.

According to Michele Timmons, the revisor of statutes, during the interim between sessions, substantial editing and proofreading is done to the Session Laws and Minnesota Statutes. These changes, together with requests for additional changes from other state agencies, make up the bill.

A similar bill containing corrections for

bills passed during the current session is expected to come forward toward the end of session.

The law is effective Aug. 1, 2007. HF1200*/SF983/CH13

— C. GREEN

HEALTH & HUMAN SERVICES

A tribute to two former legislators

Signed by the governor Rural regions say they often struggle to retain emergency medical staff for a variety of reasons, including the fact that members must volunteer.

Former legislators Sen.

Dallas Sams (DFL-Staples) and Rep. Roger Cooper (DFL-Bird Island) understood this and were instrumental in passing legislation that removed barriers and offered incentives to those willing to provide the civic service.

On March 30, Gov. Tim Pawlenty signed into law an homage to these two men by renaming an incentive program for emergency service personnel in their honor.

The Ambulance Service Personnel Longevity Award and Incentive Program was passed in 1993 to offer payment to emergency response volunteers who "retired" from service after at least five years.

Effective Aug. 1, 2007, it will be known as the Cooper/Sams Volunteer Ambulance Program.

"We just feel this would be a fitting tribute to them to memorialize their efforts," said O. J. Doyle, legislative consultant for the Minnesota Ambulance Association.

He and the law's sponsor, Rep. Thomas Huntley (DFL-Duluth), said Cooper and Sams invested great energy to seeing the incentive program through the Legislature. The Senate sponsor is Senate President James Metzen (DFL-South St. Paul).

The timing is especially poignant, as Sams, who served in the Senate for 16 years, passed away March 5, 2007, at age 54 after a long battle with brain cancer. Cooper, 63, a House member from 1987-96, is undergoing treatment for thyroid cancer.

HF736/SF636*/CH11

— M. SIMPSON

More review for new hospitals

The House floor may be the next stage for debate of <u>HF1078</u>, after it was given approval by the House Finance Committee April 10.

Sponsored by <u>Rep. Thomas Huntley</u> (DFL-Duluth), the bill would change review requirements for new hospital sites.

In 1984, the Legislature placed a moratorium on construction of new hospitals, forcing state

authorization before building could begin. Two years ago, the state asked hospitals to submit public interest reviews to the Department of Health to aid the approval process.

The bill would add more to the review process, such as an assessment of how adding a new site would affect hospital employees at the current site. Hospitals would also be required to submit a report following completion of construction comparing the outcome to the original plan.

A controversial provision deleted from the bill would have allowed the state to withhold licensure from hospitals that strayed too far from the review plan. Huntley said this stipulation could have hurt development of a new hospital in Maple Grove — North Memorial Hospital — because investors worried that work there might be compromised. New language would require additional reporting, but removes the threat of a penalty.

The legislation would also require the commissioner of health to complete an annual report on hospitals' charity care and underpayment of services resulting from state health care plans.

<u>Sen. Linda Berglin</u> (DFL-Mpls) sponsors the companion bill, <u>SF967</u>, which awaits action by the full Senate.

- M. SIMPSON

Smoking ban progression

A plan to expand a smoking prohibition to restaurants, bars and places of employment continues to puff along.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Kathleen Sheran (DFL-Mankato), HF305/SF238* was approved April 2 by the House Higher Education and Work Force Development Policy and Finance Division and awaits action in the House Finance Division.

The division inserted the House language into the Senate file, which was approved 41-24 by that body March 27.

Under the bill, smoking would be prohibited in public places, at public meetings, on public transportation and at places of employment. However, local governments would be permitted to issue a smoking license to a bar, upon request, if at least 50 percent of establishment sales come from alcoholic sales, or it has a section, that along with other provisions, would need to be separated from a restaurant area by continuous floor-to-ceiling walls and have a ventilation system separate from the restaurant's.

The bill was successfully amended by Rep. Tom Rukavina (DFL-Virginia) so that workers who lose their job because of the proposed ban would be eligible for the Dislocated Worker Program, which offers free assistance in areas

such as career planning and counseling, jobrelated training and job search and placement skills

Defeated on a voice vote was an amendment offered by Rep. Bud Nornes (R-Fergus Falls), which would have permitted the governing body of border cities to permit smoking in bars and private clubs if the neighboring city in another state permits the same.

A lot of times they are literally one community separated by a border or a river, Nornes said.

Rep. Joe Atkins (DFL-Inver Grove Heights) said the amendment would not be fair to all Minnesota cities. For example, he said, it would permit smoking in Hastings, Minn. because Prescott, Wis., across the Mississippi River, allows smoking. "The folks in Rosemount then say, 'Hey now we're at a disadvantage to those folks in Hastings.' ... If you're not going to do it for all you can't do it for one."

— М. Соок

HIGHER EDUCATION

Omnibus bill continues forward

Although the House Finance Committee approved the omnibus higher education and work force development finance bill April 12, there's still concern that even if it passes on the House floor, it may not make it past Gov. Tim Pawlenty's veto pen.

HF797, sponsored by Rep. Tom Rukavina (DFL-Virginia), includes the "Dream Act," which would give in-state college tuition to undocumented immigrants living in Minnesota who have attended a Minnesota high school for at least three years.

Rep. Dan Severson (R-Sauk Rapids), who offered an amendment to delete this provision, said that not only is the proposed statute unnecessary, it violates federal law and is an affront to those who have waited to become citizens as prescribed by current law. "The bill is a slap in the face to those who have gone through the legal process," he said.

The larger issue, said Rep. Carlos Mariani (DFL-St. Paul), is the federal government's intrusion into what should be a state decision. He said the provision, which has been passed by 11 other states, would allow more young people to continue their pursuit of education and in turn become a tremendous asset for Minnesota. Severson's amendment was defeated.

Other details of the omnibus bill include more than \$67 million to Minnesota State Colleges and Universities and the University of Minnesota to help reduce tuition rates; \$24 million for the research partnership between the university and the Mayo Clinic; \$36.5 million in higher education technology improvements; and \$45 million in incentives for the bioscience industry.

After it was approved, language from HF797 was inserted into the Senate omnibus bill, <u>SF1989</u>. Sponsored by <u>Sen. Sandy Pappas</u> (DFL-St. Paul), it was passed 64-2 by the Senate March 22 and was scheduled to be heard by the House Taxes Committee April 13.

— C. GREEN

HOUSING

Predatory lending prevention

Homeowners could be better protected from unscrupulous and predatory mortgage lending practices, under a bill that supporters call a balance between consumer protection and a robust lending market.

