

# SESSION WEEKLY

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**THE PARENT LEGISLATOR**  
**A QUESTION OF DEDICATION**  
**SPEEDING TO A DEAD END?**

HF2464 - HF2475

## SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2007-2008 Legislative Session, each issue reports House action between Thursdays of each week, lists bill introductions and provides other information. No fee.

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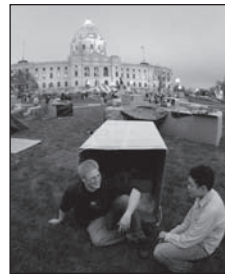
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**On the cover:** Rep. Rick Hansen and his son, Evan, look out one of the French doors in the House Retiring Room while sharing a bag dinner during a floor session that went into the evening.

— Photo by: Tom Olmscheid





PHOTO BY TOM OLMSCHEID

Kevin Ausland, a member of Minnesota Sportsmen for Change, greeted legislators and staff May 10 with his message supporting a dedicated funding outdoors constitutional amendment.

By Nick Busse

**W**ith several major budget bills in limbo and the specter of a special session looming, it might seem unlikely that legislators could make short work of a bill that has provided more than seven years' worth of controversy.

Nevertheless, a long sought-after and much embattled measure to establish dedicated funding for the environment and the arts is progressing through the House with surprising speed — and the Senate's version isn't far behind.

[House Majority Leader Tony Sertich](#) (DFL-Chisholm) sponsors [HF2285](#), which would propose a constitutional amendment to raise the state sales tax by three-eighths of 1 percent for a period of 25 years beginning July 1, 2009, and divvy up the new revenue as follows:

- 25 percent for fish and wildlife habitat;
- 25 percent for protecting and restoring surface waters;

- 15 percent for parks and trails;
- 15 percent for protecting drinking water sources;
- 10 percent for arts and cultural heritage purposes; and
- 10 percent for the Legislature to appropriate at its discretion for the purposes listed above.

Sertich's bill is a new variation of a proposal

that first came to light nearly a decade ago and has been praised, ridiculed, tweaked and argued over ever since. Still, Sertich believes that his bill, which if implemented would raise more than \$280 million in its first year alone, will pass this session.

"We're gaining momentum," he told the House Minnesota Heritage Finance Division May 9.

Indeed, just a few hours earlier a similar measure, [SF6](#), sponsored by [Senate Majority Leader Larry Pogemiller](#) (DFL-Mpls), won the approval of the Senate Taxes Committee, where it had stalled earlier in the session. The Senate Rules and Administration Committee approved it later that day.

Support for dedicated funding also received a boost from Gov. Tim Pawlenty's office earlier in the week when the governor endorsed a [report](#) from the Conservation Legacy Council calling for the immediate passage of dedicated funding legislation as part of a

**First Reading continued on page 4**

new conservation strategy. The report also indicated that the state's overall conservation spending had declined by approximately \$100 million since 2001.

With the stars seemingly aligning in their favor, proponents of dedicated funding are optimistic about its chances.

"I think this will be the year," said Molly Schultz, policy director for the Minnesota Environmental Partnership.

Schultz and her organization represent a fraction of the broad coalition of environmentalists, outdoor enthusiasts and others who have rallied around the issue in recent years. According to Sertich, these groups have banded together for a common purpose: to create a brighter future for Minnesota.

"It's really about vision. ... You have to think a quarter-century into the future about what we are going to leave our children and grandchildren," he said.

### Lingering doubts

Serious questions remain to be worked through, however.

In order to take effect, the three-eighths of 1 percent sales tax increase would have to be proposed as an amendment to the state constitution, placed on the statewide ballot and approved by a majority of voters in 2008. This raises the issue of whether Minnesotans would support increasing a tax on themselves. [Rep. Tom Hackbarth](#) (R-Cedar) doesn't think so.

"I think if you put this on the ballot with this huge tax increase that's going to pay for arts and parks and trails and some of these other issues, I don't think you're going to have the support to pass it," he said.

Hackbarth supports dedicated funding for the environment, but said the Legislature should dedicate a portion of the tax that already exists — not raise it. Last year, he sponsored a dedicated funding bill that fizzled in conference committee on the basis of that very issue.

Hackbarth also said that the bill in its current form deviates from its original purpose. When it was first conceived in the late-1990s, the focus of the bill was to provide dedicated funding for the state's natural resources, particularly fish and wildlife habitat, which he said are experiencing a funding crisis. He said there is no similar crisis in arts funding.

Naturally, supporters of the arts and culture portion of the bill disagree. David Kelliher, legislative liaison for the Minnesota Historical Society, said arts and humanities



PHOTO BY SARAH STACKE

**The House Minnesota Heritage Finance Division listens as Larry Redmond *right*, representing Minnesota Citizens for the Arts, and Thomas Proehl, executive director of the board, speak in support of a bill that would increase funding for the arts.**

are as drastically underfunded right now as the environment.

"There is an urgency in the historical and cultural world to preserve a flow of funding," he said.

For his part, Sertich contends that maintaining the current bill is "critical" to securing the support of a broad range of advocacy groups that will play a crucial role in getting Minnesotans to support a sales tax increase, should it ever make it on the ballot.

If passed by the Legislature, Schultz said the MEP and other organizations would likely mount a massive media campaign in support of the measure. In order to do this successfully, she said it needs to pass this year to ensure adequate time and resources would be available to drum up public support in time for the 2008 general election.

"It's going to require a campaign, and we don't want to have to start fundraising in May of 2008. We want to start fundraising in May of 2007," Schultz said.

### Philosophical disagreement

Whether voters would approve the higher tax, some legislators philosophically disagree with the idea of dedicated funding. Among them is [Rep. Kent Eken](#) (DFL-Twin Valley), chairman of the House Environment and Natural Resources Committee.

"I just don't like this method of budgeting through the constitution. That's our job here in the Legislature," Eken said.

Eken isn't alone. Several members of the Senate Taxes Committee voiced the same concern before voting not to approve

Pogemiller's bill April 24. To break the impasse, Pogemiller let the committee amend the bill by changing its language so that the tax increase would be done statutorily, meaning that the governor — not the voters — would have to approve it. The maneuver worked, and committee approved the bill May 9; however, the Senate Rules and Administration Committee later amended the bill by putting it back in its original form.

Eken, who voted against Sertich's bill when it came before his committee May 7, said he agrees with the goal of dedicated funding, but not the method. He believes that the dedicated funding option merely provides the Legislature with a way to raise taxes without shouldering the responsibility for it.

Moreover, Eken believes that many of his fellow legislators agree but will vote for the dedicated funding bill anyway because they feel "boxed-in" by the governor's pledge to veto tax increases.

"I think there are some that are supporting it that philosophically don't like it but feel like, 'Well, what else are we going to do?'" he said, adding that dedicated funding for the environment and the arts begs the question of whether similar measures for health care, nursing homes and schools would come next.

"If we start going down this road, should we put everything into dedicated funding and then we don't have to do the job here?"

Sertich's bill is scheduled to be before the House Finance Committee May 11, while Pogemiller's awaits action by the full Senate. The Legislature's constitutional adjournment deadline is May 21. 🏛️



**Editor's note:** The following Highlights are coverage of select bills heard in House committees held May 3-10 and other House activity. To track the progress of a bill, go to [www.leg.mn](http://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

### Ag, vets bill signed by the governor

**Signed  
by  
the  
governor**

In front of representatives from various veterans and military organizations, Gov. Tim Pawlenty signed a new law May 4 that will appropriate \$170 million in the 2008-09

biennium for veterans and military programs and agriculture spending.

"This bill includes key initiatives we proposed to help veterans, active military members and their families," Pawlenty said. "It also focuses on renewable energy development and important programs to keep Minnesota agriculture growing."

The law will provide about \$65 million for veterans and military programs, a nearly 70 percent increase from their current funding. Of that, nearly \$3.4 million is allocated for communication and outreach to help inform veterans of available benefits. As the state prepares for nearly 3,000 returning active-duty National Guard members in late-summer, \$1.5 million is allocated to continue reintegration programming.

Also provided in the new law, sponsored by [Rep. Al Juhnke](#) (DFL-Willmar) and [Sen. Jim Vickerman](#) (DFL-Tracy), is more than \$104 million for agriculture-related initiatives, including formation of the Next Generation Energy Board, which will work to achieve the Legislature's goal of at least 25 percent of energy consumed in the state to come from renewable resources by 2025.

Two appropriations received a line-item [veto](#) from Pawlenty.

A \$1 million loan program for purchases of farm equipment for biomass crops was called "premature," and should be considered by the new Next Generation Energy Board, he said. In his veto letter, Pawlenty wrote: "While this new loan program for equipment may have merit in the future, we are only in the early stages of planning for our next generation of biofuels. It is difficult to predict future

equipment and capital needs of producers of such crops at this point."

Also redlined was a \$350,000 grant to the Minnesota Institute for Sustainable Agriculture, which Pawlenty said could be available through other bills moving through the process.

The bill has varying effective dates.

[HF2227\\*/SF1925/CH45](#)

— L. SCHUTZ

## BANKING

### Banking changes

**Signed  
by  
the  
governor**

A new law signed May 4 by Gov. Tim Pawlenty will make changes to the regulation of financial institutions and fees for registering credit service organizations.

Sponsored by [Rep. Joe Atkins](#) (DFL-Inver Grove Heights) and [Sen. Dan Sparks](#) (DFL-Austin), changes include:

- raising a state chartered bank's borrowing limit from 25 percent to 35 percent of its total assets (Sec. 1);
- prohibiting civil penalties related to the bad check law from being assessed to customers on payday loan transactions (Secs. 2 and 3);
- removing the requirement that financial institutions located in other states notify the commissioner of commerce when establishing ATM machines in Minnesota (Sec. 4);
- allowing commercial banks, savings banks, savings associations and others to invest health savings account funds in transaction accounts (Sec. 5); and
- increasing registration fees for credit service organizations from \$100 to \$1,000 (Sec. 8).

The first three changes take effect Aug. 1, 2007; the health savings account language is effective May 5, 2007; and the fee increase takes effect July 1, 2007.

Kevin Murphy, deputy commerce commissioner, told a House committee that in certain cases related to payday loans the department has uncovered cases of defaulted loans where lenders could get a judgment double the amount of the loan. For consumer protection, the change will prevent this from happening in the future.

The registration fee increase is needed for the department to break even on costs associated with reviewing and approving credit service organization applications, he added.

[HF2056/SF1920\\*/CH44](#)

— P. OSTBERG

### Correction

In the "Veto Reaction" story in the May 4 edition of Session Weekly, it was written that all but one of the governor's project recommendations were included in the bonding bill. All of his recommendations were included in the bill. We apologize for the error.

## CONSUMERS

### Radon gas protection

**Signed  
by  
the  
governor**

Future homeowners will have some protection from radon gas in their newly built home, because of a required system installed to remove the gas. The bill was signed into law on

May 4 by Gov. Tim Pawlenty.

Sponsored by [Rep. Kim Norton](#) (DFL-Rochester) and [Sen. Linda Higgins](#) (DFL-Mpls), the new law requires the labor and industry commissioner to adopt rules for radon control as part of the State Building Code for all new residential buildings. It takes effect Aug. 1, 2007.

