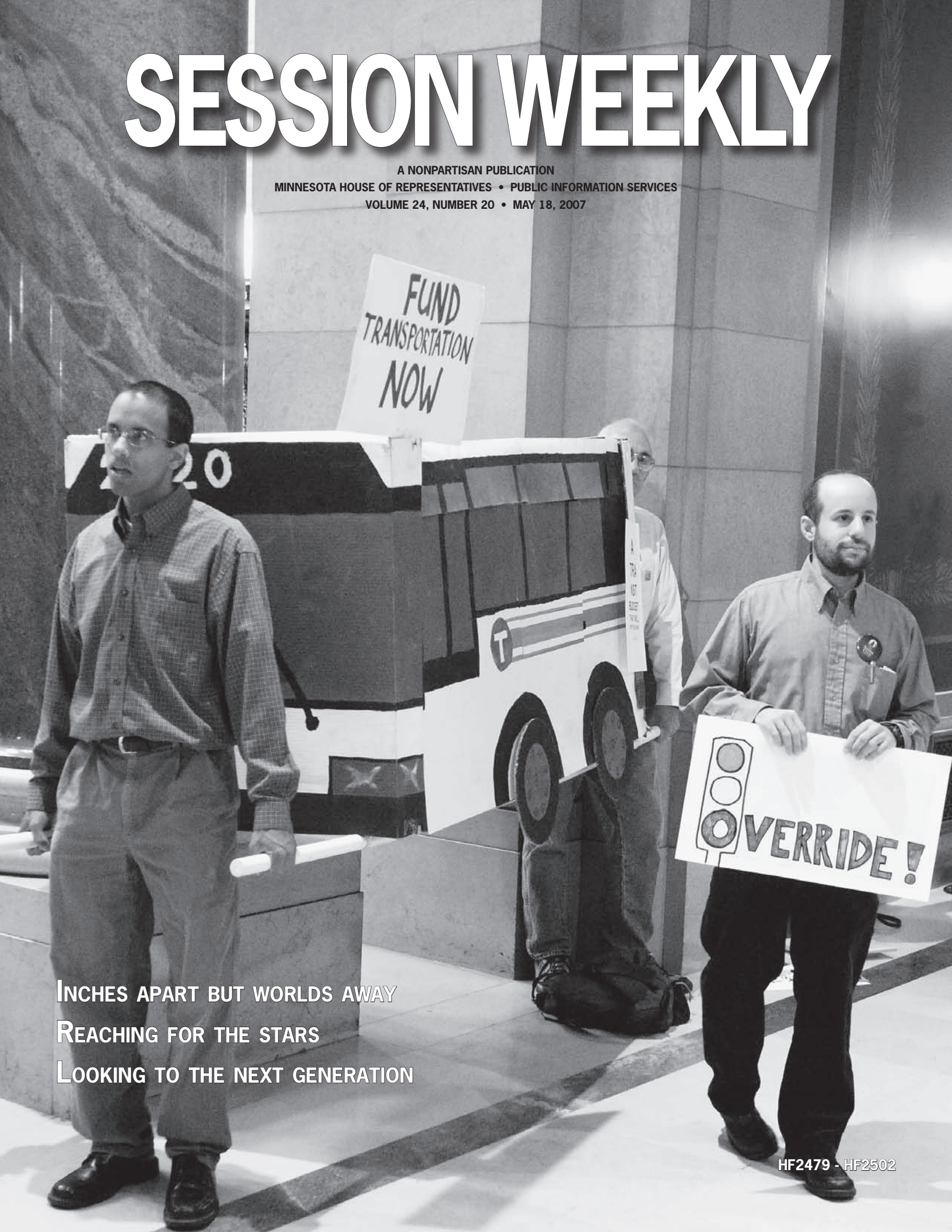


SESSION WEEKLY

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INCHES APART BUT WORLDS AWAY
REACHING FOR THE STARS
LOOKING TO THE NEXT GENERATION

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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On the cover: Joshua Houdek holds an "Override!" sign as Unnu Nambudiripad, left, and Rick Heimaark hold a model bus as the Coalition to Fund Transportation Now greeted House members arriving for the May 16 floor session. The group encouraged members to override Gov. Tim Pawlenty's veto of a transportation finance bill that included up to a 7.5-cent increase in the gas tax.

—Photo by: Tom Olmscheid



PHOTO BY TOM OLMSCHIED

Senate Majority Leader Larry Pogemiller indicates how close DFL leaders are to an agreement with Gov. Tim Pawlenty. He and House Speaker Margaret Anderson Kelliher made frequent trips to the governor's office trying to work out a budget agreement May 17.

Inches away or worlds apart?

With time running out, legislators look for a compromise with the governor

BY SESSION WEEKLY STAFF

The more things change under the Capitol dome, the more they stay the same.

Legislators have found themselves scurrying to get budget bills passed and avoid a special session for the fourth straight budget-setting year and seventh in the past eight. But with a May 21 deadline quickly approaching, it will be close.

Battling the clock

As if House members needed any reminder, all week most had to walk past a digital clock outside Senate Republican offices in the State Office Building ticking off the time left for them to get their work done.

Six days before the constitutional adjournment, seven of the 12 major spending bills landing on the governor's desk had been vetoed, and arguably the two largest ones for

the session — E-12 education and taxes — had yet to be considered by either body. At least the Taxes Conference Committee was meeting; E-12 conferees hadn't gathered for a couple of weeks.

Gov. Tim Pawlenty's complaints with many of the bills were that they exceeded his recommended spending target, set forth in his \$34.4 billion budget released in January. He was also clear from the get-go that bills

containing tax increases would be vetoed, but legislators have tried anyway.

Another bone of contention was the unwillingness of House and Senate leaders to reveal a global picture of their intended biennial spending; rather, the information was being revealed piecemeal as each bill was acted upon.

So the parade of vetoes continued.

A new plan

As time continued to count down the primary question grew louder. Would there be enough time to craft new bills, get them passed and onto the governor's desk with enough left over to deal with a potential veto?

Senate leadership tried to breathe new life into the vetoed omnibus finance bills with trimmed down versions of previous conference committee reports.

First Reading continued on page 4

The Senate Rules and Administration Committee began a set of procedural moves May 15 to bring the economic development, health and human services, higher education, state government, taxes and E-12 education finance omnibus bills to the respective floors. Senate bill sponsors each said they took seriously the governor's veto messages and removed or modified policy provisions that he criticized.

Nonetheless, the governor had plenty to say about the lack of transparency used in crafting them.

"Given their style of negotiating, which is to send me bills that they know are unacceptable, I don't see how that's going to end in a timely or productive end of session," he said at a press conference to sign the smoking ban legislation. "No governor in my memory has been asked by the Legislature to veto one set of omnibus bills, much less two, as a way to negotiate an end to session. I think that's unprecedented. It's a troubling and very disturbing set of actions from my standpoint."

With a goal of getting the bills to the governor's desk before midnight, the Senate approved all six revised omnibus bills May 16, and sent them to the House, which acted on none.

Here's a look at where the yet-to-be-resolved major finance bills stand, as of 8 p.m. May 17.

Capital Investment

The \$334 million bonding bill was vetoed May 1, and no attempt has been made to revive the bill.

Pawlenty rejected [HF886](#)*/[SF2157](#) because it was more than four times larger than he requested. Traditionally, bonding bills in budget years are smaller.

Included in the plan was nearly \$70 million for higher education asset preservation, \$40 million for construction of the central corridor transitway between Minneapolis and St. Paul, \$37 million to pay half the cost of a new arena in Duluth, \$30 million for public infrastructure needed to support a steel plant in Itasca County, \$12.7 million for repairs to the Department of Transportation building in St. Paul and \$6.1 million for security upgrades and ventilation system work at Oak Park Heights prison.

"There has been no discussion yet on the bonding bill other than asking if we want one." The answer was 'yes,'" said [Rep. Alice Hausman](#) (DFL-St. Paul), who sponsors the bill with [Sen. Keith Langseth](#) (DFL-Glyndon). "I believe the governor wants a bonding bill because he has promised lots of people. This may be a very last minute discussion."

E-12 Education

Although conferees on the E-12 education finance bill have not met since April 30, a trio of budget groups met briefly in the following days.

Sponsored by [Rep. Mindy Greiling](#) (DFL-Roseville), [HF6](#) covers everything from voluntary all-day kindergarten to property tax relief. Included in the \$13.9 billion package is a 9.4 percent increase in biennial funding. The Senate version ([SF2095](#)) contains similar funding.

The result of a May 16 pre-dawn meeting, an amended version ([HF2245](#)) was passed 47-17 by the Senate. Although about \$200 million less than the first bill, it still would provide school districts a 2 percent increase in state funding next year, but zero for 2008-09. Approximately \$387 million in new money would go to special education.

As of press time, the bill awaits action by the full House. However, [Rep. Carlos Mariani](#) (DFL-St. Paul), chairman of the House E-12 Education Committee, predicted the bill "will not be the final product." He said the sides are close to an agreement.

Economic Development

Approved [84-44](#) by the House and [42-22](#) by the Senate May 4, the \$448.8 million omnibus economic development finance bill ([SF2089](#)) was vetoed by the governor three days later because, among other reasons, it spent \$56 million more than he requested and Pawlenty said it would be detrimental to business.

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

It also included \$41 million in new funding for housing issues, increased funding for youth programs by \$13.5 million, would have 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.

[Sen. David Tomassoni](#) (DFL-Chisholm), who sponsors the bill with [Rep. Mary Murphy](#) (DFL-Hermantown), said the revised package is \$35 million less, including \$5 million in ongoing money. Among its other changes are the removal of a severance disregard for receiving unemployment benefits, less money is allocated to help replenish the Minnesota Minerals 21st Century Fund and softened packinghouse worker language.

Murphy said May 17 that she expects the House to take up jobs and economic development very much like the form of the negotiated bill passed by the Senate.

Health and Human Services

The governor quickly rejected the omnibus health and human services finance bill,



PHOTO BY TOM OLMSCHIED

As they leave the State Office Building for the May 14 floor session, [Rep. Brita Sailer](#), from left, [Rep. John Ward](#) and [Rep. Patti Fritz](#) pass a countdown clock displays the time remaining in the 2007 legislative session. Senate Republicans put the clock outside their offices to remind everyone of the approaching constitutional deadline.

Big Bills Receiving Thumbs Up



Omnibus Agriculture and Veterans Finance Bill

Status: Signed into law May 4 with line-item vetoes

Session travel: Passed the House April 17 131-2 and the Senate 65-0 April 19

Sponsors: Rep. Al Juhnke (DFL-Willmar) and Sen. Jim Vickerman (DFL-Tracy)

Total 2008-09 General Fund spending: \$168.3 million

Highlights: Provides more than \$64 million for veterans and military programs, including money for officer enlistment bonuses; expansion of veterans higher education offices; and more than \$104 million for agriculture-related initiatives, including renewable energy grants and creation of the Next Generation Renewable Energy Board.

Comments: "We don't exactly know what we are going to need to help these combat veterans reintegrate. But we are going to be prepared regardless of their needs. We're just planning for the unknown. It is a silent way of saying 'thank you.'"

From the ag portion of the bill: "Basically what this bill is bringing us is research and development for our future. You will see our colleges start training folks in this new economic development field of renewable energy. And then those new workers will be moving to, and living in, rural Minnesota, and we're trying to keep that newfound wealth at home and have it circulate through our communities."

— REP. AL JUHNKE (DFL-WILLMAR)

Omnibus Environment, Energy and Natural Resources Finance Bill

Status: Signed May 8 with line-item vetoes

Session travel: Passed May 4 by the Senate 64-1 and by the House 97-30

Sponsors: Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul)

Total 2008-09 General Fund spending: \$440 million

Highlights: Boosts funding for Clean Water Legacy programs and renewable energy research and development. Policy provisions include a venison donation program for deer hunters; stricter requirements for land developers to replace wetlands; new restrictions on off-road vehicle usage on state lands; and language intended to lay the groundwork for using the state's native prairie grasses as biomass for use in cellulosic ethanol. Line-item vetoes included money for a rural wind energy program and several local projects.