Sponsored by Rep. Jim Davnie (DFL-Mpls), HF1004 was approved 124-9 by the House March 29. The bill now awaits action by the full Senate. Sen. Linda Higgins (DFL-Mpls) is the Senate sponsor.

"This establishes common sense standards for Minnesota consumers regarding underwriting and marketing of home loans," Davnie said. "It clarifies that home loans should be based on a borrower's ability to pay, and that borrowers should be given the information necessary to understand the loan. It aligns the interest of the mortgage broker with the borrower and assures the broker clear, objective standards."

According to the <u>U.S. Department of Housing and Urban Development</u>, predatory lenders, in part, sell properties for more than they are worth using false appraisals; encourage borrowers to lie about their income, expenses or cash available for down payments in order to get a loan; knowingly lend more money than a borrower can afford to repay; charge fees for unnecessary or nonexistent products and services; charge high interest rates to borrowers based on their race or national origin and not on their credit history; and strip homeowners' equity by convincing them to refinance when there is no benefit to the borrower.

The bill would define how a lender is to verify a borrower's ability to repay the loan; would require a mortgage broker to inform the borrower of not only the monthly payment on a first-lien mortgage loan, but also the monthly property taxes and insurance; and would prohibit "churning," or repeated refinancing that does not benefit the borrower considering all the circumstances.

"We want to make sure that when loans are marketed to consumers, they are fully aware of all the aspects of the loan," said Davnie.

— М. Соок

FLYING SEND-OFF



PHOTO BY TOM OLMSCHEID

Blackhawk combat helicopters of the St. Paul-based 2nd Battalion, 147th Assault Helicopter Battalion fly west to east between the State Office Building, left, and the Capitol April 12 as a tribute to their Minnesota family and friends. The battalion was ordered April 10 to active duty in support of Operation Iraqi Freedom.

INSURANCE

Hospitals vs. health plans

One culprit for the rising cost of health care, according to insurers, is medical imaging — specifically, high-tech diagnostic tests, such as magnetic resonance imaging, positron emission tomography scans and computed tomography scans.

In an attempt to curb unnecessary use of these technologies, Minnesota insurance companies have imposed regulations requiring physicians to first consult with a health-plan representative before prescribing the tests. Noncompliance means insurers won't pay, though they emphasize that no doctor is denied payment so long as they call first.

"This is the hottest issue for doctors in the state," said Robert Meiches, chief executive officer for the Minnesota Medical Association.

Meiches advocated a moratorium on the programs to members of the House Health Care and Human Services Finance Division March 30.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), the division chairman, HF2003 would prohibit the notification provision

until December 2008, while appointing a committee to study the issue. The legislation was offered as an amendment to HF297, the division's omnibus bill, also sponsored by Huntley. Members split the amendment in two, with only the study receiving approval.

The bill's companion, <u>SF1752</u>, sponsored by <u>Sen. Sandy Pappas</u> (DFL-St. Paul), awaits action by the Senate Health, Housing and Family Security Committee.

"The question is: are we really getting better patient safety, better patient care and are we really cutting costs through these programs?" said Rep. Maria Ruud (DFL-Minnetonka).

Insurers answered yes.

Charles Fazio, senior vice president and medical officer for Medica, said his company has decreased overall utilization, and saved \$15 million in health care costs since implementing its program in January 2007.

He said 10 to 20 percent of these procedures aren't medically necessary and cause patients to be needlessly exposed to high levels of radiation, in some cases.

Physicians complained that the authorization process was cumbersome, and forced them to assume additional staff and waste precious time.

"The issue is the amount of time we're

diverting to the process," said Terry Clark, a physician with Duluth's SMDC Health System, who said he's committed two full-time clerks and nurse time to seeking approvals.

Fazio said average "talk time" was six minutes.

— M. SIMPSON

9

Rental vehicle coverage extension

Under current law, a rental vehicle is covered by the liability portion of your motor vehicle insurance policy for one month.

Sponsored by Rep. Kate Knuth (DFL-New Brighton), <u>HF1022</u> would extend that to two months.

Approved 97-36 by the House March 29, the bill now awaits action by the Senate Commerce and Consumer Protection Committee. <u>Sen. Mary Olson</u> (DFL-Bemidji) is the Senate sponsor.

Knuth said the initiative came to her from a snowbird.

"He goes to Arizona every year and rents a car for two or three months, and because of circumstances, found out one year that if he was renting the car for more than 30 days his insurance coverage in Minnesota does not actually cover his rental, and he was basically driving around without insurance," she said.

The idea is to simply reduce the hassle factor, and to make sure people don't get caught without insurance on rental vehicles, said Knuth, adding that costs to policyholders would be "miniscule."

Bob Johnson, president of the Insurance Federation of Minnesota, told a House division that this extension "isn't the issue that's going to drive systems and premiums in Minnesota."

The bill would also require consumers to be notified of the two-month limit at the time of rental.

"I'm really glad you brought this to us because it takes care of us older people when we get down South," joked Rep. Bob Gunther (R-Fairmont).

— М. Соок

MILITARY

Guard reintegration programs

Several finance division omnibus bills were realigned this week in an effort to line up accounts with corresponding finance bills already passed by the Senate. Funding for the Department of Military Affairs is an example of the procedural change.

Bills relating to the department had been included in the House State Government Finance Division omnibus bill; however, the House Finance Committee April 10 amended the \$41.9 million in biennial appropriations

onto HF2227, the House Agriculture, Rural Economies and Veterans Affairs Finance Division omnibus bill. Sponsored by Rep. Al Juhnke (DFL-Willmar), it was scheduled to be heard April 13 by the House Ways and Means Committee.

The companion, <u>SF1925</u>, sponsored by <u>Sen.</u> <u>Jim Vickerman</u> (DFL-Tracy) passed the Senate 66-0 March 22 and was tabled.

With more than 2,500 Minnesotans deployed overseas and expected to return en masse in August, the bill would allot \$1.5 million in the first year of the biennium for National Guard reintegration. This includes a program under the "Beyond the Yellow Ribbon" banner called Family Reintegration Academies. These events are held at various locations across the state, drawing families of those who are deployed and providing them with information and "insight to ease the difficulties of reintegration," according to the Minnesota National Guard Web site.

Biennial funding also included in the bill:

- \$20.4 million for a National Guard education assistance program and other enlistment incentives;
- \$14.9 million for maintenance of training facilities and armories, air base operations and repair of buildings; and
- \$560,000 for additional staffing.

The bill also calls for National Guard members who are activated as honor guards

Minnesota Department
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PHOTO BY LEE ANN SCHUT

Don Pfeffer, director of the Department of Veterans Affairs Higher Education Veterans Assistance Program, speaks with the wife of a deployed National Guard member during a guard-sponsored Family Reintegration Academy held in Duluth. The events, held across the state, draw families of those who are deployed, and provides information about programs available to them and returning military members.

at funerals to be paid at the regular activation rate.