Having the protection system installed when a house is built will save homeowners up to \$5,000 from having to retrofit their home with the system, according to Norton. She said a system installed in a new home would cost roughly \$400.

Half of Minnesota counties are in the highest radon zones in the nation, and the remaining counties are in the second highest of the three radon zones, Norton said.

The danger from radon, according to the Environmental Protection Agency, is that the gas decays into radioactive particles that get trapped in your lungs when you breathe. Damage occurs to the lung tissue and leads to lung cancer.

[HF993/SF1735\\*/CH40](#)

— S. HARDING

## CRIME

### Getting gangs off the street

Gang members often hang out at the same location, either to do business or because it is a place where they feel safe. [HF49/SF493\\*](#), sponsored by [Rep. John Lesch](#) (DFL-St. Paul) and [Sen. Mee Moua](#) (DFL-St. Paul), would allow a county or city attorney, the attorney general or any resident, to seek an injunction against a person or a group for the habitual use of a place for gang activities.

Violators would be subject to a fine between \$1,000 and \$10,000, and 10 to 30 days in jail.

"This bill would help put gang members out of business by removing them from their turf," Lesch said, adding that it has the support of Minneapolis Chief of Police Tim Dolan and St. Paul Chief of Police John Harrington.

Amended and approved [120-11](#) by the House on May 4, the bill was returned to the Senate, which did not concur with the change.

One provision that raised concern states that a person who owns or maintains a place used by a gang may also be a defendant in the suit. Some cautioned that there is a chance someone unable to get a gang to leave could get sued.

This was also major concern brought up by [Sen. Don Betzold](#) (DFL-Fridley) when a conference committee met for the first time May 9. The original Senate bill would have provided a 60-day window for property owners to take action toward getting gangs to leave.

The Senate removed the wording giving any resident the right to bring a civil suit. Moua said this would pose public safety concerns for the individuals involved, and if public officials were solely responsible for bringing the civil suit, the bill would have more bite.

The conference committee was planning to meet again.

— C. GREEN

### Reselling event tickets

**Signed  
by  
the  
governor**

Minnesota will become an easier place to buy and sell event tickets.

On May 7, Gov. Tim Pawlenty signed into law a repeal of a 1963 law that made it a criminal offense to sell an event ticket for more than face value. The law takes effect Aug. 1, 2007.

[Rep. Chris DeLaForest](#) (R-Andover), who sponsors the law with [Sen. Chris Gerlach](#) (R-Apple Valley), said that repealing the law would make Minnesota more attractive to those ticket reselling companies who want to move their businesses here, and consumers would win because the competition would bring down the price of tickets.

This also brings to a close an effort by [Rep. Phyllis Kahn](#) (DFL-Mpls). She began to work on getting the ticket scalping law repealed after watching police resources used to combat ticket resellers during the 1987 World Series, instead of attending to more serious, violent crimes throughout the city.

[HF189/SF372\\*/CH47](#)

— C. GREEN

## EDUCATION

### Electronic bullying unplugged

**Signed  
by  
the  
governor**

Bullies have moved beyond pushing other children around and stealing their lunch money. They have branched out into the Internet and cell phones to make other students miserable.

School boards will be required to deal with this growing problem.

Sponsored by [Rep. Debra Hilstrom](#) (DFL-Brooklyn Center) and [Sen. Mee Moua](#) (DFL-St. Paul), the law adds electronic means to an existing statute that each school board must adopt a written policy prohibiting bullying.

Signed May 9 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2007.

Bullying is taking place through Web sites that, for example, ask viewers to rank the least popular or ugliest student in school. Pictures and videos are also appearing on the Internet that are embarrassing or made to look like the victim is doing something illegal.

Before it passed the House [96-35](#) May 4, [Rep. Mindy Greiling](#) (DFL-Roseville) said she presented an anti-hazing bill a few years back stemming from an incident at Roseville Area High School. "We have not had any hazing incidents since they had a policy and were prepared," she said.

Among those voting no was [Rep. Randy Demmer](#) (R-Hayfield), who said the Legislature should not do the work of a school board. "We have a rule in my school district banning cell phones from schools, and we didn't need a state law to do that."

[HF504/SF646\\*/CH53](#)

— S. HARDING

## ENVIRONMENT

### Chemicals' health risk limits

**Signed  
by  
the  
governor**

Two chemicals manufactured and disposed of by 3M have been detected in eastern Twin Cities suburban water supplies and most recently in fish tested from a Minneapolis lake.

A new law signed by Gov. Tim Pawlenty May 3, and effective the next day, requires the health commissioner to develop health risk limits for the chemicals and report to the Legislature by Jan. 15, 2008, on the health effects. A status report is due Sept. 30, 2007.

Perfluorooctanoic acid and perfluorooctane sulfonate were produced at 3M's Cottage Grove plant and used in products like Scotchgard. They were disposed of in various

waste sites throughout area landfills in the 1950s and 1960s.

"What we've learned is this chemical has probably been in our drinking water for decades, and contrary to what is being said by the industry, the long-term effects of constant exposure to people, to expecting women and children, are unknown," said [Rep. Karla Bigham](#) (DFL-Cottage Grove), who sponsored the law with [Sen. Katie Sieben](#) (DFL-Newport).

The law requires that by Aug. 1, 2007, the commissioner determine the health risk limits based on toxicity and exposure data.

[HF1444/SF1105\\*/CH37](#)

— L. SCHUTZ

### Recycling e-waste

**Signed  
by  
the  
governor**

A new law establishes a statewide system to help consumers recycle old TVs and other unwanted electronics devices — collectively referred to as e-waste.

Signed May 8 by Gov. Tim Pawlenty, the law requires consumer electronics manufacturers to collect and recycle an amount of devices proportional to the weight they sold during the previous year. [Rep. Brita Sailer](#) (DFL-Park Rapids) and [Sen. Linda Higgins](#) (DFL-Mpls) are the sponsors.

Under the law, manufacturers are required 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 is 60 percent. Devices collected outside the Twin Cities metropolitan area count for 1.5 times their actual weight. The law applies only to devices sold to households, not businesses.

In addition, manufacturers must 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. Revenues from the fees will be used to fund recycling programs outside the 11-county metropolitan area.

Sailer said the bill uses a "manufacturers' responsibility" approach to recycling e-waste. Noting that the state's 2006 ban on disposing of such devices via the normal solid waste stream has resulted in illegal dumping in many counties, she said the bill is long overdue.

The law is effective May 9, 2007.

[HF854\\*/SF235/CH48](#)

— N. BUSSE

### Firewood restricted on state lands

**Signed  
by  
the  
governor**

A new law forbids visitors to state parks and forests from bringing their own firewood unless it comes from a source

approved by the [Department of Natural Resources](#).

Signed May 3 by Gov. Tim Pawlenty, the law is designed to prevent the spread of emerald ash borer and other invasive tree pests. [Rep. Rick Hansen](#) (DFL-South St. Paul) and [Sen. Tom Saxhaug](#) (DFL-Grand Rapids) are the sponsors.

The law makes it illegal to possess firewood on DNR-administered lands unless the wood is obtained from a distribution facility within such lands or purchased from a dealer who has been approved by the department. Violators would be subject to a \$100 civil penalty.

Hansen called the bill “another tool in the toolbox” to help manage the threat of invasive species like emerald ash borer, an Asian beetle that has devastated ash tree populations in Michigan and surrounding states.

Also included is a requirement that firewood sold or distributed across state boundaries, or more than 100 miles from its origin, include written information regarding the harvest locations of the wood by county and state. This portion of the law takes effect Aug. 1, 2007; the rest is effective May 4, 2007.

[HF1016/SF420\\*/CH36](#)

— N. BUSSE

### Environment funding

**Signed  
by  
the  
governor**

A new law signed May 3 by Gov. Tim Pawlenty appropriates approximately \$23.4 million from the state’s environmental trust funds for a variety of projects relating to land, water and air protection.

Sponsored by [Rep. Kathy Tingelstad](#) (R-Andover) and [Sen. Ellen Anderson](#) (DFL-St. Paul), the law represents the recommendations of the [Legislative-Citizen Commission on Minnesota Resources](#), which makes recommendations to the Legislature on how to use money from the state’s environmental trust funds — primarily, the Environment and Natural Resources Trust Fund, which derives funding mostly from state lottery proceeds.

In brief, the law appropriates:

- \$14.8 million for land projects, including forest legacy conservation easements, Minnesota habitat corridors partnership continuation, metro conservation corridors continuation, and land acquisitions for state, metro and regional parks and trails;
- \$5.1 million for 15 water resource projects;
- \$2 million for natural resource information projects, including continuation of the county biological survey and soil survey; and
- \$160,000 to fund an “emerging issues” account.

The appropriations apply to fiscal year 2008.

### RAISING AWARENESS



PHOTO BY TOM OLMSCHIED

**Tyler Larson, left, and Harrison Nguyen, both juniors at John F. Kennedy High School in Bloomington, talk outside Larson’s cardboard home May 4 on the front lawn of the Capitol. The duo took part in the Box City Vigil to bring awareness of youth homelessness in Minnesota.**

The commission is expected to recommend another set of appropriations for fiscal year 2009. The law takes effect July 1, 2007.

Also included is a provision, effective Aug. 1, 2007, that ensures all commission meetings are open to the public.

[HF293\\*/SF450/CH30](#)

— N. BUSSE

### Environment finance bill signed

**Signed  
by  
the  
governor**

The omnibus environment, energy and natural resources finance bill survived Gov. Tim Pawlenty’s veto pen May 8, but line-item vetoes trimmed more than \$1.4 million in spending provisions.

Sponsored by [Rep. Jean Wagenius](#) (DFL-Mpls) and [Sen. Ellen Anderson](#) (DFL-St. Paul), the law boosts funding to clean up state waters and invest in renewable energy, appropriating nearly \$440 million from the general fund.

Five appropriations were stricken from the bill:

- \$1 million (half of the total appropriation) for the Center for Rural Policy and Development to fund grants for a rural wind energy assistance program;
- \$200,000 for storm water and sewer reconstruction in Gaylord;
- \$150,000 for a shade tree protection task force and grants;
- \$45,000 to Linden Hills Power and Light for preliminary engineering and design work; and

- \$10,000 to the Cuyuna Country State Recreation Area Citizens Advisory Council for a park development project.

In his veto message, Pawlenty explained that these programs are either excessive, better funded through other means, or they duplicate programs and services that are already offered.

The law, most of which is effective July 1, 2007, increases funding for Clean Water Legacy programs through several state agencies, and includes new spending for the Department of Natural Resources, Pollution Control Agency and Board of Water and Soil Resources.

Renewable energy programs feature prominently in the law, which includes \$3 million for the “E85 Everywhere” ethanol pump expansion initiative, \$4 million for a renewable hydrogen power initiative and a \$4 million appropriation to the St. Paul Port Authority for preliminary work on a biomass-fueled power plant to be connected to the Rock-Tenn recycling facility.