Comments: "The environment policy [portion of the bill] is extraordinarily important. One of the things we did is make sure there was enough money to assess waters and to do the studies that show where pollution comes from. ... We set the table for using prairies for biofuels, which was challenging because we have very little prairie seed left in Minnesota. ... And, we did lots of great things in energy. ... I think it's a good bill."

— REP. JEAN WAGENIUS (DFL-MPLS)

Omnibus Public Safety Finance Bill

Status: Signed into law May 7

Session travel: Passed the House 96-34 April 17 and the Senate 63-0 April 18.

Sponsors: Rep. Michael Paymar (DFL-St. Paul) and Sen. Linda Higgins (DFL-Mpls)

Total 2008-09 General Fund spending: \$1.87 billion

Highlights: Provides \$936.7 million for the Department of Corrections, including resources for re-entry and youth intervention programs; \$614.32 million for the court system, including funding for seven new judgeships; and \$304.8 million for the Department of Public Safety.

Comments: "I feel very good about what we were able to accomplish, and if you look at the vote totals in both the House and the Senate, you can see there was overwhelming bipartisan support. ... We were able to do some things differently in the way we addressed crime prevention, and how we deal with offenders and recidivism rates. ... We also dealt with crime victims and support programs that did not have the level of funding needed. In providing public safety for the citizens of Minnesota, I think we hit a home run."

— REP. MICHAEL PAYMAR (DFL-ST. PAUL)

signing his veto message May 8, less than 24 hours after the Senate passed the bill 47-19 and the House 88-44.

At the time, the bill, sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), spent \$537.1 million in General Fund and other dollars on health care initiatives, nursing homes, welfare programs, child care, mental health and public health.

Conferees briefly reconvened the following week to trim down spending, and eventually cut \$50 million in fiscal years 2008-09 and \$87 million in fiscal years 2010-11 from the bill, which included a 0.25 percent drop in nursing home funding in fiscal year 2008 and an \$18 million reduction in mental health grants. Leadership also eliminated the governor's "Healthy Connection" proposal, which focused on several health care reforms.

General Fund expenditures now rest at \$305.5 million above base, though Huntley expressed skepticism that levels wouldn't decrease further.

"We already cut about \$100 million from the bill, and it looks like we're going to cut more," he said.

Following the changes, the legislation was rolled into HF1078, a bill that would have originally changed hospitals public interest review requirements.

The Senate passed the omnibus bill 44-21 May 16. The House has yet to debate it.

Higher Education

The latest proposal (HF1063) was approved 64-0 by the Senate.

Rep. Tom Rukavina (DFL-Virginia), who sponsored the original bill with Sen. Sandy

Pappas (DFL-St. Paul), said May 17 that the bill has been received by the House, but he was unsure if it would be acted upon, dependent on the outcome of budget negotiations.

The revised \$3.16 billion bill comes in \$39.6 million below the governor for the upcoming biennium, and is nearly \$75.8 million above the governor's recommendation for the 2010-11 biennium. The latter number is \$20 million below what was previously proposed, and there is some concern it may not be enough.

In his May 9 veto letter, Pawlenty said that committing to that much spending "will severely limit the funds available for other priorities such as K-12 education."

Other changes made from the original bill include: a \$2 million increase in the GI Bill,

First Reading continued on page 20

Editor's Note: The following Highlights are coverage of select bills heard in House committees held May 10-17, other House activity and bills that have been signed into law. To track the progress of a bill, go to www.leg.mn and click on Bill Search, Status and MyBills. Designations used in Highlights 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.

CONSUMERS

Protection for car buyers

Consumers could have better protection when buying cars, under a bill passed 104-27 by the House May 15.

Sponsored by **Rep. Steve Simon** (DFL-St. Louis Park) and **Sen. Ron Latz** (DFL-St. Louis Park), **HF1675/SF1333*** would require dealers to disclose service installment contract requirements, and the use of credit reports, and it would define "certified" used motor vehicle.

Buying a car is the second biggest purchase people can make, and the bill would give more information and protection to consumers, Simon said.

The bill would make it unlawful for a dealer to say a vehicle meets the terms of a certified used motor vehicle if the dealer knows or should know:

- that the odometer does not indicate actual mileage, has been rolled back, altered or replaced;
- the vehicle was reacquired by the manufacturer or a dealer because of state or federal warrants;
- the title has been inscribed with the notation damaged, flood, junk, lemon law buyback, manufacturer repurchase, non-repairable or rebuilt; and
- the vehicle has sustained damage in an impact, fire, flood or sustained frame damage.

Prior to the execution of a retail installment contract, a seller would need to provide to a buyer a written disclosure to include a description of the total price of all items sold. This would include a service contract, insurance product, debt cancellation agreement, theft deterrent device, surface protection product and the amount that would be calculated under the contract as the regular installment payment for the listed items.

An amendment successfully offered by **House Minority Leader Marty Seifert**

(R-Marshall) removed a provision allowing a customer to cancel a contract. Seifert said the provision would have allowed people to purchase a car for more than \$40,000, return it stripped of parts, and only pay a restocking fee up to \$500.

Simon said the bill already contains safeguards from that and the restocking fee would not be in the financial interest of those returning stripped vehicles.

As amended, the bill returns to the Senate, where it was approved 40-25 March 29.

— P. OSTBERG

Full value gift cards

Many gift cards would not expire, under a bill awaiting action by the governor.

Sponsored by **Rep. Joe Atkins** (DFL-Inver Grove Heights) and **Sen. Katie Sieben** (DFL-Newport), **HF512/SF69*** would make it unlawful for a business to sell a gift card that has an expiration date or a service fee of any kind, including for nonuse.

Amended by the House to provide that it would apply only to gift cards sold on or after the proposed Aug. 1, 2007, effective date, the bill was passed **95-37** May 15 and 50-8 by the Senate the next day.

The bill would exempt:

- cards distributed for loyalty or promotional reasons without money given in exchange;
- cards distributed for employee recognition;
- cards sold below face value to employers or nonprofit organizations for fund-raisers;
- prepaid calling cards;
- debit cards used to access a debit account; and
- cards that can be used at multiple sellers or goods and services, such as a mall card, provided any expiration date and associated fees are disclosed. These are typically bank-issued cards subject to federal regulations.

Supporters have said that some gift cards have expiration dates as short as six months. "You can buy one at Thanksgiving, give it over the holidays and by Spring Break the gift card has no value," Atkins said.

No longer in the bill is a provision that would have allowed a cardholder to receive cash if less than \$5 remained on the card; nor is one that would have allowed cardholders to pay their bills using a gift card.

— M. COOK

DEAR READERS:

The Legislature is constitutionally required to adjourn by midnight, May 21. With several outstanding issues yet to be resolved, the House will likely meet through the weekend to finish its business.

Assuming legislators finish their work on time, the final issue of Session Weekly is to be published May 25, and will include summaries of final actions of the session; however, if there is a special session, the last issue of Session Weekly will not be produced until legislators finish their work, be it June 1, July 1 or later.

Updated information is also available at the Session Daily Web site at www.house.leg.state.mn.us/hinfo/sdaily.asp.

SESSION WEEKLY STAFF

Cold Belgian brews and more

Strong beers brewed in Minnesota, like Schell and Summit brands, could be available this year for beer drinkers at the Minnesota State Fair under the omnibus liquor bill, passed by the House May 14. The vote was 111-21.

Sponsored by **Rep. Joe Atkins** (DFL-Inver Grove Heights) and **Sen. Sandy Pappas** (DFL-St. Paul), **HF1958/SF1070*** would allow liquor licenses to be sold to establishments within a half-mile of the state fairgrounds and at the University of Minnesota's St. Paul campus. Other provisions would allow for larger bottles for brewing beer, on-sale licenses for farm wineries and increased maximum fees for off-sale intoxicating liquor licenses issued by cities.

As amended, the bill passed the Senate 56-4 May 15.

Under the bill, vendors would be permitted to sell more than 3.2 percent beer at the state fair and other fairground events, "provided that at least one Minnesota brewed malt liquor is made available for sale at each allowed location within the grounds."

Opposition was raised over a proposed \$100 reduction in the annual license fee for off-sale licenses issued by cities, if certain conditions are met. One condition includes a cash reward and incentive program to be established by a licensee to reward employees for catching underage drinkers, and would establish a penalty program to punish employees if they fail a compliance check.

One brewmaster told a House committee that under current law he is unable to sell or serve his homemade Belgian beer in the traditional fashion because of current bottle-size regulations. The bill would permit 750 milliliter bottles traditional to Belgian beers

REMEMBERING PEACE OFFICERS



PHOTO BY TOM OLMSCHIED

Scott Dahlquist, left, of the Minneapolis Police Department, and Dennis Lindahl of the Minnesota State Patrol's Marshall District, present the colors in the House Chamber May 15 in recognition of Peace Officers Memorial Day.

to be sold by small brewers and brew pubs.

It is illegal for liquor stores to donate bottles of wine for charitable events such as a silent auction. Under the bill, cities may issue a temporary exclusive liquor store license to a nonprofit organization once a year for charitable events. The funds from sales must be dedicated to the charitable purpose and the donation could not exceed five bottles for wine, 24 beer bottles and 1 liter of intoxicating liquors.

— P. OSTBERG

Stay near the gas nozzle

**Signed
by
the
governor**

People filling their vehicles with gas will have to stay close to the dispenser nozzle, under a new law signed May 10 by Gov. Tim Pawlenty.

Sponsored by [Rep. Joe Atkins](#) (DFL-Inver Grove Heights) and [Sen. Debbie Johnson](#) (R-Ham Lake), the law states those who violate the requirement would not be subject to civil or criminal penalties. Those selling petroleum are required to post signs at locations notifying people of the requirement, and those who violate it could be denied fuel services.

This portion is effective Aug. 1, 2007.

Bob Krogman, executive director of the Minnesota Petroleum Marketers Association, said as more people pay for gas at the pump, they are also walking away from their vehicle to enter a station building. Occasionally pumps don't kick off when a tank reaches capacity, and the result can be gallons of fuel on a drive area leading to safety hazards. The change will hopefully deter people from leaving the vehicle while pumping gas, he said.

The law also modifies petroleum terms and updates specifications for petroleum products. Definitions for "biodiesel blend" and "biodiesel fuel" are included in the changes.

Biodiesel blend will mean "a blend of diesel fuel and biodiesel fuel at a ratio designated by 'BXX' and 'XX' represents the volume percent of biodiesel fuel in the blend," according to the law.

Biodiesel fuel will mean "a renewable, biodegradable, mono alkyl ester combustible liquid that is derived from agricultural plant oils or animal fats and that meets American Society for Testing and Materials specification D6751-07 for biodiesel (B100) blend stock for distillate fuels."

This portion is effective July 1, 2007.

[HF2045/SF1193*/CH62](#)

— P. OSTBERG

DEVELOPMENT

Airport zoning disclosure

**Signed
by
the
governor**

Effective Aug. 1, 2007, a new law replaces an existing one regarding disclosure of airport zoning regulations.

Under the new provision, a property seller will be exempt from disclosing the regulations to prospective buyers of real estate if they give timely written notice that a copy of the zoning regulations is available at the county recorder's office where the zoned area is located.

[Rep. Mike Beard](#) (R-Shakopee), who sponsors the law with [Sen. Ann Rest](#) (DFL-New Hope), said legislation passed in 2006 regarding real estate disclosures when a transaction takes place within 1 mile of an airport was modeled after language from a national organization. However, it turned out not to be the best language for Minnesota, so a number of groups, including builder and realtor associations, worked together to create the new language.

[HF556/SF218*/CH64](#)

— M. COOK

EDUCATION

Updated math standards

From kindergarteners “counting with or without objects, forward and back to at least 20” to high schoolers “using the relationship between conditional probabilities and relative frequencies in contingency tables,” the revised state math standards will be more rigorous beginning in the 2007-08 school year.