In an effort to boost morale, the bill would also permit the adjutant general to establish a fund and board to create and operate recreation facilities and activities at Camp Ripley and other National Guard facilities. The bill specifies, however, that no General Fund money or other state funds would be used for the purpose.

Starbase Minnesota is a program targeted to inner-city students and supported by the Minnesota National Guard that provides a hands-on approach to aerospace technology. The bill would provide \$150,000, in the first year of the biennium for predesign and design of a new facility at Camp Ripley for the Starbase program.

— **L. S**снитz

TAXES

Tax break for Mall of America

A new garage planned at the Mall of America would cost \$22,000 per parking space, if building plans follow through in current form.

With 8,000 parking spaces, the \$181 million garage would be funded through state bonds, if <u>HF2237</u>, sponsored by <u>Rep. Mike Nelson</u> (DFL-Brooklyn Park), becomes law.

"I've never even owned a car that expensive, let alone a parking space," said Rep. Jim Davnie (DFL-Mpls).

The bill was laid over April 11 for possible omnibus bill inclusion by the House Taxes Committee. The measure was included in the Senate omnibus tax bill and passed 38-28 on March 30.

Rep. Loren Solberg (DFL-Grand Rapids) asked mall officials if parking fees had been discussed for the proposed garage.

"At the Capitol, I pay for the ramp because I use it," he said. "Why wouldn't that be a part of the conversation?"

Bill Griffith, an attorney speaking on behalf of the mall, said the megamall can't support a parking fee because people would look for free or reduced fee parking elsewhere.

"If it was that simple, we wouldn't be before you today," he said.

The hearing was the first time the committee discussed the plans for building Phase II at the Mall of America. The plan includes the new parking garage and hotels. In addition to using state bonds, the mall is asking for \$53.2 million in sales tax exemptions on construction materials and costs over several years, as well as a tax increment financing extension from the city of Bloomington.

Taxes Committee Chairwoman Rep. Ann Lenczewski (DFL-Bloomington) said there

has been confusion on how the existing portion of the mall was funded.

"The state did not build the mall," she said. "Bloomington residents, Hennepin County residents and private investors built the mall."

Mall and city officials defended the tax breaks as something that would stimulate higher tax revenues for the state and Bloomington as the expansion would likely attract more tourists and shoppers. They said Phase I of the project produced state tax revenues of \$476 million from 1992 through 2006.

Griffith said he worked with the city of Bloomington for two years doing public infrastructure studies. The sales tax exemption includes related improvements within the TIF district and may include materials for roads and other infrastructure improvements. The TIF district, set to expire in 2018, would be extended until 2025.

"No project can be successful without investment in public infrastructure," he said.

— S. HEGMAN

Exemption for publishing company

An Eagan publishing company could see a sales tax exemption on an expansion project if the state agrees to help.

HF1138 would give Thomson West, a legal information solutions company in Eagan, the exemption for a possible expansion. Sponsored by Rep. Sandra Masin (DFL-Eagan), the expansion would include two data centers and an office building that could house 2,000 employees by 2012. The exemption is not long term and would save the company \$9 million over four years, transferring the costs to the state's General Fund. The exemption is contingent on the business spending at least \$60 million on the project. But once completed, the expansion would increase the company's tax base.

The bill would provide a sales tax exemption for materials and supplies used and equipment incorporated into construction, renovation and expansion. The exemption would apply to everything from equipment and furniture to software and telecommunications equipment. If approved, the exemption would be effective for purchases after Dec. 31, 2006, and before Jan. 1, 2012.

But a sales tax exemption isn't the only thing in the works for Thomson West. HF2129, sponsored by Rep. Lynn Wardlow (R-Eagan), would authorize the city of Eagan to create one or more economic development tax increment financing districts for the expansion. Both bills were held over for possible omnibus bill inclusion by the House Taxes Committee April 11.

According to the nonpartisan House

AIRING SUPPORT



PHOTO BY ANDREW VONBANK

Hundreds of transportation workers hold signs and listen to legislators on the Capitol mall during a rally for transportation funding April 12.

Research Department, increments would be calculated using the current tax rates, not the tax rates in effect when the district was certified under general law.

The Eagan City Council unanimously approved a resolution in March supporting a tax increment financing district for the business. The city council agreed that the availability of tax increment assistance might be necessary to persuade the company to proceed with the project in Eagan rather than build in a different state.

"This is not just an Eagan bill, it's a state of Minnesota bill," said Eagan Mayor Mike Magnire

He added that the business attracts income from around the world.

Companion bills, <u>SF897</u> and <u>SF1843</u>, sponsored by <u>Sen. Jim Carlson</u> (DFL-Eagan), were included in the Senate omnibus tax bill that passed 38-28 March 30.

— S. HEGMAN



PHOTO BY ANDREW VONBANK

Funding for Clean Water Legacy Act programs, aimed at improving the quality of the state's surface waters, would get a boost in the environment, natural resources and energy omnibus finance bill.

lean up our waters" is how Rep. Jean Wagenius (DFL-Mpls) describes the overall theme of this year's environment finance bill. But there's more to it than that — everything from I ethanol to invasive species and off-road vehicle trails.

In fact, the bill is a kind of environmental super-bill, combining the omnibus environment finance bill (HF1651), sponsored by Wagenius; the omnibus energy finance bill (HF1392), sponsored by Rep. Bill Hilty (DFL-Finlayson); and the omnibus wetlands and watersheds bill (HF577), sponsored by Rep. Rick Hansen (DFL-South St. Paul).

On April 10, the House Finance Committee incorporated the language of all three bills into HF2410/SF2096*, the environment, natural resources and energy omnibus finance bill. Sponsored by Wagenius and Sen. Ellen Anderson (DFL-St. Paul), the bill was passed 61-2 by the Senate March 27. It was approved as amended April 10 by the House Finance Committee and April 11 by the House Taxes Committee, and now awaits action by the

House Ways and Means Committee.

The bill contains approximately \$761 million in environment and natural resources spending and \$47 million in energy-related spending, with a focus on repairing impaired waters and developing renewable power, respectively. Altogether, it proposes approximately \$27 million more in spending than Gov. Tim Pawlenty's budget recommendations.

Rep. Lyndon Carlson (DFL-Crystal), House

Finance Committee chairman, explained that the bills were being combined to match up with the Senate, which chose to put its environment and energy funding into a single bill. He said it would make it easier for a conference committee to iron out differences between the House and Senate versions.