The law also includes a number of new policy initiatives, including:

- a venison donation program for deer hunters, funded by a \$1, \$3 or \$5 voluntary donation that may be added to deer hunting license renewals and a \$1 surcharge on all bonus deer licenses;
- a provision tightening the “de minimis” requirement for land developers to replace wetlands in the 11-county metropolitan



- area, effective May 9, 2007;
  - new restrictions on off-road vehicle usage on state lands, effective May 9, 2007;
  - allowing Winona County to build, own and operate a wind power electric generation facility, effective upon local compliance with certain statutes; and
  - a requirement that by January of each year, Xcel Energy must request from the Manitoba Hydro power company certain information regarding the socioeconomic status of any community that is a signatory to the Northern Flood Agreement, including South Indian Lake, in Canada.
- [HF2410/SF2096](#)\*/CH57

— N. BUSSE

## GOVERNMENT

### More CAAPB members

A House and a Senate member would be added to the [Capitol Area Architectural and Planning Board](#), under a bill passed by the House [132-0](#) May 8.

Sponsored by [Rep. Carlos Mariani](#) (DFL-St. Paul) and [Sen. Sandy Pappas](#) (DFL-St. Paul), [HF203/SF118](#)\* would increase to 12 the board's membership that already includes the lieutenant governor, four gubernatorial appointees, three St. Paul mayoral appointees and two legislators. The board is responsible for preserving the architectural integrity of a 60-block area including the Capitol.

Mariani said additional members would "add political muscle" to make the case for needed investments to preserve the deteriorating Capitol building. "This is an incredible building we have here ... and we are at a critical point in the existence of this structure."

A successful amendment, offered by [Rep. Morrie Lanning](#) (R-Moorhead), would require the House and Senate members be balanced in geographical representation between the Twin Cities metropolitan area and Greater Minnesota. "The Capitol belongs to all the people of Minnesota," he said.

According to its Web site, the board has four purposes:

- "(1) Preserve and enhance the dignity, beauty and architectural integrity of the capitol, the buildings immediately adjacent to it, the capitol grounds, and the capitol area;
- (2) Protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof;
- (3) Develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the

area achieves its maximum importance and accessibility; and

- (4) Establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design."

The bill now returns to the Senate.

— P. OSTBERG

### Council sunset eliminated

Signed  
by  
the  
governor

A new law eliminates the sunset date for the [Minnesota State Council on Disability](#).

Previously set to expire June 30, 2007, the change allows the council staff to work more productively without worrying about when the council might be eliminated due to the sunset date, said Ken Rogers, one of the 15 appointed council members.

According to its Web site, the agency "advises, provides technical assistance,

collaborates and advocates to expand opportunities, improve the quality of life and empower all persons with disabilities."

The law, signed May 3 by the governor, is sponsored by [Rep. John Berns](#) (R-Wayzata) and [Sen. Tony Lourey](#) (DFL-Kerrick). It's effective May 4, 2007.

[HF1294/SF1483](#)\*/CH33

— P. OSTBERG

### DOER housekeeping changes

Signed  
by  
the  
governor

Minor technical corrections to statutes relating to the [Department of Employee Relations](#) were signed into law May 3 by Gov. Tim Pawlenty.

Sponsored by [Rep. Will Morgan](#) (DFL-Burnsville) and [Sen. Geoff Michel](#) (R-Edina), the new law makes technical changes that include:

- removal of some references to the justification of nonaffirmative hires that the

## STATEHOOD WEEK

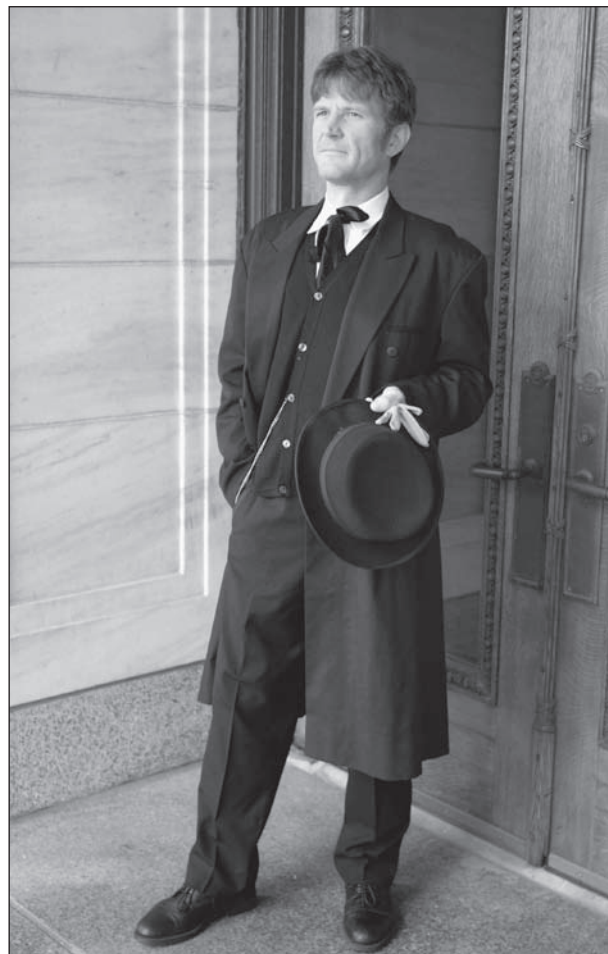


PHOTO BY ANDREW VONBANK

State Capitol site guide David Otto Simanek, in period costume, portrays an 1857 territorial senator on May 8. The portrayals are for visitors to the Capitol during Minnesota Statehood Week.



department says will correctly reflect the intent of the original language;

- clarification language related to the State Employee Group Insurance Plan concerning “proposals” and not “bids” when entering into new vendor contracts; and
- extending effective dates of voluntary unpaid leave of absence provisions from June 30, 2007, to June 30, 2009.

Nathan Morocco, manager of the State Employee Group Insurance Plan, said that bids require contracting with the lowest costing vendor and are not subject to negotiations. Proposals “allow the contract to be negotiated resulting in the selection of the most qualified vendor.”

The language relating to voluntary unpaid leave of absence is effective June 1, 2007. The remainder of the law is effective Aug. 1, 2007.

[HF1267/SF1236](#)\*/CH35

— P. OSTBERG

### Nonprofit firefighter costs

Signed  
by  
the  
governor

Nonprofit firefighter corporations will be added to the list of governmental units able to buy goods at set prices, under a new law signed May 4 by Gov. Tim Pawlenty.

Sponsored by [Rep. Scott Kranz](#) (DFL-Blaine) and [Sen. Don Betzold](#) (DFL-Fridley), the new law will add “independent nonprofit firefighter corporation” to the list of already designated groups that can obtain equipment through a state bidding process that allows for the best possible price for purchasing goods. Designated state groups include every city, county, town, school district and political subdivision, the University of Minnesota and nonprofit hospitals.

There are between 80 and 100 nonprofit fire corporations in the state, with the majority in the Arrowhead Region, said Nyle Zikmund, Spring Lake Park-Blaine-Mounds View fire chief. “We’re simply seeking that same latitude enjoyment of buying off those state contracts.”

The law is effective Aug. 1, 2007.

[HF465/SF321](#)\*/CH43

— P. OSTBERG

### Economic development bill vetoed

Vetoed  
by  
the  
governor

A bill that supporters say would put the state on the path to a better future was rejected as a whole May 7 by [Gov. Tim Pawlenty](#).

The \$448.8 million omnibus economic development finance bill ([SF2089](#)) was approved [84-44](#) by the House and [42-22](#) by the Senate May 4.

However, Pawlenty had numerous problems with the proposed legislation.

“Without an agreement on the overall state budget, I am not able to sign this bill as it spends \$56 million more than my recommended budget in this area, lacks fairness in distribution of economic development funding, contains policy items that will have a detrimental impact on business, and negatively impacts efficient administration of state programs,” he wrote in his [veto message](#).

Among the areas addressed in the bill were funding for the [Department of Employment and Economic Development](#), [Department of Labor and Industry](#), [Explore Minnesota Tourism](#), [Minnesota Housing Finance Agency](#) and the [Minnesota Historical Society](#).

“This bill is about youth, jobs, housing, arts, tourism, and it is about Minnesota,” [Sen. David Tomassoni](#) (DFL-Chisholm) said during the Senate debate. He co-chaired the conference committee with [Rep. Mary Murphy](#) (DFL-Hermantown).

Proponents said the approximately \$41 million in new funding for housing issues was among the report’s positives.

The bill included an additional \$7.5 million for family homeless prevention; \$7.49 million for the Housing Trust Fund, which provides no interest deferred loans to help low-income people finance affordable permanent and supportive rental housing and limited equity cooperative housing; and an additional \$2 million in rental assistance to help families where at least one adult has a serious and persistent mental illness.

“If only for this section, this is a great bill to support,” said [Sen. D. Scott Dibble](#) (DFL-Mpls).

The bill also would have:

- increased funding for youth programs by \$13.5 million;
- created a small business growth acceleration program to help qualified companies implement technology and business improvements;
- required every licensed health care facility in the state to adopt a safe patient handling program;
- established restricted journeyman and restricted master plumber licenses; and
- created a packinghouse workers bill of rights.

The latter, which included a requirement of providing minimum information on employee rights in the employee’s native language, was also frowned upon by the state’s top official.

“The meatpacker language is duplicative of current federal and state labor laws, and sends a negative signal to this industry that

is very important to Greater Minnesota and our agricultural economy,” Pawlenty wrote.

HFnone/[SF2089](#)\*/CH55

— M. COOK

### Meeting electronically

Meetings of some public bodies could be legally conducted by telephone or other electronic means during declared emergencies, under a bill passed May 9 by the House [130-2](#).

Sponsored by [Rep. Andy Welti](#) (DFL-Plainview) and [Sen. Rick Olseen](#) (DFL-Harris), [HF1303/SF1165](#)\* would allow for these meetings without violating the state’s open meeting law, if certain conditions are met, including:

- the presiding officer, chief legal counsel or chief administrative officer for the governing body determines the in-person meeting is not practical because of a health pandemic or declared emergency;
- all participating members, wherever their physical location, can hear one another, all discussion and testimony;
- people present at the regular meeting location can hear all discussion, testimony and all votes;
- at least one member of the body be physically present at the meeting location, unless it’s unfeasible due to a pandemic or emergency; and
- all votes are conducted by roll call, so each vote can be identified and recorded.

Gary Carlson, director of intergovernmental relations for the League of Minnesota Cities, told a House committee that many cities, counties and school districts have been preparing for a possible pandemic flu outbreak, and there is no clear authorization to conduct a meeting electronically.

Those in Greater Minnesota might not have the technology to access a public meeting being conducted with certain technologies, [Rep. Mark Buesgens](#) (R-Jordan) said. “While I am hip to the technology age ... in outstate Minnesota one of the biggest concerns is access to technology,” he said.

Amended by the House, the bill returns to the Senate.

— P. OSTBERG

### Sesquicentennial funding

Signed  
by  
the  
governor

A commission organized to plan the state’s 150th birthday party next year is authorized to accept donations to help fund the celebration, under a new law signed May 2 by Gov. Tim

Pawlenty.

Sponsored by [Rep. Diane Loeffler](#) (DFL-Mpls) and [Sen. Ann Rest](#) (DFL-New Hope), the law authorizes the Minnesota

Sesquicentennial Commission to directly accept gifts, grants and other donations and be directly appropriated to the commission to commemorate the sesquicentennial. It also permits the commission to enter into contracts and award grants. Currently received donations are being directed to the state's General Fund instead of the commission.

Under the new law, the commission is permitted to meet by telephone or other electronic means if certain conditions are met, such as all members being able to hear one another and the discussion when meeting.