The House E-12 Education Committee and Senate Education Committee heard testimony May 10 on the new Department of Education [revised standards](#) to be implemented in June, but took no action.

The 2006 legislation prompted the change. Schools have three years to align curriculum to the new standards. The first assessment test based on the new curriculum is scheduled to occur in the spring of 2011.

Starting in June 2007, the new math standards will require students to take Algebra I, or its equivalent, in the eighth grade and Algebra II, or its equivalent, for graduation.

“One of the requirements here was that the standards get students to be college- and work-ready,” said Larry Gray, head of the [University of Minnesota School of Mathematics](#). He said that students need the fourth year of math in high school to retain their knowledge for college, especially if they are going into engineering.

By requiring students to complete Algebra I by the eighth grade, the department sees this affecting other grades as well. In a written statement, they said that sixth grade students must master arithmetic with decimals and fractions, and seventh grade students must master material about proportional relationships with equations with variables.

Other education standards will be revised in the coming years: science in the 2008-09 school year, language arts/reading during the 2009-10 school year, and social studies one year later.

— S. HARDING

EMPLOYMENT

Saying no to nurse overtime

**Signed
by
the
governor**

Nurses employed at state facilities will have the same ability to say no to extra work as those in the private sector.

Because some nurses felt they were being forced into too many overtime hours because of intimidation, a 2002 law permits a nurse to refuse mandatory overtime without consequences from their employer if he or she feels tired or sick and

TEACHER OF THE YEAR



PHOTO BY TOM OLMSCHIED

Michael Smart, Minnesota's 2007 Teacher of the Year, is recognized on the House floor May 11 for his achievement. Smart teaches Japanese studies at Robbinsdale Armstrong High School.

believes it is in the best interest of the nurse and patients not to be in a caregiver role during those hours.

The new law, effective Aug. 1, 2007, adds state-employed nurses involved in resident or patient care, regardless of the type of facility. It does not supersede a valid collective bargaining agreement.

[Corrections Department](#) employees are not included in the law until July 1, 2008, because of a potential cost to the department.

However, the department is to develop a budget and plan for compliance and report to the Legislature by Feb. 1, 2008. The report must include department procedures for hiring and scheduling nurses; daily staffing, including the ratio of supervisors to nurses, and the rationale behind the ratio; the number of pool nurses used; and the average annual expenses on pool nurses and overtime at each facility.

[Rep. Larry Howes](#) (R-Walker) and [Sen. Ellen Anderson](#) (DFL-St. Paul) sponsor the law. [HF966*/SF817/CH46](#)

— M. COOK

Meeting training requirements

**Signed
by
the
governor**

Veterans have some assurance they will have a chance to get caught up on any new training required to keep a state license or certification related to their job current.

A new law, signed by Gov. Tim Pawlenty May 9, clarifies statute and requires that any job-related education or training to keep a license current must be provided and paid for by the

veteran's employer. It also specifies that the need for training must not be used as a means to delay the licensee's or registrant's reemployment.

“When a person is in the service and has a state license, the old law says you are not going to be punished if that license goes out of date while you are in the service. That holds for six months after you get out of service,” said [Rep. Larry Haws](#) (DFL-St. Cloud), who sponsors the law with [Sen. Dan Skogen](#) (DFL-Hewitt). The clarification affects occupations like law enforcement, where training in firearms and deadly force procedures is ongoing.

The law is effective May 10, 2007.

[HF272*/SF699/CH51](#)

— L. SCHUTZ

ENVIRONMENT

Omnibus policy bill approved

One late night was all it took for a conference committee to hash out an agreement on the omnibus environment and natural resources policy bill, which covers topics ranging from hunting and fishing to state parks and trails.

Sponsored by [Rep. David Dill](#) (DFL-Crane Lake) and [Sen. Satveer Chaudhary](#) (DFL-Fridley), the conference committee report on [HF1021/SF1131*](#) combines language from numerous House and Senate bills, including the House's omnibus game and fish bill. Approved May 16 by the conferees, it now goes back to the House and Senate for approval.

The bill would make changes to a variety of the state's hunting and fishing laws, add lands to certain state parks and permit the

sale or transfer of certain state lands. Several key changes were made by the conference committee, including:

- removing Senate language that sought to restrict outdoor light pollution;
- delaying implementation of new [Pollution Control Agency](#) phosphorus discharge limits on wastewater facilities until May 1, 2008;
- legalizing the use of crossbows to take deer during the regular firearms season for any hunter with a valid firearms license;
- removing a Senate-sponsored prohibition on new licenses to raise minnows in certain water bodies;
- eliminating a House-sponsored increase on the cock pheasant bag limit after Dec. 1, 2007;
- removing a proposal to loosen eligibility requirements for disabled persons to hunt from a vehicle; and
- eliminating proposed changes to the state's sucker fish spearing season.

New provisions adopted by the conference committee that were not included in the House version of the bill include a "Minnesota Travel Green" program to be developed by [Explore Minnesota Tourism](#) and the [Department of Natural Resources](#) and a provision that would allow off-trail snowmobile use in closed forests.

— N. BUSSE

Uniform Environmental Covenants Act

The House passed a bill May 14 that would allow for the establishment of environmental covenants that regulate, limit or prohibit certain activities or uses of land.

[HF1063](#), sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park), would enact the Uniform Environmental Covenants Act, which has already been adopted by more than a dozen other states. Passed 124-7, it now goes to the Senate, where [Sen. Sandy Pappas](#) (DFL-St. Paul) is the sponsor.

The bill would set uniform terms and conditions for agreements to clean up environmentally contaminated lands. Simon said he knows of no opposition to the bill, and that Minnesota would be the "17th or 18th" state to enact it.

"No one gains or loses any rights by this; it's just creating a new tool that can be used," Simon said.

He said the two main benefits of the act are that it "puts land back in the stream of commerce" and it "enforces land promises into the future, beyond the present owners."

The bill's language is also contained in the omnibus environment and natural resources policy bill, [HF1021/SF1131*](#), which is currently in conference committee. [Rep. David Dill](#)

(DFL-Crane Lake) and [Sen. Tom M. Bakk](#) (DFL-Cook) are the sponsors.

— N. BUSSE

Progress on dedicated funding

A bill that would provide dedicated funding for the environment and the arts is making steady progress, despite hitting a brief snag in the House Taxes Committee.

[HF2285](#), sponsored by [House Majority Leader Tony Sertich](#) (DFL-Chisholm), would propose a constitutional amendment to raise the state sales tax by three-eighths of 1 percent and dedicate the new revenue to fish and wildlife habitat, clean water, parks and trails, and arts and cultural heritage. If passed by the Legislature, it would have to be submitted for voter approval on the 2008 ballot.

The House Taxes Committee and the House Ways and Means Committee both approved the bill May 16. As of publication time, it awaits action by the House Rules and Legislative Administration Committee, after which it is expected to go to the House floor. A similar proposal, [SF6](#), sponsored by [Senate Majority Leader Larry Pogemiller](#) (DFL-Mpls), was passed 52-14 by the Senate May 11 and laid on the table.

Sertich and other supporters say the bill is needed to address a funding crisis in the environment and the arts, while opponents contend that dedicating funding through the constitution abdicates the Legislature's responsibility to set the state's budget statutorily.

"I'm voting no on this, and it's not because I'm against funding for the outdoors or the arts. It's because I'm against giving up the legislative job I got elected to do and then tying the hands of future Legislatures," [Rep. Tom Rukavina](#) (DFL-Virginia) told members of the House Taxes Committee May 16.

Members of the committee, including Rukavina, voted May 15 to amend the bill so that the question submitted to voters would include the following sentence: "By voting yes on this question, you are voting for a tax increase." The bill was then tabled until the next day, when the committee voted 11-10 to remove the amendment.

— N. BUSSE

Under a new law, signed by Gov. Tim Pawlenty May 8, a person who was adopted or placed in Department of Human Services guardianship, and is at least 19 years old, may have access to their siblings' contact information. The law specifies, however, that this release of contact information can be provided only upon mutual consent.

Sponsored by [Rep. Kathy Tingelstad](#) (R-Andover) and [Sen. Mary Olson](#) (DFL-Bemidji), the law, which takes effect Aug. 1, also instructs agencies at all levels to assist and share information with siblings they have served or can serve. Agencies are permitted to charge a reasonable fee for the service.

[HF1400/SF358*/CH49](#)

— M. SIMPSON

GOVERNMENT

More rulemaking authority

Signed
by
the
governor

The Department of Administration commissioner will be able to adopt rules relating to surplus property acquisition, distribution and disposal, under a new law

signed May 14 by Gov. Tim Pawlenty.

Sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park) and [Sen. Chris Gerlach](#) (R-Apple Valley), the new law will add the surplus property to a list that already includes:

- solicitations and responses to solicitations, bid security, vendor errors, opening responses, award of contracts, tied bids and award protest process;
- contract performance and failure to perform;
- authority to debar or suspend vendors, and reinstatement of vendors;
- contract cancellations;
- procurement from rehabilitation facilities; and
- organizational conflicts of interest.

The law is effective Aug. 1, 2007.

Kent Allin, director of the department's materials management division, told a House committee the rules were last revised in 1983, and that the change would bring it "into the 21st century."

[HF1493/SF2030*/CH67](#)

— P. OSTBERG

FAMILY

Sibling connection

Signed
by
the
governor

Children separated from their genetic siblings because of their parents' rights having been terminated will have an easier time connecting with each other.

Dig carefully

Those who would intentionally damage burial grounds could be guilty of a felony, under a bill passed May 15 by the House [85-46](#).

Sponsored by [Rep. Bill Hilty](#) (DFL-Finlayson) and [Sen. Jim Vickerman](#) (DFL-Tracy), [HF1710/SF2226*](#) clarifies criminal provisions for those who intentionally destroy, mutilate or injure human burials or burial grounds.

The bill was amended with the House language and returned to the Senate, which did not concur. A conference committee has been appointed to work out a compromise.

There are about 12,500 known burial mounds in the state and more than 6,000 known cemeteries, State Archaeologist Scott Anfinson previously told a House committee. A good percentage are unrecorded in county recorder offices, and his job is to authenticate those unrecorded burials that are more than 50 years old.

"I literally get a call every day from realtors or landowners asking what they can do on their property because they may have Indian mounds or a white cemetery," he said. The bill helps to clarify for landowners and all involved how to proceed.

Jim Jones, cultural resources director for the [Minnesota Indian Affairs Council](#), said the last few years have led to accidental unearthing in burial sites. The bill's clarifying language would help deal with these situations, he said.

[Rep. Paul Kohls](#) (R-Victoria) said the bill should go back for a hearing in the House Public Safety and Civil Justice Committee because of the penalties in the bill, and it allows the state archeologist to enter onto private property without permission of the landowner.

Hilty said the bill doesn't really change anything related to penalties or access to lands, but it rearranges statute wording to make it more understandable.

— P. OSTBERG

Future fuel purchasing

Signed
by
the
governor

State agencies now use the practice of forward pricing when purchasing facility fuels.

This allows agencies to purchase a fuel block at current prices as a hedge against a rise in energy prices in the future. Fuel purchased in bulk includes natural gas, heating oil and propane, but does not include electricity.

A new law signed May 14 by Gov. Tim Pawlenty will add diesel fuel to the list. It is effective Aug. 1, 2007.

"It's an opportunity for the state to save money with its fleets and other things," said [Rep. Steve Simon](#) (DFL-St. Louis Park), who sponsors the law with [Sen. Rick Olseen](#) (DFL-Harris).

[HF1555/SF1902*/CH68](#)

— S. HARDING

Indian Affairs Council membership

The composition of the [Minnesota Indian Affairs Council](#) would change, under a bill passed by the House 110-22 May 15.