Some Republicans on the committee objected to the procedure, including Rep. Paul Kohls (R-Victoria), who expressed concern

that "cobbling" together bills with different subjects was in violation of the Minnesota Constitution.

Rep. Steve Sviggum (R-Kenyon) tried unsuccessfully to amend the bill by deleting everything but the governor's recommendations.

Environment

Environment and natural resources spending in the state would get a \$107.6 million boost—a 16.5 percent increase over current funding levels.

The largest chunk of the spending for the

"During the course of the hear-

ings that we've had over the past

several months, we heard some

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it's fair to say the first priority was

'clean up our waters,'"

— Rep. Jean Wagenius

biennium would go toward cleaning up impaired waters under the provisions of the Clean Water Legacy Act, with \$30.6 million in General Fund money going to the Minnesota Pollution Control Agency to conduct assessments of surface water quality. Additionally,

the Department of Natural Resources would receive an extra \$5.6 million and the Board of Water and Soil Resources an extra \$10.9 million to help implement Clean Water Legacy Act programs.

"During the course of the hearings that we've had over the past several months, we heard some priorities from folks, and I think it's fair to say the first priority was 'clean up our waters,'" Wagenius said.

Various programs to combat the spread of invasive species would get a boost from the bill, including \$3.2 million in new funding for the DNR's aquatic invasive species control program and \$150,000 to fight shade tree pests and diseases. Additionally, it would require the DNR to develop a plan to prevent Asian carp from spreading into state waters, implement a pilot program to stop the spread of zebra mussels, and establish a dedicated invasive species account in which revenues from the state's watercraft license surcharges would be deposited.

The Board of Water and Soil Resources would also receive a large portion of the new money, with a \$14.7 million increase, bringing the board's total state funding to \$45.1 million for the biennium. The money would be used for a variety of purposes, including improvements to drainage ditches and weed management programs.

The board would also be given greater oversight powers and responsibilities, under language that was drafted partially in response to an Office of the Legislative Auditor report

critical of the board's oversight practices. The board would be required to evaluate the performance and finances of local water management entities on a regular basis and take "corrective actions," including withholding grant money and other funds, when necessary.

Parks and trails would see a funding increase in the bill in the form of a \$1.5 million increase to the Metropolitan Council for metropolitan parks and a \$1.5 million appropriation to the DNR for state trails and parks.

Also included in the bill is a program

that would allow deer hunters to donate venison to food assistance programs at no charge. The program would allow the Department of Agriculture to provide a \$70 reimbursement to meat processors who process deer for charitable food organizations. A \$1

surcharge on all deer hunting licenses would be instituted to pay for the program.

One of the bill's more controversial provisions would ban the use and development of off-road vehicle trails on DNR-administered lands in Beltrami, Cass, Crow Wing and Hubbard counties — where all the current trails happen to be located. Rep. Tom Hackbarth (R-Cedar) tried unsuccessfully to remove the provision.

Other highlights include:

- a provision that would restrict the release of genetically modified wild rice in the state:
- funding for the Department of Health to analyze water treatments to reduce potentially harmful chemicals from the drinking water supply in the east metro area;
- funding to test 20 surface water sites around the state for the presence of endocrine disruptors; and
- provisions clarifying the state's requirements for replacing wetlands.

Energy

The bill would provide for a host of new investments in renewable and alternative energy sources like wind, solar, hydrogen and biofuels. It accounts for a sizeable chunk of the governor's "Next Generation Energy Initiative."

The "E85 Everywhere" initiative, which aims to expand the number of ethanol fueling stations in the state by way of a cost-sharing grant program, would receive

\$8 million — \$4 million less than the governor's recommendation.

Hydrogen power would get a significant boost from the bill in the form of a \$10 million competitive grant program. The commerce department would be directed to create a vision, goals, timeline and strategies for deploying hydrogen power in Minnesota, and then implement the program accordingly.

Wind power, key to meeting the state's newly adopted renewable energy standard, would get a helping hand in the form of a \$2 million rural wind energy development assistance program and also a \$3.25 million revolving loan program.

Research initiatives also figure prominently in the bill. Xcel Energy would be directed to transfer \$5 million to the Department of Commerce to fund a competitive grant program for renewable energy research projects. Xcel would also have to transfer an additional \$5 million to the department for a number of other programs, including a \$1 million "technical analysis and demonstration" project focusing on plug-in hybrid electric vehicles.

Also included in the bill is a \$3 million grant in fiscal year 2009 to the University of Minnesota's Initiative for Renewable Energy and the Environment for various renewable energy research projects. Another \$10 million would be appropriated over fiscal years 2010 and 2011.

Other energy-related highlights include:

- a program that would give cash bonuses to state employees who make energyefficiency suggestions that save the state money;
- \$4 million for preliminary engineering, permitting and development of a steamproducing power plant in St. Paul, to be used to power the Rock-Tenn recycling facility;
- \$500,000 in rebates for solar electricity projects; and
- \$60,000 for a feasibility study on hydroelectric generation at the Rapidan Dam in Blue Earth County.

Where to find information

House Public Information Services 175 State Office Building (651) 296-2146 or (800) 657-3550

House Public Information Services is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the Session Weekly newsmagazine, educational brochures, and member directories. All information is available at no charge.

Most of what this office publishes can be viewed on the House's Web page. To connect, point your web browser at: www.house.mn

Finding a home for the homeless

One-time funding raises concern for future of some programs

By MIA SIMPSON

t first it seemed there were no losers in HF2241.
Every bill laid over for possible omnibus inclusion by the House Housing Policy and Finance and Public Health Finance Division had been included in the final bill, which was approved by the division March 30 and the House Finance Committee April 11.

The legislation, sponsored by Rep. Karen Clark (DFL-Mpls), division chairwoman, gave a slight bump in biennial General Fund spending over the governor's proposal, for a total appropriation of \$556 million. There is no Senate companion.

But, as they say, the devil is in the details. During the division hearing, advocate after advocate rose to thank the committee for its generosity, but said they were dismayed by the funding source being proposed: one-time monies taken from the federal welfare program, called TANF or Temporary Assistance for Needy Families.

"We need you to go to leadership and demand real money for this committee," said Michael Dahl, executive director of Minnesota Coalition for the Homeless. "You need to do something to get rid of these one-time TANF funds."

In all, \$31 million would be drawn from TANF funding for housing and family homevisiting programs the next biennium. It was a move Clark said she regretted and would work to rectify, both in conference committee later this session and in two years when funding would run dry.

"In many ways I agree with you on the issue of the TANF funding; that was not our choice," Clark said. "I do believe that you and I, if we're back here in those years 2010 and 2011, that we'll do the right thing. That's what I have to count on."