The 17-member commission was created in 2005 by the Legislature to plan "celebratory activities and public engagement in every county in the state of Minnesota." According to the commission's Web site, the goals of the group include:

- achieving broad participation of Minnesotans, visitors, local communities, institutions and organizations in activities;
- raising awareness and educating Minnesotans by telling the stories of our past, recognizing the indigenous people and ethnic groups of the state and learning from them; and
- developing a shared vision by engaging Minnesotans in dialogue.

The law is effective May 4, 2007.

[HF2135/SF1949](#)\*/CH29

— P. OSTBERG

## State government finance bill vetoed

**Vetoed  
by  
the  
governor**

The omnibus state government finance bill fell victim to Gov. Tim Pawlenty's veto pen May 7, just as he warned would happen if it contained certain controversial items.

Sponsored by [Rep. Phyllis Kahn](#) (DFL-Mpls) and [Sen. Don Betzold](#) (DFL-Fridley), it addressed state agency funding needs for staffing, operations and some special projects at a cost of \$551.8 million in the 2008-09 biennium.

In his veto message, Pawlenty wrote that the basic structure of the bill was flawed by relying on unrealistic revenue projections from tax compliance initiatives, which the bill would use to increase spending. Opponents have said the Department of Revenue is not staffed to fulfill the initiatives, nor are the tax monies attainable.

Both the original House and Senate bills directed state employee collective bargaining agreements to offer health insurance to domestic partners if the same is offered to spouses of state employees. The reference was changed from "domestic partners" to "significant individual" in conference



PHOTO BY ANDREW VONBANK

**Sen. Don Betzold and Rep. Phyllis Kahn, co-chairs of the State Government Finance Conference Committee, listen to conferee proposals May 2. The committee's finished product was vetoed by the governor.**

committee. A provision was added ordering the Department of Employee Relations to conduct a study on the costs associated with offering these health benefits.

The governor addressed this provision in his veto message. "Again, I am opposed to any legislation concerning domestic partner benefits, including the bill's study and definition of 'significant individual.'"

Elections provisions that would have allowed for easing voter registration procedures were a significant concern for Pawlenty. He said the changes were unnecessary and would undermine the overall integrity of the state's voter registration and election system.

He also opposed the two new commissions called for in the bill — the Minnesota Commission of Ethnic Heritage and New Americans and the Legislative Commission on Terrorism and Disaster Preparedness. Pawlenty said they would duplicate activities already being addressed in state government.

Other contentious issues the governor noted included: funding increases for the Legislature, elimination of appointed employees in the governor's office and not enough funding for technology infrastructure projects, including Internet security.

[HF953/SF1997](#)\*/CH56.

— P. OSTBERG

## Workers compensation changes

**Signed  
by  
the  
governor**

The [Department of Labor and Industry](#) will provide certain groups information regarding federal exclusions for state workers' compensation, under a new law signed May 4 by Gov.

Tim Pawlenty.

Sponsored by [Rep. Jeanne Poppe](#) (DFL-Austin) and [Sen. Ron Latz](#) (DFL-St. Louis Park), the new law will require the commissioner to provide information to medical care providers, employers, employees, insurers and organizations regarding federal exclusions for state workers' compensation coverage.

Under the new law, the commissioner is to submit a report by March 1, 2008 to the Legislature detailing the department's shared information.

Poppe said the change will help those working in the health care field and others to better understand the federal exclusions.

The law is effective May 5, 2007.

[HF1865/SF1787](#)\*/CH39

— P. OSTBERG

## HEALTH & HUMAN SERVICES

### Medical marijuana on the floor

Medical marijuana legislation overcame a final committee hurdle May 7, with approval by the House Ways and Means Committee. It now goes to the House floor.

Sponsored by [Rep. Thomas Huntley](#) (DFL-Duluth) and [Sen. Steve Murphy](#) (DFL-Red Wing), [HF655/SF345](#)\*, was passed 35-29 by the Senate May 3.

The bill would allow medical use of marijuana for patients suffering cancer, intractable pain and other debilitating diseases, so long as it's recommended by a physician.

"I think this is the compassionate thing to do," Huntley said.

Approved users would register with the

state, and could obtain 2.5 ounces of the drug from registered organizations, which may grow up to 12 plants for each patient.

[Rep. Steve Sviggum](#) (R-Kenyon) questioned the staff levels recommended by the [Department of Health](#) to implement the legislation should it pass.

"I'm very upset to see a fiscal note of 10 people, and it's going to be addressed in one way or another before we pass this," he said.

— M. SIMPSON

### Reviving mortuary practices

A bill updating language for mortuary practices enjoyed easy passage on the House floor, with a 130-1 vote May 4.

According to its sponsor, [Rep. Tina Liebling](#) (DFL-Rochester), [HF1072/SF802](#)\* would remove expired and outdated language, add several new requirements, clarify information and establish several consumer protections.

"There's broad agreement on this bill," she said.

Some noteworthy provisions include:

- recognition of cultural beliefs in burial practices;
- lawful permission for non-mortuary professionals to conduct funeral services;
- signed consent by a designated individual before an embalment, except in certain cases; and
- signed and dated affirmation of pre-made funeral arrangements.

Originally passed 61-0 by the Senate April 30, [Sen. Paul Koering](#) (R-Fort Ripley), the Senate sponsor, did not agree with the amended version returned from the House. A conference committee is expected to work out the difference.

— M. SIMPSON

### Reportable events list expanded

Signed  
by  
the  
governor

A new law expands the list of reportable events under the [Health Care Events Reporting Act of 2003](#).

Under the new law, health care facilities must also report to the commissioner of health events of artificial insemination with the wrong donor sperm or egg.

Sponsored by [Rep. Maria Ruud](#) (DFL-Minnetonka) and [Sen. David Hann](#) (R-Eden Prairie), the law was signed by Gov. Tim Pawlenty May 4 and takes effect Oct. 7, 2007.

Reportable events related to falls are also expanded to include not only those resulting in death, but those resulting in a serious disability. The provision relating to a death or serious disability in connection with a patient's disappearance is also addressed. The law will be changed from a disappearance of

more than four hours to any length of time.  
[HF1990/SF1790](#)\*/CH41

— L. SCHUTZ

### Help for sexual assault victims

Signed  
by  
the  
governor

The Compassionate Care for Sexual Assault Victims Act was signed into law May 4 by Gov. Tim Pawlenty.

Sponsored by [Rep. Nora Slawik](#) (DFL-Maplewood) and [Sen. Sandy Pappas](#) (DFL-St. Paul), the law sets a statewide standard of care for sexual assault victims.

Effective Aug. 1, 2007, the law requires hospitals to give unbiased information about emergency contraceptives and prophylactic antibiotics, which help prevent infection of sexually transmitted diseases. It also mandates that such drugs be provided should they be safe for, and requested by, the patient.

The law also states that emergency care for sexual assault victims be provided for both male and female patients.

Supporters said that only 40 percent of emergency rooms in Minnesota provide emergency contraception on a consistent basis.

Slawik noted that in Greater Minnesota, where there is typically only one hospital, a patient may have nowhere to go if the hospital doesn't offer emergency contraception.

[HF1442/SF1266](#)\*/CH42

— S. HARDING

### Smoking ban agreement

Only a last vote from the Legislature and the governor's pen separates Minnesota from a statewide smoking ban.

As agreed upon by a conference committee, [HF305/SF238](#)\* would prohibit smoking in public places, including bars, restaurants and public transit. Violators would be guilty of a petty misdemeanor. [Rep. Thomas Huntley](#) (DFL-Duluth) and [Sen. Kathleen Sheran](#) (DFL-Mankato) are the sponsors.

The original House and Senate proposals included several exemptions, including disabled veteran camps and locally approved smoking rooms in bars and restaurants.

Only the exemption for heavy commercial vehicles survived.

Senate language that would have regulated smoking in patios was also removed.

Still included is a study to investigate how a statewide ban would affect lawful gambling and House language that would allow bar and restaurant workers to utilize the Dislocated Worker Program, which provides job services and counseling, should they become unemployed within two years, should the act be implemented.

Conferees also agreed to call the bill the Freedom to Breathe Act of 2007. If signed into law, the effective date would be Aug. 1, 2007.

— M. SIMPSON

## INSURANCE

### Expanding hearing aid coverage

Signed  
by  
the  
governor

Insurance companies will be forced to cover hearing aids for all childhood conditions, under a new law signed May 10 by Gov. Tim Pawlenty.

Sponsored by [House Majority Leader Tony Sertich](#) (DFL-Chisholm) and [Sen. David Tomassoni](#) (DFL-Chisholm), the measure expands the mandate in current law, which requires that health plans cover the devices only if a child suffers from functional congenital malformation of the ear. It takes effect Aug. 1, 2007.

Although the law was approved [132-0](#) by the House May 7 and 62-0 by the Senate March 14, some members worried that the law equates to another insurance mandate.

"The stacking effect of (these mandates) drives up cost for people privately insured," said [Rep. Laura Brod](#) (R-New Prague). "It pushes out people who are less able to afford insurance."

"This is not a new mandate," Sertich replied. "This is already in law; this just expands it."

The law would not affect the self-insured market — those employers that assume the major cost of health insurance for their employees — which is exempt from state law and taxes.

[HF633/SF805](#)\*/CH60

— M. SIMPSON

### Mandatory school insurance pool

It was a long trek to approval in the House Finance Committee for a bill that would establish a mandatory statewide insurance pool for school employees.

After 21 amendments and several motions to re-refer the bill, it was approved May 9 and sent to the House Ways and Means Committee.

Sponsored by [House Majority Leader Tony Sertich](#) (DFL-Chisholm) and [Sen. Don Betzold](#) (DFL-Fridley), [HF464/SF276](#)\* would establish a 14-member board charged with designing a health insurance pool for all school employees. It was approved 42-23 by the Senate March 28.

"The system is broke, and it needs fixing," Sertich said. "And thus far we have not seen anything better. I believe this is a good step to providing coverage, especially for schools who do not carry health insurance."



Though no details would be determined until the program is established, the board would be required to offer six plans and establish reserves and other means to achieve long-term stability. The state would not be liable for any insolvency.

Efforts aimed at changing the bill targeted the mandatory nature of the pool. Members unsuccessfully attempted to incorporate language that would have offered an opt-out to districts in various forms.

An amendment offered by [Rep. Torrey Westrom](#) (R-Elbow Lake) would have granted school districts voluntary participation after three years.

"It's a way to find some middle ground," Westrom said. "Why would we not want to grant our schools some local control?"

[Rep. Paul Kohls](#) (R-Victoria) sponsored an amendment that would have forced the board to seek approval from the [Department of Commerce](#) for all design elements of the health plans.

"They need sufficient oversight," Kohls said.

[Rep. Al Juhnke](#) (DFL-Willmar) argued the extra measure was unnecessary.

"The pool gets to decide what plan they choose, but the Department of Commerce must license anyone who sells insurance in the state," he said.

— M. SIMPSON

## LOCAL GOVERNMENT

### Conflicts of interest clarified

Signed  
by  
the  
governor

The Hennepin Healthcare System Inc. Board of Directors is a mix of public officials and others.