Sponsored by [Rep. Bill Hilty](#) (DFL-

Finlayson) and [Sen. Tony Lourey](#) (DFL-Kerrick), [HF1051/SF1048*](#) would allow certain bands and tribes to have one member designated by elected tribal presidents or chairpersons of their governing body to the council. The designees would be the only voting council members. Currently voting members are the elected tribal leaders of the individual bands and tribes.

According to its Web site, the council "serves as the official liaison of the Indian tribes and the state of Minnesota." Other designated council members include directors or commissioners of each tribal agency as designated and three House and three Senate members.

The Senate passed a different version of the bill 64-0 April 12. A conference has been appointed to work out the differences.

The bill would make the arrangement of tribal leaders parallel to that of commissioners appointed to the council by the governor, Hilty said. It would also update references to "Indian community" to "tribal sovereign nations in Minnesota and the urban Indian communities."

Noting that all American Indians within state borders are Minnesotans, [Rep. Sondra Erickson](#) (R-Princeton) said the bill goes against the state constitution by separating out a specific group of people "who live among us." This would further divide those in the state, she said.

— P. OSTBERG

State contracts ratified

Signed
by
the
governor

State labor agreements and compensation plans approved during the 2006 interim by the [Legislative Coordinating Commission Subcommittee on Employee Relations](#) are now law, upon signature May 10 by Gov. Tim Pawlenty.

Under the new law, labor agreements are ratified for the Minnesota Law Enforcement Association and Minnesota Nurses Association. Also included are amendments to the compensation plan for unrepresented employees of the Office of Higher Education and salary increases for the directors of the Gambling Control Board, Public Employees Retirement Association, Minnesota State Retirement System and Teachers Retirement Association.

The law, sponsored by [Rep. Leon Lillie](#) (DFL-North St. Paul) and [Sen. Linda Scheid](#) (DFL-Brooklyn Park), is effective May 11, 2007.

According to its Web site, the subcommittee provides "interim approval of negotiated agreements, arbitration awards, and compensation plans for employees in the executive branch."

[HF1598/SF1073*/CH63](#)

— P. OSTBERG

Hire from layoff list first

State agencies would be required to exhaust their senior employee layoff lists before they could contract for professional services. The bill was passed by the House 92-39 on May 14.

Under the bill ([HF548](#)), sponsored by [Rep. Steve Simon](#) (DFL-St. Louis Park), agencies could not contract out jobs eliminated in the previous four years without first considering former employees on seniority unit layoff lists — nor could they contract for services in excess of \$5,000 without first considering laid off employees on the list.

Simon said the bill "would give a fair shake to laid off state workers who are on a recall list."

Richard Kolodziejewski, legislative affairs director for the Minnesota Association of Professional Employees told a House committee that concern has been expressed by information technology employees. He cited a statement on the governor's [Web site](#) stating the state will encourage competition through pricing and outsourcing, while increasing the use of technology in government services. Employees are concerned that the governor's upcoming trade visit to India could lead to outsourcing of state jobs, he said.

In opposition, [Rep. Mark Buesgens](#) (R-Jordan) said the Legislature should not be micromanaging the labor management negotiations process.

The bill was amended and passed 42-22 by the Senate May 16. It will now be returned to the House. [Sen. Don Betzold](#) (DFL-Fridley) is the Senate sponsor.

— P. OSTBERG

Updating the recordkeeping

Signed
by
the
governor

All officers and agencies of the state must keep records preserving a full and accurate knowledge of their official activities.

A new law signed by May 14 by Gov. Tim Pawlenty clarifies requirements for storing digital government records, and repeals a section of the law that deals with documents stored on non-erasable optical imaging systems.

Supporters said the law is needed because technology used by the state to archive records is becoming outdated.

"What looked exotic five years ago looks outdated now," State Archivist Robert Horton told a House committee. "Today much more effective and cost-effective storage technology exists."

The new law will encourage government entities to choose those better technologies, and it will help the government and the Minnesota Historical Society to do their job better, he said.

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

[HF1339/SF1557*/CH76](#)

— S. HARDING

HEALTH & HUMAN SERVICES

No smoking

Signed
by
the
governor

“No smoking” signs will soon proliferate across Minnesota, with a new law signed May 16 by Gov. Tim Pawlenty that bans smoking in public places statewide.

Called the “Freedom to Breathe Act of 2007,” the law prohibits smoking in restaurants, bars, bingo halls and on public transit. It takes effect Oct. 1, 2007.

“This is the bill that sets the slate, sets the standard for Minnesota and our health for us, for our kids and for our future,” [Rep. Dan Severson](#) (R-Sauk Rapids) said before House approval was given [81-48](#) May 11. The Senate passed the bill [43-21](#) earlier in the day.

Minnesota is the 20th state to ban smoking indoors.

Sponsored by [Rep. Thomas Huntley](#) (DFL-Duluth) and [Sen. Kathleen Sheran](#) (DFL-Mankato), the law exempts family farms, a disabled rest camp, commercial vehicles, hotel rooms and theatrical performances.

Debate over the bill focused on recurring issues over the ban: a worker’s right to clean air, a person’s right to smoke freely and the potential economic consequences for bar and restaurant owners.

“I’m concerned about the many, many people that you’re going to put out of business — their lives decimated,” [Rep. Bud Heidgerken](#) (R-Freeport) said.

The law allows local governments to impose stricter measures against smoking, and grants hospitality employees access to the Dislocated Worker Program until October 2009 should they become unemployed due to the ban.

[HF305/SF238*/CH82](#)

— M. SIMPSON

Family planning support

A bill to expand purchasing power for family planning clinics underwent several changes, but now awaits action by a conference committee.

Sponsored by [Rep. Thomas Huntley](#) (DFL-Duluth) and [Sen. John Marty](#) (DFL-Roseville), [HF298/SF184*](#) would allow nonprofit family planning clinics to enter into joint powers agreements with local governments to allow cheaper purchase of pharmaceutical drugs and medical supplies. The bill would also grant registered nurses the legal right to distribute contraceptives.

Originally passed 62-1 by the Senate May 11, it was amended in the House and passed 131-3 May 15. However, the Senate did not concur with the House changes and a conference committee was requested.

An amendment successfully offered by [Rep. Steve Gottwalt](#) (R-St. Cloud) deleted a section that would have required the commissioner of human services to adjust medical assistance rates for family planning services.

“This is just a backdoor way of providing family planning funding,” he said. “It should be done another way.”

An amendment successfully offered by [Rep. Laura Brod](#) (R-New Prague) would require parental notification if children age 12 or younger receive oral contraceptives from a clinic, but a 48-hour timetable was removed from the provision.

Opponents protested the implications of the joint powers agreement language.

Reps. [Paul Kohls](#) (R-Victoria) and [Matt Dean](#) (R-Dellwood) said the powers would extend beyond bulk purchasing; they might also make these clinics eligible for municipalities’ \$300,000 liability cap.

“They’re going to be capped at the government liability limits,” Kohls said. “Maybe that’s not what you intended to do, but that’s absolutely the result.”

[Rep. Paul Thissen](#) (DFL-Mpls) disagreed.

“These units wouldn’t be a governmental unit outside of the bulk purchasing agreement,” he said. “And I think governmental units are going to be wise with this authority.”

An amendment successfully offered by [House Minority Leader Marty Seifert](#) (R-Marshall), would prohibit family planning clinics from providing taxpayer-funded abortions.

“It’s already quite clear that these agencies, if they get family grants, that they can’t use any of that money for abortions,” Huntley said. “So that’s not what that money is for.”

— M. SIMPSON

Licensing requirements

Conference committee members gave quick approval to the omnibus licensing bill, which affects licensing requirements for a variety of health and human services professionals.

Sponsored by [Rep. Cy Thao](#) (DFL-St. Paul) and [Sen. John Marty](#) (DFL-Roseville), [HF57/SF26*](#) must return to both bodies for passage before heading to the governor’s desk for action.

The House and Senate came into committee agreeing on a majority of provisions, including:

- new exam requirements for incoming X-ray operators beginning Jan. 1, 2008;
- language permitting the [Board of Medical Practice](#) to grant exam extensions if an applicant is diagnosed with a medical illness;
- exam flexibility for foreign medical students who want to practice in the United States;
- an increase in the number of seats on the [Board of Physical Therapy](#), and greater regulation of physical therapist assistants; and
- several changes to social work licensing requirements, specifically for professionals who are foreign-born or in training.

The bill would also affect boards relating to chiropractors and pharmacists.

[Rep. Jim Abeler](#) (R-Anoka) successfully offered an amendment addressing a need for



PHOTO BY TOM OLMSCHIED

Rep. Thomas Huntley and Sen. Kathleen Sheran, sponsors of the smoking ban legislation, talk outside the House Chamber May 10 prior to the House adopting the conference committee report.

one Minnesota woman. She could be granted a year-long extension to complete her licensing requirement because her husband is in Iraq, and as a mother of two, she is also working full-time.

Abeler also advocated unsuccessfully for a House provision that would make licensed professional clinical counselors eligible for state reimbursement.

Marty said the measure would have to be pushed back a year due to the fiscal note.

— M. SIMPSON

Essential provider status

**Signed
by
the
governor**

Essential community providers, known as ECPs, coordinate services for some of Minnesota's neediest populations: people at-risk, the underserved and those with special needs.

A law signed by Gov. Tim Pawlenty May 8 will reinstate the health commissioner's authority to designate and renew the status of these providers. It takes effect Aug. 1, 2007.

Sponsored by [Rep. Kim Norton](#) (DFL-Rochester) and [Sen. Linda Berglin](#) (DFL-Mpls), the measure also requires that providers reapply for ECP standing every five years and caps the application fee at \$60.

Currently, the health commissioner is not authorized to accredit essential community providers because statute assigning that authority has expired.

[HF918/SF555*/CH50](#)

— M. SIMPSON

HOUSING

Fighting mortgage fraud

**Signed
by
the
governor**

A new law aims to stop rip-off mortgagors without hurting legitimate mortgage brokers.

For example, a lender or mortgage broker will be prohibited from making or arranging a new mortgage loan to refinance a so-called "special mortgage" unless the borrower has received qualified mortgage counseling on whether the move is a good idea.

Examples of special mortgages include one that a borrower obtained from a government or nonprofit entity and that contains favorable terms, such as payments that vary with income or that are forgivable.

The law also bans prepayment penalties on subprime loans; prohibits a residential mortgage originator making a loan from charging, receiving or collecting any prepayment penalty, fee, premium or other charge; and gives Minnesotans the right to sue mortgage lenders, brokers and servicers for violation of certain laws.

Unscrupulous lenders could be convicted of residential mortgage fraud, and receive up to two years behind bars; however, harsher penalties could be imposed if the victim is deemed vulnerable based on age, physical condition or mental capacity.

[Rep. Joe Mullery](#) (DFL-Mpls) and [Sen. Linda Higgins](#) (DFL-Mpls) sponsor the law, which takes effect Aug. 1, 2007.

[HF931/SF988*/CH74](#)

— M. COOK



PHOTO BY TOM OLMSCHIED

Claudia Carlisle gathered with other health care, social justices, anti-poverty, mental health, disability, faith-based, labor and children advocacy organizations May 16 to encourage more funding for the omnibus health and human services finance bill.

INSURANCE

Colorectal screening coverage

**Signed
by
the
governor**

Minnesota insurance companies will be forced to cover colorectal screening tests, under a new law signed May 14 by Gov. Tim Pawlenty.

Sponsored by [Rep. Jim Davnie](#) (DFL-Mpls) and [Sen. Dan Sparks](#) (DFL-Austin), the law is effective May 15, 2007.

These tests will join a list of other routine cancer screening procedures, such as mammograms, pap smears and ovarian surveillance tests, that are currently under a coverage mandate by the state.

[HF1287/SF1705*/CH66](#)

— M. SIMPSON

Shifting insurance liability

**Signed
by
the
governor**

A new law signed by Gov. Tim Pawlenty on May 14 now makes fact what many Minnesotans already believe to be true — that when they rent a vehicle, they are covered by their

personal insurance policy.