Housing

The money issue drove to the heart of much of the division's work — housing. Initiatives

Health & Housing continued on page 22



PHOTO BY TOM OLMSCHEID

In response to several accidents where children have fallen through window screens, an amendment was successfully attached to the omnibus housing and public health finance bill that would force window safety standards into state building codes.

A first step toward change

Improvement for health care, nursing homes and the poor

By MIA SIMPSON

Friday, March 30, on the ground floor of the State Office Building, a large crowd surrounded the entrance to room 10. Inside, lobbyists and advocates searched for seating and buzzed about the work to come. It was the final hearing of House Health Care and Human Services Finance Division for its omnibus finance bill, HF297, sponsored by the division chairman, Rep. Thomas Huntley (DFL-Duluth).

Earlier in the session, representatives from nursing homes, hospitals, low-income families, mental health and health care had pushed hard for big proposals, many at costs of hundreds of millions of dollars.

"When we think about these issues — longterm care to general health care to welfare — the stakes are high," <u>Rep. Larry Hosch</u> (DFL-St. Joseph) said. "I've learned a lot throughout this process."

Approved by members and sent to the House Finance Committee, the bill provided some help. It included a priority of the DFL caucus, HF1, sponsored by Rep. Paul Thissen (DFL-Mpls), a measure that seeks to incrementally provide health insurance to all children. The bill would also restore some funding for those affected by state cuts in 2003 and 2005, when the Legislature wrestled with budget deficits. The companion, SF2, sponsored by Sen. Linda Berglin (DFL-Mpls), passed the Senate 42-23 on March 29.

As discussion closed over the \$11 billion proposal, Republican and DFL members differed over the means used to address the division's issues — but not the goal, which is to build systems of better care and accountability.

"Moving from last year's to this year's committee, there's certainly a big change in direction," Rep. Matt Dean (R-Dellwood) said. "But we want to approach much of this on a bipartisan basis."

Health Care

The buzz word about health care this session was "reform," and HF297 would begin

the long trek to that end. It proposes a variety of pilot projects, task forces and studies, most with one-time money, to encourage innovation and search for answers to the state's health care issues. These include:

- a project for community collaboratives that would help provide support to people without health care;
- a payment reform plan for medical assistance recipients receiving care for chronic conditions;
- pilot programs for state employees and enrollees of state health care programs that focus on medical homes, care coordination and treatment incentives;
- studies on universal coverage, medical imaging and uncompensated care; and
- two task forces, one charged with learning how to best improve affordability, quality and access — the three legs of the health care stool — and one to focus on a plan for covering all children in Minnesota, under HF1.

The Children's Health Security Act, HF1, was funded in its entirety. The bill would pull children below 225 percent of federal poverty guidelines into MinnesotaCare by 2008 and those below 300 percent by 2011, at a cost of \$373 million by 2011, as well as establish the task force.

The bill also includes provisions from Gov. Tim Pawlenty's health care initiatives, such as:

- "125 plans," which would require certain employers to establish a system allowing employees to buy health insurance with pre-tax dollars;
- QCare, which sets quality care standards for diabetes, hospital care, preventative care and cardiac care for state employees and state health care recipients; and
- one-time funding for e-Health grants to help establish interoperable electronic health record systems in Greater Minnesota.

Nursing Homes

Rep. Patti Fritz (DFL-Faribault) said in an earlier interview that a 4 percent funding

boost to nursing homes across the board would be victory; HF297 would give them an increase of 3 percent, while providing more funding to specific, struggling nursing homes. It didn't fund rebasing, which would have corrected funding inequalities between rural and urban nursing homes. It also proposes cost-neutral changes to patient care reimbursements, known as case mix indices, a move opposed by the industry.

Minnesota Family Investment Program

Discussion on behalf of low-income families centered mostly on two issues this year: the change in federal work requirements under the federal welfare program, called Temporary Assistance for Needy Families; and cuts made by the state to MFIP in 2003. HF297 attempts to partially rectify both. It would repeal two penalties: the Supplemental Security Income penalty, which revokes \$125 from a family's monthly MFIP grant if that family also receives federal SSI assistance; and the family cap, which denies additional cash assistance to families that bear children while on the MFIP program.

The bill also relaxes work requirements for parent participants, who would be waived from working 20 hours a week for 12 months, instead of the current 12 weeks, if they pursue more education. Recipients would also be required to give written permission to work for free under the legislation, and program exit levels were pushed from 115 percent to 140 percent of federal poverty guidelines.

Some legislators found these latter changes counter-intuitive, given new work performance standards passed by Congress in 2006. As part of the Deficit Reduction Act, the federal government limited acceptable work activities and imposed tougher work rate targets for TANF recipients. If Minnesota fails to meet the mark, it could be penalized tens of millions of dollars annually.

Republican members said that easing work requirements will make it tougher to meet federal demands. "This does not get us where we need to be," Rep. Steve Gottwalt (R-St. Cloud) said. The bill does propose to move populations least likely to meet the targets, such as refugees, to state-sponsored programs, as promoted by the governor.

Health & Human continued on page 22

Closing the achievement gap

All-day kindergarten is part of \$13.9 billion budget proposal

By Stephen Harding

he omnibus K-12 education finance bill has several new programs intended to close the achievement gap and keep Minnesota schools among the best in the nation, supporters say.

Although K-12 education spending makes up 39 percent of the state's budget, and the House proposal won't change that, the bill proposes a \$919 million increase in base funding to cover the cost of new programs, funnel resources to under-funded programs and for one-time grants.

Sponsored by <u>Rep. Mindy Greiling</u> (DFL-Roseville), <u>HF6</u> outlines \$13.9 billion in

spending for the next biennium, a 9.2 percent increase in the education budget over the previous biennium. Some new initiatives and increased funding could go toward voluntary all-day kindergarten, "21st century high schools" initiatives, world language programs, responsible family life and sexuality education programs and \$125 million in property tax relief.

Half of the House Early Childhood Learning Finance Division's omnibus bill was incorporated into the omnibus K-12 education finance bill. The other portion will be incorporated into the omnibus health care and human services finance bill. On April 11 the House Finance Committee approved the bill and referred it to the House Taxes Committee.

The Senate version, <u>SF2095</u>, sponsored by <u>Sen. LeRoy Stumpf</u> (DFL-Plummer), was approved 51-12 March 26 and then tabled.

Programs

A top priority this year for House Democrats is all-day kindergarten, and part of the bill would fund that with \$94.7 million in fiscal year 2009. Currently, Minnesota schools offer half-day kindergarten. If parents want their

K-12 continued on page 23



HOTO BY TOM OLMSCHEID

Jenny Heyer, left, a kindergarten teacher at Island Lake Elementary School in Shoreveiw, listens as Brook Fahey reads her a story about birds as other students wait their turn on April 12.