A new law, signed by Gov. Tim Pawlenty May 3, clarifies that any conflicts of interest involving members who do not hold office are governed by laws governing nonprofit corporations. Conflicts involving members who hold public office, such as county commissioners, are regulated by the laws governing public officers.

Established in 2005, the system is responsible for the operations and management of the Hennepin County Medical Center.

Sponsored by [Rep. Paul Thissen](#) (DFL-Mpls) and [Sen. Dan Larson](#) (DFL-Bloomington), the law is effective Aug. 1, 2007.

[HF1872/SF1807\\*/CH34](#)

— C. GREEN

### Library merger moves closer

The Hennepin County Library system and the Minneapolis Public Library serve two definable functions, according to Peter McLaughlin, Hennepin County commissioner. The first supplies its readers with current and popular content, while the latter is good for research and accessing archived documents.

The two systems could soon become one. Sponsored by [Rep. Lyndon Carlson](#) (DFL-Crystal), [HF1973](#) would allow the two library systems to merge. Approved by the House Finance Committee May 8, the bill's next stop is the House Taxes Committee.

The bill calls for the Minneapolis system to transfer all property and assets — including buildings, library collections, artwork, equipment, and the Minneapolis Central Library parking ramp — to Hennepin County. The city of Minneapolis would remain responsible for any city-issued bonds for capital improvements for the Minneapolis Library system, and would contribute operating funds to Hennepin County for the next 10 years.

Benefits and seniority of all transferred employees would be protected, while Minneapolis employees would be permitted to continue participating in their current retirement funds.

Carlson said the merger would increase efficiencies and allow for the reopening of three Minneapolis branches that were closed due to financial constraints.

A Senate companion, [SF1812](#), sponsored by [Sen. Ann Rest](#) (DFL-New Home), awaits action by the Senate Taxes Committee.

— C. GREEN

## METRO AFFAIRS

### Land Planning Act stays intact

Vetoed  
by  
the  
governor

A bill that would have eliminated outdated and erroneous references in the 30-year-old Metropolitan Land Planning Act was [vetoed](#) May 3 by Gov. Tim Pawlenty.

Sponsors of the bill, [Rep. Debra Hilstrom](#) (DFL-Brooklyn Center) and [Sen. Ann Rest](#) (DFL-New Hope), called it a housekeeping bill with no substantial policy changes. There was, however, a policy change that the governor did not agree with: the elimination of the Legislative Commission on Metropolitan Government.

The commission was established to oversee the Metropolitan Council's operating and capital budget and improvement program and its work program.

"The Commission provides a necessary bipartisan means for the Legislature to

work with the Metropolitan Council and local governments on regional planning," Pawlenty wrote in his veto message. Because the commission is not burdened with the daily operations of the council, the commission could provide oversight to ensure balance between regional and local needs, he said.

[HF881\\*/SF981/CH31](#)

— C. GREEN

## TAXES

### Interstate interchange request

The Tax Conference Committee continues to trudge through its work, having made it just more than halfway through a side-by-side comparison of the House and Senate bills after six meetings.

On May 8, the committee heard testimony on a House section of the bill, [HF2362](#), which would create a tax increment financing district for a Brockton interchange on a section of Interstate 94 in Dayton.

The provision came from a bill sponsored by [Rep. Joyce Peppin](#) (R-Rogers). She said the project developer would front the money and would not expect repayment from the [Department of Transportation](#) if the eight-year district did not pay back the full cost.

The interchange has not been included in MnDOT's 20-year funding plan, said Chris Roy, MnDOT transportation planning director. A study would have to be done as well as traffic modeling, he said.

"It sounds like we're having a private developer take over MnDOT's job," said [Sen. Mee Moua](#) (DFL-St. Paul). "It seems rather unusual to me unless it happens all the time and we just don't know about it."

[Sen. Tom M. Bakk](#) (DFL-Cook) asked what would happen if the Legislature granted the TIF district.

"It would be a fairly lengthy process," Roy said. Adding that on a fast track, the interchange could be under construction within two years.

"I'm convinced this interchange is a good idea," Bakk said. "But if there's no plan to do anything, what's the plan?"

Roy said the interchange might reduce traffic congestion, but crash rates are generally higher in interchange areas with people merging onto the highway.

[Rep. Ann Lenczewski](#) (DFL-Bloomington) said the House is open to funding transportation, but the testimony did not convince her.

She added that it seemed the developer would get a break with the TIF district, not the city.

"There's no plan in place from the developer

If you have Internet access, visit the Legislature's  
Web page at: [www.leg.mn](http://www.leg.mn)

or MnDOT,” Lenczewski said. “Why would a developer just front the money? That land price will go through the roof (with an interchange there).”

If included in the conference committee report, the TIF district would:

- allow increments from the district to be used only to finance the interchange project, including land acquisition, public infrastructure and administrative costs;
- not require the city to find that the district is necessary to create new jobs or preserve the tax base of the state, only that the primary purpose of the district is to finance the construction of public infrastructure;
- not limit the use of increments to assist manufacturing, warehousing or research and development projects;
- not put a limit on the percentage of the district that may be owned by the city;
- allow parcels of land in the green acres and agricultural preserves programs to be included in the district;
- not allow administrative expenses to exceed 10 percent of the improvement costs; and
- limit increments to 80 percent of the amount permitted under general law.

— S. HEGMAN

### Public finance omnibus

A bill that would affect city and county local governments could soon be heard on the House floor after being approved by the House Taxes and Ways and Means committees May 8-9.

Sponsored by [Rep. Ann Lenczewski](#) (DFL-Bloomington), [HF2268](#) is the annual bill sponsored by the Minnesota Institute of Public Finance. It would authorize the issuance of debt for town and county subordinate service districts, and would make permanent the authority to issue capital notes for computer software.

It would make a number of changes in the laws governing the powers of local governments to incur debt for projects and to invest public funds by:

- authorizing the issuance of debt for town and county subordinate service districts;
- authorizing the Metropolitan Council to issue \$33.6 million of debt for transit improvements;
- authorizing cities, counties and school districts to establish trusts for the payment of post-employment health benefits required to be recognized by the accounting standards;
- authorizing the issuance of debt in anticipation of the receipt of federal grants for transportation projects, known as Grant Anticipation Revenue Vehicles;
- expanding the area of operation of the Hen-

nepin County Housing and Redevelopment Authority to include the entire county;

- making the authority to issue capital notes for computer software permanent; and
- providing special law authority to Crane Lake and Winsted to issue debt for projects.

Much of the discussion surrounded [HF2464](#), sponsored by [Rep. Ken Tschumper](#) (DFL-La Crescent), which would modify a county’s bonding authority by expanding the amount of debt it can have under the county capital improvement plan bonding law.

Houston County wants to replace its 132-year-old jail, the state’s oldest, with a new criminal justice center, but there has been much opposition because the proposed building site is in the middle of Caledonia, across from a school and next to several homes.

A petition to get a reverse referendum attracted 1,200 signatures, although only 600 were needed. Instead, the county decided not to choose a plan that would require a referendum or a reverse referendum by going through a leasing program that would not require either one, Tschumper said.

“I want to give the people of my county the chance to vote on this,” he said.

Other provisions in the omnibus bill include:

- removing the restriction that not more than two questions can be submitted to voters at a special election conducted through the mail;
- changing the required time period for publication of a public notice in a newspaper from 14 days to 30 days; and
- eliminating the expiration date for cities to issue capital notes for certain equipment or software.

A companion bill, [SF1933](#), sponsored by [Sen. Tom M. Bakke](#) (DFL-Cook), was included in the Senate Omnibus Tax Bill, now in a conference committee.

— S. HEGMAN

## TRANSPORTATION

### Airport funding task force

With ground transportation funding decisions awaiting House and Senate votes, a group looking at costs associated with soaring above the clouds could be created.

Sponsored by [Rep. David Dill](#) (DFL-Crane Lake), [HF1940](#) would establish a task force to look at a variety of airport issues, including funding, the use of sales tax as potential revenue for airports, registration tax on airplanes and airport infrastructure. A report would be due the Legislature by Feb. 15, 2008.

“It would be anticipated from that report there might be legislation that would be changing the formulas and the way things work in terms of aviation funding,” Dill said.

Approved May 8 by the House Finance Committee, the bill is headed to the House Taxes Committee.

Dill said there are 134 general aviation airports outside the jurisdiction of the Metropolitan Airports Commission.

He hopes the task force takes “a serious look” at the taxes placed on private airplanes and other state taxes that may force businesses to register their planes in lower taxed states.

Dill also noted that the tax on airline fuel has increased 1 cent since it was first implemented in 1945.

The bill would appropriate \$200,000 from the state airports fund for the study, with unused dollars to be returned to the fund.

The bill was successfully amended by [Rep. Al Juhnke](#) (DFL-Willmar) to permit state money to be used at the city’s former airport to instead be used at the city’s new airport during the next five years. He said the city and the Department of Transportation have agreed to this change.

A companion bill, [SF1753](#), sponsored by [Sen. Ann Rest](#) (DFL-New Hope), was approved 60-3 May 9. The provision is also in the Senate omnibus transportation finance bill ([SF1986](#)), and the Senate transportation policy bill ([SF1971](#)).

— M. COOK

### 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.

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Franny, left, and Patrick, right, joined their mother, House Speaker Margaret Anderson Kelliher, at her chamber desk as the House meets in session.

# The parent legislator

Balancing the frenzied work of the House with that of spouse, partner and parent

By MIA SIMPSON

It's the same reality for legislators every year as the session's conclusion draws near: early mornings and late nights filled with lengthy discussion on the House floor.

It's the frenzied work life of a legislator. And as members try to balance work and family, the struggle often shows up in their offices, at hearings and on the House floor.

There are hints of the importance of family everywhere — such as the spread of crumbs on [Rep. Paul Thissen's](#) (DFL-Mpls) office file cabinet, a result of a visit from one of his three young children; the framed family photos, like those in [Rep. Steve Sviggum's](#) (R-Kenyon) office; and of course, the visits that loved ones make.

[Rep. Jim Abeler](#) (R-Anoka) brought his son Jude, the fifth of his six children, for an extended stay at the Capitol when the child was homeschooled during fourth grade.

After six terms, Abeler is familiar with the

challenges of balancing his work and family roles. "It's lousy. But I'm lucky because I get to go home every night."

That's a luxury some legislators don't have. [Rep. Torrey Westrom](#) (R-Elbow Lake) lives about 170 miles from St. Paul, so he rents an apartment in the city during session. He said his wife and 15-month-old twin daughters come down as often as they can. "We have four of everything," he said.

When they aren't here, Westrom said he'll call home two or three times a day, but he knows that he still loses some moments.

"They just started walking," he said. "I missed their first steps."

[Rep. Kim Norton](#) (DFL-Rochester) laments what she isn't privy to at home. With four children, the youngest in high school, Norton said work at the Legislature has rendered her clueless about some details in her teenage daughter's life.

"I've been devoted to education my entire life, and now I don't know who her teachers are and I can't go to conferences," said Norton, who goes home on weekends. "But I know my husband's there, so it helps."

[Rep. Erin Murphy](#) (DFL-St. Paul) also has high school children: 15-year-old twins. She utilizes technology to stay in touch, including cell phones, text messages and e-mail.

"Because our time together is limited, we are learning to conduct our relationship with new tools," she said. "But I do get to see them everyday."