[Rep. Sandy Masin](#) (DFL-Eagan), who sponsors the law along with [Sen. Dan Sparks](#) (DFL-Austin), said the problem is that rental companies have to carry primary insurance policies for every person that rents a car. They then pass the costs onto the consumer.

"In 43 other states, we currently hold responsibility for ourselves for the initial rental for the car. Any damages or injuries beyond the limits that are carried by the rental company," Masin said. "There is no savings currently with what is happening."

The new law, effective Aug. 1, 2007, will shift the liability from the rental company to the driver's personal automobile insurance policy, which will supply the primary liability coverage for any accident involving the driver and the rental vehicle.

[HF1712/SF744*/CH72](#)

— S. HARDING

LAW

Public defender housekeeping bill

**Signed
by
the
governor**

A new law that clarifies statutory public defense provisions was signed May 10 by Gov. Tim Pawlenty.

Sponsored by [Rep. Mary Murphy](#) (DFL-Hermantown) and [Sen. Linda Higgins](#) (DFL-Mpls), the law changes the title of the deputy state public defender to the chief appellate public defender.

It also updates a provision stating that full-time chief district public defenders may not engage in outside law practice. There is also a repeal of a \$40 per hour reimbursement rate for public defenders.

As a result of recent Minnesota Supreme Court decisions, the law also removes public defender co-payments and the right to decline post-conviction cases.

The law is effective Aug. 1, 2007.

[HF455*/SF300/CH61](#)

— C. GREEN

LOCAL GOVERNMENT

County commissioner vacancies

Signed
by
the
governor

When a vacancy occurs on a county board of commissioners, there are provisions that detail how it should be filled. A new law, signed by Gov. Tim Pawlenty May 9, makes it easier for counties to fill the position.

Sponsored by [Rep. Larry Howes](#) (R-Walker) and [Sen. Mary Olson](#) (DFL-Bemidji), the law allows for a special election to fill the position within 30 to 90 days of the vacancy; previous law called for a maximum of 60 days. It also allows a county board to appoint a new commissioner until an election is held.

Under the law, effective May 10, 2007, a special election will be held if the vacancy occurs before the first day to file affidavits for candidacy and there are more than two years left in the term.

If the vacated seat has less than two years left, the appointee will hold the position for the remainder of the term.

[HF269/SF124*/CH52](#)

— C. GREEN

Design-build authority modified

Signed
by
the
governor

In 2002, legislation was passed to give Hennepin County temporary authority to use a design-build method for the Northwest Busway and the Lowry Avenue bridge projects. A new law signed May 14 by Gov. Tim Pawlenty modifies these provisions, removes limitations of usage and makes the law permanent.

Sponsored by [Rep. Neil Peterson](#) (R-Bloomington) and [Sen. Ann Rest](#) (DFL-New Hope), the law changes the name of “design selection committee” to the “design-build selection panel,” permits the design-build method to be used on other projects and limits the number of county design-build contracts in a year to no more than 10 percent of the county’s total projects.

Effective Aug. 1, 2007, the law requires that a project’s primary designer have the primary design responsibility, not a consultant or subcontractor. The primary designer must also be designated in response to any request for qualifications.

[HF1708/SF1509*/CH70](#)

— C. GREEN

Protecting resorts

A bill awaiting action by the governor would protect resort owners from local ordinances that might prevent them from maintaining their buildings.

[HF849/SF961*](#), sponsored by [Rep. Frank Moe](#) (DFL-Bemidji) and [Sen. Dan Skogen](#) (DFL-Hewitt), would allow resort owners to conduct maintenance on existing structures and replace damaged or destroyed structures as long as their establishments continue to operate as resorts. It was amended and passed 131-0 by the House May 14 and repassed 57-0 by the Senate May 16.

The bill would allow owners to “minimally” expand their building structures when necessary to bring them into compliance with new federal, state or local buildings codes — provided that such expansions would not bring the structures any closer to a shoreline. It would also prevent a change in ownership of a resort from being construed by local governments as a conversion to a different use.

Moe said the bill would help out “small, mom-and-pop resorts.”

The bill’s language is also contained in the omnibus environment and natural resources policy bill, [HF1021/SF1131*](#), which is currently in conference committee. [Rep. David Dill](#) (DFL-Crane Lake) and [Sen. Tom Bakk](#) (DFL-Cook) are the sponsors.

— N. BUSSE

MILITARY

Support Our Troops program

Eligibility requirements for grants made through the Support Our Troops license plates program could be expanded, under a bill awaiting gubernatorial action.

Sponsored by [Rep. Larry Haws](#) (DFL-St. Cloud) and [Sen. Tony Lourey](#) (DFL-Kerrick), [HF1157/SF1675*](#) would broaden eligibility to include military personnel, “like a soldier who is injured and returns home, but did not get to the classification of veteran,” said Haws. This would currently apply to about 40 individuals.

The bill was passed 132-0 by the House May 14 and 65-0 by the Senate April 18.

More than 13,000 [Support Our Troops](#) license plates have been purchased since they became available in 2005. Proceeds go to programs that

help military families and veterans.

The Minnesota National Guard manages the account that can grant up to \$2,000 to an eligible Minnesota resident serving in regular active military duty, and any member of a National Guard or Reserve unit based in Minnesota who is serving in any active military service, as well as a member of the service member’s immediate family.

— L. SCHUTZ

LATE ACTION

School insurance pool

A bill that would establish a mandatory health insurance pool for all school employees remained largely intact during the May 17 House floor debate, despite a rainfall of amendments.

Attempts to change the legislation mirrored efforts made in previous House committees: making the pool voluntary, appointing liability in case of insolvency and changing the makeup of the board that would design and manage the pool.

As amended it was approved 81-52 by the House. It returns to the Senate, where the original bill passed 42-23 March 28.

Sponsored by [House Majority Leader Tony Sertich](#) (DFL-Chisholm) and [Sen. Don Betzold](#) (DFL-Fridley), [HF464/SF276*](#) would create a 14-member board to craft a mandatory insurance pool for the approximately 200,000 school employees statewide.

The board would be required to offer six plans of varying types and establish the reserves and other means to achieve long-term stability.

Under the bill, the state would not be liable for insolvency.

“The current health care system is not working, and it certainly isn’t working in our schools,” Sertich said. “We need a new system of reform.”

DFL and Republican members alike challenged the mandatory nature of the pool, saying that a large pool isn’t necessary to reap the cost benefits.

“This doesn’t need a pool of 200,000 to work,” said [Rep. Phyllis Kahn](#) (DFL-Mpls), who unsuccessfully tried to make the pool completely voluntary, with the condition that districts could not return to the plan within six years of leaving it.

Several Republican members also expressed skepticism that the Legislature wouldn’t be liable should the plan become insolvent.

— M. SIMPSON

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

A base to reach for the stars

Aerospace program for kids gets state's attention



Fourth graders from St. Paul's Phalen Lake Elementary School learn the different parts of an airplane and other aviation facts at the Minnesota Air National Guard Base with instructor Christina Kempenich, whose call sign is "Sky."

By LEE ANN SCHUTZ

Tucked into the omnibus agriculture and veterans law is an appropriation for a little-known program taking place in an obscure building on the Minnesota Air National Guard Base.

Set next to the guard's plane museum, the Starbase program literally helps youth reach for the sky, the stars and maybe even the moon. With more than 2,600 young "scientists" participating each year from inner-city Minneapolis and St. Paul schools, the program gives learners a hands-on experience with the principles associated with flight and aerospace.

Once students walk through the door and under the life-size model of an astronaut that appears to be floating in space, they enter the world of aerospace and aviation. Students are known by their self-assigned "call signs" like "Black Eagle," "Tango" and "Cloud."

The [Department of Defense](#), [Minnesota National Guard](#) and some private organizations fund the program, whose mission is to give inner-city fourth- through sixth-graders a five-day experience immersed in math, science and technology. The hope is that some students will decide they like their scientist title and will choose courses leading to careers in those fields.

"It is an incredible way to dovetail on the things that kids are excited about like rockets, space and aircraft," said [Rep. Phyllis Kahn](#) (DFL-Mpls), who serves on the Starbase board of directors. "It shows them that in order to do the really exciting things they want to do, they gotta pay attention to math and science."

Hands-on science

On a 15:1 ratio, the six instructors, dressed in flight suits, interact with their young charges making such concepts as the four forces of flight — lift, drag, thrust and weight — easily understandable, even to visiting adults suffering from science phobia. The curriculum aligns with state academic standards.

PHOTOS BY SARAH STACKE



Students prepare to go outside to look at the airplanes in the Minnesota Air National Guard Museum.

“The idea is for them to walk out of here thinking they can actually be a scientist; that they are good at science,” said Kim Van Wie, executive director of the program. “They are conducting experiments just like scientists, doing research, making observations, collecting data. Starbase helps them understand, in a very hands-on way, what science is all about.”

The program is so successful that there is a waiting list of schools wanting to participate. Van Wie said when she testified earlier this year before the House State Government Finance Division requesting \$150,000 for the pre-design work needed for expansion of the building housing the program.

“The Department of Defense said that if we could raise the funds to expand the building, they would provide the general operating support to expand the program.”

When expansion talks began, the board

of directors looked at relocating to other parts of the state, like Duluth, in an effort to reach Greater Minnesota students. Because the program is federally funded, there are some location constraints. It was decided for accessibility to students in the most academic need, it would be best to expand in the current location. Starbase statistics show that of the participating students, 86 percent are children of color; 82 percent are categorized as low-income and 40 percent are English as a Second Language students.

The appropriation request survived legislative scrutiny and the governor’s veto pen.

Measuring success

While testifying about the impact of the program on students, Van Wie happened to mention the need for a long-term study to see if students’ experience actually translates into them taking math and science coursework, and later pursuing science-related careers.

This caught the attention of [Rep. Steve Sviggum](#) (R-Kenyon), who successfully attached an amendment funding a \$25,000 study by the

A student, left, peeks into the back of a jet engine.

Kim Van Wie, right, executive director of Starbase.



Pa Der Lee makes a glider.



Pa Nhia Xiong, Khue Her and Mai Sheng Yang study a satellite image of Phalen Lake Elementary School, which they attend.

Amherst H. Wilder Foundation to measure Starbase graduate’s academic achievement because of participation in the program.

“It is a competitive world, and the more we can get our kids interested in math, science and engineering, the better,” said the former math teacher.

The program appears to win over even skeptics who could view it as a soft-sell approach to military recruitment.

One teacher, in her evaluation of her students’ Starbase experience, wrote: “I was apprehensive about exposing my students to the military aspect of science and math. However, I have only a positive attitude now about this program. The emphasis was not on war and weapons, but on technology and its improvement for service to others.”

Van Wie said the military is one of the careers they reference. “It is just promoted as an option, along with all the other aerospace options.”



Energy looks to the next generation

'Next Generation Energy Act' proposes a trio of aggressive reforms

By Nick Busse

A package of sweeping energy reforms aimed at curbing Minnesota's contribution to global warming, increasing energy conservation and encouraging community-based renewable energy development was passed 92-37 by the House May 11.

Sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), HF436/SF145* represents the bulk of Gov. Tim Pawlenty's "Next Generation Energy Initiative," which stresses renewable power, energy efficiency and a reduction in greenhouse gas emissions.

Titled the "Next Generation Energy Act of 2007," the bill incorporates language from three bills heard in various House committees this session. A different version was passed 55-9 by the Senate April 23, and a conference committee has been called to work out differences between the House and Senate versions.

Members from both parties praised the bill's energy conservation and community-based energy development provisions, but a plan to reduce greenhouse gas emissions drew fire from some members who said it could be economically damaging for the state.

Stopping global warming

Included in the bill is the "Global Warming Mitigation Act of 2007," which comes from HF375, sponsored by Rep. Maria Ruud (DFL-Minnetonka). It would establish benchmarks for reducing the state's greenhouse gas emissions to below their 2005 base levels — 15 percent by 2015, 30 percent by 2025 and 80 percent by 2050 — and implement a cap-and-trade system whereby power

companies would be given "allowances" of emissions that they could trade with one another.