Reality of reentry

Hold offenders accountable, but provide tools for success outside the cell

By CRAIG GREEN

hen this year's session began, Rep. Michael Paymar (DFL-St. Paul), chairman of the House Public Safety Finance Division, set out to reevaluate the way the state deals with offenders after their release from incarceration.

"We owe it to society and to these offenders and their families to give them a second chance when they are released," Paymar said. "But you don't give them a chance by setting them up for failure. What we're trying to do is give them that second chance."

Having seen continuing efforts at the Legislature to incarcerate offenders for longer periods of time, Paymar wanted to find a way to hold offenders accountable for their actions, give them the needed tools to stay crime-free and save taxpayer dollars.

Sponsored by Paymar, <u>HF829</u>, the omnibus public safety finance bill, includes provisions from several bills that would support reentry programs and initiatives. It was approved

by the division March 29. After stops in the House finance and taxes committees on April 9 and 10, the bill's next stop is the House Ways and Means Committee.

A Senate companion, <u>SF1992</u>, sponsored by <u>Sen. Linda Higgins</u> (DFL-Mpls), was passed 64-0 by the Senate March 23 and laid on the table.

Jobs, housing and treatment

Fred LeFleur, director of the Hennepin County Department of Community Corrections, said that 80 percent of offenders released are unemployed and have no trade or craft making it difficult for them to find jobs or affordable housing. "Many prisoners go into prison with no skills, so the expectation that this is going to happen after 36 to 48 months is unrealistic," LeFleur said. "We have to motivate people who aren't historically motivated to get educated."

The omnibus bill includes <u>HF1734</u>, sponsored by Rep. A. Willie Dominguez

(DFL-Mpls), that would fund \$400,000 in the next biennium for a pilot project providing employment services to ex-criminal offenders in North Minneapolis, and HF2267, sponsored by Rep. Mary Murphy (DFL-Hermantown), that would provide \$300,000 to the Arrowhead Regional Corrections agency to expand its productive day program. The omnibus bill also includes \$1.1 million to local government units participating in the Minnesota Comprehensive Offender Reentry Plan for reentry job-seeking services.

"A decent job is a means to keeping an offender from trying to find the easy buck," Paymar said. "An offender will be less likely to go into the old familiar territory of criminal behavior if they are working and contributing to society."

Another program hoping to receive funding is The NetWork. Chief Executive Officer Steve Nelson said that he and his staff work with high-risk adults — primarily black men — who have chronic problems with employment, housing, substance abuse and mental illness.

"An investment in this enterprise must be compared to the cost of maintaining the proven inefficiencies and limited effectiveness of fragmented systems dealing with only one aspect of [ex-offenders'] lives. The NetWork is designed to provide much better outcomes at a cost taxpayers can afford and support."

With 30 percent to 50 percent of all offenders suffering from mental illness, Paymar believes that these types of treatment programs are essential. "What's going to happen to them if they're not able to be treated for mental illness or a drug habit? They'll wind up homeless, dead under a bridge somewhere, or they'll be the people committing a lot of nuisance crimes in neighborhoods," Paymar said. "They're simply not given an opportunity."

This conviction, however, was not always shared by the members of the division. Rep. Tony Cornish (R-Good Thunder) said, "One thing I'm getting tired of is being made

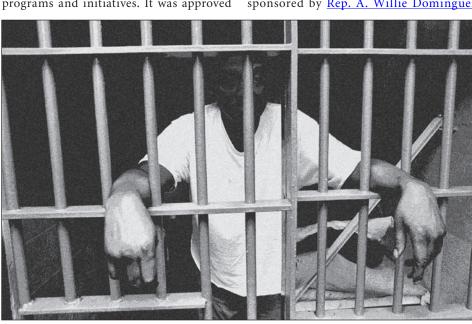


PHOTO ILLUSTRATION BY TOM OLMSCHEID

The Public Safety Finance Division's omnibus bill provides for several programs to help offenders reenter society. Rep. Michael Paymar, the bill's sponsor, wants to find a way to hold offenders accountable for their actions, yet give them the needed tools to stay crime-free and save taxpayer dollars.

Public Safety continued on page 23

How a Bill Becomes

Idea

A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency, or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

Legal form

The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill can be introduced into the Minnesota House of Representatives and the Minnesota Senate.

Authors

Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator is the chief author whose name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to 34 co-authors from the House and four from the Senate. Their names also appear on the bill.

General Register

In the House, the General Register serves as a parking lot where bills await action by the full body. Bills chosen to appear on the Calendar for the Day or the Fiscal Calendar are drawn from the General Register.

In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action), or further committee action. And sometimes they recommend that a bill not pass. From here, the bill is placed on the Calendar.

Calendar for the Day

In the House, the Calendar for the Day is a list of bills the House Rules and Legislative Administration Committee has designated for the full House to vote on. Members can vote to amend the bill, and after amendments are dispensed with, the bill is given its third reading before the vote of the full body is taken. The House also has a Fiscal Calendar, on which the chair of the House Ways and Means Committee or House Taxes Committee can call up for consideration any tax or finance bill that has had a second reading. The bills are debated, amended, and passed in one day.

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its *third reading*, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Committee on Rules and Administration designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day.

A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.



a Law in Minnesota

Introduction

The chief House author of the bill introduces it in the House; the chief Senate author introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

Committee

The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

Floor

After the full House or Senate accepts the committee report, the bill has its second reading and is placed on the House agenda called the General Register or the Senate agenda called General Orders. (A committee can recommend that non-controversial bills bypass the General Register or General Orders and go onto the Consent Calendar, where bills usually pass without debate.) After this point, House and Senate procedures differ slightly.

Conference

If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

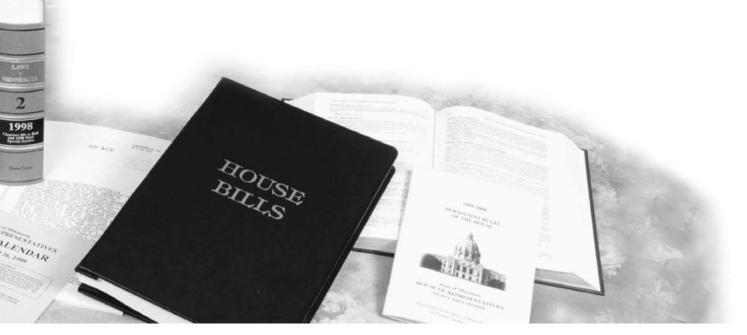
Floor

The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

Governor

Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may "line-item veto" parts of a money bill, or "pocket veto" a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼

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BILL INTRODUCTIONS

Tuesday, April 10

HF2399-Thissen (DFL) Health & Human Services

Athletic trainers education, credentials, definitions and training provisions modified.