Despite the sacrifice, [Rep. Nora Slawik](#) (DFL-Maplewood) said her five terms at the Legislature have helped instill in her children an understanding and appreciation for government and history.

"My dream for my daughter is to be the next Rep. Slawik," she said. 🗽



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*"Because our time together  
is limited, we are learning  
to conduct our relationship  
with new tools."*

— Rep. Erin Murphy

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Rep. Nora Slawik poses with her son, Sean.



House Minority Leader Marty Seifert and his daughter, Brittany, make their way back to his chamber desk.



Rep. Brad Finstad shares a moment with his daughter, Gretta.



Rep. Chris DeLaForest is joined on the House floor by his wife, Karen, and son, Will.

PHOTOS BY TOM OLMSCHIED

# Hunting, fishing, parks and more

Game and fish bill expanded to include an even broader array of subjects

By Nick Busse

**C**ock pheasant bag limits, smokeless gunpowder, night vision goggles and crossbow hunting — those were just a few of the diverse topics covered in the omnibus game and fish bill as it made its way through various House committees.

The version passed by the House May 7 includes even more.

Sponsored by [Rep. David Dill](#) (DFL-Crane Lake) and [Sen. Tom M. Bakk](#) (DFL-Cook), [HF1021/SF1131](#)\* originally dealt with fishing requirements on Lake Superior; as amended on the House floor, it now incorporates the language of the omnibus game and fish bill, a state lands acquisitions bill and several others.

The bill would now make an array of changes to the state's hunting and fishing laws, add lands to certain state parks and permit the sale or transfer of certain state lands. Passed 118-13, it now heads back to the Senate, where it passed 65-0 April 16.

Dill said the bill represented a "litany" of bills heard by the House Game, Fish and Forestry Division, which he chairs. He estimated that approximately 24 bills had been incorporated into the language, adding that the bill was "relatively split" between Democrat- and Republican-sponsored provisions.

Some Republicans objected to the procedure being used to move the bill forward, arguing that replacing the language of a very small bill with that of an omnibus bill was against House rules. A motion by [Rep. Mark Buesgens](#) (R-Jordan) would have prevented the adoption of the bill's new language, but it was rejected on an 81-51 vote.

## Hunting and fishing

Some provisions incorporated from the original game and fish bill into the new bill include:

- increasing the pheasant hunting bag limit to three cock pheasants per day after Dec. 1 during the pheasant season;

- repealing a prohibition on the use of smokeless gunpowder during the state's muzzle-loader hunting season;
- banning the use of night vision goggles while hunting;
- requiring anglers who catch any of three different invasive Asian carp species to report it to the Department of Natural Resources;
- 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, coyotes, crows, bobcats and raccoons;

- creating an apprentice hunter validation that would allow individuals at least 12 years old who do not possess a firearms safety certificate to hunt small game and deer, for a period of one year in their lifetime, if accompanied by an adult with a valid hunting license;
- directing the DNR 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 non-resident deer hunting fees for individuals between 12 and 18 years of age;
- setting new restrictions on baiting deer;
- lowering the minimum draw weight for bows used for hunting;
- eliminating a ban on transporting raccoon, beaver and rabbit meat out of state; and
- exempting military personnel and veterans from a portion of the state's firearm safety certification requirements.

**Game & Fish continued on page 21**



PHOTO BY TOM OLMSCHIED

**A provision of the omnibus game and fish bill would allow state and local agencies to recover any costs incurred while removing ice houses that are on the ice after deadline.**

# Bill gets failing grade

'Underwhelming' higher education package unacceptable to governor

BY MIKE COOK

**C**ollegians currently cramming for final exams can hope for better results than a bill that could have helped those students coming back for future terms.

Approved [86-46](#) by the House and [44-21](#) by the Senate May 8, the conference committee report on [SF1989](#) received a gubernatorial stamp of disapproval one day later.

"I think we have a really good bill," said [Rep. Tom Rukavina](#) (DFL-Virginia), who co-chaired the conference committee with [Sen. Sandy Pappas](#) (DFL-St. Paul). "I think the days of double-digit tuition increases in the state are over. I wish we could have spent more to help students, but we're limited with what we had."

The \$3.16 billion package would have provided nearly \$361.5 million in new spending, including \$135.4 million for the [Minnesota State Colleges and Universities](#) system and nearly \$134.5 million for the [University of Minnesota](#). It also included new money for the state grant program and \$10 million in new funding for the Minnesota GI Bill, with much of it directed to help returning veterans. The bill was \$39.6 million below the governor's recommendation.

"It's underwhelming, uninspiring, spends too much in fiscal years 2010-11, and it ignores our requests for reforms," Gov. Tim Pawlenty said at a May 8 press conference.

Pappas said the bill is another effort at getting higher education funding back to where it was before it took a 15 percent cut in 2003. "It is a 13 percent increase, but we are still 6 percent below where we should have been if we had only been doing inflation."

Because the bill was \$96 million more than the governor's target for the next biennium, many House Republicans voted no, although some, including [Rep. Carol McFarlane](#) (R-White Bear Lake), liked some of what was in the proposal.

## Student costs

"This bill is all about students. It's about sustained support for students over time, not a one-year tuition freeze gimmick," said [Rep. Kathy Brynaert](#) (DFL-Mankato).

For example, an additional \$58 million would have been infused into the state grant program, including an increase in child care grants.

Both bodies had sought tuition caps at one point, but it was not included in the final bill.

"We felt it was irresponsible to be too restrictive. The MnSCU board has committed to not increase tuition above 4 percent, but we think with our additional resources for technology they should be able to hold that down to 3 percent," Pappas said.

The bill included money to establish banded tuition at the university's Crookston, Duluth and Morris campuses that would have allowed students to pay for only 13 credits, even if they took more. When combined with other funding, it would have resulted in minimal tuition increases at Crookston and Duluth. A Minnesota student from a family with an income under \$150,000 could have seen a 10 percent decrease at Morris.

Many students spoke before a House committee this year about rising textbook costs.

The bill would have forced publishers, beginning in 2009, to disclose changes between current and previous editions of a text book. It would have also allocated \$500,000 in one-time money to "identify

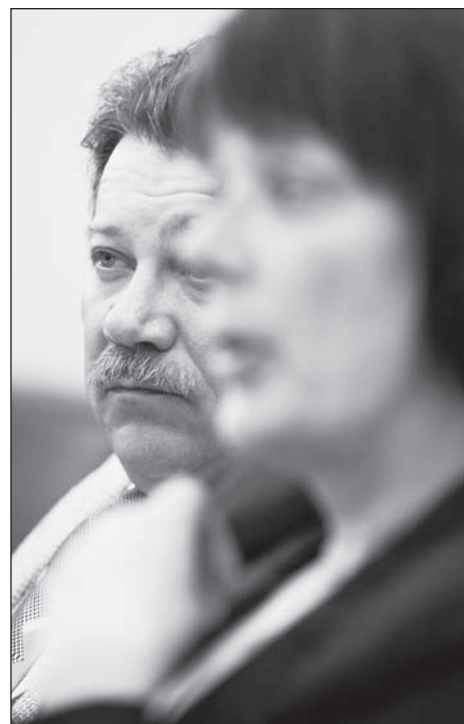


PHOTO BY TOM OLMSCHIED

**Rep. Tom Rukavina and Sen. Sandy Pappas, co-chairs of the Higher Education Finance Conference Committee, listen to testimony during an April 25 meeting. The committee's finished product was vetoed by Gov. Tim Pawlenty May 9.**

and improve on practices for selecting and purchasing textbooks and course materials that are used by students."

A provision allowing children of illegal immigrants to pay in-state tuition — the so-called "Dream Act" — was reluctantly absent because conferees knew the governor opposed the idea.

Instead, the bill would have required six more MnSCU schools to offer a flat tuition rate, as already occurs at 13 of its campuses.

## Failing to ACHIEVE

In June 2006, Pawlenty offered an achievement-based scholarship program that

**Higher Ed. continued on page 21**



## An ill bill?

### Omnibus health and human services finance bill vetoed

By MIA SIMPSON

**I**t's back to the drawing board for health and human services committee conferees.

The hundreds of work hours spent reconciling House and Senate differences over the omnibus health and human services finance bill were thwarted less than 24 hours after the legislation hit Gov. Tim Pawlenty's desk.

The governor vetoed the bill, which included funding for health care, nursing homes and low-income programs, May 8, after it was passed by the House [82-44](#) and Senate [47-19](#).

Sponsored by [Rep. Thomas Huntley](#) (DFL-Duluth) and [Sen. Linda Berglin](#) (DFL-Mpls), the package would have provided

health care coverage for tens of thousands of Minnesotans, increased nursing home funding by \$130 million, adjusted work requirements and repealed penalties for families on welfare and established dozens of housing, mental health and public health initiatives in the next biennium.

"This bill takes a giant step forward for

health care and other programs," Berglin said at a May 7 press conference. "It reflects an honest budget that is affordable and well within the means we had."

Republicans and the governor criticized the bill's nearly \$10 billion price tag, an increase of \$355 million in General Fund spending for fiscal years 2008-09.

"It's very, very obvious what is driving your need for more taxes," [Rep. Steve Sviggum](#) (R-Kenyon) said on the House floor May 7. "It's this bill."

Of special concern to some members were the tails — spending required after 2009 — for some proposals, which they claimed equated to a 40 percent increase from this year.

"It's not doable," Sviggum said.

**Health continued on page 22**



PHOTO BY ANDREW VONBANK

Rep. Thomas Huntley and Sen. Linda Berglin discuss provisions in the omnibus health and human services finance bill May 1. Conferees agreed to a plan, but the governor quickly gave it a veto.

# Public safety bill signed into law

## Multi-billion in funding survives possible veto

By CRAIG GREEN

**O**f all the omnibus appropriations bills sent to the governor this session, the public safety finance bill is the only one so far to become law without any type of veto.

But through the process, there was by no means a guarantee that the bill would make it into law.

[Gov. Tim Pawlenty](#) made it clear that if the omnibus bill contained a controversial insurance provision, it would be vetoed.

Originally the provision was included in both the House and Senate versions of the bill, but after a meeting of members of the House, Senate and governor's office, it was agreed that it would be pulled. Repassed by both bodies, the governor ultimately signed the bill into law May 7.

### New budgets

The new law, sponsored by [Rep. Michael Paymar](#) (DFL-St. Paul) and [Sen. Linda Higgins](#) (DFL-Mpls), will provide more than \$2 billion for fiscal years 2008-09, up from \$1.85 billion in the current biennium. Funding is provided for the court system, Department of Corrections, Office of Justice Programs, Board of Public Defense, Sentencing Guidelines Commission and the Department of Human Rights. Most of the law takes effect July 1, 2007.

The Department of Corrections will receive \$936.7 million; \$614.32 million will go to the court system; and the Board of Public Defense will receive \$135.8 million, with enough funds for 34 additional full-time attorneys.

The Department of Public Safety will have \$304.8 million, including resources dedicated to hiring 15 or 16 forensics scientists for the Bureau of Criminal Apprehension.

The Department of Corrections budget includes additional funding for health costs, utility fees, probation caseload reduction and reimbursement for housing short-term offenders.