Ruud said that an 80 percent worldwide reduction in emissions is necessary to prevent the world from crossing a "dangerous threshold" for climate change.

"We know that if we don't do that, what the science says is that we will reach a tipping point," she said.

Under the bill, utility companies would be forbidden from constructing new power plants that would produce a net increase in carbon dioxide emissions. Citing a rapidly increasing demand for electricity, Rep. Steve Sviggum (R-Kenyon) said this would put the state at risk for power outages.

"We need new generation — certainly along with the renewable energy standards, certainly along with conservation. They're all important. But we need new generation," Sviggum said.

House Minority Leader Marty Seifert (R-Marshall) said the provision could result in a jump in the price of electricity by as much as a third — a possibility that he said would be economically disastrous, particularly to communities in Greater Minnesota. His amendment to delete this section of the bill failed 78-50.

Dismissing the claims of "global warming fanatics," Rep. Tom Emmer (R-Delano)

attacked the underlying premise of Ruud's legislation: that global warming poses an imminent threat. He argued that there is a lack of scientific consensus on the issue, and that "the empirical evidence does not support" the idea of human-caused global warming.

Rep. Kate Knuth (DFL-New Brighton) challenged Emmer's view, citing a recent report from an international scientific organization that states with "90 percent certainty" that climate change is real and that humans are the cause. She said the state needs to take steps to prepare for the economic changes that climate change will entail.

"Tonight we have an opportunity to take control of the changes we're going to see in the world — not full control, but partial control," said Knuth.

Efficiency and conservation

Originally included in HF1221, sponsored by Rep. Jeremy Kalin (DFL-Lindstrom), the conservation portion of the bill aims to save Minnesotans money while reducing the environmental impacts of energy consumption. Kalin said the bill contains a five-part conservation and efficiency strategy:

- establishing a statewide energy conservation goal of 1.5 percent of annual retail electric and gas sales;
- expanding and improving the state's conservation improvement program;
- providing research and development and technical assistance to utility companies through the Department of Commerce;
- increasing energy efficiency in state buildings; and
- removing financial disincentives for utility companies to promote energy conservation.

"The core principle of the energy efficiency article in this bill is something I think we all agree on, and that's eliminating waste," Kalin said.

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State drinking water gets dirty

Residents in one Minnesota city use bottled water for laundry

By SONJA HEGMAN

Many small communities across the state are left to wonder whether they will ever be in a financial position to make the needed upgrades to their wastewater treatment plants. The sales tax exemptions provided for several communities in the original House omnibus tax bill would have helped cut the cost, but only one exemption survived in the re-crafted omnibus tax bill passed by the Senate and House on May 16. The only exemption in the bill is for the city of Minnetonka.

The city of Harris was one of 14 communities that would have benefited from a sales tax exemption for a new wastewater treatment plant. While most cities requested a 50 percent exemption, Harris would have received a full sales tax exemption.

The Chisago County city has 126 hookups on its current wastewater system. And some Harris residents have to buy bottled water to do their laundry, because 25 percent of their sewage leaks into the groundwater per day.

"The city of Harris is unique in that we have 1,250 people in our community, but only 300 people on our system," Mayor Richard Smisson said.

Seventy percent of system users are below the poverty level, while other residents use wells and septic systems instead of the city's water system. It's nearly impossible for the city to grow, Smisson said, because the [Pollution Control Agency](#) condemned the system a few years ago because of the leaking sewage and additional hookups are not allowed. "So we can't grow to pay for anything, but at the same time we have to solve the problem," he said.

The sales tax exemption would have helped cut the cost of the new system. It would have been applied to, among other things, construction materials and equipment. The tax would have been paid at the time of purchase and the city could have applied for a refund.

With a new system, Harris and other cities, have to be conscious of phosphorus levels,



PHOTO BY ANDREW VONBANK

St. Croix Valley Wastewater Treatment Plant in Oak Park Heights.

which Smisson said would force them to install a more expensive system. The city's drinking water has been tested, and it is above the legal limits for radium which occurs naturally in the city's aquifer. So the city has been ordered to build a water treatment plant, as well.

"We're now grappling with how to attract businesses and developers into the community to pay for this once we do get the systems online," Smisson said. Harris hasn't received any federal money for the project, although it did receive \$500,000 from a [Department of Health](#) grant for the water treatment plant, but has not received money for a sewer system.

"This has been a very difficult situation in an area that serves only the oldest part of the community," said [Rep. Rob Eastlund](#) (R-Isanti), who sponsored [HF1960](#) for the treatment plant.

Once the plant is complete, all new development would go on the new system, he said.

Harris is not unique in its wastewater woes. [Rep. Paul Marquart](#) (DFL-Dilworth) said that some of the cities in need of these plants have only 100-200 residents and they are being forced to build multi-million dollar facilities.

"This is just a huge issue," he said. "And they have to do it, but they also need the help. ... It would be nice to put in a budget and just do it automatically."

New York Mills, in western Minnesota, would have received a 50 percent sales tax exemption.

"As you can see, this is a statewide issue," said [Rep. Dean Simpson](#) (R-Perham), who sponsors [HF2103](#) for the city of 1,200.

The New York Mills exemption would have saved about \$120,000 to \$130,000, Simpson said. "In a community that size, it will buy patrol cars for them for the next 15 years because they buy one and use it for four or five years."

A study showed that a very high percentage of water treatment plants in western Minnesota are failing, Simpson said. Most of those plants were put in after World War II. The federal government previously played an important part in financing treatment facilities, but he said federal money isn't put into local projects like it used to be. New York Mills has been working on its project in some form since the late-1990s, and the cost has increased from

Water continued on page 20

Lake Superior agates. Common loons. Pink and white lady-slippers and Norway pines. Walleyes and wild rice. All are characteristic of Minnesota, and all capture the essence of the state. Over the course of Minnesota's statehood, the Legislature has adopted 15 such symbols to identify the state.

The State Seal

The Great Seal of Minnesota has been around for more than 140 years.

It was on May 25, 1858 — two weeks after Minnesota became a state — that then Secretary of State Francis Baasen said to Gov. Henry H. Sibley that, “My office being without a seal, I can of course do no official act unless you make some direction in the matter.”

Sibley immediately authorized the use of the territorial seal until a new design could be created and agreed upon. That seal, essentially the same one in use today, was used while the Legislature debated a new one.

In 1858, the Legislature approved a vastly different seal, but for some reason it was never officially adopted into law that year. Historians still aren't sure why, but speculation has it that Sibley didn't like the design and conveniently “lost” the bill in favor of the territorial design. In any case, the Legislature, in 1861, when notified that the governor may have acted outside his authority, approved the design and it was signed into law. ▼

The State Bird

The Legislature adopted the common loon as the state bird in 1961.

The sleek-looking bird can attain speeds of up to 60 mph and can travel great distances under water. The loon's legs are near the rear of its body, enabling it to dive under water quickly, quietly, and with great speed.

The loon earned its name from the old English word “lumme,” meaning awkward person. The loon ventures on land only when nesting and breeding. And even then, the nest is always very close to water.

Loons are loners and prefer Minnesota's isolated lakes, leading some to label their distinctive call as “the loneliest voice on earth.” ▼

The State Flower

It was in 1893 that a group of women preparing an exhibit of the state's products for the World's Fair in Chicago decided they should have a state flower to decorate their display. They petitioned legislators to adopt the wild lady's slipper as the state flower, and the Legislature complied. But several years later, officials discovered that the *wild* lady's slipper named in law didn't grow in Minnesota.

So, during the 1902 special session of the Legislature, a new resolution was adopted that changed the state flower to the pink and white lady's slipper.

Under the right conditions, lady's slippers can live for more than 100 years. The pink and white lady's slipper can grow to a height of 3 feet and is the tallest of the state's lady's slippers. ▼

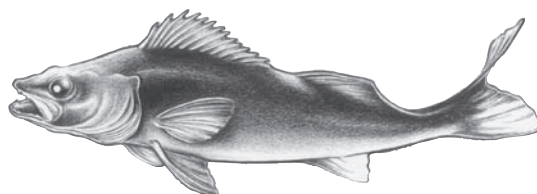


The State Fish

Of all Minnesota's state symbols, none is more eagerly sought after than the walleye — the official state fish.

In May 1965, the Minnesota Legislature adopted the walleye as the state fish. It was chosen for its value to both sport and commercial fishing.

The walleye gets its name from its eyes, which have a milky appearance like bluish-white marbles. But it's known by a variety of other names, too — yellow pike, yellow perchpike and yellow pickerel. ▼



The State Gemstone

The Legislature adopted the Lake Superior agate as the official state gemstone in 1969. Found mainly along the north and south shores of Lake Superior, the stone's red color comes from iron, the major industrial mineral in the state. The concentration of iron, and the extent to which the iron has oxidized, determines the color of the stone. Puddles of quartz-rich solutions that crystallized inside the gas pocket under low fluid pressure caused the white bands that are typically found in agates. ▼

The State Mushroom

The *morchella esculenta*, commonly known as the morel, sponge mushroom or honeycomb morel, became Minnesota's official state mushroom in 1984.

The morel's cups resemble cone-shaped sponges, pitted like a honeycomb. The morel is usually 4 inches to 8 inches high.

It grows from early May to early June in the Twin Cities metropolitan area among leaves or wood ashes in open woods, along roadsides, and in partially shaded meadowland.

The morel is considered one of the most highly prized and delicious of all edible mushrooms. ▼

The State Flag

The Minnesota state flag was adopted by the state Legislature in 1893 when it accepted the design submitted by Amelia Hyde Center of Minneapolis. The seal shows a pioneer plowing the virgin prairie and an Indian on horseback. At the top of the seal is the state motto, “L'Etoile du Nord,” or “star of the north.” Three dates on the flag signify the establishment of historic Fort Snelling in 1819, the acceptance of Minne-

sota as a state in 1858 and the adoption of the state flag in 1893.

The 19 stars on the flag symbolize Minnesota as the 19th state to be admitted to the Union after the original 13. The largest of these stars is centered above the seal to symbolize the north star state.

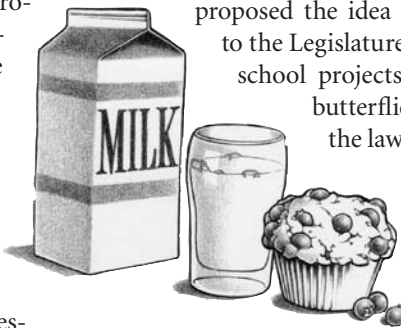
The original flag had two sides, blue on one side and white on the other. But because the flag was so expensive to make, and because it was easily damaged in high winds, the Legislature adopted the one-sided, all-blue design in 1957. ▼

The State Muffin

In an exercise to see how a bill becomes law, a class of third-graders from Carlton, Minn., proposed that the blueberry muffin be designated as the state muffin.

In 1988, their bill was signed into law. The idea for the blueberry muffin bill arose in a social studies class when the third graders were studying the state's symbols.

They asked themselves a question: If Minnesota were to have a state food, what would it be? The answer they gave was the blueberry muffin. They reasoned that wild blueberries are plentiful and popular in northern Minnesota, and farmers from across the state grow wheat. ▼



The State Drink

In 1984, the Legislature designated milk as the official state drink. Why? For starters, there are many more dairy cows than lakes in the state.

The top three counties in Minnesota for milk production in 2005 were Stearns with 1.15 billion pounds, Morrison with 479 million pounds and Winona with 478 million pounds. One gallon of milk weighs 8.6 pounds.

In 2005 Minnesota farmers marketed nearly \$1.25 billion in milk. ▼

The State Grain

For centuries, wild rice has been a staple for the Indians of northern Minnesota. To recognize that, and the fact that Minnesota is a leading producer of natural wild rice in the nation, the state Legislature adopted wild rice as the

official state grain in 1977.