HF2400-Hilstrom (DFL) Health & Human Services

Human services department vehicles exempted from tax and fees; sex offender programs and vulnerable adult definition modified; and penalties imposed for bringing contraband onto treatment facility property.

HF2401-Loeffler (DFL) Health & Human Services

Public employees group long-term care insurance program eligibility expanded.

HF2402-Shimanski (R) Governmental Operations, Reform, Technology & Elections

Term limits provided for state legislators, and constitutional amendment proposed.

HF2403-Liebling (DFL)

St. Paul to Rochester high-speed rail line feasibility study funding provided and bonds issued.

HF2404-Heidgerken (R)

Finance

Food shelves grants for milk purchases provided.

HF2405-Masin (DFL) Governmental Operations, Reform, Technology & Elections

Instant runoff voting in federal, state, and local elections provided.

HF2406-Madore (DFL) Finance

Transit improvement center grant program established.

HF2407-Demmer (R)

Finance

St. Paul to Rochester high-speed rail line feasibility study funding provided and bonds issued.

HF2408-Carlson (DFL)

Transportation Finance Division

Physically disabled persons multiple sets of license plates authorized.

HF2409-Brod (R)

Health & Human Services

Human services department vehicles exempted from tax and fees; sex offender programs and vulnerable adult definition modified; and penalties imposed for bringing contraband onto treatment facility property.

HF2410-Wagenius (DFL)

Finance

Environmental, natural resources and energy funding provided; programs established; accounts, assessments and fees provided.

HF2411-Brod (R)

Taxes

New Prague wastewater treatment facility construction materials sales tax exemption provided.

HF2412-Brod (R)

Taxes

Disaster area reconstructed home property tax value limited.

HF2413-Brod (R)

Governmental Operations, Reform, Technology & Elections

State Budget and Capital Reform Act of 2007 adopted proposing various changes to state finance; requiring performance measures in appropriations bills; creating a state building commission; and limiting authorizations for bonds.

HF2414-Johnson (DFL) Commerce & Labor

Telecommunications obsolete rules repealed.

HF2415-Hausman (DFL)

Transportation Finance Division

Amtrak funding support urged of Congress by resolution.

HF2416-Olson (R)

Finance

Unsubsidized providers of public transit service exempted from certain taxes; statewide use of freeway shoulders authorized for transit buses and metro mobility buses; and metropolitan bus stop use authorized.

HF2417-Lenczewski (DFL)

Taxes

Job opportunity building zone property tax exemption modified to exclude school operating referenda levies, and tax incentives limited for certain relocation businesses.

Wednesday, April 11

HF2418-Abeler (R)

Local Government &

Metropolitan Affairs

Major league baseball stadium alternative location provided in the city of Ramsey.

HF2419-Anderson, B. (R)

Public Safety & Civil Justice

Right to keep and bear arms for certain purposes provided as a fundamental right, and constitutional amendment proposed.

HF2420-Seifert (R)

Finance

MERIT Center in Marshall funding provided, bonds issued.

HF2421-Atkins (DFL) Commerce & Labor

State fairgrounds liquor sales provisions modified

Thursday, April 12

No bills were introduced.

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Seventh District Collin Peterson (DFL)

2211 Rayburn

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Eighth District James L. Oberstar (DFL)

2365 Rayburn

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

Tracking new laws, vetoes

nce 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 first year of the biennium, the governor has three days from the time of presentment to veto a bill. If the governor doesn't sign the bill within this time frame,

it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

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. As with all vetoes (save pocket vetoes, which occur in the days after the Legislature has adjourned sine die), 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 appropriations 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 session.

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

Key: CH=Chapter; HF=House File; SF=Senate File; *=denotes bill language signed into law.

СН	HF	SF	Description	Signed	Vetoed
1	8*	17	Tax conformity provided for tax year 2006.	1/30/2007	
2	110*	38	Great Lakes - St. Lawrence River Basin Water Resources Compact enacted.	2/20/2007	
3	4	4*	Renewable energy standard established.	2/22/2007	
4	87*	257	St. Paul Asian Pacific Cultural Center predesign expenditures authorized.	3/2/2007	
5	160*	103	Help America Vote Act account appropriations transfer authorized.	3/14/2007	
6	935	736*	Metropolitan Intercounty Association renamed Minnesota Inter-county Association.	3/21/2007	
7	1425	1499*	Students authorized to participate in high school league-sponsored activities after completing licensed treatment programs.	3/20/2007	
8	1008*	985	Child placement background check requirements modified.	3/27/2007	
9	1364	1168*	Building contractors insurance requirements modified.	3/27/2007	
10	1678	1294*	Public Utilities Commission electronic filing authorized.	3/27/2007	
11	736*	636	Ambulance service personnel longevity award and incentive program renamed the Cooper/Sams volunteer ambulance program.	3/30/2007	
12	1441*	792	Limited purpose trust companies nonsubstantive term changes provided.	3/30/2007	
13	1200*	983	Revisor's bill.	3/30/2007	
14	163	60*	Duluth postemployment benefits accounts authorized, and money appropriated.	3/30/2007	
15	1429	1332*	Meeker County economic development authority membership increased to nine.	3/30/2007	
16	274*	227	Rural Finance Authority agricultural loan funding provided, bonds issued, and money appropriated.	3/30/2007	

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

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tax exemption for military retirement pay, including survivor's benefits pay. Under the bill, National Guard members would be provided with the same tax exemption for out-of-state training that is currently allowed for members of the military reserves. It also extends to the National Guard the income tax subtraction for

training performed out of state that is currently allowed for members of the military reserves, retroactive to tax year 2005. Sponsored by Vickerman, the companion <u>SF160</u>, was laid over by the Senate Taxes Committee.

A bill (<u>HF162</u>) sponsored by Haws would fund a tuition assistance program at any Minnesota postsecondary institution for up to \$1,000 for veterans and spouses and children of deceased veterans. This bill awaits action in the House Higher Education and Work Force Development Policy and Finance Division. The companion, <u>SF253</u>, sponsored by <u>Sen. Ann Lynch</u> (DFL-Rochester), passed the Senate 64-2 on March 22 as part of the Senate omnibus higher education bill, (<u>SF1989</u>) sponsored by <u>Sen. Sandy Pappas</u> (DFL-St. Paul).

Health & Housing continued from page 14

on behalf of affordable housing, homelessness and foreclosure prevention would gain a total of \$123 million, one-fifth of the division's proposed biennial spending.

The bill would grant \$7 million the next biennium to the Runaway and Homeless Youth Act, an initiative of Clark's that passed in 2005 without appropriation.