Policy changes include an increase in penalties for theft of copper wiring, stronger protections for victims of sexual assault and stronger penalties for violating a domestic abuse no contact order. Victims of domestic violence who fear future abuse if they remain at their residence are now allowed to terminate a lease.

### Bill in trouble

When Paymar began to address the House about the conference committee report on May 3, before its passage, it appeared as though most of the bugs had been worked out. Paymar spoke of some of the specific areas that would receive funding, as well as some of the policy provisions that were not included.

[House Minority Leader Marty Seifert](#) (R-Marshall) then unsuccessfully made a motion to return the report back to the conference committee. Seifert said the bill had a lot of good things in it, but it was also missing some important elements other members wanted to see included.

Among the provisions was Emily's Law, which would reduce the age a juvenile could be charged as an adult from 14 to 13; a provision that would relax the requirements of serving

a restraining order and stronger penalties for repeat sex offenders.

Seifert also read a letter from Pawlenty that warned if the bill included the "good faith" section relating to insurance, he would send it back.

First introduced in [HF1251](#), and sponsored by [Rep. Joe Atkins](#) (DFL-Inver Grove Heights), the provision would require insurers to act in good faith in responding to liability claims and would permit recovery of damages by anyone harmed by the failure to act in good faith.

"The debate regarding this provision primarily features a dispute between the trial lawyers and the insurance industry. A compromise has not been reached and the provision in this bill is unacceptable," Pawlenty said. "Moreover, such a provision does not belong in a public safety bill. ... Progress toward enhanced public safety in Minnesota should not be delayed or diluted because of a turf battle between trial lawyers and the insurance industry."

[Rep. Steve Smith](#) (R-Mound), who was part of the conference committee and signed the report endorsing the bill, spoke in opposition to the bill as well.

In addition to his concern over House provisions that were removed from the bill, he said, "The first task of any government is to provide justice and public safety for its citizens, and not to delay that duty because of a turf battle involving the insurance companies and their desire to continue doing things their own way."

[HF829\\*](#)/[SF650](#)/CH54 

### Frequently called numbers

(Area code 651)

#### House Public Information Services

175 State Office Building .....296-2146

#### Committee Schedule Hotline

175 State Office Building .....296-9283

#### Chief Clerk of the House

211 Capitol .....296-2314

#### House Index

211 Capitol .....296-6646

#### Senate Information

231 Capitol .....296-0504

#### Secretary of the Senate

231 Capitol .....296-2344

Voice mail/order bills.....296-2343

#### Senate Index

110 Capitol .....296-2887

Committee Hotline, Senate .....296-8088

# Speeding to a dead end?

Omnibus transportation finance package includes gas tax increase

By Mike Cook

**A**n omnibus transportation finance bill, that tries to address needs and speed, may have about as much chance of avoiding a gubernatorial veto as Wile E. Coyote does of catching the Road Runner.

However, supporters remain confident it still could become law.

Members of the conference committee, who gave their blessing May 9, said the state's current system is inadequate, and fails to meet the needs of many Minnesotans. They want to see a faster, sleeker system that allows people to quickly and safely move from Point A to Point B.

However, their proposal ([HF946](#)) must first get past the state's largest roadblock — the veto pen of Gov. Tim Pawlenty.

Supporters said the approximately \$4.2 billion package is not all they had hoped for, but [Sen. Steve Murphy](#) (DFL-Red Wing), who co-chaired the committee with [Rep. Bernie Lieder](#) (DFL-Crookston), said it's a bill to move the state forward.

The product includes a 5-cent increase in the state's gas tax, permission for counties to increase their sales tax by 0.5 percent for transportation needs, a formula for dedicating motor vehicle sales tax revenue, and it would authorize \$1.5 billion in trunk highway bonding in the next decade.

"We've been dying on the vine for transportation funding for a long, long time," Murphy said. "It's been 1988 since there was an increase in the gas tax. It's been several years since there's been any new money put into transportation. We're looking to invest now, at the beginning, a little over \$600 million a year, and after everything's phased in we're going to be in the \$725 million to \$735 million range per year."

The plan is expected to be on the House and Senate floors early next week.

Conferees often used the word "compromise" while negotiating a final agreement that they hope will receive serious consideration by the

governor.

"This bill does as much as we could do for highways and transit considering the budget we dealt with and the targets we had," Lieder said.

Both bodies entered the conference committee proposing a 10-cent gas tax; but in hopes of bill passage, members halved the amount. It would take effect Sept. 1, 2007.

"This will get us \$160 million a year. A 10-cent increase will get us \$320 million, and that still won't meet all our needs," said [Rep. Melissa Hortman](#) (DFL-Brooklyn Park). She noted that one year's revenue is not enough to pay for one large project, such as the Crosstown Commons reconstruction in South Minneapolis or the reconstruction of the Highway 169 "Devil's Triangle" in Brooklyn Park and Osseo.

In addition to the gas tax, the bill provides for metropolitan and Greater Minnesota transportation sales taxes.

Any of the seven counties in the Twin Cities metropolitan area could form a joint powers board that could impose a 0.5 percent sales tax for transportation and a \$20 excise tax on motor vehicles. Revenue would be divided so that at least 50 percent is for transit, at least 25 percent is for roads and highways, and the rest is flexible, with up to 5 percent permissible for bicycle and pedestrian programs. A county adjacent to a county in the joint powers board could also join.

In Greater Minnesota, a county or a joint powers board could impose the excise and sales taxes. Unlike that in the metropolitan area, it would be subject to voter approval, must be for a specific project and would

terminate upon the project's completion.

Supporters are unfazed by the lack of support that a tax increase has with many Minnesotans, including Pawlenty, who has threatened to veto any bill that raises taxes.

Nonetheless, Murphy believes he has enough Senate votes to override a veto, while Lieder is confident that once Republican House members see the bill there will be enough green votes.

"It may be easier to convince more House members at the nickel," said [Rep. Ron Erhardt](#) (R-Edina). "There's been a number of them over the course of several years who have indicated that maybe 5 cents would be to their liking and they could support that."

Last November, voters approved a constitutional amendment so that all motor vehicle sales tax revenue will be used for transportation purposes. The bill sets forth the allocations so that once it is fully phased in starting in fiscal year 2012, 60 percent will go to highways, 36 percent to metropolitan area transit and 4 percent to Greater Minnesota transit.

The bill also calls for the dedication of sales tax on motor vehicle leases for transportation purposes, as was proposed by Pawlenty. That money now goes to the General Fund. The agreement calls for 50 percent of the money to go to highways, 37.5 percent to metropolitan area transit and 12.5 percent to Greater Minnesota transit when the funding is fully implemented in fiscal year 2012.

Conferees reluctantly got closer to Pawlenty's \$1.7 billion bonding request for highway construction projects over a 10-year period beginning in fiscal year 2008, which he said would accelerate many construction projects. Debt service on his proposal is estimated to cost \$14.14 million in the biennium.

The agreement calls for \$1.5 billion — an equal division of the original House and Senate proposals — and specifies five projects to be funded, including \$50 million for transit facilities on trunk highways, \$40 million for

Transportation continued on page 22



## Friday, May 4

### HF2464-Tschumper (DFL)

#### Taxes

County capital improvement projects debt limit increased, and bonding referendum required.

### HF2465-Doty (DFL)

#### Finance

Trunk Highway 25 in Pierz reconstruction funding provided.

### HF2466-Doty (DFL)

#### Finance

Buckman tornado siren grant provided.

## Monday, May 7

### HF2467-Thissen (DFL)

#### Taxes

Metropolitan Airports Commission non-debt levy authority eliminated and new bonding by the commission prohibited.

### HF2468-Hausman (DFL)

#### Finance

University of Minnesota; Delaware building renovation funding provided for use as a biomedical science research facility.

## Wednesday, May 9

### HF2469-Hornstein (DFL)

#### Public Safety & Civil Justice

Dog and Cat Breeders Act adopted providing standards of care for dog and cat breeders.

### HF2470-Kahn (DFL)

#### Public Safety & Civil Justice

Criminal felony complaints authorized to proceed against unnamed defendants when DNA evidence exists.

### HF2471-McFarlane (R)

#### Commerce & Labor

Charitable organizations financial statement requirements modified.

### HF2472-Loeffler (DFL)

#### Finance

Capitol complex renovation design funding provided.

### HF2473-Kahn (DFL)

#### Governmental Operations, Reform, Technology & Elections

Statewide and major local retirement plans updated and omitted salary deduction provisions clarified.

### HF2474-Jaros (DFL)

#### Finance

Lake Superior Mississippi Railroad scenic railway improvements funding provided.

### HF2475-Greiling (DFL)

#### Finance

School district capital facilities bond repayment time period extended.

## Game & Fish continued from page 16

### Lands and miscellaneous

The land acquisitions section of the bill contains provisions that add new lands to Flandrau State Park in Brown County and Whitewater State Park in Winona County. Other lands provisions include:


- deleting lands from Flandrau State Park;
- permitting the public or private sale or conveyance of various state lands in several counties; and
- allowing the Itasca County auditor to lease certain land to Minnesota Steel Industries for 20 years, for use as a tailings basin and buffer area.

The bill also contains a provision that would ban the sale of household dishwasher detergents containing more than 0.5 percent phosphorous by July 1, 2010. This comes from [HF1382/SF1109](#), sponsored by [Rep. Paul Thissen](#) (DFL-Mpls) and [Sen. Tom Saxhaug](#) (DFL-Grand Rapids).

[Rep. Larry Howes](#) (R-Walker) successfully amended the bill with a provision that would boost Leech Lake's priority ranking for the DNR's walleye stocking program. Dill said the measure would likely come under scrutiny by a conference committee.

[Rep. Tom Hackbarth](#) (R-Cedar) tried unsuccessfully to amend the bill by repealing

new restrictions on off-road vehicle trails on state lands enacted by the omnibus environment, energy and natural resources finance bill, which was signed into law May 8 by Gov. Tim Pawlenty.

Also included in the bill is the Uniform Environmental Covenants Act ([HF1063/SF1051\\*](#)), sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park) and [Sen. Mee Moua](#) (DFL-St. Paul), and an extension of noise standards exemptions for racetracks, which comes from [HF415/SF311](#), sponsored by [Rep. Jeanne Poppe](#) (DFL-Austin) and [Sen. Dan Sparks](#) (DFL-Austin). 

## Higher Ed. continued from page 17

would have allowed students to earn scholarship money and college credits while in high school. Dubbed ACHIEVE, the plan came with a price tag estimated at \$112 million. The governor's budget recommendation was \$78.9 million.

Instead, the bill included \$4 million in a reformatted program called Achieve Success and Persistence through Innovative Rigorous Education. It would have appropriated \$1 million to both MnSCU and the university to provide courses to students in remote and underserved areas where districts lack resources to provide rigorous courses. The remaining \$2 million was to increase Intervention for College Attendance Program grants that, according to [statute](#), "foster postsecondary attendance by providing

outreach services to historically underserved students in grades six through 12."

"It is doubtful that the 'alternative' proposal included in this bill would have any significant impact on the state's future workforce and global competitiveness," Pawlenty wrote in his veto message.

During the House debate, [Rep. Andy Welti](#) (DFL-Plainview) said if the governor vetoes the bill because of this program's lack of funding, he wonders where the money was to come from.