Wild rice, which is really a grain, grows naturally in the many lakes and rivers in the northern half of the state.

The Ojibway word for rice is "manomin," whose root word is "mano," or spirit. The rice was traditionally harvested by women in late August and early September. ▼

The State Butterfly

The Monarch butterfly was named the state butterfly by the Legislature in 2000.

Fourth-graders from O.H. Anderson Elementary School in Mahtomedi, Minn., proposed the idea for the state butterfly to the Legislature while combining two school projects — studying various butterflies and learning about the lawmaking process.

The Monarch is one of six popular families of butterflies in Minnesota. Distinguished by their distinctive orange-brown wings, marked by black veins and a black border with two rows of spots, Monarchs cannot stand the cold winters here and will migrate south to Mexico every fall. August is the best month to see Monarchs in Minnesota. ▼



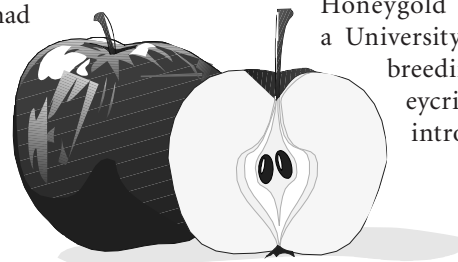
The State Song

The song, "Hail! Minnesota," has been the state song since 1945.

The song dates back to 1904, when it was sung in a University of Minnesota play, "The Apple of Discord, a Travesty," a comedy about a football game.

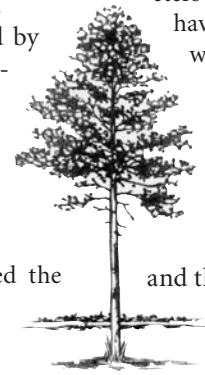
The song was originally written by student Truman E. Rickard, then later rewritten by another student, Arthur Upson.

In 1945, the university gave permission to the state to use the song, as did Rickard (Upson had died). Then the words were changed slightly from "Hail to thee our college dear," to "Hail to thee our state so dear." ▼



The State Tree

In 1953, Minnesota adopted the Norway pine as the state tree. Norway pines typically reach heights of 80 feet and diameters of up to 3 feet; exceptional trees have grown as high as 150 feet and as wide as 5 feet.



The largest Norway pine in Minnesota is in Itasca State Park. The tree is over 120 feet tall and is more than 300 years old. It's called a red pine because of the pale red color of its heartwood and the reddish color of its bark. ▼

The State Photograph

A world-renowned photograph became the state's 14th state symbol.

Shot in Bovey, Minn., by Eric Enstrom in 1918, "Grace" features an elderly man sitting pensively with his head bowed and hands folded. He is leaning over a table, and on the table is a pair of spectacles resting atop a thick book, a bowl of gruel, a loaf of bread and a knife.

A copy of the state photograph is displayed in the Office of the Secretary of State in St. Paul.

Enstrom shot the photograph in black and white, but as "Grace" became more popular Enstrom's daughter, Rhoda Nyberg, began hand painting the prints in oil. ▼

The State Fruit

An assignment to write a persuasive letter ultimately led to the Honeycrisp apple to be deemed the state fruit in 2006.

The fourth-grade students from Andersen Elementary School in Bayport, Minn., who initiated the idea, were present in the House gallery for the bill's passage.

The Honeycrisp apple was produced from a 1960 cross of the Macoun and Honeygold varieties, as part of a University of Minnesota apple breeding program. The Honeycrisp apple was formally introduced in 1991. ▼

and the inclusion of graduate students; the elimination of a construction code fee to help fund construction management programs at three schools; an additional \$800,000 for a College in the Schools program; and it provides fewer funds for an Achieve Scholarship Program, and limits eligibility to students receiving free and reduced price meals who take rigorous high school classes.

Pappas said the bill still strives to keep tuition increases at Minnesota State Colleges and Universities to less than 4 percent each year, as proposed by system leaders. It also anticipates the University of Minnesota keeping tuition increases at less than 4.5 percent annually.

State Government

A last ditch effort to revive the omnibus state government finance bill resulted in an amended version being passed 42-22 by the Senate. The House has yet to take it up.

Sponsored by **Sen. Don Betzold** (DFL-Fridley), **HF548** would appropriate \$551.8 million for state agency funding, staffing, operations and some special projects. The governor recommended \$613.3 million.

Although not happy with everything in the latest bill, **Rep. Phyllis Kahn** (DFL-Mpls), who sponsored the original House version, said it is signable. "I would think it would be very hard for the governor to object to anything we have done in that bill. We went through his veto message line-by-line and addressed many of his concerns."

Contentious items not included in the latest bill are all elections provisions, including one that would have eased voter registration by automatically registering those who apply for a driver's license. Another removed provision would have directed state employee collective bargaining agreements to offer health insurance to domestic partners if the same were offered to spouses of state employees.

Areas that got a boost in priority included technology investments for better Internet security and more monies for an integrated tax system for the **Department of Revenue**, that would help in the department's expected increase in tax compliance monies, of which the bill assumes a \$104.4 million for the 2008-09 biennium.

Under the bill, the governor is instructed to reduce the number of deputy commissioners, assistant commissioners and unclassified positions to total \$7.3 million by June 30, 2009, and another equivalent total by June 30, 2011.

Taxes

The Senate voted 40-24 May 16 for a less expensive tax bill that would provide modest property tax relief, mainly by boosting state aid to local governments. The House has yet to take up the measure.

HF2268*/SF1933, sponsored by **Rep. Ann Lenczewski** (DFL-Bloomington) and **Sen. Tom Bakk** (DFL-Cook), would not increase income taxes, business property taxes or other major revenue sources. Most of the money to pay for that tax break would come from closing corporate tax loopholes for companies that shelter income through foreign operating corporations. The original House omnibus tax bill, yet to be acted upon, would have provided \$452 million in property tax relief with an income tax increase on the state's wealthiest residents.

"They said property tax reform was their number one thing and it's the first thing they throw under the bus," Pawlenty said at a May 16 press conference.

The new tax bill came a day after the governor vetoed **HF2294*/SF2003**, sponsored by **Rep. David Dill** (DFL-Crane Lake) and Bakk, which would have created a new income tax bracket for the state's top earners. As amended to become the omnibus property tax bill, it was passed 35-31 by the Senate and **73-58** by the House.

"The governor vetoed property tax relief on the day people have to pay the first half of their property taxes," **Rep. Paul Marquart** (DFL-Dilworth) said. "That just added insult to injury."

Transportation

Vetoed by Pawlenty May 15 was a \$4.23 billion bill (**HF946**) that included permission for counties to increase their sales tax by 0.5 percent for transportation needs, a formula for dedicating motor vehicle sales tax revenue, \$1.5 billion in trunk highway bonding in the next decade, a \$20 excise tax on motor vehicles and up to a 7.5-cent increase in the state's gas tax. The latter includes a 2.5-cent bump to pay for bonding debt service.

"With more than \$5 billion in tax and fee increases, this bill would impose an unnecessary and onerous financial burden on Minnesota citizens and would weaken our state's economy," Pawlenty wrote in his veto message. "The entire array of tax increases in this bill would cost an average family in Minnesota up to \$500 per year."

Because the conference committee report was approved **90-43** in the House and **47-17** in the Senate, there have been rumblings about an attempted veto override. **Rep. Bernie Lieder** (DFL-Crookston), the House sponsor, said May 16 that an override attempt "may happen in a couple of days." To be successful, the bill would need 90 "yes" votes in the House and 45 in the Senate. However, Lieder indicated another vote or two may be needed because some who previously voted affirmatively would not support the override attempt. If an override fails a so-called "lights-on" bill could be offered.


— **MIKE COOK, STEPHEN HARDING, SONJA HEGMAN, PATTY OSTBERG, LEE ANN SCHUTZ AND MIA SIMPSON CONTRIBUTED TO THIS ARTICLE.**

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Community energy development

The bill would overhaul the state's Community-Based Energy Development statutes by expanding the types of projects that would qualify for the program, increasing the financial benefits for communities that invest in renewable power, and encouraging utilities to make use of C-BED projects in meeting the state's renewable energy standard.

The C-BED provisions, which come from **HF2253**, sponsored by **Rep. Aaron Peterson** (DFL-Appleton), also require utilities to offer their customers the option of purchasing some or all of their energy from C-BED projects.

"You'll have the opportunity to purchase 100 percent Minnesota renewable energy," Peterson said, adding that the program will feature its own logo similar to the "Minnesota Grown" logo for locally produced foods. 


Water continued from page 17

\$2.1 million to \$3.7 million.

Jennifer O'Rourke, an intergovernmental relations representative with the League of Minnesota Cities, said that over the next five years, \$1.9 billion is the projected need for wastewater/water treatment plant projects statewide. The 10-year projected need is \$3.2 billion because of a federal mandate on wastewater cleanup.

"I see this area as an ever-expanding area," said **Rep. Sandy Wollschlager** (DFL-Cannon Falls). "At what point are we going to get our arms around this?"

Simpson said that as technology changes, he thinks the state will change with it.

"I'd like to see us get to point where we don't have to put in these huge systems for all these communities," he said. 

Tracking new laws, vetoes

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

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

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

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

Only on appropriations bills can the governor exercise the line-item veto authority. This allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes, which occur in the days after the Legislature has adjourned sine die), the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in appropriations bills may not be line-item vetoed. In order

to veto such an item, the governor is required to veto the entire bill.

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

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

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

CH	HF	SF	Description	Signed	Vetoed
1	8*	17	Tax conformity provided for tax year 2006.	1/30/2007	
2	110*	38	Great Lakes - St. Lawrence River Basin Water Resources Compact enacted.	2/20/2007	
3	4	4*	Renewable energy standard established.	2/22/2007	
4	87*	257	St. Paul Asian Pacific Cultural Center predesign expenditures authorized.	3/2/2007	
5	160*	103	Help America Vote Act account appropriations transfer authorized.	3/14/2007	
6	935	736*	Metropolitan Intercounty Association renamed Minnesota Inter-county Association.	3/21/2007	
7	1425	1499*	Students authorized to participate in high school league-sponsored activities after completing licensed treatment programs.	3/20/2007	
8	1008*	985	Child placement background check requirements modified.	3/27/2007	
9	1364	1168*	Building contractors insurance requirements modified.	3/27/2007	
10	1678	1294*	Public Utilities Commission electronic filing authorized.	3/27/2007	
11	736*	636	Ambulance service personnel longevity award and incentive program renamed the Cooper/Sams volunteer ambulance program.	3/30/2007	
12	1441*	792	Limited purpose trust companies nonsubstantive term changes provided.	3/30/2007	
13	1200*	983	Revisor's bill.	3/30/2007	
14	163	60*	Duluth postemployment benefits accounts authorized, and money appropriated.	3/30/2007	
15	1429	1332*	Meeker County economic development authority membership increased to nine.	3/30/2007	
16	274*	227	Rural Finance Authority agricultural loan funding provided, bonds issued, and money appropriated.	3/30/2007	
17	1432	1133*	St. Louis County civil service director provisions modified.	4/20/2007	
18	1004*	809	Predatory mortgage lending practices prohibited.	4/20/2007	
19	878*	1263	Board of Animal Health consultants expanded to include the commissioner of agriculture.	4/20/2007	
20	472*	239	Renewable energy production incentives eligibility period extended.	4/20/2007	
21	1594*	952	National Guard reenlistment bonus program expanded, and academic awards provided.	4/26/2007	
22	448*	1912	Auto insurance verification mailing program repealed.	4/26/2007	
23	539*	600	Trunk highway Route No. 145 technical correction provided, and Legislative Route No. 262 removed.	4/26/2007	
24	2090*	2111	Backflow prevention in recreational camping areas requirements limited.	4/30/2007	
25	1490*	1419	Scott County personnel rules adoption authorized, and veterans' preference administration provided.	4/30/2007	
26	1193	1098*	Beltrami County; county recorder appointment process provided.	4/30/2007	
27	1105	1017*	Charter commission expense limitations increased for specified cities.		4/30/2007
28	1300	1069*	Motor fuels unavailability notice required, and penalty waiver provided for retailers who do not carry ethanol or biodiesel blends under certain circumstances.	4/30/2007	
29	2135	1949*	Minnesota Sesquicentennial Commission duties, powers, and procedures modified.	5/3/2007	