Funding for facets of the continuum of care model — shelters, transitional and affordable housing — differ slightly from the governor's in fiscal years 2008-09, with proposed allocations to:

- Bridges, a program that provides rental subsidies for people with serious and persistent mental illness;
- the Housing Trust Fund, which provides rental assistance;
- the Homeownership Assistance Fund, which assists low-income first-time homebuyers;
- the Economic Development and Housing Challenge Fund, which helps rehabilitate and build low-income housing; and
- programs that help prevent foreclosures and long-term homelessness services and prevention.

A bill sponsored by Rep. Carolyn Laine

(DFL-Columbia Heights) — <u>HF595</u>, a homevisiting program for low-income parents — received a second, \$10 million chunk, of TANF funding.

Health

On the issue of health, the bill focuses on studying known environmental toxins and tracking their effects.

It would fully fund HF1621, sponsored by Rep. Julie Bunn (DFL-Lake Elmo), which would establish an environmental tracking system and a biomonitoring program to determine where toxins are concentrating and what affect they're having on people.

Lead abatement, an issue championed by Clark, would also receive an allocation. The language lowers the threshold for public intervention for pregnant women and children who've been poisoned by the metal and would grant funding to CLEARCorps, a program that assesses and cleans contaminated sites. Clark successfully offered an amendment that would force window safety standards into state building codes, originally HF277.

The bill would also provide funding for an initiative of <u>House Speaker Margaret Anderson Kelliher</u> (DFL-Mpls), <u>HF1206</u>, for improved newborn hearing screening and support.

A multitude of studies on materials believed to be toxic to humans were included in the bill, including research on:

- Lindane, a chemical used in lice and scabies treatment:
- Bisphenol-A, which is used in many consumer products;
- Decabromodiphenyl Ether, a flame retardant; and
- radiation from Monticello and Prairie Island nuclear power plants.

The bill would also expand surveillance programs for birth defects and cancer. Those provisions have been problematic to Republican members, who worried about privacy issues and consent.

"It's important that parents have some control over the data collected on their kids," said Rep. Rob Eastlund (R-Isanti) said of the birth defects registry system.

Boards

Seventeen boards, including those for nursing, pharmacy, dentistry, psychology, social work and emergency medical service would receive funding, under the bill's provisions. The largest allocation — \$90 million — would go to the Veterans Home Board for operational costs, capital investments and compensation adjustments.

Health & Human continued from page 15

Other inclusions

Other sectors that would receive funding allocations include:

- counties, who would receive a one-time \$40 million increase to help ease a fund-
- ing blow from the federal level for case management work;
- people with disabilities, who would see more funding for waiver services, and their Medical Assistance asset limit doubled, at a cost of \$34 million in fiscal years 2008-09; and
- · people suffering mental illnesses, with

provisions that included expanded coverage for mental health services in state health plans and grant funding. Both provisions appeared in bills from Rep. Mindy Greiling (DFL-Roseville), HF196, and the governor.

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 Senate Information
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231 Capitol296-2344

K-12 continued from page 16

children to attend all-day kindergarten, they are responsible for the cost.

Greiling would have preferred more in the funding target, "but this gets us in the right direction," she said.

"Research shows that all-day every-day kindergarten leads to higher academic achievement and reduced achievement gaps between students of different economic and racial groups," said Karen Kelley-Ariwoola, vice president of community philanthropy for the Minneapolis Foundation.

Twenty-nine states provide all-day kindergarten and, according to the foundation, only 31 percent of kindergarteners in Minnesota are enrolled in the program.

Along with all-day kindergarten, there is a push for increased academic rigor in schools. The House plan proposes nearly \$9 million in biennial funding for the "21st century high schools" initiative, which includes Advanced Placement and International Baccalaureate

courses and College in Schools.

The commissioner of education would employ a full-time world language coordinator to work with school districts in planning and developing world languages courses and programs.

Five \$50,000 world language grants could be awarded to interested schools in 2009. Three of the grants would go to K-eighth grade sites because Greiling said that children learn better at that age. The grants could be used for developing or enhancing a sustainable Mandarin Chinese program and for an indigenous American Indian program such as Dakota or Ojibwe.

Governor and House differ

The House plans \$159 million more in additional spending than Gov. Tim Pawlenty. There are other differences as well.

• The House would raise the amount a school district receives to educate gifted and talented students from \$9 to \$13 per pupil. The governor had no increase allotted.

- The governor proposes \$5.6 million to link the Q-Comp pay system to the basic funding formula, and the House doesn't.
- Gov. Tim Pawlenty's \$237 million high school initiatives were not a part of the House's proposal, which decided to balance their funding more through K-12.
- The House proposed special education spending is \$69.3 million more than the governor's proposal with the largest increase being on the base for special education.
- The House has \$3 million more in proposed spending for nutrition programs, most of it is for school lunch and food storage.
- The House would allot \$11 million in library funding, with spending increases for several programs and a one-time grant of \$4.5 million for a merger of the Hennepin County and Minneapolis library systems. The governor has no funding for the merger.

Public Safety continued from page 17

to feel guilty, as a citizen, for other people's problems. We get told that it's our fault because people go to prison, and we get told that it's our fault that they get out of prison and they're not brought up to speed." At some point, they have to pull themselves up and take responsibility for their situation, Cornish said.

Family conflicts

According to a 2002 study, 33 percent of all federal inmates admitted to physically assaulting their intimate partner during the year prior to their incarceration.

Marcus Pope, associate director of the

Institute on Domestic Violence in the African American Community, said that because domestic violence is so prevalent in the lives of ex-offenders, domestic violence should be emphasized as much as employment, housing and chemical dependency.

Offenders who return to jail or prison often say that conflict within their intimate relationship is a problem second only to substance abuse, Pope said. Other studies also show that many men violate the terms of their release, and return to prison because of domestic violence offenses.

HF1733, sponsored by Paymar and included in the omnibus bill, would provide \$500,000

over the next biennium to non-profit organizations that work to reduce domestic violence among offenders reentering a community and reduce criminal recidivism due to domestic violence.

Paymar, a teacher, social worker and author of two books on domestic violence, is under no illusion that every offender will take advantage of the opportunities available. Nor does he believe that these programs will be the solution to the state's crime problem. These are steps in a long process, he said.

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Speaker of the House: Margaret Anderson Kelliher
Majority Leader: Anthony "Tony" Sertich
Minority Leader: Marty Seifert

MINNESOTA INDEX

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-	— М. Соок

Sources: Minnesota Wild; University of Minnesota; University of Minnesota-Duluth; Minnesota Hockey; www.sportsencyclopedia.com; Minnesota State High School League 2005-06 Annual Report.

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