"If we have to cut millions of dollars is it going to result in tuition increases? Is it going to result in us taking away dollars from child care grants? Is it going to result in us taking money from the University of Minnesota/Mayo genomics partnership? These are all critical investments that will move Minnesota forward."

### Other components

- each MnSCU institution was to provide information on personal financial management to students, and the university was requested to do the same;
- no state money could have been used for costs related to the early termination of an athletic coach;
- selection of the university's Board of Regents and MnSCU Board of Trustees would have been altered; and
- a small surcharge assessed on non-residential construction projects would have gone towards helping fund construction management programs in public postsecondary schools to meet the state's demand for workers.

[HF797/SF1989\\*/CH65](#) 

## Health continued from page 18

Several of the most costly items in the bill were removed during the conference committee process, including the Cover all Kids provision which would have provided health care to all children statewide.

Committee members instead adopted many Senate initiatives in [SF2](#), sponsored by Berglin, which would:

- establish an outreach program for Minnesota health care programs that would include public awareness campaigns, grant support for nonprofits and a toll-free phone line;
- appropriate \$27 million to remove barriers to coverage by shortening application forms, eliminating some verification requirements and removing the employee subsidized insurance barrier, which prohibits entrance to MinnesotaCare within 18 months of utilizing employee-subsidized benefits;
- smooth the transition from Medical Assistance to MinnesotaCare by making people automatically eligible for MinnesotaCare if they lose eligibility for Medical Assistance;
- allow small-business owners to buy into MinnesotaCare for their employees, and grant farmers easier access to the program; and
- eliminate the limited benefit set established in 2003 and increase eligibility for MinnesotaCare participants without children, the second at a cost of \$11 million.

Several health care reform provisions from the House were included in the omnibus bill, such as pilot projects for medical homes and incentive-based payment methods for physicians and patients.

The bill also included the governor's Health Exchange proposal, which would have established a system designed to help provide private insurance to all Minnesotans. In the exchange are 125 plans, which would give employees without insurance the option of buying plans with pre-tax dollars. That provision is also in the House omnibus tax bill, [HF2362](#), sponsored by [Rep. Ann Lenczewski](#) (DFL-Bloomington).

"What we're doing is less expansive than what we proposed before, but we'd still cover about 30,000 to 40,000 kids," said [Rep. Paul Thissen](#) (DFL-Mpls), who sponsors the [Cover all Kids bill](#).

The House also adopted the Senate plan for nursing homes. Facilities would have received a 3 percent increase in funding in 2008. Beginning in 2009, rates would be adjusted over a five-year period through rebasing, which helps reduce payment disparities between urban and rural nursing homes. Under the bill, the total appropriation for the industry would have been almost \$300 million in fiscal years 2010-11.

The [Minnesota Family Investment Program](#) also faced changes. The omnibus bill would have repealed \$19.5 million worth of penalties imposed in 2003, including the family

cap, which denies more cash assistance to families that bear children on the program; the Supplemental Security Income penalty, which revokes \$125 from a family's monthly MFIP grant if that family also receives federal SSI assistance; and \$25 of the \$50 housing penalty.

Members also made changes to work requirements. The bill called for the establishment of Family Stabilization Services, which would be designed to move hard-to-employ welfare participants, such as refugees and people with disabilities, off federally funded services.

The bill would also have counted 12 months of education and training towards work requirements, aligning Minnesota with federal policies.

"The idea was not just to get people off the welfare rolls, but to get them out of poverty," Huntley said on the House floor May 7. "We've been successful in getting people off the welfare rolls, but not so successful in getting people out of poverty."

Under the bill, mental health services would have received \$45 million in the biennium. Funding would have also been provided for the Veterans Home Board; child care; and public health. Many House provisions for environmental studies and tracking initiatives were eliminated in the final bill.

[HF297/SF2171](#)\*/CH58 


## Transportation continued from page 20

trunk highway interchanges and \$20.7 million for a Department of Transportation district headquarters building in Mankato.

"You can't keep running up the credit card. We could be using some of that debt service now," said [Rep. Frank Hornstein](#) (DFL-Mpls). Under the plan, the total highway debt

service in the forthcoming biennium would be \$139.25 million, a \$19 million increase. However, the plan does include a debt service surcharge on motor fuels, up to 2.5 cents to help with the costs.

The bill also calls for elimination of the \$99 and \$180 vehicle registration caps that

were enacted by former Gov. Jesse Ventura, it would increase driver's licenses by 75 cents and would provide for a wheelage tax of up to \$10 in the seven-county metropolitan area. All other counties would be exempt because of technology issues at the [Department of Driver and Vehicle Services](#). 

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# Come to the Capitol

*Directions, Parking, Tours, Visiting the Legislature, Dining*

## Directions

The Capitol complex is north of I-94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

- I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right.
- I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right.
- I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right.
- I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left.

## Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot H, west of the Veterans Service Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); Lot L, east of the Judicial Center; in the 14th Street Lot at the corner of North Robert Street and 14th Street; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. There are a few metered parking spots in front of the Capitol along Aurora Avenue.

Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$4 from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Avenue. Cash or checks are accepted. For more information, call (651) 201-2307.

Outdoor disability parking is available in most public lots within the State Capitol Complex. However, most spots can be found in Lot N and Lot F. Disability parking is also available on the orange level of the Centennial Office Parking Ramp and in the 14th Street Lot.

The main disability entrance to the Capitol is on the northwest side of the building just off Lot N. There also are drop-off entrances on the south side under the front steps on the south side and on the northeast side of the building.

Since parking is limited during legislative sessions, taking the public bus could be an option. Call the Transit Information Center at (612) 373-3333 for schedule and route information.

## Visiting the Legislature

During session, all House and Senate floor sessions are open to the public. No pass is required for spectators to sit in the galleries of either chamber. The House usually meets at 12:30 p.m. Monday and

10 a.m. Thursday, and the Senate generally meets at 11 a.m. Monday and Thursday during the first few weeks of session. As the session nears the end, however, both bodies may meet several times a week, often into the night.

Visitors interested in observing these sessions may call House Public Information Services (651) 296-2146 or Senate Information (651) 296-0504, with questions.

Committee meetings are open to the public, as well. Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House (651) 296-9283 or Senate (651) 296-8088.

If group members want to meet with their individual legislators or testify before a committee arrangements should be made at least a week in advance.

Sometimes groups plan a "legislative day" at the Capitol. For information on reserving a room for group conferences, call the State Office Building room scheduler at (651) 296-0306 or the Capitol room scheduler at (651) 296-0866.

## Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Monday through Friday between 9 a.m. and 4 p.m. (last tour leaves at 3 p.m.); Saturday between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sunday between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol information desk. Brochures in about 20 foreign languages also are available there.

Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

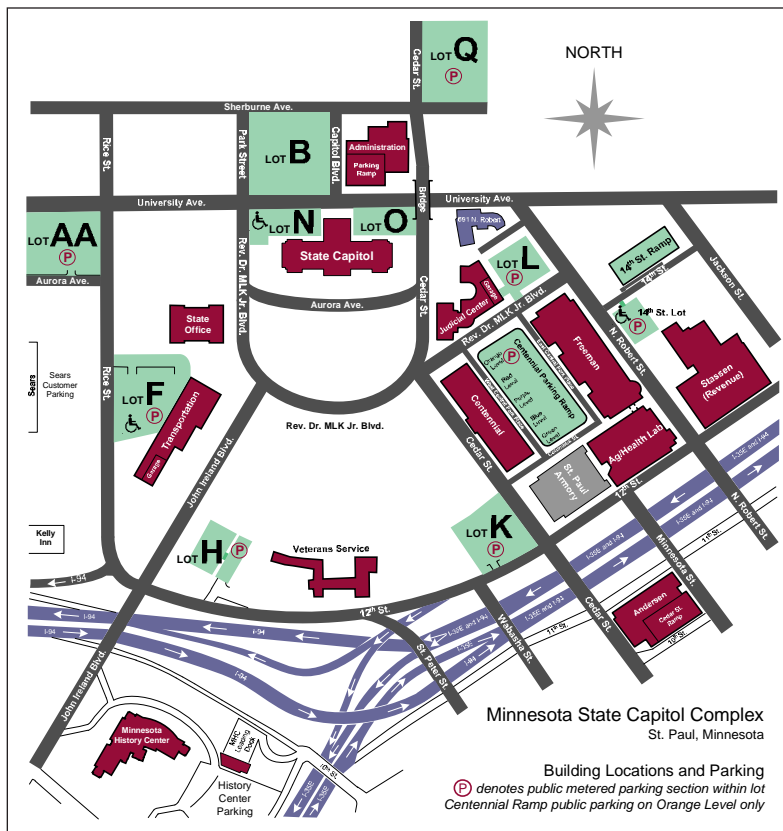
The society offers a number of specialized tours for educational groups ranging from pre-school students to high school seniors. Also, special tour events are scheduled throughout the year. Themes include "Art and Artists of the State Capitol" and "Shadows and Spirits of the State Capitol." Some of these events require admission fees. A special events guide is available upon request.

For more information about the tours and fee structure or to make a reservation, call the Capitol Historic Site Program at (651) 296-2881.

## Dining

Year-round cafeterias can be found on the ground floor of the Transportation and the Centennial and Stassen buildings.

The small State Office Building cafeteria and the Rathskeller in the State Capitol are open only when the Legislature is in session.



Edited map courtesy Minnesota Department of Administration, Plant Management Division



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

SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER  
MAJORITY LEADER: ANTHONY "TONY" SERTICH  
MINORITY LEADER: MARTY SEIFERT

## MINNESOTA INDEX

### Hook, line and sinker

Date of 2007 Minnesota walleye season opener .....	May 12
Minnesota's rank nationally in sales of fishing licenses per capita .....	1
Cost for resident seasonal individual fishing license.....	\$17
Number of fish species found in the state.....	158
Length, in inches, of record walleye caught in state.....	35.8
Year caught .....	1979
Length, in inches, of average walleye caught and kept.....	14
Year walleye received designation as the state fish.....	1965
Number of walleyes allowed in possession per day .....	6
Walleye rank as most caught fish in state .....	2
Rank of panfish .....	1
Rank of northern.....	3
Average number of walleye stocked per year by DNR, in millions.....	253
Number of DNR walleye rearing ponds in state, on average.....	325
Percent of state's population 16 years and older holding a fishing license in 1970.....	40
Percent in 2006.....	29
Average number of days anglers spend fishing on lakes during spring, summer and fall .....	4
Number of resorts in state in 1970 .....	2,000
Approximate number in 2006.....	900
Square miles of water found within state .....	7,326
Number of fishable lakes in state .....	5,493
Number of counties in state with no natural lakes.....	4
Approximate total economic impact to state, in millions, relating to coldwater angling.....	\$156.7
Approximate number of jobs supported in state by fishing industry .....	50,000
Number of minnow dealers and retailers in the state.....	1,306

— L. SCHUTZ

Sources: Minnesota Department of Natural Resources Economic Impact of Fishing report; House Public Information Services; Explore Minnesota Tourism

### FOR MORE INFORMATION

For general information, call House Public Information Services at (651) 296-2146 or (800) 657-3550.

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

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

The House of Representatives can be found on the Web at: [www.house.mn](http://www.house.mn).

People who are deaf and hard of hearing may ask questions or leave messages by calling the Minnesota Relay service at 711 or (800) 627-3529 (TTY).

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