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

CH	HF	SF	Description	Signed	Vetoed
30	293*	450	Environment and natural resources funding provided, Legislative-Citizen Commission on Minnesota Resources meeting requirements modified.	5/3/2007	
31	881*	981	Metropolitan Land Planning act and related statutes modified, and erroneous and obsolete references corrected.		5/3/2007
32	958	846*	State agencies deficiency funding provided, and money appropriated.	5/2/2007	
33	1294	1483*	Minnesota Council on Disability sunset repealed.	5/3/2007	
34	1872	1807*	Hennepin County conflicts of interest regulated for certain Hennepin Healthcare System personnel.	5/3/2007	
35	1267	1236*	State employees technical and housekeeping changes provided.	5/3/2007	
36	1016	420*	Forest pest control measures provided, approved firewood required on land administered by the commissioner of natural resources, and sale and distribution of firewood regulated.	5/3/2007	
37	1444	1105*	Health risk limits and reporting required for certain perfluorochemicals.	5/3/2007	
38	886*	2157	Omnibus bonding bill providing capital improvements funding, issuing bonds, and appropriating money.		5/1/2007
39	1865	1787*	Workers' compensation coverage federal exclusions information and report required.	5/4/2007	
40	993	1735*	Radon control provisions adoption required relating to building codes.	5/4/2007	
41	1990	1790*	Adverse health care events reporting provisions modified.	5/4/2007	
42	1442	1266*	Hospital emergency rooms required to provide emergency contraception, prophylactic antibiotics and information to sexual assault victims.	5/4/2007	
43	465	321*	Independent nonprofit firefighting corporations included for joint exercise of powers agreements.	5/4/2007	
44	2056	1920*	Financial institutions debt, charges, expenses, electronic terminals, and investments regulated.	5/4/2007	
45	2227*	1925	Omnibus agricultural and veterans affairs bill appropriating money; providing for NextGen energy; and changing veterans provisions.	5/4/2007	
46	966*	817	State nurse overtime provisions modified, and report required.	5/8/2007	
47	189	372*	Ticket scalping prohibition repealed.	5/7/2007	
48	854*	235	Video display device collection, transportation, and recycling provided; civil penalties imposed.	5/8/2007	
49	1400	358*	Adoption information assistance provided to genetic siblings.	5/8/2007	
50	918	555*	Essential community provider designation extended.	5/8/2007	
51	272*	699	Firearms safety and usage training certificates continuation provided while soldiers and essential employees are engaged in active military service.	5/9/2007	
52	269	124*	County office vacancy procedures modified.	5/9/2007	
53	504	646*	Bullying; school board policies prohibiting bullying and intimidation required to address electronic and Internet use.	5/9/2007	
54	829*	650	Omnibus public safety and corrections finance bill appropriating money; providing general criminal and sentencing provisions; and regulating DWI and driving provisions.	5/7/2007	
55	None	2089*	Omnibus jobs and economic development bill providing accounts, assessments, fees, and funding; modifying certain programs; regulating certain activities and practices.		5/7/2007
56	953	1997*	State government funding provided, state and local operations regulated, public employment provisions modified, Department of Employee Relations abolished.		5/7/2007
57	2410	2096*	Omnibus environment and natural resources finance bill appropriating money for environment, natural resources, and energy purposes.	5/8/2007	
58	297	2171*	Omnibus health and human services finance bill.		5/8/2007
59	905	1311*	Municipal preventive health services programs authorized.	5/10/2007	
60	633	805*	Health plan coverage for hearing aids requirements modified.	5/10/2007	
61	455*	300	Public defense provisions updated and clarified, right to representation modified, public defender system supervision provided, chief public appellate defender appointment provided, and public defender co-payments statutory language stricken.	5/10/2007	
62	2045	1193*	Petroleum products specifications updated, and petroleum definitions modified.	5/10/2007	
63	1598	1073*	State labor agreements and compensation plans ratified.	5/10/2007	
64	556	218*	Airport zoning disclosure duties established.	5/10/2007	
65	797	1989*	Omnibus higher education funding bill.		5/9/2007
66	1287	1705*	Colorectal screening tests insurance coverage required.	5/14/2007	
67	1493	2030*	Surplus property rulemaking authority provided.	5/14/2007	
68	1555	1902*	Energy forward pricing mechanisms terms defined.	5/14/2007	
69	738	322*	Civil commitment early intervention services expanded, and definition of chemically dependent person expanded.	5/14/2007	
70	1708	1509*	Hennepin County design-build contract provisions modified.	5/14/2007	
71	1704	1464*	Motor vehicle collision repair required to include air bag repair or replacement, and criminal penalties imposed.	5/15/2007	
72	1712	744*	Rental vehicle insurance coverage regulated.	5/14/2007	
73	1919	2161*	Plats of land provided.	5/14/2007	
74	931	988*	Predatory mortgage lending practices prohibited, criminal penalties prescribed, and remedies provided.	5/14/2007	
75	756	585*	National Register of Historic Places property sale or lease restrictions removed.	5/15/2007	
76	1339	1557*	State government record retention provision deleted.	5/14/2007	
77	1034	538*	Heating and cooling policy established for building projects funded with state appropriations.		
78	1161	1045*	Scott County Housing and Redevelopment Authority renamed Scott County Community Development Agency.		

CH	HF	SF	Description	Signed	Vetoed
79	772	608*	Aircraft insurance minimum liability limits increased.		
80	1949	1542*	Insurer conduct regulated in collision cases.		
81	2294*	2003	Omnibus tax bill modifying property tax provisions, providing a homestead credit state refund, increasing property tax refunds, providing a school bond agricultural credit, and adding an income tax bracket and rate.		5/15/2007
82	305	238*	Freedom to Breathe Act of 2007; secondhand smoke hazard public policy established to protect employees and the general public.		
83	1486	1755*	Charitable organizations authorized to participate in joint powers agreements.		
84	946*	1986	Omnibus transportation finance bill appropriating money for transportation, Metropolitan Council, and public safety activities; issuing bonds; modifying taxes; authorizing local transportation sales taxes.		5/15/2007
85	1582	1215*	Health department technical changes provided, radioactive material license renewal fee eliminated, radiation-producing equipment fees established, x-ray equipment operation requirements modified.		
86	1157	1675*	Minnesota "Support Our Troops" account money uses expanded.		
87	1554	1495*	Payroll card accounts regulation extended.		
88	1549	1019*	Public Utilities Commission ex parte rules technical changes provided.		
89	1958	1070*	Liquor regulations modified, and intoxicating liquor licenses authorized.		

BILL INTRODUCTIONS

MAY 11 - 17, 2007
HOUSE FILES 2476 - 2502

Friday, May 11

HF2476-Simpson (R)

Finance

Wadena Regional Wellness Center funding provided.

HF2477-Ruud (DFL)

Health & Human Services

Colorectal cancer screening for the uninsured provided.

HF2478-Pelowski (DFL)

Finance

Port development assistance funding provided.

Monday, May 14

HF2479-Olin (DFL)

Rules & Legislative Administration

Fiduciary transactions technical correction provided.

HF2480-Juhnke (DFL)

Finance

Kandiyohi County veterans facility funding established.

HF2481-Hausman (DFL)

Finance

Como Zoo infrastructure funding provided.

HF2482-Lanning (R)

Finance

Buffalo-Red River Watershed District flood hazard mitigation funding provided.

HF2483-Johnson (DFL)

Finance

St. Paul Youth Services building acquisition and renovation funding provided.

HF2484-Welti (DFL)

Finance

Rochester Community and Technical College addition funding provided.

HF2485-Johnson (DFL)

Finance

St. Paul; National Great River Park including the Bruce Vento Nature Sanctuary, improvements and infrastructure provided.

Tuesday, May 15

HF2486-Abeler (R)

Health & Human Services

Evidence-based underwriting standards based upon life insurance applicants having received mental health care prior approval required.

HF2487-Solberg (DFL)

Finance

McGregor wastewater discharge re-routing system funding provided.

HF2488-Westrom (R)

Finance

Independent School District No. 264, Herman-Norcross, fisheries and wildlife management technology curriculum grant provided.

HF2489-Mullery (DFL)

Public Safety & Civil Justice

Invalid medical assistance liens attorney fees provided.

Wednesday, May 16

HF2490-Gunther (R)

Rules & Legislative Administration

Compensation Council provided the authority to establish salaries for legislators, judges and constitutional officers.

HF2491-Koenen (DFL)

Agriculture, Rural Economies & Veterans Affairs

Power of attorney alternative statutory short form created for military members who are in active service.

Thursday, May 17

HF2492-Severson (R)

Agriculture, Rural Economies & Veterans Affairs

Veterans Outdoor Reintegration Act of 2008 adopted providing lifetime hunting and fishing licenses to eligible veterans without fees.

HF2493-Clark (DFL)

Finance

Sober houses regulated.

HF2494-Severson (R)

Public Safety & Civil Justice

Child custody; courts prohibited from considering a parent's military status when determining child custody or parenting time orders.

HF2495-Kranz (DFL)

Finance

Ice arena facilities funding provided to the amateur sports commission.

HF2496-Koenen (DFL)

Finance

Yellow Medicine County Agriculture and Transportation Museum electrical system upgrade funding provided.

HF2497-Eken (DFL)

Rules & Legislative Administration

Legislators Salary Council established, Citizen Compensation Council composition modified and constitutional amendment proposed.

HF2498-Sailer (DFL)

Finance

Hubbard County historic courthouse building renovation funding provided.

HF2499-Atkins (DFL)

Commerce & Labor

Telecommunications services for business customers uniform regulatory treatment provided.

HF2500-Buesgens (R)

Taxes

Gasoline and special fuel tax temporary suspension provided.

HF2501-Jaros (DFL)

Environment & Natural Resources

Mourning dove hunting prohibited.

HF2502-Haws (DFL)

Taxes

St. Cloud police and fire stations construction materials sales tax exemption provided.

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MINORITY LEADER: MARTY SEIFERT

MINNESOTA INDEX

Educating the state

Minnesota K-12 education total expenditures 2006-07, in billions.....	\$14.6
Per pupil spending in Minnesota in 2005-06 school year.....	\$9,675
National rank	18
State aid per pupil in 2005-06 school year.....	\$8,368
National rank.....	3
Public school districts in Minnesota in 2005-06 school year	339
Number of public schools	1,895
Private schools	510
Charter schools.....	136
Teachers in Minnesota in 2005	52,255
Those who teach special education.....	8,752
Average years of teaching experience.....	14.09
Average teacher salary in Minnesota in 2005.....	\$48,489
National rank.....	16
National average.....	\$49,109
K-12 enrollment in Minnesota public schools on Oct. 1, 2005.....	828,364
Kindergarten	59,806
Grades 1-6.....	357,025
Grades 7-12	411,533
Private school enrollment on Oct. 1, 2005.....	83,909
Students open enrolled to nonresident districts.....	35,731
Students in charter schools in 2005-06 year	20,608
Home schooled Minnesota students in 2005	17,334
Pupils per teacher in 2005-06 year	16
National rank.....	15
Percentage of state residents age 25 and older with a high school diploma in 2005.....	92.7
National rank.....	1
Increase in graduation rate from 1989-2004, as percent.....	8
Graduation rate in 2004, as percent.....	92.3
National rank.....	1
Dropout rate in 2005-06, as percent.....	3.8

— S. HARDING

Sources: Department of Education; State Rankings 2007; CQ State Fact Finder 2007; State Trends third edition; U.S. Department of Education; Minnesota House Fiscal Analysis Department.

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